

**MINUTES OF THE REGULAR TOWN BOARD MEETING**  
**Tuesday, January 10, 2012**  
**AT 7:00 PM**

<b>PERSONS PRESENT</b>	<b>TOWN BOARD</b>	Supervisor, Thomas Baldwin Councilperson, Dave Thompson Councilperson, Kirk Brickwood 7:35 Councilperson, John Thompson Councilperson, Doris Marsh
	<b>RECORDING CLERK</b>	Cindy Essler
	<b>PERSONNEL</b>	Assessor Bruce Knapp Historian Valerie Griffing Hwy. Supt., Rick Moran
	<b>VISITORS</b>	Ken Veneron, Alexander Pierce

**CALL TO ORDER** Supervisor Baldwin called the meeting to order at 7:00 PM. Roll call was taken Councilperson Brickwood was absent.

**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 regular minutes of, December 13, 2011. The motion was made by; Doris Marsh seconded by, Dave Thompson 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

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**COMMUNICATIONS**

Supervisor Baldwin reviewed the following communications:

- Livingston County Planning Board – Zoning Referral #2012-02 Town of Nunda Moratorium on Natural Gas Exploration
- Kallie Layland traffic control request (Mill Street and Church Street intersection), the Board discussed the letter and the possibility of using a crossing guard and if it was the responsibility of the School, Village or Town. Supervisor Baldwin asked Ken Veneron if the Village Board has taken any action and Ken said they were writing a letter to the local Police Department and Senator Young. Supervisor Baldwin feels that the town should look into what other schools and districts are doing. It was tabled for the next meeting.

**BUDGET REPORT &  
SUPERVISORS STATEMENT**

There was a motion to approve the Supervisors' statement and budget report for the month of, December 2011. The motion was made by; Dave Thompson seconded by, John Thompson and carried 4-0.

**AUDIT BILLS**

There was a motion to approve the Abstracts for the month of, December 2011. These abstracts include; General Fund Claim number, 1-21 in the amount of \$10,881.29 as set forth in abstract No. G-1, dated 01-10-12, Highway Fund Claim number, 1-21 in the amount of, \$39,861.32 as set forth in abstract No. H-1, dated, 01-10-12 and Police Fund Claim number, 1-6 in the amount of \$2,586.58, as set forth in abstract No. P-1, dated 01-10-12. The motion was made by, John Thompson, seconded by, Doris Marsh and carried 4-0.

**CEO**

The Zoning update committee is continuing the work on the zoning ordinance they hope to bring the final product to the Board in April. A motion was made to accept the CEO report. The motion was made by; John Thompson seconded by, Dave Thompson and carried 4-0.

**HISTORIAN**

Valerie has been researching Rattlesnake Hill; she has some connections through her job at DEC and has found that a Cromwell family donated it to the Federal Government. She also is looking forward to going to some free training workshops. A motion was made to accept the Historian report for the month of November. The motion was made by, Doris Marsh, seconded by, John Thompson, and carried 4-0.

**ASSESSOR REPORT**

Bruce Knapp stated that the exemption renewals have been going well, he is working towards the 2012 tax roll. His son is working with him in Mt. Morris and Groveland, and he may help him out in Nunda as well with the approval of the Board he feels this is a positive step forward. A motion was made to approve

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

**YOUTH**

Councilperson Marsh reviewed her written report detailing how many children were serviced for Christmas, the upcoming Valentines dance and the roller-skating party.

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

**POLICE**

**POLICE CAR BID**

Dave Thompson reviewed the written report. There was a Court case that involved the Town Highway property and trespassing, the defendant had stated during the trial that the area was not marked with "No Trespassing" signs; the board felt that it was in the Town's best interest to mark that area as well as the property on Cooperville road with "No Trespassing" signs.

The Vault located in the former Town Office's has had most of the contents moved, Councilperson Dave Thompson stated that the Nunda Police Department could use it for evidence storage and in order to get the department certified they needed a secure area.

Two bids were submitted for the 2006 Dodge Durango one from Mario Dragani in the amount of \$4106 and one from Tom Baldwin in the amount of \$3800. At the December 13, 2011 Board meeting Mr. Dragani's bid was accepted. Mr. Dragani was notified that he was awarded the bid but he was under the assumption that the light bar went with the vehicle and submitted a letter to the Board that due to it's removal he requested that he pay the amount of \$3000 and take the car to be inspected and anything that the car might need would be deducted from the remainder of the \$1106.00 that he had bid. The Board stated that the car was put out to bid "as is where is" and decided to decline the original bid due to the stipulations that he put on it. The car was then awarded to the next highest bidder in the amount of \$3800.00.

A motion was made to award the bid for the 2006 Dodge Durango to Tom Baldwin in the amount of \$3800 and approve the Town Clerk to sign the Title and Bill of Sale. The motion was made by, John Thompson, seconded by, Doris Marsh and carried 4-0.

A motion was made to accept the monthly report for December, 2011. The motion was made by; Doris Marsh seconded by, John Thompson and carried 4-0.

**CEMETERY REPORT**

**CEMETERY MOWING BIDS**

The Cemetery Committee has reviewed all of the mowing bids and decided to recommend the bid by Robert Smith the bid was \$210 per mowing, weed trimming half of the Cemetery each time or \$4,200 per season. A motion was made to accept Robert Smiths bid, the motion was made by, Doris Marsh, seconded by, Dave Thompson and carried 4-0. A motion was made to accept

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the Cemetery report. The motion was made by, John Thompson, seconded by, Doris Marsh and carried 4-0.

Kirk Brickwood entered the meeting at 7:35 PM

**IT/TOWN HALL**

Councilperson John Thompson reported that he had forgotten to research the heat for the vault. He felt that getting 220 might be difficult to put up there, he will need to research it further.

He is working on transferring the data on the Town Clerk computer but has been unable to load the BAS program; he will have to see what time he can be available when the Office for BAS is open.

He asked about painting of the eaves and soffits on the building this year Supervisor Baldwin stated that it had not been budgeted for. Rick Moran stated that possibly a County person could do it. Councilperson Brickwood stated that would not be acceptable the person needs to be certified in lead painting and provide their own lift and insurance. Kirk will also take a look at the electric availability for the vault. A motion was made to accept the Town Hall/IT report. The motion was made by, Doris Marsh, seconded by, Kirk Brickwood, and carried 5-0.

**HIGHWAY**

Highway Superintendent Moran reported that he had thought about putting the 1994 Ford out to bid but the Supervisor told him that salt brine was available for free so he would be using that truck to suit up with plow equipment and dedicate another truck to picking up the brine.

He would like a new mowing tractor to replace the 1988 tractor he has price one out for under \$60,000 for a new tractor and side mower. There was discussion on how much money could be brought in from mowing County Roads with a newer tractor with a higher horsepower. Councilperson Brickwood asked that Rick come up with an actual cost and payoff to see what the facts are to support his decision. The discussion was tabled for more information.

Rick stated he would order "No Trespassing and Authorized Personnel Only" signs. Councilperson John Thompson will research prices on a home security system for the Town Barns.

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

**OLD BUSINESS**

**NATURAL GAS DEVELOPMENT**

Doris Marsh went to a three hour presentation that the Livingston County Planning Board put on discussing Hydro Fracking and natural gas development. She stated that two professors from Cornell did the presentation, the Board was given copies of the handouts and Doris pointed out that on the third page it shows that Livingston County has some of the Marcellus shale are

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but that the thicker portion is located in Binghamton, Albany, Corning area. Heather Ferrarro and Mary Underhill from the County Planning Department will be gathering some data about water and road questions. Supervisor Baldwin stated the County is actively looking at road restriction use.

Resolution No. 1-2012 LOCAL LAW NO. 1-2012 "NO PARKING HAMLET OF DALTON"

**BE IT RESOLVED AS FOLLOWS:**

1. That the Town Board of the Town of Nunda accepts and proposes to adopt a local law to be designated as Introductory Local Law No. 1 of 2012 entitled "A Local Law Restricting Parking of Motor Vehicles on Certain Designated Streets Located Within the hamlet of Dalton, Town of Nunda, New York" to protect the health, safety and well being of persons and property by imposing restrictions on the parking of motor vehicles on certain designated streets that are located within the hamlet of Dalton, Town of Nunda, and that a copy of the proposed local law is annexed hereto and incorporated into this resolution as though set out in full.
2. That a public hearing be held on February 14, 2012 at 7:00 PM at the Nunda Government Center located at 4 Massachusetts Street, Nunda, New York.
3. That the Town Clerk, with the assistance of the Town Attorney, is directed to prepare the legal notice required to be published and to provide such notice for timely publications in the official newspaper.
4. That a copy of such legal notice be posted upon the Town Clerk's bulletin board as required by law.

Following discussion the forgoing resolution was called to vote which resulted as follows:

A motion was made to approve the Resolution on No Parking in the Hamlet of Dalton introduced by Dave Thompson, seconded by, John Thompson put to a roll call vote:

Supervisor Baldwin	Yes
Councilperson Thompson	Yes
Councilperson Brickwood	Yes
Councilperson Thompson	Yes
Councilperson Marsh	Yes

Carried 5-0. Public Hearing to be set for February 14, 2012

**COMMITTEE ON OPEN GOVERNMENT**

The Clerk gave the Board the new requirements added to the Open Meetings Law that will required that anything that is on the agenda or in a packet given to the Board can be shared with the public.

**TOWN CLERK/COURT REPORTS**

A motion was made to accept the Town Clerk/Court monthly reports. The motion was made by, Kirk Brickwood, seconded by, Doris Marsh, and carried 5-0.

**OTHER**

Supervisor Baldwin stated that the foreclosure sale topic has come up at the County and it has been decided that the individual Towns will now be responsible to notify the individuals that will be subject to foreclosure. June 15<sup>th</sup> is the last day to pay for redemption and either the first Tuesday or

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Thursday in August is the auction date. There have been three instances where Court cases were brought forward due to foreclosure. The Supervisor will have a list of properties for the March meeting so that any Board members who may know the individuals will be informed.

**ADJOURNMENT**

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

The meeting adjourned at 8:17 PM.

RESPECTFULLY SUBMITTED,

CINDY ESSLER  
NUNDA TOWN CLERK