

# MINUTES OF THE REGULAR NUNDA TOWN BOARD MEETING

Tuesday August 8, 2023, at 7:00 PM

*Draft*

## PERSONS PRESENT

### TOWN BOARD

Supervisor: Merilee Walker

Councilperson: Martha Blair

Councilperson: James Forrester

Councilperson: Michael Hillier - *absent*

Councilperson: Randall Morris

### RECORDING CLERK

Tamara McCallum

### PERSONNEL

Assessor: Brian Knapp

CEO/ZEO: Mark Mullikin - *absent*

Police Chief: Ryan Dale – *absent*

Historian: Valerie Griffing – *absent*

Hwy Superintendent: Rick Moran

Planning Board Chairman: Alex Pierce

Planning Board Member: Joe Tamimie

Highway Employee: Dana Wood

### VISITORS

Bob Cox, Don Wilcox, Richard & Cathy Kemp, Tom & Alicia Strain, Aryah & Kimberly VanName, Robert Gelser, Terry Lowell, Todd Galton, Gary Nageldinger.

### CALL TO ORDER

Supervisor Walker called the meeting to order at 7:00 PM. Roll call was made with one Councilmember absent.

### PLEDGE TO THE FLAG

All stood as Supervisor Walker led the pledge.

### ADOPTION OF MINUTES

**A motion was made** to adopt the minutes of the following meeting:

- Regular Town Board Minutes of 7/11/2023

**The motion was made** by Councilperson Blair, seconded by Councilperson Forrester, and carried 4-0.

**A motion was made** to adopt the minutes of the following meeting:

- Emergency Town Board Meeting of 7/21/2023

**The motion was made** by Councilperson Blair, seconded by Councilperson Forrester, and carried 4-0.

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## **OPEN PUBLIC HEARING**

Open Public Hearing on Local Law #3: Moratorium to Prohibit Commercial Development for a period of 12 months. The Supervisor welcomed all guests and asked if anyone wished to speak about the proposed Local Law. After lengthy discussion, with opinions both opposing and in favor of the law, and after all visitors, Planning Board Members and Councilmembers had a chance to speak, Supervisor Walker closed the hearing and called for a vote.

The roll call vote was as follows:

- Supervisor Walker – Nay
- Councilperson Blair – Nay
- Councilperson Forrester – Nay
- Councilperson Hillier – Absent
- Councilperson Morris – Nay

The proposed Local Law #3: Moratorium to Prohibit Commercial Development for a period of 12 months did not pass by a vote of 4 Nays, 0 Ayes, 0 Abstentions.

Supervisor Walker thanked the visitors and invited them to stay for the rest of the meeting if they wished.

Supervisor Walker declared that the Public Hearing was closed.

## **HISTORIAN REPORT**

None

## **CEO/ZEO REPORT**

The Board reviewed Mark Mullikin's written report.

## **PLANNING BOARD REPORT**

The Planning Board minutes of meetings held on 7/18/23 and 8/1/23 were distributed for review only.

## **POLICE REPORT**

Councilperson Morris reviewed Chief Dale's written report. He told the Board that the Commissioners met and discussed the use of ATV's/UTV's on public streets. The Nunda Police Department will be issuing one or two warnings to the parents of juvenile ATV/UTV drivers after which the vehicle will be impounded and could involve criminal charges against the parents. The officers will also be speaking to adult drivers of ATV's/UTV's letting them know that a slow-moving vehicle sign does not allow them to drive on the village/town highways. Chief Dale is looking into replacing the AED pads which are aging.

## **ASSESSOR'S REPORT**

A check in the amount of \$5,377.62 was received from the State for Cyclical Aid. The County Board added an exemption for volunteer firefighters and first responders and also changed the exemption for Senior Citizens by updating the income limits. Brian will check with the County to see if we would need to pass another local law to use the new limits or whether we would just need to amend the law we already have in place. Supervisor Walker reminded Brian that his budget paperwork was due.

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## **HIGHWAY REPORT**

The Department has been super busy. Most of the money earmarked for chip sealing has been spent. Cemetery duties have increased lately. Union Cemetery looks very good, waiting for the deed to the additional property donated by Cecil Edwards. Approximately \$13,000.00 of County work should be coming in and there will be more. The County brought their camera up to look into the lines on Main Street in Dalton. Several DI's will be changed requiring new pipes. The County will be supplying the material and the Town will be providing the labor. After all is finished, the County will be turning that stretch of road over to the Town. Culverts will be changed on Bailey Road, Meyers Road, and some work on the culvert at Gelser's Corner will be done.

**There was a motion** to have Rick Moran sign the Shared Services agreement with the NYSDOT, not to exceed \$25,000.00, for a four-year period made by Councilperson Morris, seconded by Councilperson Blair and carried 4-0.

## **SUPERVISOR'S STATEMENT & MONTHLY BUDGET REPORT**

Supervisor Walker went over her Monthly Statement and the Budget Report. The repair of the Porch will be paid for using the ARPA money received by the Town over the last two years and has to be spent before the 2024 fiscal year end. The Hamlet of Dalton is still waiting for new LED streetlights. The Supervisor reminded everyone that their budget paperwork was due by 8/17/23.

## **INFORMATION TECHNOLOGY**

None

## **CLERK AND JUSTICE REPORTS**

The monthly Town Clerk Report was presented and discussed. The June Justice report from Justice Love and the July Justice report from Justice Stoufer were presented and discussed.

## **ALL REPORTS/ONE MOTION**

**A motion was made** by Councilperson Blair to accept all reports, seconded by Councilperson Forrester, and carried 4-0.

## **AUDIT BILLS**

The Audited and signed abstracts for the month of July were:

- ❖ General Fund Vouchers numbered 198 - 220, in the amount of \$8,948.37 as set forth in abstract number G-8, dated 08/08/23.
- ❖ Highway Fund Vouchers numbered 137-154, in the amount of \$292,127.59 as set forth in abstract number H-8, dated 08/08/23.
- ❖ Police Fund Vouchers numbered 41 - 45, in the amount of \$884.98 as set forth in abstract number P-8, dated 08/08/23.

**A motion was made** to approve the audited abstracts by Councilperson Morris, seconded by Councilperson Blair and carried 4-0.

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## COMMUNICATIONS

- There was a discussion about the form from Selective Insurance on Supplemental Spousal Bodily Injury Liability Coverage and whether we wished to opt out of this coverage. It was decided to wait and speak with our insurance agent about this option.
- The used material taken from the porch renovations will be offered for sale.

## OLD BUSINESS

The discussion continued about plans to use the County ARPA funds (\$20,000.00 for specific one-time need for projects in parks, recreation and/or tourist category). Councilperson Blair reported that Kiwanis Park would like plans and specifications for the Pickle Ball court. The American Sports Building Association was consulted, and the plans were sent to Kiwanis.

The Town's attorney, Jim Campbell, believes that there is nothing that needs to be reported with respect to the environmental findings at the old Highway Building on Watercure Road. He relayed this information to the OANB attorneys.

## NEW BUSINESS

The clerk presented a proposal from Systems East Inc. for their Credit Card acceptance program. The only cost to the Municipality would be \$100.00 for the card reader device. The cost to the cardholders would be 2.85% of the transaction plus 40 cents per transaction. This company presented a lengthy list of Towns, Villages and Counties in New York State that used their services. **There was a motion** to accept this proposal made by Councilperson Morris, seconded by Councilperson Forrester, and carried 4-0.

There was a discussion regarding the Partial Exemption for Volunteer Firefighters and Ambulance Workers that Assessor Knapp had mentioned. It was decided that further research needed to be done before acting on this exemption.

There was a motion to enter executive session, for the purpose of discussing a particular person's employment, made by Supervisor Walker, seconded by Councilperson Forrester, and carried 4-0. The clerk was approved to remain. There was a motion to exit executive session, with no action taken, made by Councilperson Morris, seconded by Councilperson Forrester, and carried 4-0.

As there was no further business, **a motion was made** to adjourn the meeting by Councilperson Morris, seconded by Councilperson Blair, and carried 4-0.

The meeting was adjourned at 9:17 PM.

Respectfully submitted,

Tamara McCallum  
Nunda Town Clerk