Village of New Berlin

Minutes of August 8, 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

Maryellen Canuel, Trustee

Jim Crawford, Trustee

Josh Burchill, Trustee

Members Absent: none

Others Present: Jared Kline, Randy Brundage, Lisa Serradilla, Richard Noble, Richard Anderson, Tony Canuel, Jared Hanslmaier, Shawn Patrick, Scott Church, Patrick Wright, Sarah Wales-Wright.

**ROLL CALL**:

Burchill– here

Canuel – here

Crawford –here

Lennon – here

Smith – here

**PRIOR MINUTES**

Minutes of the July 11, July 18, and August 1 meetings were approved with the revision to the August 1st minutes to revise option number 6 of the VCI Ambulance bids from a lead time of 10-14 months to a lead time of 2-4 months on motion by Maryellen Canuel. The motion was seconded by Dave Smith. VOTE: Burchill – yes, Canuel – yes, Crawford – yes, Smith – yes, Lennon – yes. APPROVED.

**PUBLIC CONCERNS AND VISITORS**

Scott Church was introduced by Mayor Lennon. Scott has recently been hired by the Village to be the Enforcement Officer. He will be working with the Village and the residents to ensure compliance with local ordinances. He is currently working on a tracking mechanism specifically related to safety and health related concerns and how they relate to his position as enforcement officer. He will be working with individuals and educating them on possible funding sources as options for those who may not be able to afford the needed improvements to their properties. Soon he will be having meetings with various County employees such as Ian Oldham, Dave Gorman, and Shane Butler to further enhance his knowledge for the position to assist the community and the Village.

Dave Kaminski was unavailable to attend the Village meeting. Mayor Lennon did convey that Dave has discussed parking on North Main Street with the DOT and has a couple of options that can be discussed. Mayor Lennon has recommended that the options be discussed in a meeting outside of a regular board meeting and then brought to the board for action later.

Rich Anderson of the Nook Coffeehouse asked the board to consider revising Local Law 3 of 2023 titled “Vehicles and Traffic” to revert the no parking on South Main Street in front of 24 South Main Street to allow two parking spaces in front of the business that will open next month and allow for 3 parking spaces on the North side of School Street between the intersection with Route 8 and Action Place. Maryellen Canuel pointed out a discrepancy in the current law. On page 9 the law lists the spaces on South Main Street as a No Parking Zone, but on page 11 lists the spaces as being a two-hour parking zone.

Originally the parking spaces on School Street were eliminated for ease of egress for Fire Trucks, as the station has been moved to South Main Street, that egress is no longer essential. Josh Burchill weighed in on the rarity of businesses opening in the Village and his opinion that we should be doing what we can to assist those businesses to succeed and the parking will not only be a positive impact for the Nook, but also to the buyers of the old firehouse building. Jim Crawford agreed, he added that if the Village is going to potentially remove parking spaces on North Main Street, we need to look for opportunities to add spaces elsewhere to aid our downtown businesses and patrons of those businesses.

Jared Kline will discuss changing out the signs for the parking spaces on South Main Street with Josh at the DOT. New verbiage for the local law will be drafted and a public hearing will be held in September to revise the local law to incorporate 2 spaces on South Main Street as 2-hour parking spots and 2 spots on School Street that will be 10-minute parking. The board will vote to change the law following the public hearing to be held at the beginning of the September regularly scheduled board meeting.

Lisa Serradilla expressed kudos to the DPW for their rapid response to the accident under the traffic light when the power was out the other day. She heard the crash, her, and her husband were the first on the scene followed by the DPW, who were able to set up cones. She expressed concern over the speed at which trucks were driving through the intersection and not stopping or slowing for the accident. They were concerned for Jared and the rest of his DPW crew on scene as it took 25 minutes for the State Troopers to arrive in the Village. Mayor Lennon is eager to accelerate the placement of a speed monitoring sign on Main Street in the Village by the Town of New Berlin Police Department, there has been a lot of red tape and obstacles from the State DOT slowing the process.

**FIRE DEPARTMENT**

Jared Hanslmaier submitted the written call volume report to the Village Board of Trustees. The Fire Department went on 11 calls in July, bringing them to 55 calls year to date. The new electronic sign is operational and according to Kelly has been added to the Village insurance policy. The department will hold a boot drive on Saturday morning to raise funds for the department. They hold this fundraiser every year on motocross weekend. The department was sponsored by Preferred Mutual for a grant from Namik. They were awarded $2,500 to be used on training equipment.

**EMS Report**

The EMS Report was submitted by Randy Brundage. The EMS department went on 31 calls in July, only 21 calls resulted in billable transport. There were 6 off duty calls in July that were recorded as missed calls; we were down for the first 7 days in July with no ambulance. There have been 206 calls this year to date, with 138 transports. A rental agreement with Sidney is underway as we will probably be using that vehicle until we get a new ambulance. Mayor Lennon advised that the call volume is close to where it needs to be to provide a self-sustainable service to the community.

**DPW**

Jared and the DPW had a busy month. They have been doing a lot of mowing and trimming. The backhoe has broken two times this month, the first when the fuel tank rotted. The new mower has been received and is running great. The DPW will be working on developing a maintenance service schedule for the equipment for tracking purposes. The department will be working on re-erecting a sign on Academy Street as well as a new sign for the one-way egress from the municipal parking lot behind the pharmacy that will also say “Do Not Enter”.

**GRANT STATUS**

Over the past month, Barton and Loguidice has drafted the WIAA grant, the deadline for submission was extended from July 28th to August 11th. They have drafted DWSRF finance application in anticipation of the Village being awarded hardship financing, a 0% interest loan, in FY 2023-2024. They have received and have addressed several comments and questions from a Rural Development funding application with the assistance of Mayor Lennon and Kelly Anderson. Award notifications should be announced sometime between October and December for the Rural Development and WIAA Grant applications. Additional information and documentation will be supplied to the Grant agencies as is requested.

There are two active SAMS grant applications for the Village, one is the $150,000 grant for the Firehouse and Community Center; there has been no activity on it and there will be no activity on that until the legislature is back in session in January. The second is the SAMS grant that was recently made available from Assemblyman Angelino for $75,000; the board previously determined this grant would be used for the reimbursement of a newer ambulance. The application form and narrative have been submitted to Assemblyman Angelino’s office. Feedback has been received that it looks good. Mayor Lennon is waiting to see if there is any additional documentation or steps needed for the submission. Progress reports will be received and shared with the board as they move through the process. The push for the release of funds has gone public for the 2018 funds that were awarded downstate. Mayor Lennon intends to contribute to the publicity to help show that the holdup in Albany is not only affecting downstate, but also Upstate NY.

**COMMITTEE REPORTS**

Anthony Canuel presented the board with an updated status report for the CD Loan committee. There are currently 4 loans with an outstanding balance of $25,182.54, with no delinquent payments. There is one loan in the amount of $20,000 that is still being processed by the Village and Attorney. Kelly has advised the committee that the loan should be finalized within the next week to week and a half. The paperwork has been sent by the attorney to the lender. The investment of $50,000 in funds into 2 CD’s has been completed and is currently earning the Village interest. There is currently $153,823.63 available for lending. There were no new applications since the last board meeting. They are working on ways to stimulate more interest in the loan program throughout the community at their next meeting. They have reviewed the loan program with the Enforcement officer, so that he can share the information with individuals that he meets with who may not be aware of the program. The committee still has all 5 original members.

Sarah and Patrick Wright were in attendance. The Community Event Committee did not hold a meeting in August yet, they will provide updates from the committee at the next meeting. They are hoping to get the Yard Sale Day signs removed from their driveway. Sarah has requested a copy of the food vendor application. Kelly has agreed to send it to her so that she can provide it to food vendors as she is planning for events. Sarah has asked that she be removed as an Administrator of the Village site as she no longer has access to make posts. Dave Smith said he would take care of it. The committee needs additional members. Tony Canuel expressed concerns regarding the potential change to the weekend that yard sale day is held in the Village. The Catholic Church is unable to change the weekend that the Brooks BBQ fundraiser is held for the church, and they would prefer to keep it on the same day as the yard sales. At this point the committee intends to keep the Village yard sale day on the third Saturday in June, with added support on the yard sale map for anyone wishing to hold sales on Sunday.

Maryellen requested that the Chobani Community Center Committee update be removed from the agenda as the committee has been dis-banned. There is no longer a need for a committee, just individuals willing to unlock or re-lock the center, which may be limited in scope in the future. Maryellen and Kelly have been testing the keyless entry and scheduling the door to be unlocked 15-30 minutes prior to the start of an event and locking 30 minutes after the conclusion of an event to allow for cars to be loaded and guests to leave the space. There is still a need for a person to be there to check that the facility is in order prior to the event, and to sign the renter out and ensure that the space is left in the same condition that it was rented to ensure that the guidelines for having their deposit returned have been met.

The planning committee met in July, they have met Scott Church, the Village’s new enforcement officer who is ready to go. The committee will be reviewing the Town’s sustainable energy law and evaluating how that impacts the Village next as well as the revitalization and urbanization piece of the comprehensive plan for the Village. The committee may be looking for additional members soon.

The Safer Slower New Berlin Committee has not met but there has been a change in leadership. Last month Josh Farley took the leadership role of the committee, taking the place of Rebecca Freidman. He will be moving to Laurens soon and will need to be replaced as the head of the committee.

**OLD BUSINESS**

The Planning Committee is in the investigative and planning stages to strategize the creation of a Comprehensive Plan for the Village. The committee will look to partner with organizations that may be of assistance to the Village in developing the plan, such as internships or through student sharing.

Maryellen will need to have a follow up meeting with Mayor Lennon to compose and give questions and feedback to officer in Charge, Dave Kaminski, of the New Berlin Police Department, regarding the two estimates that the Village received for installing camera systems throughout the village that will New Berlin Police Department will be able to access. Dave has not had availability in his schedule.

Maryellen Canuel has updated the board that the courtesy ramp for the side of the community center has been returned. Revisions were needed to fill the gap between the ramp and the door. Maryellen is working with RCR on a bypass for the community center door in the event of an emergency so that a hand does not need to be waived in front of the sensor to unlock the door. Despite the keyless entry, renters will still need to be met to have the center checked to ensure it is in the same condition it was rented in. The checklists should be turned into the office so that there is an audit trail for the return of a renter’s deposit.

There are no new updates regarding the discussion about Village owned parking spaces behind the Pellegrino building.

Maryellen has received one estimate for a fence around the water tower, a second company has looked at the area and will provide an estimate soon, and a third company is coming on Thursday to view to proposed job. She is also working on purchasing a new door for the apartments above the Village Hall. She needs to go to Lowe’s to get an estimate, but wanted to check into the requirements for building code on the direction the door should swing. Lisa Serradilla offered that with her commercial space in the Village, the county codes office told her that the door had to open out, so that tenants could push the door out in the event of an emergency. It does make a difference if the building is residential, commercial or municipal owned.

Dave Smith is continuing to work on the Audit of the Office, he has had multiple work conflicts that have prevented him from completing the review for the 2022/2023 Fiscal Year. He will work on scheduling a time to complete the review soon, he feels that the audit is half complete. Jim has not had an opportunity to start the audit of the Fire Department for the 2022/2023 Fiscal Year.

Dave also updated the board on the status of the new website. He has met with Zach on the requested revisions to the new website. He will be meeting with Pete and Zach later in the week to see if we are ready to go live. The .org domain will be under a different domain provider and function under a re-direct. Maryellen would like to see a link to the site prior to the website going live.

The solicitation for bids for the treetops has been advertised. The opening of the sealed bids will occur no later than the August meeting but may be rolled into an earlier special meeting if it is held after the bid deadline has passed.

The purchase of a new backhoe is pending the reimbursement of the aborted purchase of a backhoe from the insurance company. At some point the Village board will discuss how they want to move forward with this as the Village DPW is still in need of a newer backhoe, and what we will do in the interim while this is being adjudicated by the insurance company and any law enforcement agencies. That is something we will need to be prepared to address at a future meeting.

The gentleman from Kascon gave Maryellen two names to call to get an assessment done so we know exactly what needs to be done when painting the library. One of the companies wanted $1,600 to assess the building for lead, the other company would do the assessment for $300. The assessment has been completed and we are currently awaiting the assessment report so that Kascon can move forward with the encapsulation of the lead paint and the scraping and priming of the building as needed based on the lead assessment. They cannot move forward until the assessment is received. The project is likely to be a several year projects done in stages.

The gazebo has not been painted yet as there is wood on the gazebo that needs to be replaced before the painting can be started.

Jim updated the board that the paving of Academy Street is complete. They can use Academy Street as an example of the measurement of streets that can be paved for roughly $30,000. He would like to see the Village plan on paving one street a year to catch up on streets that are in dire need of re-paving. The DPW has their new mower and the drainage in the Village has held up through the last storms. The diesel fuel bulk storage tank is almost ready for use, they moved the tank to put in a concrete pad under the tank.

The summer youth program is going well, and the revised program is being received well by the community. They are anticipating an increase in attendance now that summer school is complete. They intend to promote the program more next summer and hope to attract more boys to enroll as this year’s enrollees are mostly female. Elizabeth Crawford has been an invaluable volunteer.

The Village board discussed changes to the water law regarding charges that will be implemented for residents or businesses that are hooked up to the Village water lines for fire suppression systems. Jared has discussed the fees with neighboring communities. Each community is different. Additional discussion amongst the board and the Village attorney is needed, the topic is not ready for any decision yet, as if the property owners are required to purchase a meter for the suppression system it could cost upwards of $4,000. The Village supplies one-inch meters, anything larger is the responsibility of the property owner.

Maryellen Canuel made the motion to disburse $10,756 from the investment account with Norwich Wealth Management to clear the debt owed from the perpetual care fund to the general fund. Dave Smith seconded the motion. VOTE: Burchill – yes, Canuel – yes, Crawford – yes, Smith – yes, Lennon – yes. APPROVED.

Dave Smith made the motion to evenly split the remaining $133,154 between 5 CD’s equally in durations of 3, 6, 9, 12, and 15 months. Maryellen Canuel seconded the motion. VOTE: Burchill – yes, Canuel – yes, Crawford – yes, Smith – yes, Lennon – yes. APPROVED.

Dave Merzig emailed documents for the sale and leaseback of the old Firehouse for the Village to review. Maryellen has reviewed the paperwork and has recommended and discussed with the board a few concerns/needs for clarification. The board agreed that the questions/revisions should be discussed with the attorney and revisions requested. Maryellen will email the Village attorney. With the buyer having a new attorney, completion of the sale and leaseback are nearing completion.

Mayor Lennon is continuing discussions with the three vendors that submitted bids for the procurement of a new amubance. He has also spoken to Village Attorney, Dave Merzig who assured him that the Village has more leeway in bid requirements when purchasing a used ambulance. The Village will look at auction sites, discuss options for leasing equipment, and revisit repairing the transmission on the old ambulance to see if it warrents fixing to give the Village more time to locate and purchase a replacement ambulance.

CHIPS reinbursements have multiple new categories this year. Pete and Jared are working on gettting additional clarification as to what those new lines can be used for. He will be working on submitting a reimbursement request from CHIPS for the paving of Academy Street. Kelly has supplied him with the invoice, but will also need to provide a copy of the cleared check once it is available from the bank.

**NEW BUSINESS**

Kelly has been asked to work with Dave Merzig on drafting an ALS Intercept agreement with the County in the instance that the Village provides ALS services for a Chenango County Ambulance call. The Village recently signed an agreement if the County provides ALS Coverage for a Village ambulance call. She will have the draft ready for board approval at the September meeting.

Dave Smith made the motion to approve the upcoming expenditure of the Fire Department in the amount of $11,200. $1,200 will be utilized for three new pagers, $7,000 for two new sets of fire gear to maintain interior firefighters’ eligibility to fight fires internally, and up to $3,000 towards potentially necessary repairs for the inspection of fire department trucks. Maryellen Canuel seconded the motion. VOTE: Burchill – yes, Canuel – yes, Crawford – yes, Smith – yes, Lennon – yes. APPROVED.

The Village board discussed the rental of the Community Center by organizations that contributed to the cost of construction to the space. Members of the board believe that it could be viewed as short sighted and insulting to charge an organization that donated towards the expense. They discussed revising the rental agreement, as in its current form it is not legal to waive the fee for any organization or individual that resides outside of the Village that does not work for or volunteer for the village or fire department in some capacity. The board has asked Kelly to email the board a list of donated amounts and the quantity of each donation so that they can determine a threshold for donors to be considered for a fee waiver for usage of the space. The list will be sent without donor names to the board. Kelly has also been asked to begin preparation of an inclusion in the rental agreement for a waiver for those organizations. Verbiage will be run through the Village attorney prior to finalization of the revisions to the rental agreement.

The board was informed of the filing of the annual update document by the Clerk Treasurer to the NYS Comptrollers office. Kelly was thanked for her diligence.

The board discussed raises for the DPW for the completion of C water licenses. Initially the raises were budgeted at $0.50 per hour, however they were communicated to the employees as $1.00. Kelly is unable to enact the $1 raise without board action. Jim Crawford made the motion to approve the raise for achieving a C operator water license at $1.00 per hour. Maryellen Canuel seconded the motion. VOTE: Burchill – abstain, Canuel – yes, Crawford – yes, Smith – yes, Lennon – yes. APPROVED.

The board discussed the need to schedule a special meeting to discuss cost of living adjustments for Village employees as well as to have a preliminary discussion regarding the potential actions that may be needed regarding the Baio’s green space at the corner of North Main and Genesee Streets that is currently listed for sale. The Village has used the space for the Christmas Tree lighting as well as the New Berlin Farmer’s Market. The board also discussed the potential need for a single purpose special meeting to discuss the emergency operations plan.

RESOLUTION

**Resolution No. 2023-14 “Resolution approving the payment of vouchers”**

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

General Fund - $72,188.61

Water Fund - $ 17,366.45

EMS Fund - $21,009.58

Total Expenditures - $ 110,564.64

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: Maryellen Canuel

ROLL CALL VOTE:

Burchill: YES Canuel: YES Crawford: YES Lennon: YES Smith: YES

YES: 5 NO: 0 ABSTENTION: 0 ABSENT: 0

CARRIED: YES

Maryellen Canuel made the motion to approve the Treasurer reports. Josh Burchill seconded the motion. VOTE: Burchill – yes, Canuel – yes, Crawford – yes, Smith – yes, Lennon – yes. APPROVED.

Josh Burchill made the motion to adjourn the meeting. Dave Smith seconded the motion. VOTE: Burchill – yes, Canuel – yes, Crawford – yes, Smith – yes, Lennon – yes. APPROVED.

Adjourned at 9:06 PM - Kelly Anderson, Village Clerk and Treasurer