

**TOWN OF NICHOLS
REGULAR MEETING
SEPTEMBER 28, 2022**

Town Supervisor, Esther Woods, brought the 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;

Supervisor Esther Woods (present), Councilperson Bill Middleton (absent), Councilperson Rose Cole (present), Councilperson Brenda Fay-Pelotte (present).

ALSO PRESENT;

Kem Hart-Baker (Historian), Nichole Lamberti (Morning Times) and Karen Hall (Town Clerk).

PUBLIC COMMENTS–

K. Hart-Baker said that according to the NYS Office of the Comptroller, the Board could not appoint the Bookkeeper as the Town’s Budget/Financial Officer, the Town’s Supervisor holds that title. The Board said they had already realized that.

Motion to un-appoint the Town Bookkeeper as Budget Officer made by B. Fay-Pelotte 2nd R. Cole.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

Motion to reinstate E. Woods as Chief Financial Officer made by R. Cole 2nd by B. Fay-Pelotte.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

MINUTES

Motion to approve minutes from September 13, 2022 made by R. Cole 2nd by B. Fay-Pelotte.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

NEW BUSINESS –

- Southern Tier Network Update - The project is delayed by a month. They are running into bad poles and NYSEG paperwork.

- Resolution 14-2022 Transferring Municipal Funds -
Motion to approve resolution 14-2022 made by R. Cole 2nd by B. Fay-Pelotte.
Roll Vote;R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

**TOWN OF NICHOLS
RESOLUTION 14-2022 TRANSFERRING MUNICIPAL FUNDS**

At a meeting of the Town Board of the Town of Nichols, held at the Town Offices on the 28th day of September, 2022, the following resolution was offered and seconded:

WHEREAS, the Town has retained an accountant to prepare an Annual Update Document with respect to the year end 2021 municipal finances; and

WHEREAS, the accountant has recommended certain inter-fund transfers as set forth below; and

NOW THEREFORE BE IT RESOLVED that the Town of Board of the Town of Nichols, upon the recommendation of the Town’s accountant, hereby authorizes the following transfers:

1. The transfer of \$1,200,000.00 from the A Fund (town general fund) to the DA Fund (town highway fund); and
2. The transfer of \$200,000.00 from the B Fund (town outside village fund) to the DB Fund (town outside village highway fund).

RESOLVED, that this resolution will take effect immediately.

- *Resolution 13-2022 Justice Court Assistance Grant - Motion to approve Resolution 13-2022 made by R. Cole 2nd by B. Fay-Pelotte.*

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

**TOWN OF NICHOLS
RESOLUTION #13-2022 AUTHORIZING THE APPLICATION FOR
A JUSTICE COURT ASSISTANCE PROGRAM GRANT**

At a meeting of the Town Board of the Town of Nichols, held at the Town Offices on the 28th day of September, 2022, the following resolution was offered and seconded:

WHEREAS, the Nichols Town Justice has requested to apply for a Justice Court Assistance Program grant from the Office of Court Administration for up to \$30,000.00; and

WHEREAS, the grant funds would be used to make certain improvements to the Town Court system, including a security wand, metal detector, witness stand, audio visual equipment and other equipment upgrades; and

WHEREAS, the Town Board finds it in the best interests of the Town to apply for said grant; and

NOW THEREFORE BE IT RESOLVED that the Town of Board of the Town of Nichols hereby authorizes the Town Justice to apply for a Justice Court Assistance Program Grant for the above-referenced purposes; and

RESOLVED, that this resolution will take effect immediately.

- *Hunts Creek Project- The Board discussed issues with the bid package submitted by Doak Engineering. Talk of hiring a different firm that is more familiar with this type of project. Motion to no longer use the services of Doak Engineering and find another engineering firm made R. Cole 2nd by B. Fay-Pelotte.*

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

The Board is to send a letter to Doak Engineering terminating their services.

- *Tentative Budget - The tentative budget has been filed with the Town Clerk and has been presented to the Board for their review.*

ADDITIONAL NEW BUSINESS –

E. Woods related a letter she received from the Town Attorney to the Board stating that their rates will be increasing next year. She requested the Board be cautious in contacting them as frequently.

R. Cole mentioned that the Family Resource Center of Tioga County has been using space at NES and there was concern as to who gave them permission and the Town's liability. The Town Attorney is reviewing a contract agreement for the Family Resource Center to use space at NES. The Board also discussed Catholic Charities not having their stuff in the hallways and getting a monthly calendar of events that Catholic Charities has planned. R. Cole to follow up with Catholic Charities.

UPDATE FROM TOWN PERSONNEL –

OLD BUSINESS –

Employee handbook - Is still a work in progress.

TC Shared Services for IT - Waiting for a draft contract.

Fall Clean Up Days - Is still on at 170 Buck Rd October 14 and October 15.

NES Town Hall Move - 3 estimates were submitted to carpet the Front Offices and the office spaces being created in the former Board Room. Board approval was also requested to purchase lumber.

Ahwaga Paint and Floor - \$8,064.00

Rug Fair Commercial & Industrial - \$8,300.00

Carpet One - carpet and vinyl 28 mil \$8,788.26 or carpet tiles only \$8,172.36

Motion to accept Ahwaga Paint and Floor estimate of \$8,064.00 and to purchase the lumber at Home Central where the Town has an account made by B. Fay-Pelotte 2nd by R. Cole.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

OTHER OLD BUSINESS –

ADDITIONAL COMMENTS FROM THE PUBLIC –

K. Hart-Baker asked the Board if they will be filling the vacant Councilman seat. The Board responded that they are waiting until the first of the year to make any decisions.

EXECUTIVE SESSION –

Motion to go into executive session at 8:00 pm to discuss legal considerations pursuant to public officers law section 105 made by B. Fay Pelotte 2nd by R. Cole .

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

Motion to go out of executive session at 8:05 pm made by B. Fay Pelotte 2nd by R. Cole.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

Water Sewer Pump - The pump that handles runoff from the rain has stopped working and needs replacing, there are 2 pumps that need to be replaced.

Motion to make an emergency purchase of one pump and get quotes for the second pump per the procurement policy made by R. Cole 2nd by B. Fay-Pelotte.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

Motion to go back into Executive session at 8:07 pm made by B. Fay Pelotte 2nd by R. Cole.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

Motion to go out of executive session at 8:18 pm made by B. Fay Pelotte 2nd by R. Cole.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

MOTION TO ADJOURN –

Motion to adjourn the meeting at 8:18 pm made by B. Fay Pelotte 2nd by R. Cole.

Roll Vote;

R. Cole (aye), B. Fay-Pelotte (aye) and E. Woods (aye).

Carried 3 aye- 1 absent- 0 No- 0 abstain

Respectfully Submitted,

Karen Hall

10/06/2022