

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, June 11, 2019
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Merilee Walker Councilperson, Martha Blair 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	Tim Cassidy, Mark Overall, Ron Adam, Alex Pierce Mayor Morgan, Darren Snyder, Mel Allen, Bill McTarnagan, LeRoy Wood, Troy Bennett

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

- Regular Town Board Minutes of 05/14/2019
- Zoning Board Minutes of 05/23/2019

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

CHANGES TO AGENDA None.

PRIVILEGE OF THE FLOOR

Mark Overall

Commercial Project Manager from Buffalo Solar Solutions addressed the board stating that he found that the Town of Nunda was labeled a Clean energy community (CC Designation) and therefore the Town of Nunda is applicable for a grant through the New York State Energy Research and Development Authority (NYSERTA) for solar panels to their municipal building.

Supervisor Walker asked if the new Highway Building would be applicable? Mark answered yes.

Martha stated that a proposal for the new highway building would be worth reviewing. The Board agreed. Mark stated he will be in touch and thanked the board for their time.

Mark Overall left meeting at 7:09 PM

Village of Nunda Board

Mayor Jack Morgan addressed the Town Board stating that he would like to have a joint meeting between the two boards to review the following topics:

- i. Tax Abatement agreement
- ii. Lawson Property
- iii. Water District for New Town Highway Building (Hay Road)
- iv. Police Department – Car & budget management

❖ **Tax Abatement Agreement**

Mayor Morgan stated that the Tax abatement was from an agreement between the Town and Village of Nunda in 1995 on assessments for the following Village owned parcels:

Tax Map No. 209.-1-23.1 (South East Property of Reservoir),

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Tax Map No. 699.-68-1 (transmission lines of water and sewer extensions),
Tax Map No. 198.-1-73 (water treatment plant),
Tax Map No. 208.-1-15.1 (dam reservoir) and
Tax Map No. 208.-1-66. (vacant land near reservoir).

Mayor Morgan stated that this was a 25-year agreement and it expires in June 2020. He is requesting that the Town Board look into renewing the agreement and perhaps in a new agreement include all Water districts created since 1995 and the Village owned parcel, Tax Map No. 198.-1-74 (Route 70, Natural Springs).

❖ **Lawson Sand & Gravel Property**

Mayor Morgan stated that with Lawson Sand & Gravel selling their property, the Village of Nunda have a vested interest in the property because it is located next to the Village water source. The Mayor reached out to Lawson Sand & Gravel to see if they could potential buy some of the acreage. Lawson's responded via letter that if the Town of Nunda was interested in purchasing the 105.3 acres of the main gravel pit and shop, Lawson's remaining land that is for sale totals 68.5 acres within 3 parcels and they are asking \$90,000. With the tax abatement agreement renewal and these potential new properties, the Mayor requested that there be a committee appointed of two Village Trustees and two Town Councilpersons to review the conjunction of these two topics before an official Joint Town & Village Board meeting. Jim Forrester and Randall Morris agreed to be apart of the committee to review the topics of Lawson Property and the renewal of the tax abatement agreement.

❖ **Water District for New Town Highway Building (Hay Road)**

Mayor Morgan informed the Town Board that with the new Town Highway Building moving to Hay Road, Water can be provided but it will have to be done through an extension, as currently the Village water reaches the intersection of Rte. 408, Halstead and Hay Road but water was only extended to the Halstead side when last extended.

❖ **Police Department Budget & Car**

Mayor Morgan stated that there seems to be a concern among the commissioners on how the Police Budget is being currently handled by Baldwin Business Services. The Budget is always a month behind when the commissioners have their monthly meetings and it creates a conflict with their budget planning when they cannot see the current PD funds. Mayor Morgan suggested they consider removing the Police budget from the Town Budget and giving the maintenance of the Police to be independently monitored by a separate third-party company or give the Police Budget to Village Clerk LeRoy Wood to manage since he is the current Police Commissioner Clerk. Supervisor Walker stated she was not in favor of that, and suggests they instead invite Justin Bennett from Baldwin Business services to the next police commissioners meeting to discuss their budget concerns with him.

Chief Dale addressed the board to discuss concerns with the 2013 Ford Taurus PD vehicle, which has been diagnosed by Everling Ford and Eastside automotive, both indicating that the car needs a replacement motor, as well as four tires, brake pads, rotors and both catalytic converters to bring the car to a safe working order. The estimated cost to the repair is \$10,000. Chief Dale stated that the car wasn't worth half it's repair cost and therefore seems unjust to spend that funding. There was discussion on surplusung and auctioning both the Ford & Tahoe and using those allocated funds to buy a new car, Randy suggested they look into a reconditioned police car, the Village of Mount Morris PD has been using such cars for years.

When it was asked if they could use just one PD car, Chief Dale stated that they would lose their grants. In order to get their annual grants from County and State they would need two cars on the road. These grants bring in roughly \$7,000 annually.

It was discussed that they look into alternative options like taking out a B.A.N. or use contingency funds to purchase one car to replace the other two.

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Since there wasn't enough information for tonight's meeting to make any decisions, the commissioners agreed to revisit in an additional special meeting later this month and re-address at the Joint Town & Village Board Meeting.

Ron Adam, Alex Pierce, Mayor Jack Morgan, Darren Snyder, Mel Allen, Bill McTarnagan, LeRoy Wood, Troy Bennett and Chief Dale left meeting at 8:45 PM

CEO

Mark submitted his May 2019 report. On May 13th the New Government Center front door was installed by Moran's Glass. Attended planning and zoning workshop in Pittsford, NY with members of the Livingston County Planning Department. A Zoning Board meeting was held on May 23rd to review an application for a Micro Cell antenna from Verizon wireless placed at the Nunda Fire Department as reflected in the Zoning Board minutes.

ASSESSOR REPORT

County Board of Assessment

Livingston County Real Property Services has submitted an informal letter to all Towns regarding a new provision to the Governor's adopted budget for County Assessment Review Services. RPTL 1537 has been amended to allow towns to enter into an agreement with the County to provide a County Board of Assessment Review rather than local Board of Assessment Review. This Law allows the County to appoint any qualified county resident to serve on a County Board of Assessment Review. This shared service agreement would require a resolution from the town board authorizing the town to negotiate such an agreement with the County and any Town resolution adopting this provision of the law would require a permissive referendum at least 45 days prior to submission.

Supervisor Walker stated she will communicate with the other supervisors in the County to see how everyone feels in regards to this.

Grant Award

Department of Taxation and Finance awarded the 2018 Cyclical Aid Certification in the amount of \$4,133,30 to the Town of Nunda. This was granted due to Nunda Assessor, Brian Knapp, meeting and maintaining the high standards set by State in the system of real property requirements for the municipality.

Since Brian completed a reappraisal on the 2018 assessment roll, the Town was eligible for Aid in the amount of up to \$5.00 per parcel. The payments made under this aid program have been reduced to 54.03 percent of the maximum eligible amounts since the requests for reimbursement exceed the appropriation.

This aid payment was computed using a parcel count of 1,530, which was extracted from our 2018 final assessment roll file (parcel count x \$27015 +aid payment).

A State Aid voucher will be forwarded to the Office of the State Comptroller for payment.

HISTORIAN

Val submitted her May report where she stated that she met with the Nunda Historical Society to help plan their 2020 historical calendar. The theme is "Education, Part 2" and covers the period 1939 to present. Val is compiling information on the Keshequa Alumni Association and also helping to gather information on the annual "Moving-Up Day" ceremony held at the end of school as well as assisting with other aspects of calendar creation.

Val also met with the County Historian to begin the review of records from Portage school #6 as well as contemplating an electronic surname index of 10,000 card files of local veterans.

The board thanked Val.

COMMUNICATIONS

Supervisor Walker reviewed the following communications:

- i.) *Nunda-Portage Summer Recreation Policy Manual review.*

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John Gordinier, Director of the Summer Youth Program, created a policy manual for the Nunda Portage Summer Recreation program for both the Town and Village boards to review. After review the board stated that perhaps there should be a background check included. Supervisor Walker asked who would conduct these background checks. Mike answered that Chief Dale could do it locally, just not statewide. It was also discussed that they should encourage the Youth Program to consider trainings for appropriate child interactions that Churches and Boy scouts currently take. Martha agreed that if they implemented the training it would make the hiring process of the program timelier.

ii.) Summer Rec Program Invoice

The Village of Nunda supplied the 2019 Summer Joint Youth Recreation Program. Listed below is the breakdown of each municipality's responsibilities:

Appropriated from 2018 available	\$3,791.98
Total required from Village (41%)	\$6,929.00
Total required from Town of Nunda (41%)	\$6,929.00
Total Required from Town of Portage (18%)	<u>\$3,042.00</u>
	\$20,691.98

The Town's payment to the Village is included in this month's general abstract Voucher 150.

iii.) Attorney Solar Review.

Town attorney David Pullen has reviewed the Town of Nunda Solar Law and stated that he found the general provisions to be sound and acceptable.

Since this will impact the Town Zoning Law it will be necessary to send a copy to the abutting municipalities pursuant to General Municipal Law 239-m. Then awaiting any replies, the board would proceed with a public hearing at which point the Town can receive public comment regarding the proposed local law amendment.

Alex Pierce agreed that the Law is in its best format and that it is good to be resubmitted to the County Planning Board with Town Attorney support.

SUPERVISORS STATEMENT

Signed and given to the Town Clerk for filing.

BUDGET

- Purchase of land for Hay Road is shown in the general account. The Board needs to set up a capital account.
- Youth budget was submitted by Village of Nunda for review.

AUDIT BILLS

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

- *General Fund* Claim number, 121-150, in the amount of \$73,115.97, as set forth in abstract No. G-6, dated 06/11/2019.
 Vouchers 121 was classified as prepay in the amount of \$45,590.14, payable to Richardson & Pullen, P.C. for the Closing Statement/Buyer for 170.-1-70.51 – Hay Road Property for Highway Building.
 Purchase Price - \$45,000.00
 Tax Adjustments - \$285.14
 Buyer's Expenses - \$305.00
- *Highway Fund* Claim number, 108-121, in the amount of \$16,432.89, as set forth in abstract No. H-6, dated 06/11/2019.
- *Police Fund* Claim number, 48-55, in the amount of \$940.20, as set forth in abstract No. P-6, dated 06/11/2019.

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

POLICE

Mike reported the Nunda Police Department statistics for May 2019, and Monthly Community Policing Report, Payroll and Door Check Log as submitted.

Appoint Recruits

A motion was made to approve the Nunda Police Department to sponsor two recruits, Brock Allen and James Pappas, for their Second Phase Training for the 2019 GCC Rural Police Training Academy. Motion was made Martha Blair, seconded by Randy Morris and carried 5-0.

Vest Grant

Body Armor has been ordered and is expected to ship in 8-12 weeks. On May 28th, Chief Dale completed the US Department of Justice BVP Federal Grant for 50% reimbursement on vests purchased. The grant approval process will take 60-90 days. The BVO Federal Grant must be approved prior to the submission of NYS DCJS grant application. Chief Dale will apply for State Grant Funding after BVP Federal Grant approval.

IT REPORT

The Union Cemetery website project has been proposed to Alfred State's Civil Engineering Technology Department Chair as a potential project for any student that may need class credits or a direct study. The Department Chair stated that this may be a senior surveying project, and all our information was forwarded to curriculum coordinator of that program. The senior projects are not completed until May 2020, so if a student chooses our project it would take close to a year before becoming a part of our website. More will be found out when the 2019 Fall Semester begins.

COMMERCE REPORT

None.

BUILDING/ZONING REPORT

To avoid taping paper for department hours on the front door, it was agreed to have Cheyenne look into a Marquee sign to be installed aside the front door on the brick façade and just put an open/close sign on the actual door. Randy also stated that the wood assembled within the wind break to the front door would look better if it was painted. Mark stated there is not an exact estimated start time for the pillar stone work, but Brian Kelley will be in this week and Mark will get his timeline then.

HIGHWAY

Rick stated that they are working on a replacement pipe for Abbott Road, and extending the paving on Kendall Road to improve slope. Short Tract and Picket Line intersection now has a four-way stop being put in. 10-year plan was re-addressed.

Rick had several rounded pricings of hauling materials. After some review, Jim stated the numbers were not firm and they need to be more accurate. Rick stated he will provide a spread sheet next time. Supervisor Walker stated that if Rick's report could figure in the monies that could be saved by sparing the highway workers from doing the hauling, as well as the save on repairs, that would be helpful.

June 20th is the annual Keshequa Creek Inspection.

Rick stated that the Town spent roughly \$300 for material at Kiwanis park to fill in their road ways. Rick asked the board if they wish ask from reimbursement or donate it? The board agreed to donate.

ONE MOTION

A motion was made to accept all reports given on 06/11/19. Motion was made by Jim Forrester and seconded by Martha Blair and carried 5-0.

OLD BUSINESS

Highway Building

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Assign engineer Motion was made to assign MRB group as the Town of Nunda engineer.
Motion was made by Randy Morris, seconded by Mike Hillier and carried 5-0.

Supervisor Walker stated that MRB has taken care of the Village recently at their sewer plant and have good reviews.

NEW BUSINESS None.

CLERK REPORTS Cheyenne submitted her May 2019 Town Clerk Report of total state, county and local revenues and the May 2019 Justice Report to the Nunda Town Board.

A motion was made to approve the Town Clerk and Justice reports for the month of May 2019. The motion was made by Mike Hillier, seconded by Martha Blair and carried 5-0.

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

The meeting adjourned at 9:40 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO
NUNDA TOWN CLERK