

**TOWN OF NICHOLS**  
**Organizational Meeting / Regular Monthly Meeting Minutes**  
**January 13, 2026**  
**6:00 PM**

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**A. Call to Order, Pledge of Allegiance, and Roll Call**

**Present:**

LeeAnn Tinney  
Rose Cole  
Barbara Cushman  
Brenda Fay-Pelotte

**Absent:**

Ladd Yost \*  
\*in at 6:05

Others Present: Jeff Blow, Tyler Bowen, Matt Freeze, Robert Nugent, Harold Hall, Steve Hill, Bill Middleton, Erica Deretz, and Marcy Hill, Town Clerk.

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**B. Organizational Meeting**

The Organizational Meeting was called to order at **6:00 PM**.

**Town of Nichols Resolution No. 1-2026**

Organizational Meeting - Appointments, Designations, Policies, and Authorizations  
At an Organizational Meeting of the Town Board of the Town of Nichols, County of Tioga, State of New York, held on January 13, 2026, the following resolution was offered and adopted:

WHEREAS:

The Town Board is required at its annual Organizational Meeting to make appointments, designations, and authorizations necessary for the orderly conduct of Town business for the ensuing year; and

WHEREAS

The following appointments, designations, policies, and conditions are deemed to be in the best interests of the Town of Nichols for the 2026 calendar year;

NOW, THEREFORE, BE IT RESOLVED

That the Town Board of the Town of Nichols hereby adopts the following appointments, designations, policies, and authorizations for 2026:

MEETINGS AND PROCEDURES

- Regular Meetings: Establish that all regular Town Board meetings shall be held on the 4th Tuesday of each month at 6:00 PM.
  - Work Session: Establish a Work Session meeting to be held on the 2<sup>nd</sup> Tuesday of each month at 6:00 PM.
  - Rules of Order: Adopt the Town Board Meeting Rules of Order to preserve order and decorum during Regular and Public Hearing meetings.
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FINANCIAL DESIGNATIONS AND AUTHORIZATIONS

- Official Depository: Designate Community Bank, N.A. as the official depository of the Town of Nichols and authorize the Supervisor to transfer funds to any bank located in Tioga County as necessary.

- Chief Fiscal Officer: Appoint Barbara Cushman as Chief Fiscal Officer.
  - Official Newspaper: Designate the Morning Times as the official newspaper of the Town.
  - Signing of Checks: Authorize Brenda Fay-Pelotte, Deputy Supervisor, to sign checks in the absence of the Supervisor.
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#### ADMINISTRATIVE APPOINTMENTS

- Deputy Supervisor: Brenda Fay-Pelotte
  - Bookkeeper Responsibilities:
    - Appoint Marcy Hill, Town Clerk, as Accounts Payable Clerk and authorize her to make bank deposits, inter-fund transfers, print checks for voucher payments, and provide payroll information to Accountant/Town Comptroller.
  - Registrar: Marcy Hill, Town Clerk
  - Records Manager: Marcy Hill, Town Clerk
  - FOIL Officer: Marcy Hill, Town Clerk
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#### TOWN COMPTROLLER SERVICES

Appoint Local Government Support Services LLC, PO Box 2851, Liverpool, NY 13089  
Monthly bookkeeping, voucher review and support. Process payroll including payroll tax filing and depositing, W-2's and payroll reports through Simco. NYS Retirement reporting. Monthly reconciling and reporting. Annual 1099 preparation and filing. Closing the accounting records at year end from cash basis to modified Accrual. Preparation of Annual Financial Report.

Assistance with preparation of annual Budget and complying with NYS Tax Cap filing.

- Contract term: January 1, 2026 - December 31, 2026
  - Fixed Fee: \$26,260 annually (\$6,565 per quarter)
  - Additional services (if required):
    - Senior Client Manager: \$165/hour
    - Client Manager: \$105/hour
    - Associate: \$85/hour
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#### LEGAL AND PROFESSIONAL SERVICES

- Legal Advisor: Coughlin & Gerhart LLP
- Town Engineer Firm: Hunt Engineering

#### STATUTORY AND OPERATIONAL APPOINTMENTS

- Assessor: Denise Spaulding (appointed October 1, 2025; term ends September 30, 2031)
- Court Clerks:
  - Cathi Root (Justice Sandra Lute)
  - Mary Caldwell (Justice Michael Grinage) and Deputy Court Clerk
- Website/Social Media Administrators: Barbara Cushman, Brenda Fay-Pelotte and Marcy Hill
- Dog Control Officer: Contract with Town of Owego
- Dog Enumerator: Contract with Town of Owego
- Constable: Recommend use of a Deputy from the Tioga County Sheriff's Department, paid on a fee basis
- Historian: Erica Deretz
- Code Enforcement Officer: Doug Chrzanowski (through March 31, 2026)

## BOARDS AND COMMITTEES

### Planning Board

- Chair: Benjamin Hobbs
- Members and Terms:
  - James Campoli- 3 years
  - Benjamin Hobbs - 2 years
  - William Leonard 1-year

### Zoning Board of Appeals

- Chair: Stephen Lounsberry
- Alternate Chair: Steven Varga
- Members and Terms:
  - Steven Varga -3 years
  - Stephen Lounsberry- 2 years
  - Megan DePue - 3 years
  - John Kopako - Alternate

### Board of Assessment Review (BAR) -

- Chair: Howard Visscher
- Members: Howard Visscher, Howard Stoltzfus, Megan

### DePue Library Board (Cady Library)

- Kimberly Stephens
- Ann Hill
- Elizabeth Shay
- Esther Woods
- Chatney Clark
- Sydney MacDonald

### COMMITTEE ASSIGNMENTS (TOWN BOARD)

- Buildings & Grounds: Leeann Tinney
- Water & Sewer: Roseann Cole
- Planning & Zoning Boards/ Town Engineer Projects: Brenda Fay-Pelotte
- Library & Employee Benefits: Ladd Yost
- CEO / DCO Oversight: Town Supervisor

### Delegates to Tioga County Boards

- REAP: Ladd Yost
- LEPC: Roseann Cole
- Council of Governments: Town Supervisor

## DEPARTMENT AND OPERATIONS

- Superintendent of Utilities: Robert Nugent (Hired 2021)
- Deputy Utilities Superintendent: David VanDusen Jr.
- Director of Building & Grounds: Ray Thetga Jr. (Hired 2019)

### Nichols Fire Commissioners

- Bryan Cole
- Mike Friedrichsen
- Chris Williams

### Building Cleaning Services

- Contract with Class A Cleaning Services for cleaning services at all Town buildings (excluding Cady Library)

## POLICIES AND FINANCIAL CONTROLS

- Highway Superintendent/ Building & Grounds: Any expenditure over \$2,000 requires Town Board approval; no credit card purchases without Town Board approval.
- Procurement Policy: Town Board shall adhere to the Town of Nichols Procurement Policy on purchases and contractor bids.
- Credit Card Purchases: All Town credit card purchases must be approved by the Town Board in advance.

## PAY POLICIES AND AUTHORIZATIONS

- Seasonal/ Temporary CDL Employees:
  - CDL employees called on an irregular basis: minimum \$20.00/hour
  - Seasonal/Temporary employees: \$16.00(and/or minimum wage)
  - Salary set by Highway Superintendent or Director of Building & Grounds with Town Board approval, based on experience
- Mileage Reimbursement: Adopt IRS standard mileage rate for reimbursement when using private vehicles for Town business, excluding regular Town meetings. No mileage is paid for travel between home and Town facilities.
- Purchase of Materials:
  - Sand, gravel, stone, and patching materials may be purchased from qualified suppliers not to exceed State/County bid prices.

Board discussion was held regarding the possibility of implementing a second set of checks and balances by creating a confidential secretary position. The duties described by Supervisor Cushman for this position focused more on bookkeeping than clerical. Topics discussed included duties, hours, payroll scale, and whether additional guidance should be obtained from the NYS Comptroller's Office regarding current practices versus future plans. Councilperson Tinney stated it would be appropriate to hear directly from the Comptroller's Office prior to any hiring decisions. Councilwoman Cushman will follow up with the NYS Comptroller's Office.

A motion was made by Councilperson L. Tinney, seconded by Councilperson R. Cole to approve Resolution 1-2026.

Vote: 5-Ayes (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0- Abstain, 0- Absent

### **Town of Nichols Resolution No. 2-2026**

#### **Establishing Wages, Salaries, Compensation Practices, and Benefits**

**Adopted at the Organizational Meeting of the Town Board held January 13, 2026**

#### WHEREAS

The Town Board of the Town of Nichols is authorized and required to establish wages, salaries, compensation practices, and benefits for Town officers and employees for the 2026 calendar year; and

#### WHEREAS

The Town Board has reviewed the proposed schedule and finds it to be reasonable and in the best interests of the Town;

#### NOW, THEREFORE, BE IT RESOLVED

That the Town Board of the Town of Nichols hereby adopts the following wages, salaries, compensation practices, and benefit provisions for the 2026 calendar year:

## WAGE SCHEDULE

### **Assessment Review Board**

- Member, per day: \$70.00
- Chairperson, per day: \$80.00

### **Paid Annually**

- Dog Enumerator (per dog): \$2.00

### **Paid Semi-Annually**

- Historian: \$600.00 annually (paid \$300.00 in June and \$300.00 in December)

### **Paid Per Meeting**

- Planning Board Members: \$50.00 per meeting
- Zoning Board Members: \$50.00 per meeting
- Payment shall be made only to members who attend the meeting and submit a voucher for payment.

## PAYROLL FREQUENCY

### **Paid Monthly**

- Assessor
- Chief Fiscal Officer
- Code Enforcement Officer
- Deputy CEO
- Justices
- Supervisor
- Deputy Supervisor
- Accounting Services
- Town Board Members (4 each)

### **Paid Bi-Weekly**

- Town Clerk
- Deputy Town Clerk
- Director of Building & Grounds
- Court Clerks
- Deputy Court Clerks
- Confidential Secretary
- Seasonal Laborer
- Summer Laborer
- Director of Utilities
- Deputy Director of Utilities
- Part-Time Personnel
- Highway Superintendent
- Deputy Highway Foreman
- Highway Employees

## **HEALTH INSURANCE AND BENEFITS**

- Health insurance and other benefits for all full-time employees, part-time employees, and elected officials shall be governed by the Town of Nichols Employee Handbook.

### **Retiree Health Insurance**

- Minimum of 20 years of service required
- Town-paid coverage limited to single coverage only
- Coverage begins upon Medicare eligibility - 2026 Annual Cost: \$36,795.00

A motion was made by Councilperson B. Fay-Pelotte, seconded by Councilperson J. Ladd Yost to approve Resolution 2-2026.

Vote: 5-Ayes (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0- Abstain, 0- Absent

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#### **D. Adjourn Organizational Meeting**

A motion was made by Councilperson R. Cole, seconded by Councilperson L. Tinney, to adjourn the 2026 Organizational meeting.

Vote: 5-Ayes (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0- Abstain, 0- Absent

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#### **E. Regular Monthly Meeting**

A motion was made by Councilperson L. Tinney, seconded by Councilperson J. Ladd Yost, to convene the regular monthly meeting.

Vote: 5-Ayes (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0- Abstain, 0- Absent

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#### **F. Approval of Minutes**

A motion was made by Councilperson R. Cole, seconded by Councilperson L. Tinney, to approve the December 16, 2025 meeting minutes.

Vote: 4 Ayes (Tinney, Cole, Yost, Fay-Pelotte) 0 No, 1 Abstain (Cushman), 0 Absent

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#### **G. Public Comments**

No public comments were received.

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#### **H. New Business**

##### **1. iWorQ Software Service Agreement – Permit Management & Code Enforcement**

A motion was made by Councilperson L. Tinney, seconded by Councilperson B. Fay-Pelotte, to approve iWorQ Software Service Agreement.

**Vote:** Carried: 5- Aye (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0-Abstain, 0-Absent

##### **2. Boiler / Mini-Split Discussion**

The Board discussed the need to revisit boiler and mini-split purchase options, including whether to proceed with HUNT Engineers for further discussion, obtain a written assessment, and invite contractors for on-site evaluations. Options of propane versus oil were discussed. Councilperson Tinney will reach out to HUNT Engineers. If information is received, a work session will be scheduled to review all aspects of the project due to the significant cost involved.

##### **3. Wheelchair Purchase**

A motion was made by Councilperson Tinney, seconded by Councilperson R. Cole, to approve the purchase of a wheelchair for building use, not to exceed \$130, provided one is not available through the local Med Shed.

**Vote:** Carried: 5- Aye (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0-Abstain, 0-Absent

##### **4. NYS Association of Towns Newly Elected Training – Corning, NY**

A motion was made by Councilperson B. Fay-Pelotte, seconded by Councilperson R. Cole, to approve Supervisor B. Cushman's conference request to attend the NYSOT Newly elected officials training in Corning, NY January 21-23. 2026.

**Vote:** Carried: 5- Aye (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0-Abstain, 0-Absent

##### **5. Town Clerk Voluntary Salary Reduction**

A motion was made by Supervisor B. Cushman, seconded by Councilperson L. Tinney to accept the voluntary request of Town Clerk Marcy Hill to reduce her annual salary by \$15,000, effective immediately.

*Discussion:* Town Clerk Marcy Hill provided an explanation regarding her decision not to transition to a full-time position at this time and her related request for a voluntary salary reduction.

Ms. Hill stated that with Town Supervisor is in the process of establishing a Confidential Secretary position. She noted that some duties of this proposed position may overlap with responsibilities currently handled by the Town Clerk's office, and that transitioning to full-time status prior to the clarification of the scope and duties of the new position could result in inefficiencies or duplication of effort.

Ms. Hill also expressed concerns about avoiding any potential conflicts of interest or appearance of impropriety related to future staffing decisions and the upcoming election. She noted her intention to seek re-election in order to complete 30 years of service in the retirement system and stated that maintaining continuity of service is an important consideration.

Ms. Hill advised the Board that she will be revisiting office hours to ensure continued coverage and operational efficiency. Based on these factors, Ms. Hill stated that it is prudent to remain in her current employment status until the new position, office structure, and election matters are clarified. She reiterated her commitment to serving the Town and maintaining continuity of operations and indicated she is open to revisiting full-time status in the future.

Councilperson L. Tinney stated she appreciated Ms. Hill's candor and her keeping the best interests of the taxpayers in mind, and therefore, would reluctantly accept the reduction request.

**Vote:** Carried: 5- Aye (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0-Abstain, 0-Absent

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## **I. Old Business**

### **1. Grants**

- Carriage House / Library - Heritage Grant (Comprehensive Plan – contractual portion): Estimated completion time of five months. Contractors or general contractors to be secured by June. Grant requires matching funds. Town's share of project cost is approximately \$153,000 with reimbursement documentation required.

### **2. FEMA Properties** - Paperwork is ongoing.

### **3. Comprehensive Plan Grant**

The grant was not awarded to the town. A critique meeting will be scheduled to identify weaknesses in the application. Brenda Fay-Pelotte will follow up with Hunt Engineers.

### **4. Renovations to Room 2 – Town Hall** - Scheduled to begin in February.

### **5. Design Connect Fishing Access / Waterfront Revitalization Plan**

Information received and will be distributed via email for review.

### **6. Emergency Plan**

Reviewed at the most recent LEPC meeting. Information will be verified for accuracy.

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## **J. Reports of Departments \* Full report on file in Town clerk's office\***

- **Highway Department – Jeff Blow**

Double drum roller purchased; hot box received. Oil, stone, and paving quotes being reviewed. He stated he continues to work alongside employees. Mr. Blow requested a brief executive session.

- **Sewer & Water – Bob Nugent**

Network quote received from TurnKey and will be reviewed at the next meeting. Electric meter scheduled for replacement. DEC letter received and requirements satisfied.

- **Library – E. Deretz**

Tiny Art Show has been planned for all ages. Summer Reading Grant received. Summer program runs June–August. Annual report due by April; coordination with accountant ongoing.

- **Nichols Fire Commissioners** - No report.

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### **K. Committee Reports**

- **REAP:** Zoom meeting scheduled for January 15 at noon.
- **LEPC:** EMT training beginning at the end of January; critical need for EMTs. Safe Meds program and HazMat presentation discussed. Next meeting in March.

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### **L. Abstracts**

#### **1. Motion to Accept Vouchers**

A motion was made by Councilperson Cole, seconded by Councilperson L. Tinney, to accept vouchers.

General Fund: \$124,73.03

Highway Fund: \$13,553.64

SW Fund: \$4,476.60

**Vote:** Carried: 4- Aye (Tinney, Cole, Yost, Fay-Pelotte) 0-No, 1-Abstain (Cushman, ), 0-Absent

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### **M. Public Comments**

Deputy Supervisor Brenda Fay-Pelotte thanked everyone for flowers received following her recent surgery.

No additional public comments.

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### **N. Executive Session**

A motion was made by Supervisor B. Cushman, seconded by Councilperson B. Fay-Pelotte, to move into executive session to discuss a personnel matter.

**Vote:** Carried: 5- Aye (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0-Abstain, 0-Absent

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### **O. Adjournment**

A motion was made by Supervisor B. Cushman, seconded by Councilperson B. Fay-Pelotte, to move into reconvene into regular session and adjourn executive session.

**Vote:** Carried: 5- Aye (Tinney, Cole, Cushman, Yost, Fay-Pelotte) 0-No, 0-Abstain, 0-Absent