

**Nichols Town Regular Board
Meeting Minutes
May 27, 2025**

Board Members Present:

Supervisor Esther Woods, Councilperson Brenda Fay-Pelotte, Councilperson LeeAnn Tinney, Councilperson Rose Cole, Councilperson J. Ladd Yost

Board Members Absent: None

Others Present:

Ray Thetga, Jr. Jeff Blow, Bryan Cole, and Marcy Hill, Town Clerk.

The meeting was called to order by Supervisor, seconded by Esther Woods at 6:00pm

Pledge of Allegiance

Public Hearing: Local Law – Amending Telecommunications Facilities – Opened at 6PM

Public Comment: No Comments –

- Closed 6:03PM

Public Hearing: Local Law – Amending Water & Sewer Law Opened – Opened at 6:04PM

Public Comment: No Comments –

- Closed 6:05PM

Regular Meeting commenced at 6:08 PM.

Approval of Minutes

A motion to approve April 22, 2025 minutes by, Supervisor, Supervisor E. Woods, seconded by Councilperson B. Fay Pelotte

Vote: 5 Ayes, 0 No, 0 Abstain, 0 Absent

Acceptance of Financial Reports

A motion to accept the April 2025 financial reports by motion Councilperson R. Cole, seconded by Supervisor, E. Woods

Vote: 4 Ayes, 0-No, 1-abstain, 0 absent

Supervisor's Report:

- Supervisor Woods reported a 7% decrease in revenue from the NYS Gaming Commission related to Tioga Downs revenue. The decrease is attributed to a redistribution of funds, with Tioga Downs and other casinos receiving a larger share.

Board Business:

- A memo was discussed regarding monthly department reports. Each board member is responsible for contacting their assigned department head to coordinate due dates for these reports.

Public Comments

- None
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New Business

1. Adopt Local Law #1 Temporary Moratorium RE: Solar Energy Systems.

- It was noted a public hearing held last month Tioga county Planning board and Town of Nichols planning board have reviewed the new law.
- A motion was made to adopt Local Law #2, authorizing
- **Motion by:** LeeAnn Tinney
Seconded by: Councilperson, E. Woods
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

2. Adopt Local Law #2 – Amending Water & Sewer Laws

- •The Town of Nichols Planning Board reviewed the proposed local law.
- A motion was made to adopt the Local Law #2 Amending Water & Sewer Laws.
- **Motion by:** E. Woods
Seconded by: Councilperson, LeeAnn Tinney
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

3. Adopt Local Law # 3 – Update Telecommunications Facilities Law

- • A §239 Review was conducted by the Tioga County Planning Board. The Town Planning Board has also reviewed the proposed law
- A motion was made to adopt Local Law #3, authorizing updates to Telecommunication Facilities Law
- **Motion by:** E. Woods
Seconded by: Councilperson, R. Cole
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

4. Resolution #10 – FEMA Property Leases (Existing)

- A motion was made to approve Resolution #10, authorizing the lease of FEMA properties at a rate of \$50 per acre, per year for a 10-year term.
- (It was noted that some properties were sold prior to 2006, which may impact the 2011 flood-affected properties. A fee schedule will be developed for the existing properties). (Campbell/Engelbert)
- **Motion by:** Supervisor E Woods
Seconded by: Councilperson, Rose Cole
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

5. Resolution #11 – FEMA Property Lease – 2088 W. River Rd.

- A motion was made to approve Resolution #11, authorizing the lease of 2088 W. River Rd. to Mitchell Lloyd Logue for 10 years at \$50 per acre, per year for a 10-year term.
Motion by: Councilperson, LeeAnn Tinney
Seconded by: Councilperson. J. Ladd Yost

- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

6. Resolution #12 – Court Clerk Conference – M. Caldwell:

- **A motion to** approve Mary Caldwell’s attendance at the court clerks conference in
- **Motion by:** E. Woods
Seconded by: Councilperson, J. Ladd Yost
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

7. Resolution #13 – Telecommunication Facility

- A motion to approve the Telecommunications Facilities Resolution
- **Motion by:** E. Woods
Seconded by: Councilperson B. Fay-Pelotte
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

8. Resolution #14 – Water & Sewer Law

- **A motion to** approve Resolution #14 Water & Sewer Law
- **Motion by:** Supervisor E. Woods
Seconded by: Councilperson, R. Cole
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

The town will look into getting quotes for American flags for the cemeteries for Memorial Day flag placement.

Department Reports

Note: Full reports have been submitted to the Board and are on file in the Clerk’s Office.

Highway Department

- The Freightliner plow truck has been received.
 - Preparations are underway to begin roadwork for oil and stone, tentatively starting the second week of June.
 - The old plow truck will be decommissioned and prepared for disposal.
- Equipment updates and surplus:
 - Surplus Equipment identified for disposal includes:
 - Flail Mower – Alamo
 - 2004 International Tandem
 - Moore Bark Woodchipper
 - Old Stone Rake
 - Windham Township has expressed interest in the old stone rake.
- A new chipper is expected to arrive on May 28th.
- Ongoing Work:
 - Patching blacktop roads in preparation for oil and stone treatment. Extensive ditching continues across the township. A new bumper is being fabricated for the Freightliner truck. Side boards for the truck box are under review.
 - Pricing for a new grader is being researched. Jeff is in contact with Five Star Equipment regarding options and costs.

- A motion to approve the disposal of surplus equipment: Flail mower-Alamo, 2004 International Tandem Truck, Moore Bark Wood chipper, Stone Rack.
 - **Motion by:** Supervisor E. Woods
Seconded by: Councilperson, J. Lad Yost
 - Vote: -5 Ayes, 0-No, 0-astain, 0 absent
 - **Motion carried.**
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Building & Grounds

Library

- **Library Painting:** Quotes are being sought; two paint companies declined due to:
 - Prevailing wage requirements
 - Presence of **lead paint** on the building
- **Air Conditioning for Library:**
 - **Price range** for AC units: \$200 to \$8,000
 - It was confirmed that the Town owns the library building **and is** responsible for AC systems.
 - Recommendation: The Library should allocate its funds toward programming.
 - Two to three portable AC units are expected to be needed.
 - Also considering dehumidifiers to help with air quality.
- Motion to approve the purchase two portable air conditioners and dehumidifier NTE \$3000.00.
- **Motion by:** Supervisor E. Woods
Seconded by: Councilperson, R. Cole
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

Town Hall

- **Boiler Discussion:**
 - Exploring the idea of keeping one boiler and using mini-splits for individual office/classroom areas and hallways. If so, plan for inclusion in the 2026 budget.
 - Councilperson L. Tinney will consult Hunt Engineers (mechanical engineering firm) to:
 - Assess the feasibility of installing mini-splits
 - Explore converting existing boilers from oil to propane
- **P&J Service Maintenance Contract:**
 - P & J Current contract: ~\$4,000/year
 - *P & J New contract* proposal: \$5,350/year, includes added services for quarterly visits.
 - AirTemp quotes:
 - 4 annual visits: \$16,000
 - 2 visits: \$14,292
- Motion to approve the P & J Annual Service Contract in the amount of \$5350.
- **Motion by:** Supervisor E. Woods
Seconded by: Councilperson, R. Cole
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

Room #2 Renovations

- Room has been primed and painted
- Next steps:
 - Build the platform
 - Install carpet
 - Grounds & Equipment
- **Mower Testing:**
 - Ray tested various options

- Found that stand-on mowers require major adaptation compared to zero-turn types
- Toro mowers available on State Bid
- **Cemetery Maintenance:**
 - Cemetery on the hill is in good condition
 - Some small bushes need removal
 - A social media claim of damaged headstones is unfounded – no equipment has entered the cemetery, and no damage has occurred
- **Staffing Request:**
 - Ray requested an additional crew member
 - Town has historically budgeted for a minimum-wage seasonal hire
- Motion to allocate \$3380 to seasonal labor (A 1620.100) to hire an additional employee at minimum wage for summer months
- **Motion by:** Supervisor E. Woods
Seconded by: Councilperson, J. Ladd Yost
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
- **Motion carried.**

Grounds Maintenance

- **W. River Road FEMA Property:**
 - Ray asked about mowing responsibilities for the newly leased property. It was clarified that mowing is no longer necessary due to the approved lease.
 - E. River Road will be added to Ray's mowing schedule once the closeout process is completed.

Room #2 – Furniture and Renovation

- Motion approved for the purchase of new tables and chairs for Room #2- Not to exceed \$5,000:
- **Motion by:** Supervisor E. Woods
Seconded by: Councilperson R. Cole
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
 - Motion Carried
- Motion approved to hire a paid carpenter for building the Room #2 platform – Not to exceed \$3,000:
 - Motion by Councilperson L. Tinney
Seconded by: Councilperson R. Cole
- Vote: -5 Ayes, 0-No, 0-astain, 0 absent
 - Motion Carried

Security & Building Improvements

- **Teledair** has completed its **first project** (specifics not detailed—assumed complete).
- **Panic bar installation** noted (additional details may follow in next meeting).

Sewer & Water

Report submitted and on file.

- New pump will be picked up this week.
- PLCs are currently being programmed for the SKADIS system.

Code Enforcement

- **Reports filed.**
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Library

- Report on file. Erica emailed both the Historian and Library reports.

Nichols Fire Commission

- The NYS Comptroller's Office audit is ongoing, with a statewide focus on fire departments, including the Nichols Fire Department.
 - Brush truck delivery has been moved up (earlier than expected).
 - The Town is welcoming feedback regarding the paid EMS service:
 - Discussion included the possibility of adding hours.
 - Exploring "soft billing" to insurance companies for services provided.
 - Overall, the service has been outstanding, and no complaints have been received to date.
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Committee Reports

REAP: Councilperson J. Ladd Yost reported:

- Councilperson J. Ladd Yost report that REAP financials were discussed at their meeting.

LEPC: Councilperson R. Cole reported:

- Councilperson R. Cole reported that she spoke with the new State Emergency Management representative for our area, P. David Eddy (paul.eddy@dhses.ny.gov). She has obtained his contact information and has forwarded him a copy of our emergency plan for his review.
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Old Business:

1. **Library Front Porch:** RE-work is being completed. We will pay when this work is completed.
 2. **Depot Road Reimbursement:** Still on hold pending FEMA response.
 3. **FEMA Property Reimbursements:** The next meeting is May 28th @ 9am.
 - The E. River Road property owner has been outstanding to work with during this process.
 - Councilperson Fay-Pelotte will follow up during the FEMA meeting regarding the next steps for the S. Main Street property.
 4. **Emergency Shelter Supplies:** It was noted that the dishwasher can be disposed of. Emergency supply items have been ordered via Amazon. Additional items, including clipboards and sign-in sheets, will also be purchased and added to shelter supplies.
 5. **Design Connect – Fishing Access Project:** The application was accepted and approved. The next step is a zoom meeting with the project managers scheduled for Friday, May 30th. The work will start when the new school year starts – August 2025.
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- A motion to approve vouchers and pay bills by Councilperson R. Cole, seconded by Councilperson B. Fay Pelotte
Vote: 5-Ayes, 0-Naye 0-abstain
Motion carried.

General Fund: \$50,535.94
Highway \$ 312,749.86
Library \$3,731.16
Sewer/Water \$ 18,063.45

Public Comment

- No public comments were received.

Executive Session (if needed)

Motion: To adjourn the meeting at 8:26 PM.

Motion by: Supervisor Esther Woods

Seconded by: Councilperson Rose Cole

Vote: All in favor – Motion carried.

Respectfully Submitted,

Marcy Hill

5/27/2025