

**VILLAGE OF MOUNT MORRIS
REGULAR BOARD MEETING
December 16, 2024**

The Regular Meeting of the Village Board of the Village of Mount Morris, County of Livingston and the State of New York was held at the Village Hall 117 Main Street, Mount Morris, New York on December 16, 2024, at 6:00 PM.

PRESENT:

Joel Mike	Mayor
William Manthey	Trustee
Kelly Richardson	Trustee
Beth Shea	Trustee
Tim Bryant	Trustee-
Lisa Torcello	Clerk/Treasurer
Eli McWhinney	Village Attorney-6:20 PM

ABSENT: Kelly Richardson Trustee

ALSO PRESENT: Mark Mullikin, Beverly Sackett, Chris Young, Jennifer Young, Joe Rawleigh, Josh Bacon, Kelly Bacon, Cathie Gehrig, Supervisor David DiSalvo, Mark Torcello, Curt Simmon, Emily Goho, Kaylee Leone, Ann Hunt, Kevin Fahey, Charlene Finnigan, Amanda Coniglio and Joe Rawleigh

Mayor Mike called the meeting to order. Mayor Mike invited everyone to stand for the Pledge of Allegiance.

PUBLIC HEARING:

Mayor Mike opened the public hearing on Local Law #1, 2024 of the Solar Energy System. Mayor Mike opened the floor up to public comments. He stated that each person needed to state their name and only had three minutes to speak.

Ms. Kaylee Leone stated while reading municipal solar energy NYSERDA guidance for recommendation regarding easement between neighbors she would suggest it be helpful to add this to the code to make residents aware of this. Mayor Mike asked if this could be something that she could address to Attorney McWhinney when he arrives. Ms. Leone stated she had a question regarding Tier one and what the limit was on surplus production per panel and what was allowed. Mayor Mike stated that it is 10% over your consumption. Ms. Leone asked if this was Tier 1? She also asked if there was a list for Tier 1 and stated that Tier 2 doesn't require a special use permit. Mayor Mike stated these would be questions for Attorney McWhinney also.

Mayor Mike keeps the public hearing open.

RESOLUTION 146.24

APPROVAL OF ABSTRACT

On a motion from Trustee Bryant second by Trustee Manthey the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Resolved to approve the following abstract:

ABSTRACT # 19

GENERAL	\$129,991.56	363-383
WATER	\$58,743.22	226-236
SEWER	\$34,299.67	165-173

ABSTRACT # 20

GENERAL	\$42,645.40	384-406
WATER	\$11,097.45	237-249
SEWER	\$9831.37	174-184
CAPITAL WATER	\$13,563.00	1-3

Mayor Mike asked if everyone reviewed the minutes that needed to be approved.

RESOLUTION 147.24

APPROVAL OF MINUTES

On a motion from Trustee Bryant second by Trustee Manthey the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Approval of minutes from November 18, 2024.

RESOLUTION 148.24

APPROVAL OF BOND PAYMENTS

On a motion from Trustee Bryant second by Trustee Manthey the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Resolve to approve the following bond payment principle to EFC in the amount of \$55,132.00 for a sewer bond payment.

RESOLUTION 149.24

APPROVAL OF INCREASE IN SALARY

On a motion from Trustee Manthey second by Trustee Bryant the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Resolve to increase salaries of Chase Young, John Croston & Kaylee Leone to Minimum wage as of January 1st to \$15.50/hr.

RESOLUTION 150.24

APPROVAL OF PAYMENTS FOR WATER CAPITAL PROJECT

On a motion from Trustee Bryant second by Trustee Manthey the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Approval of payment from the from the water capital project:

Orrick & Herrington- \$5255.00

Premier Printing- \$2015.00

Fiscal Advisor- \$6293.00

Consensus of the board to pay the Insurance premium that is due in full as of December 31, 2024, with any money left from the ARPA funds that were allocated and unspent.

DPW report

Mr. Young presented his quote for a new furnace for 14 Connor Ave.

STREET DEPARTMENT REPORT:

RESOLUTION 151.24

APPROVAL OF ROOF FOR THE DEPARTMENT OF WORK AT DPW

On a motion from Trustee Manthey second by Trustee Bryant the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Resolve approval of the quote from Rath Heating to install two renzor UDX units at 14 Connor Ave in the amount of \$17,845.00 with funds coming from A/F/G.

Trustee Bryant brought up the water fund and raising water rates. Mayor Mike asked, “would you like to flip the water/sewer rate as we discussed? Mayor Mike stated I think that would be a good idea.” Trustee Bryant stated due to the fact the State of New York came back and surprised us with sewer upgrades, I would say “no.” Mayor Mike asked Trustee Bryant what he would suggest, Trustee Bryuant stated that he would suggest that the village raise the rates \$85.00 per quarter on the recommendation of accountant Terri McKerrow from Ladelfa, Schoder & Walker, to cover the loan. Mayor Mike stated he couldn’t see raising the water rates this much, Trustee Bryant suggested that accountant Terri be at the next board meeting.

Trustee Bryant asked if we are doing fine with the water, how come we borrow money every two weeks for payroll and bills? Mayor Mike asked do we have a spending problem. Clerk Torcello stated that expenditure exceeds the revenues. Mayor Mike stated that he would email Terri McKerrow about what the projections for the next six months will be.

Trustee Bryant asked Attorney McWhinney if he checked into water shut off. Attorney McWhinney asked if the bill was going to the property owner, and the tenant was paying the bill. Attorney McWhinney started to shut the water off. Clerk Torcello stated that shutting off water would put additional work on the clerk’s office and the street department due to how the section 226-40 of the water law is written. Clerk Torcello stated by law that a past due date is sent out and after a two-week period a shut-off notice will be forwarded by regular first- class mail to the owner of the premises.

RESOLUTION 152.24

APPROVAL OF COURT CLERK VACATION TIME

On a motion from Trustee Manthey second by Trustee Shea the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Resolve to allow Court Clerk Laurie Button to carry over one week vacation.

Police Department.

Chief Brado gave his report- he stated that the two new AED came in.

Trustee Shea asked about the ticket break down. Trustee Shea would like to see data on when and at times people were being pulled over and she states she doesn't see this information in this report.

Code officer report- Code Officer Mullikin gave his report.

RESOLUTION 153.24

APPROVAL OF RESIGNATION

On a motion from Trustee Manthey second by Trustee Shea the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Resolved to accept Code Officer Mark Mullikin resignation effect January 3, 2025, with regrets.

Mayor Mike would suggest that they keep Mark in the books. This will be discussed in the executive session.

Nothing under recreation.

Public hearing continues-

Ms. Leone asked what the coverage was for tier one over tier two.

Attorney McWhinney stated that tier 2 is 110 electricity consumption over 12 months. It is inclusive of ground mounting. Limited to 5000 square feet and 110 % electricity consumed
Tier 1 is ground 1- no limit

Ms. Leone stated she didn't see anything in the law regarding neighbors-to-neighbors **easement**.
Attorney McWhinney stated anything like that isn't going to be allowed and that this can't be restricted.

Attorney asked if there were any chances if none that this would be its own, chapter 13.

RESOLUTION OF THE VILLAGE BOARD

**OF THE VILLAGE OF MOUNT MORRIS TO DECLARE ITSELF LEAD AGENCY
IN REGARD TO PROPOSED LOCAL LAW NO. 1 OF 2024**

Adopted: December 16th, 2024

WHEREAS, the Village Board of the Village of Mount Morris met at a regular board meeting at the Village Hall located at 117. Main Street in the Village of Mount Morris, New York on the 16th day of December 2024, commencing at 6:00P.M. at which time and place the following members were:

<u>Present:</u>	Mayor	Joel W. Mike
	Trustee	Tim Bryant
	Trustee	Elizabeth Shea
	Trustee	William Manthey
	Trustee	_____

Absent: Trustee Kelly Richardson

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Village Board of the Village of Mount Morris, believing it was the most appropriate candidate to seek lead agency status under State Environment Quality Review (SEQR) Law in regard to the passage of a Local Law known as “Amending Chapter 232 (‘Zoning’) to add Article XIII, Sections 232-67 – 232-76 (‘Solar Energy Systems’)”; and

WHEREAS, pursuant to and in accordance with the provision of Section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations, (6 NYCRR part 617) the Village Board of the Village of Mount Morris determined that the proposed revision to the Village Code was a Type II Action, and thereby required a Coordinated Review seeking the input of other agencies.

WHEREAS, the Village Board of the Village of Mount Morris authorized that notice of such declaration be sent to the following agencies on October 21st, 2024, pursuant to Section 617.6 of the New York State Environmental Quality Review Act:

1. Livingston County Planning Board
2. New York State Department of Environmental Conservation
3. New York State Department of Transportation
4. New York State Department of Agriculture and Markets
5. New York State Office of Renewable Energy Siting
6. Wyoming County Board of Supervisors
7. Wyoming County Planning Board
8. Town of Mount Morris
9. Town of Leicester
10. Town of Groveland
11. Town of West Sparta
12. Town of Nunda
13. Town of Portage
14. Town of Castile; and
15. New York State Office of Parks, Recreation and Historic Preservation

WHEREAS, having sent such notice to the above involved and interested agencies on October 28th, 2024, and after having waited 30 days as prescribed by 6 NYCRR part 617.6(b), and received no objection from those agencies;

NOW ON MOTION OF Trustee Shea which has been duly seconded by Trustee Manthey, be it

RESOLVED, that the Village Board of the Village of Mount Morris hereby declares itself Lead Agency under the State Environmental Quality Review Act regarding the potential environmental impacts of passing a Local Law revising the Village of Mount Morris Zoning Code to add regulations and procedures for the use of Solar Energy Systems in the Village of Mount Morris.

Ayes: 4

Nays: 0

Quorum Present: X Yes ___ No

VILLAGE OF MOUNT MORRIS

RESOLUTION MAKING THE DETERMINATION OF NON-SIGNIFICANCE FOR PROPOSED LOCAL LAW NO. 1 OF 2024 ESTABLISHING REGULATIONS AND PROCEDURES FOR SOLAR ENERGY SYSTEMS

Adopted December 16, 2024

WHEREAS, the Village Board of the Village of Mount Morris met at a regular board meeting at the Village Hall located at 117 Main Street in the Village of Mount Morris, New York on the 16th day of December, 2024, commencing at 6:00 P.M., at which time and place the following members were:

Present: Mayor Joel W. Mike
Trustee Tim Bryant
Trustee Elizabeth Shea
Trustee William Manthey
Trustee

Absent: Trustee Kelly Richardson

WHEREAS, all Village Board Members, having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public, with due and proper notice of the time and place whereof given as required by law; and

WHEREAS, the Village Board of the Village of Mount Morris is considering the adoption of proposed Local Law No. 1 of 2024 which would establish regulations and procedures for Solar Energy Systems in the Village of Mount Morris; and

WHEREAS, pursuant to, and in accordance with, the provision of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR part 617), the Village Board of the Village of Mount Morris declared its intent to seek Lead Agency status on October 21st, 2024 to review of the environmental impacts of such law, sending notice of such intent to all interested and involved agencies; and

WHEREAS, upon receiving no objection from any interested or involved agencies, the Village Board declared itself Lead Agency on December 16th, 2024; and

WHEREAS, upon assuming Lead Agency status, the Village Board reviewed the proposed local law and all supporting documents, taking a hard look at all potential adverse environmental impacts pursuant to SEQR by completing Part I and Part II of a Full EAF; and

WHEREAS, the Village Board, as Lead Agency, hereby finds and determines that it has considered the proposed local law, reviewed the full environmental assessment form, reviewed the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and

has duly considered all of the potential environmental impacts and their magnitude in connection with said law; and

WHEREAS, the Village Board believes that establishing regulations and procedures for Solar Energy Systems in the Village of Mount Morris is consistent with the Village of Mount Morris's Comprehensive Plan and long term planning goals, and further finds that the enactment of the proposed local law, in and of itself, will have no environmental impact, and that in the event there is a proposed application for a solar energy project brought under this law, the potential environmental impacts of such action can be evaluated under the particular factual circumstances at that time; and

WHEREAS, following from the above, the proposed local law will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment; and

WHEREAS, the reasons supporting this determination are set forth in the negative declaration determination of non-significance with respect to this law, a copy of said negative declaration attached hereto as *Schedule A*; and

NOW ON MOTION OF Trustee Manthey, which has been duly seconded by Trustee Shea, therefore, be it

RESOLVED, that after careful and deliberate review, the Village Board of the Village of Mount Morris has determined that the proposed local law will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment and hereby adopts a negative declaration determination of non-significance; and be it further

RESOLVED, that the Village Board authorizes the Mayor of the Village of Mount Morris to sign said negative declaration and authorizes the Village Clerk of the Village of Mount Morris to forward a copy of said negative declaration to:

1. Livingston County Planning Board
2. New York State Department of Environmental Conservation
3. New York State Department of Transportation
4. New York State Department of Agriculture and Markets
5. New York State Office of Renewable Energy Siting
6. Wyoming County Board of Supervisors
7. Wyoming County Planning Board

8. Town of Mount Morris
9. Town of Leicester
10. Town of Groveland
11. Town of West Sparta
12. Town of Nunda
13. Town of Portage
14. Town of Castile
15. New York State Office of Parks, Recreation and Historic Preservation; and be it further

RESOVLED, that the notice of Negative Declaration will be published in the Environmental Notice Bulletin (ENB) in accordance with §617.12 of 6 NYCRR.

Quorum Present: XYes No

Ayes: 4

Nays: 0

VILLAGE OF MOUNT MORRIS

RESOLUTION TO ADOPT LOCAL LAW NO. 1 OF 2024 ENTITLED:

“SOLAR ENERGY SYSTEMS LAW OF THE VILLAGE OF MT. MORRIS”

Adopted: December 16, 2024

WHEREAS, The Village Board of the Village of Mount Morris met at a regular board meeting at the Village Hall of the Village of Mount Morris located at 117 Main Street, Mount Morris, New York on the 16 day of December 2024, commencing at 6:00 P.M., and thereafter a public hearing was held at 6:00 P.M., at which time and place the following members were:

Present:	Mayor	Joel W. Mike
	Trustee	Tim Bryant
	Trustee	Elizabeth Shea
	Trustee	William Manthey

Absent: Trustee Kelly Richardson

WHEREAS, all Village Board Members, having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Village Board of the Village of Mount Morris has been considering a proposed Local Law that regulates the installation and operation of Solar Energy Systems within the Village of Mount Morris; and

WHEREAS, pursuant to, and in accordance with, Section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review (SEQR) Regulations (6 NYCRR part 617) the Village Board sought to assess the environmental impact of such law and declared their intent to act as SEQR Lead Agency on October 21st, 2024; completing Part 1 of the Environmental Assessment Form (EAF) and sending such notice and EAF to any and all involved agencies; and

WHEREAS, pursuant to Sections 239-L and 239-M of the General Municipal Law, said Local Law and all supporting documentation, including Part 1 of the EAF, was submitted to Livingston County Division of Planning for review and comments from Livingston County Division of Planning were received on September 12th, 2024, and the following determination was made:

Approval with Comments, *said comments are annexed hereto as **Schedule A***; and

WHEREAS, upon waiting the required 30 days, the Village Board received no objection to its acting as Lead Agency in this matter, and therefore declared itself Lead Agency on December 16th, 2024; and

WHEREAS, acting as SEQR Lead Agency, the Village Board completed Part 2 and Part 3 of the EAF, and concluding that the Local Law would have no environmental impacts and made a negative SEQR determination; and

WHEREAS, a Notice of Public Hearing regard the Local Law was duly published in the Village's official newspaper, and said public hearing was held on December 16th, 2024 at which time all parties in attendance were provided an opportunity to speak or provided written comment in favor of or in opposition to the proposed Local Law; and

WHEREAS, that the Village Board of the Village of Mount Morris feels it is in the best interest of the Village of Mount Morris to adopt said Local Law.

NOW ON MOTION OF Trustee Manthey, which has been duly seconded by Trustee Shea, therefore, be it

RESOLVED, that the Village Board of the Village of Mount Morris feels it is in the best interest of the Village of Mount Morris to adopt Local Law No. 1 of 2024 entitled, “Solar Energy Systems Law of the Village of Mt. Morris;” and be it

FURTHER RESOLVED, that the Village Clerk is hereby directed to enter the adoption of said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of the State of New York.

Ayes: 4

Nays: 0

Absent/Abstain: 1

Mayor Mike closed the public hearing on Local law #1-2024.

Mayor Mike brought up to the board the email from JP regarding the salt grant and stated that this grant needed to be completed by 2028.

The consensus of the board was to put the salt grant on hold until the budget was finalized.

Trustee Bryant asked Code Officer Mullikin about the business on Chapel Street.

Public comment:

Emily Goho asked about the lights on Main Street- Chris Young stated he is fixing them.

Ms. Goho asked about flags going down 408 by hilltop.

Mrs. Cathie Gehrig asked about any update on the dot. Mayor Mike stated no and asked her if she heard anything back.

RESOLUTION 143.24

APPROVAL OF EXECUTIVE SESSION

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

On a motion from Trustee Manthey second by Trustee Shea the following resolution was

Resolved to go into executive session litigation

RESOLUTION 144.24

APPROVAL OF EXECUTIVE SESSION

On a motion from Trustee Manthey second by Trustee Shea the following resolution was

ADOPTED Ayes 4 Manthey, Shea, Bryant, Mike

ABSENT 1 Richardson

Resolved to come out of executive session.

With no further business motion by Trustee Bryant, the second by Trustee Manthey to adjourn.

Clerk/Treasurer Lisa Torcello- took minutes during open session

Mayor Mike took minutes during executive session