

Town of Nelson - Town Board Meeting

January 11, 2018

7 p.m. - Nelson Town Office

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The January Organizational meeting was called to order at 7 p.m. with the Pledge of Allegiance.

Present: Supervisor Roger D. Bradstreet, Councilor Deborah Kenn, Councilor Tammy Hayes, Councilor John Laubscher and Highway Superintendent Joseph Deyo. Absent was Councilor Jennifer Marti.

Supervisor Bradstreet welcomed Lauren Young of the Cazenovia Republican.

### **Minutes**

A motion was made by Councilor Hayes and seconded by Councilor Laubscher to approve the December 2017 minutes as presented. There was no further discussion. All voted in favor. Councilor Kenn abstained. The motion carried.

Supervisor Bradstreet welcomed recently elected Board member Deborah Kenn to the Board. Councilor Kenn will be the liaison for Building & Grounds and Parks & Recreation.

### **Organizational – 2018**

Councilor Hayes has been appointed to the Deputy Supervisor position, former Board member Michael Costello has been appointed to the Town of Cazenovia Sewer Board as liaison for the Town of Nelson; Jeff Palmer is no longer interested in volunteering to maintain the Town's website. When someone is selected Jeff has offered to work with that person. Edward Nelson was reappointed to Deputy Highway Superintendent, Sandy Palmer was reappointed to a 7 year term on the Planning Board, Kathryn Eberst was reappointed to the Zoning Board of Appeals for a 5 year term, Gordon Baker was reappointed as Dog Control Officer, Susan Volz was reappointed as Secretary to the Supervisor, Bookkeeper and Court Clerk, Debbie Costello was reappointed as Planning Board Secretary, Zoning Board Secretary and Clerk to the Code Enforcement officer and Registrar. Patricia Amico was reappointed as Court Clerk and Elizabeth Merrill was reappointed as Account Clerk. Christabell Westcott was reappointed as Erieville Water District Secretary. Christabell Westcott, Kevin Parker and James Gennell were reappointed to the Erieville Water District Board of Commissioners. Mark Nourse was reappointed as Erieville Water District Operator. Glenys Williams and Christabell Westcott have been reappointed as Deputy Town Clerks.

Council appointments have been changed. Councilor Deborah Kenn will be liaison for Parks and Recreation and Building & Grounds; Councilor Jennifer Marti will now be liaison for Planning & Zoning; Councilor Tammy Hayes will remain as liaison for Economic Development and Councilor John Laubscher will now be liaison for Highway and the Erieville Water District.

The new council liaison appointments will be noted in BOLD.

A motion was made by Supervisor Bradstreet and seconded by Councilor Kenn to approve the 2018 Organizational Document as amended with the Council liaison appointments noted in Bold. There was no further discussion. All voted in favor. The motion carried.

Attorney Jim Stokes submitted his agreement for 2018. A motion was made by Supervisor Bradstreet and seconded by Councilor Laubscher to approve the agreement for 2018 as submitted by James Stokes. There was no further discussion. All voted in favor. The motion carried.

### **Highway - 2018 Organizational**

Supervisor Bradstreet noted the new employee will be offered the HSA (Health Savings Plan) and existing employees will remain with what they have. Supervisor Bradstreet was reminded that insurance is a year to year thing and the Board cannot commit insurance year to year because of changes. The HSA will save both the Town and employee money. It was suggested the new employee speak with our insurance agent regarding the new plan. The wording will be changed to reflect the new HSA insurance plan that will be offered to any new employee.

Councilor Hayes asked if any highway employees had any accidents and did anyone qualify for the one day off for having a safe year. Highway Superintendent Deyo explained those who have a safe year get one day taken 30 days prior to or after their birthday. Councilor Laubscher asked about the 3% raise. Supervisor Bradstreet noted the 3% raise was discussed and agreed upon at the budget work session.

A motion was made by Councilor Hayes and seconded by Councilor Laubscher to approve the 2018 Highway Organizational document with the following amendment; "The Board approved the NY MVP Liberty HDHP Gold 7 health insurance plan for all new Town employees hired after January 1, 2018." The 2018 Highway Organizational document will be entered into the minutes in its entirety. There was no further discussion. All voted in favor. The motion carried.

### **Procurement Policy - 2018**

The following changes were made to #7 on page 2:

- "Purchases costing more than one thousand dollars (\$1,000) do not require a quote and may be purchased at the discretion of the purchasing agent or department head" has been changed to "Purchases costing more than two thousand dollars (\$2,000) do not require a quote and may be purchased at the discretion of the purchasing agent or department head"
- \$2,001 - \$3,000 At least 2 oral quotations

All other requirements will remain the same.

A motion was made by Supervisor Bradstreet and seconded by Councilor Kenn to adopt the preexisting Procurement Policy with the purchase level increased from to \$2,000 from \$1,000 without Board approval. This will allow the Highway Superintendent to spend \$2,000 without Board approval when it's warranted. There was no further discussion. All voted in favor. The motion carried.

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**Financials**

Town Clerk - \$420.50

December 2017 Revenues - \$178.50

Conservation Licenses - Commission - \$5.50

Ten (10) Landfill Punch Cards at \$0.35 each - \$3.50

Planning Fees - \$50.00

Eleven (11) Dog Licenses (Renewal/Original) at \$6.50 each - \$71.50

Wanderers Rest Redemption Fee - \$40.00

One (1) copy Land Use Regulations picked up - \$8.00

December 2017 Disbursements - \$242.00

NYS DEC (Department of Environmental Conservation) Licenses - \$94.50

NYS Dept. of Ag. & Markets for Unspayed/Unneutered/Spayed/Neutered - \$11.00

Madison County Treasurer Landfill Punch Cards - 11 at \$13.65 each - \$136.50

Operating Statement - period ending December 31, 2017

General Fund A Expenditures - \$38,664.56 Highway Fund DA Expenditures - \$31,716.09

General Fund A Revenues - \$31,761.43 Highway Fund DA Revenues - \$188,728.60

Erieville Lighting District Expenditures - \$391.65 Nelson Lighting District Expenditures - \$251.69

Erieville Lighting District Revenues - \$0 Nelson Lighting District Revenues - \$0

Erieville Water District Expenditures - \$852.70 Route 20 Water District Expenditures - \$0

Erieville Water District Revenues - \$0.86 Route 20 Water District Revenues - \$0

The General Fund is everything but Highway and Special Districts. The plan is to purchase a new truck. The entire amount of about \$200,000 is typically financed. However, the Board could decide to use some of the funds in the Capital Reserve to reduce the amount financed.

Highway Superintendent Deyo noted most of the items placed on and purchased through Auctions International had been picked up and he had been informed everything had been paid for. The Town Clerk noted she has not yet received a check.

**Route 20 Water District**

**Public Hearing**

A motion was made by Councilor Hayes and seconded by Councilor Kenn to open the Public Hearing for the Route 20 Water District at 7:30 p.m. There was no further discussion. All voted in favor. The motion carried.

Present for the Public Hearing were Matt Irwin, Cazenovia Central School District, Glen Trush and Jerry Kolb.

John Dunkle explained the district was formed with a series of public hearings with the Town of Cazenovia and the Town of Nelson. The reason for this second public hearing is to finalize the financing of the district and the district boundaries. The cost of the project is \$2.85 million dollars. The project encompasses 45 properties between the Town of Cazenovia and the Town of Nelson.

The line will extend from the village to a tank in Nelson at a location to be determined and will be pumped up to serve properties along Route 20. When the district was formed by the Towns of Cazenovia and Nelson, it was with the condition nothing would happen with the district unless grant money was secured to bring the cost down to less than \$3.55/\$1,000 of assessed value. The cost will be divided into the total assessed value. Two (2) grants have been received of approximately \$1.8 million dollars. The grant money will allow the project to move forward and stay below the threshold.

Matt Irwin, Cazenovia Central District, explained the school district has had water problems for the last five months at the bus garage and asked if anyone had looked at sewer. Mr. Irwin was informed that sewer is only available to those in the Industrial Park. John Dunkle informed Mr. Irwin that if the school district were interested in sewer the cost to go under Route 20 would be the responsibility of the school district. Mr. Irwin asked if he could meet with John Dunkle to assess the situation.

John Dunkle noted that if all goes well, construction could start in the spring of 2019. This project will include putting in the water main, and water service only to the edge of the highway. The connection will be the responsibility of the property owner.

Jerry Kolb asked what the blue dots were. John explained they are fire hydrants placed every 600 ft. John also noted fire service is a part of this project.

Glen Trush asked why the line is being installed on the south side of Route 20 as opposed to the north side. John Dunkle explained the first proposal was to run the line down the median and then they looked at both sides of the highway. The Department of Transportation didn't want the road torn up. We looked at the number of services that would have to be pushed under the highway on the north side and by running the line on the south side there would only be six major crossings from the north side including one running down Trush Boulevard. There are more individual properties on the south side with the businesses on the north side.

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Mr. Trush asked if there was an approximate value of the services being installed under Route 20. Mr. Dunkle noted that will be done as part of the project. Mr. Trush asked if he would be responsible for boring under Route 20 to hookup to his property on the north side. John Dunkle noted a water service will be provided to each property and we will push it under Route 20 no matter what side your property is on.

Laurie Omans asked if the \$3.10/\$1,000 of assessed value is for the property owners or for the Town? John Dunkle explained it's only for those in the district. The entire Town cannot be asked to pay for a project that only a few will get a benefit from. Ms. Oman's asked if that fee will be only for participants using it or for everybody who will have a right to use it. John Dunkle explained that everyone that benefits from the project is required to pay the 30 year loan but are not required to hookup. Consumption is different.

Glen Trush asked about possible future development behind the Medical center or John Deere. Mr. Trush asked if they would be able to hook into this district. John Dunkle explained this district is set up so the first 300 ft. of a property are in the district. John explained that if there is future development or subdivisions and new roads are put in, the district would have to be expanded. Any additional infrastructure or water lines would at the expense of that additional development; not this district. For example if a large lot is subdivided into 30 lots a public road would be required. The cost of the water line would be up to that property owner. Those in this district would not pay for any future development. John explained the financing would be isolated from this district and essentially there would be another district formation process.

John Dunkle explained that if vacant parcels are developed in this district, the assessed value increases. Each year the Town recalculates the annual payment. As development occurs participants pay less of the 30 year debt service. Councilor Laubscher asked if that expansion of the larger parcels would share in the part of the original debt. John Dunkle explained it would be a separate district and they would not. The original district would continue by themselves. Another district would be created for any future development outside of this current proposed district and would include their own set of financing costs.

Laurie Oman's asked if there would be 2 water bills as there are in the Village of Cazenovia. John Dunkle noted the Village will continue to operate and maintain the system and set the inside and outside user rates. The typical residential user rate would be \$430.00/year. There are no operating and maintenance costs included in the water rates.

Glen Trush asked about the source of water. John Dunkle explained there is an underground lake parallel to Chittenango Creek and a fourth well has just been installed. The Village of Cazenovia is operating at 50% of their capacity and have plenty of water.

John Dunkle explained there are two proposals for the location of the water tower. There need to be further discussions. With the property owners. We will have to determine which site is viable based on visual impact and cost. We would need a tower 200 ft. on the south side. The tower has to be at least 100 ft. above the highest property that's served.

There were no further public comments. A motion was made by Supervisor Bradstreet and seconded by Councilor Hayes to close the public hearing at 7:50 p.m. There was no further discussion. All voted in favor. The motion carried.

A motion was made by Supervisor Bradstreet and seconded by Councilor Kenn to approve a resolution to form the district and amend the district boundaries. There was no further discussion.

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In the Matter

of the

Formation of the TOWN OF NELSON ROUTE 20  
WATER DISTRICT in the Town of Nelson,  
County of Madison, State of New York  
pursuant to Article 12-A of the Town Law.

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RESOLUTION AND  
ORDER FORMING  
DISTRICT

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**(To Be Known Generally as "The Town of Cazenovia/Town of Nelson Route 20 Joint Water District Improvements")**

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**WHEREAS**, the Town of Cazenovia Town Board and the Town of Nelson Town Board have become aware of a general interest in and desire for the provision for public water service in portions of the Town of Nelson (and separately in portions of the Town of Cazenovia) located along Route 20 in said Towns in Madison County; and **WHEREAS**, a Map, Plan and Report, prepared by Dunn & Sgromo Engineers, PLLC, competent engineers, dated September 2, 2016, as last revised December 18, 2017, has been duly prepared in such manner and in such detail as heretofore has been determined by request of the Town of Cazenovia Town Board and the Town of Nelson Town Board, Madison County, New York (the "Towns"), relating to the formation and construction, pursuant to Town Law Article 12-A, of a proposed Water District to be known and identified as "The Town of Nelson Route 20 Water District" in the Town of Nelson, Madison County, New York (the "Water District"); and

**WHEREAS**, such Map, Plan and Report has been duly filed in the Office of the Town Clerk of the Town of Nelson, New York; and

**WHEREAS**, the boundaries of the proposed Water District consist of the lands, or portions thereof situate within the Town of Nelson as set forth and included in the legal description attached hereto as Schedule "A" and made a part hereof; and

**WHEREAS**, the proposed improvements for the Water District consist generally of the joint improvements to be constructed cooperatively with the Town of Cazenovia (the Water District Improvements") as more particularly set forth in the project description of the Map, Plan and Report, to wit:

The Town of Cazenovia/Town of Nelson Route 20 Water District will include 45 properties along Route 20 from Stone Quarry Road to 800 feet east of Nelson Heights Road. The water district will be supplied water by a 10,500

lineal feet extension of the Village of Cazenovia's public water main located 800 feet west of Stone Quarry Road. At this connection, a pump station will be installed to increase the water system pressure gradient from 1,288 feet to 1,640 feet, which is 100 feet below the elevation of the bottom of a new 100,000-gallon storage tank, at an approximate elevation of 1,740 feet. The elevated pressure gradient of 1,740 feet will provide a minimum pressure of 40 psi at the highest elevation (1,640 feet) in the proposed service area. The elevated tank will be located on one of the available vacant properties.

Individual properties will be provided appropriately sized water services (ranging from ¾-inch to 4-inch) from the 12-inch and 8-inch water main to be located on the south side of Route 20 and in the right-of-way of Trush Boulevard. The new water main will include gate valves, hydrants, and service connections.

Upon completion, the Village of Cazenovia will operate and maintain the water system through an intermunicipal agreement with the Towns of Cazenovia and Nelson. The cost of operation and maintenance are included in the water usage costs. Water meters will be installed in each building or in meter pits near the highway right-of-way. With completion of the overall project, potable water and fire service will be provided to 45 commercial and residential properties, eliminating at least 6 regulated non-community water systems, and over 25 private wells, many of which have quality and quantity issues. The Madison County Health Department supports the project. Water will be supplied and sold by the Village of Cazenovia through the terms set in an intermunicipal agreement; and

**WHEREAS**, such Water District Improvements are to be constructed and owned by the Towns of Nelson and Cazenovia on behalf of the proposed water districts; and

**WHEREAS**, in conjunction with the requirements of the New York State Environmental Quality Review Act ("SEQRA"), by resolution dated December 18, 2017, the Town Board declared the formation and construction of the proposed Water District would be considered a Type 1 action under SEQRA and further made a finding and determination that the proposed Water District would not have a significant adverse effect on the environment and adopted a Negative Declaration for purposes of SEQRA; and

**WHEREAS**, the Town Board conducted a public hearing on June 8, 2017 in consideration of the proposed "Town of Nelson Route 20 Water District Pursuant to Article 12-A of the Town Law"; and

**WHEREAS**, on June 8, 2017 the Town Board duly continued said public hearing to June 14, 2017 at 6:00 p.m., at which time the public hearing was duly reopened and subsequently closed; and

**WHEREAS**, following the public hearing, on June 14, 2017, the Town of Nelson Town Board adopted a "Resolution and Order to Approve the Formation of the Town of Nelson Route 20 Water District Pursuant to Article 12-A of the Town Law (To Be Known Generally as "The Town of Cazenovia/Town of Nelson Route 20 Joint Water District Improvements") subject to a Permissive Referendum" and NYS Comptroller approval; and

**WHEREAS**, no petition seeking a referendum was filed, and no application for NYS Comptroller approval was filed, and

**WHEREAS**, subsequent to the adoption of the June 14, 2017 Resolution and Order to form the District and further discussions with the affected property owner, it was determined that the preferred location for the siting of the water storage tank was not available due to the property owner's desire not to have the tank located at that site, and

**WHEREAS**, alternative potential sites for constructing the water storage tank will not provide sufficient elevation to allow all properties originally intended to be served and benefitted by the water district to be so served and benefitted, thereby requiring that the district boundaries be modified, and

**WHEREAS**, the Town of Cazenovia and the Town of Nelson had previously determined to seek and obtain public sources of funding and financing for the proposed Water District through various sources, including but not limited to the New York State Environmental Facilities Corporation (“NYSEFC”), Empire State Development Corporation (“ESDC”) and the Northern Border Regional Commission, as well as other sources as they may become available, and for the construction and administrative costs, associated with the creation and construction of the Water District facilities; and

**WHEREAS**, subsequent to the adoption of the June 14, 2017 Resolution and Order to form the District by the Town Board of the Town of Nelson, the Town of Cazenovia and the Town of Nelson received a grant award from NYSEFC in the amount of One Million Five Hundred Ninety Thousand and 00/100 Dollars (\$1,590,000.00) and a grant award from Northern Border Regional Commission in the amount of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) to support construction of the District improvements; and

**WHEREAS**, the maximum amount proposed to be expended for the formation and construction of the proposed Water District Improvements in both the Town of Nelson and the Town of Cazenovia is estimated in total (combined Town of Cazenovia and Town of Nelson) to be \$2,850,000.00 and the plan of financing includes the issuance of bonds of the Towns to finance said cost and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefitted thereby, so much upon and from each as described in the financing plan (from the several lots and parcels of land within the proposed District on an *ad valorem* basis and at the same time and manner as other Town charges), to pay the principal of and interest on said bonds as the same shall become due and payable, all as shown on the attached financing plan (Schedule “B”) as set forth in said Map, Plan and Report; and

**WHEREAS**, the Town of Cazenovia and Town of Nelson shall enter into an intermunicipal agreement for the proposed financing and allocation of costs and expenses, based upon the *ad valorem* basis as discussed and set forth in the Map, Plan and Report; and

**WHEREAS**, the Town of Cazenovia and Town of Nelson have determined (and will determine) that any final determination of each Town Board, for the construction of the Water District Improvements as described herein will be conditioned upon obtaining an actual cost to the “*typical property*” (as defined in the Town Law) of \$3.55 per \$1,000.00 of assessed value per year for debt service purposes and that if such additional grant monies and funding are not obtained and the cost of the typical property is not at or below \$3.55 per \$1,000.00 of assessed value per year (thereby reducing the overall financed cost of the proposed Water District to a total of \$1,450,000.00), then the Town Board shall not authorize the construction of said Water District Improvements; and

**WHEREAS**, assuming receipt of the grant money awarded as aforesaid, the cost to the “*typical property*” and the “*typical one family home*” (as defined in the Town Law) is estimated to be \$3.10 per \$1,000.00 of assessed value per year for debt service purposes based on the overall financed cost of the proposed Water District of \$1,060,000.00; and

**WHEREAS**, the estimated cost of the Water District Improvements to the *typical one-family home* following construction of the improvements (as defined in the Town Law) is estimated to be \$926 (\$506 for debt service + \$420 for water usage with operation and maintenance) (taking into account the capital/debt service, County fees, if any), including operation and maintenance (as explained below and in the Map, Plan and Report) and taking into account the anticipated source of grant monies and/or low interest loans, annually; and



**WHEREAS**, the estimated cost of the Water District Improvements to the typical property (as defined in the Town Law) is \$1,892 (\$947 for debt service + \$945 for water usage with operation and maintenance) (taking into account the capital/debt service, operation, maintenance, County fees, if any), and taking into account anticipated sources of grant monies and/or low interest loans, annually; and

**WHEREAS**, the estimated cost of hook-up fees to the typical one-family property is approximately \$2,000.00 (a one-time charge) and the estimated cost of hook-up fees to the typical commercial property is \$5,000.00 (plus approximately \$4,000.00 for backflow prevention, if required); and

**WHEREAS**, the cost and expense of operation and maintenance (being an expense included in the above cost to typical property and typical one-family home) of said Water District Improvements shall be a function of charges to the benefitted property owners by the Village of Cazenovia and shall not be a general charge against the Town or the District, and is estimated to be based upon current Village of Cazenovia water rates, an annual estimated charge/usage charge of \$4.23 per 100 cubic feet of water used per property, all as set forth in the Map, Plan and Report; and

**WHEREAS**, the Town Board has heretofore caused to be prepared and filed for public inspection with the Town of Clerk, a detailed explanation of how such estimates were computed; and

**WHEREAS**, in light of the receipt of the above-referenced grant monies, the Town Board determined it to be in the best interests of the residents and owners of real property in the proposed Water District to present the updated Water District costs to the public at a new public hearing also presenting the revised District boundary, and

**WHEREAS**, an Order was duly adopted by the Town Board on December 18, 2017 for the hearing of all persons interested in this matter at the meeting of the Town Board of the Town of Nelson to be held at the Nelson Town Hall located at 4085 Nelson Road, Cazenovia, New York on January 11, 2018, at 7:30 p.m., or as soon thereafter as the matter can be heard, to consider the approval, formation and construction of the proposed "Town of Nelson Route 20 Water District Pursuant to Article 12-A of the Town Law" as described herein and for such other action on the part of the Town Board with relation thereto as may be required by law; and

**WHEREAS**, the Town Board did conduct a further and additional public hearing on January 11, 2018 in consideration of the proposed "Town of Nelson Route 20 Water District Pursuant to Article 12-A of the Town Law (To Be Known Generally as 'The Town of Cazenovia/Town of Nelson Route 20 Joint Water District Improvements')", which public hearing has been, or is hereby closed.

**NOW, THEREFORE, IT IS HEREBY RESOLVED, ORDERED AND DETERMINED** that pursuant to Article 12-A of the Town Law, the Town Board of the Town of Nelson hereby determines as follows:

1. That the Notice of Public Hearing was published and posted as required by law, and is otherwise sufficient;
2. That all property and property owners within the proposed Water District are benefitted thereby;
3. That all property and property owners benefitted are included within the limits of the proposed Water District;
4. That it is in the public interest to establish said Water District; and be it further

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**RESOLVED, ORDERED AND DETERMINED** that the establishment of the Water District and the construction of the proposed Improvements, as set forth in said Map, Plan and Report, be approved subject to the conditions as set forth below; that the Water District Improvements herein above referred to shall be constructed as set forth in said Town Board Resolution and Order Setting Public Hearing at a cost not to exceed a total of Two Million Eight Hundred Fifty Thousand and 00/100 Dollars (\$2,850,000.00), including that portion of the water system to be constructed in the Town of Cazenovia, which cost will be financed as more particularly described in the financing plan on file with the Town of Nelson Town Clerk, and that said Improvements shall be designated and known as the "The Town of Cazenovia/Town of Nelson Route 20 Joint Water District Improvements" in the Town of Nelson situated wholly outside of any incorporated village or city, and shall be bounded and described as set forth in Schedule "A" attached hereto and made a part hereof; and be it further

**RESOLVED, ORDERED AND DETERMINED** that the Town of Cazenovia and the Town of Nelson shall enter an Intermunicipal Agreement for the purpose of financing and allocation of costs and expenses based upon the *ad valorem* basis as discussed and set forth in the Map, Plan and Report; and be it further

**RESOLVED, ORDERED AND DETERMINED** that the construction of the Water District Improvements as described herein is hereby conditioned upon obtaining an actual cost to the "typical property" (as defined in the Town Law) of not greater than \$3.55 per \$1,000.00 of assessed value per year for debt service purposes, and that if the herein described grant monies and funding are not obtained and the cost of the typical property is not at or below \$3.55 per \$1,000.00 of assessed value per year (thereby reducing the overall financed cost of the proposed Water District Improvements to a total of \$1,450,000.00 or less), then the Town Board shall not authorize the construction of said Water District Improvements; and be it further

**RESOLVED, ORDERED AND DETERMINED** the cost and expense of operation and maintenance of said "The Town of Nelson Route 20 Water District" and the Water District Improvements to be constructed therein shall be a function of charges to be included in the charges for water supply to the Village of Cazenovia and shall not be a general charge against the Town or the District; and be it further

**RESOLVED, ORDERED AND DETERMINED** that within ten (10) days of the effective date of this Resolution and Order, the Town Clerk shall record with the Clerk of the County of Madison and file with the Office of the State Comptroller copies of this Order, certified by the Town Clerk; and be it further

**RESOLVED, ORDERED AND DETERMINED** that this Resolution and Order is adopted subject to permissive referendum as provided in Section 209-e of the Town Law.

Upon a call of the roll, the vote of the members of the board was as the follows and the Supervisor declared the resolution adopted:

Councilor Deborah Kenn - Yes

Supervisor Roger Bradstreet - Yes

Councilor Tammy Hayes - Yes

Councilor John Laubscher - Yes

Councilor Jennifer Marti – Absent

The Board was informed a second proposal is being sought for Bond Counsel and the Board could consider this later. Bond Counsel is a specialized counselor that will confirm the issuer of the bond is legally allowed to issue the

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Bond. During the offering of municipal bonds the issuer will retain legal counsel to represent them in the transaction. Harris Beach was used for the Erieville Water District.

Attorney James Stokes discussed retaining Fiscal Advisors & Marketing, Inc. to advise the town and coordinate particular aspects of the financing, particularly the pricing and issuance of the bonds. Fiscal Advisors & Marketing is a very reputable firm. The Town of Cazenovia is also under contract with this firm.

A motion was made by Councilor Laubscher and seconded by Councilor Hayes to authorize the Supervisor to sign the agreement with Fiscal Advisors & Marketing, Inc. There was no further discussion. All voted in favor. The motion carried.

John Dunkle explained the project will be completed before we are reimbursed with grant money. A short term Bond Anticipation Note for 2-3 years will be needed before the end of the year as funds will be expended. John discussed easements and would like to bid the project out over the winter of 2018-19.

#### **Highway Report**

Sixty (60) plow runs have made to date. Highway Superintendent Deyo submitted a quote for the new truck. He would also like to discuss the applicants for the open highway position and get Board approval tonight. The break in the weather has allowed the highway crew to perform some needed maintenance on the trucks. Highway Superintendent Deyo acknowledged everyone has been helpful during the transition.

Supervisor Bradstreet attended a meeting in the Town of Eaton regarding a proposal by the Town of Eaton to adopt a law regarding septic systems that would require an inspection of a septic system prior to the exchange of property, any property. However, for now the Town of Eaton is only looking at lake property on their portion of Eatonbrook Lake, Bradley Brook and Hatch Lake. Property would be allowed to transfer without first having the septic tested. If inspection failed action would be required and could result in a failed sale. Jim Cunningham attended and explained normal to elaborate septic systems with smaller leach fields. Ms. Oman's explained the Tuscarora Lake Association is in agreement that every time a property is transferred the septic system should not only be tested but visually tested. Supervisor Bradstreet reminded the Board and Ms. Oman's of the January 18th meeting regarding the trailer issue on Tuscarora Lake.

#### **Correspondence**

No correspondence

#### **Council Updates**

Councilor Jennifer Marti; Planning: and Zoning: Absent

Councilor Deborah Kenn; Parks & Recreation and Building & Grounds: No report.

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Councilor Tammy Hayes; Economic Development: No report.

Councilor John Laubscher; Highway and Erieville Water District: No report.

A motion was made by Councilor Laubscher and seconded by Councilor Hayes to adjourn the Board meeting and enter into executive session at 8:21 p.m. There was no further discussion.

Councilor Jennifer Marti - Absent

Councilor Deborah Kenn – Yes

Supervisor Roger Bradstreet – Yes

Councilor Tammy Hayes – Yes

Councilor John Laubscher – Yes

All voted in favor. The motion carried.

A motion was made by Supervisor Bradstreet and seconded by Councilor Kenn to adjourn the executive session and reconvene the Board meeting at 8:45 p.m. There was no further discussion. All voted in favor. The motion carried. No action was taken in executive session.

A motion was made by Councilor Laubscher and seconded by Councilor Kenn to approve the hire of Ron Richardson to the full time position of Motor Equipment Operator with a one year probationary period at the starting pay of \$ and to fill the position left vacant by the election of Joe Deyo to Highway Superintendent. There was no further discussion. All voted in favor. The motion carried.

A motion was made by Councilor Laubscher and seconded by Councilor Kenn to allow the Highway Superintendent to move forward with obtaining quotes for the purchase of a new truck. There was no further discussion. All voted in favor. The motion carried.

The next Town Board meeting will be held February 8, 2018 at 7 p.m. at the Nelson Town Office located at 4085 Nelson Road in the Hamlet of Nelson.

Bills were prepaid from the following accounts for the period of December 20, 2017 through January 10, 2018:

General Fund A	\$ 6,782.40
Highway Fund DA	31,249.60
Erieville Lighting District SL	123.00
Nelson Lighting District SL	88.46
Erieville Water District SW	1,802.14
Trust & Agency Fund TA	<u>1,508.78</u>
Total	\$41,554.38

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Bills were approved and paid from the following accounts for the period of December 20, 2017 through January 10, 2018:

General Fund A	\$18,101.57
Highway Fund DA	6,358.45
Erieville Lighting District SL	268.65
Nelson Lighting District SL	163.23
Erieville Water District SW	<u>6.59</u>
Total	\$24,898.49

A motion was made by Supervisor Bradstreet and seconded by Councilor Kenn to adjourn the Meeting at 9 p.m. There was no further discussion. All voted in favor. The motion carried.

Respectfully submitted,

Deborah J. Costello, Town Clerk

Town of Nelson