Village of New Berlin

Minutes of May 9, 2023

**CALL TO ORDER**

The regular meeting for the Village of New Berlin was called to order at 6:30 PM by Mayor, Peter Lennon.

**ATTENDANCE**

Members Present: Peter Lennon, Mayor

Dave Smith, Trustee/Deputy Mayor

Richard Potter, Trustee (arrived at 7:15 pm)

Jim Crawford, Trustee

Members Absent: Maryellen Canuel, Trustee

Others Present: Jared Kline, Don Anderson, Randy Brundage, Patrick Wright, Sarah Wales-Wright, Brian Skidmore, Elaine Lennon, Denis Pope, Marci Riddell, Jared Hanslmaier, Lori Wilson, Tony Canuel.

**ROLL CALL**:

Canuel– not in attendance

Crawford – here

Lennon – here

Potter – not in attendance at roll call, arrived at 7:15pm

Smith – here

**PRIOR MINUTES**

Minutes of the April 11th, April 18th, and April 26th meetings were approved on motion by Dave Smith. The motion was seconded by Jim Crawford. VOTE: Crawford – yes, Smith – yes, Lennon – yes. APPROVED

**PUBLIC CONCERNS AND VISITORS**

Marci Riddell presented a brief overview of the historically conservative approach to investments that the Village has utilized since 2000 with funds that are actively managed on behalf of the Village by Norwich Wealth Management. These funds were moved into a more aggressive long-term growth strategy several years ago at the request of the Village. Marci asked to present to the board as the board is considering moving funds into a higher yield, less risk sweep account. The Village is determining the best tool for future investment of the funds as it is not legal to assume any investment risk with taxpayer funds. Funds currently invested with Wells Fargo are for the Cemetery account and do not involve tax-payer funds. Marci also presented options for leaving the funds with Norwich Wealth Management with a lower risk, by moving the funds into short term CD’s with rates as high as 5.15%. The Village would like additional information on the legality of Village’s investing in Mutual Funds as a previous presentation by NBT Bank had mentioned that they were not in fact legal and had offered the Village the ability to move the funds into a high yield sweep account, along with the possibility of moving reserve funds to the sweep account as well.

Denis Pope requested of the board that they grant him long term usage of the kitchen at the Community Center. He has a food trailer that he will be utilizing in the area, primarily in South New Berlin to start and he needs storage and cooler space to obtain his food license. The board has requested additional information and Denis will email the information regarding commissary kitchens to Kelly and she will disseminate to the board for further review.

Opportunities for Broome and Chenango prepared an informational packet for the board and Kelly Robertson made herself available to have a phone conference with the board to answer any questions they may have. Opportunities for Broome and Chenango is in the process of applying for a $3.5 million to $4 million grant and is seeking a letter of support from the Village for the grant submission. The grant funding would be used for the renovation and rehabilitation of 3 properties on Genesee Street and one on Green Street that are owned by Opportunities for Broom and Chenango. Although a public hearing is not required to issue a letter of support, Mayor Lennon has chosen to hold a public hearing on June 1st at 6pm for Opportunities for Broome and Chenango to present the project to the attendees and take feedback from the public on issuing the letter of support from the Village. Opportunities for Broome and Chenango are currently renovating the apartments previously known as Red Mill with a $5.5 million grant project.

Brian Skidmore from Barton & Loguidice was in attendance to provide the board with an update and timeline on the water project grant assistance that his firm is providing to the Village. He also answered questions regarding an addendum to the contract for engineering assistance that has been outlined for the remainder of the year, that he gave the board at last month’s meeting. The total project is estimated to cost between $13-15 million with the hope that the Village will qualify for between $7 and 9 million in Grant funding. The proposed amendment was for $16,000 plus the $5,500 that has already been committed by the Village board for the arial photography and maps needed for the project. Approximately half of the amendment is for work that has already been completed, but not billed to the Village for financial assistance for the water improvement project. They will also re-submit grant applications not awarded to the Village in this award period in future award periods at essentially no additional charge. The board has requested that Brian provide bi-monthly updates and in-person updates at every other board meeting.

**FIRE DEPARTMENT**

The Fire Department went on 8 calls in April, bringing them to 31 calls year to date. They will be having the pump on 251 looked at, there is a leak that they are hoping is just a gasket. Friday and Saturday of next week, several department members will be going to the show in Harrisburg. They are looking for approval from Dave for up to $2,000 to purchase new fire gloves. Mayor Lennon requested a letter from the Fire Department in reference to the number of fire calls made in Columbus that they do not receive ambulance support from Sherburne. He feels this information may be useful in contract negotiations for the EMS department.

**EMS Report**

The EMS Report was submitted by Randy Brundage and another report by Dale Barton. There was an inconsistency between the two reports that they are currently looking into. Randy’s report is based on driver feedback. There were four missed calls due to no medic on duty. This was due to sickness and an Emergency Room visit by two separate medics this month. Randy and Pete are currently looking at a recruitment program with the county. The new narcotics safe has been delivered and installed.

**DPW**

The DPW is currently working on Spring cleanup, which is going well. Ryan Loveland passed the C operator course for water school. He will be eligible to obtain his license in 6 months. Another employee took the course but missed passing by two points, he will go back and re-take the exam later this month.

The new backhoe, purchased by the DPW is in-route. The expenditure was budgeted for the 2023/2024 Fiscal Year, but based on price and availability, the board has approved the early purchase for the cost savings advantages. Hydrants were flushed last week; they were far less dirty than in previous spring flushes. Harrington’s Tree Service is working on cutting down a tree in Hyde Park. There was some minor damage by the boom truck to the swing-set. It was pushed down approximately 2 inches. Rich Potter will work on getting someone to inspect the equipment. Kelly will provide the name and phone number of the previous company that inspected the equipment to Rich.

**GRANT UPDATE**

Now that the State budget has passed Mayor Lennon will begin pursuing the release of the SAM’s Grant funding that was promised to the Village several years ago towards the construction of the new Firehouse and Community Center. Currently no-one has signed up for the home heating and cooling campaign the Village is working on with NYSERDA that would quality the Village for the $5,000 grant the Village would be eligible for. Kelly is working with NYSERDA in the hope that they will be able to attend the Village Community Yard Sale Day on June 17th.

**COMMITTEE REPORTS**

Anthony Canuel presented the board with an updated status report for the CD Loan committee. There are currently 4 loans, with no delinquent payments. The investment of $50,000 in funds into 2 CD’s has been completed and is currently earning the Village interest. There is currently $150,144 available for lending. There were two new applications since the last board meeting. Mayor Lennon has spoken to Village Attorney, Dave Merzig, as long as a non-profit entity or 501C3 organization can meet the financial integrity requirements and the ability to re-pay the debt and is essentially held to the same financial background standards as a homeowner or business owner in the Village, they too would be equally eligible for an application to the CD Loan Fund.

Sarah Wright gave an update on the Community Events Committee. Earth Day was a success. They gave thank you cards to Kelly and requested that she mail them on behalf of the committee. With the help of great volunteers and the generosity of several area businesses there were several properties cleaned up, spotlights placed on the signs coming into the Village, 4 buckets of shredding providing by NBT Bank, a dumpster filled with garbage, 4 structures power washed in addition to the Village gazebo, and some great live entertainment provided by Denis O’Conner. Next year they are hoping to get a larger dumpster, goat yoga, and possibly a hydroponic farm display. With an anonymous donation of $100 to the event, the net cost to the Village was $40 for the day. A special thank you went to Dave Smith and Preferred Mutual, they came out in force to contribute to the cleanup activities.

The next event they are working on will be the Community Yard Sale Day. They will be preparing sign-up sheets and flyers that will be placed at area businesses and online. They are also offering new, more user-friendly maps this year and are working with T’s Diner and All the Perks to provide food trucks for the day. More information will be available on the Village Facebook page, texting service and advertised in the paper in the coming weeks.

Additional events in the upcoming weeks include a Mammogram van that will be in the parking lot next to Stewarts on the 25th of May. Everyone coming on that day will get a rose, donated by Wendy Rifanburg. A Memorial Day parade will be held on the 29th of May beginning at 9:30 am.

The Chobani Community Center Committee did not have anything to report. The courtesy ramp has been added to the side door at the center, the Village has received several compliments since its installation.

The representative from the Safer Slower New Berlin Committee was not in attendance, Rebecca has returned to the area but has not had the opportunity to reconvene meetings. They are working on obtaining DOT engineers sign off on the reduction of speed limits from 30 MPH to 25 MPH on Village streets.

**OLD BUSINESS**

Kelly is working with RCR on finalizing the training and programing of the keyless entry software for the Village office and the Community Center.

Mayor Lennon is meeting with the Planning Committee on the 31st, he will be discussing with the committee the option of moving forward with the comprehensive plan by holding a public information session rather than a survey.

Maryellen, Dave Kaminski and Pete met with the tech provider for the camera system and have identified key locations for the placement of cameras throughout the village. Cameras will be purchased by the Village and monitored by the Town of New Berlin police department.

The discussion regarding Village owned parking spaces behind the Pelligrino building, previously the old Mang Building is pending response from the Pellegrino’s attorney. Mayor Lennon anticipates the spaces being opened back up for municipal parking soon and anticipates a discussion with Dave Kaminski and Maryellen Canuel in the upcoming days/weeks.

Data from the metering flow test at the Willow Lane Trailer Park will be collected on the 10th of May. This data will be used in the procurement of grant and loan packages that Barton and Loguidice will be filing on behalf of the Village’s water improvement project.

Jim will be scheduling a time with Audra Prentice to complete the audit of the fire department. Dave and Kelly have re-scheduled the audit of the Village office for the 24th of May. Dave still has the Ring Thermostat to install at the Community Center. The tank for diesel fuel has been delivered to the DPW. Auto-delivery with Norton gas for propane will be terminated by Jim once the propane and diesel fuel has been completely set up for bulk deliveries by Broedel Fuel.

Dave Smith made the motion to approve the addendum to the contract with Barton and Loguidice for $16,000 to take us through the end of the year with their services. Jim Crawford seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

The approval of revisions to the job description of the position of Clerk/Treasurer, the appointment to that position and revision to the hours of the Village Hall have been postponed for further review/revisions for a special meeting that has been scheduled for Thursday, May 18th from 5:30pm to 6:30pm.

The board discussed putting out to bid the sale of the treetops that remain from the logging of Village owned property. Jim will work with Kelly on putting together a bid-spec to be put out for the sale of the tree-tops.

**NEW BUSINESS**

Jim Crawford made the motion to approve the bid by Fuller Paving for an amount of up to $30,950 for the milling and paving of Academy Street. Dave Smith seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

Jim Crawford made the motion to address the sidewalk and relocate the water valve at the property of Adam Enstrom. Rich Potter seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

Dave Smith made the motion to approve the water relevy to the Village taxes in the amount of $23,587.07 to the Village tax bills. Pete Lennon seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

Jim Crawford made the motion to approve the $20,000 loan request of Allen and Tammie Emrick for the property they recently purchased located at 5 Green Street in the Village. Rich Potter seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

The board discussed assessing a flat fee annually for those establishments in the Village that are hooked into the Village water system for their Fire Suppression systems. They would like to meter every source of water drawn within the Village the same as a resident would be metered. The board will hold a public hearing prior to the June Meeting for public comment on revisions to the local water law.

The discussion on the investment of reserve funds has been tabled as the board has opted to utilize a portion of the funds in the upcoming fiscal year. It has been determined that it is in the Village’s best interest to keep the funds liquid for the short term and re-evaluated later in the upcoming fiscal year. The discussion on the relocation of Funds between investment sources within Wells Fargo and/ or moving funds to NBT Bank has been tabled for the board to review additional data that will be requested of NBT on the legality of municipal investments in mutual funds.

Dave Smith made the motion to approve the appointment of Arianna Vanderweyde as BLS Medic for the New Berlin Ambulance Service. Rich Potter seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

Dave Smith made the motion to approve the appointment of Kally Haskell as ALS Medic for the New Berlin Ambulance Service. Jim Crawford seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

Jim Crawford made the motion to approve the renewal contract for copier service and repairs with PDQ for an amount of $650. Rich Potter seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

RESOLUTION

**Resolution No. 2023-9 “Resolution approving the payment of vouchers”**

Whereas, the Treasurer of the Village has presented the following bills for payment…

General Fund - $123,964.86

Water Fund - $ 2,293.96

EMS Fund - $22,376.92

Total Expenditures - $ 148,635.74

Whereas, The Board of Trustees has audited the claims presented for payment.

Now, therefore…

Be it RESOLVED that the Village of New Berlin Board of Trustees, hereby approves payment of the aforementioned bills for payments.

RESOLUTION INTRODUCED BY: Dave Smith SECONDED BY: Jim Crawford

ROLL CALL VOTE:

Canuel: Absent Crawford: YES Lennon: YES Potter: YES Smith: YES

YES: 4 NO: 0 ABSTENTION: 0 ABSENT: 1

CARRIED: YES

RESOLUTION

**Resolution No. 2023-10 “Resolution Rescinding Local Law 1 of 2023”**

**Whereas,** the Village of New Berlin Board of Trustees passed Local Law 1 of 2023 on January 10, 2023, A local law authorizing a property tax levy in excess of the limit established in General Municipal Law **§3-c.**

**Whereas,** after completion of the budget workshops for the 2023-2024 Fiscal Year, the property tax levy will not exceed the limit established in General Municipal Law **§3-c.**

**Whereas,** local law 1 of 2023 is no longer applicable for the upcoming 2023-2024 Fiscal Year.

Now Therefore,

We the board of trustees of the Village of New Berlin hereby resolve to repeal Local Law 1 of 2023.

RESOLUTION INTRODUCED BY: Dave Smith SECONDED BY: Rich Potter

ROLL CALL VOTE:

Canuel: Absent Crawford: YES Lennon: YES Potter: YES Smith: YES

YES: 4 NO: 0 ABSTENTION: 0 ABSENT: 1

CARRIED: YES

Rich Potter made the motion to adjourn the meeting. Jim Crawford seconded the motion. VOTE: Crawford: yes, Potter: yes, Smith: yes, Lennon: yes. APPROVED.

Adjourned at 9:36 PM - Kelly Anderson, Village Clerk and Treasurer