

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 8, 2016**

**AT 7:00 PM**

PERSONS PRESENT	TOWN BOARD	Supervisor, Merilee Walker Councilperson, Bill Mann Councilperson, Mike Hillier Councilperson, James Forrester Councilperson, Doris Marsh
	RECORDING CLERK	Cheyenne DeMarco
	PERSONNEL	CEO, Mark Mullikin <i>Absent</i> Hwy. Supt., Rick Moran <i>Absent</i> Historian, Valerie Griffing Assessor, Brian Knapp <i>Absent</i>
	VISITORS	Bob Cox, Roy Carney, Chief Wilcox, Nancy Clark, Tim Cassidy

CALL TO ORDER                      Supervisor Walker called the meeting to order at 7:00 PM. Roll call was taken with all council members present except Bill Mann.

PLEDGE TO THE FLAG              All persons stood as Councilperson, Doris Marsh led the pledge.

WELCOMED VISITORS              Supervisor Walker welcomed visitors.

APPROVAL OF MINUTES            A motion was made to approve the Minutes of 2/9/2016 with changes made by Doris Marsh and Supervisor Walker. The motion was made by Jim Forrester, seconded by, Mike Hillier and carried 5-0.

Bill Mann entered meeting at 7:04 pm.

**INTERGOVERNMENTAL AFFAIRS REPORT**

**JOINT PLANNING BOARD**

Councilperson Doris Marsh asked about the number of hours of training recorded with the county for all planning and zoning board members, Doris remarks that the hours per person ranged from 0-30 and maybe some member's hours have been misreported by either the individual or county. Supervisor Walker stated that she has a county meeting tomorrow and will ask.

Councilperson stated that Jim has met with Councilperson Mike Hillier, the Village Mayor and the village police commissioners, Darren Snyder and Fritz Amrhein; together they addressed the outstanding concerns about the Village

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not receiving police abstracts. Jim states that he believes the concerns were addressed to everyone's satisfaction. Mayor Bob Cox agreed.

**ZONING BOARD APPEALS**

None

**CHANGES TO AGENDA**

Supervisor Walker asked the board members if there was a need to make any changes to the agenda. None were stated.

**PRIVILEGE OF THE FLOOR**

Jim Mann

**JUDGE JIM MANN**

Jim Mann presented to the board his annual audit report, stating that they as a board should be privilege to his monthly reports at every board meeting, what he is presenting tonight is just that on a wider scope. Jim points out that the only thing not included on his report is Traffic Diversion, Jim explains this is because it is offered at the County, not at Nunda Court where it is not even addressed. Jim points out the history of pending cases that his new court clerk, Sheila Duffy, has taken on the project to go through all Town and Village pending cases. For the Town, the number of pending cases is at 20. Councilperson Forrester asked Jim if the town board has an obligation to accept his report? Jim answered no, Jim has the obligation to present his report to the board and give the board an opportunity to ask questions. Councilperson Forrester asked if the magistrate or Town have audit obligations for the Nunda court accounts? Jim answered the magistrate has audited him in the past, the town is not expected to audit the court accounts. Although Jim's court reports that he supplies to the Town Board monthly, offers an overview in summery form where they, the board, could keep track of everything court managed, information such as receipt number, case number, surcharge, bail amount, etc.

Roy Carney entered the meeting at 8:11 PM

Jim also goes on to say that the banking for the Court Accounts are his responsibility and no one else's. Only he can manage those accounts which are to zero out every month after proper transfers of money.

Jim addresses the board on a different matter regarding his court clerk gaining remote access to the Nunda Court systems so she could work from home. Jim states that Sheila works for multiple courts and accounts, Dansville has remote access for Sheila at a \$50.00 charge from the IT department, Jim asks who the town uses for IT appointments? Councilperson Forrester stated that the Town uses Hurricane Technologies in Avon. Councilperson Forrester stated he will have to look into this with both the town and village computers; he'll make an appointment to speak with Cheyenne to see how much the addition of remote access can be utilized for everybody at the Government Center.

Jim Mann stated that it would be very beneficial to his court clerk to have this so she could still have access to the system on her vacation or sick days.

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A motion was made to accept Judge Jim Mann's annual audit report. Motion was made by Mike Hillier, seconded by Jim Forrester, and carried 5-0.

**COMMUNICATIONS**

Supervisor Walker reviewed the following communications:

- Supervisor Walker stated that the town attorney's Richardson and Pullen have been notified of the response letter to the teamsters Union. Richardson and Pullen stated that they will represent the town when the 1<sup>st</sup> meeting comes up. A copy of said letter is in each board members packet. As far as communication, Supervisor Walker states that a message was left on the town clerk's answering machine from the Teamster Union today, Supervisor Walker has since called them back and received their answering machine and is waiting for them to call her cell. Supervisor Walker has sent them a copy of their employee packet and health insurance as they requested.

**BUDGET REPORT &  
SUPERVISORS STATEMENT**

Supervisor Walker asked if there were any questions about the budget. Jim stated that he has concern still about not having the 2015 Yearend report. Supervisor Walker stated that it must be filed because March 1<sup>st</sup> was the deadline, and she will call our Baldwin Business bookkeeper.

Councilperson Doris Marsh asked about the wrap up on property taxes. Cheyenne answered the March delinquent notices have already been sent out, they just have a few more weeks of the tax season left.

There was a motion to approve the Supervisors' statement and budget report for the month of February, 2016. The motion was made by Jim Forrester, seconded by, Mike Hillier and carried 5-0.

**AUDIT BILLS**

Supervisor Walker noted that voucher #63 for \$500.00 made payable to the Dalton Cemetery is a payment Supervisor Baldwin approved last year to Dee Dee Burt for assistance in their cemetery mowing costs. Councilperson Hillier asked if money was set aside for this? Supervisor Walker stated Mr. Baldwin created an account specifically for this payment, and it will be a modification in their budget. Jim asked if this was something that needed to be advertised for bid? Supervisor Walker and Doris answered no. Councilperson Bill Mann asked if they are funding this, at what point does it become a competitive bid? Bill also asked when it was approved last year? The answer was November. Bill asked in what way was this \$500.00 approved? Mike Hillier answered, stating that he was at this meeting and he remembered it as presented to the board as maintenance for the cemetery. Bill stated they need to find out if the \$500.00 was a donation or not.

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There was a motion to approve the Abstracts for the month of March, 2016. These abstracts include; General Fund Claim number, 49-75 in the amount of \$7,327.12, as set forth in abstract No. G-3, dated 03/08/16 , Highway Fund Claim number 42-72 , in the amount of \$23,437.58, as set forth in abstract No. H-3, dated 03/8/16 , and Police Fund Claim number, 14-19 in the amount of \$1,967.24, as set forth in abstract No. 3, dated 03/08/16. The motion was made by Jim Forrester, seconded by, Doris Marsh and carried 5-0.

**CEO**

Mark Mullikin was not was not in attendance but submitted a written report for the board members to review. Supervisor Walker stated that the new vet clinic is having its open house April 16<sup>th</sup>, and the new clinic looks great. Supervisor Walker also stated that Mark, Bob Cox and she have spoken about the foreclosed houses in the village as well as the town. Bob Cox stated that the burned Livingston house is their biggest concern but Bob acknowledges that Mark has been working very hard on resolving the concerns related to that house.

**ONE MOTION FOR REPORTS**

Supervisor Walker asked the board members that instead of making a single motion after every report that we instead make one motion to accept all the reports from the CEO report to the Highway report, or as listed numerically on the agenda, 10-19. The board members agreed to this one motion decision for said reports.

Jim addressed an element of his commerce report, stating we should get some PR in Nunda for the new vet clinic's open house and also to showcase the joint work from the village and town highway crews, there was a lot of joint work to make that project happen. Bob Cox stated that the Dansville Express will be up for interviews.

**HISTORIAN**

Valerie Griffing submitted her written March report. Val states that she met with Joan Schumaker who will be presenting a talk on the Foote Company at the Mt. Morris Dam this weekend as part of their winter lecture series. Charles and Chester Foote built the brick building across the street from where we sit for the purpose of continuing to refine their concrete mixers. Val also stated in her written report about her continued work with her newspaper archives, Supervisor Walker asked Val to elaborate on her newspaper archives, Val answered that she is going through them individually and filing them into their respected files. Supervisor Walker gave Val her thanks, stating that history is important and they appreciate all the time she puts into her projects.

**ASSESSOR REPORT**

Brian was not in attendance. No report.

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**YOUTH**

Doris reported the Rotary Interact is now working on this year's Mr. KCS show. Last month they held the St. Valentine's Dinner/Dance and had over 100 guests along with a Silent Auction; substantial stipends were received and given to the Emo, Yencer and VanName families. February 23<sup>rd</sup>, Doris attended a Youth Bureau meeting to work on event plans for the Livingston County Teen Recognition on April 27, 14 students are from Livingston County and 4 of those 14 are from Nunda. These students are recognized by their townships not their schools.

Paper work for the Senior-Rama needs to be done by next week, there are five names considered for nomination, when deciding who will be chosen they look at years of service as volunteers.

There will be a meeting on April 27<sup>th</sup> addressing Teen alcohol and substance abuse from the County. Doris also attached information about the social host law passed in Geneseo, August 2015. Doris stated she hoped one of our officers will be going to represent Nunda.

**POLICE**

Mike handed the monthly police reports to each Board Member. Attached to the monthly reports was a letter from the chief addressing all Town Board members, in the letter he is requesting the hire of three new recruits who have just successfully graduated from the academy. A motion was made to hire and pay the three new recruits, motion was made by Doris Marsh, Jim Forrester asked that the motion be tabled and the subject brought into executive session later on.

Continuing with his report, Mike stated that he met with the Chief about police spending and also the security upstairs during court nights which he also spoke with the Judge about. Mike also made a call to Chief Perkins to compare what they do for court security and until Mike speaks with the Village recruits he cannot promote more to the board at this time.

Chief Wilcox addressed the board about them having a Nunda officer in the court room on Monday nights, the Chief stated he does not disagree with having one but admits it is difficult to have someone there 2-3 hours with their part time department, and sometimes court night does not even last as long as 2-3 hours, how do you give an officer a 3 hours shift and it is over in 50 minutes? How do you pay them for that shift? Then comes the situation if an officer has to be called away to address a complaint, is that officer going to be able to go on the call or are they expected to stay at the courts?

Jim asked if the problem was staffing? The chief answered that is his predominate problem, yes. Mike asked if there was a funding concern? The Chief answered no, they already have the wands for security. Jim stated that the officer in the courts could follow common sense for when they choose to leave their court shift for another call and he also states they need to look at a different staffing model, perhaps a retired police officer for the Monday nights in the court room. Jim states that the two board members on the police committee from the Village and Town boards need to figure out a progression in funding and work with the judge to enhance security, especially on DA night.

Mike stated as far as the form's progression on the evaluation of the Chief, they are done but they could not meet with Darren Snyder from the Village Board so it will be presented to the Chief next week when all police commissioners can be present.

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Supervisor Walker thanked the Chief for coming to tonight's meeting.

Chief Wilcox and Bob Cox left the meeting at 8:19 PM

**CEMETERY REPORT**

The Town received 2 cemetery mowing bids since re-advertising.  
The bids went as follows:

Farrell's Lawn Service, Inc. - \$3750.00  
Robert Smith - \$3700.00

Supervisor Walker asked Cheyenne if Robert Smith had given the town a certificate of liability insurance? Cheyenne answered no; she can call him tomorrow requesting it.

A motion was made to accept Robert Smith's cemetery mowing bid for 2016 for the amount of \$3700.00, pending on receiving his certificate of liability insurance. Motion was made by Jim Forrester, seconded by Doris Marsh, and carried 5-0.

A motion was made to approve the purchase of flag markers for the Cemetery. Motion was made by Mike Hillier, seconded by Bill Mann, and carried 5-0.

Bob Cox re-entered the meeting at 8:25 PM

**IT REPORT**

Jim stated he will spend some time with Cheyenne regarding the computers in the office, and also to see the potential of the remote access on the town and village computers as well as the court's.

**COMMERCE REPORT**

No Report.

Chief Wilcox re-entered the meeting at 8:31 PM

**BUILDING/ZONING REPORT**

Mike Hillier brought up the topic of panic buttons for Cheyenne and Roy. Doris Marsh stated that they need to compare prices. Doris has also spoken with John Thompson about expanding the number of cameras at the government center. Jim suggested trying to reach out to Hurricane Technologies to see if they can install these cameras.

**HIGHWAY**

Rick Moran was not in attendance but submitted a written report for the board members to review. A part of Rick's written report was his 5 year plan for town roads.

Jim stated that he missed meeting with Rick and Merilee this month due to work but he would like two meetings set up with the three of them before

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April; one meeting to go over Rick's five year plan and the second to go over the budget.

Bob Cox addressed the board stating that he had spoken to Rick about getting Town Trucks off Village roads, but it has been reported that they are still running down Church Street from Mill Street.

Tim Cassidy answered Bob, stating that the 550 dump truck is the only truck running on the Village roads, Rick told the whole Town Highway crew to stay off Village roads and go through the Peanut Butter Factory gate. Jim stated he will talk to Rick. Supervisor Walker stated it sounds like Rick has already taken care of it. Tim confirmed that he did.

A motion was made to accept all board reports given on 03/08/2016. Motion was made by Doris Marsh, Seconded by Mike Hillier, and carried 5-0.

**OLD BUSINESS**

Bob Cox addressed the board regarding the update in their Town and Village zoning law. Bob is still interested in adopting a local for joining the planning and zoning boards. Bob and Supervisor Walker will meet and discuss this topic.

**NEW BUSINESS**

Doris asked about this year's Clean Up Day, it is usually done in May, Doris asked if the board preferred the 2<sup>nd</sup> Saturday, May 14<sup>th</sup> or the 3<sup>rd</sup> Saturday, May 21<sup>st</sup>. Bob Cox stated that Clean Up day has not been brought up at their meetings yet. The subject was tabled until town and village highway superintendents can discuss the date they prefer.

**CLERK REPORTS**

The Town Clerk submitted the monthly Town Clerk Report, and Justice Report to the Nunda Town Board. A motion was made to approve the Town Clerk and Justice Reports for the month of, February 2016. The motion was made by; Jim Forrester seconded by, Doris Marsh and carried 5-0.

Cheyenne addressed the board regarding interest in replacing a local law to the Town of Nunda pertaining to their Dog Licensing. Right now Nunda sends out renewal notices to dogs owners on a monthly basis and accept payments on a monthly basis, the Town of Sparta and Town of Granger have a local law where their renewals for all dog owners is due starting the same month of every year on an annual basis, typically during the summer to correlate with Livingston county free rabies clinics. Cheyenne stated she has asked any dog owner who has come into the office this year their option on the matter and all have said they would prefer the annual date.

**EXECUTIVE SESSION**

8:55 PM - A motion was made to go into executive session. The motion was made by Jim Forrester, seconded by Bill Mann, and carried 5-0.

Nancy Clark, Tim Cassidy, Chief Wilcox and Roy Carney left the meeting at 8:55 PM

Cheyenne DeMarco and Bob Cox were approved to stay.

9:21 PM - A motion was made to come out of executive session. The motion was made by Jim Forrester, seconded by Mike Hillier, and carried 5-0.

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A motion was made to accept the police chief's recommendation of the 3 candidates pending police commissioner's acceptance of police chief review of said candidates. Motion was made by Jim Forrester, seconded by Bill Mann, and carried 5-0.

**ADJOURNMENT**

Being that there was no further business, there was a motion to adjourn. The motion was made by Bill Mann, seconded by Mike Hillier, and carried 5-0.

The meeting adjourned at 9:24 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO  
NUNDA TOWN CLERK