

2013 - Town of Nunda Board Meeting Minutes for - **January**

**MINUTES OF THE
REGULAR/ORGANIZATIONAL MEETING**

Tuesday, January 08, 2013

AT 7:00 PM

PERSONS PRESENT

TOWN BOARD

Supervisor, Thomas Baldwin
Councilperson, Dave Thompson
Councilperson Doris Marsh
Councilperson Kirk Brickwood

RECORDING CLERK

Cindy Essler

PERSONELL

Valerie Griffing, Rick Moran, Robert
Lloyd

VISITORS

Gail Orr, Paige Essler, Dana Wood

TOWN CLERK TO SWEAR IN ALL NEWLEY ELECTED OFFICIALS

NONE

CALL TO ORDER

Supervisor Baldwin called the meeting to order at 7:00 PM. Roll call was taken Councilperson John Thompson was absent.

PLEDGE TO THE FLAG

All persons stood, as Doris Marsh led the pledged to the flag.

VISITORS BUSINESS

GAIL ORR

Gail had learned that if the Town of Nunda decided to extend the Moratorium on Hydro Fracking another Public Hearing would have to be held. Supervisor Baldwin stated that he is looking to see what other Towns are doing Zoning wise for any restrictions. Gail stated that Conesus was working on their Zoning as well and she would be happy to bring back any information that could be shared.

APPOINT DEPUTY SUPERVISOR

Supervisor Baldwin appointed Cindy Essler as Deputy Supervisor.

ESTABLISHMENT OF
COMMITTEES

Supervisor Baldwin made the following appointments to the committees:

HIGHWAY

Chair – Kirk Brickwood- John Thompson

POLICE

Chair – Dave Thompson – Kirk Brickwood

YOUTH

Chair- Doris Marsh – Tom Baldwin

TOWN HALL

Chair- John Thompson– Doris Marsh

CEMETERY

Chair – Dave Thompson- Kirk Brickwood

CHANGES TO THE AGENDA

None.

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**PREFERRED AGENDA
Requiring One Roll Call Vote**

A motion was made to adopt the following Preferred Agenda:

**PAY FREQUENCIES FOR
TOWN OFFICERS**

Quarterly: Council members, Justices, Historian
Monthly: Assessor, Supervisor
Bi-weekly: CEO, Highway Superintendent, Highway Employees, Police, &
Town Clerk/Tax Collector, Deputy Town Clerk, Justice Clerk, Supervisor
Clerk, Custodian

BUDGET OFFICER

Appoint Supervisor Thomas Baldwin Budget Officer.

IDLE TOWN FUNDS

Approve and authorize Supervisor Thomas Baldwin to invest the idle town funds.

PREPAYMENT OF BILLS

Approve the pre-payment of bills when necessary, to avoid service charges.

**MILEAGE RATE
REIMBURSEMENT**

Approve mileage reimbursement rate per Federal Allowance @ \$0.55 per mile.

**CERTIFICATION OF
CLAIMS**

Authorize that all claims against the Town are paid by voucher.

SIGNING OF ABSTRACTS

Authorize the signing of Abstract claims by the Town Board members.

**ZONING/ CODE ENFORCEMENT
OFFICER**

Appoint Robert Lloyd as the Zoning Enforcement Officer and Fire & Building Code Inspector.

TOWN HISTORIAN

Appoint Valerie Griffing as the Town Historian

HIGHWAY STATE BID

Authorize the Highway Superintendent to purchase material from the State and County bids.

TOWN ATTORNEY

Appoint Town Attorney Richardson & Pullen for regular Town business.

TOWN ENGINEER

Appoint Clark Patterson as the Town Engineers.

**RECORDS MANAGEMENT
OFFICER**

Appoint Cindy Essler as the Records Management Officer.

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REGISTRAR OF VITAL STATISTICS	Appoint Cindy Essler as the Registrar of Vital Statistics, with a compensation of \$300 per year. Approve Registrars recommendation for Deputy Registrars Paige Essler and Lori Gray.
HANDICAP PARKING PERMITS	Approve the Town Clerk to issue free Handicap Parking Permits.
DEPUTY TOWN CLERK	Approve Town Clerks recommendation for Deputy Clerk Paige Essler.
DEPUTY TOWN CLERK COMPENSATION	Approve the compensation for a Deputy Clerk will be set at the rate of \$10.00 per hour.
TOWN HALL CUSTODIAN	Appoint Town Hall custodian Cora Cassidy.
ASSESSOR REVIEW BOARD	The Town Board recognized the approval of Bruce Knapp as the Sole Assessor for the Town of Nunda whose term expires 9/30/13. The Town Board recognized the approved members, and recording clerk, with a compensation of \$8.00 per hour, of the Town of Nunda Assessment Board of Review with a five (5) year term as follows: Robert Marsh 9/30/2013 Eugene Clark 9/30/2017 Scott Amidon 9/30/2016 Tim Cassidy 9/30/2014 Michael Sanford 9/30/2015
COLLECTION OF TOWN/COUNTY TAXES	Authorize the Town Tax Collector Cindy Essler to collect Livingston County Taxes.
OFFICIAL NEWSPAPERS	Appoint the <u>Genesee County Express</u> , <u>Livingston County News</u> , and the <u>Hornell Evening Tribune/ Sunday Spectator</u> , as the Towns official newspapers.
OFFICIAL DEPOSITORIES	Appoint Five Star Bank as primary Town depository and M & T Bank as secondary Town depository
DATE & TIME OF BOARD MEETINGS	Establish the time and date of the Town of Nunda board meetings on the second Tuesday of each month at 7:00 PM.
JOINT TOWN/ VILLAGE PLANNING BOARD	Approve the Joint Town/ Village Planning Board members and the compensation at \$12.00 per meeting, members at a 5-year term as follows:

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Town appointed members:

Alex Pierce	12/31/2016	
Vacant	12/31/2012	Supervisor looking for suggestions
Jeff Long	12/31/2013	
Michelle Seifried	12/31/2014	

Village Appointed members:

Joan Schumaker	05/31/2016
Raymond Goll	05/31/2017
Bill Davis	05/31/2015

**JOINT TOWN/ VILLAGE
ZONING BD. OF APPEALS**

Approve the Joint Town/ Village Zoning Board of Appeals and compensation at \$12.00 per meeting, members at a 5-year term as follows:

Town appointed members:

Patricia Foote	12/31/2017
Robert Piper	12/31/2013

Village appointed members:

Carolyn Lowell	05/31/2016
George Lucas	05/31/2017
Scott Amidon	05/31/2013

APPOINT SECRETARY TO JOINT PLANNING/ZONING BOARDS

Merilee Walker

HOLIDAYS Holidays Observed by the Highway Department

New Years Day	Tuesday, January 1
Memorial Day	Monday, May 27
Independence Day	Thursday, July 4
Labor Day	Monday, September 2
Columbus Day	Monday, October 14
Veterans	Monday November 11
Thanksgiving Day	Thursday, November 28
Day after Thanks.	Friday, November 29
Christmas Day	Wednesday, December 25
Floating Holiday	8 hours

The Town Clerk observes the above Holidays along with Martin Luther King Day January 21, Presidents Day February 18, and Election Day November 5.

A motion was made to approve the Preferred Agenda. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood, and carried 4-0.

Roll Call Vote

Supervisor Baldwin	Yes
Councilperson D. Thompson	Yes
Councilperson K. Brickwood	Yes
Councilperson D. Marsh	Yes
Councilperson J. Thompson	Absent

FIXATION OF SALARIES

Approve Schedule of Salaries for Town Officials

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Supervisor – \$14,180.00
 4 Council members – (\$6,000 total) \$1,500 each Councilmember
 Town Clerk /Tax Collector \$21,670
 Supervisor’s Clerk - \$2,632
 Justice Hotchkiss - \$2,200
 Justice Mann - \$5,200
 Justice Clerk - \$6,500
 Highway Superintendent - \$51,900
 Historian - \$1000
 Assessor - \$17,600
 Zoning/ and Building Code Enforcement Officer - \$4,500/ and \$4,500

DEPUTY ZONING/ CEO Appoint Deputy Zoning and CEO upon recommendation of CEO@ rate of \$10.00 per hour.

FIXATION OF POLICE Approve Nunda Police Department wages, effective
 DEPT. WAGE January 1, 2012, as follows:

\$ 17.50 - Wilcox
 \$ 16.50 – Rapp
 \$ 15.50 - Bryant
 \$ 15.50 – Bauers
 \$ 15.50 – Flickner
 \$13.00 – Dale
 \$13.00 – Little
 \$13.00 – Skinner
 \$13.00 – New Hires

Councilperson Dave Thompson questioned the Judges salaries suggesting they be cut due to their request of holding Court on the Second and Fourth Monday’s and Thursday’s. Supervisor Baldwin stated that the Towns of Ossian and Portage are considering consolidation.

A motion was made to approve the Schedule of Salaries based on the above conversation. The motion was made by, Dave Thompson, seconded by Doris Marsh and carried 4-0.

Roll Call Vote

Supervisor Baldwin	Yes
Councilperson D. Thompson	Yes
Councilperson J. Thompson	Yes
Councilperson D. Marsh	Yes
Councilperson K. Brickwood	Absent

DEPUTY HIGHWAY Highway Superintendent appoints the Deputy Highway Superintendent at an
 SUPERINTENDENT additional \$1.00 per hour.

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**FIXATION OF HIGHWAY
WAGES AND EXPEND.**

There was a motion to fix the wages of the full time highway employees at a maximum base pay of \$20.59 per hour for the 2013 contract year, fix the part time highway employees hourly rate at \$10.00 for the 2013 contract year, fix the part time MEO salary at \$12.00 per hour for the 2013 contract year and to establish a maximum Highway expenditure of \$1000 without prior approval of the Board or the Highway Committee if in an emergency.

Establish Highway pay rates as follows:

Rodney Green \$20.59

Tim Cassidy \$20.51

Dana Wood \$20.43

Joseph Curry \$15.97

Highway Employees will be given a medical reimbursement amount of \$250

The motion was made by, Doris Marsh, seconded by, Kirk Brickwood, and carried 4-0 and put to a roll call vote results as follows:

Supervisor Baldwin	Yes
Councilperson Dave Thompson	Yes
Councilperson John Thompson	Absent
Councilperson Doris Marsh	Yes
Councilperson Kirk Brickwood	Yes

AGREEMENT TO SPEND HIGHWAY FUNDS

The Highway Fund Expenditure pursuant to the provisions of Section 284 of the Highway Law, the Town agrees that moneys levied and collected for the repair and improvement of highways, and received from the State for the repair and improvement of highways, shall be expended.

APPROVAL OF MINUTES

A motion was made to approve the minutes of the Year End meeting on December 26, 2012. The motion was made by, Doris Marsh, seconded by, Dave Thompson and carried 4-0.

FULLER ROAD

Councilperson Kirk Brickwood asked about the potential purchase of property on Fuller Road, and the sale of Town property. Both processes would have to be put out to bid and a public hearing would have to be held.

COMMUNICATIONS

The following communications were reviewed:

- Five Star Bank request for business
- Time Warner Cable Channel adds and deletions

BUDGET REPORT AND SUPERVISORS STATEMENT

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The Clerk had not received the report at the time of the meeting.

AUDIT BILLS AND SIGN ABSTRACTS

There was a motion to approve the Abstracts for the month of January, 2013. These abstracts include; General Fund Claim number, 1-24 in the amount of \$10,401.71, as set forth in abstract no. G-1, dated 01-08-13 , Highway Fund Claim number 1-19 , in the amount of , \$17,595.99 as set forth in abstract No. H-1, dated 1-08-13, and Police Fund Claim number 1-6, in the amount of \$1,825.79, as set forth in abstract No. P-1, dated 01-08-13. The motion was made by; Doris Marsh seconded by, Kirk Brickwood and carried 4-0.

CEO REPORT

Robert Lloyd reported that he has made the changes that needed to be done to the Comprehensive Master Plan for the Board to review, once they are approved by the Board, the Plan can be sent to the County for approval, and a Public Hearing date can be set for the updated Zoning and Comprehensive Master Plan. Supervisor Baldwin stated that he would like to hold off on that for possible changes in Zoning.

A motion was made to accept the CEO Report. The motion was made by, Kirk Brickwood, seconded by, Dave Thompson and carried 4-0.

HISTORIAN

Valerie Griffing wished everyone a Happy New Year and submitted her written annual report. Once approved she will submit it to the County and then on to the State.

A motion was made to approve the annual Historian Report. The motion was made by; Doris Marsh seconded by, Dave Thompson and carried 4-0.

YOUTH REPORT

Doris Marsh submitted her written report. She stated that \$ 630 had been raised for the Salvation Army that will go back to the community. She is working on the St. Valentine's Day dance with the Rotary Interact group, tickets will be \$25 each and there is a limit of 140 that can attend. She has sold 54 tickets and the proceeds will go to Preston Parthemer.

A motion was made to accept the Youth Report. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood and carried 4-0.

POLICE REPORT

Dave Thompson submitted Chief Wilcox's monthly and yearly report.

A motion was made to accept the Police Reports. The motion was made by, Doris Marsh, seconded by, Kirk Brickwood and carried 4-0.

CEMETERY

A motion was made to put the mowing contract for Union Cemetery out to bid. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood, and carried 4-0.

TOWN HALL/IT REPORT

Councilperson John Thompson was absent from the meeting. The Tri County certificate of Liability was presented to the Board. Tri County's roof was discussed and table until Councilperson Dave Thompson can contact Tom Cassidy to look at it. The elevator report was submitted to the Board,

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Councilperson Kirk Brickwood will look into the call button problem that was listed on the report.

**HIGHWAY
ROLLER BID**

Rick Moran stated he would like to put the purchase of a used roller back out to bid. A motion was made to rebid for the purchase of a used roller. The motion was made by, Doris Marsh, seconded by, Kirk Brickwood, and carried 4-0.

Rick reported that trucks needed to be repaired, the Town hauled some stone for the Village and Rick asked for fuel reimbursement, he stated he will bill them for the stone.

FREIGHT LINER

Rick reported that he received a call from OGS about a 2010 Freight liner with 13,000 miles for sale at \$3,500. Supervisor Baldwin asked what the use would be. Rick stated he could take the fifth wheel off, to put on a trailer and haul equipment. Kirk Brickwood asked what the cost would be to make it into a 10-wheeler and is it built heavy enough. Rick stated yes. Supervisor Baldwin asked if it had poll gear on it and Rick stated no it should be pre-emission. Dave Thompson asked if we purchased it wouldn't we have to buy a trailer. Kirk stated we could buy a dump trailer. Dave Thompson stated he would prefer to save and buy new, Supervisor Baldwin stated that when you are looking at a price of \$235,000 we can't afford to buy new. Dave stated that we have enough equipment that we only use once a year. Supervisor asked Dana Wood what his feelings were and if it would cost more than \$40,000 to convert it and Dana stated no. It could have plow equipment on the front and a sander on the back without needing a dump box. The elimination of some equipment was discussed, Rick stated #6 was going to be surpluses in the spring, and it was debates over the 2000 or 2002 both trucks were having issues. Rick wants to make sure he maintains enough trucks for County work.

A motion was made to purchase the 2010 Freight Liner tractor from the OGS for \$3,500 and to be equipped as soon as possible. The motion was made by, Doris Marsh, seconded by Kirk Brickwood and carried 4-0.

A motion was made to accept the report. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 4-0.

FULLER ROAD LAND

Supervisor Baldwin stated he met with the Realtor regarding 44 acres on Fuller road. He put in a purchase offer of \$60,000 pending the Lawyers approval. The seller stated he wanted to retain the mineral rights, which the Supervisor rejected and at that time the seller chose to take the property off the market. Once Again Nut Butter is looking for 7.5 acres now. Supervisor Baldwin asked the Clerk to locate any Deeds or Abstracts to the Town property. Councilperson Brickwood asked if they were talking about a purchase offer of Town property and if so he does not want to leave it open ended and have a contingency that they have to purchase the remainder of the parcel within five

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years. Supervisor Baldwin stated that he may have to call a special meeting regarding this issue.

- ASSOCIATION OF TOWNS The Association of Towns sent there annual letter of request to become a member. The Board felt that there was no need to be a member.
- CLERK REPORTS The Town Clerk submitted monthly reports for Town Clerk and Town Justices. A motion was made to accept the reports. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 4-0.
- ADJOURNMENT Being that there were no further businesses, there was a motion to adjourn. The motion was made Kirk Brickwood, seconded by Dave Thompson, and carried 4-0.
- The meeting adjourned at 8:27 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **February**

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AT 7:00 PM

PERSONS PRESENT

TOWN BOARD

Supervisor, Thomas Baldwin
Councilperson, Dave Thompson
Councilperson, Kirk Brickwood
Councilperson, John Thompson
Councilperson, Doris Marsh

RECORDING CLERK

Cindy Essler

PERSONNEL

Assessor Bruce Knapp
Historian Valerie Griffing
Hwy. Supt., Rick Moran

VISITORS

Alexander Pierce, Tim Cassidy, Joe

Curry, Tonya Pritchard, Dakotah Thompson, Jacob Adams, Dana Wood, Ben Beardsley, Spencer Way, Jeff Walker

CALL TO ORDER

Supervisor Baldwin called the meeting to order at 7:00 PM. Roll call was taken with all present.

PLEDGE TO THE FLAG

All persons stood as Councilperson Doris Marsh, led the pledge.

WELCOMED VISITORS

Supervisor Baldwin welcomed visitors, there was no visitors business brought before the Board.

APPROVAL OF MINUTES

A motion was made to approve the Organizational/Regular Minutes of January 8, 2013. The motion was made by; Doris Marsh seconded by, Dave Thompson and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

PLANNING/ZONING TRAINING RESOLUTION

A motion was made to adopt the Planning/Zoning Training Resolution. The motion was made by, Dave Thompson, seconded by Kirk Brickwood, and carried 5-0

JOINT PLANNING BOARD

None

ZONING BOARD OF APPEALS

A motion was made to accept the Zoning Board Minutes of January 15, 2013. The motion was made by, Doris Marsh, seconded by, John Thompson and carried 5-0. Thompson and carried 5-0.

ZONING

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Alex Pierce Zoning Board member submitted a yearly report detailing his education and a summary of the things accomplished and some suggestions in economic development.

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR

None

COMMUNICATIONS

Supervisor Baldwin reviewed the following communications:

- Tompkins Insurance notification of non collusive service.

**BUDGET REPORT &
SUPERVISORS STATEMENT**

There was a motion to approve the Supervisors' statement and budget report for the month of, January 2013. The motion was made by; Dave Thompson seconded by, Doris Marsh and carried 5-0.

AUDIT BILLS

There was a motion to approve the Abstracts for the month of, February 2013. These abstracts include; General Fund Claim number, 25-54 in the amount of \$139,496.52 as set forth in abstract No. G-2, dated 02-12-13, Highway Fund Claim number, 20-57 in the amount of, \$72,626.79 as set forth in abstract No. H-2, dated, 02-12-13 and Police Fund Claim number, 7-15 in the amount of \$3967.63, as set forth in abstract No. P-2, dated 02-12-13. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 5-0.

Supervisor Baldwin explained to the visitors how the Town bills were paid, 1). Contractual, 2). Pre Payment, and 3). Voucher System.

CEO

Code Enforcement Officer Robert Lloyd was not present. A motion was made to accept the CEO report. The motion was made by; John Thompson seconded by, Doris Marsh and carried 5-0.

TABLED Contractors License and Zoning Comprehensive Master Plan Update.

HISTORIAN

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Supervisor Baldwin asked Historian Valarie Griffing if there were any special events coming up; Val stated the County will be doing events through the year to commemorate the civil war. August 9, 2013 will be the 10th anniversary of the flood and she will be doing something to commemorate that. A motion was made to accept the Historian report for the month of February. The motion was made by, John Thompson, seconded by, Kirk Brickwood, and carried 5-0.

ASSESSOR REPORT

Bruce Knapp reported that the renewal season was wrapping up with the March 1st deadline. For the Enhanced Star you have to be 65 in the calendar year, the County Assessors Association have advertized that. Land values are being reviewed and it's about the only thing that is increasing in value. Supervisor Baldwin asked if the exemption levels were up or about the same, Bruce said they have remained about the same.

YOUTH

Councilperson Marsh reviewed her written report stating that Kiwanis Club was raising funds for the Golisano's Children's Hospital and it will be a four year project. The Valentines dinner went well 135 items were donated for the silent auction people the funds raised will be given to Preston Parthemer. Healthy Communities that Care will be checking Retail outlets for signage for alcohol. Survey results were compiled to 6, 8, 10, and 12 grade level for alcohol and drug use. The Mr. KCS show is in the planning they need eight to ten men to help with the show. Ben Beardsley was present requesting to have some youth do collections for Junk day. A motion was made to accept the Youth report. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood, and carried 5-0.

POLICE

Dave Thompson reviewed Chief Wilcox's written report, stating there had been 22 DWI arrests in 2012 by Nunda Police Department. The DWI funds will be distributed from the Sheriff's Department. Chief requested that a line item be added to his Budget for the Bullet Proof Vests since the costs are reimbursed by the State and a line item for DWI Patrol for better tracking.

NEW HIRE

A motion was made to approve the hiring of Catherine Mucha. The motion was made by, John Thompson, seconded by, Doris Marsh and carried 5-0.

A letter of thanks was received by the Police Department thanking Officer Timothy Bryant for helping the individual's son when he had car trouble.

A motion was made to accept the monthly report for Doris Marsh and carried 5-0.

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CEMETERY REPORT

CEMETERY MOWING BIDS

Councilperson Dave Thompson opened the Bids for Lawn Mowing of the Union Cemetery with the results as follows;

Quality Lawn and Landscape	\$205 per mowing, \$4,100 per season
Duane Marble Mow 4 times trim 2 times monthly	\$900 pr month
Lawn Works	\$216 weekly \$4,752 per season
J. Pratt	\$900 assumed monthly not specified
Farrell's Lawn and Landscape	\$3,945 per season
Robert Smith	\$4,200 per season
Shaffer Landscape	\$240 per trip \$4,100 per season

A motion was made to award Farrell's Lawn and Landscape the mowing of the Union Cemetery for \$3,945 for the 2013 season. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 5-0.

A motion was made to accept the Cemetery report. The motion was made by, Doris Marsh, seconded by, Kirk Brickwood and carried 5-0.

IT/TOWN HALL

Councilperson John Thompson asked Supervisor Baldwin to review what was reviewed at the last months meeting regarding the Government Center due to his being ill and not able to attend, which the Supervisor did.

He is working on Bruce's printer, reported that a Service call needs to be made on the Phaser printer. John asked when the bidding for the painting of the eaves/soffits should be done, it was agreed that March or April would be good. John gave the specs on the sign lighting and cost of \$139.

A motion was made to accept the Town Hall/IT report. The motion was made by, Kirk Brickwood, seconded by, Dave Thompson and carried 5-0.

HIGHWAY

USED ROLLER

Highway Superintendent Moran opened the bids for the used Roller with the results as follows;

1. Caledonia Diesel 2007 Caterpillar (84") \$56,000
2. Anderson Equipment 2008 Dynapac (77") \$55,395
3. Anderson Equipment 2008 Dynapac (77") \$59,395
4. Anderson Equipment 2008 Dynapac (84") \$65,395

A motion was made to award the Roller Bid to Caledonia Diesel for a 84" Roller with 2500 hours for \$56, 000. The motion was made by; Doris Marsh seconded by, Dave Thompson and carried 5-0.

HIGHWAY

LAWSON MINING PERMIT

The DEC approved the mining permit for Lawson's Sand and Gravel.

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CHIPS

The amount of CHIPS funding for 2013 will be \$ Rick will be attending advocacy days in Albany again this year.

AGREEMENT TO SPEND HIGHWAY FUNDS

A motion was made to approve the Agreement to Spend Highway Funds. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 5-0.

INTERMUNICIPAL AGREEMENT

A motion was made to approve the Intermunicipal Agreement between the Town of Nunda and the County of Livingston. The motion was made by, Doris Marsh, seconded by, Dave Thompson and carried 5-0.

SURPLUS EQUIPMENT

Rick listed the Old Roller, the Deicing Body, and miscellaneous tools as surplus. A motion was made to declare these items surplus. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 5-0.

Rick stated that he would be getting quotes on the hydraulics for the 2001 truck that was purchased at OGS. He would like to purchase a 2007 Freight Liner for \$3,500. A motion was made to approve the purchase of the 2007 Freight liner from the OGS for \$3,500. The motion was made by; Doris Marsh seconded by, Dave Thompson and carried 5-0.

Councilperson Kirk Brickwood stated he wants the 2007 truck outfitted and used for plowing this year and to get rid of truck #6. The Board agreed.

FOIL REQUEST

Mr. William MacGregor submitted a FOIL request asking for the amount of funds spent on Old State Rd. The Town Clerk reviewed the amounts that she had compiled but wasn't sure if they would be totally accurate the amounts were acquired by reviewing the vouchers. The Board agreed that the amount that was researched by vouchers would be the best accounting that she could do.

A motion was made to accept the Highway Report. The motion was made by; Doris Marsh seconded by, John Thompson and carried 5-0.

CLERK REPORTS

The Town Clerk submitted her 2012 books to the Board. The Town Tax Collector submitted the 2012 books to the Board. The Court Clerk submitted the 2012 Town Justices books to the Board.

The monthly report for the Town Clerk, Court Clerk and Tax Collector were submitted to the Board. A motion was made to accept the Clerk Reports. The

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motion was made by; Dave Thompson seconded by, Kirk Brickwood, and carried 5-0.

OLD BUSINESS

ONCE AGAIN NUT BUTTER

The Board discussed the possible sale of Town property reviewing the needs of the Town and the needs of Once Again Nut Butter. The final terms of agreement would be that Once Again Nut Butter would purchase six acres of the Town Highway property with road frontage on State Rt. 408 for \$150,000, and within eight years purchase the remaining four acres with the buildings for \$150,000. It will cost the Town approximately \$600,000 to relocate and build a new facility.

RESOLUTION TO SELL SIX ACRES

**ONCE AGAIN NUT BUTTER
RESOLUTION NO. 1-2013**

WHEREAS; The Nunda Town Board has agreed that the back parcel of land located at 9364 Water Cure Road can be deemed Surplus land and,

WHEREAS; The Once Again Nut Butter company has expressed a desire to purchase said land and,

WHEREAS; The Once Again Nut Butter has agreed to purchase Six (6) acres of Land with the road frontage being on State Route 408, at a price of \$150,000

WHEREAS; The Once Again Nut Butter has agreed to purchase the remaining Four (4) acres within an eight (8) year period of time, for \$150,000

BE IT THEREFORE RESOLVED THAT, the Nunda Town Board approves the sale of the property located at 9364 Water Cure Road.

Roll call voter

Supervisor, Thomas Baldwin	Yes
Councilperson, Dave Thompson	Yes
Councilperson, Kirk Brickwood	Yes
Councilperson, John Thompson	Yes
Councilperson, Doris Marsh	Yes

Resolution adopted.

FRACKING

Supervisor Baldwin stated that Fracking is still a big issue, the Town had a moratorium for one year. Some town's feel that the issue can be restricted enough through Zoning. The Town of Livonia has done a lot of work on their zoning to restrict the consequences of Gas development. The Town of Avon is in litigation at present with the Gas/Oil companies. The Supervisor asked the

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Board for someone to review the Town of Livonia's Zoning. No one volunteered.

NEW BUSINESS

BOARD OF ELECTIONS

The Town Clerk submitted the form to the Board from Board of Elections asking what positions would be on the Ballot and possible propositions. The possibility of reducing one Justice Position was discussed for a possible proposition.

EARTH DAY AWARD

Holly Adams and her Earth Club won the award. The Board reviewed the requirements and bounced around some ideas as to who to nominate.

PUBLIC OFFICIALS WORKSHOP

The Clerk submitted the invitation to a workshop for the Town Board members and the Supervisor being held at the County Emergency Management.

RESOLUTION No. 2-2013 SUPPORT FOR NYS CONTACT INFORMATION FOR VACANT STRUCTURES

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years;and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS; lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS; Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS; the Town of Nunda Town Board supports the passage of said Bills

RESOLUTION No. 2-2013 SUPPORT FOR NYS CONTACT INFORMATION FOR VACANT STRUCTURES

NOW THEREFORE, BE IT RESOLVED that the town of Nunda hereby supports the passage of said Bills and respectfully requests that the State

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, February 12, 2013

AT 7:00 PM

Representatives who represent constituents in the Town of Nunda support the passage of said Bills

Resolution No. 2-2013 SUPPORT FOR NYS CONTACT INFORMATION FOR VACANT STRUCTURES

A motion was made to adopt Resolution No. 2-2013. The motion was made by, Doris Marsh, seconded by, Dave Thompson and carried 4-0.

CLEAN UP DAY

A motion was made to set 2013 Clean Up Day for May 18, 2013. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 5-0.

EXECUTIVE SESSION

A motion was made to go into executive session to discuss a personnel member's performance. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 5-0.

A motion was made to go out of executive session with no action taken. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

EMPLOYEE RAISE

A motion was made to give Joseph Curry a raise of \$0.30 per hour retro active to the first of the year. The motion was made by, Kirk Brickwood, seconded by, Dave Thompson and carried 5-0.

ADJOURNMENT

Being that there were no further businesses, there was a motion to adjourn. The motion was made by, Dave Thompson, seconded by Kirk Brickwood and carried 5-0.

The meeting adjourned at 9:16 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **March**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, March 12, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK	Cindy Essler
	PERSONNEL	Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Bruce Knapp
	VISITORS	Rodney Green, Tim Cassidy, Todd Galton, Spencer Way, Gracey Smith, Tim Carlin, Jake Adams

CALL TO ORDER Supervisor Baldwin 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, John Thompson led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of, February 12, 2013. The motion was made by Doris Marsh, seconded by Kirk Brickwood, and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD

Training attendance was submitted to the Board.

ZONING BOARD APPEALS

None

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR

TODD GALTON

Todd addressed the Board and stated he had a few questions that the Board and Rick Moran may be able to address. He wanted to know what the plans were for Hay Road. There is a new parking lot built off that road and Todd wanted to know if the Town had plans to pave it. Rick stated that it wouldn't be done this year but he had plans of boxing it out and putting in drainage and a better base. He would let it settle for a year and then he was planning on paving the end of the Highway where it meets State Rt. 408. Rick stated that the State would help with the paving. Todd then asked about the other end of Hay Rd where it meets Picket Line Road. Rick stated that he was going to contact the County on that and let them know it needs work. Todd stated that it needs to be boxed out as well and drainage needs to be addressed. Todd asked about the plans for Cole Road. Rick stated he was going to dust it with a fine crusher run, Todd stated that it needs to be crowned, Rick agreed and stated that it could not be chip sealed because it wouldn't hold up with all of Galton's heavy equipment on it and it would need to be paved.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, March 12, 2013
AT 7:00 PM

COMMUNICATIONS

Supervisor Baldwin reviewed the following communications:

- Tyco Security services sent notification that the contract price will be going up \$1.62 per month. They also sent notification that there had been an alarm event and the Supervisor wanted to know how this was addressed. The Clerk stated that she checks the panel to make sure it reads "All Systems Normal" and calls Tyco to inform them.
- Mayors against illegal guns, The Supervisor stated that common sense policies would be supported but so far no common sense policies have been issued. All of the Counties in New York State have sent resolutions against the new gun control law along with all of the Sheriff Departments and State Troopers. Supervisor Baldwin stated that there will thousands of Felons in the State if the gun law is not repealed.
- Supervisor Baldwin also noted that minimum wage is proposed to go up to \$9.00 per hour, which has nothing to do with the poor, it is a Union based push to Governor Cuomo yielding strongly to the Unions.

BUDGET REPORT &
SUPERVISORS STATEMENT

Supervisor Baldwin reported that he has not moved the Police monies in the budget yet.

There was a motion to approve the Supervisors' statement and budget report for the month of, February 2013. The motion was made by; Doris Marsh seconded by, Dave Thompson and carried 5-0.

AUDIT BILLS

There was a motion to approve the Abstracts for the month of, 2013. These abstracts include; General Fund Claim number, 55-81 in the amount of \$9,919.21, as set forth in abstract no. G-3, dated March 12, 2013, Highway Fund Claim number,58-83 in the amount of, \$92,658.90 as set forth in abstract No. H-3, dated March 12, 2013 , and Police Fund Claim number 16-24, in the amount of \$26,881.47, as set forth in abstract No. P-3, dated March 12, 2013. The motion was made by; Doris Marsh seconded by, Dave Thompson and carried 5-0.

CEO

There was no CEO Report for the month of February Robert Lloyd was absent.

HISTORIAN

Historian Valerie Griffing explained to the Students that were present how the State law mandates a Town Historian and that she was "lucky" enough to be appointed to the position. Val's written report was done on her research of Farms in the Valley and how and why they became dairy Farmers do to the land not being favorable to grow wheat.

A motion was made to accept the Historians monthly report. The motion was made by; Dave Thompson seconded by, Kirk Brickwood and carried 5-0.

ASSESSOR REPORT

Bruce Knapp said that the Assessors in the County were currently working on land values. Farm land values and larger land parcels seem to be the only thing increasing in value. He is also doing field work on new construction and has found things that don't have permits. He will be reporting that to the CEO.

Supervisor Baldwin asked if most of the Senior Citizens had gotten their exemptions in, Bruce stated that they had for the most part.

A motion was made to accept the Assessors report. The motion was made by, John Thompson, seconded by, Doris Marsh and carried 5-0.

YOUTH

Doris Marsh reported that the Teen Recognition Award has many Nunda candidates and the ceremony will be May 1, 2013. The Rotary Interact Club is working on Mr. KCS show which will be held on April27, 2013. The Kiwanis drive through Chicken Barbeque will be March24th. A motion was made to accept the Youth Report.

PUBLIC OFFICIALS DISASTER PROGRAM

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, March 12, 2013
AT 7:00 PM

Doris attended the Public Officials Disaster program held at the Livingston County Emergency Management Building with the Director Kevin Niedermaier, she stated that Kevin would like to do a "mock drill". He also suggested that the Town get updated wall maps of the flood areas, and take month by month pictures of the Keshequa creek.

SENIOR CITIZEN OF THE YEAR

The agenda item was moved up and discussed, the Board bounced around a few names and left it up to Doris Marsh to see who she could interview for the position.

The motion was made by Dave Thompson, seconded by, John Thompson and carried 5-0.

POLICE

The new Police car will be delivered Wednesday; it is a 2013 Ford Taurus with all-wheel drive. A motion was made to accept the monthly report for February, 2013. The motion was made by John Thompson, seconded by, Kirk Brickwood, and carried 5-0.

CEMETERY REPORT

The Cemetery looks good the Highway men have done some tree trimming and will do some more brush clean up when the ground hardens up more. A motion was made to accept the Cemetery report for February, 2013. The motion was made by; John Thompson seconded by, Doris Marsh and carried 5-0.

TOWN HALL REPORT/IT

the paint bid was re-specified and will be advertised to open at the next meeting. A motion was made to put the painting of the eaves and soffits out to bid. The motion was made by, Kirk Brickwood, seconded by John Thompson and carried 5-0. The JCAP grant awarded will allow the town to purchase a new copier for the Court. Village trustee Reggie Grosse suggested marking trees by the driveway with reflectors. The Board said they will take it under advisement. . John Thompson suggested buying the Code Enforcement Officer a refurbished computer; he thinks he can purchase one for about \$150. The Board approved. A motion was made to accept the Town Hall/IT report. The motion was made by Dave Thompson, seconded by Doris Marsh, and carried 5-0.

HIGHWAY

The roller was picked up, and the Freightliner from OGS. The truck will be painted then sent to Watertown, Rick needs permission from the Board to spend the funds to put hydraulics on the trucks, and it will be \$11,000 for the one with a plow and \$3800 for the truck box hydraulics. They should be ready by late spring.

The Highway men have been doing some County work two trucks have been used for hauling stone to Conesus that will bring in about \$8000 in County work. There was a meeting of the Livingston County Highway Association and they are working with Don Higgins to make the work evenly distributed throughout the County.

SURPLUS

The old roller needs to be declared surplus so that it can be sold at auction. A motion was made to surplus the old roller. The motion was made by; Doris Marsh seconded by Kirk Brickwood and carried 5-01.

DALTON TREES

There are trees in Dalton on Maple St. that are dead and need to be taken down. Rick contacted Farrell's and they quoted \$2100 to put down six trees, and it would cost about \$85 per stump to get them ground down. A motion was made to move forward with the tree removal. The motion was made by Dave Thompson, seconded by, John Thompson and carried 5-0.

The men will be changing their work schedule to four ten hour days this week. A motion was made to accept the Highway Report. The motion was made by Doris Marsh, seconded by, John Thompson and carried 5-0.

CLERK REPORTS

The Town Clerk submitted the monthly Town Clerk Report, and Justice Report and the Tax Collection report to the Nunda Town Board. A motion was made

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, March 12, 2013
AT 7:00 PM

to approve the Town Clerk, Tax Collection and Justice Reports for the month of February. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 5-0.

RESOLUTION NO. 5-2013 ZONING AMENDMENT

See Attachment

RESOLUTION NO. 6-2013

See Attachment

NEW BUSINESS

E.A.R.S. Life line program has asked for donations, Doris Marsh reported that both Kiwanis and Rotary have donated to the program for a lifeline unit.

OTHER

Kirk Brickwood stated that some time ago the Town purchased generators with the purpose of installation at the Government Center. The generators ended up being sold, he feels that we should find out the cost of the generators and be more proactive with moving forward with purchasing a generator for the Government Center. The Board discussed options of companies to purchase generators.

The Fire Department building project was brought up there was some talk of gravel exchange for doors, this will be discussed at the next meeting

ADJOURNMENT

Being that there were no further businesses, there was a motion to adjourn. The motion was made by; Dave Thompson seconded by John Thompson, and carried 5-0.

The meeting adjourned at 8:19 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **April**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, April 9, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK	Cindy Essler
	PERSONNEL	CEO, Robert Lloyd Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Bruce Knapp
	VISITORS	Peter Slawson, Judy Street, Arnold Sherlock, Mark Galton, Stephanie Galton, Ron Adam, Betty Adam, David Wood, Ayanna Hofmann, Nick Bucci, James Stouffer

CALL TO ORDER Supervisor Baldwin 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 Town Clerk, Cindy Essler led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors.

PUBLIC HEARING ZONING AMENDMENT ON PROPERTY OWNED BY THE TOWN OF NUNDA LOCATED BETWEEN 9364 WATERCURE ROAD AND STATE ROUTE 408 CURRENTLY USED AS THE NUNDA HIGHWAY DEPARTMENT CURRENT ZONING NEIGHBORHOOD RESIDENTIAL DISTRICT PROPOSED ZONING MIXED USE

OPEN PUBLIC HEARING 7:05 PM

The Public Hearing for the Zoning Amendment was opened at 7:02 PM. Supervisor Baldwin asked everyone to identify themselves before speaking.

Ayanna Hofmann 43 South State St. read her letter to the Board giving reasons for objecting to the change in Zoning, 1.) Opening up the area for a wider array of businesses 2.) Increase in traffic 3.) Increase in noise 4.) Possible pollution of Crooked Brook 5.) Aesthetic devaluation

Nick Bucci 9364 St. Route 408 Stated he has a problem with it being labeled Neighborhood Residential, when he purchase his home 35 years ago the property in question was a field, with the Highway expansion the dust is horrible, he cannot open his windows, the Town allows construction companies to dump gravel and dirt there it could be an improvement.

Judy Street 35 South Church St. wanted to know when the Town is going to vacate, where are they going and why? Supervisor Baldwin stated yes the Town is going to vacate the 408 area now and will relocate the Tow Barns within eight years. Judy asked if there will be a survey, the Supervisor stated yes Randy Luehman will be doing the survey.

Arnold Sherlock 9361 State Rt. 408 states he lives in a dust bowl (he lives adjacent to the Town property) he stated if a factory comes in it will create additional traffic and wants to know what other impact it will have will his taxes go up. Supervisor Baldwin said there is no reason for his taxes to go up, the Supervisor lives right next to the School when Once Again Nut Butter expanded his wife was very upset, they lost their view of the creek but found them to be very good neighbors, tax wise it will not increase or decrease their home values. Mr. Sherlock stated he was against it.

Judy Street asked if the Town knew why Once Again Nut Butter wanted to expand. The Supervisor stated that they can't integrate the peanuts with other products that they make they must separate them completely due to how

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, April 9, 2013
AT 7:00 PM

delicate peanut allergens can be. Many other Towns have offered them facilities and they have tried many other areas of our township/village and have been unsuccessful trying to find something to service their needs.

Several people asked about the peanut smell Tom said that after a while you don't notice it Ron and Betty Adam stated they enjoys it, and live on Mill St. right behind it.

Nick Bucci asked why they want to be close to the Village? For water and sewer.

David Wood 40 South Church St. is concerned about traffic will he see an increase; the Town goes in and out both sides. Supervisor Baldwin stated we are asking for access on both roads so nothing should change. He wanted to know if Once Again Nut Butter will be able to use the Church St. /Watercure Rd. access, Tom stated yes but it would be more convenient for them to use Rt. 408. Mr. Woods felt his taxes should go down if he is next to a factory.

Judy Street asked if any new jobs will be created. Tom stated 20 to 30 new jobs would be created.

Mark Galton 47 South State St. is an employee of Once Again Nut Butter and stated he would be glad to answer any questions, he does not necessarily want a factory in his back yard either but would like to see jobs created. If it doesn't happen here it will in Mt. Morris or some other Town. The company has exhausted all other options; their biggest concern is moving the peanut butter smell away from the school.

Ayanna Hoffman was told by "an official" that the company would have an eight year step for tax abatement. Tom stated that all business have a tax abatement to encourage growth. Tom's responsibility to keeping this Town a "Nice Place to Live" is investing \$300,000 into a building that won't be worth \$60,000 when he is done. For years there have been individuals who have sacrificed for the betterment of the community. Tom stated he is indebted to the fore fathers that have given their efforts and funds to invest in the growth of the community, the Russell's, the Byrnes, the Galton's, the Bugman's, to name a few.

Judy Street, how do you determine whether to pass this or not? Tom states the next step is for the proposal to go to the Livingston County Planning Board for review and then back to the Town Board for approval or denial.

Arnold Sherlock asked if Once Again Nut Butter does take the property are they paying for it, and does the money go back to the taxpayers? Supervisor Baldwin states no that the money will be set aside to build a facility for the Town Highway Department. He would like to do that the same way this building was done, this building is paid for free and clear after four years with no burden to the tax payer. The money from Once Again Nut Butter will be put in a CD. Mr. Sherlock states that then the people that live around the property have no say. Tom states that the Board will listen to all concerned and make a decision.

The Assessor Bruce Knapp states that the property is basically industrial now. Once Again Nut Butter will probably pave the property, and there will be less dust, and will be more eye pleasing than the Highway department.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of March 12, 2013. The motion was made by Doris Marsh, seconded by, Kirk Brickwood and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD

A motion was made to accept the report for March 26, 2013. The motion was made by Doris Marsh, seconded by Dave Thompson, and carried 5-0.

ZONING BOARD APPEALS

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, April 9, 2013

AT 7:00 PM

A motion was made to accept the report for March 26, 2013. The motion was made by Doris Marsh, seconded by, Dave Thompson and carried 5-0.

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. Councilperson Marsh asked if her Youth Report could be moved up she needed to leave early to attend an important School Board Meeting.

YOUTH Councilperson Marsh reported that 15 students from Keshequa School district were nominated for Teen Recognition awards. This was the largest representation by any district. Doris nominated nine teens and six were awarded.

Senior Citizen- Doris got ill and fell a little behind but has come up with two people, Gus and Sherry Marano, she is currently working on their biography. The Mr. KCS show is coming up shortly with great participation from the community.

A motion was made to accept the Youth Report. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood, and carried 5-0. Doris left the meeting at 7:52.

PRIVILEGE OF THE FLOOR
None

COMMUNICATIONS Supervisor Baldwin reviewed the following communications:

- Livingston County Development Corporation
- ECS - Powerpay

BUDGET REPORT & SUPERVISORS STATEMENT Councilperson John Thompson asked the Supervisor how the budget looked. Tom stated everything was in line so far. There was a motion to approve the Supervisors' statement and budget report for the month of, March 2013. The motion was made by Dave Thompson, seconded by John Thompson and carried 4-0.

AUDIT BILLS The Clerk stated that there were a number of missing invoices on the Nunda Auto Parts bill so she did not feel comfortable including it in this abstract, she asked if the Highway Superintendent brought the remainder of the invoices to her if the Board would approve the bill as a pre pay for next month in the amount of \$1,154.98. A motion was made to prepay the Nunda Auto Parts bill in the amount of \$1,154.98 once all of the invoices were accounted for. The motion was made by, John Thompson, seconded by, Kirk Brickwood, and carried 4-0. There was a motion to approve the Abstracts for the month of, March 2013. These abstracts include; General Fund Claim number, 82-101 in the amount of \$14,497.20, as set forth in abstract No 4. G-4, dated 4/9/13 , Highway Fund Claim number 84-108, in the amount of \$34,421.98, as set forth in abstract No. H-4, dated 4/9/13, and Police Fund Claim number 25-31 , in the amount of \$2,706.45, as set forth in abstract No. P-4, dated 4/9/13. The motion was made by John Thompson, seconded by, Dave Thompson and carried 4-0.

CEO Supervisor Baldwin asked Bob Lloyd if he has discovered any new construction that went on over the winter. Bob stated yes that Bruce has brought a few to his attention. Kirk Brickwood asked if Ben Wilkins has a C of O, he is living in the house. Bob stated he has a temporary one, Kirk asked for how long, Bob stated he can give him between 60 days and 6 months. A motion was made to accept the CEO report for the month of March, 2013. The motion was made by John Thompson, seconded by Kirk Brickwood, and carried 4-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, April 9, 2013
AT 7:00 PM

- HISTORIAN** Valerie Griffing reported that the Town of Leicester register for National Archives has written on Civil War Veterans, Valerie would like to do one for the Town of Nunda WWII Veterans to correlate with Honor Flight. A motion was made to accept the Historians monthly report. The motion was made by; John Thompson seconded by, Dave Thompson and carried 4-0.
- ASSESSOR REPORT** Bruce Knapp reported that the tentative roll has been filed with the County and will be shut down next week. Bruce found a Barn on a farm on Kendall Road, the structure had no permit. A motion was made to accept the Assessors report. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 4-0.
- TAX EXEMPTION** Supervisor Baldwin introduced;
LOCAL LAW NO 1-2013 providing tax exemption under Section 485-n of the Real Property Tax Law to encourage investment in improvements in commercial or real properties; **See Attachment marked LOCAL LAW 1-2013**
- POLICE** Chief Wilcox has recommended the hiring of Matthew Moran to the Nunda Police Department. A motion was made to hire Matthew Moran to the Nunda Police Department. The motion was made by John Thompson, seconded by Kirk Brickwood, and carried 4-0. Councilperson Dave Thompson reported that Councilperson Kirk Brickwood has asked the Village Police Commissioners to do a budget workshop on the Police Budget in June. A motion was made to accept the monthly report for, 2013. The motion was made by Kirk Brickwood, seconded by, John Thompson and carried 4-0.
- CEMETERY REPORT** Councilperson Dave Thompson reported that the Highway men had cleaned up some brush at the Cemetery, Farrell's did a walk through and did some pick up as well for mowing Rick stated he will get a couple of barrels up there and keep them changed. A motion was made to accept the Cemetery report for March, 2013. The motion was made by Kirk Brickwood, seconded by John Thompson, and carried 4-0.
- TOWN HALL REPORT/IT** The Clerk submitted an IT policy to Councilperson John Thompson for his review and recommendations to the Board.
- GENERATOR** The OGS Generators did not service our needs, as they were diesel, natural gas would be a better fit. Councilperson Kirk Brickwood is adamant that we move forward with the purchase and installation of a generator at the Government Center. If the Town were to have any type of emergency this would be the location any officials would need to use. There were several quotes obtained. A motion was made to purchase a 20kW Pre-packaged, Air cooled Standby generator with Aluminum Enclosure and 200 Amp SE Rated Smart Switch in the amount of \$9,956.00 from Home Power Systems. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 4-0. A motion was made to accept the Town Hall/IT report. The motion was made by; Dave Thompson seconded by, Kirk Brickwood and carried 4-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, April 9, 2013

AT 7:00 PM

HIGHWAY

Highway Superintendent Rick Moran reported that the trucks are getting painted, and will be sent to Watertown for the box next month. Both will be ready relatively soon. The Highway men have been fixing the plows themselves they need a lot of work. Old State Road Bridge is coming along good. The motor is in the Old Roller, will paint and send to auction. Rick talked to Gary Hotchkiss he may be interested in selling his property in five years or so, not ready to retire yet, Rick likes the location.

Rick stated there is a new Drug testing company offered by a retired State Trooper, comes right to the facility and it is a few dollars cheaper, he will check into it.

DALTON TREES

The trees in Dalton that were all approved by the Board to be cut down were a matter of further discussion. Terry Lowell, Phil Maker, and Tom Burt do not want to see all six of the trees cut down, they would like to see some of them trimmed. Rick does not want to upset the people in Dalton that don't want to see them all gone. Councilperson Dave Thompson stated that three people looked at them and thought they should come down. Kirk Brickwood thinks that someone should have come to the meeting and voiced their concerns. John Thompson recommended that Rick work with Farrell's and his constituents. A motion was made to cut the trees that were bad and trim those that needed trimming. The motion was made by; John Thompson seconded by, Dave Thompson and carried 3-1. Voting yes Supervisor Baldwin, Dave Thompson, John Thompson, and voting no Kirk Brickwood.

Dave Thompson stated he had someone ask if the Town takes care of the sidewalks in Dalton. Dave researched and could not find where the Town historically has maintained them.

The increase to CHIPS is from \$98,996.77 to \$126,820.42 a \$27,823.65 increase.

A motion was made to accept the Highway Report. The motion was made by; John Thompson seconded by, Dave Thompson and carried 4-0.

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 March. The motion was made by, Kirk Brickwood, seconded by, Dave Thompson and carried 4-0.

The Town Clerk received a \$400 Scholarship to attend the New York State Town Clerk's Association Conference this year.

BOARD OF ELECTIONS

The Livingston County Board of Elections has sent out representatives to examine the Government Center as a Polling site. The following recommendations were made;

1. Raise the Handicap signs to 7 foot
2. Designate a Handicap parking space
3. Leave the key to the handicap lift outside on election days
4. There should be 36" of clearance around all tables
5. The outside 'doorknob' is not acceptable
6. All door openings need to be 32"

OLD BUSINESS

Once Again Nut Butter

A Water District will have to be created by the Town so that Once Again Nut Butter can become an out of district user.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, April 9, 2013
AT 7:00 PM

CLOSE PUBLIC HEARING 8:45 PM

A motion was made to close the Public Hearing on the proposed Zoning Amendment. The motion was made by Kirk Brickwood, seconded by, Dave Thompson, and carried 4-0. Hearing Closed at 8:45

NEW BUSINESS

Nunda Fire Department is building a new facility there had been some discussion on the Town furnishing trucks to haul material. Councilperson Kirk Brickwood stated that this would be illegal due to the fact that the fire department is a town "customer" and we cannot do favors for someone that we pay nor do work with a private contractor.

ADJOURNMENT

Being that there were no further businesses, there was a motion to adjourn. The motion was made by John Thompson, seconded by, Dave Thompson and carried 4-0.

The meeting adjourned at 8:55 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **May**

**MINUTES OF THE SPECIAL TOWN BOARD MEETING
PUBLIC COMMENT ON PARCEL REZONING/SALE**

Tuesday, May 7, 2013

AT 7:00 PM

- LARRY MALLABER Works at Nunda Lumber and has worked on the Zoning Committee. He feels that it has been hard for Once Again Nut Butter to find a spot to build. A healthy community has good businesses, good neighbors, and good places of worship. He also stated that at one time the Fire Department owned the property, and there could have been Fire Trucks coming and going.
- JOHN RAPP does not live in the Village but has been on the Zoning Committee as well and feels that it is an absolute must that Once Again Nut Butter is allowed to build on the parcel, if we don't do it another Town will, and we need both the employment and the tax base.
- THOMAS BYRNES States he lives at 29 S. Church St. and he would rather smell roasting peanuts than diesel fuel. Any time we can support a home grown industry it ends up being a solid investment and commends the Town for offering up the property.
- GEORGE LUCAS States he lives at 10 Buffalo St. questioned if the Livingston County Planning Board disapproved the change, can the Town reapply with more information. Supervisor Baldwin explained that the County Planning Board was an advisory Board and the Town Board has the authority to override any of their decisions.
- AYANNA HOFFMAN Stated that there was a need to bring up a problem that has not been addressed. The problem was with converting Neighborhood Residential to Mix Use, and she read the Zoning Regulations of what types of structures could be allowed in the Mixed Use district, such as Bed and Breakfast, Inn, Retail/Service oriented business, Office building, Church, Bar, Tavern, Day Care, Restaurant, she stated that it was opening the door for every Neighborhood Residential district to be changed to Mixed Use. She exampled Henrietta where there were strip malls next to houses, and stores. She lives within 200 feet of the parcel, and states that the Town would be setting a precedent. She suggested that Once Again Nut Butter build in Dansville, or Mt. Morris, she does not feel that it is important to keep jobs in Nunda. She stated that Supervisor Baldwin said that we were a bedroom community and she spends her money in Nunda, and as far as Tax base goes there has been no discussion on reducing the taxes of the people living within the 200 foot area of the parcel. She also stated that the reason why the County turned it down was because it was in Flood Zone A, and just because one home got an exemption FEMA will want to know about the parcel having a structure on it.
- THERON FOOTE Stated he lived on Massachusetts St. and feels the Board is elected to do what's best for the Town and from what he has heard this is the best for the Town, to pick up tax base. He is not aware of any other area in the Mixed Use district available. He stated that if Nunda wants to look like Canaseraga do nothing.
- JANET CLAUDE she said she didn't know how long that Ayanna had lived in Nunda, but there used to be two Car Dealerships, Movie Theater, and lots of other shops, but things have deteriorated, she welcomes growth.
- KEN VENERON Stated he lived on State St. for 14 years, and has also lived in Henrietta, he is all for it.
- TOM BALDWIN Stated that he lives on Mill Street between two creeks and has never seen them flood except in 2003, at that time Crooked Brook didn't flood.

**MINUTES OF THE SPECIAL TOWN BOARD MEETING
PUBLIC COMMENT ON PARCEL REZONING/SALE**

Tuesday, May 7, 2013

AT 7:00 PM

- JUDY STREET Judy lives at 35 S. Church St. right next to the parcel she stated that back in 1955 there was a flood that washed away the macadam and flooded Pratt's house that is the only time that she knows of.
- CHUCK STRICKLAND Stated that Once Again Nut Butter has co-existed in Nunda as a neighbor for years. They have chosen to invest in Nunda, meaning spend money using local materials, local contractors, and spend money on salaries and taxes. They have never requested a tax abatement in the past and probably won't in the future. This is a positive thing. Whenever you make a change in zoning you always want to look at it carefully. There have been towns trying to change zoning to bring in industry but it doesn't necessarily work that way, this is different as Once Again Nut Butter is making the request.
- MAYOR JACK MORGAN Stated he lives on Massachusetts St. and has lived here forty one years, he is 100% on board for these efforts and plans and has been asked if the infrastructure could support the new building, he stated that it could support Dalton, Portage and more. He said that if Nunda were closer to a city such as Rochester being next to Henrietta we might have to look at the outcome of that but being so rural he doesn't see it happening. He stated that when he worked at the School Once Again Nut Butter was a really good neighbor. He is not saying this comment as a representative of the Village it is his personal opinion.
- JAKE ESSLER Stated he lives at 23 S. Walnut St. and lives along that creek, and he feels the problem is the way people think about change. He has owned the lot for 35 years, and when they were going to build the State Home next to him he wasn't happy, the next thing that came up was a trailer park which didn't happen then the School Complex that didn't make him happy, he said that these things were not necessarily the best for him but they weren't the worst either, it's all how you perceive things, and how you react to change. You have to think about what Nunda will gain.
- BOB GELSER Bob stated that he is the President and General Manager of Once Again Nut Butter, and thanks everyone for coming and supporting them. It has been a long process, of about two years. He said last time that he spoke to a group of people about the expansion he brought bar charts and a power point but decided to leave that entire thing home. He said that he has a worker with a four year college degree working for him in production because he can't find a job. He has an older worker that has a high school education that has never been in a plane and has flown out to San Diego twice. This is an employee owned company and he looks at all of the opportunities it has brought to people. They have looked at a lot of places to build and have run out of options. They are a growing company, and there may come a time when they will have to expand outside of Nunda. Right now they are buying almonds from California and making almond butter and flying it back to California. Supervisor Baldwin asked how much of the six acres will be put into use immediately. Bob stated they will use all six acres between the building and parking. Bob stated that he respects Ayanna's opinion and said that they first moved into the building they are in in 1981, and since then natural foods have exploded. Supervisor Baldwin asked how many people do they employ, Bob state 48 now but should have about 60 right now after they expand they will employ 75 to 90 people.
- AYANNA HOFFMAN Asked Bob if he was aware that the Town of Nunda did a SEQR, and that it will have to be done again. Bob stated that he was not familiar with it but knew that there would be a lot of paperwork that will have to be done. Ayanna stated that it is an archeological area and that she spoke with someone at DEC and they said the SEQR done by the town was fast and loose.
- JOHN RAPP John asked wasn't some organization looking to put in low income housing on the sight?

MINUTES OF THE SPECIAL TOWN BOARD MEETING
PUBLIC COMMENT ON PARCEL REZONING/SALE
Tuesday, May 7, 2013
AT 7:00 PM

DAVE WOOD stated he lives on S. Church St. and he is all for the project he hopes the council will make the right decision, his only concern would be a raise in taxes. Supervisor Baldwin said he had raised a concern over more traffic on Church St. as well, and he thanked Tom for remembering that and said yes he was concerned about large truck traffic. Bob said that large truck traffic will come off of State Rt. 408.

TOM BYRNES stated that the Town has used that exit for large trucks for years

HUGH THOMPSON stated there was a simple solution put a weight limit on the use of the Road.

PAT FOOTE Stated she lived at 24 Massachusetts St. and was on the Zoning Board of Appeals, she has worked with Bob for a long time and any concern that the Board had Bob had worked it out, she feels they are good neighbors.

SUPERVISOR BALDWIN Tom feels that the discussion was concluded and wanted to let the public know that they would not be voting tonight, with a member of the Board being missing.

ADJOURNMENT Being that there were no further businesses, there was a motion to adjourn. The motion was made by Doris Marsh, seconded by Dave Thompson, and carried 4-0.

The meeting adjourned at 7:43 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, May 15, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK	Cindy Essler
	PERSONNEL	CEO, Robert Lloyd Hwy. Supt., Rick Moran Assessor, Bruce Knapp
	VISITORS	Ayanna Hofmann, Ken Veneron, Tim Cassidy

CALL TO ORDER Supervisor Baldwin 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, Kirk Brickwood led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors; no business was brought before the Board.

OPEN PUBLIC HEARING ON LOCAL LAW NO. 1-2013 at 7:02

Downtown Revitalization grant is for any construction or improvement for a possible fourteen year exemption on any value over what is already present. The first eight years is 100 % after that it is structured down.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of April 9, 2013. The motion was made by; Kirk Brickwood seconded by, Doris Marsh and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD
None

ZONING BOARD APPEALS
None

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR
None

COMMUNICATIONS Supervisor Baldwin reviewed the following communications:

- Livingston County Planning Board Zoning Referral
- Livingston County Planning Board Year of Energy
- Home Repairs Grant opportunities

**BUDGET REPORT &
SUPERVISORS STATEMENT**

There was a motion to approve the Supervisors' statement and budget report for the month of, April 2013. The motion was made by; Dave Thompson seconded by, John Thompson and carried 5-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, May 15, 2013

AT 7:00 PM

AUDIT BILLS

There was a motion to approve the Abstracts for the month of, April 2013. These abstracts include; General Fund Claim number, 102-133 in the amount of \$15,040.96, as set forth in abstract No 5. G-5 dated, 5-15-13, Highway Fund Claim number 109-137, in the amount of, \$47,425.46 as set forth in abstract No 5. H-5, dated, 5-15-13 and Police Fund Claim number 32-39, in the amount of \$5347.88, as set forth in abstract No 5. P-5, dated 5-15-13. The motion was made by Doris Marsh, seconded by Kirk Brickwood, and carried 5-0.

CEO

Robert Lloyd was not present at the meeting the Board reviewed his written report. Doris Marsh asked the Assessor how often pictures were taken of parcels; Bruce Knapp stated when something major was done on the property, or when new construction was done. Kirk Brickwood asked if there was a permit out for a Barn at the Schmidt residence on Kendall Road, the Clerk didn't think so and there would need to be at least a Zoning Permit issued. Kirk stated he would get in touch with Bob Lloyd. A motion was made to accept the CEO report for the month of April, 2013. The motion was made by John Thompson, seconded by Dave Thompson, and carried 5-0.

HISTORIAN

Valarie Griffing was not present at the meeting. A motion was made to accept the Historians monthly report. The motion was made by; John Thompson seconded by, Dave Thompson and carried 5-0.

ASSESSOR REPORT

Bruce stated that the Tentative Roll had been filed with the Clerk. Grievance Day will be May 29th from 5 to 9.

RESOLUTION NO. 7-2013

MEMORANDUM OF UNDERSTANDING

Resolved that the Nunda Town Board along with the duly appointed Assessor for the Town of Nunda will approve an Assessment update every five years. A motion was made to sign the memorandum. The motion was made by, Doris Marsh, seconded by, Dave Thompson and carried 5-0. Discussion was had about Bruce Knapp's upcoming retirement in September, and whether the Town should stay in the Cap or dissolve it. The options of having one Assessor for all three Towns, having the County take over the Assessor position. Bruce explained to the Board that Brian Knapp and his wife would work together on the job and Bruce would help with the update. Portage and Mt. Morris do not want the County to take over. Brian Knapp has already taken a number of the courses that are required, some of them he will have to retake. Bruce suggests that the Town advertise the position. Doris Marsh asked what the cost would be for the County to take it over; Supervisor Baldwin stated the cost would be the same. Dave Thompson does not want it turned over to the County, Kirk Brickwood stated we would have more control keeping it in house. Bruce stated that the three Supervisors should get together and discuss it. A motion was made to accept the Assessors report. The motion was made by, Doris Marsh, seconded by, John Thompson and carried 5-0.

YOUTH

Doris Marsh stated that the dinner for the Senior Citizen of the year was this Saturday at 1:00 PM in York. Mr. KCS was a success and thanked everyone that participated. About \$2,500 was raised for Mrs. Graves. A motion was made to accept the Youth Report. The motion was made by Dave Thompson, seconded by, John Thompson and carried 5-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, May 15, 2013
AT 7:00 PM

POLICE

Dave Thompson reported that Officer Phil Baures was retiring and that there was a new hire as well.

A motion was made to accept the resignation of Officer Phil Baures with regret. The motion was made by John Thompson, seconded by Doris Marsh and carried 5-0.

A motion was made to hire Connor Sanford as Police Officer. The motion was made by, John Thompson, seconded by, Kirk Brickwood and carried 5-0.

A motion was made to accept the monthly report for April, 2013. The motion was made by Doris Marsh, seconded by John Thompson, and carried 5-0.

CEMETERY REPORT

Dave Thompson reported that there was a Pine Tree close to the road that will need to be cut while Farrell's are here cutting trees in Dalton. A motion was made to appropriate funds to cut the Pine tree in the Cemetery. The motion was made by, Kirk Brickwood, seconded by, Doris Marsh and carried 5-0. A motion was made to accept the Cemetery report for April, 2013. The motion was made by John Thompson, seconded by Kirk Brickwood, and carried 5-0.

TOWN HALL REPORT/IT

PAINT BID

There was only one painting bid submitted it was from Steve Mann, PO Box 847, Nunda, NY 14517 in the amount of \$12,300.00, it included a man lift, labor and materials to paint exterior trim and windows on the 2nd and 3rd floor. A motion was made to accept the Paint Bid, the motion was made by, John Thompson, seconded by, Dave Thompson and carried 5-0.

IT POLICY

John Thompson stated that the IT policy was quite extensive and he would like to get a second opinion on it before he could make a recommendation.

ROOF REPAIR

The Government Center and Tri County /building roofs are repaired, the back valley of the Tri County Building still needs to be done.

GENERATOR

The generator has not been installed due to NYSEG not installing the gas yet. Kirk Brickwood will call and see where we stand.

A motion was made to accept the Town Hall/IT report. The motion was made by Dave Thompson, seconded by Kirk Brickwood, and carried 5-0.

HIGHWAY REPORT

Kirk reported there are concerns over the Salt pile the Town will be moving the pile and covering it. A deer hit the Highway Superintendents truck an insurance agent will be coming to appraise it for damages; it is currently at Kevin Hands shop.

Rick stated he is cleaning up the Salt residue, DEC wants it confined and covered. He has ordered tarps from Nunda Lumber and will be moving the pile soon. There is a waste oil spill that needs to be cleaned up as well.

ROLLER BID

The internet bids were to be in today, the Highway Superintendent that it is up to \$3,600 so far. He is hopeful that it will continue to rise in price before the day is out.

The freightliner truck is in Watertown and will be done next week. He has cleaned out the gravel by the School and has taken twenty loads of gravel out of there. Supervisor Baldwin stated that it is important to FEMA that we are doing our due diligence on maintaining the creek. Tim Stouffer objects to the Town removing any gravel from his area of the creek.

HIGHWAY

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, May 15, 2013
AT 7:00 PM

The Highway men went to a flagging safety meeting today. Rick has had a call from one of Mt. Morris town council they would like to rent a truck and brine tank from us to put brine on their dirt roads. Kirk Brickwood stated he has no problem with that but one of our men needs to drive it. Rick asked if it would be rented or shared services, the Board all agreed it should be a shared service.

A motion was made to accept the Highway Report. The motion was made by; John Thompson seconded by, Dave Thompson and carried 5-0.

OLD BUSINESS

ONCE AGAIN NUT BUTTER

The Lawyers are working things out for a contract, some of the requests are unreasonable, but we are still in negotiation. There was a lot of public support at the May 7th meeting but the Supervisor felt that a vote should be held off until advised by the attorneys.

LOCAL LAW NO. 1-2013

Supervisor Baldwin asked if anyone would like to speak regarding the Local Law, or if there were any questions. No one spoke.
The Public Hearing on Local Law 1-2013 was closed at 7:45.

A motion was made to adopt Local Law 1-2013. The motion was made by, Dave Thompson and put to a roll call vote with the results as follows:

Supervisor Baldwin	Yes
Councilperson Dave Thompson	Yes
Councilperson Kirk Brickwood	Yes
Councilperson John Thompson	Yes
Councilperson Doris Marsh	Yes

Local Law No. 1-2013 was thereby adopted.

CLERK REPORTS

The Town Clerk submitted her monthly report, and the monthly Justice Reports. A motion was made to accept the Clerk Reports. The motion was made by, Doris Marsh, seconded by, John Thompson and carried 5-0.

NEW BUSINESS

None.

ADJOURNMENT

Being that there were no further businesses, there was a motion to adjourn. The motion was made by Kirk Brickwood, seconded by, Dave Thompson and carried 5-0.

The meeting adjourned at 7:54 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **June**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, June 11, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK	Cindy Essler
	PERSONNEL	Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Bruce Knapp
	VISITORS	Tim Cassidy, Brian Knapp, Stephanie Knapp, Ron and Betty Adam, Ayanna Hofmann, Rodney Green

CALL TO ORDER Supervisor Baldwin 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, Doris Marsh led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors; no business was brought before the Board.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of, May 7, 2013 and May 14, 2013. The motion was made by John Thompson, seconded by Doris Marsh, and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD

Joint Planning Board Minutes of May 7, 2013 and June 4, 2013.

ZONING BOARD APPEALS

Joint Zoning Board Minutes of May 21, 2013

A motion was made to accept the Zoning Board Minutes and the Joint Planning Board Minutes. The motion was made by Doris Marsh, seconded by John Thompson, and carried 5-0.

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR
None

COMMUNICATIONS Supervisor Baldwin reviewed the following communications:

- Reports from New York State Ag and Mkst. Regarding County Dog Control Officer inspection and the Municipal Shelter Report
- A sample Resolution calling for a repeal of the New York Safe Act of 2013

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, June 11, 2013

AT 7:00 PM

RESOLUTION NO. 8-2013 CALLING FOR THE REPEAL OF THE NEW YORK SAFE ACT OF 2013

SEE ATTACHMENT

BUDGET REPORT & SUPERVISORS STATEMENT

There was a motion to approve the Supervisors' statement and budget report for the month of May, 2013. The motion was made by John Thompson, seconded by Doris Marsh, and carried 5-0.

TRANSFER OF FUNDS

GENERAL FUND TOWNWIDE

Unanticipated Revenue

Transfer From:

A3005	Mortgage Tax	\$ 4,894.00
A3089	Justice Court Grant	\$ 1,914.00
A3089	Assessors Training	<u>\$ 701.00</u>
	TOTAL	\$ 7,509.00

Transfer To:

A1110.4B	Justice Court Grant	\$ 1,915.00
A1420.4	Attorney Cont.	\$ 1,994.00
A8810.4	Cemetery Cont.	<u>\$ 3,600.00</u>
	TOTAL	\$ 7,509.00

HIGHWAY FUND TOWNWIDE

Unanticipated Revenue

Transfer From:

DA2665	Sale of Equipment	<u>\$ 1,146.00</u>
	TOTAL	\$ 1,146.00

Transfer To:

DA5130.4	Machinery Cont.	\$ 1,041.00
DA5130.4	Equipment Rental	<u>\$ 105.00</u>
	TOTAL	\$ 1,146.00

TRANSFER OF FUNDS

A motion was made to approve the Transfer of Funds in the General Fund. The motion was made by, John Thompson, seconded by, Dave Thompson, and carried 5-0.

A motion was made to approve the Transfer of Funds in the Highway Fund. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

AUDIT BILLS

There was a motion to approve the Abstracts for the month of May, 2013. These abstracts include; General Fund Claim number, 134-161 in the amount of \$16,143.36, as set forth in abstract No 6. G-6, dated 6/11/13, Highway Fund Claim number 138-159, in the amount of \$89,589.41, as set forth in abstract No. H-6, dated 6/11/13, and Police Fund Claim number 40-48, in the amount of \$5,220.68, as set forth in abstract No. P-6, dated 6/11/13. The motion was made by John Thompson, seconded by Dave Thompson, and carried 5-0.

CEO

Code Enforcement Officer Robert Lloyd was not present at the meeting. Dave Thompson suggested that the Board bring in someone to train for the position of Code Enforcement Officer. He feels that if a person trains for six months they may be in the position to take the test for certification, and go to training in the spring.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, June 11, 2013
AT 7:00 PM

PART TIME CODE ENFORCEMENT OFFICER

A motion was made to advertise for a part time Code Enforcement Officer. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 5-0.

PROPERTY ABANDONMENT

A letter was received from Anthony LaChiusa abandoning the property located at 10049 State St. in Dalton, NY 14836, tax map number 207.-12.1- 40. This follows a letter from the Code Enforcement Officer to Mr. LaChiusa for violations. Supervisor Baldwin stated he could not abandon the property to the Town.

A motion was made to accept the CEO report for the month of May, 2013. The motion was made by Kirk Brickwood, seconded by Dave Thompson, and carried 5-0.

HISTORIAN

A motion was made to accept the Historians monthly report. The motion was made by John Thompson, seconded by Doris Marsh, and carried 5-0.

ASSESSOR REPORT

Assessor Bruce Knapp reported that there had been two complaints submitted to the Board of Assessment Review; both properties had their assessments lowered. One was due to the purchase of the property being lower than the Assessed Value. The second one was most likely going to be lowered in the reevaluation year due to market sales. The roll will close July 1st.

ASSESSOR APPOINTMENT

Bruce Knapp's appointment will be up September 31, 2013. The Town will need to appoint a new person, Bruce has retired. The Town posted the position the position. Brian Knapp was the only application received by the Town.

Brian Knapp spoke to the Board about his application, stated his wife Stephanie would be helping him with the office hours due to his other full time employment. Bruce Knapp stated he would also be available to help with the update process. Brian has previously worked for the Town taking pictures of all Town properties along with his brother. He is also working in another Town. Supervisor Baldwin thanked him for coming and the Board will be making a determination after the Supervisor has met with the other Town Supervisors within our cap.

A motion was made to accept the Assessors report. The motion was made by, Doris Marsh, seconded by Kirk Brickwood, and carried 5-0.

YOUTH

Doris Marsh reviewed her written report, and discussed the Host law for under age drinking parties, she stated she would like to know the Candidates for Sherriff's opinion on the host law. A motion was made to accept the Youth report. The motion was made by Dave Thompson, seconded by John Thompson, and carried 5-0.

POLICE

Dave Thompson reported that the Chief hoped to have the Durango ready to put out for bid in July or August. The Police Commissioners have started the budget process for 2014. A motion was made to accept the monthly report for, May 2013. The motion was made by Kirk Brickwood, seconded by John Thompson, and carried 5-0.

CEMETERY REPORT

Dave Thompson stated that the Cemetery looked well was pleased with the mowing. A motion was made to accept the Cemetery report for May, 2013. The motion was made by John Thompson, seconded by Doris Marsh, and carried 5-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, June 11, 2013
AT 7:00 PM

TOWN HALL REPORT/IT John Thompson gave the Board information on purchasing a format board for Bruce Knapp's printer. He found SPAM on the Clerk's computer, had worked all day last Monday on it with the help of Hurricane Technology. Hurricane technology will give an assessment on cost of doing IT control for the Town. The generator installation is being held up by NYSEG. The sink will be fixed by Tim Cassidy as soon as possible. A motion was made to accept the Town Hall/IT report. The motion was made by Dave Thompson, seconded by, Doris Marsh and carried 5-0.

HIGHWAY Rick Moran stated that the Freightliner is present for them to look at. He said that he is getting good comments on the dirt roads. There is some County work coming up. The trees have been taken down in Dalton; he can have the stumps removed for \$40 to \$50 apiece by borrowing a stump grinder from Jason Borden. He is working on Old State Rd. will blacktop July 1st. The Roller sold for \$6754, Dave Thompson stated the money should go in the equipment fund. Rick stated he needs to advertise for part time help; Larry Walsworth can not work everyday. He also reported that DASKO is doing the Village project and wants to use the Town area for material. Kirk Brickwood stated that they need to name the Town as additional insured. Dave Thompson commented that it could be in the way for Once Again Nut Butter. A motion was made to accept the Highway Report. The motion was made by Kirk Brickwood, seconded by, Dave Thompson and carried 5-0.

LOCAL LAW NO. 2-2013 Supervisor Baldwin read the resolution, asked if there were any comments, Dave Thompson stated it was a good idea, and John Thompson said it was a pleasure to support it. SEE ATTACHMENT

AYANNA HOFMANN Ayanna asked when the SEQR notification was sent to the State, Clerk Cindy Essler stated was it sent to Abby Snyder, Regional Director, NYSDEC, Region 9, 270 Michigan Avenue, Buffalo, NY on April 18, 2013

A motion was made to adopt Local Law No 2-2013. The motion was made by, Kirk Brickwood, seconded by, Dave Thompson, with Roll Call Vote as follows;

ROLL CALL VOTE	Supervisor Tom Baldwin	Yes
	Councilperson Dave Thompson	Yes
	Councilperson Kirk Brickwood	Yes
	Councilperson John Thompson	Yes
	Councilperson Doris Marsh	Yes

Local Law No. 1-2013 was therefore adopted.

NEW BUSINESS The Village of Nunda has requested to annex their well property on St. Rt. 408 into the Village, the Board will take it into consideration.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, June 11, 2013
AT 7:00 PM

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 May. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

EXECUTIVE SESSION A motion was made to go into Executive Session to discuss an employee performance. The motion was made by, Dave Thompson, seconded by Doris Marsh and carried 5-0.

 A motion was made to go out of Executive Session with no action taken. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood, and carried 5-0.

JOSEPH CURRY A motion was made to give Joseph Curry a raise of \$0.25 per hour beginning the next pay period. The motion was made by Kirk Brickwood, seconded by, Dave Thompson and carried 5-0.

NEW BUSINESS None

ADJOURNMENT Being that there were no further businesses, there was a motion to adjourn. The motion was made by Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

 The meeting adjourned at 8:20 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **July**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, July 9, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK	Cindy Essler
	PERSONNEL	CEO, Robert Lloyd Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Bruce Knapp
	VISITORS	Ron and Betty Adam

CALL TO ORDER Supervisor Baldwin called the meeting to order at 7:00 PM. Roll call was taken with council member John Thompson absent.

PLEDGE TO THE FLAG All persons stood as Councilperson, Kirk Brickwood led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors; no business was brought before the Board.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of June 11, 2013. The motion was made by Doris Marsh, seconded by Kirk Brickwood, and carried 4-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD
None

ZONING BOARD APPEALS
None

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR None

COMMUNICATIONS No communications were brought before the Board.

BUDGET REPORT &
SUPERVISORS STATEMENT The Budget report did not print out correctly; one of the columns was missing. The Clerk will reprint the Budget and put it in the Councilmembers box. There was a motion to approve the Supervisors' statement and budget report for the month of June, 2013. The motion was made by Dave Thompson, seconded by, Doris Marsh, and carried 4-0.

AUDIT BILLS There was a motion to approve the Abstracts for the month of June, 2013. These abstracts include; General Fund Claim number, 162-182 in the amount of \$9,475.15, as set forth in abstract No. G-7, dated 7-9-13, Highway Fund Claim number 160-181 , in the amount of 29,893.48 , as set forth in abstract No. H-7, dated 7-9-13 , and Police Fund Claim number 49-53, in the amount of \$4,246.33, as set forth in abstract No. P-7, dated 7-9-13. The motion was made by Doris Marsh, seconded by Dave Thompson, and carried 4-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, July 9, 2013
AT 7:00 PM

CEO

Dave Thompson stated that he had a constituent complain about the Isaman residence on Fair St. in Dalton. There is junk all over, Rick Moran stated that they were burning something in barrels when he was paving and the smoke and smell was noxious. Bob said he would look into it but he knew that the owner was having health issues. The Clerk stated that she had put a copy of General Municipal Law in everyone's packet as directed by Bob and perhaps he would like to speak about it. Bob explained that he would like the condemned property in Dalton to be torn down before it comes off of the tax roll. General Municipal Law states that the Town can order to have the building taken down. Doris Marsh asked if someone is living in a house that is falling in, at what point does the Town step in. Bob stated that he needs a complaint filed unless it is visible from the road, he can write a violation. A motion was made to accept the CEO report for the month of June, 2013. The motion was made by; Dave Thompson seconded by, Kirk Brickwood and carried 4-0.

HISTORIAN

Valerie reviewed her session at the Nunda Historical Society on the Flood of 2003. Some of the Board members shared their experiences as well. A motion was made to accept the Historians monthly report. The motion was made by Kirk Brickwood, seconded by, Doris Marsh and carried 4-0.

ASSESSOR REPORT

Bruce Knapp reported that the Final Roll has been filed with the Clerk. Bruce stated that he had a number of records that were past the age of retention, from 1999 to 2007. These include RP425, Enhanced STAR, RP305R Agricultural exemption, RP467RNW Senior Citizen, and RP459CRNW Disability exemptions. A motion was made to allow the Assessor/Town Clerk to destroy the exemption forms named above from 1999 to 2007. The motion was made by, Dave Thompson, seconded by Kirk Brickwood, and carried 4-0. A motion was made to accept the Assessors report. The motion was made by, Doris Marsh, seconded by Dave Thompson, and carried 4-0.

YOUTH

Doris stated that it was a busy month for her, but quiet for the youth. The School has a new Principal Matthew Hopkins that starts on July 1st. Summer Recreation will be in session from July 1st to August 2nd. A motion was made to accept the Youth Report. The motion was made by Dave Thompson, seconded by Kirk Brickwood, and carried 4-0.

POLICE

Dave Thompson stated that the Commissioners were working on next year's budget and will have it for the next meeting. Dave reviewed the County wide DWI arrest report and Nunda was at the top of the list. Ryan Dale and Billy Little have both reached the 1000 hour mark; the Chief would like to move them up on their pay rate. A motion was made to increase Ryan Dale and Billy Little's pay rate to the 1000 hour mark pay scale. The motion was made by, Dave Thompson, seconded by Kirk Brickwood, and carried 4-0.

POLICE CAR 2009 DODGE DURANGO

A motion was made to declare the 2009 Dodge Durango Police vehicle surplus. The motion was made by; Dave Thompson seconded by, Kirk Brickwood and carried 4-0. A motion was made to put the 2009 Dodge Durango out to bid, the motion was made by, Kirk Brickwood, seconded by, Dave Thompson and carried 4-0. A motion was made to accept the monthly report for June, 2013. The motion was made by Doris Marsh, seconded by, Kirk Brickwood and carried 4-0.

CEMETERY REPORT

Dave Thompson reported a minor incident at the Cemetery, someone had put in footer for a headstone that was not done correctly, Bob Marsh contacted the people and Snyder Brothers will be putting in a proper footer. A motion was made to accept the Cemetery report for June, 2013. The motion was made by Kirk Brickwood, seconded by, Doris Marsh and carried 4-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, July 9, 2013

AT 7:00 PM

TOWN HALL REPORT/IT John Thompson was not present so the Town Clerk brought forth to the Board the fact that the Safe in her office will no longer close. A motion was made to purchase a new safe. The motion was made by Doris Marsh, seconded by, Dave Thompson and carried 4-0.

HIGHWAY Rick Moran reported that he received some applications for part time help, there was not many with any experience, he stated he needs a truck driver, and wanted to know what the wage rate would be. Supervisor Baldwin stated \$10.00 per hour. He would like to get someone hired before the next meeting. Supervisor Baldwin asked the Board if they would approve Rick hiring someone based on his recommendation and Kirk Brickwoods approval. The Board agreed.

HIGHWAY Rick stated that they will be doing a major paving job on Old State Road, the blacktop pricing will be less than he originally projected. He has placed a \$15,000 bill into the County for payment. The State has been milling on 390 we have been getting some of the millings, he is putting them down on Hay Road.
The Mt. Morris Highway Superintendent retired. Sam Cipriano was a councilperson and has resigned that position to take over the Highway position and has informed Rick that he is shorthanded but would like to continue to exchange service.

JOHN THOMPSON entered at 7:40 PM.

A motion was made to accept the Highway Report. The motion was made by Dave Thompson, seconded by, John Thompson and carried 5-0.

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 June. The motion was made by, Doris Marsh, seconded by, Kirk Brickwood and carried 5-0.

OLD BUSINESS

APPOINTED ASSESSOR

Supervisor Baldwin stated that he had recently received another application and resume for the Assessor position. The Board felt that the best option for the Town of Nunda would be to hire Brian and Stephanie Knapp. A motion was made to hire Brian Knapp and Stephanie Knapp to the position of Nunda Town Assessor commencing on October 1, 2013. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 5-0.

NEW BUSINESS

RESOLUTION NO. 7-2013

RESOLUTION OF SUPPORT FOR VILLAGE OF NUNDA TEP GRANT

RESOLVED, that Thomas B. Baldwin as Supervisor of the Town of Nunda is hereby authorized and directed to file a letter of support for the Village of Nunda's application for funds from the New York State Department of Transportation Enhancement Program 2013 for the Pedestrian/Bicycle Improvement Program.

A motion was made to adopt Resolution No. 4-2013. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

ADJOURNMENT

Being that there were no further businesses, there was a motion to adjourn. The motion was made by Dave Thompson, seconded by Kirk Brickwood and carried 5-0.

The meeting adjourned at 7:48 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **August**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, August 13, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK	Cindy Essler
	PERSONNEL	CEO, Robert Lloyd Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Bruce Knapp
	VISITORS	Ron and Betty Adam, Brian Knapp, Tim Cassidy

CALL TO ORDER Supervisor Baldwin 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, John Thompson led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors; no business was brought before the Board.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of July 9, 2013. The motion was made by Doris Marsh, seconded by, Kirk Brickwood and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD
None

ZONING BOARD APPEALS
None

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR
None

COMMUNICATIONS Supervisor Baldwin reviewed the following communications:

- Selective Insurance notification of conditional renewal
- Excellus notification of 16% increase on Health Insurance
- Genesee Valley Conservancy Ag Tour will visit Galton Farms
- NYS DOT notification on signage regulations on State Highways
- GLOW notification of date for collection of waste
- Joan Ellison on the possible sale of the Livingston County Home Health agency
- Supervisor Baldwin wrote a letter of support for a Grant for Letchworth State Park and a Grant for Pedestrian Sidewalks

BUDGET REPORT &

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, August 13, 2013
AT 7:00 PM

SUPERVISORS STATEMENT

There was a motion to approve the Supervisors' statement and budget report for the month of Dave Thompson, 2013. The motion was made by Kirk Brickwood, seconded by, and carried 5-0.

AUDIT BILLS

There was a motion to approve the Abstracts for the month of July, 2013. These abstracts include; General Fund Claim number, 183-209 in the amount of \$28,713.79, as set forth in abstract No. G-8, dated 08/13/13 , Highway Fund Claim number 182-197, in the amount of \$105,6187.19, as set forth in abstract No. H-8, dated 08/13/13 , and Police Fund Claim number 54-60, in the amount of \$2,403.51, as set forth in abstract No. P-8, dated 08/13/13. The motion was made by Dave Thompson, seconded by Kirk Brickwood, and carried 5-0.

CEO

Bob stated it was a busy month, Supervisor Baldwin asked if Bob had obtained the Town of Livonia's Zoning Laws regarding installation of gas wells. Bob had not. Kirk Brickwood asked if the Blair property on the corner of Halstead Rd. and Creek Rd. has a permit, there is an addition being built. Bob stated he did not have a permit issued.

CEO POSITION AD

Bob asked what the advertisement for his position was about. Supervisor Baldwin stated that the Board was being proactive for Bob's retirement in order to have someone trained for his position. Bob stated that he has not made a decision on retirement and no one has asked him if he was going to retire. Bob stated he would have appreciated being notified about it. Supervisor Baldwin stated it came up at the last Board meeting when Bob wasn't in attendance. Bob wanted to know where the money was coming from to pay someone since his salary has been cut for two years. Supervisor Baldwin stated he would have to put it in the 2014 Budget, Bob wanted to know when it was happening, Tom said in the Fall or Spring.

CODE ENFORCEMENT

COMPLAINT

Bob asked Doris Marsh why she didn't follow up on the complaint that she had made about a parcel, he had left the paper work for her. Doris said she was not ready to move forward with it.
A motion was made to accept the CEO report for the month of July, 2013. The motion was made by Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

HISTORIAN

Supervisor Baldwin asked Valerie how the Bicentennial for the Village was doing, Val stated she presented some ideas to the Mayor Jack Morgan and he was going to bring them to the Trustees. Val will be going to Albany this month to do some research in the State Library on State Route 436 which was originally a cow path.
A motion was made to accept the Historians monthly report. The motion was made by Doris Marsh, seconded by John Thompson, and carried 5-0.

ASSESSOR REPORT

Supervisor Baldwin read a letter of notification on the qualifications of Brian Knapp. Brian has met the guide lines.

HIRE NEW ASSESSOR

A motion was made to hire Brian Knapp as sole Assessor for the Town of Nunda with a term limit of six years commencing on October 1, 2013. The motion was made by; Dave Thompson seconded by, Doris Marsh and carried 5-0.

Bruce would like to work with Brian and Stephanie Knapp for about 6 months to a year at no cost to the Town but he would still need access to the building.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, August 13, 2013
AT 7:00 PM

There are approximately 1,000,000.00 increases in the valuation of parcels, mostly Agricultural.

- STAR Bruce watched a webinar on the process of registration for STAR. Anyone with basic STAR will have to re-register with the State by March 1st on line or there is a phone number you can call if you need assistance. Bruce doesn't feel this process will work, he feels everyone should have to apply again with their social security numbers and a spread sheet could then be made to catch the people that are listing more than one parcel as their primary residence. He feels that all basic STAR receivers should go through the same annual process that Enhanced STAR recipients have to do.
A motion was made to accept the Assessors report. The motion was made by, John Thompson, seconded by, Doris Marsh and carried 5-0.
- YOUTH Doris Marsh reported that Rotary will receive a grant for about 500 books, and she will be ordering IPADS as well. She reviewed the rest of her written report. The Interact group has been gathering used Flags and making pins out of them. A motion was made to accept the Youth report. The motion was made by John Thompson, seconded by Dave Thompson, and carried 5-0.
- POLICE A letter of resignation was submitted by Brian Chapman. A motion was made to accept the letter of resignation from Brian Chapman with regrets. The motion was made by; Doris Marsh seconded by John Thompson and carried 5-0.
- POLICE BUDGET Dave Thompson reviewed the proposed 2014 Police Budget that was created by the two Police Commissioners for the Village, two Police Commissioners for the Town and the Chief of Police. The major increases were for protective services \$5,000, ammunition \$600, training \$1000, Police car expense \$1000. The other major change that they wanted to see was taking DWI funds out of revenues. Supervisor Baldwin stated why DWI funds were in the budget, saying that was the purpose of the second car so that one could be mandated for DWI patrol. Councilperson D. Thompson stated he does not remember it ever being said that the purpose for the second car was to help offset the budget. Supervisor Baldwin stated he agrees with increasing the budget but he wants to be able to explain to the tax payers what the increased budget was for. Kirk Brickwood asked what happens if the department doesn't get grant money. Supervisor Baldwin states he would have to use fund balance. The Supervisor also stated that the total budget can only increase 1.6% this year or there will have to be an override resolution. He feels there should be 100% support of the Board and the Village Board to move forward, he appreciates the effort of all of the Commissioners as well as the Chief.
- 2009 POLICE CAR SALE The bids for the 2009 Dodge Durango were opened with the results as follows;
- Cole Essler \$3010.00
 - Mike Baldwin \$3501.00
 - Robert Guillen \$1251.75
- The Board felt that these bids were too low and declined them all. The Board decided to put it in the Municipal Auction with the hopes for a better price.
- A motion was made to accept the monthly report for July, 2013. The motion was made by Kirk Brickwood, seconded by John Thompson, and carried 5-0.
- CEMETERY REPORT There were no Cemetery reports.
- TOWN HALL REPORT/IT John Thompson asked if the Board was happy with the painting of the soffits, eaves and second and third floor windows. The Clerk passed around pictures that Steve Mann had submitted the Board felt that a great job was done. Steve

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, August 13, 2013

AT 7:00 PM

Mann proposed that the lower windows be painted next year; he will submit an estimate of expense for that to be done.

Hurricane technologies submitted a proposal for IT support. John stated he has not switched out the Code Enforcement computer yet. He will be working on that and the Assessors printer as well.

There was discussion on what to use to protect the generator from getting damaged if someone was to run into it. A motion was made to accept the Town Hall/IT report. The motion was made by Doris Marsh, seconded by, Dave Thompson and carried 5-0.

HIGHWAY

Rick Moran stated Old State Road is paved but there is more work to be done on the banks of the road. He has purchased a hand stripper and is striping some of the roads; he is also putting down some reflective tape. Meyers Road is chip sealed, he is wedging and paving some of Nunda Byersville Rd. They are using the millings from the State on Cole Road, there is some wash boarding but they will be grading it up.

SALT

American Rock Salt got the State Bid this year.

KESHEQUA CREEK

The DEC inspection went well.

NEW HIRE

Rick felt he was working out well, he has a CDL so he can drive truck.

DANA WOOD

Dana should be going back to the Doctor soon, his knee is healing well.

2014 BUDGET

Rick is reviewing budget needs with Tom, he said that The Town should be looking to replace the 550 next year; Rick felt that it worked out well and he has used it more than he thought it would be, the Plow would need to be replaced for that as well looking at about \$10,000.

A motion was made to accept the Highway Report. The motion was made by, seconded by, and carried 5-0.

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 July. The motion was made by, Doris Marsh, seconded by, John Thompson and carried 5-0.

OLD BUSINESS

LOCAL LAW NO. 1-2013

The Town has received confirmation from the State that is has been filed.

LOCAL LAW NO. 2-2013

A motion was made to pass Local Law No. 2-2013. The motion was made by, Doris Marsh, seconded by, Dave Thompson with a roll call vote as follows;

Supervisor Baldwin	Yes
Councilperson Dave Thompson	Yes
Councilperson Kirk Brickwood	Yes
Councilperson John Thompson	Yes
Councilperson Doris Marsh	Yes

NEW BUSINESS

WATER DISTRICT CREATION

It has been brought to the attention of some of the Town Board members that some of the people living on Nunda Dalton Rd. and that same area on St. Rt.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, August 13, 2013
AT 7:00 PM

436 down to the Village line that may want to tap into the Village Water/Sewer system. The Town would have to create a Water District, the home owners would have to bear the cost of the hookups. Councilperson Kirk Brickwood stated there may be some issues with that, the Board felt that they should table this until further information can be gathered and until they were requested directly by the homeowners.

AMBULANCE BUILDING The Nunda Ambulance Department would like to sell their building to the Town at a cost of \$25,000, with payments of \$5,000 per year for five years. Supervisor Baldwin asked the opinion of the Board. All Board members supported the purchase.

PROPERTY PURCHASE Gerry Douglas Jr. has stated he may be interested in selling his property again. Supervisor Baldwin wanted to know if the Board was still interested. Rick Moran thinks that a site on State Rt 436 would be a better spot for the Highway Department. The Douglas property is about 40 acres the site on 436 is about five. The item was tabled.

TOM MORAN The Clerk distributed the Democrat and Chronicle article on Tom Moran to the Board he has done very well in his education now has a Doctorate and has overcome his adversity to inspire others with handicaps.

EXECUTIVE SESSION A motion was made to go into executive session to discuss personnel issues. The motion was made by Dave Thompson, seconded by Kirk Brickwood and carried 5-0.

A motion was made to go out of executive session with no action taken. The motion was made by Dave Thompson, seconded by Doris Marsh and carried 5-0.

ADJOURNMENT Being that there were no further businesses, there was a motion to adjourn. The motion was made by Dave Thompson, seconded by Kirk Brickwood, and carried 5-0.

The meeting adjourned at 8:59 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **September**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Wednesday, September 11, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson
	RECORDING CLERK PERSONNEL	Cindy Essler Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Bruce Knapp
	VISITORS	Ron and Betty Adam

CALL TO ORDER Supervisor Baldwin called the meeting to order at 7:00 PM. Roll call was taken with council member Doris Marsh absent.

PLEDGE TO THE FLAG All persons stood as Councilperson, Dave Thompson led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors; no business was brought before the Board.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of August 13, 2013. The motion was made by Kirk Brickwood, seconded by Dave Thompson, and carried 4-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD

A motion was made to accept the minutes of September 3, 2013. The motion was made by Dave Thompson, seconded by, John Thompson and carried 4-0.

ZONING BOARD APPEALS

None.

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR

None

COMMUNICATIONS

Supervisor Baldwin reviewed the following communications:

- Time Warner on programming changes
- Association of Towns on membership

MINUTES OF THE REGULAR TOWN BOARD MEETING
Wednesday, September 11, 2013
AT 7:00 PM

**BUDGET REPORT &
SUPERVISORS STATEMENT**

There was a motion to approve the Supervisors' statement and budget report for the month of August, 2013. The motion was made by Dave Thompson, seconded by Kirk Brickwood, and carried 4-0.

AUDIT BILLS

There was a motion to approve the Abstracts for the month of August, 2013. These abstracts include; General Fund Claim number 210-229, in the amount of \$12,909.22, as set forth in abstract No. G-9, dated 9/11/13, Highway Fund Claim number 198-221 , in the amount of , \$75,081.08 as set forth in abstract No. H-9, dated 9/11/13 , and Police Fund Claim number 61-67, in the amount of \$1,452.65, as set forth in abstract No. P-9, dated 9/11/13. The motion was made by John Thompson, seconded by Dave Thompson, and carried 4-0.

CEO

Robert Lloyd was not present.

A motion was made to accept the CEO report for the month of August, 2013. The motion was made by Dave Thompson, seconded by Kirk Brickwood, and carried 4-0.

HISTORIAN

A motion was made to accept the Historians monthly report. The motion was made by John Thompson, seconded by Dave Thompson, and carried 4-0.

ASSESSOR REPORT

Bruce Knapp said the median value for 97.07% outside the Village and 100% inside the Village, so he doesn't think that the update will show much of an increase in values. Bruce has worked with Stephanie showing her the computer program. Stephanie will be working Thursday 10 AM -2 PM and Brian will be working 6PM -9PM on Thursdays.

BRUCE KNAPP

Bruce thanked the Supervisor, the Board and all the previous Boards for their support of him over the years. He thanked the tax payers and everyone he has worked with and thought of everyone as a wonderful family.

A motion was made to accept the Assessors report. The motion was made by John Thompson, seconded by Kirk Brickwood, and carried 4-0.

YOUTH

Doris Marsh was not present at the meeting, but submitted her written report. A motion was made to accept the Youth Report for the month of August. The motion was made by Dave Thompson, seconded by Kirk Brickwood, and carried 4-0.

POLICE

Dave Thompson stated he met with the Chief and things were going well. He will be taking the new car in for the recall. The 2009 Dodge Durango has one more week in the internet auction.

John Thompson wanted to commend the Police Department for their assistance with ambulance calls. He appreciated the support. A motion was made to accept the monthly report for August, 2013. The motion was made by John Thompson, seconded by Kirk Brickwood, and carried 4-0.

CEMETERY REPORT

A motion was made to accept the Cemetery report for August, 2013. The motion was made by John Thompson, seconded by Kirk Brickwood, and carried 4-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Wednesday, September 11, 2013
AT 7:00 PM

TOWN HALL REPORT/IT John Thompson reported that he received an estimate from Steve Mann for painting the remainder of the windows excluding the porch of \$3,500. Dan Essler has been working on the electric. John asked if any of the Board members had any knowledge of the Food Pantry putting in additional freezer equipment. None of the Board members had been notified. Dan has been working in that area of the Building as well. Supervisor Baldwin asked the Clerk to draft a letter to the Food Pantry asking for report of their space and utility needs. Steel bollards have been placed around the generator area for safety. John also mentioned that it would be wised to allocate \$4000 for IT needs, he has no other figures besides the startup quote by Hurricane Technologies. A motion was made to accept the Town Hall/IT report. The motion was made by Dave Thompson, seconded by, Kirk Brickwood and carried 4-0.

HIGHWAY The Livingston County Ice and Snow contract was presented to the Board for approval.
A motion was made to approve the 2013-2014 Livingston County Ice and Snow contract. The motion was made by, Dave Thompson, seconded by, John Thompson and carried 4-0.

Rick stated that he has cancelled his attendance at fall conference. Dana Wood is back to work; he has recuperated very quickly in the last week and is not in any pain. Rick will be done needing part time help in another couple of weeks. Larry may not be coming back to work next year due to health issues; he will let Rick know come Spring.
Rick has submitted his budget requests to the Supervisor, he would like to put the 550 out to auction off, he thinks we could get about \$25,000 for it, and then he would like to purchase another one maybe a little bigger. John Thompson asked if Rick uses the local Ford dealer for service, Rick stated that he does 90% of the time.
Rick states he is trying to clean up the area that Once Again Nut Butter wants, he would like to get rid of wood chips and asked if someone wanted them but had no way to transport them could he deliver them. The Board approved of this.
Dave Thompson asked about the trucks Rick was supposed to get rid of. Rick stated he has gotten rid of some but not all of them.
A motion was made to accept the Highway Report. The motion was made by John Thompson, seconded by, Dave Thompson and carried 4-0.

OLD BUSINESS

ONCE AGAIN NUT BUTTER TOWN PROPERTY PURCHASE

Supervisor Baldwin stated that he was under the impression that when the amount of property that Once Again wanted he thought the purchase price had changed from \$150,000 for each parcel to \$180,000 for the first purchase and \$120,000 for the remaining property. The agreement specifies \$150,000 for each parcel, he also questioned the area of eminent domain that was in the document, and Tom found out that it was referring to Once Again Nut Butter being able to put a driveway on Town Property. .
The Board reviewed the Purchase Agreement and the Option Agreement for Once Again Nut Butter purchasing Town Property as follows; **see attachment**
A motion was made to approve Supervisor Baldwin signing the Purchase and Sale Agreement and the Option Agreement. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 4-0.

A motion was made to approve Supervisor Baldwin signing the Purchase and Sale Agreement and the Option Agreement. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 4-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING

Wednesday, September 11, 2013

AT 7:00 PM

FIRE DEPARTMENT SALE OF AMBULANCE BUILDING

The Fire Department does not want to sell the Ambulance building, Supervisor Baldwin suggested going into a long term lease at about \$2,000 yearly with the Town taking care of the upkeep.

A motion was made to enter into a contract with the Fire Department to approve of the leasing of the Nunda Ambulance Building. The motion was by Dave Thompson, seconded by Kirk Brickwood, and carried 3-1(John Thompson)abstaining.

Due to his relationship with both the Town and the fire Department John Thompson abstained.

2014 BUDGET

The Village has stated that they do not want to see an increase in the Police Budget. They would like them to cut services. The Town does not want to see that happen. Over much discussion it was decided to leave the budget that the Village wants to pay the same and the Town will pick up the balance. Tom will run the numbers to see how it works out.

INTRODUCTION OF;

RESOLUTION NO. 9-2013 RESOLUTION TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c

Section 1 Legislative Intent

It is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Nunda pursuant to General Municipal Law 3-c, and to allow the Town of Nunda to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law 3-c.

Section 2 Authority

This resolution is adopted pursuant to subdivision 5 of General Municipal Law 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a resolution approved by vote of sixty percent (60%) of the Town Board

Section 3 Tax Levy Limit Override

The Town Board of the Town of Nunda, County of Livingston, is hereby authorized to adopt a budget for the fiscal year of 2014 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law 3-c.

Section 4 Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm of the corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Resolution or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5 Effective Date

This Resolution shall take effect immediately upon its passing
WHEREAS, the Town Board of the Town of Nunda, New York desires to consider adopting legislation to override the limit on the amount of real property taxed that may be levied by the Tow of Nunda pursuant to General Municipal Law Section 3-c, and to allow the Town of Nunda to adopt a town budget for fiscal year 2014 that requires a real property tax levy in excess of the tax levy limit, also known as Town of Nunda Resolution No. 3-2013.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Nunda, New York that proposed Resolution No. 3-2013 entitled "Resolution to Override the Tax Levy Limit Established in General Municipal Law Section 3-c, which proposed Resolution is now in its final form as appears by a copy thereof hereto attached, be and the same hereby is introduced for adoption; and,

RESOLUTION NO. 9-2013

MINUTES OF THE REGULAR TOWN BOARD MEETING

Wednesday, September 11, 2013

AT 7:00 PM

BE IT FURTHER RESOLVED that said proposal Resolution be laid upon the desks of the members of this Town Board on this date and remain there and a copy thereof be kept on file in the office of the Town Clerk until November 12, 2013 and that a public hearing be held before this Town Board on the 12th day of November 2013, at 7:00 PM. At the Nunda Government Center 4 Massachusetts St., Nunda NY, on the advisability of enacting said proposed Resolution and,

BE IT FURTHER RESOLVED, that a copy of said proposed Resolution be mailed to each member of the Town Board not in attendance at this meeting in a postpaid properly addressed and securely closed envelope in a post box within the Town of Nunda, New York not less than ten (10) calendar days exclusive of Sunday, prior to the date of said public hearing;

BE IT FURTHER RESOLVED, that the Town clerk shall cause notice of said public hearing to be published once in the Genesee Country Express at least five (5) days prior to the date of said public hearing, which notice shall contain the time and place of said hearing, the title and purpose thereof, as well as statement that a copy of said proposed Resolution is on file in the Town Clerk's Office.

Dated September 11, 2013

A motion was made to approve the introduced Resolution No. 9-2013 and hold a Public Hearing on November 11, 2013 at 7:00 PM. The Motion was made by, Dave Thompson, seconded by, Kirk Brickwood, and put to roll call vote as follows;

Supervisor Baldwin	Yes
Councilperson Dave Thompson	Yes
Councilperson Kirk Brickwood	Yes
Councilperson John Thompson	Yes
Councilperson Doris Marsh	Absent

AMBULANCE/FIRE DEPARTMENT PROPERTY

The Town and the Fire Department have been talking about the Town purchasing or leasing the current Nunda Ambulance garage. The Fire Department does not want to sell it but would enter into a long term lease at \$2,000 per year and the Town would be responsible for upkeep.

A motion was made to approve of the leasing of property that currently holds the Ambulances from the Nunda Fire Department. The motion was made by, Dave Thompson, seconded by Kirk Brickwood, and carried 3-1. Dave Thompson, Kirk Brickwood, and Supervisor Baldwin voting yes and John Thompson abstaining.

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 September. The motion was made by, Dave Thompson seconded by, John Thompson and carried 4-0.

ADJOURNMENT

Being that there were no further businesses, there was a motion to adjourn. The motion was made by Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

The meeting adjourned at 8:25 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **October**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, October 8, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK	Cindy Essler
	PERSONNEL	CEO, Robert Lloyd Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Brian Knapp
	VISITORS	Joe Curry, Tim Cassidy, Erik Moran

CALL TO ORDER Supervisor Baldwin 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, John Thompson led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors; no business was brought before the Board.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of September 11, 2013 with corrections. The motion was made by John Thompson, seconded by Doris Marsh, and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD

Merilee Walker has submitted her resignation to the position of Secretary to the Nunda Joint Planning and Zoning Committees, effective December 31, 2013. A motion was made to accept the resignation of Merilee Walker. The motion was made by, Doris Marsh, seconded by, Dave Thompson, and carried 5-0.

ZONING BOARD APPEALS

Supervisor Baldwin stated he is open to suggestions for a Secretary.

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR None

COMMUNICATIONS Supervisor Baldwin reviewed the following communications:

- Time Warner channel notifications
- Excellus showing an 18% increase
- Veterans Outreach
- Selective Insurance

**BUDGET REPORT &
SUPERVISORS STATEMENT**

Supervisor Baldwin pointed out that the Highway Fund outside the Village received an extra Thirty eight thousand dollars in CHIPS. There was a motion to approve the Supervisors' statement and budget report for the month of September, 2013. The motion was made by Dave Thompson, seconded by, John Thompson and carried 5-0.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, October 8, 2013
AT 7:00 PM

HIGHWAY Rick reported that the men have worked hard and accomplished a lot this year, and they have gotten a lot of compliments. The county mowing generates about \$800 per day.

PART TIME HELP Bob Wallace has taken another job and Larry Walsworth will be getting surgery done on his hand so he will be done soon too.

The men will be working on Scipio and Meyers Rd.

COMPLAINT
ADAM CLEVELAND

Rick wanted to address the letter that was submitted to the Board from Adam Cleveland. Mr. Cleveland stated that Rick and the Highway crew had help blacktop Galton's driveway on Picket Line Rd. His concern was taxpayer's money being allocated to services for just one individual. Rick stated that the Town Highway men our roller and trucks were helping the Town of Portage pave Picket Line Road. Mr. Galton had paid for the additional blacktop, the Kirscher Construction paver, our roller was used on his driveway and our men helped rake the blacktop for a few hours. The Board made it very clear to Rick that is should not have been done. Even though it was a Town of Portage job, our men and roller were doing work on private property and that is not acceptable. Rick realized his mistake, the Highway crew's job in putting in a driveway is limited to the culvert pipe to be put in but paid for by the property owner, and a few loads of gravel for the approach only. The specifics of the project and our involvement were; three highway men raking and grading, our roller was used, and Rick gave a copy of the bill sent to the Galton's from Spallina to the Supervisor. Tom asked how far an apron runs. Rick stated an easement goes about 30 feet from the center about 18 feet from the edge of the road and they usually dress up about 8 to 10 feet. Rick felt most of our men worked that area, and he is not trying to hide anything. It was a Town of Portage job and other Towns were involved as well. Tom asked what time it started, Rick said about 7:00 AM. Tom what time was it moved off of private property? Rick said about 9:00. Joe Curry said he left at 9:00 AM and it was only about half done. Tim got there about 9:00 AM. Supervisor Baldwin asked if there were any other questions from the Board. Kirk Brickwood talked with Rick and made it very clear it wasn't to happen again. Supervisor stated we went beyond the scope of our work and our men. Kirk Brickwood stated that no town equipment or man power can be used for private work. Tom stated that it is a truism we put ourselves at risk with workers comp insurance. Tom did state that the portion of Adam's comments that we were over budget is a falsehood. There is a great deal of talk out in the coffee shops that he doesn't know where it was generated from but hopes it can be put to rest. A motion was made to accept the Highway Report. The motion was made by Doris Marsh, seconded by, Dave Thompson and carried 5-0.

HISTORIAN REPORT

There is a project that the County Historian has come up with and this is the information gathered; the Genesee Valley canal was an off shoot of the Genesee River Canal. By the time the Genesee River Canal was completed in 1867 it became of no use and could not compete with the railroads. Val reported that she will be heading for Albany mid-October to do some research on the creation of State Highway 436 which was once a "cow path" from Nunda to Dansville. A motion was made to accept the Historian Report. The motion was made by Dave Thompson, seconded by John Thompson and carried 5-0.

OLD BUSINESS
ONCE AGAIN NUT BUTTER

Supervisor Baldwin reported that Tuesday he signed contracts for the sale of Town Highway property. He states that there is still a lot of work to be done with filing a SEQR – State Environmental Quality Review.

2014 BUDGET

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, October 8, 2013
AT 7:00 PM

A motion was made to override the tax cap. The motion was made by, Dave Thompson, seconded by, John Thompson, and carried 5-0.
Supervisor Baldwin asked if the Board had any changes they wanted to make to the 2014 Tentative Budget. None were suggested.

A motion was made to accept the Tentative Budget for 2014 as it is into the Preliminary Budget. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 5-0.

PUBLIC HEARING

A motion was made to set the Public Hearing for the 2014 Town Budget on November 12, 2013 at 7:00 PM at the Nunda Government Center, 4 Massachusetts St. Nunda N.Y. The motion was made by, Dave Thompson, seconded by, John Thompson, and carried 5-0.

100 YEAR LEASE

The Town Board was presented a 100 year lease for the current Ambulance Garage to use for the Police Car Garage. A motion was made to approve the 100 year lease. The motion was made by, Kirk Brickwood, seconded by, Doris Marsh and carried 4-0, John Thompson abstained.

ELECTION DISTRICT

District one and three will now be located at the new Fire Hall.

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 September. The motion was made by, Doris Marsh, seconded by, Kirk Brickwood and carried 5-0.

EXECUTIVE SESSION

A motion was made to go into Executive Session. The motion was made by, Doris Marsh, seconded by, Kirk Brickwood, and carried 5-0.
A motion was made to go out of Executive Session with no action taken. The motion was made by, Dave Thompson, seconded by, Doris Marsh and carried 5-0.

ADJOURNMENT

Being that there were no further businesses, there was a motion to adjourn. The motion was made by Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

The meeting adjourned at 8:27 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK

Town of Nunda Board Meeting Minutes for - **November**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, November 12, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK PERSONNEL	Cindy Essler Absent CEO, Robert Lloyd Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Bruce Knapp
	VISITORS	Pam Moran, Ron & Betty Adam

CALL TO ORDER Supervisor Baldwin 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, Kirk Brickwood led the pledge.

WELCOMED VISITORS Supervisor Baldwin welcomed the visitors; no business was brought before the Board.

APPROVAL OF MINUTES A motion was made to approve the regular minutes of, October 8, 2013. The motion was made by; Dave Thompson seconded by, Kirk Brickwood and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD
None.

ZONING BOARD APPEALS
None.

PUBLIC HEARING 2014 BUDGET

Supervisor Baldwin opened the Public Hearing for the 2014 Budget AT 7:05 PM, and asked if anyone would like to address the Budget. Jim Byrnes commented on the Budget asking that it be kept to a minimum.

Budget figures increased 2.43 % Inside the Village and 2.73 % Outside the Village. The General Fund drops \$40,000, \$3000 has been set up in Building Reserves, and insurance increased \$3500. General Fund A increased \$40,000 with \$20,000 equipment reserve and \$20,000 in Retirement costs. General Fund B increased \$9000, in the Police.

CHANGES TO AGENDA Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.

PRIVILEGE OF THE FLOOR
None

COMMUNICATIONS Supervisor Baldwin reviewed the following communications:

- Time Warner
- TYCO
- NYS Financial Restructuring.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, November 12, 2013
AT 7:00 PM

**BUDGET REPORT &
SUPERVISORS STATEMENT**

There was a motion to approve the Supervisors' statement and budget report for the month of, October 2013. The motion was made by, seconded by; Dave Thompson seconded by Kirk Brickwood carried 5-0.

AUDIT BILLS

There was a motion to approve the Abstracts for the month of, October 2013. These abstracts include; General Fund Claim number 251-271 in the amount of \$9039.55, as set forth in abstract No. G-11, dated, 11/12/13 Highway Fund Claim number 240-256, in the amount of \$17,399.73, as set forth in abstract No. H-11, dated, 11/12/13 and Police Fund Claim number 72-77, in the amount of \$3808.13, as set forth in abstract No. P-11, dated 11/12/13. The motion was made by; Dave Thompson seconded by, John Thompson and carried 5-0.

CEO

A motion was made to accept the CEO report for the month of, October 2013. The motion was made by; Kirk Brickwood seconded by, John Thompson and carried 5-0.

HISTORIAN

A motion was made to accept the Historians monthly report. The motion was made by; Dave Thompson seconded by, Kirk Brickwood and carried 5-0.

ASSESSOR REPORT

Brian Knapp reported that renewal forms are available and are due by March 1, 2014. 64% of the County has registered for STAR; the update is due by December 31, 2013. The placing of an Ad in the Mt. Morris Shopper to remind people was discussed. Brian stated that he has a list of courses he will need to take.

A motion was made to accept the Assessors report. The motion was made by; John Thompson seconded by, Dave Thompson and carried 4-0.

YOUTH

A motion was made to accept the Youth Report given by Doris Marsh. The motion was made by, Dave Thompson, seconded by John Thompson, and carried 5-0.

POLICE

Dave Thompson reported that the Sheriff will not be the program director for the STOP DWI program for funds distribution.

GARAGE

The Police vehicles are now being stored at the former Ambulance building/ a motion was made to accept the monthly report for October, 2013. The motion was made by Kirk Brickwood, seconded by, John Thompson and carried 5-0.

CEMETERY REPORT

Snyder Brothers have raised their rates for 2014. The new rates will need to be set at the Organizational Meeting in January. A motion was made to accept the Cemetery report for October, 2013. The motion was made by John Thompson, seconded by, Kirk Brickwood and carried 5-0.

TOWN HALL REPORT/IT

John Thompson has purchased Windows 7 for \$67.00 for the Highway Department Computer. His is working on Robert Lloyd's computer. A motion was made to accept the Town Hall/IT report. The motion was made by Dave Thompson, seconded by, Kirk Brickwood and carried 5-0.

HIGHWAY

Rick Moran reported that the Highway Department has been grading roads putting guard rail on Meyers Rd. Ditching on Walsworth Rd. Shute Rd. and clearing driveway culverts which are about 50% done. Sand and Salt mixing is done, it will be lumpy. The trucks are ready for winter, and the Dalton Leaf pickup is done.

ONCE AGAIN NUT BUTTER

There have been topographical maps of the wetlands done on the Town property sold to OANB.

SCRAP TRUCK

The oldest 10-Wheeler has been sent to Benny's Junk Yard for scrap.

LIVINGSTON COUNTY INTERMUNICIPAL AGREEMENT

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, November 12, 2013
AT 7:00 PM

The shared equipment agreement was signed by the Supervisor.
A motion was made to accept the Highway Report. The motion was made by Dave Thompson, seconded by John Thompson, and carried 5-0.

OLD BUSINESS None

NEW BUSINESS Supervisor Baldwin will be meeting with the Highway crew to share the new Health Care agreement. He shared a flyer with the Board and they approved.

COURT Dave Thompson and Kirk Brickwood stated that the Judges have cut their hours, and won't come out for arraignments or for warrants. Judge Hotchkiss asked not to be called out on Warrants. Judge Mann was hunting and wouldn't come in for an arraignment.

Supervisor Baldwin stated he would draft a letter to the Judges with these concerns;

- Judges only servicing three nights per month.
- Need to collect fines
- Officers don't know when to write tickets
- Can't get warrants
- Collection of a check for not doing your job

2014 BUDGET Supervisor Baldwin asked if anyone had any comments or question on the 2014 Budget, none were brought forward.

CLOSE PUBLIC HEARING

A motion was made to close the Public Hearing on the 2014 Budget at 7:45. The motion was made by, Kirk Brickwood, seconded by, Dave Thompson and carried 5-0.

ADOPT RESOLUTION NO. 9-2013

RESOLUTION NO. 9-2013 RESOLUTION TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c

Section 1 Legislative Intent

It is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Nunda pursuant to General Municipal Law 3-c, and to allow the Town of Nunda to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law 3-c.

Section 2 Authority

This resolution is adopted pursuant to subdivision 5 of General Municipal Law 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a resolution approved by vote of sixty percent (60%) of the Town Board

Section 3 Tax Levy Limit Override

The Town Board of the Town of Nunda, County of Livingston, is hereby authorized to adopt a budget for the fiscal year of 2014 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law 3-c.

Section 4 Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or the corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Resolution or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5 Effective Date

This Resolution shall take effect immediately upon its passing

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, November 12, 2013

AT 7:00 PM

WHEREAS, the Town Board of the Town of Nunda, New York desires to consider adopting legislation to override the limit on the amount of real property taxed that may be levied by the Tow of Nunda pursuant to General Municipal Law Section 3-c, and to allow the Town of Nunda to adopt a town budget for fiscal year 2014 that requires a real property tax levy in excess of the tax levy limit, also known as Town of Nunda Resolution No. 3-2013.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Nunda, New York that proposed Resolution No. 3-2013 entitled "Resolution to Override the Tax Levy Limit Established in General Municipal Law Section 3-c, which proposed Resolution is now in its final form as appears by a copy thereof hereto attached, be and the same hereby is introduced for adoption; and,

BE IT FURTHER RESOLVED that said proposal Resolution be laid upon the desks of the members of this Town Board on this date and remain there and a copy thereof be kept on file in the office of the Town Clerk until November 12, 2013 and that a public hearing be held before this Town Board on the 12th day of November 2013, at 7:00 PM. At the Nunda Government Center 4 Massachusetts St., Nunda NY, on the advisability of enacting said proposed Resolution and,

BE IT FURTHER RESOLVED, that a copy of said proposed Resolution be mailed to each member of the Town Board not in attendance at this meeting in a postpaid properly addressed and securely closed envelope in a post box within the Town of Nunda, New York not less than ten (10) calendar days exclusive of Sunday, prior to the date of said public hearing;

BE IT FURTHER RESOLVED, that the Town clerk shall cause notice of said public hearing to be published once in the Genesee Country Express at least five (5) days prior to the date of said public hearing, which notice shall contain the time and place of said hearing, the title and purpose thereof, as well as statement that a copy of said proposed Resolution is on file in the Town Clerk's Office.

Dated September 11, 2013

A motion was made to adopt Resolution No. 9-2013. The Motion was made by, Dave Thompson, seconded by, Kirk Brickwood, and put to roll call vote as follows;

Supervisor Baldwin	Yes
Councilperson Dave Thompson	Yes
Councilperson Kirk Brickwood	Yes
Councilperson John Thompson	Yes
Councilperson Doris Marsh	Yes

ADOPT 2014 BUDGET

A motion was made to adopt the 2014 Budget. The motion was made by, Dave Thompson, seconded by, John Thompson, and carried by Roll Call Vote:

Supervisor Baldwin	Yes
Councilperson Dave Thompson	Yes
Councilperson Kirk Brickwood	Yes
Councilperson John Thompson	Yes
Councilperson Doris Marsh	Yes

The 2014 Budget for the Town of Nunda was therefore adopted.

ADJOURNMENT

Being there was no further business a motion was made to adjourn. The motion was made by, Kirk Brickwood, seconded by, John Thompson and carried 5-0.

The meeting adjourned at 7:50PM.

RESPECTFULLY SUBMITTED,

DORIS MARSH
COUNCILPERSON

Town of Nunda Board Meeting Minutes for - **December**

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, December 10, 2013
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood Councilperson, John Thompson Councilperson, Doris Marsh
	RECORDING CLERK PERSONNEL	Cindy Essler Absent CEO, Robert Lloyd Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Brian Knapp
	VISITORS	None

CALL TO ORDER	Supervisor Baldwin 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, Doris Marsh led the pledge.
WELCOMED VISITORS	Supervisor Baldwin welcomed the visitors; no business was brought before the Board.
APPROVAL OF MINUTES	A motion was made to approve the regular minutes of, November 12, 2013. The motion was made by; Doris Marsh seconded by, Kirk Brickwood and carried 5-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD

A motion was made to accept the Joint Planning Board minutes of October 29, 2013. The motion was made by John Thompson, seconded by Kirk Brickwood and carried 5-0.

ZONING BOARD APPEALS

None.

CHANGES TO AGENDA	Supervisor Baldwin asked the board members if there was a need to make any changes to the agenda. None were suggested.
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PRIVILEGE OF THE FLOOR	
JUSTICE JAMES MANN	Justice Mann wanted to discuss the letter that was written to him from the Board. Supervisor Baldwin read the letter out loud first. Justice Mann stated that the elimination of two Court nights was done to consolidate the people that want to come in to see the DA for resolution, DA night can only be held once a month per the County. The Officers are still writing the same amount of tickets. Supervisor Baldwin asked if it was the County's choice as to the times, and Justice Mann stated yes the DA wants it to be done in normal business hours. Jim stated he cannot come in on his normal work hours. He said that officers are still writing tickets on nights that court is not held. He states that is strictly the Nunda PD, all other departments are writing them for the correct time and date. He states he believes this is a matter of training, he has spoken to Chief Wilcox about certain issues with probable cause and that there are no common courtesies for our local residents. He stated that if there are a number of tickets written on an off court night the Clerk calls him and he attends court. He will not come out and do arraignments on his vacation or while he is working. He says that having two Justices having DA night on the same day is difficult for the Court Clerk. He also stated if the Clerk is not present the DA will not come in and attend Court which the Judge will. Fines being paid in a timely fashion, he can scofflaw the license but is not supposed to issue warrants on traffic cases. Dave Thompson states that the Judges used to issue warrants for non-appearances, Jim states he feels the there are enough hardships without forcing payments, he feels he does his due diligence on collection of them, but can't speak for the other Judge. Justice Mann also states he has a problem with hearing talk in the coffee shops and on the streets, or through his Clerk he feels if there is an issue he should be contacted directly. Supervisor Baldwin thanks him for coming in to speak to the Board.

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, December 10, 2013
AT 7:00 PM

COMMUNICATIONS

Supervisor Baldwin reviewed the following communications:

- State Comptroller to Audit 2013-2014 Budget.

BUDGET REPORT &

SUPERVISORS STATEMENT Supervisor Baldwin stated there are no stresses in the Budget; he has gone over bills with Rick to see what needs to be paid. There was a motion to approve the Supervisors' statement and budget report for the month of, November 2013. The motion was made by, seconded by; Dave Thompson seconded by Doris Marsh carried 5-0.

AUDIT BILLS

There was a motion to approve the Abstracts for the month of, November 2013. These abstracts include; General Fund Claim number 272-296 in the amount of \$9,993.75, as set forth in abstract No. G-12, dated, 12/10/13 Highway Fund Claim number 257-294, in the amount of \$43,669.90, as set forth in abstract No. H-12, dated, 12/10/13 and Police Fund Claim number 78-86, in the amount of \$2,665.76, as set forth in abstract No. P-12, dated 12/10/13. The motion was made by; Dave Thompson seconded by, Doris Marsh and carried 5-0.

CEO

A motion was made to accept the CEO report for the month of, November 2013. The motion was made by; Dave Thompson seconded by, Kirk Brickwood and carried 5-0.

HISTORIAN

A motion was made to accept the Historians monthly report. The motion was made by; Doris Marsh seconded by, John Thompson and carried 5-0.

ASSESSOR REPORT

BAR APPOINTMENT

A motion was made to reappoint Robert Marsh to the Board of Assessment Review. The motion was made by Kirk Brickwood, seconded by, John Thompson and carried 4-0, with Doris Marsh abstaining. Robert Marsh was reappointed to the Board of Assessment Review for a five year term ending September 2018.

YOUTH

Doris Marsh reported that the Rotary interact club was making stars for lapels from old Flags and they will be taken to the VA. She has attended a County Youth Board meeting. The St. Valentine dance was being discussed and are looking for candidates that would be in need if anyone has any suggestions please bring them to her. A motion was made to accept the Youth Report given by Doris Marsh. The motion was made by, Dave Thompson, seconded by Kirk Brickwood, and carried 5-0.

POLICE

The monthly written report was reviewed. A motion was made to accept the report. The motion was made by Doris Marsh, seconded by, John Thompson and carried 5-0.

CEMETERY REPORT

Mowing bids will need to be put out and the rates will have to be raised at the Organizational meeting. A motion was made to accept the Cemetery report for November, 2013. The motion was made by Kirk Brickwood, seconded by, John Thompson and carried 5-0.

TOWN HALL REPORT/IT

John Thompson will be transferring data and setting up the Assessors old computer for the Highway Superintendent. An electrical proposal for the area used by the Food Pantry has been submitted the Clerk recommended that it be done and the Board approved it. A motion was made to approve the electrical work the motion was made by Doris Marsh, seconded by, John Thompson and carried 5-0. A motion was made to accept the Town Hall/IT report. The motion was made by Dave Thompson, seconded by, Doris Marsh and carried 5-0.

GOVT. CTR.

Rick stated that he would like to put a wind break panel on the front door area of the Government Center. Hiring a handyman was discussed, Dave Thompson has approached Phil Maker about the job and he was interested in doing it. A

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, December 10, 2013
AT 7:00 PM

motion was made to hire Phil Maker at a rate of \$15.00 per hour on an as needed basis. The motion was made by, Dave Thompson, seconded by, John Thompson and carried 5-0.

HIGHWAY

Rick Moran reported that the Stainless Steel plow may have the need for a pre-payment. He has started hauling salt. Rick would like to replace the 550 truck next year; he is waiting for State bids to come out. He would like to start a rotation on other equipment as well. He will be looking for prices on pickups as well and may look at government auctions at Teitsworth for something used. John Thompson asked about the Freightliners are they doing what we hoped and Rick stated yes they were working out. Supervisor Baldwin asked if we should be looking to pick up another one keep in the wings. Rick said they may be hard to obtain as other Towns are looking for the same thing.

TRAFFIC SAFETY BOARD

Rick Moran and Doris Marsh were appointed to the Traffic Safety Board

ONCE AGAIN NUT BUTTER

Archeological studies are being done on the property.

OLD BUSINESS

None

NEW BUSINESS

The Year end meeting was set for 12-30-13 @ 6:00 PM.

Supervisor Baldwin states it has been a pleasure working with everyone and thanks the Board for their hard work. John Thompson stated he has enjoyed working with everyone as well.

ADJOURNMENT

Being there was no further business a motion was made to adjourn. The motion was made by, Dave Thompson, seconded by, John Thompson and carried 5-0.

The meeting adjourned at 8:41 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
RECORDING CLERK

MINUTES OF THE YEAR END MEETING

Monday, December 30, 2013

AT 6:00 PM

FOOD PANTRY

Supervisor Baldwin spoke with Bill Lissow the Director of the local food pantry and found that the Keshequa School district was serviced by this organization. The food pantry has added a number of freezers to their area located at the Government Center without contacting the Board and has had issues with the breakers being shut off. Additional wiring has had to be done in order to rectify the problem. Tom asked that the organization contribute to the expense. Councilperson Brickwood stated he will invite Michelle Seifried (Food Pantry member) to attend a Board meeting to discuss this. The food pantry services The Towns of Mt. Morris, Ossian, and Portage as well as the Town of Nunda.

GOVERNMENT CENTER HANDYMAN

Dave Thompson spoke to Phil Maker to see if he would be interested in doing minor repairs to the Government Center as needed, Phil agreed to take on the task, he can be appointed at the Organizational meeting.

GOVERNMENT CENTER LIGHTING

John Thompson reminded the Supervisor that the sign for the Government Center is not lit up at night per a request made by Barb Baldwin. He will give Jim Forrester any information he has on office IT. Supervisor Baldwin thanked him for his service to the Board and stated he will be missed.

ADJOURNMENT

Being that there was no further business there was a motion to adjourn. The motion was made by, Dave Thompson, seconded by, Kirk Brickwood, and carried 5-0. The meeting was adjourned at 6:29 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER
NUNDA TOWN CLERK