**REGULAR MEETING**

**BAINBRIDGE TOWN BOARD**

**AUGUST 10, 2021**

Present: Dolores Nabinger Supervisor

Bob Evans Councilman

Michael Kauffman Councilman

Jennifer Sienko Councilwoman

Gary Richman Highway Superintendent

Recording Secretary: Aric McKown Town Clerk

Absent: Gordie Daniels Councilman

**Guest(s):** Zachary Ouimet, Roger Barnhart, Jason & Robin Cannistra, Joe Morris, Rinda Brown, David Declue, Phil Wade, Melissa Fuller & Town Justice Mark Davis.

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

**RESOLUTION # 1**

Motion was made by Councilman Evans, second by Councilman Kauffman, to approve the minutes from the July 13th, 2021 Regular Meeting.

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

The following claims as set forth on abstract #8 for 2021 were audited by the Town Board:

General Town Wide#186-210 for $14,616.00

General Town Outside#14 for $140.00

Highway Town Wide#62-68 for $5,966.83

Highway Town Outside#35-39 for $130,060.95

**RESOLUTION #2**

Motion was made by Councilman Kauffman, second by Councilwoman Sienko, authorizing clerk to issue warrant to Supervisor for payment of audited claims;

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

**RESOLUTION #3**

Motion was made by Councilman Evans, second by Councilwoman Sienko, to receive and file the May & June 2021 Financial Reports.

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

Highway Superintendent Richman introduced his new Highway Department employee, Zachary Ouimet. Mr. Ouimet will start work on August 23rd.

**Guests Questions & Concerns:**

Jason & Robin Cannistra attended the meeting to express their interest in keeping the private at grade railroad crossing open, that allows them direct access to NYS Rt.7 from their residence.

Supervisor Nabinger stated the town has no control over the closing of this crossing, because the railroad is federally run. She said the town will support Cannistra's position on the matter and any correspondence to the railroad.

Robin Cannistra mentioned in their deed, that the railroad crossing is part of the right away to their driveway. She said there's also a benefit of keeping the crossing open, because it means there's always 2 ways out, in case of an accident, flooding or the Fire Department needs to get into the area.

Jason Cannistra stated they own the driveway and it's a farm crossing. He said he uses the crossing constantly with his farm equipment to access his farm on Dingman Hill Rd.

Jason talked about deed documentation that referred to this crossing as the 'Robbins Crossing', and that Mr. Robbins had been one of the previous farm owners.

Cannistra added he does maintain the crossing and it's part of his driveway. He would prefer the resident's on Lawrence Road not use it, but does not want to upset his neighbors.

Supervisor Nabinger stated there is no way for Cannistra to pull out on the other end of Lawrence Road safely with a tractor, hay wagon and baler. She shared her communication with Assemblyman Joe Angelino, who suggested taking away the stop sign and put in a dead end sign in it's place, to discourage use of the crossing by the residents on Lawrence Road.

Highway Superintendent Richman shared his communication with Cliff Crouch and that Crouch advised him to ask Cannistra to put a turn around in at the end of Lawrence Road on Cannistra's land.

Rinda Brown said she had lived there for 40 years and her grandfather originally owned the Cannistra residence. She stated the railroad crossing had always been a 'farmer's crossing'.

The town board held conversation with Cannistra about the last time the railroad tried to close this crossing and to have Cannistra make sure the railroad is aware that his farm is still a working farm.

Councilman Evans asked Supervisor Nabinger to send a letter or email to the railroad expressing the town's support on behalf of the Cannistras, and asking them to keep the railroad crossing open.

Dave Declue reminded the town board he was the town's attorney when the railroad tried to close the crossing the last time. He talked about the advantages for the railroad not having to maintain railroad crossings and how the railroad can petition the NYS DOT to close the railroad crossing. Declue shared his correspondence with the railroad during their last attempt to close this crossing. He thought it would be a good idea for the town to write a letter of support and talk about the dangers of exiting Lawrence Rd from the other end, to Cannistra and the residents.

Declue proposed extending Lawrence Road to Dingman Hill Road, and concluded the residents on Lawrence Road should not be using the crossing because it's a private crossing.

**VILLAGE**

Mayor Wade reported the village had received their Cares Act Funds from the state. He indicated the village would spend the money on infrastructure, specifically water and sewer. Wade said the village had submitted for another CDBG grant to get their water engineering study done, and will go after the US DARD program for additional funds to be used for the water engineering study. He mentioned the village's I & I Study had been completed, and is available for review.

Wade brought up the 'Pathway to the Park', and how the conceptual design is needed for the grant money. The deadline for submitting their proposal is this September. He mentioned the numerous cases of COVID, the village has seen in the office, but many are back to work.

**JAC**

Phil Wade of the Jericho Arts Council informed the town board that the council is expecting a delivery of chairs to replace the chairs in the balcony of the theater, this Friday. He asked for help from the Lions Club, to help with this delivery.

Wade said there are no performances scheduled in the theater until next spring, and was not sure of any type of schedule, with COVID cases increasing.

**OLD TIME BAND**

Phil Wade said the Old Time Band still has 2 more concerts left for the year, one this Friday and another 2 weeks from then in the park. He thanked everyone for their support.

**RESOLUTION #4**

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

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

**POOL**

Pool Superintendent Richman reported the pump to the pool burned out, but was able to able to replace it with a spare pump we had in the basement of the town hall. He said he's looking for a contractor to line the pipes under the pool when it closes. Richman brought up the shortage of drivers that deliver our chlorine.

**CLINTON PARK**

Park Superintendent Richman said the camping has been steady and the creek at the park needs to be cleaned. He mentioned he would be getting some help from the Town of Guilford to do this.

Richman reported the Bainbridge Community Foundation had received a donation of $800.00 to be specifically used at General Clinton Park. The town board suggested putting more benches in at the park.

**HIGHWAY DEPARTMENT**

Highway Superintendent Richman said his department has been busy mowing the cemeteries every couple weeks and helping the Town of Guilford with their flood damage. Richman reported Tony Christian had come back to work this past Monday and brought up the 2 bad lights on the bridge that were addressed by Eastern Energy. He said his big purchase for this year would be a new Gradall.

Richman asked the town board for a motion to surplus the highway department's 2001 Freightliner truck for auction.

**RESOLUTION #5**

Motion was made by Councilman Evans, second by Councilman Kauffman, to surplus the 2001 Freightliner truck for auction.

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

Supervisor Nabinger brought up the 20% loss in CHIPS money last year and how the CARES Act money can be used to replace that amount.

**TOWN CLERK**

Town Clerk McKown opened and read the bids for Fuel Oil & LP Gas @ 7:15PM.

**FUEL OIL BIDS**

The following bids were received for fuel oil for the Town Hall:

Fixed Rate

Boulder Oil Company $2.399 per gallon

Mirabito Energy Products $2.3697 per gallon

**RESOLUTION #6**

Motion was made by Councilman Kauffman, second by Councilman Evans, to award the bid to Mirabito Energy Products to provide fuel oil to the Town Hall for a fixed price of $2.3697per gallon.

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

**LP GAS**

The following bids were received for LP Gas for the Highway Garage, the Town Pool, and Clinton Park:

Fixed Rate

Boulder Oil $1.559 per gallon

Mirabito Energy Products $1.8500 per gallon

**RESOLUTION #7**

Motion was made by Councilman Kauffman, second by Councilman Evans, to award the bid to Boulder Oil to provide LP Gas to the Highway Garage, the Town Pool, and Clinton Park for a fixed price of $1.559 per gallon.

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

**TOWN CLERK**

Town Clerk McKown provided the town board with an update from Spectrum on the franchise agreement. Spectrum informed us that they're still waiting, on the town's proposed changes from their attorneys and that they no longer offer courtesy internet service.

McKown shared an email from the officials of the 2022 Dog Show requesting General Clinton Park be free of campers and other organizations beginning June 27th. The town board were not in agreement of this and to let the Dog Show know the town would allow seasonal campers, restrict any other overnight camping and the walking trail would be left open, during their event.

Town Clerk McKown had been informed by Planning Board Chairman Jarrett Cannistra that Planning Board member Ray Newbauer has only attended 1 meeting, and to let the town board know. Supervisor Nabinger said she was aware of this and would take care of it.

McKown shared his communication with Denise Marshall of the Out of the Woodwork Players and her request to use the town's address to apply for grants.

Supervisor Nabinger explained this group is a 501-C3 and could continue to apply for grants with the town's address. Nabinger asked the town board for a motion to allow the OWP to use our address.

**RESOLUTION #8**

Motion was made by Councilwoman Sienko, second by Councilman Kauffman, to allow the Out of the Woodwork Players to use 15 North Main Street as their mailing address.

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

Supervisor Nabinger asked McKown to follow up with Denise Marshall on the town board's approval.

Town Clerk McKown shared an email he'd received from Bainbridge resident Larry Easton. Mr. Easton asked permission to help maintain the Bud Andrews Nature Trail, and give back to the community free of charge. In addition, Mr. Easton asked permission to place his wood carvings along the path. McKown shared photos of wood carvings to the town board.

Town Board held discussion on the subject and concluded they didn't have any objection to Mr. Easton's help and carvings. Supervisor Nabinger asked that a letter be sent to the Bainbridge Sportsman Club to make them aware of this.

McKown gave an update on employees who had completed the Sexual Harassment Training and said he's been in contact with Drogen's about light fixtures for the Town Clerk's Office. Supervisor Nabinger said this needs to be done by the end of the year to use up the grant money.

Supervisor Nabinger reminded everyone of the Garbage RFP's for September 2021.

Councilwoman Sienko gave an overview of the TCA Vision 21 meeting she had attended. She said the meeting was for the '4 Towns Forward' committee to discuss electing their directors, figuring out their finances, developing their bi-laws and working on their mission statement. Sienko said the committee is enthusiastic about getting things started.

Mayor Wade, who was in attendance at this meeting, commented that the committee had already submitted the paperwork for a strategic planning grant in the southern tier. He also mentioned the committee had been in contact with Claudia Tenney's office to schedule a meeting and plan to get a map of the 4 towns published.

Sienko brought up an online program on the 'Budget Process' on a website that features slides of various webinars that are free for viewing.

Councilman Evans reminded Town Clerk McKown of updating the meeting minutes on the town's website to show the months of March through June 2021. McKown said he would take care of this.

Evans brought up getting WiFi at General Clinton Park and using the relief funds from the CARES Act to get this done. Evans offered to get updated quotes on providing WiFi to the camping area and pavilions at Clinton Park.

Supervisor Nabinger said the relief funds in the amount of $94,741.12 could be used for this, and advised Councilman Evans to proceed with getting some new quotes.

Supervisor Nabinger reported that Randy Lambrecht and Matt Germond had started communication with the state about the Veterans Clinic in Bainbridge and it being scheduled to close.

Nabinger reminded everyone of the dates for budget workshops on August 25th and September 1st at 4PM. She invited future Councilwoman Melissa Fuller to these workshops.

Supervisor Nabinger spoke with Roberta at Teamsters about making the position of our Highway Superintendent a 'Working' Highway Superintendent, and she did not have a problem with that.

Nabinger mentioned her communication with the County on the garbage issue on County Rd 39.

She talked to the town board about having an open house for Highway Superintendent Richman at Clinton Park on October 3rd from 1-3pm, to wish him well on his retirement.

Town Justice Mark Davis attended the meeting to talk about the court audit that had recently taken place within the town court. He gave an overview of the audit and went over the court's corrective action plan for the court's collections, deposits & bank reconciliations. The town board thanked Mr. Davis for coming in and expressed their confidence in Mr. Davis' course of action in making things better.

**RESOLUTION #9**

Motion by Councilman Evans, second by Councilwoman Sienko, that the meeting be and hereby is adjourned at 8:10PM.

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

Respectively Submitted,

Aric McKown

Town Clerk