*Town of Nichols*

*Regular Meeting*

*October 9, 2018*

*Supervisor Engelbert brought meeting to order at 7:00 pm in the Town Hall located at 54 East River Rd. Nichols NY.*

*Pledge of Allegiance;*

*Roll Call;*

*Councilperson Ray Thetga (present), Councilperson Bill Middleton (present), Councilperson Esther Woods (Absent), Councilperson Barbara Crannell (present), Supervisor Kevin Engelbert (present), Karen Hunsinger Town Clerk.*

*Also present;*

*Mike Jura (Tioga County Soil &Water), Kevin Vought (Highway Superintendent), William Leonard, Robin & Darryl Seward (1806 Smith Creek Rd.), William Starzan , Matt Freeze (Morning Times) Becca Maffei (Representative for Team Tioga).*

***MINUTES***

*The motion to approve the minutes from September 26, 2018 meeting made by B. Crannell 2nd by B. Middleton.*

*Roll Vote;*

*R. Thetga (Aye), B. Middleton (Aye), B. Crannell (Aye), K. Engelbert (Aye). Carried 4-0-1-0*

***CEO REPORT –***  *Submitted and is on file in the Town Clerk’s Office.*

***CLERK REPORT –*** *Submitted and is on file in the Town Clerk’s Office.*

***DCO REPORT –*** *Submitted and is on file in the Town Clerk’s Office.*

***SUPERVISOR REPORT –*** *Submitted and is on file in the Town Clerk’s Office.*

***JUSTICE REPORT -*** *Justice Byers*

*Sept. Report*

*Fines $26, 537.00*

*Surcharges $18, 657.00*

*Civil Fees $ 3,825.00*

*Total $49,019.00*

*Total Cases 329*

*ABSTRACT #9 2018*

*GENERAL FUND A $12,689.00*

*GENERAL FUND B $ 100.00*

*HIGHWAY FUND DA $ 8,843.21*

*HIGHWAY FUND DB $23,726.17*

*WATER RENT FUND FX $ 84.79*

*SEWER RENT FUND G $ 745.97*

*TOTAL $46,189.20*

***QUESTIONS, COMMENTS, & CRITICISMS FROM THE PUBLIC***

*Becca Meffei Representative for Team Tioga, representing the IDA, Economic Development, and Planning and Local Development. Becca is just reaching out to Towns and letting them know that their offices are here in Tioga County and if the Town needs any Tourism or any other issues she’s here to help.*

*Message from Economic Development – Elaine Jardine Director, there will be a meeting on October 31,2018 for Hazard Mitigation, this is a very important meeting to attend, and will be held at 80 North Ave. Owego NY from 3:00pm – 5:00pm.*

***NEW BUSINESS***

* *Tioga Tells – Deanna Hutchison – Rural Education*
* *Tioga County Planning Board – Appointment*

*The motion to Reappoint Pam Moore to the Tioga County Planning Board was made by B. Middleton 2nd by B. Crannell.*

*Roll Vote;*

*R. Thetga (Aye), B. Middleton (Aye), B. Crannell (Aye), K. Engelbert (Aye). Carried 4-0-1-0*

* *Sexual Harassment Prevention - K. Hunsinger*

*A Sexual Harassment Policy must be put in place for the employees of the Town of Nichols, Attorney Robert McKertich, sent a Sexual Harassment Policy, Notice and Complaint form, for the Town Board to look over and discuss, and pass into Policy for the Town of Nichols.*

*The motion to adopt the Sexual Harassment Policy was made by B. Crannell 2nd by B. Middleton.*

*Roll Vote;*

*R. Thetga (Aye), B. Middleton (Aye), B. Crannell (Aye), K. Engelbert (Aye). Carried 4-0-1-0*

* *The Board of Assessment Review(BAR) – K. Engelbert*

*The BAR will have an opening at the beginning of the year the three members that make up the Board are Howard Visscher (Chairman), Richard Kovell and Robert Pipher, Mr. Kovell will be moving out of the area which will create an opening on the Board.*

*Town Clerk will advertise for position.*

***ADDITIONAL NEW BUSINESS FROM THE BOARD***

***UPDATE FROM TOWN DEPARTMENTS/PERSONNEL***

* *Highway Department – K. Vought*

*K. Vought introduced Mike Jura from Soil and Water. Mr. Jura has been looking at bridge on Smith Creek Rd. at K. Vought’s request. Mr. Jura stated that a4’-5’ (or deeper) box culvert under the bridge is what is needed to contain water runoff.*

*Discussion of bridge on Smith Creek Rd. ensued, cost of box culvert and if this could be put into Chips for next year. Mr. Jura, will get all permits for work in Creek.*

*Road will have to be closed while working on bridge.*

*K. Engelbert would like to see the Creek cleaned, which would help lower the creek bottom (removing gravel) and give water larger opening to flow under bridge instead of overflowing the banks and causing water damage, and/or dangerous flooding for residents on Smith Creek Rd.*

*DEC regulates water ways, and does not agree with cleaning them due to the disturbance of wildlife and disruption, and possible destruction of water life. K. Engelbert posed the question of if nothing is done and creeks, streams and rivers during heavy rain continually overflow there banks causing devastating property damage, will DEC cover all property damage? FEMA was mentioned as a solution to damages caused by flooding, but flooding is not the issue, it’s the age, and gravel building up, not storm related.*

*Soil and Water are conducting a stream resistance testing, on Smith Creek, Hunt Creek and State Line Rds. Funding through DEC and Soil and Water are available for the Town of Nichols to apply for.*

*Mr. Jura and K. Vought will be working together to solve water issues.*

* *Planning Board – B. Crannell*

*Meeting will be next week.*

***OLD BUSINESS***

* *New York Rising/Comprehensive Plan*
* *REAP*
* *Nichols Cemetery Association*

*There will be a Cemetery Association meeting on November 3, 2018; the decision will be made at this meeting, if the Cemetery Association will continue or if the Cemetery Association will dissolve and turn Cemeteries over to the Town of Nichols.*

* *Garage Update – K. Engelbert*

*They have broken ground and dirt is moving, K. Engelbert attended a meeting with contractor and representatives from GOSR – (Government of Storm Recovery) the retaining wall that was originally in plans, will not be built at a savings to the Town of an estimate of $175,000.00 saved.*

* *2019 Preliminary Budget – K Engelbert*

*A Public Hearing for the 2019 Preliminary Budget. Supervisor Engelbert went over several lines of the 2019 Preliminary Budget and explained that if Budget passes as presented it will result in a 27% decrease in Town Taxes.*

*Supervisor Engelbert asked for questions or comments about 2019 Budget from the Board.*

*Board Member B. Middleton stated his concern of two salary increases, the Town Boards and the Town Clerks, stating that the Town Boards increase in his opinion was not necessary, and that the Town Clerk has received consistent raises over the last four years that he feels is exorbitant.*

*Supervisor Engelbert stated that this is his 5th year doing the Budget and he has not given the Town Board an increase in the last 4 years that it is a Board decision but he thinks the Town Board is deserving of the increase.*

*Supervisor Engelbert also stated that the reasons for the Town Clerks increase is increased work load, rating 2nd only to The Town of Owego, and Nichols Clerk position has been the lowest paid Clerks position in Tioga County. Supervisor Engelbert also stated again this is a Board decision and that he was explaining his decision for the increases. Board member B. Crannell also stated that there were many years before this that there weren’t this type of increases to the Town Clerks salary.*

*The motion to hold a Public Hearing for the 2019 Preliminary Budget on October 24, 2018 was made by B. Crannell 2nd by R. Thetga*

*Roll Vote;*

*R. Thetga (Aye), B. Middleton (No), B. Crannell (Aye), K. Engelbert (Aye). Carried 3-1-1-0*

***ADDITIONAL OLD BUSINESS***

* *CCNN (Community Care Network of Nichols) – B. Crannell*

*There are big changes coming in 2019 for CCNN.*

*A services referral and information report was handed out to Board members of the cost for Transportation only for the year of 2017, the total expense was $25,216.85.*

*A discussion ensued of total costs for 2017 of all services, estimated budget for CCNN, full/part time employees, number of volunteers, etc. Supervisor Engelbert requested that B. Crannell ask Dot Richter to attend next meeting to go over the budget of CCNN with Board and discuss CCNN’s future.*

***MOTION TO ACCEPT REPORTS AND PAY BILLS***

*The motion to accept reports and pay bills, made by B. Middleton 2nd by B. Crannell*

*Roll Vote;*

*R. Thetga (Aye), B. Middleton (Aye), B. Crannell (Aye), K. Engelbert (Aye). Carried 4-0-1-0*

***EXECUTIVE SESSION***

***ADJOURN***

*The motion to adjourn the meeting at 8:09pm made by R. Thetga 2nd by B. Crannell*

*R. Thetga (Aye), B. Middleton (Aye), B. Crannell (Aye), K. Engelbert (Aye). Carried 4-0-1-0*

*Karen Hunsinger*

*Town Clerk*

*10/16/2018*

*Corrections – 10/19/2018*