

*Nichols Town Board Meeting
MAY 28, 2024
6:00PM*

Town Supervisor, Esther Woods, brought the meeting to order at 6:00 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 Ladd Yost (absent). Councilperson Rose Cole (present), and Councilperson Brenda Fay-Pelotte (present).*

*ALSO PRESENT; Virginia Okraskinski, Erica Deretz, Kem Hart-Baker, Basil Bacon, Chris Fuller, Stephanie Fuller, Will Heveland, Robert Nugent, and Marcy Hill, Town Clerk. * Ladd Yost in at 6:03pm*

MINUTES:

*Motion to approve the minutes from April 9th made by R. Cole 2nd by B. Fay-Pelotte
Roll Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).*

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

FINANCIALS:

*Motion to approve the financial made by R. Cole 2nd by B. Fay-Pelotte
Roll Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).*

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

Public Hearing – Reduction of Zoning Board Member

Public Hearing began at 6:05; no public hearing comments for this. Closed: 6:08

Public Comment – 2 minute time length *Public Comments: If you would like to speak there will be a 2-minute time length per person, the board will consider your comments, if warranted we will respond at a later time.*

Basil Bacon – Morning Times Writer

Basil spoke to the Catholic Charities move. Mrs. Woods informed him they gave a 30-day notice that they were moving out. He also spoke to concerns regarding open meeting law requirements for agendas and meeting minutes.

Departments Reports – Note- complete reports are on file in the Town Clerk’s office.

Highway – Monthly report on file. Will reiterated highlights from his report. His main concern is the need for a new mower. The quote came in for just over \$37,000.

A motion to approve the purchase of mower from Stephenson Equipment on NYS bid for \$37,075 by R. Cole 2nd by B.Fay-Pelotte (Quote Attached)

Roll Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).

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

Full Depth Replacement on Green Road – Town of Nichols has responsibility for a portion of this road. The cost for FDR is \$11,000. This section will be done by Town of Owego and Vestal Asphalt will pave. This should come out of “regular” highway money – not CHIPS money.

Some of our equipment has lived out its life and should be termed excess and sent to auction: 1992 Trac excavator and a 1997 backhoe should be sent to auction.

It was determined that these two pieces of equipment will be termed excess and sent to auction.

Building & Grounds - Report on file. Nelson Tree Company took care of trees in the cemetery.

Fire alarms – there are issue with phone lines at the highway garage. Cellular coverage was discussed and will be looked into.

Sewer/Water –Bob’s report was in the packet- Sewer code was reviewed. Bob will be in contact with Brenda with the updates. Fiber has not yet been installed at the well house due to some “pre-installation” work that needed to be done. The NYSEG electric meter as replaced. Per Bob it’s been a ‘quiet” month. He is in need of a new printer – it was agreed that he will take one from the clerk’s office.

Code Enforcement – Best Buy (rack system) phase 2 has started. It should be done this year. There were other permits issued for town businesses and homeowners. It was also noted a denied ZBA permit was reworked and permit issued.

Historian – Kem presented information regarding book preservation. She noted that Kofile, who has been used before, is downsizing. HF Group is a new formed

company from ex-Kofile employees. The group very comparable to Kofile and she is recommending for various reasons to go with the new company. The have the 1865-1940 Books of Mortgages preserved is \$1467.

A motion to approve the preservation quote for 1865-1940 Book of Mortgages by HF Group by B. Fay Pelotte 2nd by L. Yost.

Roll Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).

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

The reimbursement check for \$2500 to the Bicentennial Committee for booklets is being issued. Kem shared that the booklets are printed and in the hand of the committee.

Town Cemetery Signage quotes were shared again by Kem. These quotes do not include installation cost. It was suggested that the cost would come from the B/G monies or cemetery monies.

Library

Erica shared that the library has been approved for many grants. The library has interviewed and is recommending, Elizabeth Shay, be approved as a library board member. Erica stated that Ray has done fantastic job with the flowers at the library.

A motion to approve Elizabeth Shay as Cady Library Board Member by L. Yost 2nd by R. Cole

Roll Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).

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

New Business:

1. RESOLUTION #4-2024 ADOPTING LOCAL LAW NO. 2 OF 2024 ENTITLED "A LOCAL LAW AMENDING THE TOWN OF NICHOLS ZONING CODE TO REDUCE THE MEMBERSHIP OF THE ZONING BOARD OF APPEALS FROM 5 TO 3 MEMBERS"

WHEREAS, the Town of Nichols scheduled a public hearing for May 28, 2024 at 6:00 p.m. for Local Law No. 2 of 2024 entitled "A LOCAL LAW AMENDING THE TOWN OF NICHOLS ZONING CODE TO REDUCE THE MEMBERSHIP OF THE ZONING BOARD OF APPEALS FROM 5 TO 3 MEMBERS"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

WHEREAS, the Tioga County Planning Department reviewed the Local Law pursuant to GML § 239-m and has issued a report thereon; and

WHEREAS, said public hearing was duly held on the 28th day of May, 2024 at 6:00 p.m. at the Nichols Town Building, 139 Roki Blvd, Nichols, NY and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(26) and (33); and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts said local law as Local Law No. 2 of 2024 entitled “A LOCAL LAW AMENDING THE TOWN OF NICHOLS ZONING CODE TO REDUCE THE MEMBERSHIP OF THE ZONING BOARD OF APPEALS FROM 5 TO 3 MEMBERS”; and be it further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

Supervisor Esther Woods	Aye
Deputy Supervisor Brenda Fay-Pelotte	Aye
Council Member Roseann Cole	Aye
Council Member Jonathan Ladd Yost	Aye

2.Resolution:5-2024 Tioga County Multi-Jurisdictional Hazard Mitigation Plan

A RESOLUTION OF THE TOWN OF NICHOLS ADOPTING THE TIOGA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE 2024

WHEREAS the Town of Nichols Town Board recognizes the threat that natural hazards pose to people and property within Town of Nichols; and

WHEREAS the Town of Nichols has prepared a multi-hazard mitigation plan, hereby known as the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update

2024 identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Nichols from the impacts of future hazards and disasters; and

WHEREAS adoption by the Town of Nichols Town Board demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024.

NOW THEREFORE, BE IT RESOLVED BY THE Town of Nichols, NY, THAT:

The Town of Nichols Town Board adopts the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

RESOLVED, that by motion of Councilperson E. Woods 2nd by Councilperson L. Yost, and carried; therefore be it

RESOLVED, that on this day, May 28, 2024, that the Town of Nichols, State of New York, will adopt the TIOGA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE 2024

FURTHER RESOLVED, a copy of this resolution will be forwarded to Tioga County; and be it.

FURTHER RESOLVED, that this will be in effect immediately.

Roll Call Vote:

Council Member Esther Woods	Aye
Council Member Lad Yost	Aye
Council Member Brenda Fay-Pelotte	Aye
Council Member Rose Cole	Aye

Court Clerk Training – September Training. Esther stated that this was on the agenda to confirm that we are still only approving the cost of one person to attend. The board was still in agreement to this.

Tioga County –Comprehensive Plan Grant

This is a Smart Growth planning grant. It entails working with Elaine Jardine, TC Planning Director. It would cost the town no more than \$15,000 but we could get \$100,000 in grant monies. It is a huge undertaking – and we need to have this in place. It is a lengthy process. Hopefully, we can get approved for the grant. We will move forward next month with the resolution.

Quotes:

The roofing and parking lot quotes were tabled since the B/G supervisor was not in attendance at this meeting.

Committee Reports:

REAP – Rose shared the latest correspondence from the group.

Hazard Mitigation – Plan will still have to be reviewed every 5 year. Not a lot going on for some time.

LEPC - No report – Emergency Preparedness event will be Oct 19, 2024 9AM at Nichols Fire Department – more information to come.

Council of Governments – Brenda attended. These are zoom meetings – but they are sending out the recordings.

Old Business:

Town Hall Locks – This continues to be worked on.

Cameras for Town Building – Tioga County is coming to evaluate Town Hall and other buildings to see what areas need more cameras.

Old Town Barn – Tioga County came to evaluate property at the new town barn to see if we could build on the property. Awaiting to hear back to see if it’s “buildable”.

Depot Road Project - Waiting for FEMA reimbursement.

FEMA Properties– These are still being worked on. The most the town would be responsible for is “up to” \$9500 per house.

Five-year Plan - waiting on quotes for various projects. We should include the cemetery and to also complete the fiber project for the entire town.

Motion to approve vouchers and pay bills by R. Cole 2nd by B. Fay-Pelotte

General \$ 17,331.80

Highway \$24,514.77

SS/SW \$10,288.56

Grand Total \$52,135.13

Roll Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).

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

*Motion to move into Executive Session by B. Fay-Pelotte 2nd by Rose Cole
Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).*

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

*Motion to reconvene into Regular Session by B. Fay-Pelotte 2nd by Rose Cole
Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).*

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

Motion to adjourn by B. Fay-Pelotte 2nd by Rose Cole

Vote; R. Cole (aye), B. Fay-Pelotte (aye), Ladd Yost (aye), and E. Woods (aye).

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

Meeting Adjourned at 8:10PM

Respectfully_Submitted,

Marcy Hill

5/28/2024