

**VILLAGE OF MOUNT MORRIS  
REGULAR MEETING  
October 19, 2020 6:00 PM**

The Regular Meeting of the Village Board of the Village of Mount Morris, County of Livingston and the State of New York was held on Zoom October 19, 2020 at 6:00 PM.

<b>PRESENT:</b> Frank Provo	Mayor
Joseph Rawleigh	Trustee
Geoff Pagano	Trustee
David DiPasquale	Trustee
Lisa Torcello	Clerk/Treasurer
Shawn Forrester	Deputy Clerk/Treasurer

ABSENT: Joel Mike Trustee

**ALSO PRESENT:** John Putney, Chris Young, Mel Gates, Melissa Sutherland, Jeremy Guzzardi, Jeff Wiedrick, William Bacon, Shawn Grasby, Aaron Galvin, Joyce Galvin, Jerry Goldman, Ann Zinagaro, Rebecca Glich, Kevin Flight, Keith Sernick

Mayor Provo called the meeting to order and welcomed everyone to the zoom meeting and asked everyone to recite the Pledge of Allegiance.

Mr. Kevin Flight explained the CEA Fresh Farms projects and the action that needed to be taken to rezone the property from mobile home, residential and industrial to AG. This project is eighty-four and half acres that will be both in the Village and Town of combined 187 acres.

Rebecca Glich explained that this would be a five-year project with this project it doesn't have to have a SEQR done.

Mayor Provo asked if any of the board members had questions and there was none.

## RESOLUTION #140.20

## APPROVAL OF PUBLIC HEARING

On a motion from Trustee DiPasquale second by Trustee Rawleigh the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to accept the complete application on CEA Fresh Farms, LLC (the “Applicant”) for the following tax map parcels (115.08-1-2, 115.08-1-26.11, 106.19-4-63.11) with an estimated aggregate acreage of 84.5 acres to be rezoned from MH (Mobile Home), R-1 (Single Family Residential) and I (Industrial), to AG- (Agriculture) (the “Application”). The Village Board will refer the application to the Joint Village/Town Planning Board for recommendations and also forward the complete application to

the County Planning Board for review. A Public Hearing date has been set for November 16, 2020 at 6:00 PM.

## **RESOLUTION #141.20**

### **APPROVAL OF ABSTRACT**

On a motion from Trustee DiPasquale second by Trustee Rawleigh the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to approve the following abstracts:

#### **ABSTRACT # 7**

FUND	AMOUNT	VOUCHER
General	\$40,442.82	179-213
Water	\$20,951.22	152-176
Sewer	\$15,105.78	96-115

## **RESOLUTION #142.20**

### **APPROVAL OF MINUTES**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to approve the following minutes as stated from September 17 & September 21<sup>st</sup>, 2020.

## **RESOLUTION #143.20**

### **APPROVAL OF RESIGNATION**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to accept Kelly Bacon resignation as Clerk as of September 28, 2020 with regrets.

## **RESOLUTION #144.20**

### **APPROVAL OF RESIGNATION**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to accept Amanda Congilio resignation as Deputy Clerk/ Treasurer as of October 16, 2020 with regrets.

Mayor Provo appointed Shawn Forrester as the Deputy Clerk/Treasurer as of October 19, 2020

## **RESOLUTION #145.20**

### **APPROVAL OF FIREFIGHTER**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to appoint Randy Allen to Seymour Company.

Mayor Provo gave an update on the Fire District.

DPW report-

Summer hours will end as of October 30<sup>th</sup> the Street Department will go back to five days a week.

## **RESOLUTION #146.20**

### **APPROVAL OF PURCHASE OF COMPUTER**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to purchase a Dell Latitude 5410 with docking station in the amount of \$1049.99 with funds coming from A/F/G.

Mayor Provo stated that a letter went to the homeowner that was required by law Chapter 108 of the Laws of 2020 which amended the Public Service Law to prevent public utilities or municipalities from terminating electric, gas, steam, telephone, or water service to residential customers for failing to pay service charges or overdue fees during the COVID-19 emergency. Additionally, service termination is also prohibited for 180 days after the COVID-19 state of emergency expires for those residential customers who have experienced “a change in financial circumstances due to the COVID-19 state of emergency.” In these instances, the municipality or public utility is required to provide such residential customers the right to enter into, or restructure, a deferred payment agreement without the requirement of a down payment, or the imposition of late fees or penalties. It should be noted that residential customers who have experienced a change in financial circumstances do not have to enter into a deferred payment agreement in order to be protected from service termination during the 180-day period.



**VILLAGE OF MOUNT MORRIS**  
**NOTICE TO RESIDENTIAL WATER CUSTOMERS**  
**Moratorium on Residential Water Service Termination**

On June 17, 2020, Governor Cuomo signed into law amendments to the Public Service Law that prevent municipalities and public utilities from terminating water service to residential customers for non-payment of an overdue charge during the COVID-19 state of emergency. Additionally, all water suppliers must notify residential customers of the protections afforded under the law.

Please be advised that service termination is prohibited for an additional 180 days after the COVID-19 state of emergency expires for those residential customers who have experienced a change in financial circumstances due to the COVID-19 state of emergency.

If you are a resident who has experienced a change in financial circumstances due to the COVID-19 state of emergency and would like to request relief from service termination during the 180 days after the COVID-19 state of emergency expires, you must contact Lisa Torcello Village Clerk/Treasurer by phone 385-658-4160 or email [lisa.torcello@mountmorrison.ny.us](mailto:lisa.torcello@mountmorrison.ny.us)

Please be further advised that the law does not eliminate a customer's obligation to pay accrued charges. However, customers who have experienced a change in financial circumstances due to the COVID-19 state of emergency must be provided with the opportunity to enter into a deferred payment agreement without the imposition of deposits, late fees, or penalties.

If you are a resident who has experienced such a change in financial circumstances and wish to enter into a deferred payment agreement to address any outstanding or accrued payments, you must contact Lisa Torcello Village Clerk/Treasurer by phone 385-658-4160 or email [lisa.torcello@mountmorrison.ny.us](mailto:lisa.torcello@mountmorrison.ny.us). Additional information and supporting documentation to confirm a change in financial circumstances from customers seeking to enter into a deferred payment agreement may be required.

Please contact us so that we may find the best way to assist you in your situation. Village of Mount Morris Board of Trustees.

*Here is the Public Service Commission's definition of a residential water customer:*

*A residential customer is any person who, in accordance with an application for service made by such person or a third party on his or her behalf, is supplied with water service by a utility at a premises where such service is used primarily for his or her residential purposes. 16 NYCRR §14-2(b)(2)(i).*

*Accordingly, an entire apartment building or mobile home park owned by a person not living at the premises would not be considered a residential customer. Likewise, the applicability of late payment charges would depend on whether the customer meets the definition of residential.*

Police Report

**RESOLUTION #147.20**

**APPROVAL OF RESIGNATION**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to accept Chesley Van Dunk resignation as Part Time Police Officer with regrets.

## **RESOLUTION #148.20**

### **APPROVAL OF UPDATE FEE SCHEDULE**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to approve tickets design and update the fee schedule for fines as followed:

In front of driveway	(Village Traffic Reg. 221-24)	\$25
Less than 15 feet from hydrant	(Village Traffic Reg. 221-24)	\$25
Less than 20 feet from crosswalk or intersection	(Village Traffic Reg. 221-24)	\$25
Loading zone	(Village Traffic Reg. 221-24)	\$25
More than 12 inches from curb	(Village Traffic Reg. 221-24)	\$25
No parking zone	(Village Traffic Reg. 221-24)	\$25
On sidewalk, crosswalk, or planted area between the curbline and sidewalk	(Village Traffic Reg. 221-24)	\$25
Other – Describe Violation _____ Of the VTL Law _____ other Law: _____ Section	(Village Traffic Reg. 221-24)	\$25
Within 30 feet of a traffic control device	(Village Traffic Reg. 221-24)	\$25
No parking zone electric car charging station	(Village Traffic Reg. 221-24.1)	\$25
No standing zone	(Village Traffic Reg. 221-26)	\$25
Overtime parking	(Village Traffic Reg. 221-30)	\$25
Fire Lane/Zone	(Village Traffic Reg. 221-32.1)	\$75
Night parking, 2:00 a.m. to 6:00 a.m. Business District year round and all other streets (Nov. 1 to Apr. 15)	(Village Traffic Reg. 221-47)	\$25
Abandoned vehicle	(Village Traffic Reg. 221-48)	\$25
Unattended vehicle	(Village Traffic Reg. 221-48)	\$25
Handicapped zone	(Village Traffic Reg. 221-53)	\$75
Parked opposite direction of travel.	(Village Traffic Reg. 221-72)	\$25
Uninspected motor vehicle      Unregistered	(Village Traffic Reg. 221-74)	\$25
Parking Lot Fire Zone	(Village Traffic Reg. 221-80)	\$75
Parking Lot all other violations	(Village Traffic Reg. 221-81)	\$25

## **RESOLUTION #149.20**

### **APPROVAL OF RESIGNATION**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to accept Louis Stein resignation as Part Time Code Officer with regrets.

Mayor Provo gave an update on 7 Grove Street.

Mayor Provo gave an update on Mr. Roach letter regarding 12 Clinton Street. Mayor Provo also asked if the board read the letter from the Joint Planning Board and if the board wanted to forward on the rezoning request from 12 Clinton Street applicant. No comments were made on future action on this request. Mayor Provo asked Village Clerk to send a letter to applicants lawyer.

#### **RESOLUTION #150.20**

#### **APPROVAL OF RESIGNATION**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to accept Amanda Congilio resignation as Chairperson from the Recreation Committee with regrets.

#### **RESOLUTION #151.20**

#### **APPROVAL OF HALLOWEEN-2020**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to establish Halloween on October 31, 2020 on Main Street from 5-7 PM and trick or Treat in the Village from 5-9 PM.

#### **RESOLUTION #152.20**

#### **APPROVAL OF CONTRACT**

On a motion from Trustee Rawleigh second by Trustee DiPasquale the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale

Absent 1 Mike

Resolved to allow Mayor Provo to sign with contract with the Emergency Preparedness Solution, LLC in the amount of \$1000.00 this contract is for the NYS Public Employer Mandatory Emergency Plan.

#### **RESOLUTION #153.20**

#### **APPROVAL OF EXECUTIVE SESSION**

On a motion from Trustee DiPasquale second by Trustee Rawleigh the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to go into executive session to discuss the medical, financial credit or employment history of a person or corporation, or matters leading to the appointment, promotion, demotion, discipline, suspension, dismissal or removal of a person or corporation.

#### **RESOLUTION #154.20**

#### **APPROVAL OF EXECUTIVE SESSION**

On a motion from Trustee Rawleigh second by Trustee Pagano the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to come out of executive session.

#### **RESOLUTION #154.20**

#### **APPROVAL OF HIRING OF EMPLOYEE**

On a motion from Trustee DiPasquale second by Trustee Rawleigh the following resolution was

**ADOPTED** Ayes 3 Rawleigh, Provo, DiPasquale  
Nay 1 Pagano  
Absent 1 Mike

Resolved to hire Stephen Decker as a Part Time Police Officer effective October 19, 2020 at a rate of \$19.00/hour.

#### **RESOLUTION #155.20**



## **APPROVAL OF HIRING OF EMPLOYEE**

On a motion from Trustee DiPasquale second by Trustee Rawleigh the following resolution was

**ADOPTED** Ayes 3 Rawleigh, Provo, DiPasquale  
Nay 1 Pagano  
Absent 1 Mike

Resolved to hire Michael Petritz as a Part Time Police Officer effective October 19, 2020 at a rate of \$19.00/hour.

## **RESOLUTION #156.20**

## **APPROVAL OF HIRING OF EMPLOYEE**

On a motion from Trustee DiPasquale second by Trustee Rawleigh the following resolution was

**ADOPTED** Ayes 4 Pagano, Rawleigh, Provo, DiPasquale  
Absent 1 Mike

Resolved to hire Charles Cagle as Part Time Code Officer effective October 19, 2020 at a rate of \$24.00/hour.

With no further business on a motion from Trustee DiPasquale and second by Trustee Rawleigh, the meeting was adjourned.

Lisa J Torcello  
Clerk/Treasurer