

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, May 10, 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 Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Brian Knapp <i>ABSENT</i>
	VISITORS	Bob Cox, Tim Cassidy, Tim Cassidy Jr., Alex Pierce, Ron Adam

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

PLEDGE TO THE FLAG All persons stood as Councilperson, Merilee Walker led the pledge.

WELCOMED VISITORS Supervisor Walker welcomed visitors.

APPROVAL OF MINUTES A motion was made to approve the Minutes of 4/12/2016 and the Informal Minutes of 4/28/2016 with changes made by Merilee Walker and Jim Forrester. The motion was made by Bill Mann seconded by Mike Hillier and carried 5-0.

**INTERGOVERNMENTAL AFFAIRS REPORT**

**JOINT PLANNING BOARD**

Supervisor Walker addressed a copy of a letter written by Cheyenne, which was sent to all Town and Village Planning and Zoning Board members regarding their number of hours of training recorded with the county. The letter states the training rules and regulations and also supplies each member with the number of hours earned and due going back to 2013. Councilperson Jim Forrester asked Cheyenne if there were any PB or ZBA members who

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contacted her about this letter? The answer was only one, with that member it was proven that the hours of training were misreported at the county level.

A motion was made to appoint Brenda Weaver and Michele Seifried to the Planning Board. Motion was made by Bill Mann, seconded by Doris Marsh and carried 5-0.

**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** None.

**COMMUNICATIONS**

Supervisor Walker reviewed the following communications:

- i. *Municipal Clerks Week, Livingston County Board of Supervisors passed a resolution proclaiming May 1<sup>st</sup> -7<sup>th</sup> as Municipal Clerks. Supervisor Walker stated that she behooves all board members to read this resolution for they should appreciate all the work the clerk does.*
- ii. *Resolution of Annexation of Village Well.*

**ANNEXATION OF VILLAGE WELL**

Resolution No. 1 – 2016

Whereas, the Village of Nunda has acquired, by Warranty Deed dated June 6, 2005, and recorded on June 7, 2005 in the Livingston County Clerk's Office in Liber 1164 of Deeds at beginning page 0397, ending at page 0399, uninhabited premises adjoining the Village in the Town of Nunda to be used by the Village of Nunda for secondary water availability, site known as the "Village Well Site", and

Whereas, the Village has requested the Town to consent to the annexation of the aforesaid land by the Village of Nunda, and

Whereas, the Town Board of the Town of Nunda has determined that such annexation is in the over-all public interest,

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It is hereby resolved as follows:

1. That the Town Board of the Town of Nunda hereby consent that the following described real property be annexed by the Village of Nunda: ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Nunda, County of Livingston and State of New York, bounded and described as follows:
2. That the annexation of such real property is in the over-all public interest.

This resolution is not subject to a permissive or mandatory referendum.

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

Town Supervisor	Merilee Walker	voting yes
Councilperson	Bill Mann	voting yes
Councilperson	Mike Hillier	voting yes
Councilperson	Doris Marsh	voting yes
Councilperson	James Forrester	voting yes

The resolution is thereupon declared duly adopted.

*Val Griffing Entered meeting at 7:13PM*

- iii. *Tyco/General Security Price Assessments.* Supervisor Walker reviewed the packet of information arranged and collected by Councilperson Doris Marsh and Councilperson Mike Hillier from General Security comparing our Tyco security prices to General Security's proposal agreement. Supervisor Walker stated that this would be an attempt to save money and give our town hall the best security. Doris addressed the figures with General Security's proposal, Supervisor Walker advised applying Tax Exception to all these figures as it will be applied with their municipality status. The figures went as follows:

1. \$498.00 for extra equipment i.e. replace old equipment along with installing panic buttons.
  2. \$383.40 First Year Security
  3. \$299.40 First Year Fire
- \$1180.40 Total for 2016

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Tyco 2016 Charges to Town of Nunda:

1. \$4,282.37 2016 Annual Service Charge

*Tim Cassidy and Tim Cassidy Jr. entered meeting at 7:15 PM*

Supervisor Walker stated that would be a wonderful savings in money to go with the General Security's proposal.

Mike stated that General Security would also price lock that figure for the next five years. They will be able to use existing wiring, and there will be four portable panic buttons given.

Jim asked if the security equipment is owned by the Town?

Mike answered yes, their five year contract with Tyco has expired and Doris has the document to prove that equipment is ours.

**GENERAL SECURITY AGREEMENT**

A motion was made to act on the retail installation agreements given to the Town of Nunda by General Security at the cost of \$1180.40. Motion was made by Mike Hillier, seconded by Doris Marsh, and carried 5-0.

Supervisor Walker dated and signed the two retail installation agreements.

Doris stated that their sales representative from General Security should be called tomorrow with their decision. Since Cheyenne will be away at training tomorrow, Mike stated he would call.

Supervisor Walker, Bill and Jim thanked Mike and Doris for their work to this project.

*Continuing with Communications*

- iv. Town/Village Signage on North State Street.* Supervisor Walker stated that there is a sign with Village Board, Town Board and Chamber of Commerce meeting information that has not been updated in a long time, now all the information is incorrect. The Village Board spoke of this problem at their meeting last night and they are interested in making a new design with current information approved by June if possible. Mike asked if there was a price for a new sign? Supervisor Walker answered, not at this moment. Councilperson Bill Mann stated that Don Higgins at the County shop could potentially make this sign and he will reach out to him.

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- v. *Surplus Items in Town Hall.* A list was supplied from Cheyenne and Cora, listing all the items in the town hall not being used and need to be disposed of. Jim stated the fax machines and hard drives need to have their memories wiped for confidentiality reasons before depositing them. Jim stated he will contact John Thompson first then Hurricane Technology to see if they can tend to this. The room dividers listed were considered surplus.

**BUDGET REPORT &  
SUPERVISORS STATEMENT**

Supervisor Walker informed the board that this month they made a voucher to pay off the rest of the year's dues to Selective insurance instead of monthly. DA fund line items were discussed.

Jim stated a revised budget is needed, that a revision should not happen without the supervisor and board's knowledge. It was discussed that the Town bookkeeper would be met with, regarding the management of the budget. Rick Moran stated that he takes in scrap money every year and once the money is deposited it does not go back into the DA2650 fund as it should, rather it goes into the A2650 fund. Supervisor Walker stated she will look into that.

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

**AUDIT BILLS**

There was a motion to approve the Abstracts for the month of May, 2016. These abstracts include; General Fund Claim number, 108-129 in the amount of \$12,830.69, as set forth in abstract No. G-5, dated 05/10/16 , Highway Fund Claim number 100-116 , in the amount of \$54,758.50 , as set forth in abstract No. H-5, dated 05/10/16 , and Police Fund Claim number, 27-30 in the amount of \$1,065.77 as set forth in abstract No. 5, dated 05/10/16. The motion was made by Mike Hillier, seconded by, Jim Forrester and carried 5-0.

**CEO**

Mark Mullikin submitted his written report. Addressing the board, Mark stated that he had brought this situation to the Village board the previous night as well, he has a resident in the process of applying for a subdivision. Right now our zoning code is at a five acreage minimum for a parcel. The new zoning code that was drafted last year was to amend that law to three acres. Mark can't take paperwork until the boards have adopted the new zoning code and send it to state. Jim and Doris stated they thought the new zoning was taken

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care of in 2015, they remember reviewing it. Mark responded stating former Supervisor Tom Baldwin put the new zoning to the attorney's but nothing was adopted, Mark also states he has followed up with the state and they confirmed they have not received the new zoning. Jim asked Cheyenne to review the minutes from the second half of the year of 2015 and e-mail him any correspondence about the new zoning. Supervisor Walker stated she will speak with Bob Cox and the Town Attorney.

Rick Moran asked Mark about the abandoned homes around Nunda. Supervisor Walker stated she has heard concerns regarding them as well. Mark responded that abandoned homes are needed to be in violation of town ordinances for him to be involved. Foreclosed homes are a lot of leg work, including safeguard, bank contacts, and lots of phone calls. The Livingston house, for an example, was a lot of hours and months on the phone and it's still not done. There was a house in West Sparta that was foreclosed and condemned and that situation took six months to get taken care of. Mark reinstates those situations take time.

**HISTORIAN**

Valerie Griffing submitted her written April report. Val reported there is a new exhibit in the county museum in Geneseo named, "Our Towns: The History of Livingston County in 25 Objects". Val states this is a great way to showcase all our towns. It will be open until October 31, 2018. It proclaims the notion that you don't have to be a part of a big place to have something of significance.

The board members thanked Val for her report.

**ASSESSOR REPORT**

No report.

**YOUTH**

Doris reported the rotary interact students completed community service paperwork for the year. Most of the 12-13 students earned 33 to 43 hours of community service this year. The Nunda Rotary Club also received 1<sup>st</sup> place award from the Rotary District Conference with their Literacy Project, and also received 1<sup>st</sup> place out of 69 clubs for the Beds for Children project that provided beds, bed frames and bedding for 15 students within the Keshequa School District.

Gerald Thompson was recognized from Nunda for the Livingston Serniorama on May 7<sup>th</sup>.

**POLICE**

Mike stated he was present at the last police commissioners meeting where they spoke with the Chief, but Mike did not ask questions and instead deferred the questions he would have asked at that meeting to Doris. The first questions were in regards to the finger printing machine, asking if it was up and running. Mike also asked if research has been made with finding the appropriate

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purchase for a new car for the department? Doris didn't have those answers at this time.

*Bob Cox entered meeting at 8:20 PM*

Mike asked about the break down with the police budget, was money found to increase police pay? Doris answered yes; they found room in budget for a \$1.00 raise. Mike asked if there was a probationary period? Supervisor Walker answered no.

Bill Mann asked if there was a report from the Chief available that has a breakdown of specific police community work. For instance why aren't there more community police efforts? Community policing is needed in Nunda where our police officers are engaged with the school, businesses, mingling with the crowd at games and seen in the streets. Our public should be able to pick out who all our Nunda police officers are. Mike stated he agreed. Jim stated there needs to be a change in the police model. Mike responded you need to get them more money in order for Nunda to move away from being a stepping stone.

Jim asked about the policy on social media without commissioner notified. There is a Nunda Police Facebook account; it was started in March this year. No knowledge of this site or who is managing it.

Jim extended compliments to Rick Moran for being at every board meeting as the highway superintendent and giving his reports in person. The Chief or the Sargent should present at meeting because more dialogue is needed.

Supervisor Walker addressed the Duties and Rules of Conduct packet for the Police department of the Town and Village of Nunda dated September 9, 1985. Mike stated that he has reviewed the packet and some of the duties and rules listed in the packet do not apply anymore or pertain to the present. Bill Mann stated it is a good jumping point. Mike stated that each board member has a copy, there is a month before the next board meeting, and they should go through individually with proposed changes and sit down with the Chief and the Village board and make a new Duties and Rules of Conduct packet. Bill added that they need to set aside time to go through policy and procedure for the town as well that is for all employees. Right now it is just the highway department that has an employee policy.

TIM CASSIDY

Supervisor Walker addressed Tim Cassidy Sr. and Tim Cassidy Jr. and gave them privilege of the floor.

Tim Cassidy Sr. addressed the board in regards to his son Tim Cassidy Jr, who is finishing the academy, they have spoken to the Chief previously, and they are asking that the Town of Nunda sponsor Tim Jr. for his phase two. Tim states they understand they won't pay him, they are just asking that they sponsor him so he can be signed up for phase two of his academy training, the

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sign up is next month. They have spoken with the Village board last night and they left it with the commissioners.

Mike Hillier stated they should have the Chief submit a letter to the Board.

Tim Jr. stated that the Chief told him he would.

Bill Mann asked if phase two required a sponsorship from the Town? The answer was yes.

It was discussed that this sounds favorable, just need a letter from the Chief.

Tim Cassidy Jr. thanked the board.

**CEMETERY REPORT**

Doris reported that there have been calls to find plots. Rick Moran stated that there is a tree that has some concern south of Dalton that will probably want to have that taken down.

**IT REPORT**

Jim Mann was not present but left a voucher that shows the annual fee of \$90.00 for remote access for the court clerk. That fee would be split between town and village and remote access is a state system, and it will not interfere with the Town/Village firewalls or be able to obtain Town or Village records. Jim Forrester stated he will call Jim Mann regarding this matter.

**COMMERCE REPORT**

Jim reported that he spoke with Bobby Gelsler, in that conversation it was stated that Once Again Nut Butter (OANB) do intend to execute their right to extend their property. They are having a ribbon cutting ceremony on June 2<sup>nd</sup>, and since most of the current board was not here when the agreement was made with OANB, it was specially asked of OANB to extend an invitation to the previous board members, Dave Thompson, Tom Baldwin and Kirk Brickwood. Relocation of Nunda Mustard was discussed.

**HIGHWAY**

Rick informed the board he would not be able to attend the next two board meetings. Jim reported he met with Rick and Merilee Monday morning to review scheduled work. There is significant money from the County that goes into our budgets and other township's budgets; we should update our numbers for taxpayers to observe the costs versus revenue.

Rick reported they are starting to put down soil and seed along the pipeline where the vet clinic project took place but let it be known that the town highway crew will not keep maintaining the grass, they will do what they can now but not going back after doing this once or twice, then it is up to the home owners to maintain it.

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Jim stated there is a teamsters meeting next Tuesday, the 17<sup>th</sup> of May to go over proposals. This meeting will lack a quorum as it is a privilege conversation with the attorney, it not an open meeting.

**ONE MOTION**

A motion was made to accept all board reports given on 05/10/2016. Motion was made by Mike Hillier, Seconded by Doris Marsh, and carried 5-0.

**OLD BUSINESS**

Supervisor Walker addressed a packet of information prepared by LeRoy Wood in regards to the Dalton Cemetery. This included the funding and regulations to the treasury of the Cemetery.

Jim asked if the \$500.00 given from the town to this cemetery was now a permanent thing? Supervisor Walker answered that they will have to wait and see, but this packet was strictly informational from last year and it helped resolve their previous concerns thanks to LeRoy and the committee.

**NEW BUSINESS**

None.

**CLERK REPORTS**

Cheyenne 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, April 2016. The motion was made by; Bill Mann seconded by, Mike Hillier and carried 5-0.

**EXECUTIVE SESSION**

*9:13 PM* - A motion was made to go into executive session relating to employment history of a particular person. The motion was made by Jim Forrester, seconded by Bill Mann, and carried 5-0.

Mark Mullikin, Val Griffing, Ron Adam, and Alex Pierce left the meeting at 9:14 PM.

Cheyenne DeMarco and Rick Moran were approved to stay.

Rick Moran left executive session at 9:26 PM.

*10:11 PM* - A motion was made to come out of executive session. The motion was made by Bill Mann, seconded by Jim Forrester, and carried 5-0.

**MEETING RECORDER**

A motion was made to allow the use of a digital recorder at the Town Board meetings. These recordings would be posted on the Nunda Town website along with the written minutes starting in June 2016. Motion was made by Bill Mann, seconded by Jim Forrester and carried 5-0.

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**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 10:15 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO  
NUNDA TOWN CLERK