

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, October 09, 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 Chief, Ryan Dale
	VISITORS	Dave Bojanowski, Todd Galton, Alex Pierce

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

PLEDGE TO THE FLAG All persons stood as Supervisor Walker led the pledge.

ADOPTION OF MINUTES A motion was made to adopt the minutes of the following meetings;

- Planning Board Meeting 9/4/2018
- Police Commissioner Minutes 9/4/18
- Regular Town Board Minutes of 9/11/18
- Special Police Commissioners Minutes 9/17/18
- Planning Board Meeting 9/18/2018
- Zoning Board Minutes of 9/26/18

The motion was made by Jim Forrester seconded by Mike Hillier and carried 5-0.

The drafted Police Commissioners Minutes of 10/01/18 were presented to the board for review only.

PRIVILEGE OF THE FLOOR

Dave Bojanowski &
Todd Galton

Dave introduced himself to the board as a representative from Genesee Valley Conservancy and thanked the board for allowing him to present on such short notice. Todd Galton stated that he is a third-generation lifelong resident and his farm land will continue to be passed on to the 4th generation of the family. Last year Todd and Gary looked into a grant that would help protect their farm land. Todd and Gary Galton, owners of the Roll-N-View Farm in Nunda were selected by the Livingston County Agriculture & Farmland Protection Board in 2018 to apply for a NYS Department of Agriculture & Markets Farmland Protection Grant.

Dave explained that this grant provides funding to protect approximately 1250 acres of prime farmland with a conservation easement. The conservation easement will permanently protect the property as farmland and limit non-farm related development. The Genesee Valley Conservancy will write and submit the grant applications, and, if the farm is awarded a grant from NYS, the Conservancy will perform the grant deliverables and hold the deed of the conservation easement.

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Dave provided maps for the Town Board's review, stating approximately 820 of the Roll-N-View Farm is in the Town of Nunda, 265 acres in Portage, and 332 acres in Mt Morris. Ten (10) farms in Livingston County have received a similar NYS grant with a total of just over 8,000 acres of prime farmland now protected through this program.

A requirement of the grant is a Letter of Support from the municipalities in which the project is located. Roll-N-View owners/operators Gary and Todd Galton, and Dave, will attend the Town Board meetings of the Town of Portage and the Town of Mount Morris requests the letter of support. All three municipalities need to submit a letter of support in order for this application to be accepted.

A motion was made that the Nunda Town Board grant this letter of endorsement in support of the Roll-N-View Farm application to Round 16 of the New York State Dairy Transition Farmland Protection Implementation Grants (FPIG), administered by the New York State Department of Agriculture and Markets (NYSDAM). Motion was made by Bill Mann, seconded by Mike Hillier and carried 5-0.

A written letter will be submitted to Dave Bojanowski by the end of this week.

Dave Bojanowski & Todd Galton left meeting at 7:16 PM.

Alex Peirce

Alex addressed the board as the Nunda Planning Board Chairman to present a ten (10) question Community Smart Growth Survey. A copy was given to all the board members. Alex stated that this survey will be the first survey to be given to the public to engage the community in the comprehensive plan update process. Alex asked that the board look over the questions and if they have recommendations to make the questions stronger within the survey please write it down and submit with their completed surveys to Cheyenne to bring to their next Planning Board meeting to review. This survey was just presented to the Village Board as well.

HISTORIAN

On September 22nd, Val attended the Government Appointed Historians of Western New York (GAHWNY) on the Allegany Indian Reservation in Salamanca, NY. Where to find Seneca Indian information and a private viewing of The Lake of Shame were highlights of this conference. Val was also elected treasurer of this group for the next two years.

Val stated that a good program was held at the historical societies September meeting where a panel of former teachers, school board members and a graduate spoke on the merger of Dalton Central and Nunda Central in 1968. The audience shared several interesting stories and comments as well. This was a significant year due to the class of 1968 being the last class to graduate from Nunda Central School.

Val gave added a Nunda history fact, stating that school board meetings were held around school board president Julianne Dudley's kitchen table at 7:00 in the morning to accommodate the child care issue with her several small children and the work schedules of other board members who were just getting out of work at that hour, so they stopped at the Dudley residence and had the meetings then went home to bed. Doris Marsh, a 1968 Nunda Central graduate, provided perspective on what it was like to have the Dalton students come to Nunda for their senior high years. In that same vein, Val was asked to write an article on the Dalton/Nunda/Keshequa Alumni Association for the 2019 historical society calendar.

Val Griffing left meeting at 7:28 PM

ASSESSOR REPORT

Brian reiterated the changes to the STAR program for 2019 for property owners age 65 and over. Brian states to receive the Enhanced STAR exemption, you must enroll in the Income Verification Program (IVP). If you're already enrolled, no action is needed.

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If a person qualifies for the senior citizens exemption, they will no longer receive an automatic enhanced STAR exemption and it must be applied separately. This is best done online, Brian has made appointments with residents to fill out the online application together and submit for them in his office.

Mark Mullikin & Chief Dale entered meeting at 7:30 PM

CEO

Mark submitted and reviewed his September written report. Mark stated that the Nunda Solar Local Law will go before the County Planning Board on Thursday, October 11th. Rachel Clar, Bugman's SunCommon, now GreenSpark, representative reached out to Mark and Alex stating that RG&E seem amenable to solar companies advancing sites like the Bugman array, and Green Spark would like to restart the application process, understanding that we are nearing completion of our solar code. Rachel confirmed via e-mail that they we will be resubmitting the Bugman site (as is or larger is to be determined) when our solar code is adopted. The question has been asked- could we/would we consider a larger array? As the Bugman array is currently designed (unchanged since it began last year), it is approximately 10.5 acres on an approximately 49-acre site (21.4% lot coverage). Green Spark will review this option with Bugman and Sons.

Pigs have broken loose twice on Route 408, the Nunda Police had to address the issue each time. The Nunda Police will submit their reports to Mark and then Mark will investigate to make sure these livestock are kept within housing and setbacks of Nunda Zoning Law.

COMMUNICATIONS

Supervisor Walker reviewed the following communications:

i.) Mr. William MacGregor Letter

Supervisor Walker informed the board that Mr. MacGregor in regards to this property on 8696 Creek Road, Nunda. Supervisor Walker stated that the letter referred to his concern that the Highway Department may be taking gravel from the creek behind his house. Although Supervisor Walker spoke with Rick Moran, and he confirmed that they have not been in that creek in the last three years. Supervisor Walker informed the board on this letter just for transparency but she feels there is no real concern.

ii.) Town of Nunda a "Be Well Community" in Livingston County requested by County Health Department.

The County Health Department has requested that the Town Board officiate a resolution where they would label the Town of Nunda a "Be Well Community" in their "Be Well in Livingston" campaign. Nunda would be the first municipality to have this title in the County. Motion was made to label the Town of Nunda a "Be Well Community". Motion was made by Randy Morris, seconded by Bill Mann, and carried 5-0.

TENTATIVE BUDGET

A motion was made to hold a special board meeting on October 30th at 7:00 PM at the Government Center for the Town Board to review the tentative budget and approve it to be set as the preliminary budget. Motion was made by Bill Mann, seconded by Mike Hillier and carried 5-0.

PUBLIC HEARING

A motion was made to hold a Public Hearing to review and adopt the proposed budget for the Town of Nunda fiscal year beginning January 1, 2019. The Public Hearing will be held on Tuesday, November 13th, 2018 at 7:30 PM at the Nunda Government Center. Motion was made by Bill Mann, seconded by Mike Hillier and carried 5-0.

At such hearing any person may be heard in favor of or against any items herein contained. A copy of the Preliminary Budget that will be set at the Special Board Meeting on October 30th shall be passed as the adopted 2019 Budget and will be made available at the office of the Town Clerk for inspection by any interested persons.

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BUDGET REPORT &
SUPERVISORS STATEMENT

- ❖ The September balance sheet for the Youth Recreation program was provided by the Village of Nunda, along with a copy of the youth recreation abstract of audited vouchers, payroll and final bank statement.
- ❖ \$380.00 was credited to the Town of Nunda's Time Warner Account as a form of reimbursement for the extra man hours that a RelComm technician had to be on site due to Spectrum arriving late to the installation appointment for the new Government Center phones, as recorded in the July 2018 Regular board Minutes.
- ❖ \$38.70 was reimbursed to the Town of Nunda via check from Frontier Communications as a left-over credit to the Government Center accounts that were switched over to Spectrum.

Brian Knapp left meeting at 7:45 PM

AUDIT BILLS

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

- **General Fund** Claim number, 237-259, in the amount of \$19,329.68, as set forth in abstract No. G-10, dated 10/9/2018.
- **Highway Fund** Claim number 184-204, in the amount of \$49, 549.28, as set forth in abstract No. H-10, dated 10/09/2018.
 - Highway Voucher No. H-204, in the amount of \$100.00 payable to NYSDEC was voided from Highway Abstract 10 due to the submitted voucher being \$200.00 short. Another check of the appropriate amount of \$300.00 was resubmitted as a prepay in Highway Abstract 11, voucher 208.
- **Police Fund** Claim number, 71-80, in the amount of \$1,220.80, set forth in abstract No. P-10, dated 10/09/2018.
 - Police Voucher No. 75 in the amount of \$592.00 payable to Richardson & Pullen, PC was voided from the Police Abstract 10, and resubmitted to the General Account as a prepay in Abstract 11, General Voucher 259.

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

POLICE

Mike reported the Nunda Police Department statistics for September 2018, Monthly Community Policing Report, Payroll and Door Check Log as submitted.

Mike stated that at the last commissioners meeting they reviewed the remaining budget for 2018 and Chief Dale stated that the fund amounts for fund lines *SP3120.4A - Ammo & Supplies* and *SP3120.4N - Training* weren't necessary. Instead, Chief Dale requested if the remaining 2018 funds could be transferred into fund line *SP3120.4O - Uniforms*. Chief Dale stated that the current Nunda officer uniforms are old with basic wear and tear accumulated over time, female officers are wearing male sized uniforms due to limited availability of sizes in their current stock. Also, bullet proof vests need to be updated for the majority of officers. Vest's range in price from \$800 - \$1,300 individually.

Transfer of Funds

Motion was made to take the remaining fund amounts of \$2,020.00 from *SP3120.4A - Ammo & Supplies* and \$750.00 from *SP3120.4N - Training* and transfer their total amount of \$2,770.00 to fund line *SP3120.4L - Uniforms*, therefore totaling the uniform fund line to \$3095.97. Motion was made by Mike Hillier, seconded by Randy Morris and carried 5-0.

Chief Dale informed the board that he has recently found some concerning lack of back up with the Nunda Police Department computers. Spectrum Justice System Software (SJS), a Records Management System used by NYS law enforcement agencies, provides quarterly updates to police department computers to be in compliance with mandates. Chief Dale has found that even

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though the Town has been paying for this SJS service, the last three years have lapsed in completed updates.

Now it is at a point where the computer server is not compatible to the desk top and the service computer cannot communicate with either unless both are updated.

Chief Dale knows that the previous Nunda Chief used a software vendor Hack Shack for computer tech assistance. Hack Shack had provided a quote to Chief Dale for all the necessary updates but Chief Dale would also like to reach out to the IT vendor Hurricane Technologies for a comparison quote.

8:15 PM Mike Hillier left meeting to speak to the Village Board upstairs if they are in agreement before passing a resolution to spend Police Department funds.

8:18 PM Mike Hillier returned to meeting.

8:20 PM Village Trustee Mel Allen entered meeting verifying that the Village Board just passed a resolution in support.

A motion was made to authorize Chief Dale to contact Hurricane Technologies to compare quotes with Hack Shack and justify a sole vendor to make formal purchasing decisions on the required computer equipment to amend the lapsed status of the Nunda Police Department computers as soon as possible. Motion was made by Jim Forrester, seconded by Bill Mann and carried 5-0.

Police Car

Chief Dale stated he is still obtaining quotes for a new police car and waiting for separate quotes for the graphics and outfitting of the car, he hopes they will all be received by the next commissioner's meeting.

IT REPORT

None.

COMMERCE REPORT

None.

BUILDING/ZONING REPORT

Recently it was revealed that there are several leaks in the Government Center roof, Mark stated when he took a look at the roof it may very well be the gutters for some spots that need to be replaced to alleviate the leaking problem. Also, the back steps to the employee entry door have recently broke where the wood seems to have rotted. With the permission of Building chairman, Bill Mann, Mark Mullikin reached out to two contractors to address these issues.

The following figures were provided:

Brian Kelley:

- \$800 for labor and material for the back steps
- \$100 for gutter replacement
- \$1500 for roof.

*Kelley would need a man lift, but estimated his figure from a \$40 per hour rate.

- Start Date: This weekend (10/13)

Doug Watson:

- \$450 for steps and material for back steps
- \$2800 for gutter replacement + roof including manlift
- Start Date: 3 weeks out start date (10/27)

Mark stated both are insured and certified.

Bill Mann stated that there is \$5000 left in the line item to address these repairs.

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Jim stated there should be some roofing material left over in the attic they can use from when they first improved the roof when they the Town and Village hall to the Government Center.

Motion was made to approve and grant the work for the Government Center back steps and gutter replacement to Brian Kelley, stating in matters that effect public and employee safety and controlling building issues, the soonest repair start date is necessary. Motion was made by Bill Mann, seconded by Mike Hillier and carried 5-0.

The board requested more accurate quotes from both contractors for the roof repair.

Mark started that since he contacted Brian Kelley for the previously listed repairs, he did a full perimeter walk around the building and found that outside beneath the wrap around porch on the west side of the building facing North Street that there are two duplex outlets with no ground fault circuit interrupter (GFI).

The board requested that Mark ask Brian Kelley to include the additional work of a ground fault circuit interrupter (GFI) coverage of two Duplex outlets on the outside of the Government Center to Brian's quote for the back steps and gutter replacement.

HIGHWAY

Rick stated that truck issues have made the budget tight, especially in the machinery contractual fund line. Helping Mount Morris highway pave Dudley road. County Highway requested the Nunda crew to mow in West Sparta.

Rick requested that the Town allow the purchase of a new snow plow for Ford 550 pickup from Valley Fab & Equipment and also a new ditching bucket for the excavator for \$5,600.

Jim stated that the new plow is consistent with the highway replacement plan but suggests the board hold off on the new bucket purchase.

Motion was made to approve the purchase of a new plow from Valley Fab & Equipment in the amount of \$5,600.00. Motion was made by Jim Forrester, seconded by Mike Hillier and carried 5-0.

Supervisor Walker stated that her and Rick drove around and visited various highway building in Livingston county.

Todd Galton has informed Supervisor Walker that they are not interested in selling property to town for the new highway building.

The board agreed to invite Vinnie Hark to attend the next regular board meeting to discuss and review the land he is selling.

ONE MOTION

A motion was made to accept all reports given on 10/09/18. Motion was made by Mike Hillier and seconded by Jim Forrester and carried 5-0.

OLD BUSINESS

None.

NEW BUSINESS

None.

CLERK REPORTS

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

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

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EXECUTIVE SESSION

8:48 PM A motion was made to go into executive session to discuss subject relating to the employment of particular persons. Motion was made by Mike Hillier and seconded by Jim Forrester and carried 5-0.

Mark Mullikin and Rick Moran left meeting.

Cheyenne DeMarco & Chief Ryan Dale were approved to stay.

9:13 PM Motion was made to come out of executive session. Motion was made by Mike Hillier and seconded by Jim Forrester and carried 5-0.

Motion was made to hire Mr. Jeffrey Weidrick as a Nunda Police Officer, at a rate of \$20.00 per hour, additional job title pending. Motion was made by Mike Hillier, seconded by Jim Forrester 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 Bill Mann and carried 5-0.

The meeting adjourned at 9:15 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO
NUNDA TOWN CLERK