

REGULAR MEETING, TOWN OF RANDOLPH, December 14, 2016

A regular meeting of the Town Board of the Town of Randolph, County of Cattaraugus and the State of New York was held at the Municipal Building, 72 Main Street, Randolph, NY on the 9th day of November 2016.

PRESENT: Dale Senn ----- Supervisor
John Hale ----- Councilman
Amber Frame ----- Councilwoman
Tim Beach ----- Councilman
Gretchen Hind ----- Clerk
Gary Sickles ----- Superintendent of Highways

ABSENT: Bridget Marshall ----- Attorney
Nate Root ----- Councilman

OTHERS PRESENT: Dave Heckman - Code Enforcement; Jeffery Greeley-Town Justice; Mike Stewart, Gary Barton and Tom Congdon- Zoning Board; Caleb Henning and Jake Alianello-MDA Engineers; Tom Lecceadone-ThisisRandolphNY along with several members from the Amish community and town residents.

PUBLIC HEARING

The Supervisor stated that the Public Hearing on the proposed Town of Randolph Zoning Amendment was now open and asked if there was any interested person who desired to be heard.

The following persons appeared in favor of the Town of Randolph Zoning Amendment: NO ONE PRESENT

The following persons appeared in opposition to the Town of Randolph Zoning Amendment: Monica Meacham, Claire Inkley, David Graham and several Amish residents spoke against the proposed Animal Excretion as they felt it was singling out the Amish Community and would like it removed.

The Town Clerk reported that the following pertinent written communications had been received: NO COMMUNICATION RECEIVED

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, on a motion from Councilwoman Frame and seconded by Councilman Beach, whereupon the Supervisor declared the public hearing closed.

* * *

CALL MEETING TO ORDER

Supervisor Senn called the meeting to order at 7:55PM with the Pledge of Allegiance.

PUBLIC PARTICIPATION

Jake Alianello discussed the three culverts scheduled for replacement with FEMA funds and items that needed action to begin.

Attorney Marshall entered the meeting at 8:00PM.

Caleb Henning provided the Board with an update on the DWSRF project. JD Northrup has demobilized for the winter.

RESOLUTION 150-2016

APPROVAL OF MINUTES

On a motion of Councilman Hale, seconded by Councilwoman Frame, the following resolution was

ADOPTED	Ayes	4	Hale, Senn, Frame, Beach
	Nays	0	

Resolved that the minutes of November 9, 2016 be approved as presented.

REPORT OF TOWN OFFICIALS

TOWN JUSTICE - No Report

RESOLUTION 151-2016

CATTARAUGUS COUNTY MAGISTRATES DINNER

On a motion of Councilwoman Frame, seconded by Councilman Hale, the following resolution was

ADOPTED	Ayes	4	Hale, Senn, Frame, Beach
	Nays	0	

Resolved that the Town Justice and Court Clerk be authorized to attend a dinner on January 7th in Little Valley.

CODE ENFORCEMENT

Dave Heckman provided the Board with a report for the month of November 2016. 2 permits were issued with total fees collected of \$100.00.

RACDC- No Report

Monthly Report of the Supervisor

The October 2017 Report was provided to the Board by BLB.

CLERK

Clerk Hind submitted the monthly report for November 2016 to the Board. The local shares were \$331.51.

SUPERINTENDENT OF HIGHWAYS

Superintendent Sickles supplied the Board with a report on the activities for the month of November 2016.

WATER/SEWER - Report from MDA provided to the Board by Caleb Henning. Caleb discussed DWSRF Contract #6.

SAMPLE HILL CEMETERY

COMMUNICATION

OLD BUSINESS

SHARED SERVICE AGREEMENTS & APPOINTMENTS

The Shared Service Agreement with the NYS DOT, Planning Board alternate and BAR appointments were tabled.

NEW BUSINESS

RESOLUTION 152-2016

DWSRF – CONTRACT #6 PAY APP NO. 4

On a motion of Councilman Root seconded by Councilwoman Frame, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Town acknowledges Pay Application No. 4 for DWSRF Contract No. 6 with JD Northrup was reduced to \$159,020.74 due to pits being installed outside of the ROW.

RESOLUTION 153-2016

DWSRF – CONTRACT #6 PAY APP NO. 5

On a motion of Councilman Root seconded by Councilwoman Frame, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Town approves Pay Application No. 5 for DWSRF Contract No. 6 with JD Northrup was amended for \$69,688.06.

RESOLUTION 154-2016

DWSRF – CONTRACT #6 CHANGE ORDER NO. 3

On a motion of Councilman Hale seconded by Councilman Root, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Town approves Change Order No. 3 for DWSRF Contract No. 6 with JD Northrup for \$8,825.00.

RESOLUTION 155-2016

DWSRF – ENGINEERING SERVICES CONTRACT

On a motion of Councilman Hale seconded by Councilman Root, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Town approves Amendment No. 1 for MDA Engineers with no total contract dollar change.

RESOLUTION 156-2016

TOWN OF RANDOLPH ZONING AMENDMENT

On a motion of Councilwoman Frame, seconded by Councilman Beach, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Board approves the Amendments to the Town of Randolph Zoning Ordinance after the redaction of Article 3 Section 10.1 1 A2.

RESOLUTION 156-2016

PAY OUTSTANDING BILLS TO CLOSE-OUT 2016

On a motion of Councilman Beach, seconded by Councilperson Hale, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Board authorizes all outstanding 2016 bills to be paid at the end of the month. All vouchers will be audited at the January Board meeting.

RESOLUTION 157-2016

WATER & SEWER RELEVIES

On a motion of Councilman Beach, seconded by Councilman Hale, the following resolution was

ADOPTED Ayes 5 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Board approves the Water and Sewer Relevies as sent to Cattaraugus County.

RESOLUTION 158-2016

REGIONAL ENVIRONMENTAL DEMOLITION CHANGE ORDER REQUEST

On a motion of Councilman Beach, seconded by Councilman Hale, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Board authorizes payment of \$12,000 toward R.E.D. change order request.

RESOLUTION 159-2016

NYS RETIREMENT STANDARD WORKDAY RESOLUTION

On a motion of Councilwoman Frame, seconded by Councilman Beach, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Town of Randolph/30474 hereby establishes the following standard work day for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

<u>TITLE</u>	<u>Standard day</u>	<u>Name</u>	<u>Current Term</u>	<u>ROA</u>
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Councilman 6.5 Nathan Root 1/1/14-12/31/17 1.93

RESOLUTION 160-2016

PURCHASE OF INTEGRATED PROPERTY SYSTEM FOR CODE ENFORCEMENT

On a motion of Councilman Beach, seconded by Councilwoman Frame, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
Nays 0

Resolved that the Board authorizes the purchase of the Integrated Property System for Code Enforcement through BAS for \$5,490.00.

RESOLUTION 161-2016

HEALTH INSURANCE

On a motion of Councilman Beach, seconded by Councilwoman Frame, the following resolution was

ADOPTED Ayes 4 Beach, Hale, Senn, Frame
Nays 0

Resolved that Town will continue with the same Health Insurance Plan.

RESOLUTION 162-2016

AMEND FLOOD DAMAGE LAW

On a motion of Councilman Beach, seconded by Councilman Hale, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
Nays 0

Resolved that the Board will proceed with amending Local Law #1-2000 as requested by the NYS DEC.

RESOLUTION 163-2016

SECURITY SERVICES CONTRACT – CATTARAUGUS COUNTY

On a motion of Councilman Beach seconded by Councilman Hale, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
Nays 0

Resolved that the Town Board authorizes Supervisor Senn to sign the Security Services Contract with Cattaraugus County after “Town Board Meetings” is changed to Court.

RESOLUTION 164-2016

SEQRA – FEMA CULVERTS

On a motion of Councilman Beach seconded by Councilwoman Frame, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
Nays 0

Resolved that the Town Board determines that the following projects are a negative declaration and authorize Supervisor Senn to sign all project forms:

West Main Street Culvert Replacement near Sample Hill
West Main Street Culvert Replacement near Caswell Road
Mill Street Culvert Replacement

RESOLUTION 165-2016

BID PROJECTS – FEMA CULVERTS

On a motion of Councilman Beach seconded by Councilwoman Frame, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Town Board authorizes the advertisement for bids for the West Main Street Culvert Replacement near Sample Hill, West Main Street Culvert Replacement near Caswell Road and the Mill Street Culvert Replacements.

RESOLUTION 166-2016

BUDGET TRANSFER & MODIFICATION

On a motion of Councilman Hale, seconded by Councilwoman Frame, the following resolution was

ADOPTED Ayes 4 Hale, Root, Senn, Frame
 Nays 0

Resolved that the following budget transfers and modification be made:

General Fund

Budget Transfer:

\$	87.00	FROM	A1990.4 - CONTINGENT
\$	87.00	TO	A1010.4 - TOWN BOARD - CONTRACTUAL
\$	728.00	FROM	A1430.1 - DEPUTY CLERK - PERSONAL SERVICES
\$	728.00	TO	A1355.2 - ASSESSOR - EQUIPMENT
\$	500.00	FROM	A1430.1 - DEPUTY CLERK - PERSONAL SERVICES
\$	500.00	TO	A1680.4 - CENTRAL DATA PROCESSING - CONTRACTUAL
\$	17,000.00	FROM	A1620.4 - BUILDING - CONTRACTUAL
\$	17,000.00	TO	A3650.4 - DEMOLITION OF UNSAFE BUILDINGS
\$	3,000.00	FROM	A6010.4 - ADMIN - CONTRACTUAL
\$	3,000.00	TO	A7410.1 - LIBRARY - PERSONAL
\$	568.00	FROM	A9010.8 - EMPLOYEE BENEFITS - STATE RETIREMENT
\$	568.00	TO	A8010.4 - ZONING - CONTRACTUAL
\$	90.00	FROM	A1320.4 - INDEPENDENT ACCOUNTING
\$	90.00	TO	A9055.8 - EMPLOYEE BENEFITS - DISABILITY
\$	150.00	FROM	A1430.1 - DEPUTY CLERK - PERSONAL SERVICES
\$	150.00	TO	A9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL

We resolve to transfer the remaining funds in budget line A9950.9 - Transfer to Capital Reserve of \$10,000 to the General Fund Capital Reserve as stated in the 2016 budget.

REFUSE & GARBAGE

\$	4,400.00	FROM	SR8160.4 - REFUSE & GARBAGE - CONTRACTUAL
\$	4,400.00	TO	SR8989.1 - MISC. HOME & COMMUNITY SERVICES - PERSONAL
\$	436.00	FROM	SR8989.4 - MISC. HOME & COMMUNITY SERVICES - CONTRACTUAL
\$	436.00	TO	SR8989.1 - MISC. HOME & COMMUNITY SERVICES - PERSONAL
\$	300.00	FROM	SR8160.1 - REFUSE & GARBAGE - PERSONAL SERVICES
\$	300.00	TO	SR9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY

STREET LIGHTING

\$	2,945.00	FROM	SL5182.1 - STREET LIGHTING - PERSONAL SERVICES
\$	2,945.00	TO	SL5182.4 - STREET LIGHTING - CONTRACTUAL
\$	230.00	FROM	SL9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY
\$	230.00	TO	SL5182.4 - STREET LIGHTING - CONTRACTUAL

HIGHWAY FUND

\$	3,817.00	FROM	DA5112.1 - PERMANENT IMPROVEMENTS - PERSONAL
\$	3,817.00	TO	DA5112.4 - PERMANENT IMPROVEMENTS - CONTRACTUAL
\$	20,000.00	FROM	DA5110.1 - GENERAL REPAIRS - PERSONAL
\$	20,000.00	TO	DA5142.4 - SNOW REMOVAL - CONTRACTUAL

We resolve to increase the Highway Fund 2016 expenditure budget for additional CHIPS monies by increasing accounts DA3501 - State Aid, CHIPS and DA5112.4 - Improvements, Contractual by \$3,811.

We resolve to transfer the remaining funds in budget line DA9950.9 - Transfer to Capital Reserve of \$5,000 to the Highway Fund Capital Reserve as stated in the 2016 budget.

WATER FUND

\$	2,000.00	FROM	SW8320.4 - SOURCE SUPPLY - CONTRACTUAL
\$	2,000.00	TO	SW9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL

We resolve to transfer the remaining funds in budget line SW9950.9 - Transfer to Capital Reserve of \$5,000 to the Water Fund Capital Reserve as stated in the 2016 budget.

SEWER FUND

We resolve to transfer the remaining funds in budget line SS9950.9 - Transfer to Capital Reserve of \$5,000 to the Sewer Fund Capital Reserve as stated in the 2016 budget.

RESOLUTION 167-2016

EXECUTIVE SESSION

On a motion of Councilwoman Frame, seconded by Councilman Beach, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Board enter into Executive Session to discuss the employment of a particular person at 9:45 PM

RESOLUTION 168-2016

EXECUTIVE SESSION

On a motion of Councilman Beach, seconded by Councilman Hale, the following resolution was

ADOPTED Ayes 4 Hale, Senn, Frame, Beach
 Nays 0

Resolved that the Board return to regular session at 10:30 PM.

RESOLUTION 169-2016

AUDIT OF BILLS

On a motion of Councilman Hale, seconded by Councilman Beach, the following resolution was

ADOPTED Ayes 4 Beach, Hale, Senn, Frame
 Nays 0

Resolved that the bills be paid on Abstract #12 in the following amounts:

General Fund	No. 296-337	\$142,250.72
Street Lighting District		1,940.58
Refuse District		1,879.58
Debt District		0
Snow Removal		103.16
Highway Fund	No. 186-336	14,862.20
FEMA Repairs	No.	1,000.00
Fire District	No.	0
Sewer Fund	No. 78-82	1,189.49
Water Fund	No. 138-154	6,366.47
WATER CAPITAL PROJECT – DWSRF #18013	No. 35-38	151,486.49

With no further business, on a motion from Councilman Beach, seconded by Councilwoman Frame, the meeting was adjourned at 10:30 pm. Carried unanimously.