

Present:	Mayor (via Zoom)	William Peeler
	Deputy Mayor	Tim Healey
	Trustees	Lynn Dumar, Randy Wellman, Scott Sprague
	Clerk Treasurer	Christine Kearns
	Code Enforcer	Stan Waddle
	Village Attorney (via Zoom)	Michael Albanese
	Public	Sal Riggi, Bob Klim, Jim Park – FFJWWTF Board Chairperson, Patricia & Ernest Brookings

Type of Meeting: Annual Organizational Meeting Board of Trustees
Meeting Facilitator: Mayor William F. Peeler

I. Call to order Mayor Peeler Called Meeting to Order and Salute to Flag at 6:08 p.m.

II. Roll call

III. Appointments by Mayor

Deputy Mayor: Timothy Healey; term expires 3/31/2023,

Village Clerk-Treasurer: Christine Kearns, who was also authorized to invest funds; term expires 3/31/2023

Street and Water Commissioner: Christopher Weaver, to be in charge of all Water Department matters including reservoirs, watershed, filtration and distribution including supervision of all employees. 3/31/2023.

Deputy Clerk-Treasurer: Daniel Denofrio; term expires 3/31/2023

Village Attorney: Michael M. Albanese, Gloversville; term expires 3/31/2023

Building and Fire Code Enforcer: Stan Waddle; term expires 3/31/2023

Historian: Beverly Guiffre, term expires 3/31/2023

Purchasing Agent: Christin Kearns, Clerk-Treasure, Term expires 3/31/2023

Sewer Board members

- a. Jim Park, Chairperson; Joint Appointment: term expires 3/31/2025
- b. Mark Scott; term expires 3/31/2023
- c. Robert Klim; term expires 3/31/2024

Dog Warden: Rosalie Quon as appointed by the Town of Mohawk

Superintendent of Cemetery: Christopher Weaver; Term Expiration 3/31/2023

Park Superintendent: Christopher Weaver: Term Expiration 3/31/2023

Water Plant Operator: Chris Ashbey; Term Expiration 3/31/2023

Assistant Plant Operator: Christopher Weaver 3/31/2023

Tax Collector: Christine Kearns; Term Expiration 3/31/2023

Inventory Control Officer: Tim Healey and Randy Wellman who will oversee physical inventory to be performed annually before July 15th; assisted by Street and Water Commissioner.

Records Management Officer: Christine Kearns 3/31/2023

Village Auditor: No assignment made

Computer IT Technician: Claudio Sandoval Term Expiration 3/31/2023

Personnel Committee & Discrimination and Harassment Committee: Timothy Healey and Lynn Dumar Term Expiration 3/31/2023

Public Safety: Timothy Healey and Randy Wellman Term Expiration 3/31/2023

Building & Grounds: Scott Sprague and Timothy Healey Term Expiration 3/31/2023

Village Streets & Community: Scott Sprague and Lynn Dumar Term Expiration 3/31/2023

The appointments to positions, adopted on motion by Mayor Peeler, second by Trustee Healey with a vote of the board of trustees:

Name	Aye	Nay	Abstained	Absent
Mayor Peeler	X			
Trustee Dumar	X			
Trustee Wellman	X			
Trustee Healey	X			
Trustee Sprague	X			

IV. General Assigned Appointments

Participation and Membership:

The Village will participate in NYCOM Term Expiration 3/31/2023

The Village of Fonda will participate in the Rural Water Association and American Water Works Association Term Expiration 3/31/2023

Official Newspaper: The Recorder of Amsterdam, New York Term Expiration 3/31/2023

Official Depository: NBT Term Expiration 3/31/2023

The general assigned appointments adopted on motion by Mayor Peeler, second by Trustee Dumar, with a vote of the board of trustees:

Name	Aye	Nay	Abstained	Absent
Mayor Peeler	X			
Trustee Dumar	X			

Trustee Wellman	X			
Trustee Healey	X			
Trustee Sprague	X			

V. General Policies and Procedures Term Expiration 3/31/2023

Official Village Procurement

Individual responsible for making purchases under the procurement policy:

Christine Kearns, Clerk Treasurer, Term Expires 3/31/23

Adopted as written.

Official Investment Policy adopted as written.

Official Information Security and Citizens' Notification Policy adopted as written.

Official Computer and Internet Use Policy adopted as written.

Official Social Media Policy adopted as written.

Official IT Disaster Recovery Plan adopted as written.

Official Cellphone Policy was adopted as written.

Official Dump Truck Usage Policy as written.

Official Policy Against Discrimination and Harassment as written

Workplace Violence Prevention Program Policy adopted as written.

Permit Schedule Policy: Discussion held on new fees for Village Park Usage and Facility Fees, Village Market discussed, held on Saturdays beginning June 1st, will need someone in charge of vendors, Trustee Healy said he would be available for some but could not commit to every Saturday, suggestion made of having a vendor in charge in exchange for a market space, Seasonal Market Fee discussed and decided on \$450.00 for 10 feet space, added to Schedule of Permits and fees; approved with changes.

Advance Payment Policy: Approval for payment of postage, utilities and Village Credit Card with NBT Bank in advance of regular audit of monthly bills.

Voucher Payment System: All vouchers to be considered for payment must be received in the Village Office by the first Wednesday, of each month, 3:00 PM. Approval of abstract of bills as presented in summary form at each monthly meeting will be by single signature of each board member at the bottom of the last page. All questions will be addressed completely before signing the abstract. Any exceptions shall be noted and signed by the opposing board member.

Mileage Policy: Mileage allowance reimbursement rate per mile approved by IRS for personal use of a private vehicle for village business upon obtaining prior approval from the Mayor.

Park Rules & Policies: As written.

Conferences Attendance: Approval for mayor to attend school and conferences given.

Unpaid Water Attachments: 2021 unpaid water and sewer rents to be added to village property taxes on May 1, 2022.

The general policy and procedures adopted on motion by Mayor Peeler, second by Trustee Wellman, with a vote of the board of trustees:

Name	Aye	Nay	Abstained	Absent
Mayor Peeler	X			
Trustee Dumar	X			
Trustee Wellman	X			
Trustee Healey	X			
Trustee Sprague	X			

VI. Rules of Procedures for Village Meetings Term Expiration 3/31/2023

These Rules of Procedure for Village Board Meetings are adopted for the sake of keeping order at all meetings and to enable the board members to conduct business and discuss all relevant issues in a timely manner.

Definitions

“**Meeting**,” means the official convening of a public body for the purpose of conducting public business, including the use of videoconferencing for attendance and participation by the members of the public body.

“**Public body**,” means any entity, for which a quorum is required in order to conduct public business and which consists of two or more members, performing a governmental function for the state or for an agency or department thereof, or for a public corporation as defined in section sixty-six of the general construction law, or committee or subcommittee or other similar body of such public body.

“**Executive session**” means that portion of a meeting not open to the general public.

NYS PUBLIC OFFICERS LAW, ARTICLE 7, Section 103: Open meetings and executive sessions

Every meeting of a public body shall be open to the general public, except that an executive session of such body may be called and business transacted thereat in accordance with section one hundred five of this article.

- (a) Public bodies shall make or cause to be made all reasonable efforts to ensure that meetings are held in facilities that permit barrier-free physical access to the physically handicapped, as defined in subdivision five of section fifty of the public buildings law.
- (b) A public body that uses videoconferencing to conduct its meetings shall provide an opportunity to attend, listen and observe at any site at which a member participates
- (c) Public bodies shall make or cause to be made all reasonable efforts to ensure that meetings are held in an appropriate facility, which can adequately accommodate members

of the public who wish to attend such meetings: 1. Any meeting of a public that is open to the public shall be open to being photographed, broadcast, webcast, or otherwise recorded and/or transmitted by audio or video means, As used herein the term “broadcast” shall also include the transmission of signals by cable.

(d) Agency records available to the public pursuant to article six of this chapter, as well as any proposed resolution, law, rule, regulation, policy or any amendment thereto, that is scheduled to be the subject of discussion by a public body during an open meeting shall be made available, upon request therefor, to the extent practicable as determined by the agency or the department, prior to or at the meeting during which the records will be discussed. Copies of such records may be made available for a reasonable fee, determined in the same manner as provided therefor in article six of this chapter. If the agency in which a public body functions maintains a regularly and routinely updated website and utilizes a high-speed internet connection, such records shall be posted on the website to the extent practicable as determined by the agency or the department, prior to the meeting, An agency may, but shall not be required to, expend additional moneys to implement the provisions of this subdivision.

(e) A public body may adopt rules, consistent with recommendations from the committee on open government, reasonably governing the location of equipment and personnel used to photograph, broadcast, webcast, or otherwise record a meeting so as to conduct its proceedings in an orderly manner. Such rules shall be conspicuously posted during meetings and written copies shall be provided upon request to those in attendance

Section 1. MONTHLY MEETINGS

The Village Board shall hold regular monthly meetings on the 2nd Monday of each month. Such monthly meetings shall commence at 6:30 p.m. and be conducted in the Village Municipal Building. The Village Board shall determine changes to the foregoing paragraph.

Section 2. SPECIAL MEETINGS

Special meetings of the Village Board are all those board meetings other than regular monthly meetings. The Mayor or any board member upon notice to the entire board may call these meetings. Notice shall be given by telephone, in person, in writing or by e-mail.

Section 3. QUORUM

A quorum shall be required to conduct business. A quorum of the five (5) – board members shall be three (3). In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

Section 4. EXECUTIVE SESSIONS

Executive sessions shall be held in accordance with the NYS Public Officer's Law §105. All executive sessions shall be commenced in a public meeting.

§105 Conduct of executive sessions

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the below enumerated purposes only, provided however, that no action by formal vote shall be taken to appropriate public monies.

- a. Matters which will imperil the public safety if disclosed
- b. Any matter which may disclose the identity of a law enforcement agent or informer
- c. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed
- d. Discussions regarding proposed, pending, or current litigation
- e. Collective negotiations pursuant to article fourteen of the civil service law
- f. 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
- g. The preparation, grading, or administration of examinations, and
- h. The proposed acquisition, sale, or lease of real property of the proposed acquisition of securities, or sale or exchange of securities substantially affect the value thereof
- i. Attendance at an executive session shall be permitted to any member of the public body and any other persons authorized by the public body.

Section 5. AGENDAS

The Clerk at the direction of the Mayor shall prepare the agenda. Any member of the board may have an item placed on the agenda. When possible, items for the agenda shall be given to the Clerk at least 2 weeks before the meeting; however, items may be placed on the agenda at any time, including during the meeting.

Section 104: Public Notice

1. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting.
2. Public notice of the time and place of every other meeting shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto.
3. The public notice provided for by this section shall not be construed to require publication as a legal notice
4. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the location for the meeting, and state that the public has the right to attend the meeting at any of the locations.

5. When a public body has the ability to do so, notice of the time and place of a meeting given in accordance with subdivision one or two of this section, shall also be conspicuously posted on the public body's internet website.

Section 6. VOTING

Pursuant to Village Law each member of the board shall have one vote. The Mayor may vote on any matter, but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law. A vote upon any question will be taken by an "aye" or "nay." When taking votes, the Clerk must record in the minutes for each Trustee whether they voted aye, voted nay, abstained from voting, or were absent. Abstentions and absences are not counted as votes; they are simply no vote at all.

Steps to Voting: Present Motion, Second to the Motion, Discussion on the motion, and Vote by the board.

When elected by the Mayor an individual roll call may be taken of the votes.

Section 7. MINUTES

The Clerk or designee shall take minutes.

1. Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions, and any other matter formally voted upon and the vote thereon.

2. Minutes shall be taken at executive sessions of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon, provided however that such summary need not include any matter which is not required to be made public by the Freedom of Information Law.

3. Minutes of meetings of all public bodies shall be available to the public in accordance with the provisions of the Freedom of Information Law within two weeks from the date of such meeting except those minutes taken pursuant to subdivision two hereof shall be available to the public within one.

4. Minutes need not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the board shall resolve to have the Clerk do so. Minutes shall be approved at the next monthly board meeting. Any further changes shall require board approval.

Minutes shall also include the following:

- Name of the board.
- Date, place and time of the meeting.
- Notation of presence or absence of board members and time of arrival or departure

if different, from time of call to order and adjournment.

- Name and title of other village officials and employees present, and
- Approximate number of attendees.
- Record of communications presented to the board.
- Actions taken by the Board.
- Record of reports made by the board or other village personnel.
- Time of adjournment.
- Signature of Clerk or person who took the minutes if not the Clerk.

Section 8. ORDER OF BUSINESS

The order of business shall be:

- Call to order
- Pledge to the flag
- Correspondence
- Approval of Minutes
- Public Comment (New Business Only)
- Mayor's Report
- Street and Water Commissioner Report
- Clerk-Treasurer Report
- Building and Codes Report
- Water Plant Operator Report
- Trustee and Committee Reports
- New or Other Business
- Approval of Abstracts

- Next Meeting Date
- Adjournment

The order of business need not be followed if the Mayor, or in the Mayor's absence, Deputy Mayor, determines that it is necessary to deviate.

Section 9. GENERAL RULES OF PROCEDURE

The Mayor shall preside at all meetings. In the Mayor's absence the Deputy Mayor shall preside. The presiding officer may debate, move or take other action that may be taken by other members of the board. Motions require a second. Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking. A member, once recognized, shall not be interrupted when speaking unless it be to call the member to order. If a member, while speaking, is called to order, they shall cease speaking until the question of order be determined, and, if in order, they shall be permitted to proceed. There is no limit to the number of times a member may speak on a question. Motions to close or limit debate may be entertained but shall require a two-thirds vote.

Section 10. GUIDELINES FOR PUBLIC COMMENT

- Public Comment will be limited to “new Business” only.
- Speakers must give their name, address and organization, if any.
- Speakers must be recognized before speaking by the presiding officer.
- Speakers should limit their remarks to five (5) minutes on a given topic. Option by presiding officer to amend time for public remarks.
- Speakers may not yield any remaining time they may have to another speaker.
- Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- All remarks shall be addressed to the board as a body and not to any member thereof, or any other individual present.
- Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the board by written communications. Written communications shall be delivered to the Clerk or Clerk's designee. Speakers may not read written communications verbatim, but should summarize their contents.

Section 11. AMENDMENTS TO THE RULES OF PROCEDURE

The foregoing procedures may be amended from time to time by a majority vote of the board.

The meeting procedures and rules adopted on motion by Mayor Peeler, second by Trustee Dumar, with a vote of the board of trustees:

Name	Aye	Nay	Abstained	Absent
Mayor Peeler	X			
Trustee Dumar	X			
Trustee Wellman	X			
Trustee Healey	X			
Trustee Sprague	X			

VII. Review of Commercial Quarterly Water and Sewage Services Billing

Resolution # 8-2022: In Support of Water and Sewage Services for Commercial Business

Offered by Mayor Peeler, Second by Trustee Sprague

WHEREAS the Village of Fonda currently provides water and sewage services to both commercial and residential properties within the corporate boundaries of the Village of Fonda and Town of Mohawk; and

WHEREAS as per Resolution #3-2017 the Trustees, Village Clerk and Street and Water Commissioner have performed their annual review of all water customers; and

WHEREAS at the Organizational Meeting amendments are to be made to the list of qualifying accounts, either added to or dropped from, as necessary,

NOW, THEREFORE BE IT RESOLVED that the Village of Fonda establishes that the following accounts have been identified as Commercial with consumptions greater than 24,000 gallons per month average, or cumulative per entity greater than 24,000 gallons per month average, and will be billed on a quarterly basis,

The Trustees will place established commercial properties [see list below] on file with the Village Clerk and the Street and Water Commissioner.

Account	Customer	Average 1 Month Usage
49	Mt Co Court House Bway	4,750
55	Mt Co Office – Broadway	17,342
234	Mt Co Emergency Management Garage	158
240	Mt Co DPW Park St	11,590
241	Mt Co Annex Bldg Park St	57,406
253	Mt Co Old Courthouse Jail St	2,421
281	KasKel Mill	120,284
355	Mt Co - Boiler room Jail St	0
445	Keymark #2	2,956,799
446	Keymark #3	368,725
447	Keymark #4-high flow	3,863,275
448	Keymark #4-low flow	473,880
449	Paintline	524,283

450	Keymark #6 -anodizing shop sewer only	18,085
451	Keymark #7- shop sewer only	8,533
452	Keymark #8- restrooms only	21,641
489	Nare Farm	209,315
499-500	FFCS	100,950

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows

Name	Aye	Nay	Abstained	Absent
Mayor Peeler	X			
Trustee Dumar	X			
Trustee Wellman	X			
Trustee Healey	X			
Trustee Sprague	X			

Adjournment: Motion by Mayor Peeler, Second by Trustee Wellman with all in favor at 8:47 pm

Respectfully submitted,

Christine Kearns
Clerk Treasurer