Village of Wolcott

Board of Trustees

Village Hall Conference Room

Special Meeting

October 1, 2020

8:00 PM

Members Present: Mayor Chris Henner, Trustees Dan Smith, Andrew Marshall, Norma Stewart, and David Lewis

Others Present: Fran Acker

No village residents were present.

Mayor Henner opened the meeting at 8:00 PM

**Facilities Use Request:**

Trustee Smith made the request to approve the First Baptist Church Request to use Northup Park every Sunday morning in October for children’s Sunday school activities. Trustee Stewart 2nd the motion. All present voted in favor.

**Highway**

Trustee Marshall and Nick Rizzo took a ride to Chittenango to take a look at a 2008 Chevy Silverado Dump Truck to replace the Dodge that was sold. There are issues with the dump box but Mr. Rizzo can fix the box. Trustee Smith made the motion to approve the highway to spend up to $15,500 through Auctions International with Trustee Marshall as the bidder. Funds to be spent through Highway reserves in 5 Star Bank. Trustee Stewart 2nd the motion. All present voted in favor.

**Executive Session**

Trustee Smith made the motion to move the meeting into executive to discuss personnel issues at 8:05 pm. Trustee Lewis seconded the motion. Clerk-Treasurer Acker was asked to stay. All present voted in favor.

Trustee Smith made the motion to move the meeting back to open session at 8:50 pm. Trustee Marshall 2nd the motion. All present voted in favor.

**Resolution 2020-9**

Resolution 2020-9

Introduced by: Trustee Dan Smith

**WHEREAS**, Pursuant to New York State Public Officers Law §18, a municipality is entitled to provide the defense and indemnification of its employees and public officials. The law applies to an employee in any civil action or proceeding that allegedly occurred while the employee was engaged in the scope of his or her official duties.

**WHEREAS**, Pursuant to New York State Public Officers Law §18 section 2, in order to provide such defense and indemnification, a local law, resolution or collective bargaining agreement must explicitly set forth that the municipality agrees to take on such responsibility.

**BE IT RESOLVED THAT** the Village of Wolcott sets forth a resolution to defend any Police Officer or any employee as the board sees fit, defense costs and litigation expenses in a criminal action or any negligent act or tort, provided that such was committed with the scope of his or her employment.

Adopted by the following vote:

Ayes: Mayor Henner, Trustees Lewis, Smith, Marshall and Stewart

Nays: None

Absent:

Office of the Village Clerk

Village of Wolcott

County of Wayne

I hereby certify that I have compared the foregoing copy of a resolution with the original duly adopted by the above mentioned Board at a meeting held on the 1st day of October, 2020 and that the same is a true copy of said original and of the whole thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the said Board this 1st day of October, 2020

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Village Clerk

Trustee Smith made the motion to sign the retainer contract with Trevett Cristo in the amount of $4,000 contingent on OIC Powell signing an agreement he would repay any and all amounts over the $4,000 incurred if he leaves the Village of Wolcott within 12 months after the close of all services provided by Trevett Cristo. Clerk Acker will contact Trevett Cristo to update the contract and resend. Trustee Lewis 2nd the motion. All present voted in favor.

Trustee Smith made the motion to adjourn at 9:23 PM. Trustee Lewis seconded the motion. All voted in favor.

Respectfully Submitted,

Fran Acker

Fran Acker

Clerk-Treasurer