

MINUTES OF THE REGULAR TOWN BOARD MEETING

Tuesday, September 8, 2020.

AT 7:00 PM

DRAFT

PERSONS PRESENT	TOWN BOARD	Supervisor, Merilee Walker Councilperson, Martha Blair Councilperson, Michael Hillier Councilperson, James Forrester Councilperson, Randall Morris
	RECORDING CLERK	Kaytlyn Hall
	PERSONNEL	CEO, Mark Mullikin Hwy. Supt., Rick Moran
	VISITORS	Alex Pierce, Ryan Dale

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 Mike Hillier led the pledge.

COVID-19 Supervisor Walker stated that the Town Board have decided to meet in person this month for the regular Town Board meeting while following the NYS COVID-19 regulations. To perform this, the Board Room at 4 Massachusetts Street has abided by the following:

- 50% facility capacity requirements
- Social distancing
- The wearing of the face masks
- Heightened cleaning and disinfecting

The capacity of the board room is eighteen (18) people; therefore the 50% facility capacity would be a maximum of nine (9) people. With five (5) board members, at least (3) three confirmed department heads; there is only one (1) more person allowed in the room. Therefore, to accommodate for the tentative expectation of guests or other department heads show up in person, the Town clerk and deputy clerk will stay in the Town Clerk office.

Due to this restricted attendance, a laptop will be at the Town Board meeting table, then all who wish to dial into the meeting can still participate 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.

The Town Board meeting agenda will continue to conform to 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.

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With the likelihood that the 50% facility capacity requirements will be met continuously through the meeting by and community members who've requested privilege of the floor the Town Clerk and Deputy Town Clerk will remain in the Town Clerk office and participate in the meeting through the public zoom platform.

- ADOPTION OF MINUTES A motion was made to adopt the minutes of the following meetings;
- Regular Town Board Minutes of 08/11/2020
- Motion was made** by Martha Blair, seconded by Mike Hillier and carried 5-0.
- CHANGES TO AGENDA NONE
- PRIVILEGE OF THE FLOOR
- Alex Pierce Alex explained what occurred at the Planning and Zoning Board Public Hearing held on August 18, 2020 at the Nunda Fire Hall.
- COMMUNICATIONS Supervisor Walker stated as an FYI that there will be a meeting at Baldwins to go over the Tentative Budget for 2021 on Wednesday, September 16, 2020 at 9:00am.
- MONTHLY BUDGET
- i.) **Motion was made** to accept the monthly budget report. Motion was made by Mike Hillier, seconded by Randy Morris and carried 5-0.
 - ii.) *Supervisor Statement*
Motion was made to accept the Supervisor statement. Motion was made by Randy Morris, seconded by Mike Hillier and carried 5-0.
- AUDIT BILLS
- There was a motion to approve the Audited Abstracts for the month of August 2020. These abstracts include;
- o *General Fund* Claim number, 163-184, in the amount of \$8,087.58, as set forth in abstract No. G-7, dated 09/08/2020.
 - o *Highway Fund* Claim number, 148-166, in the amount of \$52,807.53, as set forth in abstract No. H-7, dated 09/08/2020.
 - o *Police Fund* Claim number, 46-51, in the amount of \$554.84 as set forth in abstract No. P-7, dated 09/08/2020.
 - o *Capital Project* Claim number, 15-17, in the amount of \$23,066.42, as set forth in abstract No. C-7, dated 09/08/2020.
- Motion was made** to approve the audited abstracts. Motion was made by Mike Hillier, seconded by Jim Forrester and carried 5-0.
- POLICE
- Chief of Police, Ryan Dale, presented his monthly report. Chief spoke about the county crackdown. The County awarded the Police department a \$3,600.00 DWI grant, with that they also increased the crackdown hours from eight to

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fifty-five. Chief said the tires on the Ford need to be replaced and received a quote of \$760.00 from Eastside Automotive for All-Terrain tires. Mike asked why two officers paid for gas out of pocket? Chief explained that there was no gas in the Village tank so they used their own money. The town reimbursed them. Chief brought up that they are not able to do a traffic watch until someone complains, simply because they do not know about it until they are informed.

Chief said that he has not heard anything further from Mount Morris about wanting the car, so he plans to take it to auction. There was some discussion about what they are going to do with the Tahoe? It is still sitting at Eastside Automotive and waiting on getting a title for it so it can be taken to auction. Randy stated that he will work on trying to get a certificate of origin for the Tahoe and possibly try to contact the factory where it was made and Hoselton as a Town Official to see if we can get some progress on the process of getting this vehicle to auction.

Jim thanked Chief Ryan Dale for great response time when he contacted him with some concerns of his.

Chief mentioned that two of our new officers have completed their six-month probationary period.

Motion was made to increase Brock Allen and James Pappas' hourly wage \$18.00 per hour as they have completed their six-month probationary period. Motion was made by Mike Hillier, seconded by Martha Blair and carried 5-0.

BUILDING/ZONING REPORT

Mark Mullikan submitted his monthly report for August 2020 which included discussion with a contractor about elevation requirements for a new home construction on Meyers Road. Mark signed and returned the energy proposal for the lighting in the Government Center building. Mark also spoke with the manager of the mobile home park on Creek Road about future development requirements for new units to be installed.

Mark submitted a proposal from T.Y. LIN International regarding a review on the new Highway Building's site plan. The proposal includes a review on code compliance, drawing and construction documents. Code compliance will be specifically focused on the following:

- Part 1221 – 2020 NYS Building Code
- Part 1222 – 2020 NYS Plumbing Code
- Part 1223 – 2020 NYS Mechanical Code
- Part 1225 – 2020 NYS Fire Code
- Part 1240 – 2020 NYS Energy Conservation Construction Code

Motion was made to accept this proposal from T.Y Lin International by Jim Forrester, seconded by Randy Morris and carried 5-0.

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HIGHWAY

Rick reported that the work to State Route 436 is now completed, it is only a surface treatment so it is possible that it will only last a few years. Rick was able to arrange to get rid of the accumulated electronics at the Highway Department. He will be taking them to Brockport for a free drop off service.

Highway Garage Project – Clinton Easement

Clinton Easement Grant consists of permission from Randy Clinton, residing at 8972 State Route 408, Nunda, New York 14517, to The Town of Nunda permission to install a portion of the “System” on the Premises (8972 State Route 408), in accordance with the plans prepared by MRB Group Engineering, Architecture and Surveying, D.P.C. (Full easement is filed at the Government Center with the Town Clerk). Supervisor Merilee Walker will be in contact with Randy Clinton for a signature on the easement.

Motion was made to accept the Clinton Easement Grant. **Motion was made by Mike Hillier, seconded by Jim Forrester and carried 5-0.**

SHAW ROAD RESOLUTION

THIS JOINT RESOLUTION AND CONTRACTUAL AGREEMENT is made by and between the Town of Ossian and the Town of Nunda, both in Livingston County, New York, on the date last resolved below.

This document pertains to that portion of Shaw Road that is on the boundary line between said two Towns, extending from NYS Route 436 approximately 3,895 feet more or less northerly to the northwest corner of the Town of Ossian.

BE IT AGREED AND RESOLVED that effective immediately:

1. The Town of Ossian hereby transfers jurisdiction of said portion of Shaw Road aforesaid to the Town of Nunda for maintenance, repair, capital improvements, and all other purpose of caring and providing for said highway.
2. The Town of Nunda hereby accepts transfer of jurisdiction of maintaining said highway from the Town of Ossian.
3. The Town of Nunda:
 - A. shall be totally responsible for maintaining, repairing, capital improving, and otherwise providing for said portion of said highway;
 - B. shall keep said portion of the highway open at all times (excepting construction and short-term inclement weather issues; and
 - C. accepts all legal responsibility for said portion of said highway, including but not limited to liability in case of lawsuits, and shall indemnify, defend and hold harmless the Town of Ossian therefrom.
4. A certified copy of this Resolution shall be filed with the Livingston County Highway Superintendent and the New York State Department of Transportation within thirty (30) days of when last passed. Failure to do so, however, shall not negate said Agreement.
5. In full consideration for the above, the Town of Ossian shall pay Midland Asphalt Materials, Inc. the sum of \$13,707.85 billed to the Town of Ossian for oil currently used to resurface said Shaw Road.

PASSING OF RESOLUTION

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At a Regular Meeting of the Town Board of the Town of Ossian held at the Ossian Town Hall on September 8, 2020, all members being present, on the motion of Councilman Jim Forrester seconded by Councilman Mike Hillier, the aforesaid Agreement and Resolution was unanimously passed.

CERTIFICATE OF RECORDING OFFICER

The aforesaid Resolution and Agreement is a true and correct copy of the original regularly adopted at a legally convened meeting of the Town Board of the Town of Ossian, duly held on September 8, 2020; and further that such Resolution was then duly recorded by me. IN WITNESS WHEREOF, I have put my hand and seal on this 8th day of September, 2020.

Kaytlyn Hall, Town Clerk

OLD BUSINESS

Shaw Road

Motion was made to accept .55 miles of Shaw Road from the Town of Ossian. Motion was made by Mike Hillier, seconded by Martha Blair and carried 5-0.

ALL REPORTS

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

CLERK REPORTS

Kaytlyn submitted her August 2020 Town Clerk Report of total state, county and local revenues and revenues and the August Justice Report to the Nunda Town Board.

Motion was made to approve the Town Clerk report and Justice report for the month of August 2020. Motion was made by Randy Morris, seconded by Mike Hillier and carried 5-0.

JUSTICE REPORT

Town of Nunda Justice, Emily Stouffer, submitted the monthly Justice report to the Town Clerk for review at the Town Board Meeting.

ADJOURNMENT

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

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

The meeting adjourned at 8:56 PM.

RESPECTFULLY SUBMITTED,

KAYTLYN HALL
NUNDA TOWN CLERK