

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, January 08, 2019
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Merilee Walker Councilperson, William Mann Councilperson, Michael Hillier Councilperson, James Forrester Councilperson, Randall Morris
	RECORDING CLERK	Cheyenne DeMarco
	PERSONNEL	Assessor, Brian Knapp, <i>Absent</i> CEO, Mark Mullikin Chief, Ryan Dale Historian, Valerie Griffing Hwy. Supt., Rick Moran
	VISITORS	Louise Wadsworth, Tim Cassidy

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

PLEDGE TO THE FLAG All persons stood as Mike Hillier led the pledge.

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

- Planning Board Minutes of 12/04/2018
- Regular Town Board Minutes of 12/11/2018
- Year End Town Board Minutes 12/26/2018

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

CHANGES TO AGENDA None.

PRIVILEGE OF THE FLOOR

Louise Wadsworth
Downtown Coordinator
Liv. Co. Economic Development

Louise was invited by the Town Board requesting further review of the Livingston County Economic Development request and proposal of the RPTL 485N Local Law that was previously reviewed at the 2018 Year end meeting. Louise explained that this Local Law would be a tax abatement justified through Section 485-n of The Real Property Tax Law that authorizes the governing body of a town or village in Livingston County to adopt a local law offering a partial tax exemption from town taxes and town special ad valorem levies, or from village taxes, to properties that are converted, created, modernized, rehabilitated, expanded or otherwise improved for commercial and mixed residential and commercial uses.

For an applicant to be granted this tax abatement the following is required:

- The property must be located in a benefit area, as designated in the local law.
 - Within the designated “Downtown” section of the Village
 - Property of building is classified in the zoning as a “commercial building”.
- Benefits of the exemption are reserved exclusively on property converted, created, modernized, rehabilitated, expanded, or

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- otherwise improved for commercial and mixed residential-commercial purposes.
- The portion of the project devoted to residential construction work may not include dwelling units in a hotel.
 - The cost of construction of the project must exceed \$10,000 or a greater amount as specified in the local law.
 - Costs attributable to ordinary maintenance and repairs are not eligible for the exemption.
 - The eligible project may not commence until after the date of the municipality's local law has taken effect.
 - Completion of project must be demonstrated by a certificate of occupancy.

Louise explains that this local law has been a tool for investment in downtown buildings. After a Town or Village has initially adopted a local law to authorize this exemption, the Livingston County governing body and the governing body of any Town, Village, or School district in Livingston County in which the designated benefit area is located may likewise offer the exemption by local law, or in the case of a school district, by resolution. Therefore, for a municipality to have full accessibility for the local law, it would have to be adopted in the order of Village Board, Town Board and then School Board. The Village of Nunda has already adopted the Local Law several years ago. All nine villages in the county have adopted the local law, three towns have not and four schools have not. 130 building have already been done through the county in designated downtown districts.

Louise stated that this gives building tenants a safety net by establishing reasonable rent rates and the taxing entity does not lose anything but will be gaining from the investments of a successful improvement.

The Building owner would apply with the Town Assessor who would approve or deny the application.

A Local Law draft was provided to the Tow Board.

A motion was made to proceed with the RPTL 485N Local Law as Local law No. 1 of 2019 and set a public hearing for the adoption of said local law On February 12th, 2019 at 7:00 PM. Motion was made by Jim Forrester, seconded by Bill Mann and carried 5-0.

Louise thanked the Board.

Louise Wadsworth left meeting at 8:26 PM

**Following this meeting, it was understood that the Town had passed a Local Law in 2013 that was very similar to the drafted local law presented at this meeting. The 2013 Local Law had the same commercial property definitions and the computed tax exemptions were of the same percentages. Therefore, the public hearing was not necessary.*

CEO

Mark submitted his December 2018 written report which included filed monthly Census reports, a call from Frontier finalizing permit applications and will be sending documentation for review of service installations. Mark has started a Master Street Address Guide with Mike Bradly at the 911 Center, which will list property owners and confirm where the structure locations. This project involves a lot of road work and while this project continue Mark informs the board it will result in a higher gas reimbursement.

Mark also submitted his department summary for 2018:

Total permits issued: 30
Total Permits Open: 15
Total Permits Closed: 15
Total Permits for Single Family Homes: 3
Total Permits Renewed from 2017: 3

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Total Money collected for Permits: \$3,715.60

ASSESSOR REPORT

None.

HISTORIAN

Val submitted her annual report of the historian's office during 2018. Val's main project was to extract information from copies of school registers for one room schools in Nunda. Child's name, parent/guardian name, teachers name and other statistical information is of interest. The historical society has many more registers and other files and materials she is able to reference. The county clerk's office also has a wealth of information yet to be tapped as well.

Val attended the annual regional meeting of Government Appointed Historians of Western New York (GAHWNY), this year held in Salamanca with the main topics focusing on Native American related issues. Val was elected treasurer of this organization and almost immediately began to help plan the 2019 conference to be held in Mt Morris in September. Val also judged historical society exhibits at Wyoming County Fair in early August.

As well as responded to requests for information on veterans in the area, ancestors who came here and died here long before vital statistics or other records were required, local prominent citizens and relatives of other citizens and indirectly provided assistance for a story that Spectrum News was airing on a Nunda Central graduate.

Val thanked the Board for the continued opportunity to serve the Town of Nunda as their town historian.

The board thanked Val.

COMMUNICATIONS

Supervisor Walker reviewed the following communications:

- i.) The list of regular Town Board meetings for the year 2019 that is to be posted in the Government Center, the Nunda Post office and the Official Town website.*
- ii.) Planning Board regular meeting list for the year 2019 that is to be posted in the Government Center, the Nunda Post office and the Official Town website.*
- iii.) Police Commissioners Regular Meeting list for the 2019 that is to be posted in the Government Center, the Nunda Post office and the Official Town website.*
- iv.) Outstanding water/sewer services for account. The Village of Nunda submitted that there is another outstanding water/sewer bill for the Account 1483, Martha Galton, 9426 Nunda-Dalton Rd, in which payments are made payable to the Village of Nunda per 1995 Water Agreement. The total outstanding bill amount is currently \$192.50. This is subject to increase if left unpaid by quarterly penalties that are applied. This property is also holding a water debt charge quarterly of \$29.30 per 2019 debt rates.
The Board agreed to withhold paying account 1483 considering that charges will be ongoing throughout the year and the Town will pay the final price at the end of the calendar year. Motion was made by Jim Forrester, seconded by Bill Mann and carried 5-0.*
- v.) Attorney Draft Letter.*
Following Town Law § 20 [2], Supervisor Walker canvased a drafted letter to local Nunda attorneys with municipal background before appointing any attorney outside the township. A copy was given to all board members for review. Supervisor Walker stated that the

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letter asked for any letters of interested to be submitted by the February board meeting on the 12th.

**BUDGET REPORT &
SUPERVISORS STATEMENT**

DB funds are \$35,000 more than anticipated.
Fund balance was reviewed and discussed.

AUDIT BILLS

There was a motion to approve the Audited Abstracts for the month of January 2019. These abstracts include;

- General Fund Claim number, 1-19, in the amount of \$15, 366.73, as set forth in abstract No. G-1, dated 01/08/2019.
- Highway Fund Claim number, 1-8, in the amount of \$11, 676.52, as set forth in abstract No. H-1, dated 01/08/2019.
- Police Fund Claim number, 1-5, in the amount of \$798.81, as set forth in abstract No. P-1, dated 01/08/2019.

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

POLICE

Mike reported the Nunda Police Department statistics for December 2018. Chief Dale has submitted 300 destruction of records forms to the Nunda Court Clerk to begin records management within the Police Department. Policy and Procedures are 90% up to date. Mike stated that he encourages the board to pay a visit to the Police Department and see all the improvements Chief Dale has made to its organization.

2019 PD Car

Chief Dale addressed the board stating that the Current 2014 Ford car has a damaged engine and motor. For now, they are planning on using the Ford as back up for the remainder of the year but it was advised by the Nunda Ford Garage to replace the car instead of trying to keep up with the constant replacement of car parts.

In regards to the 2019 Chevy Tahoe vehicle that was approved last month, Chief Dale is now requesting that the Town board retract that approval and instead approve a 2018 Ford interceptor. Reason being that originally, Chief Dale was told that the 2019 Tahoe would be ready by April 2019 for department use but now they are saying June 2019. With the pressure of the waning state of their current department cars, it would be a risk to the Police Budget and officers to continue using the current cars for another six months.

Chief Dale states that a 2018 Ford is available on the lot now and the car decals and outfitting can be taken from the department's 2014 Ford, saving the Town budget at least \$6,300.00 and it will be ready in 4-5 weeks. Once the 2018 Ford is available to the Nunda PD, the 2010 Tahoe can be their secondary car after they receive estimates for fixes. The cars will be equally cycled between officers throughout the year and the 2014 Ford could get surplus and sell the equipment to replenish budget funds.

Mike and Randy stated that this was all brought up at the last Commissioner's meeting and all commissioners agreed to the 2018 Ford purchase. The Tahoe just passed inspection and they used funds to get new tires and brakes. They agreed to get the 2010 Tahoe assessed for how long it can run while trying to gain some equity out of the 2014 Ford.

The Commissioners voted to retract the 2019 Tahoe and voted yes to the 2018 Ford while resuming the management of the police car reserve for future Police Department car rotations. They recommend that the Town board make the same approval.

Motion was made to retract the approval of the 2019 Chevy Tahoe purchase and substitute the approval for the purchase of a 2018 Ford Dodge using the the funds from the Police Car Purchase Reserve. Motion was made by Mike Hillier, seconded by Randy Morris and carried 5-0.

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- Officer Recognition Chief Dale stated that he would like the Board to join him in recognizing one of his department officers, Brittany Eldridge, who took it upon herself to bake 17 dozen cookies to hand out to the community during the Christmas Tree Lighting in Nunda as well as the Christmas in Nunda event. She gave great care in baking half the cookies with the regular recipe and the other half with consideration of allergies. The commissioners agreed to give her a certificate to recognize her unsought efforts and consideration for her community.
- Vests Chief Dale stated upon further research, the department can still apply for the Bullet Proof Vest Reimbursement Program that has the 50/50 funding coverage grant as well as the department wide grant in April. Officers are being measured this week and next.
- Warning Tickets Chief Dale informed the board a newly created a warning ticket that stems from the regular patrol log. The issuance of this warning ticket can help the department document traffic problems by showing how many stops are done and find problems areas within the township. The tickets were created and printed for free from the DA's office.
- IT REPORT None.
- COMMERCE REPORT None.
- BUILDING/ZONING REPORT The board asked Mark to formally request a quote from Brian Kelley to fix the handicap entrance building damage this spring.
- HIGHWAY Rick reported that so far, the winter has been very light with snow. The highway crew hauled stone for the County.
Rick and Jim will be working on the 5-year equipment replacement plan. All full-time highway employees had their 811 training, it is a required training every five years to maintain their certificate but they are encouraged to try to keep an annual training.

They are looking to install culvert on Mill Street in Dalton in the Spring.

With Lawson Sand and Gravel closing business, the Town will lose their local seller of gravel and will have to look to other vendors. The only other gravel pits that Rick would use instead are in Cohocton and Honeoye.
- Mark Mullikin left meeting at 8:11 PM*
- ONE MOTION A motion was made to accept all reports given on 01/08/19. Motion was made by Randy Morris and seconded by Mike Hillier and carried 5-0.
- OLD BUSINESS
- Highway Building New highway building was discussed.
A motion was made to get an appraisal for Hay Road, Tax Map No. 170.-1-70.51, and inform Vinnie Hark the Board is moving forward with pursuing the land as the location for the new highway department. Motion was made Mike Hillier, seconded by Jim Forrester and carried 5-0.
- NEW BUSINESS
- Annual Livingston County Teen Recognition Awards nominations are due by February 8th.
 - Senior Recognition Award nominations are due by March 22nd
 - The Livingston County Economic Development Department has asked that town board answer strategic planning questions about their municipal, one question Supervisor Walker wanted the board's opinion on answering was listing 3 or 4 most impactful issues in town? The Board supplied the following answers:
 - Minimal Business Development
 - No employment opportunity

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- Decreasing School Enrollment

CLERK REPORTS

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

A motion was made to approve the Town Clerk and Justice reports for the month of December 2018. The motion was made by Mike Hillier; seconded by, Bill Mann and carried 5-0.

Town Clerk revenue summary for 2018:

Vital records processed:

5	Deaths Records		
0	Birth Record		
13	Marriage Licenses	Issued (\$35.00 each)	\$ 455.00
51	Birth, Marriage & Death Transcripts Printed (\$10.00 each)		\$ 510.00
1	Genealogy Printed Record (\$11.00 each)		\$11.00

Dogs: (\$10-\$15.00)

74	New Registered		\$ 880.00
318	Renewals		\$ 2, 939.00
75	Delinquent fees collected (\$5.00)		\$ 375.00
			\$4, 194.00
44	Currently Delinquent/unpaid		

Permits:

32	Permits issued by Zoning Officer		\$4,215.60
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Decals/Hunting Licenses

Gross sales:		(\$ 11, 558.00)
<u>Town of Nunda Commissions:</u>		<u>\$ 610.97</u>
Total 2018 Sales:		\$ 21, 509.60

Total Local Shares remitted to Supervisor: \$ 9, 704.07

Total Shares remitted to New York State: \$11, 805.53

- NYS Department of Health
- NYS Agriculture and Markets
- NYS Environmental Conservation

EXECUTIVE SESSION

8:30 PM A motion was made to go into executive session to discuss subject relating to employment history of particular persons. Motion was made by Jim Forrester and seconded by Bill Mann and carried 5-0.

Tim Cassidy, Val Griffing & Ryan Dale left meeting.

Cheyenne DeMarco and Rick Moran were approved to stay.

8:37 PM Motion was made to come out of executive session with no action taken. Motion was made by Jim Forrester and seconded by Mike Hillier and carried 5-0.

ADJOURNMENT

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

The meeting adjourned at 8:38 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO
 NUNDA TOWN CLERK