

**MINUTES OF THE REGULAR TOWN BOARD MEETING**  
**Tuesday, May 12, 2020**  
**AT 7:00 PM**

PERSONS PRESENT	TOWN BOARD	Supervisor, Merilee Walker Councilperson, Martha Blair Councilperson, Michael Hillier Councilperson, James Forrester Councilperson, Randall Morris
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RECORDING CLERK Cheyenne DeMarco

PERSONNEL	CEO, Mark Mullikin Hwy. Supt., Rick Moran
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VISITORS	Kaytlyn Hall, Alex Pierce
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CALL TO ORDER                 Supervisor Walker was able to call the meeting to order at 7:00 PM. Roll call was taken with all Councilpersons present.

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

COVID-19                         Supervisor Walker stated that due to the COVID-19 pandemic, the Nunda Town Board will not be meeting in person, and in person attendance will not be permitted per the Governor's Executive Order No. 202.1, issued on March 12, 2020, which suspends the Open Meeting's Law requirements and allows meetings to be held without the public present. This order requires that the public be permitted to attend via phone or video conferencing and that the remote meeting be recorded and transcribed along with the regular minutes that are written by the interpretation from the perspective of the Recording Clerk.

Therefore, the Nunda Town Board will conduct all meetings starting April 2020 in the form of remotely teleconferencing using a Zoom platform until further notice. The public has access to the Zoom meeting link on the Town website at town.nunda.ny.us.

Non-essential public business and monthly status department head reports shall be postponed in their review during Board Meetings until further notice.

In accordance to the Record Retention and Disposition Schedule MU-1, audio recordings of the Town Board meetings will be required to be retained for four months and then disposed of.

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

- Regular Town Board Minutes of 04/14/2020

**Motion was made** by Mike Hillier, seconded by Martha Blair and carried 5-0.

COMMUNICATIONS             Supervisor Walker reviewed the following communications:

*i.) Memorial Day Services in Nunda*  
 Alex Pierce gave an update on Nunda Memorial Day services. The Legion is advertising that there will not be an official parade, or public Memorial Day cemetery service. However, they will have a small contingent to lay wreaths in each of the cemeteries and following their regular time protocols of 9:30AM, 10:00AM and 11:00AM. VFW, with the legions, are still deciding if there is to be any kind of firing detail. They will be ensuring that they maintain safety and following appropriate protocols.

*ii.) Solar Law Status.*  
 Supervisor Walker asked Alex where they were with the Nunda Solar Law? Alex answered that it's pretty much where it was the last time they spoke. It's been with the Town attorney, and now it's just a matter of getting it through to the county, and then having a public hearing for the community. A county planning board meeting is to be held this Thursday, and he'll have a chance to work out the timeline details for the board in the next month.

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iii.) *Annual Clean-up Day – Rescheduled.*

It was discussed that the Annual Clean Up day should be rescheduled this summer before the Fall season, due to the scientists warning that the COVID-19 will have a second wave in the Fall where they would have to close everything down again. Rick stated he would get with Village Superintendent, Troy Bennett, and get a date picked out.

iv.) *2020 Youth Summer Recreation program.*

Supervisor Walker stated that the Village Board was reviewing this topic at their meeting tonight. Cheyenne stated that Village Clerk, LeRoy Wood, spoke with her before the Town meeting began, stating that the Village Board left the decision up to Mayor Morgan, who will reach out to Keshequa Central School, Kiwanis and other Summer Recreation programs in the County. Based off his conversations with those organizations he will make a decision next week on whether this year's Summer Youth Recreation program should be postponed or cancelled.

Martha stated that she would rather see the Mayor hold off longer than a week before he decides. June 27<sup>th</sup> is the date where the Governor will decide if New York is approved for Phase Four, the final phase of reopening during COVID-19, which will allow schools, and arts, entertainment, and recreation businesses to reopen.

Martha stated that the hiring process could go on ahead of time with the idea that we're allowed to open. There may not be swimming lessons and may not be able to have bus rides to the park, but would hate to see us cancel it in a week, when we don't know what's going to happen. Martha suggested that they should prepare that it's a go, rather than cancel and then find out that we probably could've been open. Martha stated she would like to see us go at least until mid-June to decide.

Jim and Randy Agreed.

Supervisor Walker stated that given that Youth Recreation is a shared service between the Village of Nunda, the Town of Nunda, and the Town of Portage, everybody needs input before canceling.

v.) *Shaw Road maintenance, Town of Ossian*

Supervisor Walker stated that Shaw Road is a town line road between Nunda and Ossian. The Town of Ossian Supervisor contacted Supervisor Walker with their concern and opinion that Shaw Road is divided down the intersection of the road and Ossian gets one side and Nunda gets the other. Supervisor Walker has spoken with the Ossian Town Supervisor numerous times about the way Shaw Road is divided. Supervisor's Walker understanding is when you go off Route 436, the first half mile of Shaw Road belongs to Ossian. From that half mile point to Nunda Byersville Road is Nunda's part of Shaw Road.

The Nunda Highway Department has already oiled and stoned that years ago. Supervisor Walker stated she has received a letter from the Ossian attorney, requesting that we do our share of that road with maintenance and pay. Town of Ossian also sent a copy to the Nunda Town attorney.

Supervisor Walker and Rick went to Shaw Road with the odometer and measured everything off for their records. Supervisor Walker also had previous Town of Nunda highway crew employees, Hugh Thompson, and Bruce Buchinger, submit a letter of their validation of how Shaw Road was always maintained during their 30+ years as members of the Nunda Highway Department. These letters were gathered by Supervisor Walker and submitted to the Town Attorney. Also, Rick has a list of all roads that we reported to Department of Transportation (DOT) for our chips program that listed Shaw Road, and it only lists the amount that we're responsible and it reflects Supervisor's Walker and Rick's understanding of what part of the road is their responsibility.

vi.) *Re-opening the Nunda Government Center.*

Mike asked when the Government Center will be reopened?

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Supervisor asked the clerk her opinion. Cheyenne stated that the protocols she's followed have been implemented based on what the County is doing. The County is still closed to the public as well as all other Town Clerk offices. The Town Clerk's office hasn't been affected by being closed to the public because it is the slow time of the year, it doesn't really pick up again until August. There haven't been any complaints and typical spring time office traffic hasn't been disrupted compared to past years. Other departments are different, such as the Court and the Village Clerk's office. Regardless of this being a Town building, those department heads should be asked how they feel about the front doors being open. They will have the most traffic over the summer.

Mike stated that the Village Board is discussing it tonight. A couple of Village trustees reached out to him last night and asked his thoughts on it and Mike ran it by Jim. The Village Trustees who reached out to Mike are in favor of opening it up immediately.

Jim added that the Town of Nunda didn't declare a state of emergency, and it's different when the county does. We need to have some dialogue on this to try to get the building opened back up.

A motion was made to open up Monday, May 18<sup>th</sup> to the public. With limitations of only two people allowed in the building, and if they're not willing to wear a mask they're not allowed in. This does not include board meetings. Motion was made by Mike Hillier, seconded by Martha Blair and carried 5-0.

*vii.) Town of Nunda Facebook Page.*

Mike brought up that there is an existing Town of Nunda Facebook account. Cheyenne said it was brought to her attention when someone called the office soliciting to manage it for them. This page was not created by any current employee of the Town. It was suggested to try and shut that down the page maybe start one.

**NEW HIGHWAY GARAGE PROJECT**

*i.) Pre-Bid Meeting: Thursday, 5/21 at 2pm*

Supervisor Walker stated that this is just an FYI, a pre bid meeting will be held. Thursday, May 21 at 2pm at the Town garage and it serves as a pre-construction meeting. Any interested in bidding our project would be able to come in, our engineer would be there and as well as Supervisor Walker and Rick. The bids did go out Friday. And they are due on June 4<sup>th</sup> at 2pm. Our engineer has indicated that he's had a lot of interest, because of this corona virus. There's been numerous calls of interest for any projects to bid on because half of my employees are laid off and so forth, so he thinks we're going to do quite well.

Supervisor Walker stated that Rick and herself with the engineer met and went over what Highway Garage design including the roof, the color scheme, etc.

*ii.) Once Again Nut Butter (OANB)*

Jim stated he spoke with Bob Gelser last night. Bob stated that OANB does intend to execute the contract to take over the current highway department property on Watercure Road which would be in 2021. Bob stated that the timing with our construction project is perfect. Bob's exact words were; he would go right out to the last day of the contract.

**AUDIT BILLS**

There was a motion to approve the Audited Abstracts for the month of May 2020. These abstracts include;

- *General Fund* Claim number, 85-101, in the amount of \$30, 900.56, as set forth in abstract No. G-5, dated 05/12/2020.
- *Highway Fund* Claim number, 82-98, in the amount of \$26, 647.78, as set forth in abstract No. H-5, dated 05/12/2020.

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Voucher 96 was deleted from Highway Abstract 5 and moved to Capitol Project Abstract 5 as Voucher 9.

- *Police Fund* Claim number, 29-33, in the amount of \$1,193.50 as set forth in abstract No. P-5, dated 05/12/2020.
- *Capital Project* Claim number, 6-9, in the amount of \$20,208.36, as set forth in abstract No. C-5, dated 05/12/2020.

**Motion was made** to approve the audited abstracts. Motion was made by Mike Hillier, seconded by Randy Morris  
The motion having been duly seconded, it was adopted and the following votes were cast:

Supervisor, Merilee Walker	Aye
Councilperson, Martha Blair	Aye
Councilperson, Michael Hillier	Aye
Councilperson, James Forrester	Aye
Councilperson, Randall Morris	Aye

**ADJOURNMENT**

Being that there was no further business, there was a motion to adjourn.

**Motion was made** by Jim Forrester, seconded by Mike Hillier and carried 5-0.

The meeting adjourned at 7:30 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO  
NUNDA TOWN CLERK