

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, April 09, 2019
AT 7:00 PM

PERSONS PRESENT	TOWN BOARD	Supervisor, Merilee Walker Councilperson, William Mann Councilperson, Michael Hillier Councilperson, James Forrester Councilperson, Randall Morris
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	RECORDING CLERK	Cheyenne DeMarco
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	PERSONNEL	Assessor, Brian Knapp CEO, Mark Mullikin Chief, Ryan Dale Historian, Valerie Griffing Hwy. Supt., Rick Moran
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	VISITORS	Tim Cassidy, Martha Blair, Alex Peirce
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CALL TO ORDER	Supervisor Walker called the meeting to order at 7:00 PM. Roll call was taken with councilmember William Mann absent.
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PLEDGE TO THE FLAG	All persons stood as Jim Forrester led the pledge.
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ADOPTION OF MINUTES	A motion was made to adopt the minutes of the following meetings;
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- Tri-Board Meeting Minutes of 03/09/2019
- Regular Town Board Minutes of 03/12/2019

The motion was made by Randy Morris seconded by Jim Forrester and carried 4-0.

The drafted Police Commissioners Minutes of 04/01/2019 were presented to the board for review only.

CHANGES TO AGENDA	None.
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PRIVILEGE OF THE FLOOR	
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Alex Peirce	Alex addressed the board as the Nunda Planning Board chairman, handing out copies of the completed draft of the Nunda Solar Law. Alex stated that the drafted copy of the law is ready for the Town attorney to review. The Nunda Planning Board used the Town of Avon and Town of Mount Morris's Solar Laws for reference. Town of Avon's solar law had more protective language regarding prime soil. Alex stated that he feels the law has adequate prime soil protection.
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The Nunda Planning Board also recommends that the drafted solar law be implemented as a part of the Nunda Joint Zoning law instead of an independent local law. Therefore, continuing the Zoning update process by repealing the Zoning Law's last adoption in 2016 titled "Joint Additions to "Town and Village Zoning Law" repealing Local Law No. 1 of 2005".

Suspend-able solar arrays were discussed.
School and County PILOT agreements were mentioned.

Bill Mann entered meeting at 7:18 PM.

CEO	Mark submitted his March 2019 report. Mark attended his annual conference. The pool regulations will run in the Mount Morris shopper for two weeks in sync with the Junk day ad.
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ASSESSOR REPORT	Brian stated that he is finishing the tentative tax roll and it will be finalized by May 1 st . Letters have been sent to the Board of Assessment Review members for their annual grievance day meeting on May 29 th from 5:00 PM – 9:00 PM.
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There have been further changes to the Star exemption program. Enhanced STAR exemption is for owner occupants that are 65 years of age or older and have a federal adjusted gross income of \$86,300 or less, and if your gross income exceeds \$250,000 you will not be qualified for Basic Star. This switches the applicants to receiving credit not basic.

Also, if applicants who decide to keep their Basic Star, their exemption cap rate will remain as it was determined in 2018, unless the applicant goes to the credit checks from the State. If the applicant changes to the credit checks there is a possibility, they will get a small increase of repayment (\$12.00 – \$25.00). Applicants may renounce their exemption by May 1st by sending a letter to the Assessor's office, after which point, they will have to file a form with the state directly because the Town's tentative assessment roll will already have been filed with County and cannot be changed at the local level afterwards.

HISTORIAN

Val submitted her March report which entailed her work on the inventory is completed, and just needs to finalize the report to the County Historian. In all, approximately 37 cubic and linear feet of records and reference materials stored in either Val's office or the archives storage room on the third floor. Essentially these files can be divided into seven different series with each series having one or more subseries and each subseries being divided into sections. For example, Series 5. Photographs and Maps, Subseries D. Nunda, Section 1. Residents, Section 2. Homes and Businesses, etc.

Many boxes deserve more attention such as proper storage materials, more complete cataloging and better organization so their contents can be more easily retrieved. For example, one box of pictures is stored in regular file folders and regular storage boxes where the acidity of the storage materials will eventually damage the print. Another box looks like you swept your arm across your desk and the contents fell into it. Labeling of all boxes and file folders is minimal. Purchase of archival storage materials is needed to assure long term preservation. In addition, creation of a finding aid, a brief description with an exact location of where you can find a particular item, would allow others to more easily identify files they would like to look at and where those files could be found.

Jim asked Val if she kept a log of all her hours worked for this project? Val stated she has not tracked her hours; she has basically used every Sunday since January to present to finish this project.

The board thanked Val.

COMMUNICATIONS

Supervisor Walker reviewed the following communications:

i.) William Mann resignation from Town Board.

Bill stated that knowing they have a capable and well qualified candidate willing and interested to take his place of Town Councilmember, he would like to submit his resignation to the Town Board and give his seat on the Town Board immediately to Martha Blair. Motion was made to accept the resignation of William Mann as Town Councilperson with regrets. Motion was made by Mike Hillier, seconded by Randy Morris and carried 4-0-1.

ii.) Martha Blair letter of interest for Town Board position.

Martha was the only resident to submit a letter of interest to the Nunda Town Board in regards to their anticipating a vacancy for a Town Councilmember, William Mann. The board felt confident in Martha joining the board. A motion was made to appoint Martha Blair to the Town Board vacancy for the remainder of the 2019 calendar year. Motion was made by Mike Hillier, seconded by Jim Forrester and carried 4-0-1. Martha Blair was given the oath of office by Supervisor Walker and Bill Mann resigned his seat at the meeting table to Martha to join the Town Board.

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Bill Mann left meeting at 7:45 PM

iii.) *Nunda annual Clean Up Day – May 11th, 9 AM – 1 PM.*

iv.) *Open Cemetery Bids.*

One submitted bid was opened and reviewed for the mowing season from May 1st to October 1st.

Shafer Landscape (Groveland) – \$4,050

Motion was made to accept and award the cemetery mowing bid to Shafer Landscape in the amount of \$4,050.00. Motion was made by Jim Forrester, seconded by Mike Hillier and carried 5-0.

Brian Knapp left meeting at 7:50 PM

v.) *Zoghlin Group PLLC, Morris Ridge Solar Project Letter.*

The Zoghlin letter stated that they're a Law Firm is involved with the 1,000-acre solar energy facility near our community. Specifically, in Mount Morris with the Morris Ridge Solar Energy Center Project. The letter reviews the Article 10 project process. Zoghlin offered to come to a Town Board meeting to discuss the status of the Morris Ridge Project and a municipality's role in Article 10. The board agreed that was no necessary.

vi.) *Town of Nunda Sexual Harassment Prevention Policy.*

The Town Board was presented an updated Sexual Harassment Prevention Policy to replace their existing Town policy from 2006 as per New York State Department of Labor (NYDOL) and Division of Human Rights that implemented mandatory updates to all municipal policies that now must have training comport prior to October 9, 2019, every employer in New York State must provide employees with their first annual Sexual Harassment Prevention training.

Motion was made to accept the revised Town of Nunda Sexual Harassment Prevention Policy. Motion was made by Randy Morris, seconded by Mike Hillier and carried 5-0.

(See Attachment.)

SUPERVISORS STATEMENT

Signed and given to the Town Clerk for filing.

AUD

The 2018 Annual Financial Report for the Town of Nunda & The joint Nunda Police Department was presented for all board members to review.

AUDIT BILLS

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

- *General Fund* Claim number, 78-96, in the amount of \$15, 164.48, as set forth in abstract No. G-4, dated 04/09/2019.
Vouchers 78 was classified as prepay in the amount of \$258.35.
- *Highway Fund* Claim number, 65-84, in the amount of \$27, 151.14, as set forth in abstract No. H-4, dated 04/09/2019.
Voucher 65 was classified as prepay in the amount of \$748.40.
- *Police Fund* Claim number, 32-40, in the amount of \$12, 353.74, as set forth in abstract No. P-4, dated 04/09/2019.

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

POLICE

Chief Dale reported the Nunda Police Department statistics for March 2019. Chief Dale also stated that he has worked with Martha Blair for many years with her work with the ambulance and he looks forward to working with her as

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a town board member, and Chief Dale thanks Martha for no longer making him the new guy.

The Commissioners granted the request for the Town Clerk to use the Town credit card to create online automatic monthly payments for Police Account utility vendors Time Warner Cable and Verizon wireless, to avoid turn offs & late fees since these vendor bills are commonly received after the monthly board meetings. These monthly utility charges would continue to be reflected in the monthly Police abstracts through a credit card voucher claim as presented and approved by the Town Board.

All Nunda officers will be fitted for Level 3A vests by the end of the month and a quote will be presented to the Commissioners at the May meeting.

The purchase of two laptop computers for the police vehicles, Police Department flooring, Tahoe repairs was reviewed as already stated in the commissioner's minutes from March 2019.

In regards to the Nunda Bike Patrol, the bike was delivered and assembled by the officers but they would still like a professional to look it over from the bike store in Geneseo. Chief Dale invited anyone who wants to look at the bike to come to the Police Station. There was discussion in regards to the bike patrol uniform, the reflective strips needed etc. They currently have no policy or procedure for the bike patrol, Chief Dale is working on assembling this policy with reference to other departments and the goal is to have the bike in use by May 1st. It was stated that it will be restrictive to cop basics but great for community policing.

Chief Dale stated that in conversation with the Sheriff's Office Administrators, he agreed to resign his Livingston County Sherriff's Department road patrol position to avoid any potential conflict. The resignation was made on good terms and the Sherriff made comment that Chief Dale would be better assisting him as Chief of Nunda Police.

IT REPORT

None.

COMMERCE REPORT

None.

BUILDING/ZONING REPORT

Dan Moran is proceeding with the front door replacement, it will be full glass instead of half glass at the same price, Dan recommended full glass for a more professional look. The door will also be centered instead of to the right as it is now.

The Village would like to repair the sidewalk in front of the government center on North State Street, there is a tree where the roots are disrupting the sidewalk, the Village DPW would like to remove the tree in order to fix the sidewalk. The board agreed they were not opposed and grant the Village DPW to proceed with their plan and appreciate the repair.

HIGHWAY

Jim stated he and Rick met and discussed reducing the distance of driving the highway trucks for materials to spare repairs on the trucks.

Rick stated that the Town dirt roads have a lot of destruction from winter, some hot patch will be enough to repairs some spots.

Rick stated that their leaf vacuum system needs to be replaced, the one they have was purchased used at \$2,500.

Alex Peirce left meeting at 8:35 PM

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- ONE MOTION** A motion was made to accept all reports given on 04/09/19. Motion was made by Mike Hillier and seconded by Jim Forrester and carried 5-0.
- OLD BUSINESS** New highway building was discussed.
- Highway Building** Having investigated five properties as a possible site for a new Town of Nunda highway building and those not meeting the Town’s specifications, BE IT RESOLVED that the Town of Nunda proceed with the purchase of 7.50 acres of property owned by Hay Road LLC, Tax Map No. 170.-1-70.51, at a negotiated price of \$45,000 where water, sewer and natural gas are available AND FURTHER that the Town Supervisor contact Town Attorney Pullen to begin the process of the said purchase. Motion was made by Randy Morris, seconded by Jim Forrester and carried 5-0.
- NEW BUSINESS** None.
- CLERK REPORTS** Cheyenne submitted her March 2019 Town Clerk Report of total state, county and local revenues and the March 2019 Justice Report to the Nunda Town Board.
- A motion was made to approve the Town Clerk and Justice reports for the month of March 2019. The motion was made by Mike Hillier, seconded by Jim Forrester and carried 5-0.
- Also, the 2019 Town and County Tax Collection totals to date report was submitted to the town board.
- RECORDS DISPOSAL** Cheyenne supplied a list of records due for disposal from the Town of Nunda following the MU-1 Schedule. A motion was made to dispose of the listed records by the town clerk and to have Cora Cassidy the Nunda Government Custodian shred these records as listed. Motion was made by Randy Morris, seconded by Mike Hillier and carried 5-0. (See Attachment.)
- ANNUAL JUSTICE AUDIT** Judge Jim Mann submitted his annual justice court record audit for the fiscal year of 2018 per Section 2019-a of the Uniform Justice Court Act.
- Motion was made where the Town Board hereby accepts the 2018 Nunda Town Court Audit as presented. Motion was made by Jim Forrester, seconded by Randy Morris 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 8:56 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO
NUNDA TOWN CLERK