

**Town of Nichols
Regular Meeting
January 11, 2022**

Town Supervisor, Kevin Engelbert, brought meeting to order at 7:00 pm in the Nichols Elementary School located at 139 Ro-Ki Blvd Nichols NY 13812

PLEDGE OF ALLEGIANCE

ROLL CALL;

Councilperson Bill Middleton (present), Councilperson Esther Woods (present), Councilperson Roseann Cole (present), Councilperson Brenda Fay-Pelotte (present), Supervisor Kevin Engelbert (present).

Others present;

Will Heveland (Highway Superintendent), Jayne Stoltzfus (Planning Board), Howard Stoltzfus, Randy Thetga, Leann Tinney (Director of Tioga County Economic Planning and Development), Kem Hart-Baker (Historian), Dale and Jennifer Kersten, and Mike and Sarah Seeley.

MINUTES -

Motion to accept the minutes as submitted by the Town Clerk from the December 14, 2021 Town Board Meeting E. Woods 2nd B. Fay-Pelotte.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (abstain), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 4 aye- 0 absent- 0 No- 1 abstain

QUESTIONS COMMENTS & CRITICISMS FROM THE PUBLIC -

H. Stoltzfus asked for an update on how the audit was going and a reminder as to why it was needed. K. Engelbert explained that the Town hired EFP Solutions because of the bookkeeper turnover last year and to close out the 2020 books and other than some items not being categorized under the right code, everything looks good.

H. Stoltzfus voiced his concerns about any new solar projects that may be coming into the Town and would like the Town to limit it to the two that already exist. K. Engelbert informed H. Stoltzfus, that the Town cannot stop property owners from doing what they want with their properties, as long as it is within Town and State Laws. L. Tinney (Director of Tioga County Economic Planning and Development) explained to H. Stoltzfus that New York State Law allows renewable projects to be tax free. However, the municipality can require a PILOT on the property that the solar company wants to use and can negotiate the amount per MW, require a bond etc. L. Tinney also explained that the tax base remains the same plus the PILOT taxes and that PILOT can be negotiated at a higher rate.. H. Stoltzfus asked what the figures of the two PILOT properties were. Discussion followed as to the speculation if the neighboring properties values had gone down since the current farms went up.

NEW BUSINESS -

- *LeAnn Tinney gave an update regarding a USDA grant that would pay for 75% of the project cost for the Nichols broadband and needed to have an application submitted by 2/22/2022. 25% would be paid for equally by the Town and the County. Although the cost isn't exact at this point, a cost not exceeding \$300,000 per entity was mentioned.*
Motion to support and match cost with the County to get Broadband to our un/underserved residents made by E. Woods 2nd by R. Cole.
Roll Vote;
B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).
Carried 5 aye- 0 absent- 0 No- 0 abstain
Discussion about recouping some of the Town's cost through franchise fees followed.
- *Motion to approve edits to the 2022 Employee Handbook made by B. Middleton 2nd by R. Cole.*
Roll Vote;
B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).
Carried 5 aye- 0 absent- 0 No- 0 abstain
R. Cole suggested an additional Handbook for the Part Time employees and changing the name of the other one to Full Time Employee Handbook.
- *Motion to appoint Randy Lindhorst and Teri Bomboy as an alternate to the Zoning Board of Appeals made by K. Engelbert 2nd by B. Middleton.*
Roll Vote;
B. Middleton (aye), E. Woods (abstain), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).
Carried 4 aye- 0 absent- 0 No- 1 abstain
- *Motion to cancel January 26, 2022 made by E. Woods 2nd B. Middleton.*
Roll Vote;
B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).
Carried 5 aye- 0 absent- 0 No- 0 abstain

ADDITIONAL NEW BUSINESS FROM BOARD MEMBERS -

E. Woods asked why the Town was paying for Nancy Branston's Medicare and not getting reimbursed, when she had never been an employee for the Town. R. Cole read chapter 9 section 4 of the Handbook which states that the retiring employee must contribute 100% of the monthly premium for any additional coverage (Subscriber/Spouse, Subscriber/Child, or Family). K. Engelbert to look into it and follow up.

R. Cole mentioned that Nichols will be going from 3 voting districts down to two and that there will be an added phone surcharge of \$1 going to emergency services mass communication systems that will affect everyone.

UPDATE FROM TOWN DEPARTMENTS/PERSONNEL -

Historian - Kem Hart-Baker, Historical marker should be going in at the Dunham Cemetery in the spring after the weather breaks. The inventory list has been completed with the exception of some items and old photos that are in the Cady Library. The historian has volunteers assisting her and working on spreadsheets of the inventory. More items have been donated and she would like to have an open house sometime in the spring. She is still working on grants for fire-proof safe and other items. K. Hart-Baker would like Buildings and Grounds to make signage for the Briggs Hollow Coryell and Nichols Cemeteries. As well as a signage by the road of the school that says Nichols Historian. She also requested Board approval to renew membership to the Association of Public Historians of New York State.

Motion to renew membership made by B. Middleton 2nd B. Fay-Pelotte.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

Highway Department – W. Heveland brought an estimate for a government contract roller with a warranty at a cost of \$75,000.

Motion to purchase the 2017 Volvo Roller made by B. Middleton 2nd by E. Woods.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

Discussion about what to do with the old roller followed.

Motion to send old roller to Stateline Auction made by K. Engelbert 2nd by B. Middleton.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

W. Heveland told the Board about a pipe that needs repair on Coryell Rd. estimated cost is approximately \$26,508.

Motion to approve repair of pipe on Coryell Rd. made by R. Cole 2nd by E. Woods.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

Buildings and Grounds - R. Thetga submitted to the Board several quotes for 2 new mowers at NYS contract price.

Motion to purchase 2 Toro mowers at a cost of approximately \$16,000 made by B. Middleton 2nd by E. Woods.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

OLD BUSINESS -

NY Rising/COG - B. Fay-Pelotte to represent the Town once meetings start up again

REAP - R. Cole to represent the Town once meetings start up again.

ADDITIONAL OLD BUSINESS FROM BOARD MEMBERS -

ADDITIONAL PUBLIC COMMENTS -

K. Hart-Baker asked about the Comprehensive Plan that the Town and Village were working on and wanted to know if they needed volunteers and wanted to know if someone was going to replace B. Crannell as advisor. B. Fay-Pelotte stated that this was a Planning Board project and that she felt that it was mostly completed other than a side by side comparison. The Comprehensive Plan is located in the Cady Library for anyone to view.

ACCEPT REPORTS AND PAY BILLS -

Motion to accept the Reports and Pay Bills, made by B. Middleton 2nd by E. Woods.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (abstain), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 4 aye- 0 absent- 0 No- 1 abstain

Motion to pay end of year Bill and Balance the Accounts made by B. Middleton 2nd E. Woods.

Roll Vote;

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

Carried 5 aye- 0 absent- 0 No- 0 abstain

EXECUTIVE SESSION

Motion to go into executive session at 8:51 pm to discuss personnel made by E. Woods 2nd by B. Middleton.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

Motion to go out of Executive Session at 9:20 pm made by R. Cole 2nd by B. Middleton.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

Motion to have the Planning Board look at enforcement for property maintenance in Code Book made by R. Cole 2nd by B. Middleton

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

ADJOURN

Motion to Adjourn meeting at 9:20 pm made by E. Woods 2nd by B. Fay-Pelotte.

Roll Vote;

B. Middleton (aye), E. Woods (aye), R. Cole (aye), B. Fay-Pelotte (aye), K. Engelbert (aye).

Carried 5 aye- 0 absent- 0 No- 0 abstain

Respectfully Submitted,

Karen Hall

Nichols Town Clerk, 2/1/2022