**REGULAR MEETING**

**BAINBRIDGE TOWN BOARD**

**OCTOBER 11, 2022**

Present: Dolores Nabinger Supervisor

Bob Evans Councilman

Michael Kauffman Councilman

Melissa Fuller Councilwoman

Gordie Daniels Councilman

Matt Clark Highway Superintendent

Recording Secretary: Aric McKown Town Clerk

Supervisor Nabinger called the Regular Meeting to order at 6:30PM.

**Guest(s):** Deputy Clerk Bonnie Lafond, Daily Star Freelance Reporter Francis Ruth Harris, Park & Pool Superintendent Gary Richman, 6 High School Students.

**RESOLUTION # 1**

Motion was made by Councilman Evans, second by Councilman Daniels, to approve the minutes from the September 13th, 2022 Regular Meeting.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Melissa Fuller; No: none; Motion Carried.

The following claims as set forth on abstract #10 for 2022 were audited by Town Board:

General Town Wide#300-328 for $17,867.04

General Town Outside#20-21 for $125.00

Bennettsville Lights#10 for $18.03

Highway Town Wide#76 for $75.13

Highway Town Outside#53-61 for $37,057.96

**RESOLUTION #2**

Motion was made by Councilman Kauffman, second by Councilman Evans, authorizing clerk to issue warrant to Supervisor for payment of audited claims and to note the following: payment of $130.00 to Jim Price for storm damage reimbursement at Clinton Park and invoice needed for the Jess F. Howe statement;

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Kauffman, Councilman Daniels, Councilwoman Fuller; No: none; Motion Carried.

The town board discussed drafting a contract for seasonal campers at General Clinton Park to protect the town from payment reimbursements due to damages.

Town Clerk McKown said he would take care of this contract.

**RESOLUTION #3**

Motion was made by Councilman Daniels, second by Councilman Evans, to receive and file August 2022 Financial Report.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

**Guests Questions and Concern(s):**

Daily Star Freelance Reporter Francis Ruth Harris introduced herself to the town board and said she’s available to list any town events or fires, in the paper at no charge. She’s expressed the importance of local news being available to the public and how we’ve lost 3,500 local newspapers in the last few years. Harris talked about her work history, the process of posting town events and the paper’s area of coverage.

**RESOLUTION #4**

Motion was made by Councilwoman Fuller, second by Councilman Kauffman, to receive and file the reports from the Sanitation Officer, Dog Control Officer, and Assessor.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

**HIGHWAY DEPARTMENT**

Highway Superintendent Clark said he’s been taking advantage of the good weather and had taken down a lot of dead ash trees, along with some maple and pine trees, with the help from a local tree company. He reported the Community Center and a mile of road on Newton Town Road had been stoned & oiled, splitting the cost between the 2 locations, for the rentals of the chipper and stone & oil truck.

Clark mentioned his department had finished mowing the roadsides and returned the mower back to the Town of Guilford. He said all the winter sand has been hauled in and his department will be getting the trucks ready for winter, in the next 2 to 3 weeks.

He provided an update on the pool bathroom project, stating that himself, Tony and Zac had jackhammered the floor out, exposed all the plumbing and are ready to start replumbing. Clark plans to get the floor repoured before the cold weather starts and use the winter to get everything put back together.

Supervisor Nabinger confirmed with Chenango County Code Enforcement that no building permit is needed at this time, but will need to be called when it comes time to pour the floor. The bathrooms will be handicap accessible once the flooring has been poured.

Highway Superintendent Clark explained the breakdown of costs on the Suit- Kote bill for oil & stone. Supervisor Nabinger said she would be submitting this bill to the Bainbridge Chamber for payment.

Councilman Evans asked if the CHIPS paperwork had been submitted yet. Highway Superintendent Clark said this paperwork is due by the middle of November but plans to work on it with Town Clerk McKown, by the end of next week.

**POOL**

Pool Superintendent Richman reported he’d be putting water back in the deep end of the pool this week, with the anticipated cooling temperatures, and then will shut things back off.

Richman emphasized the urgency and importance of installing security cameras down at the pool and pavilion. He talked about the garbage and clothing that had been left at the park and how the tables and floors had been written on. Richman asked the town board to put this expense in the town’s budget. The town board held conversation on the costs involved, the network installation, and how to pay for these expenses.

Supervisor Nabinger said she would speak with the Delhi Telephone Company and with the village on splitting those costs.

**CLINTON PARK**

Clinton Park Superintendent Richman reported things are winding down at the park. Camping is slowing down, but we collected $550.00 in camping money over the last week.

Richman talked about the roof on the large pavilion and how it needs to be replaced. Groundskeeper Tim Harmon offered to do the roof replacement but will need help with the 35 sheets of metal. Richman said the estimated cost would be $12 to $15,000.00 and how it should be done in the Spring. He added he’d be shutting off the water soon at the park.

**RESOLUTION #5**

Motion was made by Councilwoman Fuller, second by Councilman Kauffman, to open the public hearing for the Spectrum Franchise Agreement.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

Supervisor Nabinger opened the floor for public comment. She explained to the public the purpose of the franchise agreement and how it works. The town board fielded questions from the public on the matter.

**RESOLUTION #6**

Motion was made by Councilman Kauffman, second by Councilman Evans, to close the public hearing for the Spectrum Franchise Agreement.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

**TOWN CLERK**

Town Clerk McKown shared the numbers from the Susquenango Chapter Motor Coach Rally and how the town had received a check for $1,344.00 for their time at General Clinton Park. McKown commented that their numbers continue to go down.

McKown talked about the increasing costs with the Evening Sun and Coughlin & Gerhart.

Town Clerk McKown provided an update on Thoma and the CDBG grant. The town received their first payment installment of $7,749.20 on September 29th, this amount included a payment to Thoma of $7,500.00 and a payment reimbursement back to the town, in the amount of $249.20 for marketing advertising. Thoma informed the town of one of their approvals for the grant and asked the town board to make a motion to approve Sandra Palmer for participation in the CDBG program.

**RESOLUTION #7**

Motion was made by Councilman Kauffman, second by Councilman Daniels, to approve Sandra Palmer for participation in the CDBG program.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

Town Clerk McKown read the proposals of the Garbage RFP's to the town board.

Here are the results of those proposals:

Company: Casella Waste Waste Recovery

Town Hall $1500.00/yr $520.00/yr

Garage $720.00/yr $600.00/yr

Clinton Park $1,320.00/season $880.00/season

Pool/Playground $1,080.00/season $760.00/season

Annual Cost: $4,620.00 $2,760.00

**RESOLUTION** **#8**

Motion was made by Councilman Kauffman, second by Councilwoman Fuller, to go with Waste Recovery Enterprises from November 1st, 2022 through October 31st, 2024.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: none; Motion Carried.

Councilman Evans asked if we had found an attorney for our Planning Board, to guide them through the Solar Farm Project on John Payne’s property and the public hearing.

Supervisor Nabinger said we did find an attorney and asked for the town board’s approval to hire Nadine Bell of Costello-Cody Attorneys out of Syracuse to represent us for our Solar Project. She said our attorney Bob McKertich had recommended her and she specializes in solar farms and windmills. The town board held conversation on the matter and how these attorney fees would be taken out of our escrow fund for solar fees.

**RESOLUTION #9**

Motion was made by Councilman Kauffman, second by Councilman Daniels, to approve and retain Nadine Bell of Costello-Cody Attorney for legal council on the solar project.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

Supervisor Nabinger spoke with Councilman Kauffman on following up with Jennifer Cooper to obtain administrator access to the town’s Facebook page.

Supervisor Nabinger brought up the 2022-2023 Snow & Ice contract and asked Highway Superintendent Clark if he had any changes.

Clark brought up the County’s proposal to have the Town of Bainbridge maintain a section of County Road 17, in addition to County Road 39 this year, and that he was not interested in doing this. The town board held conversation on this matter, and concluded to sign the contract, excluding County Road 17.

**RESOLUTION #10**

Motion was made by Councilman Evans, second by Councilman Daniels, to sign the 2022-2023 Snow & Ice Contract, excluding County Road 17 and only doing County Road 39 with a total of 7.28 lane miles at $22.50 per lane mile.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

Supervisor Nabinger asked for a motion to approve the following resolution for the Spectrum Franchise Agreement:

A RESOLUTION APPROVING CABLE TELEVISION FRANCHISE AGREEMENT

The Town Board of the Town of Bainbridge, duly convened in Regular Session, October 11, 2022, does hereby RESOLVE as follows:

WHEREAS, Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, (“Spectrum”) has submitted an application for the approval of a cable television franchise by the Town Board of the Town of Bainbridge, pursuant to its authority under the Federal Cable Communications Policy Act of 1984, as amended; and

WHEREAS, on October 11, 2022 at 7pm or shortly thereafter, the Town Board held a duly noticed public hearing on said application at Town Hall, 15 N. Main Street, Bainbridge, New York and all parties in attendance at said public hearing were permitted an opportunity to speak on behalf of or in opposition to said proposed franchise; and

WHEREAS, the Town Board has used due diligence to investigate and assess the financial, legal and technical ability and character of the applicant, and to ascertain the operating record and reputation of the applicant; and

WHEREAS, the applicant’s plans for constructing and operating the cable television system were considered and found adequate and feasible by the Board to reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests; and

NOW THEREFORE, the Town Board of the Town of Bainbridge, duly convened in regular session, does hereby resolve as follows:

BE IT RESOLVED that the Town Board hereby approves the cable television franchise of Spectrum in the Town of Bainbridge for a period of ten (10) years commencing on the date of approval by the Public Service Commission; and

BE IT FURTHER RESOLVED, that the Town Board has determined that the authorization of the Franchise Agreement constitutes a Type II action under the New York State Environmental Quality Review Act regulations at 6 NYCRR section 617.5 (c)(26) and (32) and therefore no further environmental review is necessary; and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Bainbridge is hereby authorized to execute the Franchise Agreement (a copy of which is on file in the office of the Town Clerk), together with any other documents necessary to effectuate the Franchise Agreement; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

**RESOLUTION #11**

Motion was made by Councilman Kauffman, second by Councilman Evans, to approve the Resolution Approving the Cable Television Franchise Agreement.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

Supervisor Nabinger asked for a motion to adjourn the Regular Meeting and to hold a brief budget workshop.

**RESOLUTION #12**

Motion was made by Councilman Kauffman, second by Councilwoman Fuller, to close the October 11th Regular Meeting.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller.

The town board reviewed the 4 different funds, General A, General B, Highway DA, Highway DB and their starting balances. They talked about the lack of revenue in the General A fund, other revenue monies coming in, and ways to increase revenues for General A fund.

The town board held discussion on the allocation of funds used for the Clinton Park mower and how to account for in the budget.

Councilman Evans proposed raising the cost of swimming lessons for Bainbridge residents to $25 per session and swimming lessons for Non-residents to $50.00 per session. The town board held some discussion on this matter.

Supervisor Nabinger asked the town board for motion to set a date for a public hearing for the 2023 Budget.

**RESOLUTION #13**

Motion was made by Councilman Daniels, second by Councilman Evans, to hold a public hearing for the 2023 Budget on October 25th, 2022 at 6:30PM.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Daniels, Councilman Kauffman, Councilwoman Fuller; No: None; Motion Carried.

Motion to Adjourn @ 7:55PM

Respectfully Submitted,

Aric McKown

Town Clerk