*Town of Nichols*

*Regular Board Meeting*

*January 9, 2017*

*Supervisor Kevin Engelbert brought meeting to order at 7:00pm in the Town Hall, located at 54 East River Rd. Nichols NY*

*Pledge of Allegiance;*

*Roll Call;*

*Councilperson Ray Thetga (present), Councilperson Bill Middleton (present), Councilperson Esther Woods (present), Councilperson Barbara Crannell (present), Supervisor Kevin Engelbert (present), Karen Hunsinger Town Clerk.*

*Also present;*

*Bryant Myers & Lee Ann Tinney (Tioga County IDA), Rose Cole, William Leonard, Kevin Vought (Superintendent of Highways).*

***CEO REPORT -*** *Was submitted and is on file in the Clerk’s Office.*

***SUPERVISORS REPORT -*** *Was submitted and is on file in the Clerk’s Office.*

***CLERKS REPORT -*** *Was submitted and is on file in the Clerk’s Office.*

***JUSTICE REPPORTS -*** *Justice Nickels*

*Fines $11,525.00*

*Surcharges $ 8,168.00*

*Civil Fees $ 1,595.00*

*Total $21,288.00*

*Total Cases 129*

*Justice Byers*

*Fines $ 5,273.00*

*Surcharges $ 3,976.00*

*Civil Fees $ 1,373.00*

*Total $10,622.00*

*Total Cases 67*

***ABSTRACT # 1***

*General Fund A $ 72,372.00*

*General Fund B $ 86.77*

*Highway Fund DA $ 4,882.02*

*Highway Fund DB $ 4720.92*

*Water Fund FX $ 52.62*

*Sewer Fund G $ 144.92*

*Trust & Agency TA $ 260.00*

*Total $82,519.25*

***MINUTES***

*The motion to accept the minutes as presented, was made by B. Middleton 2nd B. Crannell.*

*Roll Vote;*

*R. Thetga (aye), B. Middleton (aye), E. Woods (aye), B. Crannell (aye), K. Engelbert (aye).*

*Carried 5-0*

***QUESTIONS, COMMENTS, & CRITICISMS FROM THE PUBLIC***

***NEW BUSINESS***

* *Sale of Buck Farm property – Lee Ann Tinney & Bryant Myers (IDA)*

*RESOLUTION #3 – 2018*

*Approving Sale of Town Property*

*Located on Stanton Hill Rd.*

*At a meeting of the Town Board of the Town of Nichols, held at the Town Offices, 54 East River Rd. Nichols New York on the 9th day of January, 2018, the following resolution was offered and seconded;*

***WHEREAS,*** *the Town of Nichols owns approximately ten(10) acres located on Stanton Hill Road, Town of Nichols, County of Tioga and State of New York, being a portion of Tioga County Tax Map Number 138.00-1-44.10, (the “premises”); and*

***WHEREAS,*** *the Premises has a total assessment value of $45,580 and full market value of $189,917 according to the Tioga County GIS; and*

***WHEREAS,*** *the Town Board has entered into negotiations with the Tioga County Industrial Development Agency(“IDA”) for sale of the Premises in the amount of $26,000.00 per acre, plus fifty (50%) of any profits from future sale of the property and the parties have negotiated a proposed sales contract, a copy of which is attached as Appendix A; and*

***WHEREAS,*** *the Town no longer needs the Premises for public purposes and the Town hereby declares the Premises to be surplus property: and*

***NOW THEREFORE, BE IT RESOLVED,*** *that the Nichols Town Supervisor be and hereby is authorized to execute a contract and all necessary legal documents to sell the aforementioned premises, together with all improvements, personality, and fixtures, to the Tioga County Industrial Development Agency (“IDA”) for a total cost of $26,000.00 per acre, plus fifty (50%) of any profits from future sale of the property; and*

***RESOLVED,*** *that pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Town Board that the sale of the Premises constitutes an Unlisted Action. The Town Board has considered the possible environmental impacts of the action and has determined that the Town’s sale of the property will not have a significant adverse impact on the environment and the Town Board adopts a negative declaration with respect thereto; and*

***RESOLVED,*** *that, pursuant to Town Law §64(2), this resolution is subject to a permissive referendum.*

***CERTIFICATION***

*I, Karen Hunsinger, do hereby certify that I am the Town Clerk of the Town of Nichols and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Nichols at a meeting thereof held at the Town Offices, 54 E. River Rd. Nichols, New York on the 9th day of January, 2018. Said resolution was adopted by the following roll call vote*

*Councilperson Ray Thetga \_\_\_\_Yes\_\_\_*

*Councilperson Bill Middleton \_\_\_Yes\_\_*

*Councilperson Esther Woods \_\_\_Yes\_\_*

*Councilperson Barbara Crannell \_\_\_Yes\_\_*

*Supervisor Kevin Engelbert \_\_\_\_Yes\_\_*

* *Tioga Opportunities Services – B. Crannell*

*Tioga Opportunities will assist in signing up for the following Departments - Dept. of aging, Meals on Wheels, Medicare, RSVP Transportation and Medical.*

* *National School Choice Week – K. Engelbert*

*Supervisor Engelbert received a letter for a proclamation for the National School Choice Week to raise awareness for local Schools.*

***OTHER NEW BUSINESS FROM BOARD MEMBERS***

***UPDATES FROM TOWN DEPARTMENTS/PERSONNEL***

* *Highway – K. Vought*

*Parts were ordered for the Steam Jenny used to wash trucks with, parts are not in yet.*

*It would be a cost of $2,500 - $4,500 for a new Steam Jenny, estimate on parts and delivery.*

*Loader was fixed, may want to look into getting new loader next year.*

*K. Vought and R. Thetga getting estimates on new truck to replace old Red Crew truck.*

***OLD BUSINESS***

*Four (4) Ordinances to be passed into Laws, will be accepted but not passed into Law or advertised for Public Hearing until Board knows if a 239 Review by the County Planning Board, must be done before Laws passed.*

* *Drone Ordinance-*

*The motion to accept the Drone Ordinance, made by B. Crannell 2nd by B. Middleton*

*Roll Vote;*

*R. Thetga (aye), B. Middleton (aye), E. Woods (aye, B. Crannell (aye), K. Engelbert (aye). Carried 5-0*

* *Site Plan Review –*

*The motion to accept the Site Plan Review, made by B. Crannell 2nd by B. Middleton*

*Roll Vote;*

*R. Thetga (aye), B. Middleton (aye), E. Woods (no), B. Crannell (aye), K. Engelbert (aye). Carried 4-1-0*

* *Upstate NY Fire Prevention and Building Code –*

*The motion to accept the Upstate NY Fire Prevention and Building Code, made by B. Crannell 2nd by B. Middleton*

*Roll Vote;*

*R. Thetga (aye), B. Middleton (aye), E. Woods (aye), B. Crannell (aye), K. Engelbert (aye). Carried 5-0*

* *Solar Energy Systems Law–*

*The motion to accept the Solar Energy Systems, made by B. Crannell 2nd by B. Middleton*

*Roll Vote;*

*R. Thetga (aye), B. Middleton (aye), E. Woods (aye), B. Crannell (aye), K. Engelbert (aye). Carried 5-0*

* *New York Rising/Comprehensive Plan – B. Crannell*

*Nothing new to report.*

* *REAP/ Hazard Mitigation Plan – B. Crannell*
* *Highway Garage update – K. Engelbert*

*Everything has been sent for review, to NYC. Keystone and Associates are answering more questions for engineering part.*

* *NES Update – K. Engelbert*

*Still waiting for abstract.*

***OTHER OLD BUSINESS FROM BOARD MEMBERS***

***ACCEPT REPORTS & PAY BILLS***

The motion to accept the reports and pay bills, made by R. Thetga 2nd by E. Woods

Roll Vote;

R. Thetga (aye), B. Middleton (aye), E. Woods (aye), B. Crannell (aye), K. Engelbert (aye).

Carried 5-0

***ADDITIONAL COMMENTS, QUESTIONS, & CRITICISMS FROM THE PUBLIC***

***EXECUTIVE SESSION***

*The motion to go to executive session at 8:12 pm to discuss personnel made by B. Crannell 2nd by B. Middleton*

*Roll Vote;*

*R. Thetga (aye), B. Middleton (aye), E. Woods (aye), B. Crannell (aye), K. Engelbert (aye).*

*Carried 5-0*

*The motion to go out of executive session at 8:21made by B. Middleton 2nd by B. Crannell*

*Roll Vote;*

*R. Thetga (aye), B. Middleton (aye), E. Woods (aye), B. Crannell (aye), K. Engelbert (aye).*

*Carried 5-0*

***ADJOURN***

*The motion to adjourn the meeting at 8:21 pm, made by R. Thetga 2nd by K. Engelbert*

*Roll Vote;*

*R. Thetga (aye), B. Middleton (aye), E. Woods (aye), B. Crannell (aye), K. Engelbert (aye).*

*Carried 5-0*

*Karen Hunsinger*

*Town Clerk*

*01/18/2018*

*Color Coding for Roll Votes;*

*Aye – Black*

*No – Blue*

*Absent – Red*

*Abstain – Green*