Town of Nichols

Regular Board Meeting

January 8, 2019

Supervisor K. Engelbert brought meeting to order at 7:00 pm in the Nichols 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; Fran Cosullo (Liberty Petroleum), Sonny Singh (Liberty Petroleum Dist.), Jordan Douglas, (highway), Jeffery Blow (highway), Kevin Vought (highway), Phil Baker (utilities), Rose Cole (planning board), Marnie Strait, Darryl Seward, Bob Huseby (CEO), William Leonard, Lee Ann Tinney (County IDA).

**MINUTES**

The motion to approve the minutes as presented, made by B. Crannell 2nd by E. Woods

*Roll Vote;*

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

***CEO REPORT*** *– was submitted and is on file in the Town Clerk’s Office.*

***CLERK REPORT*** *– was submitted and is on file in the Town Clerk’s Office.*

***DCO REPORT****– was submitted and is on file in the Town Clerk’s Office.*

***SUPERVISOR REPORT****– was submitted and is on file in the Town Clerk’s Office.*

***JUSTICE REPORT*** *- Justice Byers*

*December Report*

*Fines $15,907.00*

*Surcharges $ 9,396.00*

*Civil Fees $ 2110.00*

*Total $27,413.00*

*Total Cases 225*

***NEW BUSINESS***

* *Liberty Petroleum – Sonny Singh, Fran Cosullo*

*Liberty Petroleum Distributers will be under contract for the Lounsberry Truck Stop, Liberty Petroleum is purchasing the Lounsberry Truck Stop, there will be a convenience store and a Burger King constructed using the foot print of the Lounsberry Truck Stop. Supervisor Engelbert introduced, Utilities Manager Phil Baker, IDA Director Lee Ann Tinney, and Code Enforcement Officer Robert Huseby to Sonny Singh and Fran Cosullo, to make their transition as easy as possible, Town Board welcomed Liberty Petroleum to the Town of Nichols.*

* *Resolutions – Authorizing Supervisor Engelbert to sign lease agreements for space at NES with Tioga Opportunities and Catholic Charities.*

*RESOLUTION #3 – 2019*

*A RESOLUTION APPROVING THE LEASE OF A PORTION*

*OF THE NICHOLS ELEMENTARY SCHOOL TO CATHOLIC CHARITIES*

*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 8th day of January, 2019 the following resolution was offered and seconded.*

***WHEREAS;*** *The Town of Nichols owns the Nichols Elementary School (“NES”) at 139 Ro-Ki Boulevard, Nichols NY, tax map number 170.06-1-16, being approximately 9.9 Acres; and*

***WHEREAS;*** *the Town currently leases space in NES, on a month to month basis, to Catholic Charities; and*

***WHEREAS;*** *the Town’s continued lease to Catholic Charities will not substantially interfere with the Town’s ability to utilize NES for the immediate public purpose of storage of Town Vehicles, Storage of public works supplies, and an emergency relief center and the lease will be of surplus property; and*

***WHEREAS;*** *according to 6 NYCRR 617.5 (c) (26), a lease renewal is a Type II action for the purposes of the State Environmental Quality Review Act(“SEQR”) and does not require an environmental review; and*

***NOW THEREFORE, BE IT RESOLVED,*** *that the Town Board of the Town of Nichols via the Nichols Town Supervisor be and hereby is authorized to continue leasing the surplus portion of property in the above referenced lease agreement to the Catholic Charities, for the consideration set forth in the above reference agreement.*

***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 East River Road, Nichols New York on the 8th day of January, 2019. Said resolution was adopted by the following roll call vote;*

*Supervisor Kevin Engelbert \_\_Aye\_\_\_\_\_*

*Councilmember Ray Thetga \_\_Aye\_\_\_\_\_*

*Councilmember Bill Middleton \_\_Aye\_\_\_\_\_*

*Councilmember Esther Woods \_\_Aye\_\_\_\_\_*

*Councilmember Barbara Crannell \_\_Aye\_\_\_\_\_*

*RESOLUTION #4 – 2019*

*A RESOLUTION APPROVING THE LEASE OF A PORTION*

*OF THE NICHOLS ELEMENTARY SCHOOL TO*

*TIOGA OPPORTUNITIES, INC*

*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 8th day of January, 2019 the following resolution was offered and seconded.*

***WHEREAS;*** *The Town of Nichols owns the Nichols Elementary School (“NES”) at 139 Ro-Ki Boulevard, Nichols NY, tax map number 170.06-1-16, being approximately 9.9 Acres; and*

***WHEREAS;*** *the Town currently leases space in NES, on a month to month basis, to Community Care Network of Nichols; and*

***WHEREAS;*** *the Town’s current lease is a month to month holdover with the Community Care Network of Nichols from their original lease which expired June 30, 2018 ; and*

***WHEREAS;*** *the Community Care Network of Nichol’s use of the property will be taken over by Tioga Opportunities, INC., (hereinafter “TOI”) and*

***WHEREAS;*** *the Town’s continued lease to TOI will not substantially interfere with the Town’s ability to utilize NES for the immediate public purpose of storage of Town Vehicles, Storage of public works supplies, and an emergency relief center and the lease will be of surplus property; and*

***WHEREAS;*** *according to 6 NYCRR 617.5 (c) (26), a lease renewal is a Type II action for the purposes of the State Environmental Quality Review Act(“SEQR”) and does not require an environmental review; and*

***NOW THEREFORE, BE IT RESOLVED,*** *that the Town Board of the Town of Nichols via the Nichols Town Supervisor be and hereby is authorized to lease the surplus portion of property in the above referenced lease agreement to Tioga Opportunities INC , for the consideration set forth in the above reference agreement: 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 East River Road, Nichols New York on the 8th day of January, 2019. Said resolution was adopted by the following roll call vote;*

*Supervisor Kevin Engelbert \_\_Aye\_\_\_\_\_*

*Councilmember Ray Thetga \_\_Aye\_\_\_\_\_*

*Councilmember Bill Middleton \_\_Aye\_\_\_\_\_*

*Councilmember Esther Woods \_\_Aye\_\_\_\_\_*

*Councilmember Barbara Crannell \_\_Aye\_\_\_\_\_*

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

***UPDATE FROMTOWN DEPARTMENT/PERSONNEL***

* *Sanded during ice storm, Marcus Cole crushing creek gravel for stock pile, more to crush and will have to purchase smaller stone for working roads, creek gravel just for base.*
* *New Garage moving along, electric installed.*
* *Smith Creek Rd will be fixed in spring of 2019.*

***OLD BUSINESS***

* *NYR – B. Crannell*
* *Reap – B. Crannell - Meeting will be on January 9, 2019*
* *Hazard Mitigation Plan – B. Crannell - In final stages*
* *Update on truck purchase for Buildings & Grounds – R. Thetga*

*Purchase of truck is in process, advertisement for bids has been put in papers, Bid’s will be opened at next meeting on January 23, 2019.*

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

***MOTION TO ACCEPT REPORTS AND PAY BILLS***

*The motion was made by K. Engelbert 2nd by E. Woods*

*Roll Vote;*

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

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

*William Leonard inquired if anyone had been hired for the Buildings and Grounds position.*

*Board- first interviews for position will be held on January 15, 2019*

***EXECUTIVE SESSION***

***ADJOURN***

*The motion to adjourn the meeting at 7:42 pm, made by R. Thetga 2nd by B. Middleton*

*Roll Vote;*

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

*Karen Hunsinger*

*Nichols Town Clerk*

*01/14/2019*