

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 13, 2018**

**AT 7:00 PM**

**PERSONS PRESENT**

**TOWN BOARD**

Supervisor, Merilee Walker  
Councilperson, William Mann  
Councilperson, Michael Hillier  
Councilperson, Jim Forrester  
Councilperson, Randall Morris

**RECORDING CLERK**

Cheyenne DeMarco

**PERSONNEL**

CEO, Mark Mullikin  
Hwy. Supt., Rick Moran  
Historian, Valerie Griffing  
Assessor, Brian Knapp *Absent*

**VISITORS**

Alex Pierce, Tim Cassidy

**CALL TO ORDER**

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

**PLEDGE TO THE FLAG**

All persons stood as Mike Hillier led the pledge.

**ADOPTION OF MINUTES**

A motion was made to adopt the Police Commissioners Minutes of 2/5/2018, Regular Town Board Minutes of 02/13/2018, Planning Board Minutes from 02/20/2018 and Special Tri-Board Minutes from 02/24/2018. The motion was made by Jim Forrester seconded by Mike Hillier and carried 5-0.

**PRIVILEGE OF THE FLOOR**

Alex Pierce

Alex addressed the board stating that the Nunda Comprehensive Plan has been moving forward, there was a working session on 2/20/18 where Heather Ferrero, the deputy director of the Livingston County Planning Department, joined them to help aid their beginning process. As a board they will present a renewed "vision statement" to the Village and Town boards as the basis of what they are trying to achieve with the update of the comprehensive plan. As well as presenting a SWOT analysis to the Village and Town boards. (SWOT analysis: Strengths – Weakness – Opportunities – Threats).

It was discussed among the Planning Board that no matter how they advertise their meetings trying to entice the public to attend and participate, they get very low attendance if any.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 13, 2018**

**AT 7:00 PM**

Therefore, they've decided to reach out to Nunda organizations and request to be put on the agendas to their meetings and present a SWOT analysis on the organization's time. The planning board has tried to join organizations with commonalities that will also cater to the concerns of community in the terms of industry, service, education, agriculture and emergency services.

The following organizations were listed as potential joint meetings for SWOT analysis:

- Fire Department, Ambulance Crew, Police Department
- VFW, American Legion
- Nunda & Dalton Churches
- Historical Society & Rotary Club & Garden Club
- Keshequa School Board with Superintendent and Department Heads
- Library, Reader's Club
- Chamber of Commerce/ Local Business Owners – invite meeting at Government Center i.e. Once Again Nut Butter, Seating Factory
- Kiwanis

Given this strategy the planning board would like to present their first SWOT analysis with the Village and Town boards at their April meetings before going to the listed organizations so all boards will be on the same page as the planning board starts reaching out to other organizations.

Alex requested at least twenty minutes of the board's time during April's board meeting. The board agreed to put Alex and the planning board on next month's agenda.

Alex stated that on April 20<sup>th</sup> the planning board will be speaking with Nunda's private business owners such as Nunda Lumber, Modern Home, Seating Factory, Once Again Nut Butter, Nunda Pharmacy, Lawsons and Bugmans and Sons Inc. Alex has invited Louise Wadsworth to this meeting as well to bring the Livingston County industry survey results from the downtown Livingston data in regards to commercial traffic.

At this meeting, they will be much exchange of information with the business owners as they advise the board to their comprehensive plan update.

Through these SWOT meeting they will record the top three conflicts, review drafts and draft a public survey to give the rest of the Nunda/Dalton population.

On a different note, Alex stated that the County Planning Department is promoting Earth Day with an operation clean-up day and is looking for municipal organizations to participate the weekend of April 21-22<sup>nd</sup>. Earth Day is April 22<sup>nd</sup>.

CEO

Mark submitted and reviewed his February written report.

A new owner has purchased the formerly known "Torri's" restaurant and went before the planning board in March to put in a creamery.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 13, 2018**

**AT 7:00 PM**

Mark reviewed Dollar General issues that were reported to him that he had to contact the store manager and district manager to get the store back to appropriate conditions.

There was a complaint received from a resident about unlicensed vehicles on a property on Meyers Road. This is a location that Mark had written a violation notice for on February 28<sup>th</sup> and had given to the Nunda Police to serve. The affidavit has not been given to Mark to date, on March 10<sup>th</sup> Mark received a message on his office phone from the resident in violation and the message was very profane. Mark stated that the person did not leave a call back number, so Mark has decided that if the applicant cannot reach out to him in a civil manner or get his property to compliance by the given compliance date then court appearance tickets will be issued. The phone message is the only indication that this resident received their violation notice.

Jim stated that this is the second time this year that an employee of this town has taken harassing phone calls. Jim suggested that the Nunda Police be notified when this happens and an officer sent to speak to the person about how it is unacceptable to leave such messages.

Bill agreed to have one of the officers listen to Mark's message and ask for their advice on how to proceed, it should at least be reported.

Jim asked if Mark has any jurisdiction with telephone lines? Mark answered no. Jim stated they are a nuisance in Dalton, especially after the storm from two weeks ago.

**ASSESSOR REPORT**

No report.

**HISTORIAN**

Val submitted her written report to the board, stating that she is continuing to extract information from copies of Registers of Attendance for one room schools in Nunda. Currently working on old Dalton High School records from 1919 to 1920 to 1924-1925.

The historical society has two boxes of these records and is pleased with the prospect of having them and organized into a searchable database. Val hopes to start working on their records in April.

Supervisor Walker asked how the historical society gets their records? Val answered that most materials are donated, with these school records they usually stay with the school, but in this case these records were found in another state, most likely belonged to a teacher who moved and they were just recovered from a new home owner who reached out to the historical society asking if they wished to have these records.

Historical Walk coming up with Be Well in Livingston on March 18<sup>th</sup> at 1:00 PM starting at the Nunda Historical Society, this is a self-guided walkingtour afterwards those who participate will be asked to complete a survey.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**  
**Tuesday, March 13, 2018**  
**AT 7:00 PM**

The board thanked Val.

COMMUNICATIONS

Supervisor Walker reviewed the following communications:

- i.) *Cemetery Bids.* Motion was made to advertise the acceptance of cemetery bids for Union Cemetery until end of business at 4:30 PM on Friday, the 6th day of April 2018. They will be publicly opened and read out loud at the Regular Town Board Meeting of April 10th, 2018. Bidders must give a price for the mowing season from May 1st to October 1<sup>st</sup>. Motion was made by Mike Hillier, seconded by Jim Forrester and carried 5-0.
- ii.) *Senio-Rama Nominations – Lulona Pierce.* Supervisor Walker stated Lu Pierce accepted the senior citizen of the year nomination. Supervisor Walker already met with Lu, wrote up a brief biography and submitted the nomination.
- iii.) *Association of Towns response to the Keshequa School Resource Officer (SRO)*  
The commissioner's reviewed the communication. Supervisor Walker stated that she would like to see the SRO stay in Keshequa but is not in favor of applying town money to the school budget. Mike and Bill reiterated how the deputy serves the community more than we are aware on the number of times he leaves the school for local calls. Supervisor Walker debated that she could in turn ask for the school to chip in moneys for the Town's new highway barn because it would benefit the whole community and money would not be given, where do you draw the line? The Town is so early in their budget and has 10 more months for their budget, what if the town needs to move around its money and they can't because they gave it to the school?  
The commissioners agreed that the requested figure of \$15,000 from the police budget is too high.  
Jim read the following communications from Association of Towns (AOT): "If the town board determines that funding a school resource officer for a school district that covers part of the town will benefit the town taxpayers, the town board could adopt a local law giving themselves the authority to contribute towards the cost of funding a school district resource officer."  
For appropriate steps, it should be discussed with the Police Commissioners first and see if the board of commissioners can agree to an appropriate stipend from the police budget, from there get an official resolution of support from the village board and have the town as lead agent carry through with adopting a local law.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 13, 2018**

**AT 7:00 PM**

Supervisor Walker stated that she will reach out to the association of towns again to explain the shared police budget and if that changes the direction of the steps of action. Supervisor Walker asked who does the minute recording and legal advertising for the school board at their tri-board meeting? The answer was unknown.

Bill Mann stated the next tri-board meeting is set for March 24<sup>th</sup>, but considering this new information, Bill recommends pushing the next tri-board meeting to late April so that the commissioners can meet and review again. Bill will reach out to Todd Galton.

*iv.) Airosmith Development.*

Supervisor Walker stated that she received a phone call from a company named Airosmith in regards to the company named Armstrong needing to place a Hub somewhere near the Village of Nunda. Armstrong would need a 25x25 foot area to place an equipment shelter and a backup generator. The shelter is 9x12, and the generator is for backup power only although it does run continuously. It also charges its battery once a week by turning itself on for 15-20 minutes, but it can be scheduled in the middle of the day on a weekday to minimize disturbance. The equipment would be fenced in and gravel would be put down inside the fence. Armstrong would visit the site sporadically to check and upgrade equipment. They had contacted Kiwanis for this and were denied. They contacted Mark Mullikin as well where Mark advised them, depending on where they are looking for a location, they will have to file for full site plan review under telecommunications section in our Nunda regulations. Bill stated he would reach out to this company.

*v.) Coffee with the County.* Supervisor Walker stated that Ian Coyle wants to hold a meet and greet with the public at the Town Hall on April 10<sup>th</sup>, 8:30 A.M.

*Alex Pierce left board meeting at 8:10 PM*

**BUDGET REPORT &**

**SUPERVISORS STATEMENT** Cheyenne's check as tax collector was given to Merilee in February as reflected on the Supervisor's statement.

Police car reserve was reviewed.

The village pays their police budget share during the summer.

**ANNUAL FINANCIAL REPORT**

Baldwin Business Services have submitted the annual financial report update document for the town of Nunda fiscal year ending in 12/31/2017 for the board's review per Article 3, Section 30 of the General Municipal Law and thereafter report the annual financial report to the Comptroller.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 13, 2018**

**AT 7:00 PM**

This also included the Annual financial report for the Joint Nunda Police department for the fiscal year ended 12/31/2017.

**AUDIT BILLS**

There was a motion to approve the Audited Abstracts for the month of March 2018. These abstracts include;

Motion was made to remove general voucher 78 in the amount of \$434.00 from the general abstract until further clarification from vendor. Motion was made by Bill Mann, seconded by Jim Forrester and carried 5-0. Supervisor Walker stated she will contact the vendor about the bill amount submitted to them.

*General Fund* Claim number, 58-81 (excluding voucher 78), in the amount of \$8,358.51, as set forth in abstract No. G-3, dated 03/13/2018.

*Highway Fund* Claim number 52-65, in the amount of \$19,847.62, as set forth in abstract No. H-3, dated 03/13/2018

*Police Fund* Claim number, 17-24, in the amount of \$1,767.73, set forth in abstract No. P-3, dated 03/13/2018.

A motion was made to approve the audited abstracts. Motion was made by Bill Mann, seconded by Jim Forrester and carried 5-0.

**POLICE**

Mike reported the Nunda Police Department statistics for February 2018.

At their last commissioners meeting they discussed the Keshequa Resource officer as already reviewed earlier tonight during communications.

It was also reiterated that the officers use the specifically designed door tags while doing door checks among the village businesses. It was requested that the process be logged by the officers.

Mike provided a letter from Chief Wilcox requesting a new police car in replacement of the current 2011 Tahoe. At the next commissioners meeting they are expecting quotes to be provided although there is still a lack of favoritism among the commissioners to replace the car.

**IT REPORT**

Continuing to follow up with Tom Burt to obtain the town website credentials to turn over the web hosting to Hurricane Technologies.

Hurricane via e-mail with Cheyenne can host the website for a fee of \$10.99 a month.

Jim suggested asking Hurricane to immediately start building out the site and staging a demo until they obtain the hosting information from us.

**COMMERCE REPORT**

None.

**BUILDING/ZONING REPORT**

In regards to the Tri-County door replacement, Sue Meyers was e-mailed by Cheyenne on 2/14/18 updating her that Moran's Glass presented a replacement door quote for the Nunda Tri-County building, and they are planning to get it installed in about 4 weeks. The new door will include a crash bar to be consistent with the fire code.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 13, 2018**

**AT 7:00 PM**

Dan Moran from Moran's Glass asked if he could see the interior to the building where the door will be installed before actually installing it, Sue asked for his phone number to arrange a meeting and hasn't been included in any of their communications and plans between the two since. Rick stated he will reach out to Dan and check with the schedule of progress.

Steve Mann provided a job proposal for the small building next to the Tri-County Office building to complete all the paint jobs for that site. The total cost of labor and material for this project would be \$2,450.00. Motion was made to accept the quote as presented, motion was made by Jim Forrester, seconded by Mike Hillier and carried 5-0.

This will finish taking care of the maintenance provided by Steve Mann for the next 5 years at least. Mike suggests we finish, stay ahead of the work with the Tri-County buildings.

Replacement Phones Quotes:

Two quotes were provided to the board by Spectrum and RelComm.

Spectrum - \$ 224.93 monthly service total for voice and wifi  
+ \$ 99.00 One-time installation fee

If approved, Spectrum would replace the Frontier system but only for the office phones of the Government center.

Frontier's current monthly charges to the Town of Nunda are in the amount of: \$288.03, excluding the separate monthly fire box charge.

RelComm's quote provided the hardware after Spectrum would provide the dial tone.

RelComm quote - \$4, 938.00

After review some questions were provide to Cheyenne to extend to the two representatives in regards to their quotes:

- RelComm quote states "One-year warranty on all parts and labor based on pre-paid maintenance agreement."  
Is this "pre-paid maintenance agreement" a charge included with the overall quote of \$4, 938.00?
- After the one-year warranty, is there an annual maintenance required for this new system that is then an annual fee to the town outside the agreement?
- If yes, what would be the cost of that annual maintenance cost?
- Can Spectrum carry over all fax lines and analog needs?

Neither quote includes the town highway building's phone system, only the Government Center at 4 Massachusetts Street.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 13, 2018**

**AT 7:00 PM**

It was stated that regardless, the phone system needs to be fully replaced. It was agreed to look into the current system with Frontier and review the set-up furtherer before replacing fully. Bill stated he would reach out to Frontier.

It was agreed to table this subject and not act on the phone quotes tonight until they have reached out to all the vendors mentioned for additional information and bring back to the next meeting.

**HIGHWAY**

Jim stated that the highway committee has not yet met this year and considering the Open Meetings Law that the Police Commissioners now abide by, if Jim and Supervisor Walker were to meet with Rick on a monthly basis they would need to legally advertise and provide minutes. Jim stated he would meet with Rick on his own and when/if Supervisor Walker would like to join the meeting will follow open meetings law regulations. Supervisor Walker agreed.

Rick handed out a written report for the month of February stating that the snow storm from March 1-2<sup>nd</sup> hurt the village more than the town in term of tree damage. The town highway crew assisted the village highway crew in the clean-up of the tree branches. They also have been helping the town of portage with brush and tree trimming along roadways.

Rick stated he has been working with Erdman Anthony Engineering on applications for culverts on Chidsey, Abbott and Kendall road. Three applications were submitted before the 15<sup>th</sup> of March.

Rick stated that the highway crew intends on doing the majority of the site work after the new highway building is built and anticipates that it would take them at least a year to move and reassemble the materials such as the sand, salt coveralls, metal pole barn and storage areas for materials.

Supervisor Walker submitted a letter to Department of Transport in regards to the conditions to Route 436.

**ONE MOTION**

A motion was made to accept all reports given on 03/13/18. Motion was made by Randy Morris and seconded by Bill Mann and carried 5-0.

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**CLERK REPORTS**

Cheyenne submitted her February 2018 Town Clerk Report of total state, county and local revenues and the February 2018 Justice Report to the Nunda Town Board.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**

**Tuesday, March 13, 2018**

**AT 7:00 PM**

A motion was made to approve the audited Town Clerk and Justice reports for the month of February 2018. The motion was made by Mike Hillier seconded by, Jim Forrester and carried 5-0.

ANNUAL JUSTICE AUDIT Judge Jim Mann submitted his annual justice court record audit for the fiscal year of 2017.

Resolution 2 of 2018 Motion was made to make Resolution Number 2 of 2018, where the town board hereby accepts the 2017 Nunda Town Court Audit as presented. Motion was made by Mike Hillier, seconded by Randy Morris and carried 5-0.

EXECUTIVE SESSION 8:55 PM A motion was made to go into executive session to discuss subject relating to employment history of particular persons. Motion was made by Randy Morris and seconded by Mike Hillier and carried 5-0.

*Tim Cassidy, Val Griffing & Mark Mullikin left meeting.*

*Cheyenne DeMarco was approved to stay.*

9:03 PM Motion was made to come out of executive session with no action taken. Motion was made by Mike Hillier and seconded by Randy Morris and carried 5-0.

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

The meeting adjourned at 9:04 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO  
NUNDA TOWN CLERK