

**PROCEEDING OF A REGULAR MEETING OF THE VILLAGE**

**BOARD OF TRUSTEES**  
December 10, 2024, 5:00 PM

**PRESENT:**

**Mayor:** Alysa Plummer  
**Trustees:** Lili Lanphear- Absent  
Justin Leitgeb  
David Marshall  
Lisa Cove  
**Village Attorney:** Jeffery Turner  
**Village Clerk:** Dorothea Ciccarelli

**CALL TO ORDER**

**Motion by Mayor Plummer and seconded by Trustee Cove to call the meeting to order.**

**Vote:** Plummer – yes, Lanphear – Absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**CONFLICTS OF INTEREST DISCLOSURE**

Mayor Plummer asked the board if they had anything to disclose. Trustee Marshall stated that he had a conflict of interest with the agenda item regarding a proposed hotel tax withing the village. The remaining trustees said they had no conflicts.

**PLEDGE OF ALLEGIANCE**

The room then stood and recited the Pledge.

**PUBLIC COMMENT**

Mike Newcomb, village rental property owner, expressed concerns about a new rule requiring rental property registration and annual inspections of said properties in the village. He argued that the rule, which stemmed from discussions about short-term rentals, was intrusive and unnecessary for long-term rentals. Mr. Newcomb emphasized that the inspections invaded tenants' privacy and were excessive, as most rental properties were safe and up to code. He noted that the rule could harm the village's reputation by making the village appear overly intrusive. Mr. Newcomb also pointed out that owner-occupied properties in disrepair were being overlooked, questioning the rule's focus on rental properties. He urged the village board to reconsider the rule and submitted a detailed letter outlining his thoughts.

Mayor Plummer thanked Mr. Newcomb for his comments and letter and informed him that the board would discuss the issues he presented further.

Bob Michaels, 71 State Street, and village rental property owner supported what Mr. Newcomb presented and informed the board that he has no issue with inspections if they are conducted on a reasonable timeline, such as every three years. He emphasized the importance of keeping properties in good condition and noted that conducting inspections every year would be a daunting task for the building department. Mr. Michaels also expressed a desire to be present during inspections to assist with the process.

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Mayor Plummer thanked Mr. Michaels for his input and stated that the board would also consider his comments.

Trustee Cove also expressed interest in making the inspections less frequent. The board decided to place this item back on the agenda for next month's meeting.

### **WEST JEFFERSON CIRCLE**

Attorney Tom Hartzell represented the residents of what is colloquially called West Jefferson Circle in their request for continued maintenance of the street by the village. Mr. Hartzell argued that the village should be held responsible for maintaining the street based on precedent and public use. John Cufari, former Village Superintendent, and Bob Corby, former village mayor, testified to Mr. Hartzell that the village had historically patched and paved the street. He also compared the proposed agreement to what the village has done in the past regarding East Jefferson Circle and Village Grove.

Mayor Plummer reminded the public that the addresses of these homes are mapped as West Jefferson Road and that only locally is the street referred to as West Jefferson Circle. This is opposed to East Jefferson Circle, which has always been labeled as such and predates the agreement mentioned by Mr. Hartzell.

Robert Corby, 7 Washington Avenue, stated that during his time as mayor, the village took over a series of streets by prescription, including Schoen Place and Grove Street Extension. He also noted that NYCOM officials had told him that once a municipality takes a truck and provides services on a paved stretch of road, it automatically becomes a village street. Mr. Corby also felt that since the village is so small, providing similar services to all residents would only be fair.

Mike Kesselring, 16 West Jefferson Road, thought that the village should not only take over maintenance but also install sidewalks to increase pedestrian safety.

Kathrine Brewer, 12 West Jefferson Road, said she was under the impression when she bought her home that the village would maintain and plow the road.

### **DISCUSSION ON TREE CANOPY**

Mayor Plummer's discussion on the village tree canopy focused on the importance of protecting native trees and removing invasive species in the village; she highlighted that native trees are crucial for environmental sustainability, as they help with climate change adaptation, absorb heat, filter air and water, and support health. The board emphasized the need for the village to take a leadership role in tree protection and community education. The loss of significant trees, like a 100-year-old oak, was noted, and the board discussed legislation to protect the canopy, emphasizing energy savings and property value benefits.

Louisa Pierson, 14 South Street, discussed the benefits of planting native trees and removing invasive species in the village. She acknowledged that she did not have the expertise of Rachel Edwards but shared her decade of knowledge about the importance of native trees. Ms. Pierson emphasized that native trees are drought and heat-resistant, have evolved over time, and provide significant environmental benefits, including filtering air and water, absorbing heat, and supporting health and immunity. She advocated for the village to take a leadership role in protecting existing trees, removing invasive species like Bradford pears, and educating the community about the importance of these actions.

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Robert Corby, 7 Washington Avenue, praised the board for addressing this topic and thanked them on behalf of the Friends of the Arboretum.

#### VILLAGE TREE LEGISLATION

The discussion on tree legislation focused on several key points. The requirement for a certified arborist's opinion should be a subsequent step, allowing property owners to save time and money. The legislation aims to protect native trees while allowing the removal of invasive species. The planning board's involvement in the process was also discussed, with the suggestion that they should handle tree removal applications. The board could request expert opinions, but the property owner would submit the initial application. The board wanted to emphasize the protection of native trees requiring a permit for removal.

Robert Corby, 7 Washington Avenue, suggested that the village consider legislation regarding non-native, non-invasive trees.

Mayor Plummer responded that those trees were already included in the heirloom tree legislation and pointed out that the heritage tree legislation is different and separate.

David Wilkes, 19 East Jefferson Road, asked what the typical makeup, expertise, qualifications and background of tree boards in other municipalities.

Mayor Plummer stated that it varies by municipality, and the boards often include internal support/advisory such as the DPW arborist as well as citizens.

The planning board's \$150 application fee was discussed, with a proposal for a \$50 tree removal fee. The inclusion of 'best practices in urban forestry management' as a condition for tree removal approval was also suggested. The building inspector's role in determining tree safety was discussed, with a proposal to exempt dangerous trees from the application process. Overall, the discussion aimed to streamline the tree removal process, protect native trees, and ensure that the legislation is clear and not burdensome for property owners.

#### PENDING NEW LANGUAGE FOR LED STREETLIGHTING CONVERSION

The board discussed the LED streetlight conversion project. The village clerk detailed the contracts and the use of NYSERDA funds for the project. The board talked about the need for Climate Smart Community certification and the importance of receiving a letter confirming project points.

Bob Corby, 7 Washington Avenue, suggested that the board use a lower-lumen LED for the streetlights. He felt that less is more, and overly bright lights can temporarily blind people when transitioning from bright to dark areas.

**Motion by Trustee Marshall and seconded by Trustee Cove** to approve RG&E's response and the replacement of the lights, accepting the contract before the board conditional upon the Climate Smart Communities acceptance of the points awarded for this occurring prior to final certification, that the board will then move to appropriate funds from deferred revenue to cover it, and to authorize the mayor to sign the contract.

**Vote:** Plummer – yes, Lanphear – Absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

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### CHANGE OF VILLAGE'S ELECTION DATE

The discussion about changing the village election date focused on moving it from March to either June or November. The board considered a mandatory referendum to allow residents to vote on the change. Some board members preferred to keep the election separate from national and state elections to focus on local issues. Mayor Plummer suggested including both June and November as options in the referendum to give residents a choice. Trustee Leitgeb raised concern about splitting the vote, which could potentially lead to the referendum failing all together. Trustee Cove agreed. Trustee Marshall felt strongly that the village election should not be included in the November election cycle, stating concern that constituents would tend to just vote along party lines.

**Motion by Trustee Cove and seconded by Trustee Marshall** to direct the village attorney to formulate a mandatory referendum to change the village election date from March to June and have it ready for the January 2025 Board of Trustee meeting.

**Vote:** Plummer – no vote, Lanphear – Absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

### HOTEL TAX AND VILLAGE REVENUE OPPORTUNITIES

The discussion about hotel tax and village revenue opportunities involved moving forward with the necessary steps to implement a hotel tax. The board is working on drafting a resolution to be forwarded to state representatives. This process is ongoing, and they hope to have further progress by the second meeting in January.

### JANUARY ROUND TABLE WITH COMMERCIAL PROPERTY OWNERS

The board would continue communications with the Deputy Clerk to complete the invite list and possible meeting dates.

### DEDICATION DATE FOR VILLAGE BENCH IN MEMORY OF FRANK GALUSHA

The board would continue communications with the Deputy Clerk to complete the invite list and possible meeting dates.

### SEWER FUND RESERVES RESOLUTIONS

The village attorney informed the board that a draft resolution would be brought before the board for the first meeting in January 2025.

### REVIEW OF GENERAL RESERVES

The discussion regarding general reserves focused on reviewing and adjusting the general fund reserve policy. The treasurer recommended increasing the reserve to 40% due to unforeseen expenses and litigation risks that could exceed the contingency fund. Given the village's history of expenses, the board considered this cautious approach to ensure financial stability. There was a debate about the appropriate percentage, with some board members suggesting a reduction to 25% or 30% to allocate more funds to equipment and infrastructure reserves. Considering

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the long-term capital plan and potential risks, the board agreed to revisit the reserve policy with a modified version for the January meeting.

#### REFUSE DISTRICT BID

The discussion regarding the refuse bid focused on evaluating bids received on November 15, 2024. Some bids were incomplete, missing the duration period, and were therefore considered invalid. The board concentrated on the complete bids from Suburban Disposal and Seyrek Disposal for further consideration. Blair Lakso from Waste Management's public sector solutions team explained that their company's bid included exclusions and clarifications. Mr. Lakso stated that the scope of work required a longer contract term, which was not addressed in the bid, and included capital for coats, carts, and trucks. The board clarified that changes to bid specifications should have been addressed before the deadline, and the bid period could have been extended.

**Motion by Trustee Cove and seconded by Trustee Marshall** to accept the Seyrek Disposal BID and instruct the village attorney and village clerk to formulate a contract for village-wide refuse services.

**Vote:** Plummer – yes, Lanphear – Absent, Leitgeb – no, Cove – yes, Marshall – yes. *Motion passed.*

#### BERO QUOTE FOR OVERSIGHT- VILLAGE HALL RESTORATION

**Motion by Trustee Marshall and seconded by Trustee Leitgeb** to accept the contract from Bero Architecture as presented and give the mayor authorization to sign the contract.

**Vote:** Plummer – yes, Lanphear – Absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

#### BUILDING INSPECTOR REPORT

Building Inspector Lauth agreed with the board about spacing rental inspections further apart than every year. The board decided to do some research and decide over the next year. The discussion on rental inspection frequency and the permitting process was placed on the agenda for the next board meeting.

#### DPW REPORT

The department faced significant mechanical issues during leaf pickup, which delayed the process. The equipment was down, and the largest truck required repairs costing about \$7,000. The department is considering streamlining the leaf pickup process and evaluating equipment needs to improve efficiency. The plan is to review how to streamline leaf pickup and consider additional equipment to handle large volumes of leaves more efficiently.

**Motion by Trustee Marshall and seconded by Trustee Cove** to approve the cost of the furnaces in the quote from Airquip.

**Vote:** Plummer – yes, Lanphear – Absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

#### TREASURERS/VILLAGE CLERK REPORT

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The Village Clerk presented vouchers listed in Abstract #13 of the 2024/2025 fiscal year for approval.

**Vouchers for approval Abstract #13**

• General Fund (#990-#1016):	\$ 59,768.57
• Sewer Fund (#995, #1016):	\$ 13,177.85
	<hr/>
	\$ 72,946.42

**Motion by Trustee Leitgeb, seconded by Trustee Cove, to approve the bill pay as presented with the addition of \$20,000 to Airquip.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**Motion by Trustee Leitgeb, seconded by Trustee Cove, to approve the distributions as presented to the H.S.A.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**Motion by Trustee Marshall seconded by Trustee Cove, to allow the village clerk to decline the Supplemental Spousal Liability Insurance.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**Motion by Trustee Marshall seconded by Trustee Leitgeb, to change the scheduled November 11, 2025 meeting to November 13, 2025.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**MINUTES**

**Motion by Trustee Leitgeb, seconded by Trustee Marshall, to approve the minutes for October 8, 2024, with corrections.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**Motion by Trustee Leitgeb, seconded by Trustee Cove, to approve the minutes for October 22, 2024, with corrections.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**MEMBER ITEMS**

Trustee Marshall stated that he had a conversation with a village salon owner who stated that they would be in favor of limiting the number of salons doing business in the village and would like to bring the discussion back to the board. He also wanted to open a discussion with the town about having food trucks more often at the newly opened park across the street from the village hall. Trustee Marshall also wanted to make sure that the DPW budget for the next 10-15 years was at the forefront of the board’s mind going into the coming year’s budget season.

An action item was set to have Fran Overmoyer and Scott Harter present a summary overview of the current conditions of the DPW building to create a baseline for the future.

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Trustee Marshall asked for an update after the onsite meeting regarding the path at the canal last month. An action item was set to follow up with New York State about the paperwork that they were supposed to be finalizing.

**ATTORNEY CLIENT SESSION**

**Motion by Mayor Plummer, seconded by Trustee Cove, to adjourn the meeting for an attorney-client session.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**Motion by Mayor Plummer, seconded by Trustee Cove, to leave the attorney-client session.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**EXECUTIVE SESSION**

**Motion by Mayor Plummer seconded by Trustee Cove, to enter an executive session to discuss personnel matters and performance of entities.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**Motion by Mayor Plummer seconded by Trustee Cove, to leave executive session.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**Motion by Trustee Marshall, seconded by Trustee Leitgeb, to change the hourly rate for Matt McIntyre to \$24.20 per hour and Peter Bessie to \$23.25 per hour, effective starting the first payroll period in January 2025.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**Motion by Trustee Marshall seconded by Trustee Leitgeb, to change Francine Brokaw's status to part-time and to authorize Laura Donk to work up to 35 hours per week but remain under part-time status.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

**ADJOURNMENT**

**Motion by Mayor Plummer, seconded by Trustee Cove, to adjourn the meeting at 7:49 PM.**

**Vote:** Plummer – yes, Lanphear – absent, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

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Laura Donk, Recording Secretary