

At a regular meeting of the Board of Trustees of the Village of Morrisville, held the 8th day of April, 2021, via videoconferencing technology due to the coronavirus pandemic, there were:

Present: Thomas Lane Mayor
 Kathleen Roher Trustee
 Michael Higgins Trustee
 William Donnelly Trustee (joined at 7:08 p.m.)
 Amy Will Clerk-Treasurer
 Nadine Bell Attorney

Absent: Judy Scholefield Trustee

Others: Marie Smith, resident, and Bonny Keys of Randallsville New Life Christian Church.

Mayor Lane opened the meeting at 7:02 p.m. Clerk Will made the following statement: “This meeting is being held in compliance with Governor Cuomo’s Executive Order 202.1. Notice of this meeting was made to the news media at least seven days in advance and was also posted on the Village signboard and web site. The public may listen to or view this meeting via web-based video technology by using Zoom. Public comment will only be allowed this evening during the designated Public Comment section of the agenda. The public does not have the right to speak outside these allotted times and any public in attendance this evening will be muted at all other times.”

Clerk Will conducted a roll call and determined three members of the Board of Trustees were present for this meeting, representing a quorum. Clerk Will stated that in person attendance is not permitted at this meeting. A transcript of this meeting will be available at a later date.

Minutes of the February 11, 2021, February 25, 2021, March 4, 2021 and March 18, 2021 meetings were reviewed. Trustee Higgins made a motion to adopt the minutes as written, seconded by Trustee Roher. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Public Comment: Bonnie Keys submitted a Park Use Permit application, requesting use of the Cedar Street Park on May 6 for the National Day of Prayer. This annual event was not held last year due to the pandemic, but the two years prior it was held at Madison Hall. She anticipates approximately 10-20 attendees. The required Certificate of Insurance was not submitted with the application. Ms. Keys stated that she contacted the church treasurer regarding this; she is unsure whether their insurance will cover this type of event or not. She said if they are unable to produce the required insurance they will find another venue. Mayor Lane expressed concern about the size of the Cedar Street Park holding more than 20 people and suggested if they anticipate more than that they use Jones Park. Ms. Keys does not expect more than 20 people to participate. Trustee Roher made a motion to approve the application of Bonny Keys for use of the Cedar Street Park on May 5, 2021 subject to the required proof of insurance submitted by May 1, 2021, seconded by Mayor Lane. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Code Enforcement: CEO Sutton provided a written report for review.

Trustee Higgins indicated he has been reviewing the sign code. He would like to give that some attention and make some revisions, with the assistance of the Village Clerk and Code Enforcement Officer. Attorney Bell suggested that we make the revisions and send to her for review.

The board reviewed a sidewalk café permit application from Deborah Skinner at 10 East Main Street, the future location of Annie’s Sweets & Treats. The applicant offered three seating options for board consideration. The board discussed these options and what would work best for this location. Trustee Higgins made a motion approving the application of Deborah Skinner for a sidewalk café permit at 10 East Main Street and authorizing Option B (50” park benches), second by Trustee Roher. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Public Hearing Regarding 2021-2022 Operating Budgets: Mayor Lane opened the public hearing at 7:21 p.m. Clerk Will advised the board that funding for the LED streetlight conversion was added to the tentative budget as it is unlikely that this will be finalized before the end of the current fiscal year. With no public comment, Mayor Lane closed the public hearing at 7:24 p.m. Trustee Higgins made a motion to adopt Resolution Number 21-04, seconded by Trustee Donnelly.

**RESOLUTION NO. 21-04
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF MORRISVILLE**

A RESOLUTION ADOPTING THE TENTATIVE BUDGET, AS REVISED, AS THE BUDGET FOR THE VILLAGE OF MORRISVILLE FOR THE FISCAL YEAR COMMENCING JUNE 1, 2021 AND ENDING MAY 31, 2022 MAKING APPROPRIATIONS FOR THE CONDUCT OF VILLAGE GOVERNMENT AND ESTABLISHING THE RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR SUCH PERIOD.

WHEREAS, this Board has met at the time and place specified in the notice of public hearing on the tentative budget and heard all persons desiring to be heard thereon; now, therefore, be it

RESOLVED, that the tentative budget as amended and revised and as hereinafter set forth is hereby adopted and that the amounts stated in the columns titled “Adopted” be and they hereby are appropriated for the objects and purposes specified and the salaries and wages stated in the “Schedule of Salaries and Wages” of such budget shall be and are hereby fixed at the amounts shown therein effective June 1, 2021.

Dated: April 8, 2021

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Trustee Roher made a motion to adopt Resolution Number 21-05, seconded by Trustee Higgins.

**RESOLUTION NO. 21-05
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF MORRISVILLE**

**A RESOLUTION TO ADOPT THE FINAL WATER/SEWER EDU ROLL
FOR THE 2021-2022 FISCAL YEAR**

WHEREAS, pursuant to the provisions of Section 149-33 of the Code of the Village of Morrisville, the Village Clerk has presented the Board of Trustees with the “Tentative EDU Roll” of the Village listing all EDU charges assigned to each parcel of real property within the Village, and

WHEREAS, the Board of Trustees has heard all duly filed appeals to the Tentative EDU Roll, and has made all modifications to the Tentative EDU Roll, which, in the judgment of the Board of Trustees, are just and proper.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Board of Trustees of the Village of Morrisville hereby adopts the “2021 Final EDU Roll” which shall remain in effect and applicable throughout the 2021-2022 fiscal year, and the Village Clerk is hereby directed to sign and date said Roll, along with a certification that said Roll is the 2021 Final EDU Roll duly adopted by the Board of Trustees this date.

Dated: April 8, 2021

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Department of Public Works: Trustee Roher expressed concern about the crosswalks on Route 20 and Eaton Street and the condition of the markings. She understands these are not village streets, but they need to be marked. Mayor Lane to speak with Superintendent Commins and Supervisor Moses to see if the State and County will take care of this.

Public Hearing Regarding a Local Law to Impose a Moratorium on Short Term Rentals: Mayor Lane opened the public hearing at 7:33 p.m. Attorney Bell indicated the public hearing tonight is for the purpose of a moratorium only. This places a hold on short term rentals for six months to allow the village an opportunity to develop regulations. She noted that the board has approximately four months to decide how to address this and suggested they review the regulations of another municipality of similar size. In approximately four months the board should decide whether they are prepared to develop regulations, or whether additional time is needed. The moratorium can be extended six months, up to a total 18 months. With no public comment, Mayor Lane closed the public hearing at 7:41 p.m.

**VILLAGE OF MORRISVILLE
VILLAGE BOARD RESOLUTION 21-06**

April 8, 2021

LOCAL LAW NO. 1 OF 2021

(“A Local Law Imposing a Six (6) Month Moratorium on Short-Term Rental Dwellings Within the Village of Morrisville”)

The following resolution was offered by Trustee Higgins, who moved its adoption, seconded by Trustee Donnelly, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. 1-2021, “A Local Law Imposing a Six (6) Month Moratorium on Short-Term Rental Dwellings Within the Village of Morrisville”, was presented and introduced at a Regular Meeting of the Board of Trustees of the Village of Morrisville held on February 25, 2021; and

WHEREAS, a public hearing was held on such proposed Local Law on April 8, 2021 by the Board of Trustees of the Village of Morrisville and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Board of Trustees of the Village of Morrisville in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, previously on February 25, 2021, the Board of Trustees determined that the enactment of Proposed Local Law No. 1-2021 would have no significant adverse impact on the environment and adopted a Negative Declaration for purposes of SEQR, thus concluding the SEQRA process; and

WHEREAS, upon consideration of all of the previous proceedings had herein, the Board of Trustees has determined that it is in the public interest to enact said Proposed Local Law No. 1 of 2021.

NOW, THEREFORE, it is

RESOLVED that the Board of Trustees of the Village of Morrisville, Madison County, New York, does hereby enact Proposed Local Law No. 1 of 2021 as Local Law No. 1 of 2021 as follows:

**“VILLAGE OF MORRISVILLE
PROPOSED LOCAL LAW**

**A LOCAL LAW IMPOSING A SIX (6) MONTH MORATORIUM
ON SHORT-TERM RENTAL DWELLINGS WITHIN
THE VILLAGE OF MORRISVILLE**

Be it enacted by the Board of Trustees of the Village of Morrisville, as follows:

SECTION 1. INTENT.

It is the intent of the Village Board of Trustees of the Village of Morrisville to impose a six (6) month moratorium on the establishment, creation, maintenance, advertisement and/ or operation of short-term rental dwellings within the Village of Morrisville. This local law is enacted under the authority of Section 10 of the New York Municipal Home Rule Law.

SECTION 2. LEGISLATIVE PURPOSE.

Pursuant to the statutory powers vested in the Village of Morrisville to regulate and control land use, and to protect the health, safety and welfare of its residents, the Village Board of Trustees of the Village of Morrisville hereby declares a temporary moratorium on the establishment, creation, maintenance, advertisement and/ or operation of short-term rental dwellings within the Village of Morrisville. The Village Board has become aware of the need to fully review and analyze the current state of short-term rental dwellings and the potential impact of "airbnb" type rentals within the Village. It is the concern of the Village Board that although such short-term rentals may provide housing and economic benefits to some individuals and businesses in the area, they may also have a negative impact on the quality of life for the citizens and neighborhoods of the Village.

The Village Board of Trustees of the Village of Morrisville desires to address, in a careful manner, the issues raised by this use on a comprehensive basis, rather than on an ad hoc basis, with the goal of adopting appropriate zoning or other land use laws or by amending its current laws to properly regulate the same. The Village Board is now in the process of considering various options relating to this issue and the Board finds and determines that it needs this period of time to study the entire issue, and draft proposed amendments to the local Building Zoning Ordinance, make appropriate changes to the draft of any proposed Zoning change, schedule and hold the required public hearings on such changes, perform an appropriate environmental review for such changes and, comply with applicable provisions of law regarding the adoption of a Zoning modification.

SECTION 3. DEFINITIONS.

SHORT-TERM RENTAL DWELLING - Rental of a whole or partial dwelling unit to visitors for dwelling, sleeping, or lodging, for a period of no less than 24 hours nor more than 30 consecutive days. The term "short-term rental" does not include bed-and-breakfast establishments, as defined in Section 180-8(D) of the Building Zoning Ordinance.

SECTION 4. MORATORIUM.

A. The Village Board of Trustees hereby enacts a moratorium which shall prohibit the establishment, creation, maintenance, advertisement and/ or operation of short-term rental dwellings anywhere within the Village of Morrisville.

B. This moratorium shall be in effect for a period of six (6) months from the effective date of this Local Law and shall expire on the earlier of: (i) the date six (6) months from said effective date of this local law, unless renewed; or (ii) the enactment by the Village Board of Trustees of a resolution indicating the Village Board of Trustees is satisfied that the need for the moratorium no longer exists.

C. This moratorium shall apply to all zoning districts and all real property within the Village.

SECTION 5. RELIEF FROM PROVISIONS OF THIS LOCAL LAW.

A. The Village Board of Trustees reserves to itself the power to vary or adapt the strict application of the requirements of this Local Law in the case of unusual hardship which would deprive the owner of all reasonable use of the lands involved.

B. Application for relief shall be filed in triplicate with the Code Enforcement Officer together with a filing fee of \$250.00. The application shall specifically identify the property involved, recite the circumstances pursuant to which the relief is sought and the reasons for which the relief is claimed. Any costs, including expert consulting fees or attorney's fees, incurred by the Village, shall be reimbursed to the Village by the Applicant. The Village Board of Trustees shall apply Use Variance criteria as set forth in the New York State Village Law, Section 7-712(b) in reviewing any application for relief.

C. The Village Board of Trustees may refer any applications for relief herein to the Village of Morrisville Planning Board or Zoning Board of Appeals for its advice and recommendations, but all decisions on granting or denying such relief shall be made solely by the Village Board of Trustees after determining whether or not the requested relief is compatible with any contemplated amendments to the Village Building Zoning

Ordinance. Unless completely satisfied that the proposed relief is compatible, the Village Board of Trustees shall deny the application.

D. The Village Board of Trustees shall conduct a public hearing on any request for relief within forty-five (45) days of receipt by the Code Enforcement Officer and shall issue its final decision on requests for relief within thirty (30) days from the date of the public hearing.

SECTION 6. PENALTIES.

Any individual, partnership, firm or corporation that shall establish, construct, reconstruct, relocate, enlarge or modify any site to be used for a short-term rental dwelling in violation of the provisions of this local law, shall be subject to:

A. A fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisonment for a term not to exceed fifteen (15) days, or both. Each day a violation continues shall be considered a new violation.

B. A civil action inclusive of injunctive relief in favor of the Village to cease any and all such actions which conflict with this local law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violation of this local law.

SECTION 7. ENFORCEMENT.

This local law shall be enforced by the Village of Morrisville Code Enforcement Officer or such other zoning enforcement individual(s) as designated by the Village Board of Trustees. It shall be the duty of the enforcement individual(s) to advise the Village Board of Trustees of all matters pertaining to the enforcement of this local law.

SECTION 8. VALIDITY AND SEVERABILITY.

If any section or part of this local law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force, or affect any other section of this local law.

SECTION 9. EFFECTIVE DATE.

This local law shall take effect immediately upon passage and thereafter shall be filed with the New York State Department of State and shall remain in force and effect for a period of six (6) months from the date of passage.”

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Historic Preservation Commission: The board reviewed a letter from Walter Reisig expressing interest in joining the Commission. Trustee Roher made a motion to appoint Walter Reisig to the Historic Preservation Commission for a term of four years, seconded by Trustee Donnelly. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes

William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Mayor Lane advised the board that the roof at the Engine House is in far worse condition than expected and the work is much more extensive than just repairing the cupula. Three quotes for the project will be obtained, but he estimates the cost to be \$15,000.

Attorney: The snow removal contract with the Town of Eaton was discussed. The contract is typically entered into in the month of April, however the Town Highway Superintendent requested that this be delayed until September, after the material rates for the upcoming year have been released. Attorney Bell said there is no issue in changing when the contract is approved by both parties.

The parking lot adjacent to the Village Office was discussed. It is in poor condition and needs to be repaved. This area is not owned by the village, but is part of an adjoining lot. Attorney Bell reviewed the agreement regarding maintenance and noted that any cost for maintenance and upkeep are proper and would not be considered gifting of public funds.

Attorney Bell advised the board that a title search for the property adjacent to the Reidy Building currently used as public parking would cost approximately \$1,000-\$2,000.

Attorney Bell discussed the recent legislation which legalized marijuana use in New York. The village has the ability to adopt a local law which places a restriction on the time, place or manner of retail dispensaries and on-site consumption establishments. She noted that the village cannot make the operation unreasonably impracticable, as determined by the State. The village does have the ability to opt out of allowing retail dispensaries and/or on site consumption sites. If the village opts out we will not receive any tax revenue. To opt out, the board must adopt a local law by 12/31/21 which is subject to permissive referendum. She suggested the board start thinking about this as they will need to decide their position by October.

Trustee: Trustee Higgins questioned the status of the Morrisville Fire District's request to donate the antique truck to a museum. Mayor Lane spoke to Don Kelley after the last meeting and he was to contact Clerk Will with information regarding the museum, but he has not done so. Mayor Lane suggested the board consider selling the truck and using the proceeds toward the cost to repair the roof at the Engine House.

Mayor: Trustee Donnelly made a motion to adopt Resolution Number 21-07, seconded by Trustee Roher.

**RESOLUTION NO. 21-07
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF MORRISVILLE**

A RESOLUTION AUTHORIZING AN AGREEMENT WITH
THE SMITHFIELD EATON VOLUNTEER AMBULANCE CORP.
FOR AMBULANCE SERVICES FOR FISCAL YEAR ENDING MAY 31, 2021

BE IT RESOLVED, that the Board of Trustees hereby approves the contract with the Smithfield Eaton Volunteer Ambulance Corp. to provide ambulance services to the Village of Morrisville for fiscal year ending May 31, 2021 in the form and content as attached hereto and made a part hereof, and does hereby authorize and direct the Mayor to execute said contract on behalf of the Village of Morrisville.

Dated: April 8, 2021

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
------------------------	----------------	--------------	------------

Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

The board discussed the letter from Dave Tedesco of Burgess & Tedesco Funeral Home regarding the condition of the parking area adjacent to the Village Office. Mr. Tedesco obtained a quote to seal the parking area and asked the village to consider paying half. After discussion it was decided that Superintendent Commins would be asked to review this quote and determine if sealing the parking lot is sufficient. Clerk Will to also clarify if this quote is only for the shared area between the two buildings. The board will discuss again at an upcoming special meeting.

Mayor Lane received a call from a resident regarding the woodchuck issue on the village owned lot between Eaton and Union Streets. The board previously discussed this in 2019, however due to the pandemic no action was taken in the spring of 2020 as intended. The board requested Clerk Will contact Bob Meakin, nuisance wildlife control operator, and request a site evaluation.

Clerk-Treasurer Report: The board was provided financial reports detailing income and expenditures to date by fund, as well as the amount outstanding for water/sewer bills.

Clerk Will advised the board that the Governor is expected to extend and modify the utility termination moratorium law. The protections would now remain in effect for 180 days after the State of Emergency is lifted or until December 31, 2021, whichever is earlier. The law now includes small business customers with 25 or fewer employees. The village is also prohibited from placing, selling or enforcing a lien on the properties of such customers protected by this legislation. The Governor has not yet signed the legislation but is expected to do so.

The board discussed moving the regular monthly meeting to the second Thursday of each month. Trustee Roher made a motion to reschedule the May and June regular meetings to the second Thursday of the month, seconded by Trustee Donnelly. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Clerk Will advised the board that an \$8,671.65 Aid & Incentives for Municipalities (AIM) payment was released to the village in March, representing 15% of the 20% withheld from the original disbursement in September. 5% continues to be withheld by NYS.

Clerk Will received inquiries whether the village will promote the annual village wide garage sale this year. The board discussed this matter and determined the village would do so, encouraging all activities to be respectful of CDC and local health department guidelines.

Clerk Will discussed the annual purchase of flowers for the beautification project from the SUNY Morrisville greenhouse. Due to the pandemic, the college will not be opening the sale to the public again this year, but will offer wholesale purchases. Last year the village was able to purchase a substantial amount from the college due to the significantly reduced price. Due to the timing of the sale Clerk Will requested authorization to purchase and pay for flowers in advance of board audit. Trustee Roher made a motion authorizing the Village Treasurer to purchase flowers from SUNY Morrisville in an amount not to exceed \$1,000.00, with payment to be made in advance of audit, seconded by Mayor Lane. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Trustee Roher made a motion to authorize the following budget transfers: A1410.47 (Postage) \$500.00 from A1990.4 (Contingency); A8010.4 (Zoning Board contractual) \$75.00 from A1990.4 (Contingency); A9030.8 (Workers Compensation) \$19.00 from A1990.4 (Contingency), seconded by Mayor Lane. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Vouchers were scanned and emailed to each member of the board for review prior to the meeting. Trustee Roher made a motion to pay audited vouchers as indicated below, seconded by Trustee Donnelly.

General Fund – Vouchers 236-257	Waste Water Operation & Maintenance Fund – Vouchers 64-67
Water Fund – Vouchers 60-67	

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
William Donnelly	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

With no further business before the board, Trustee Donnelly made a motion to adjourn the meeting at 8:50 p.m., seconded by Trustee Higgins. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Higgins	Trustee	Voted	Yes
Kathleen Roher	Trustee	Voted	Yes
Judy Scholefield	Trustee	Voted	Yes
Thomas Lane	Mayor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted. Meeting adjourned.

Respectfully submitted,

Amy Will
Clerk-Treasurer