

**MINUTES OF THE REGULAR TOWN BOARD MEETING**  
**Tuesday, September 10, 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, Patty Piper, Brenda Weaver, Alex Peirce, Bob Cox, Kevin Van Allen, Rhonda Howard, Mayor Morgan, Don Wilcox, Darren Snyder, Bill McTarnaghan, Mel Allen, Troy Bennett, LeRoy Wood, Joan Shumaker, Cynthia Howk
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;  ➤ Tax Abatement Committee Minutes of 08/08/2019 ➤ Regular Town Board Minutes of 08/13/2019 ➤ Zoning Board Minutes of 08/14/2019  The motion was made by Jim Forrester, seconded by Randy Morris and carried 5-0.
CHANGES TO AGENDA		None.
PRIVILEGE OF THE FLOOR		
Cynthia Howk		Cynthia introduced herself as the Architectural Resource Coordinator at the Landmark Society of Western New York. Cynthia stated that she spoke to the Greater Nunda Action Partnership (GNAP) about the benefits of conducting a “Historic Resources Survey” for the Nunda area and she was encouraged by the Nunda Village Mayor to present to the Village and Town Boards. Cynthia stated that such a survey will identify potential Historic Districts in the village as well as building and landscapes in the greater Nunda area that are eligible for the National Register status. National Register recognition helps business and home owners with tax incentives for repairs to their buildings and makes public/nonprofit buildings eligible for grants. Cynthia stated that currently the Elmwood house and the Union Block buildings are already on the landmark list but many more in the area are applicable. Cynthia stated that these grants have no historic restrictions on how the owners applies the funds to restore their building. Cynthia provided handouts on the Landmark society and a Landmark society magazine to all board members.  Joan Shumaker stated that such a survey will also provide much needed information for the Planning Board as they work on revising Nunda's Town & Village Comprehensive Plan.  The board thanked Cynthia for her presentation and information.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**  
**Tuesday, September 10, 2019**  
**AT 7:00 PM**

*Mayor Morgan, Don Wilcox, Darren Snyder, Bill McTarnaghan, Mel Allen, Troy Bennett, LeRoy Wood, Joan Shumaker, Bob Cox and Cynthia Howk left meeting at 7:43 PM*

Kevin Van Allen

Kevin Van Allen briefly introduced himself to the board stating that with the judge's election coming up they will start to see campaigning yard signs appearing. Van Allen gave his business card to the board members if there are complaints.

*Kevin Van Allen left meeting at 7:45 PM*

Gary Nageldinger

Gary addressed the board as the President of the Greater Nunda Action Partnership (GNAP) stating that they are economically watching the property at 8793 NY-408 that was formally Triple Creek Golf Course. The property has not been active in recent years and GNAP sees it as a prime location for a new business. Gary, as well as Dana Russell, have spoken with the seller of the property in regards to GNAP's opinion that it would be a well-suited location for a future business like a micro-brewery or food manufacturing business, smaller than Once Again Nut Butter. Gary is approaching the Town Board tonight because the opportunity for those types of development is dependent upon water & sewer being made available to that location.

Currently the village water and sewer services extend to Halstead Road off of Route 408. Supervisor Walker stated that a study to justify the development would help support such a water and sewer extension project. The pressure of water would be a concern.

Mark Mullikin stated that they should look into permitted uses in that district. Right now, in current Nunda Zoning Law, the property is classified as an Agricultural District, when across the road at Woodlynn Hills Golf Course is classified as a Transitional District which allows them to be a restaurant service. If they are looking into putting a food industry-based development into the Triple Creek property they will run into problems due to its district classification.

Jim stated this would be conceptually similar to the Nunda Vet Clinic water extension in 2015. Water was key for that infrastructure. It was highly suggested that Gary speak with the Village Board and stay in contact with Mark Mullikin to consider updating the zoning law.

*Gary Nageldinger left meeting at 8:15 PM*

CEO

Mark submitted his August 2019 report. Reviewing that he attended the County Officials meeting in Lakeville, met with a resident to review a special use permit for a small retail Auto Sales business to be located on Route 408. Once all paperwork is submitted it will go before both Planning and Zoning Boards.

Mark stated he has been looking through both Town & Village records to organize minutes books for Planning & Zoning boards. The minutes so far start in the 1960s and as of now he is missing close to a decade of 1980's planning and zoning minutes. Many of these may either have been misplaced during the transition between the old and new Town & Village clerk offices or misfiled.

ASSESSOR REPORT

None.

HISTORIAN

Val submitted her August report where she stated that during the period, she continued working on rural schools' research in the current Dalton-Nunda-Keshequa District in amongst the usual end of summer farm and home activities. In answer to a question from last month, New York did pass a law requiring localities to keep track of vital statistics in the very late 1840's for a couple years. That information was usually kept with the town clerk but as we saw in the Portage #7/11-minute book, the school clerk kept the information, presumably because he or she was closer to the information source.

In relation to the Brown Cemetery, Deputy County Historian Holly Watson is mapping all cemeteries in the county and wrote asking for information and

**MINUTES OF THE REGULAR TOWN BOARD MEETING**  
**Tuesday, September 10, 2019**  
**AT 7:00 PM**

offering to do further research on the Brown Cemetery. What Val had was minimal. In July 1990 surveyors found a grave stone on the corner of the Frederick Dietz property at the end of East Street. It read:

Wm L. Brown  
1849-1935  
William Arthur  
1878-1895

The information had indicated that a William L. Brown was born 1849 or 50 and died February 5, 1935. He married Emma Robinson from Nunda. Their children were Arthur who died March 7, 1893 at age 14, Ada who died August 16, 1943 age 69, Alice who died October 26, 1932 at age 57 and Myrtle who died June 1955. Their story ended there in Val's Historian files.

Holly's research found that the Browns were life-long residents of Allegany County, and were found in Ward, Wellsville, and finally Bolivar. To wit,

The connection to Nunda seems to be fairly strong, though, ostensibly through Emma's family. Her parents were Rufus and Sarah A. Robinson. William L. Brown, wife Emma, and daughter Alice's obits all mention deaths/funerals in Bolivar but burial in Nunda Cemetery. Val also looked into the property at 55 East Street, where it seems the gravestone was found. Val researched as much as possible via maps (not deeds) and can't see an obvious connection to the Robinsons and certainly not the Browns. So perhaps the stone was placed there later as a memorial. This will probably always be one of those unsolved mysteries but at least the site is mapped for future researchers to consider.

The board thanked Val.

**COMMUNICATIONS**

Supervisor Walker reviewed the following communications:

- i. Town & Village Board Signage removed and currently being updated by Donny Hooker – General Voucher 203*
- ii. Town of Nunda Shared Services list (to be put on website)*
- iii. Baldwin's Bookkeeping & Payroll contract*  
The annual renewal for the Town of Nunda to pay BBS Accounting LLC a fee of \$9,000 for accounting services, plus a quarterly flat fee of \$525 for payroll services, totaling \$2,100. Motion was made to accept the agreement. Motion was made Mike Hillier, seconded by Jim Forrester and carried 5-0.
- iv. Solar Local Law*  
The finalized drafted version of the Nunda Solar Local Law was presented to the Town Board and public, Alex Peirce and Mark Mullikin stated they were confident in the text of the law. After review there was a motion to set a public hearing for Local Law No. 1 of 2019, Nunda Solar Law on October 8<sup>th</sup> 2019 at 7:30 PM. Motion was made by Mike Hillier, seconded by Martha Blair and carried 5-0.

**SUPERVISORS STATEMENT**

Signed and given to the Town Clerk for filing.

**BUDGET**

- Village paid their half for the shared service of Cora Cassidy's payroll.
- The error made on Rodney Green's sick time has been amended.
- A letter of intent has been received for the Union Contracts to be renewed.
- Summer rec checks and balances were submitted by the Village for the months of July & August.

**2020 TENTATIVE BUDGET**

Supervisor Walker, Rick Moran & Cheyenne DeMarco met with Baldwin Businesses representatives this morning to establish the tentative 2020 budget. Copies were supplied to all board members and public.

**MINUTES OF THE REGULAR TOWN BOARD MEETING**  
**Tuesday, September 10, 2019**  
**AT 7:00 PM**

Special Meeting Supervisor Walker asked if the board wished to have a working session on the tentative budget like last year? The board agreed. Motion was made to have a special board meeting on September 25, 2019 at 7:00 PM at Baldwin Business Services office located at 42 North State Street, Nunda, New York, 14517. Motion Randy Morris, seconded by Mike Hillier and carried 5-0.

Tax Cap Local Law Motion was made to hold a public hearing to review a local law to override the tax levy limit on October 8<sup>th</sup> at 7:30 PM. Motion was made by Jim Forrester, seconded by Mike Hillier and carried 5-0.

**AUDIT BILLS**

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

- *General Fund* Claim number, 186-206, in the amount of \$12, 822.81, as set forth in abstract No. G-9, dated 09/13/2019.
- *Highway Fund* Claim number, 168-189, in the amount of \$35, 539.58, as set forth in abstract No. H-9, dated 09/13/2019.
- *Police Fund* Claim number, 70-75, in the amount of \$1, 732.96, as set forth in abstract No. P-9, dated 09/13/2019.
- *Capital Project* Claim

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

*Alex Pierce and Rhonda Howard left meeting at 8:15 PM*

**POLICE**

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

The 2019 Charger patrol car will be in service by September 6<sup>th</sup>, the Nunda Police Department will utilize the new patrol vehicle for only traffic grant shifts until grant period ends. Graphics and equipment from the 2013 Ford Interceptor and the 2011 Chevy Tahoe were completely uninstalled of their equipment and graphics. Both Vehicles are expected to be brought to Eastside Auto pending auction.

Chief Dale reported that the light bars from the 2011 Ford car cannot be reused on the new patrol car, they were offered to the Fire Department who said they could make use of them. Chief Dale requested that the Town Board surplus the two lightbars and let Chief Dale donate them to the Nunda Fire Department. Motion was made to surplus the two police light bars. Motion was made by Mike Hillier, seconded by Randy Morris and carried 5-0.

Chief Dale stated the new patrol should be in service by next week. He is working with Trustee Allen to see what they can do in terms of traffic laws and Village Ordinances.

It was briefly discussed that Officer Eldridge has requested to take the civil service exam. This would give the opportunity for Chief Dale to assign her more hours, as of now, Chief Dale is restricted to 20 hours a week for officers, and he is expecting two resignation letters in the future. Chief Dale stated he was in support of Officer Eldridge being civil service. The Village Board is in favor. Motion was made to authorize Officer Eldridge to take the civil service exam. Motion was made by Mike Hillier, seconded by Randy Morris and carried 5-0.

*Chief Dale & Patty Piper left meeting at 8:47 PM*

IT REPORT None.

COMMERCE REPORT None.

BUILDING/ZONING REPORT

**MINUTES OF THE REGULAR TOWN BOARD MEETING**  
**Tuesday, September 10, 2019**  
**AT 7:00 PM**

Mark reported that the handicap pillars are finished and the voucher to pay Brian Kelley in tonight's abstract.

Also, there is a voucher to pay West Wildlife because there was another incident where two birds got stuck in the Government Center chimney. Mark states that there must have been a cover on the chimney that has flown off because this was never a problem before this year. Mark would like to ask Vinnie Hark if he would use a lift and put a screen on the top of the chimney to end this problem.

**HIGHWAY**

Rick Moran stated they are currently doing Ebert Road shoulder repairs. The 550 is having issues with not running properly, Douglas Ford is fixing it. The filter needs cleaning which will be a \$300-\$400 repair.

Motion was made to surplus the F-550 Dump Diesel Power equipment group. Motion was made by Jim Forrester, seconded by Randy Morris and carried 5-0.

One Bid was received for the F-550 Dump Diesel Power equipment group includes a 4x4 regular cab, 169- inch wheel base, 11-foot stainless steel body, tow package, snow plow package, daytime running lights, cruise control & block heater.

Supervisor opened the bid received from Genesee Valley Ford in Avon, the submitted bid was for \$62,750.

Motion was made to accept the submitted bid in total amount of \$62, 750 from Genesee Village Ford. Motion was made by Jim Forrester, seconded by Mike Hillier and carried 5-0.

**ONE MOTION**

A motion was made to accept all reports given on 09/10/19. Motion was made by Mike Hillier and seconded by Martha Blair and carried 5-0.

**OLD BUSINESS**

**Highway Building**

None.

**NEW BUSINESS**

None.

**CLERK REPORTS**

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

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

**EXECUTIVE SESSION**

9:05 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 & Cheyenne DeMarco were approved to stay.

*Tim Cassidy, Val Griffin & Rick Moran left meeting at 9:05 PM*

*Mark Mullikin left executive session at 9:08 PM*

9:20 PM Motion was made to come out of executive session. Motion was made by Mike Hillier and 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 Jim Forrester, seconded by Martha Blair, and carried 5-0.

The meeting adjourned at 9:21 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO  
NUNDA TOWN CLERK