

January 8th, 2025: Regular Meeting & Organizational Meeting

There was a regular & Organizational meeting of the Board of Trustees of the Village of Tully on Wednesday, January 8th, 2025 at 6:30pm at the Municipal Building.

Present: Erin Goodfellow, Mayor
Benjamin Bibik, Deputy Mayor
Roxanne Oliver, Trustee
Daniel Ray, Trustee
Kathryn Vernay, Trustee
Maureen Bibik, Clerk/Treasurer
Thomas Chartrand, Accountant

Absent: Courtney Hills, Counsel (Available by phone)
Ken Teter, Engineer
Benjamin Vincent, Codes

Visitors: Mike Hoke, DPW
Bill Davis, MRB
Dan Jean, Koester

Pledge of Allegiance/Call to Order

Mayor Goodfellow led the Pledge of Allegiance and called the meeting to order at 6:36pm. Annual Resolutions were reviewed. Upon motion by Trustee Bibik, 2nd by Trustee Oliver it was unanimous to approve resolutions #1 - #23. All ayes carried.

Village of Tully

ANNUAL RESOLUTIONS

2025

OFFICIAL YEAR

RESOLUTION NO. 1

WHEREAS, the terms of elected and appointed officials end and begin with the “official year”, and the orderly transition of responsibility and continuity of government would appear to dictate the desirability of conducting an “annual” organizational meeting, as heretofore, on the first day of the “official year”. Now therefore be it, RESOLVED, that the annual meeting of the Board shall be held on the first Wednesday of the month following the normal date of our annual village election in the usual public meeting place of the board at 7:00 o’clock, PM, with the provisions which meet the requirements of Article 7 of the Public Officer’s Law on open meetings.

APPOINTMENT OF VILLAGE OFFICIALS

RESOLUTION NO. 2

WHEREAS, it is necessary and required to appoint a Village Clerk/Treasurer, hired without benefits other than salary for 20 hours a week. WHEREAS, it is necessary and required to appoint Crossing Guard A, Crossing Guard B, Fire Marshal, Zoning Administration Officer, Village Counsel and Building Inspector, and Engineer; Now therefore be it, RESOLVED, that the following appointments are hereby made by the Mayor and approved

by this board:

TITLE	APPOINTMENT NAME
Village Clerk/Treasurer	Maureen Bibik
Accounting Service	Thomas Chartrand
Crossing Guard A	Jean Vulcano
Crossing Guard B	Richard McKnight
Alternate guards	Richard Edinger, Allison Bibik
Fire Marshal/Building	Benjamin Vincent
Inspector	
Village Engineer	Kenneth Teter/MRB
Zoning Officer	Benjamin Vincent
Village Counsel	Law Offices of Courtney M. Hills, P.C.

**APPOINTMENT OF ZONING AND JOINT PLANNING
BOARD MEMBERS**

RESOLUTION NO.3

WHEREAS, the Village Board of the Village of Tully is in need of members of the Zoning Board of Appeals and members of the Joint Planning Board, NOW THEREFORE BE IT RESOLVED, that the following appointments are hereby made:

<u>MEMBER</u>	<u>TERM OF OFFICE</u>	<u>EXPIRATION</u>
ZONING BOARD OF APPEALS		
Matthew Daly	5 years	2024
Charles Bibik	5 years	2026
Chris Hayes	5 years	2027
Eric Galvin	5 years	2025
Richard Oliver	5 years	2028

VILLAGE REPRESENTATIVES TO THE JOINT PLANNING BOARD		
David Meixell	7 years	2027
Charles Wykstra	7 years	2029
Steve Breitzka	7 years	2028

BOARD OF FIRE COMMISSIONERS		
Jeffrey Rothery	5 years	2027
Craig Clemons	5 years	2026
Gary Malone	5 years	2025
Mike Bradley	5 years	2030
Edward Wortley, Jr	5 years	2028

DESIGNATION BOARD MEETING NIGHTS

RESOLUTION NO.4

WHEREAS, the Village Board of the Village of Tully desires to meet once per month during the 2025 year, Now, therefore be it RESOLVED, that the regular meetings be held at 7:00pm. On the first (1st) Wednesday of every calendar month. In the event that the said meeting falls on a holiday, a meeting is to be held on the next

Wednesday at the meeting room in the Municipal Building, Meetinghouse Road, Tully, NY, with the provisions which meet the requirement of Article 7 of the Public Officer's Law on open meetings. Joint Planning Board meetings are to be held on the fourth (4th) Wednesday of the calendar month, as needed at 7:30pm at the meeting room in the Municipal Building Meetinghouse Road, Tully, NY. The Zoning Board of Appeals meetings are held on the third (3rd) Wednesday of the calendar month, as needed at 7:30pm at the meeting room in the Municipal Building, Meetinghouse Road, Tully, NY and is further RESOLVED that a Special Meeting maybe called by any three (3) members of the Village Board desiring that a special meeting be held and signing in one document or three separate counterparts a notice of meeting or may be called for by the Village Mayor, and may be held subject to, and as required and permitted by law. Any such special meeting called in the foregoing manner shall be communicated to all other Board members and the Mayor by the Village Clerk and all special meetings whatsoever shall be duly posted and noticed as required under Article 7 of the Public Officer's Law on open meetings; special meetings called on short notice shall be scheduled with due deference to having full board attendance and thus shall not except in emergency of similar urgent matters requiring immediate address be intentionally scheduled where known or probable work, education or training, or family or other personal commitments of the Village Board member or members may exist and result in time conflict; otherwise where reasonable efforts have been made to accommodate any such person(s) action subsequently taken by a duly constituted quorum of the Village Board shall be deemed valid and legally taken in all respects and this provision shall not by any means be interpreted to require continuous, repeated, or even sporadic accommodation or to require a change to the established Village Board regular meeting or to any already scheduled public hearing.

AUTHORIZING CLAIMS TO BE
AUDITED

RESOLUTION NO. 5

WHEREAS, it will become necessary for the Village Board to consider certain claims for payment during the year, NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Tully be and hereby is authorized to audit and pay proper certified and authorized claims as may come before it during the year.

RESOLUTION FIXING SALARIES, ETC

RESOLUTION NO. 6

WHEREAS, the Village Board of the Village of Tully set the salaries of its officers and other elected and appointed officials as set up in said budget; NOW THEREFORE BE IT RESOLVED, that the salaries of such officers and other elected and appointed officials shall be paid in said amounts set up in the budget as follows:

TITLE	FREQUENC Y
Mayor, Trustees	Quarterly
Zoning Officer	Quarterly
Crossing Guards A & B	Monthly
Clerk/Treasurer	Monthly
DPW 3	Bi-Weekly
Fire Marshal/Bldg. Inspector	Quarterly

DESIGNATION OF DEPOSITORY OF
FUNDS:

RESOLUTION NO. 7

Whereas, it is provided that the Trustees of the Village of Tully, shall designate by written resolution the banks or trust companies in which the Collector and Treasurer shall deposit the moneys coming into his hands by virtue of his office, now therefore be it, RESOLVED, that the NBT Bank and NYCLASS hereby designated as

depositories in which the Collector and Treasurer shall deposit all money coming into their hands by virtue of this office.

RESOLUTION AUTHORIZING
INVESTMENT

RESOLUTION NO. 8

WHEREAS, the Village of Tully would like to temporarily invest unneeded cash for the purpose of earning interest: Now therefore be it, RESOLVED, that the Village adopt the Village's investment policy. The policy may be viewed at the Village office during normal hours or may be seen on the Village website. Changes will be formally approved and ratified by resolution of the Village Board.

AUTHORIZING VILLAGE OFFICIALS TO
BE PAID MILEAGE

RESOLUTION NO. 9

WHEREAS, certain Village Officials are required to use their privately owned cars while traveling on village business; Now therefore be it, RESOLVED, that the said Village Officials be reimbursed at a rate of \$.70 mile for all traveling done on official business upon being authorized the use of such automobile.

AUTHORIZE PAYMENT IN ADVANCE OF
AUDIT

RESOLUTION NO.10

WHEREAS, the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges, and WHEREAS, all such claims shall be presented at the next regular meeting for audit. NOW THEREFORE BE IT RESOLVED: Section 1. That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges, health insurance, phone services, State Insurance Fund, and cell phone service and all such claims shall be presented at the next regular meeting for audit. Section 2. That this resolution shall take effect immediately.

THE APPOINTMENT OF LICENSING OFFICER

RESOLUTION NO. 11

WHEREAS, it is necessary for the Village of Tully to designate the official licensing officers; Now, therefore be it, RESOLVED, that the Village Clerk/Treasurer is hereby designated as the official licensing officer, official licensing, records and FOIL officer and as the Tax Collector for Village taxes, and the authorized officer for issuance of notices and billings for collection for water, sewer, refuse, and any other special assessments or charges/fees due Village.

AUTHORIZATION OF PETTY CASH

RESOLUTION NO. 12

WHEREAS, it is necessary for the Village of Tully to establish a revolving petty cash fund not to exceed \$100.00 for the Village Clerk/Treasurer, Now, therefore be it, RESOLVED, that the said Village Clerk/Treasurer is authorized to establish \$100.00 petty cash fund.

DESIGNATION OF VILLAGE TAX COLLECTOR

RESOLUTION NO. 13

WHEREAS, it is necessary for the Village of Tully to designate a Tax Collector; Now therefore be it, RESOLVED, that the Village Clerk/Treasurer is hereby designated as Tax Collector.

AUTHORIZING
DESIGNATION OF
OFFICIAL NEWSPAPER

RESOLUTION NO. 14

HEREAS, it becomes necessary for the Village of Tully to designate an official newspaper for publication of Village notices; Now therefore be it, RESOLVED, that the Post Standard will be used for all official publications.

AUTHORIZING DESIGNATION OF CABLE TV
COMMITTEE

RESOLUTION NO.
15

WHEREAS, it becomes necessary to have a Cable TV Commission for the purpose of providing cable TV to the residents of the Village of Tully, Now, therefore be it, RESOLVED, that the following appointments are hereby made.

AUTHORIZING DESIGNATION OF
COMMISSIONERS

RESOLUTION NO.
16

WHEREAS, it becomes necessary for the Village of Tully to designate commissioners to represent various departments; Now therefore be it, RESOLVED, that the following appointments are hereby made:

Parks, Recreation	Trustee Oliver
&health insurance	
WWTP Liaison	Trustee Vernay
Public Safety	Trustee
Planning/Zoning	Trustee
Communication/Website	Trustee Ray
Environmental Issues	Trustee Vernay

RESOLUTION AUTHORIZING UNDERTAKING
17

RESOLUTION NO.

RESOLVED that pursuant to applicable provisions of law, including without limitation Village Law §3-306, the Village Clerk/Treasurer, any deputies, and such other officers and employees of the Village in subordinate positions to those specifically hereinbefore named as the Board of Trustees hereby requires including without limitation, all those with access to Village, governmental or taxpayer funds, records of and/or accounts or accounts information, shall provide or cause to be provided an undertaking or undertakings in such minimum amounts as maybe required by law or established by the Village Board from time to time and that the Village's insurance carriers, brokers or agents be hereby authorized to provide and/or continue to provide such undertakings and in such forms and coverage amounts as are described on the applicable blanket policies serving as such for the past Village year and in any event providing coverage for all such persons and exposures as the Village insurance provider advises should be covered under the blanket undertaking as permitted under applicable law.

RESOLUTION AUTHORIZING PROCUREMENT POLICIES

RESOLUTION NO. 18

RESOLVED that the procurement policies of the Village currently in effect and last update reviewed by the Village Board at the 2025 organizational meeting; further, if at any time during the Village 2025 year New York State law is amended respecting Village procurement, purchasing, and or contracting so as to increase the maximum dollar limits for formal bid packages relative to purchase and public works contracts or effectively can permit the Village to relax, remove or relieve itself of any such formerly mandatory legal requirements such as, but without limitation, relative to prevailing wage, awarding of separate prime contracts and/or subcontracts, WMBE or EEO such procurement policies shall be deemed as amended to adopt same to the maximum benefit to Village effective from the effective date of any such legislation authorizing same or sunseting as the case may be, subject to ratification by the Village Board of Trustees at the next following regular or special Village Board meeting, or otherwise at the earliest opportunity for such formal ratification.

RESOLUTION AUTHORIZING SEXUAL HARASSMENT POLIC RESOLUTION NO. 19

RESOLVED that the Sexual Harassment Policy of the Village currently in effect and last reviewed by the Village Board in November 7th, 2018 shall remain in effect with the following: Clerk/Treasurer, Mayor, and one trustee as the Review Board for the Sexual Harassment policy and the Mayor as the Investigative Officer. In the event any complainant names any person or persons on the Review Board as the violating party or as a key witness, such person(s) shall immediately recuse themselves from any proceedings whereby any impropriety or mere appearance thereof might conceivably occur if such person does not recuse him/herself from such proceedings. In such event, the substituting person shall be named from amongst those remaining Trustees, the Village Attorney, by the remaining sole Review Board member and also requiring approval of the Village Mayor (if not the sole remaining Review Board member). In the event of an Investigative officer recusal, such person shall be replaced by appointment of the Review Board however subject to approval of the Village Mayor from the remaining Trustees, Village Attorney; to the extent same may be legally required, the Village Board hereby ratifies and confirms the foregoing effective as of January 1st, 2025. Annual training should be completed before October 2025 and certificates should be on file at the Village office.

RESOLUTION AUTHORIZING WORKPLACE VIOLENCE PREVENTION POLICIES
RESOLUTION NO. 20

RESOLVED that the Workplace Violence Prevention Policy currently in effect and last reviewed by the Village Board in April 2015 shall remain in effect with the following: Clerk/Treasurer, Mayor and one Trustee as the Review Board for the Workplace Violence Prevention Policy and the Mayor as the Investigative Officer. In the event any complainant names any such person or persons on the Review Board, as the violating party or as a key witness, such person(s) shall immediately recuse themselves from any proceedings whereby any impropriety or mere appearance thereof might conceivably occur if such person does not recuse him/herself from such proceedings. In such event, the substituting person shall be named from amongst those remaining Trustees, the Village, Village attorney, by the remaining sole review Board member and also requiring approval of the Village Mayor (if not the sole remaining Review Board member). In the event of an Investigative Officer recusal, such person shall be replaced by appointment of the remaining Trustees, Village Attorney; to the extent same may be legally required, the Village Board hereby ratifies and confirms the foregoing effective as of January 1st, 2025.

RESOLUTION AUTHORIZING APPOINTMENT OF SPECIAL OFFICER RESOLUTION NO. 21

RESOLVED that in the event any state, federal, county or other authority, agency, foundation or other charitable or not for profit entity benefit or assistance program applied for/through and/or is pending, awarded, committed to, closed and/or drawn down on or otherwise acted on during the 2025 year, the terms and conditions thereof require(s) that a certain Village officer, employee or representative position be established for purposes of ensuring compliance with all terms and conditions of such assistance or other benefits, and as well as the appointment of a person to such officer, employee, or representative position, the Mayor shall be entitled to establish such office, employee or representative position and shall have sole discretion to appoint

such person(s) of his choosing and in his sole discretion; unless otherwise required by law and affirmed as such by duly adopted resolution of the Village Board, such person(s) for serving in any such position, shall not be salaried or otherwise compensated including by hourly or other independent contract; the foregoing however shall not preclude the Village Board from providing for compensation to an existing salaried or hourly employee or officer appointment to for performing such services where same are not required under the Officers/employees job duties description established by civil service or the Village Board; no person assuming such position upon appointment shall make any claim for compensation or consideration for services performed after appointment and acceptance of such position after the adoption of this resolution.

RESOLUTION AUTHORIZING SEQRA DETERMINATION

RESOLUTION NO. 22

RESOLVED that except as maybe otherwise indicated or acknowledged by the Village Attorney, all acts of the Village Board which constitute “actions” under NYS Environmental Quality Review Act shall be deemed Type II actions and thus not subject to SEQRA review.

RESOLUTION REGARDING PAYROLL DATE FOR DECEMBER RESOLUTION NO.23

It is hereby RESOLVED that the date of the monthly and quarterly payroll will be set as December 19th, 2025.

Motion was made by Mayor Goodfellow, 2nd by Trustee Ray, to approve the minutes from the December 4th, 2024 regular meeting and the December 31st, 2024 special meeting minutes. All Ayes carried.

Treasurer’s Report

As of January 8th, 2025 NBT hadn’t updated this year’s interest rates, but believe it will still be around 4.5%, and NYCLASS interest is still at 4.4%.

Received the Potter Lease payment, and it was \$700 more this year than last year. Payment was the same amount as was received in 2023. Belief was that in 2024 the Village most likely discounted the payment due to possible financial situation for the Potter’s.

Mostly quiet last month. *Main Report:* The Village is in great shape. General Spending: 16%; General Revenues: 85%; Sewer Spending: 17%; Water Spending: 17%; Sewer Revenue: 65%; Water Revenue: 66%. Upon motion by Mayor Goodfellow, 2nd by Trustee Bibik, it was unanimous to accept the treasurer’s report, subject to audit. All Ayes carried. Upon Motion by Mayor Goodfellow, 2nd by Trustee Oliver, to approve the Bank Reconciliation, subject to audit. All Ayes carried.

Accountant Chartrand will be sending out by the end of this month letters to the Department heads for the budget. Accountant Chartrand expects the letters back by mid to late February because he will be out of town on a long overdue vacation with his family. He will still be available via email or cell phone while on vacation. Accountant Chartrand proposes that at the next Village Board Meeting on February 5th, 2025, the Board approves its dates for the budget workshops and Public Hearing so that the budget for the year is complete. The first proposed workshop would be on March 5th, 2025 before the regular Village Board meeting. Accountant Chartrand also proposes that the second budget workshop be on March 12th, 2025 at 6:30PM. Accountant Chartrand proposes that the date for the Budgetary Public Hearing will be for April 2nd, 2025.

Public Comment

None

DPW

December 2024 Water:

- 4.085 million gallons treated at WWTP

- 2.456 million gallons produced at wells

Robin Lane water main break in December was repaired on December 14th, 2024. Was the second break in that area in 2 years. It is to be expected since the pipes were put in in the 1950s. RESOLUTION that Mayor Goodfellow declared this as a true emergency, and approved the repairs, in leu of the Boards approval. Upon Motion by Trustee Ray, 2nd by Trustee Bibik, the Resolution to accept the repairs to the watermain break on Robin Lane warranted an emergency and approved by Mayor Goodfellow to be repaired. All Ayes carried. Supervisor Hoke just wanted to confirm with Trustee Vernay that the flowers were ordered for the hanging baskets, which she has done last month.

Doggie Pots- Supervisor Hoke wished to know if the Board wanted him to reorder more doggie bags since the Village is now out of their supply. So DPW will continue to order the doggie bags

Water Supply Inspection- Inspection was done in November 2024. This coming year, before the next inspection, the Village will be held accountable for all the repairs that are needed. If current demands for repair aren't met before the next inspection, the Village will be held accountable, and hit by violations.

The Code of Health guidelines, our backflow system needs updating, need a backflow prevention in place, and the DPW needs to create an electronic map of the entire Village's distribution system. The backflow mandate is an expensive, not state funded, expense which require commercial help to install the improvements and fixes. DPW is now forced to make the residents to comply to the new code of health guidelines.

Bill from MRB took the Bids for the Influent Pump Station Improvements. Received four promising Bids. Bids went from \$258,000 to \$298,000. Trustee Ray proposed a Resolution to award the Bid to Henderson Bros. Upon Motion by Mayor Goodfellow, 2nd by Trustee Oliver, Henderson Bros. Contracting, Inc was awarded the contract for \$258,191.00. All Ayes carried.

It will take four months for the pumps to arrive. Bill is proposing that there will be a pre-con to get final signatures so to move the project along, and to receive the hard copy of the contract.

More testing shows that its likely to bypass the Lagoon without violating the permit. Will be scheduling the install of the pump soon.

COUNSEL:

None

CODES:

Tractor Supply and the library is still on track. Guesstimate time of completion for Tractor Supply is April 2025. There is concern about the slope behind Tractor Supply, and the possibility of falling rocks, and people who might climb the slope and injuring themselves.

Engineer

This project is well underway with the contractor now focusing on the erection of the structure itself. Site work has essentially stopped due to the wintry conditions. I did meet at the site with the contractor and other representatives to discuss the concerns we have as to the safety of the steep slope that remains. The concern is both for falling rocks as well as the safety of people who may wander to the top of the slope and get too close. It was decided that their engineer would review this situation and issue a response. To date I have not received any documents

All of the small generators have been secured and the Village is now coordinating with your electrician to make the proper up-upgrades for their connection when needed. The Well House generator bid specs and package is now completed and will go to bid early next week. The bids will be due on January 31st and the intention is to award the bid at the February 5th meeting.

NEW BUSINESS:

Upon motion by Trustee Bibik, 2nd by Trustee, it was unanimous to proceed to Executive Session which would include Village clerk and the board. The Executive Session relative to “the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation” at 7:19PM. Upon Motion by Mayor Goodfellow, and 2nd by Trustee Ray, it was unanimous to close out of Executive Session at 7:53PM. All Ayes carried.

Trustee Bibik has decided to hand in his resignation letter to the board.

Upon Motion by Mayor Goodfellow, and 2nd by Trustee Oliver, Benjamin Bibik’s resignation was accepted. All Ayes carried.

Upon a Motion made by Trustee Vernay, and 2nd by Trustee Oliver, Trustee Ray is now the new Deputy Mayor. All Ayes carried.

Upon motion made by Trustee Vernay, and 2nd by Trustee Oliver, authorizing Mayor Goodfellow, Trustee Ray, and Clerk Bibik to sign checks for the purpose of paying bills, and making deposits. All Ayes carried.

Discussion about finding a fifth person to fill the Board of Trustees will be discussed at the February 5th, 2025 Village Board meeting.

Audit Bills

Upon motion by Mayor Goodfellow, 2nd by Trustee Oliver, it was unanimous to review and authorize the accountant to pay the bills, subject to audit. All Ayes carried.

Upon motion of Trustee Oliver, 2nd by Trustee Ray it was unanimous to adjourn at 8:06pm. All Ayes carried

Respectfully Submitted

Maureen Bibik
Clerk/Treasurer