

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, June 14, 2016

AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Merilee Walker Councilperson, Bill Mann Councilperson, Mike Hillier Councilperson, James Forrester Councilperson, Doris Marsh <i>ABSENT</i>
	RECORDING CLERK	Cheyenne DeMarco
	PERSONNEL	CEO, Mark Mullikin Hwy. Supt., Rick Moran Historian, Valerie Griffing Assessor, Brian Knapp
	VISITORS	Bob Cox, Alex Pierce, Ron Adam, Fritz Amrhein, Tamara McCallum, Yvonne Eldridge, David Eldridge, Brittney Eldridge, Donna Gilbert, Bridget Rathburn, Tammy Sheeman, Jeff Wilcox, Matthew Whitney, Tim Bryant, Bryan Eldridge, Amanda Eldridge, Arthur Gilbert Sr, Art Gilbert Jr, Don Macomber, John Rapp Sr, Lynn A. Gilbert

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

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

WELCOMED VISITORS Supervisor Walker welcomed visitors. A motion was made to change the agenda and move privilege of the floor to be addressed first in tonight's meeting. Motion was made by Bill Mann and seconded by Jim Forrester and carried 4-0.

PRIVILEGE OF THE FLOOR

CHIEF WILCOX Chief Wilcox addressed the board stating that he has given copies of letters to each board member at this meeting written from individual Nunda Police Officers on behalf of supporting Brittney Eldridge being on the Nunda PD. The Chief also states he has submitted a third letter continuingly supporting Brittney as well.

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DAVE ELDRIDGE

Dave Eldridge addressed the board stating that Brittney has worked very hard for this job position, she did not cut corners. Dave goes on to say people make mistakes, especially in their first year and Brittney has already learned from it. There are many letters that have been submitted from residents of Nunda and Portage supporting Brittney and Dave encourages the board to read them. Supervisor Walker stated the board will take all the letters into consideration and discuss in executive session appreciate them their presence at the meeting, thank you for coming. Anybody else?

FRITZ AMRHEIN

Village Trustee Fritz Amrhein stated that the village voted to hire her back in March and it is a building experience where people make mistakes in their training. Supervisor Walker stated she has spoken to the town attorneys on this and the attorney assured us that the Village and Town's four police commissioner's opinions were sufficient to be used for the boards to base their decisions on.

Chief Wilcox asked who the town attorney is? Supervisor Walker answered Richardson & Pullen.

Chief remarked how it was unusual for a board to correspond with an attorney regarding their police department. Councilperson Jim Forrester replied that that is because at least in part Nunda is in the unique situation of being the only joint town and village police department in the county.

Chief Wilcox remarked that he has never encountered another town, village or city whose police department did not take their situations to a whole board instead of just two people from that board that make a ways and means for a decision for an entire board, Chief Wilcox comment that it doesn't seem like a correct method. Supervisor Walker replied that they couldn't have the full Village and Town boards because they would have an equal number of votes that would be subject to ties that is why there are commissioners to meet with who then report back to their boards.

JOHN RAPP

John addressed the board with the opinion that the Town of Nunda has taken to dragging people of education through the mud. John goes on to say that if the town doesn't want the police department anymore there needs to be a referendum to let the people of Nunda decide with a plan in its place and what it will cost. Supervisor Walker stated it has never come up in discussion that they didn't want the police department; a board could not make that decision anyway.

Jim stated that there has been a lot of discussion for the last two years about the police department but not once do the minutes reflect the town board wanting to abolish the police department. They have requested changes on how the department is organized for better continuity. At the end of the day what is important is that the boards and the police department work together.

Supervisor Walker asked if anybody else would like to address the board?

BRITTNEY ELDRIDGE

Brittney informed the board that she is keeping her decision as not resigning.

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DAVE ELDRIDGE Dave addressed the board again, stating that the town hasn't a nickel invested in Brittney, not even a new uniform. She has bought everything herself.

YVONNE ELDRIDGE Yvonne asked that the board please read all the letters given to them.

7:17 PM Tamara McCallum, Yvonne Eldridge, Daniel Eldridge, Brittney Eldridge, Donna Gilbert, Bridget Rathburn, Tammy Sheeman, Bryan Eldridge, Amanda Eldridge, Arthur Gilbert Sr, Art Gilbert Jr, Don Macomber, John Rapp Sr, Lynn A. Gilbert left meeting.

APPROVAL OF MINUTES A motion was made to approve the Minutes of 5/10/2016, the Board of Assessment Minutes of 5/25/2016 and the Informal Minutes of 5/14/2016 with changes made by Mike Hillier and Jim Forrester. The motion was made by Bill Mann seconded by Mike Hillier and carried 4-0.

INTERGOVERNMENTAL AFFAIRS REPORT

JOINT PLANNING BOARD

Supervisor Walker addressed Alex Pierce and asked if he had anything to report to the board on behalf of the planning board. Alex stated that they haven't had a lot of activities with local planning board while there's been several at the county level. Training took place in late May for planning and zoning members for both village and town, they review insightful subjects like green energy, brown fields and municipalities with state agencies with shared opportunities.

Supervisor Walker stated they have looked into last year's meeting minutes for the zoning and in January 2015 found that the town board had approved changes and then they moved to have a public hearing and that public hearing never took place because since that January 2015 meeting, it was found that since Nunda is a joint village and town planning and zoning boards in order to proceed with the new zoning the Town needed to be the lead agent and that is where it was left. The attorney indicated that he was waiting for more changes from the planning and zoning board. Alex replied that he had a conversation with Jeff Long and Bob Piper and they were both under the impression that the zoning was all ready to go and the attorneys had everything they needed. Jim stated that was his understanding also.

ZONING BOARD APPEALS

None

*7:30 PM Chief Wilcox and Matthew Whitney re-entered meeting.
Val Griffing entered meeting.*

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CHANGES TO AGENDA

Supervisor Walker asked the board members if there was a need to make any changes to the agenda.
Jim requested that they add two separate motions under new business concerning a local law to defend all elected officials or volunteers and the town joining the association of towns.
The items were added.

COMMUNICATIONS

Supervisor Walker reviewed the following communications:

- i. Quote from Don Hooker:* \$300.00 overall quote that would be split with the Village then being \$150.00 each. A motion was made to move forward with purchasing the sign. Motion was made by Bill Mann, seconded by Mike Hillier, carried 4-0.
- ii. Steve Mann quote for Government Center Porch:* A quote of \$725.00 has been submitted to the Town Board by Steve Mann to sand, scrap, prime and paint the top of the Government Center's porch railings. There is a visible need for upkeep. Fund *A1620.4 Maintenance* was discussed. Painting the neighboring Tri-County building was mentioned as well as paving their drive way. A motion was made to approve Steve Mann's quote for his exterior and renovation work on the Government Center's porch for amount of \$725.00. Motion was made by Mike Hillier, seconded by Bill Mann and carried, 4-0.
- iii. Hanging Plant Baskets* – Doris had made arrangements for ten hanging baskets for the front porch of the government center, it was a \$200.00 purchase total, the village paid half already and Doris paid the remaining \$100.00 out of pocket. A Motion was made for the town to reimburse Doris for the \$100.00 she paid personally for the hanging baskets. Motion was made by Jim Forrester, seconded by Bill Mann, carried 4-0.
- iv. Website Request* – An e-mail was sent to Cheyenne's clerk e-mail from the director of Public Relations for Public Service Education and Healthcare, requesting to use the Nunda Town site to add a link of their resources. Jim stated his personal recommendation to the board is to not act on this, the reason being that they are a municipality and our website should reference other places of our municipality like our library etc. This e-mail request is specific to public health education, by having it on our site it improves the public health education's search engine results the more sites that it is on and also makes it look like the Town of Nunda is endorsing them. If we said yes to this company where would be draw the line to reject others? If it were the Livingston

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County Department of Health it would involve our municipality but this does not.

- v. *Frontier Communication Letter* – Supervisor Walker reviewed the letter sent from Frontier where it states they are introducing a new Rochester market product called Vantage. An informational meeting on this new digital entertainment will be on June, 21, 2016 in Mt. Morris. Supervisor Walker stated she is willing to attend, at the moment she is not sure what it consists of but will go to meeting to find out. Bill Mann stated he would be able to go to on June 21st as well.
- vi. *Doris Marsh Resignation Letter* – Doris has submitted a resignation letter to Supervisor Walker due to personal and family concerns dated June 13, 2016. A motion was made to accept Doris Marsh’s resignation with regrets and thanks. A motion was made to accept Doris Marsh’s resignation. Motion was made by Jim Forrester, seconded by Mike Hillier, 4-0.

Supervisor Walker stated that what they as a board will have to do according to Board Of Elections, is appoint someone and that person would be good to fill the councilperson’s vacant spot until December of 2016 but in November they would need to be on the ballot and be elected. Supervisor Walker asked if they should publish a notice of vacancy in the shopper and ask for letters of interest? Bill Mann requested to wait and have discussions later on how we want to proceed.

**BUDGET REPORT &
SUPERVISORS STATEMENT**

SP and A Line items were discussed along with management of county reimbursement deposits.

There was a motion to approve the Supervisors’ statement and budget report for the month of May, 2016. The motion was made by Mike Hillier, seconded by, Jim Forrester and carried 4-0.

Steve Rapp entered meeting at 7:52 PM

Steve Rapp left meeting at 7:55 PM

AUDIT BILLS

There was a motion to approve the Abstracts for the month of June, 2016. These abstracts include; General Fund Claim number, 130-159 in the amount of \$15,562.64, as set forth in abstract No.G-6, dated 06/14/2016 , Highway

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Fund Claim number 117-135 , in the amount of \$46,150.78 , as set forth in abstract No. H-6, dated 06/14/16 , and Police Fund Claim number, 31-36 in the amount of \$1,310.52 as set forth in abstract No. 6, dated 06/14/16. The motion was made by Jim Forrester, seconded by, Bill Mann and carried 4-0.

1:15:00

CEO

Mark Mullikin submitted his written report of May permits written. Mark stated there was one permit that will be looking into planning board review and approval. Supervisor Walker stated that they are proceeding on the new zoning with the town attorneys to get it taken care of ASAP. Mark stated he still needs to sit down with the town building and zoning committee to go over fee schedules.

HISTORIAN

Valerie Griffing submitted her written May report. The museum exhibit of “Our Towns: The History of Livingston County in 25 Objects” was discussed. The board members thanked Val for her report.

ASSESSOR REPORT

Brian reported that Grievance Day was held May 25th, no residents attended. There was one applicant who submitted forms. Star program was discussed, Brian explained for a new home purchase the owners apply to state and they will get a check rebate instead of the amount coming off their school taxes effective March 2015. Any new star applicants since March 2015 will apply with state as previously stated and any home owner star applicants who applied previous of 2015 will remain the same application process with the town. A couple of the Nunda residents have contacted Brian to help applying for this new supplication due to applying on the computer so Brian has been trying to help with that. The board thanked Brian for his report.

Brian Knapp left meeting at 8:09 PM.

1:08:00

YOUTH

Doris submitted a written report in her absence. Supervisor Walker acknowledged the hire of summer recreation employees as listed on report.

1:09:23

POLICE

Mike reported that the village voted last night to sponsor Tim Cassidy Jr. to the Nunda Police Department to complete his phase two training with a specified end date. Mike suggested the town make a motion for the town to do the same. Jim asked the end date the village decided, Village Trustee Fritz Amrhein answered March 13th at midnight to coincide with graduation, Fritz also added that the village’s motion included that no extra hours were incurred. Bill Mann asked if Tim Cassidy Jr is effectively hired by the town of Nunda once they make this motion? Jim Forrester stated we are employing him for liability coverage etc. but it is an end dated position automatically terminated on the date decided. Write up a begin date and end date and have it signed by village and town commissioners along with Cassidy Jr that way there is no future confusion it is all documented.

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TIM CASSIDY JR. HIRE

Motion was made to hire Tim Cassidy Jr starting the month of June 2016 but staying hired no later than March 31, 2017 and that no extra hours shall be incurred. Exact end date to be determined by police commissioners. Motion was made by Jim Forrester, seconded Bill Mann and carried 4-0.

POLICE \$1.00 RAISE

Mike reported that a police raise was voted on in December 2015 to raise Nunda PD officers by a \$1.00 per hour to their existing wages and it has not taken place. The money is in the budget, it would be no more than \$2,500.00 dollars out of the budget even if it was retroactive back to January. The Chief has a log of hours of who worked. A motion was made to give all Nunda police officers a dollar raise and make it retroactive back to January 1st, 2016. Motion was made by Mike Hillier, seconded by Jim Forrester, and carried 4-0. Village acted on it last night as well.

Bill Mann addressed Chief Wilcox, stating that he would like to know more about what the Nunda PD is doing, a more descriptive report that goes beyond the statistics that there are given at every meeting. Make more awareness to the board members what they are doing outside traffic stops and calls of service. Community policing was discussed.

CEMETERY REPORT

No report.

1:26:00

Chief Wilcox, Tim Bryant and Matthew Whitney left meeting at 8:27 PM

Mike Hillier stepped out of meeting at 8:27PM.

IT REPORT

Jim reported that he came down to the Clerk's office since last month's board meeting and he suggests replacing the town clerk's workstation in September. Before then Jim will make a recommendation and have Hurricane Technologies come in August and replace the existing computer which would be an expecting cost of \$2,400.00, the present computer is six years old. Jim also states the clerk's documents need to be encrypted.

Jim also reported that policy is a broader issue for the Town of Nunda, policies are needed such as a confidentially storage policy, social media policy, acceptable use policy, procurement policy etc. Right now there is no frame work in place which it why joining the association of towns is a good idea for the Town of Nunda.

Bill Mann updated on the highway radios; the county just finished the radio plan. Each town will have two channels and then the main highway channel that connects with dispatch, the two town channels will not be monitored by dispatch unless requested to. If two towns need to have communication like

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Nunda and Portage, they can have a common station dedicated to their communication and still not interfere with any other town's communications.

Mike Hillier and Bob Cox entered meeting at 8:29 PM.

COMMERCE REPORT

Supervisor Walker commented that the ribbon cutting for Once Again Nut Butter was a very good presentation and tour of the new factory there was a good turnout of at least 70 people.

Jim stated that Darren Snyder and he are still in contact with the Nunda Mustard owners and their move back into Nunda.

BUILDING/ZONING REPORT

1:33:00

HIGHWAY

Jim reported he met with Rick and Merilee Monday morning to review abstracts and budget. Questions came from the Goho family about the work being done on their road, Rick has already contacted them to explain the fill to line the road and protect the culvert.

Still haven't gotten a commitment from the county highway superintendent down here or their deputy highway superintendent to come down to Nunda. Supervisor Walker stated she would contact them. Rick stated that he usually hears from them in the Fall. Chidsey Road will be chip sealed by county near end of July after the Town highway guys fix small errors in the road. DEC will inspect the creek maintenance on June 22nd.

Rick stated that there is a tree south in Dalton that's concerning, and asked does the town have money in the budget to have Farrell's take down the tree?

Farrell can come up and look at it with a price estimated. Supervisor Walker stated she will look up and get back to Rick.

Supervisor Walker stated that the building and zoning committee needs to give attention to the highway department, to start thinking about a future highway department. The one they are using now will not be there forever, Once Again Nut Butter has already stated that they plan on expanding into that territory and the board needs to start looking at where to move the town highway department now because deciding and moving takes time when done right.

Rick informed the board that Tim Cassidy SR is having an operation and will be off for 5-6 weeks. Also that Rick will not be here for July's meeting.

1:40:00

ONE MOTION

A motion was made to accept all board reports given on 06/14/2016. Motion was made by Mike Hillier, Seconded by Bill Mann, and carried 4-0.

OLD BUSINESS

Mike Hillier stated that Doris had started to look into Tyco's set up with the backdoor key fobs and if general can do something cheaper we should set that up. The purpose of the key fobs is to report who is coming into the building and the disarming panel from general security can be set up for every person to have their own disarm code and be tracked that way. Also we are paying Tyco to monitor the computers which the alarm system from General Security

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is already set up for and the town could purchase a camera system or DVR camera system instead of paying someone to monitor them.

Supervisor Walker suggested that a letter be sent to Tyco for any rebates considering that the town has already paid them the entire year's pay and now we have stopped half our services with them, from April to December at least.

1:43:00

NEW BUSINESS

Motion was made that the Town of Nunda formally joins the Association of Towns at the set price of \$799.00. Motion was made by Jim Forrester, seconded by Bill Mann, and carried 4-0.

Supervisor Walker stated that even their town attorney recommended the town of Nunda join this association for all it offers.

Motion was made that the Town of Nunda move forward with a local law that shall identify, hold harmless and defend all elected officials or volunteers. Motion made by Jim Forrester, seconded by Bill Mann, and carried 4-0.

A formal draft and opinion from the attorney will be given to the town.

1:45:00

CLERK REPORTS

Cheyenne submitted the monthly Town Clerk Reports, and Justice Report to the Nunda Town Board. A motion was made to approve the Town Clerk for the month of, May 2016. The motion was made by; Mike Hillier seconded by, Bill Mann and carried 4-0.

Cheyenne reported that the dog local law is in its final draft and will be ready for the board to review in next month's board meeting.

Jim asked Cheyenne if the remote access bill was in this abstract? Cheyenne answered no; the court clerk is still waiting on invoice that once she receives will give to the town.

A motion was made to approve the Justice Reports for the month of May 2016 including the provided cashbook report. Motion was made by Mike Hillier and seconded by Jim Forrester, and carried 4-0.

Tomkins Selective insurance for the town was discussed. A meeting will be set for Jim, Merilee and Cheyenne to sit down and review the Insurance policy with a representative from selective in the following month.

Bob Cox

Village Mayor Bob Cox addressed the board regarding the new zoning laws and where we stand on the progress with that. Supervisor Walker stated that they went over the details earlier and in previous minutes it was declared that for these new zoning laws to take place the town or village first has to be lead agent. Supervisor Walker reviewed what was previously spoken about during the planning report earlier in the meeting.

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EXECUTIVE SESSION

8:52 PM - A motion was made to go into executive session relating to employment consideration of a particular person. The motion was made by Jim Forrester, seconded by Bill Mann, and carried 4-0.

Mark Mullikin, Val Griffing, Ron Adam, Bob Cox and Alex Pierce left the meeting at 8:53 PM.

Rick Moran left at 8:59 PM.

Executive session began at 9:00 PM.

Cheyenne DeMarco was approved to stay.

9:20 PM - A motion was made to come out of executive session. The motion was made by Bill Mann, seconded by Jim Forrester, and carried 4-0.

On Tuesday, March 8th, the Town Board made a motion that went as follows: "A motion was made to accept the police chief's recommendation of the 3 candidates pending police commissioner's acceptance of police chief review of said candidates. Motion was made by Jim Forrester, seconded by Bill Mann, and carried 5-0."

A motion was made that the town board now accept the recommendations made by the police Chief for the three candidates pending before us on March 8th. Motion was made by Bill Mann, seconded by Mike Hillier, and carried 4-0.

Mike Hillier addressed Supervisor Walker, stating that in Doris's absence as the town board's second police commissioner, he recommends appointing Bill Mann in her place. Jim agreed.

POLICE COMMISSIONER

Supervisor Walker appointed Bill Mann to replace Doris's position as the second police commissioner for the Nunda Town Board.

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 4-0.

The meeting adjourned at 9:25 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO
NUNDA TOWN CLERK