

TOWN OF NICHOLS
TOWN BOARD MEETING MINUTES
July 28, 2026

CALL TO ORDER

The meeting was called to order by Supervisor Cushman at 6 p.m.

ROLL CALL:

Present:

Supervisor Cushman, Councilperson R. Cole, Councilperson L. Tinney, Councilperson B. Fay-Pelotte, Councilperson J. Ladd Yost

APPROVAL OF MEETING MINUTES

Tabled until August meeting.

FINANCIALS – JUNE 2026

A motion was made by Supervisor B. Cushman and seconded by Councilperson R. Cole to approve the June 2026 financials.

Discussion: Councilperson J. Ladd Yost pointed out a minor discrepancy was noted regarding the library balance. Account# 0546 showed an ending balance of \$39,734, while the bank reconciliation reflected a \$400 difference. The \$400 transaction was not transferred to bank reconciliation.

It was also noted that the Library Savings transfer is awaiting the Library Board minutes.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye;

Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Abstain.

PUBLIC COMMENT

Ms. Herrala presented a letter requesting a public hearing regarding site plan review for 3586 East River Road.

The Board and Code Enforcement had discussed the matter during the previous month. It was explained that there is currently no formal proposal or site plan before the Town and, therefore, no public hearing has been scheduled.

The Board stated that until something is formally submitted to the Town, there is no action for the Town to take. At this time, the Town does not have information regarding what is being proposed.

The matter was discussed in accordance with Town Law §151-3.

The issue of refuse was also discussed. Code Enforcement will address the matter when the property is next observed.

DEPARTMENT REPORTS

Highway Department

- Calcium costs were lower due to the size of the truck used.
- A quote was received from Vestal Asphalt for the McCoy Road project involving a triple coat. The Board agreed to proceed with Vestal Asphalt for the project.
- The possibility of renting a paver for various work throughout the Town was discussed.

Buildings and Grounds

- The water heater has been installed and is working well.
- Quotes were reviewed for glass replacement:
 - BPG – \$2,600 to remove two panes.
 - Northeastern Plate Glass – \$1,268.
- *Motion made by Supervisor B. Cushman, seconded by Councilperson L. Tinney, to approve the quote from Northeastern Plate Glass, not to exceed \$1,500.*
Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

Motion carried.

- Quotes for a truck box for the B/G truck versus purchasing a new truck were discussed. A stainless-steel box will be investigated.
- Security system upgrades for Town Hall and the Library were discussed. Additional doors may be considered next year, if needed.
- Supervisor Cushman reported limitations with certain key-fob access. She will check with Eastern Security regarding the capabilities of the system.
- Carriage House, a quote was received from Martins for HVAC rework. A second quote from P&G is still pending.
- Supervisor Cushman recognized Ray and gave him kudos for his work.

Sewer/Water

- Turnkey was at the facility working on the upgrade.
- Filter replacement has been completed.
- Normal maintenance and operations are continuing.
- Rose will meet with Barb regarding the five-year plan.

Code Enforcement

The Code Officer reported that things are continuing to move along. Another New York State test is scheduled for the following day, with four of six sessions completed.

Permits continue to come in, and Code Enforcement is working in the field on complaints. Work also continues to move items from the former office into the new office.

Permits and certificates of occupancy continue to be processed.

The Board thanked the Code Officer and recognized the excellent work being done

New Business

Budget Transfers:

General Fund - Recommended Budget Transfers		
Transfer From:		
A9089.800.000	Other Employee Benefits	(1,231.00)
AA.1650.400.000	Central Comm System Contractual	(1,821.00)
LL.2760.001.000	Library Grants - Other Sources	(5,132.00)
BB.2401.000.000	Interest & Earnings	(1,375.00)
		(9,559.00)
Transfer To:		
A9055.800.000	Disability Insurance	1,231.00
AA.1410.400.000	Town Clerk Contractual	1,821.00
LL.7410.401.000	Library Grant Expenses	5,132.00
BB.3010.400.000	Code Enforcement, Contractual	1,375.00
		9,559.00

Motion made by Supervisor B. Cushman, seconded by Councilperson B. Fay-Pelotte, to approve the budget transfers as prepared by LGSS.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye
Motion carried.

CERTIFIED COPY RESOLUTION #9-2026

RESOLUTION # 9-2026

RESOLUTION ADOPTING THE TOWN OF NICHOLS ELECTRONIC FUNDS TRANSFER POLICY

At a meeting of the Town Board of the Town of Nichols held at the Nichols Town Building, 139 Roki Blvd, Nichols, New York on the 28th day of July 2026, the following resolution was offered and seconded:

WHEREAS the Town of Nichols desires to establish standards and guidelines for electronic funds transfers; and

WHEREAS, the Town of Nichols seeks to adopt an Electronic Funds Transfer Policy, attached hereto as Exhibit A, establishing a framework for electronic funds transfers; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Nichols hereby formally adopts the attached Town of Nichols Electronic Funds Transfer Policy as set forth hereinabove; and be it further

RESOLVED, that this Resolution shall take effect immediately.

CERTIFICATION

Dated: July 28, 2026

Motion made by Councilperson B. Fay-Pelotte, seconded by Councilperson B. Cushman, to approve the Resolution for Electronic Funds Transfer Policy.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

CERTIFIED COPY RESOLUTION #10-2026

Resolution #10 – Establishment of Reserve Fund

RESOLUTION OF ESTABLISHMENT OF RESERVE FUND

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a General Reserve fund to be known as the “Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate money to finance the cost of general improvements or reconstruction to the Town of Nichols assets.

The chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law.

The chief fiscal officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Nichols.

Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund.

The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c [6-g] of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c [subdivision 7 of Section 6-]

Dated: July 28, 2026

Motion made by Councilperson L. Tinney, seconded by Councilperson R. Cole, to approve the establishment of a reserve fund.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

CERTIFIED COPY RESOLUTION #11-2026

RESOLUTION ADOPTING A REVISED PROCUREMENT POLICY
PURSUANT TO SECTION 104-b OF THE GENERAL MUNICIPAL LAW

At a meeting of the Town Board of the Town of Nichols held at the Nichols Town Building, 139 Roki Blvd, Nichols, New York on the 28th day of July 2026, the following resolution was offered and seconded:

WHEREAS, Section 104-b of the General Municipal Law requires every political subdivision in the State of New York to adopt policies and procedures governing procurements that are not required by law to be made pursuant to competitive bidding; and

WHEREAS, the Town Board previously adopted a Procurement Policy in accordance with Section 104-b of the General Municipal Law; and

WHEREAS, the Town Board has reviewed the existing Procurement Policy and has determined that certain revisions are appropriate to update procurement procedures, clarify contract execution authority, and enhance oversight of procurement activities; and

WHEREAS, comments have been solicited from those officers and officials of the Town involved with procurement.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Nichols hereby adopts the revised Procurement Policy attached hereto and incorporated herein as Exhibit A, effective immediately; and be it further

RESOLVED, that the revised Procurement Policy shall supersede and replace all prior Procurement Policies previously adopted by the Town to the extent they are inconsistent with the revised Policy; and be it further

RESOLVED, that the Town Supervisor, the Deputy Town Supervisor, the Town Clerk, and all other Town officers and employees are hereby authorized and directed to implement and comply with the revised Procurement Policy in carrying out the procurement activities of the Town; and be it further

RESOLVED, that the Town Clerk is directed to maintain the revised Procurement Policy with the official records of the Town and to make copies available to Town officers and employees responsible for procurement.

CERTIFICATION

Dated: July 28, 2026

Motion made by Councilperson R. Cole, seconded by Councilperson J. Ladd Yost, to approve the updated procurement policy, increasing purchasing limit to \$15,000.00.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

CERTIFIED COPY RESOLUTION #12-2026

RESOLUTION ADOPTING THE TOWN OF NICHOLS CYBERSECURITY POLICY

At a meeting of the Town Board of the Town of Nichols held at the Nichols Town Building, 139 Roki Blvd, Nichols, New York on the 28th day of July 2026, the following resolution was offered and seconded:

WHEREAS, the Town of Nichols desires to establish standards and guidelines for the protection of Town information, information technology resources, and municipal operations from cybersecurity threats; and

WHEREAS, the Town of Nichols seeks to adopt a Cybersecurity Policy, attached hereto as Exhibit A, establishing a framework for the protection and secure use of Town information and information technology resources.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Nichols hereby formally adopts the attached Town of Nichols Cybersecurity Policy as set forth hereinabove; and be it further

RESOLVED, that this Resolution shall take effect immediately.

CERTIFICATION

Dated: July 28, 2026

Motion made by Councilperson L. Tinney, seconded by Supervisor B. Cushman, to approve the cybersecurity policy as presented.

Vote: B. Cushman -Aye; Councilperson R. Cole- Abstain; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Abstain

It was noted that Rose and Ladd will review the policy and provide any recommendations.

Workplace Violence Policy

Motion made by Supervisor B. Cushman, seconded by Councilperson L. Tinney, to approve the cybersecurity policy as presented.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

Cady Library Bid

The Town received one bid for design work for the roof and window restoration project.

Motion made by Councilperson R. Cole, seconded by Councilperson L. Tinney, to approve an amount not to exceed \$50,000 for design work related to the roof, windows, and doors

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

The Board thanked Brenda for her work on the project.

Old Business

Fishing Grant Access – SEQR

CERTIFIED COPY RESOLUTION #13-2026

Motion made by Supervisor B. Cushman, seconded by Councilperson R. Cole, to approve the SEQR for the fishing grant access.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

Susquehanna Heritage Grant

The Board discussed the Susquehanna Heritage Grant project. The Town would like to pursue grant funding on the 50/50 basis.

The Town Engineer has completed a SEQR review, and a new survey has been completed. The total project amount discussed was approximately \$705,000, resulting in an estimated Town share of approximately \$350,000.

If the grant is approved, the Town would retain the option to decline the funding if sufficient funds are not available.

LaBella Meeting

An informational meeting with LaBella is scheduled for Thursday, July 30, 2026, at 10:00 AM.

Committee Reports

LEPC - COED provided a list of resources available throughout Tioga County. The list was reviewed for resources applicable to the Town.

Rose updated the Town's information and will share an updated list when it is provided.

REAP - The next meeting will be held in September.

Parking Lot – Councilperson B. Fay-Pelotte reiterated that money has been set aside for the parking lot project. Due to increased costs, the plans have been revised. Notification will be provided once project dates are established.

FEMA/Hunt Creek Buyouts

Buyouts for FEMA properties and Hunt Creek properties are forthcoming.

Vouchers

Motion made by Supervisor B. Cushman, seconded by Councilperson J. Ladd Yost, to approve the vouchers for payment.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

Executive Session

Motion made by Supervisor B. Cushman, seconded by Councilperson L. Tinney, to enter into Executive Session on personnel matters.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

Motion made by Supervisor B. Cushman, seconded by Councilperson L. Tinney, to reconvene into Regular Session.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

Adjournment

Motion made by Councilperson L. Tinney, seconded by Councilperson R. Cole, to adjourn.

Vote: B. Cushman -Aye; Councilperson R. Cole- Aye; Councilperson L. Tinney-Aye; Councilperson B. Fay-Pelotte – Aye; Councilperson J. Ladd Yost-Aye

Respectfully submitted,
Marcy Hill
Town Clerk
Town of Nichols