

**REGULAR & ANNUAL MEETING, TOWN OF RANDOLPH, January 4, 2017**

A regular & annual 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 4<sup>th</sup> day of January 2017.

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

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

OTHERS PRESENT: Elise Gorth – Randolph Register; Jeffery Greeley-Town Justice; Dave Heckman - Code Enforcement

**ORGANIZATIONAL MEETING**

Supervisor Senn called the organizational meeting to order with the Pledge of Allegiance.

Regional Environmental Demolition employees spoke regarding their Change Order request. Supervisor Senn stated that we would let the attorneys handle it. RED is to contact Clerk Hind for attorney information.

**OATH OF OFFICE**

Clerk Hind performed the Oath of Office for the newly elected officials prior to the meeting:

Jeffery Greeley - Town Justice - 4 year term

**RESOLUTION 1-2017**

**ANNUAL AGREEMENTS**

On a motion of Councilman Beach, Resolved that the following agreements be approved as presented: Investment Policy, Purchasing Agreement, Kennel Agreement and Training. Motion rescinded as Councilwoman Frame requested to discuss the Town of Randolph's official depositories in the Investment Policy.

**RESOLUTION 1-2017**

**ANNUAL AGREEMENTS**

On a motion of Councilman Beach, seconded by Councilman Hale the following resolution was  
ADOPTED Ayes 4 Beach, Frame, Hale, Senn  
Nays 0

Resolved that the following agreements be approved as presented:

Supervisor be authorized to sign the Kennel Agreement with Kelly McGinnis for 2017.

**PURCHASING AGREEMENT**

**Whereas**, Section 104-b of the General Municipal Law (GML) requires every Town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, 103 or any other law: and

All information gathered in complying with the procedures of the Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

**Whereas**, comments have been solicited from those officers of the Town involved with procurement:

**Now, Therefore**, be it Resolved: that the Town of Randolph does hereby adopt the following procurement policies and procedures:

**Guideline 1.** Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103. Every Town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter purchases) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. The estimate shall include the canvass of other Town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusion reached shall be documented and kept with the file or other documentation supporting the purchase activity.

**Guideline 2.** All purchases of a) supplies or equipment which will exceed \$10,000 in the fiscal year or b) public works contracts over \$20,000 shall be formally bid pursuant of GML 103.

**Guideline 3** All estimated purchases of :

\* Less than \$10,000 but greater than \$5,000 require a written request for a proposal (RFP) and written/fax quotes from 3 vendors.

\*Less than \$5,000 but greater than \$3,000 requires an oral request for the goods and oral/fax quotes from 2 vendors.

\* Less than \$3,000 does not require proposals or quotations.

All estimated public works contracts of:

\* Less than \$20,000 but greater than \$10,000 requires a written RFP and fax/proposals from 3 contractors.

\* Less than \$10,000 but greater than \$5,000 requires a written RFP and Fax/proposals from 2 contractors.

\* Less than \$5,000 does not require proposals or quotations.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

**Guideline 4.** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low

bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

**Guideline 5.** A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

**Guideline 6.** Except when directed by the Town board, no solicitation or written proposals or quotations shall be required under the following circumstances:

- a) Emergencies
- b) Sole source situations
- c) Goods purchased from agencies for the blind or severely handicapped
- d) Goods purchased from correctional facilities
- e) Goods purchased from other governmental agencies
- f) Goods purchased at auction

**Guideline 7.** Where a written request for proposal is required the written request along with the written/fax quotes and vendors or oral/ fax quotes from vendors, and documentation of the estimate of the cumulative amount of the items of supply or equipment needed in a given fiscal year shall be vouchered with the invoice supporting the purchase activity.

**Guideline 8.** This policy shall be reviewed annually by the Town board at its organizational meeting or as soon thereafter as is reasonably practicable.

### **TOWN OFFICIALS TRAINING**

Town Officials are authorized to attend training session connected to their position as allowed by the contractual budgeted amount and shall submit an expense voucher for process. The Town will pay expenses from each respective appropriation.

### **RESOLUTION 2-2017**

#### **INVESTMENT POLICY**

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

ADOPTED	Ayes	3	Beach, Hale, Senn
	Nays	1	Frame

Resolved that the following agreements be approved as presented:

#### **INVESTMENT POLICY**

The objectives of the investment policy of this Local Government are to minimize risk, to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds in:

Certificates of Deposits issued in a bank or trust company authorized to do business in New York State:

Savings Accounts or Money Market Accounts held in a bank or trust company authorized to do business in New York State.

The following banks are designated by the Town of Randolph as official depositories.

Community Bank

Collateral:

All deposits shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of the United States or obligations of federal agencies, the principal and interest of which are guaranteed by the United States or obligations of New York State local governments.

All banks designated as official depositories must file proof of a three party custody agreement.

The Town Board of the Town of Randolph shall review and approve the investment policy, at least annually and if practicable at the organizational meeting and members shall review and amend, if necessary, these investment policies.

The provisions of these investment guidelines shall take effect prospectively, and shall not invalidate the prior selection of any Custodial Bank or prior investment.

#### RESOLUTION 3-2017

#### **OFFICIAL APPOINTMENTS**

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

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

Resolved that the following appointments be accepted as presented:

Official Newspaper (Post-Journal)

Official Depositories (Community Bank)

Building Inspector and Code Officer (Dave Heckman)

Deputy Hwy. Superintendent (Cody Uhl), Deputy Clerk 1 (Kathy Sickles) Tax Collector

(Gretchen Hind), Deputy Tax Collector ( Kathy Sickles & Amanda Lewis), Assessor Chairman

(S. Chadwick) Town Historian (D. Macky) \$300/yr, Official mileage rate (.535) Deputy

Supervisor (Tim Beach), Town Attorney (Bridget McCue/Marshall \$7000 per year), Dog

Control Officer (Kelly McGinnis) \$1,800.00 yearly, Deputy Dog Control Officer - Jake Long,

Sample Hill Custodian (Gary Sickles, Jr.), Registrar – Gretchen Hind, Deputy-Kathy Sickles, Sub

– Amanda Lewis; Marriage Officer – Gretchen Hind

#### **TOWN OF RANDOLPH APPOINTED BOARDS**

#### **BOARD OF ASSESSMENT REVIEW**

Resolved that Roxanne Aucoin be reappointed to the Board of Assessment Review and Harold (Kip) Kovel be appointed for five year terms to expire 12/31/21.

**BOARD OF ASSESSMENT REVIEW**

<u>Member</u>	<u>Term</u>	<u>Expires</u>
Roxanne Aucoin	5 year	09/30/21
Harold (Kip) Kovel	5 year	09/30/21
Stanley Chase	5 year	09/30/19

**ZONING BOARD OF APPEALS**

Resolved that Dan Senn be reappointed to the Zoning Board of Appeals as the alternate for a one year term and Gerald Barton be reappointed for a five year term to expire 12/31/21.

**ZONING BOARD OF APPEALS**

Gerald Barton*	5 year	12/31/21 Chairperson
Dan Senn	1 year	12/31/17 Alternate
Paul Steward	5 year	12/31/17
Tom Congdon	5 year	12/31/19
Reggie Boutwell	5 year	12/31/20
Mike Stewart	5 year	12/31/18

**PLANNING BOARD**

Resolved that Mary Heyl be appointed to the Planning Board as the alternate for a one year term and Trevor O’Neil reappointed for a five year term to expire 12/31/21.

**TOWN PLANNING BOARD**

David Messinger*	5 year	12/31/17 Chairperson
Mary Heyl	1 year	12/31/17
Tom Congdon	5 year	12/31/20
Trevor O’Neil	5 year	12/31/21
Debbie Miller	5 year	12/31/20
Kyle Brown	5 year	12/31/20

Attorney Marshall entered the meeting at 8:50PM.

**RESOLUTION 4 -2017**

**2017 EMPLOYEE SALARIES**

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

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

Resolved that the salaries presented be accepted as follows:

**2017 Salaries for all employees as required for approval**

<u>ELECTED OFFICIALS</u>	<u>Yearly Salary</u>
Supervisor	\$ 3,445.35
Justice	\$ 17,131.20
Councilman (each)	\$ 1,049.70

Town Clerk	\$	33,144.40	
Hwy. Sup	\$	51,500.00	
Assessors (2)	\$	3,592.47	each
Chairman	\$	7,111.82	

**OTHER EMPLOYEES**

Librarian		\$ 14,981.94	
Library Aides	\$	9.87	
Kathy Sickles - Deputy Clerk	\$	12.79	#
Amanda Lewis - Assistant Deputy Clerk	\$	11.61	
Court Clerk		\$ 17,864.60	
Registrar	\$	1,093.00	
Cleaner	\$	10.39	
Summer Labor	\$	9.70	
Code Enforcement/Bldg. Inspector	\$	5,845.00	
<i>Highway Employees</i>			
Craig Anderson	\$	20.04	
Pat Oyer Jr. (Water Cert.)	\$	20.09	**
Jason Beaver (Water Cert.)	\$	19.37	**
Marc Bohall/Ken Miller	\$	19.10	
Jeremy Ling	\$	15.12	
Cody Uhl- Deputy Hwy Super	\$	16.50	#
Ashton O'Brien	\$	13.20	
<i>Water/WasteWater Employees</i>			
David Fischer		\$ 57,743.74	
Donald McElwain	\$	20.12	\$5000 year for s
Water/Sewer Deputy Clerk* (2) (Included in hrly wage)	\$	7,057.04	
Water/Sewer Clerk	\$	5,305.66	

**\*\* .25 of hourly rate to come out of Water Budget**

**# .50 for Deputy Position**

Regular meeting night is to be the second Wednesday of the month. Annual Meeting scheduled for the First Wednesday in January which does not fall on a holiday. The Budget meeting in November is to be held on the first Wednesday after the election.

There being no further annual organizational business, the organizational meeting was closed.

**REGULAR MEETING**

Supervisor Senn called the meeting to order at 8:55PM.

RESOLUTION 5-2017

**APPROVAL OF MINUTES**

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

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

Resolved that the minutes of December 14, 2016 be approved as presented.

**REPORT OF TOWN OFFICIALS**

**TOWN JUSTICE**

Justice Greeley stated he had 77 Charges with 60 defendants for the month. He requested attending a meeting on January 14<sup>th</sup>.

RESOLUTION 6-2017

**JUSTICE MEETING**

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

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

Resolved that the Town Justice be authorized to attend the January 14<sup>th</sup> meeting as requested.

**CODE ENFORCEMENT**

2 permits for a total of \$75 were issued for December 2016.

**RACDC- NO REPORT**

**Monthly Report of the Supervisor**

No Report available at time of meeting.

**CLERK**

Clerk Hind submitted the monthly report for December 2016 to the Board. The local shares were \$138.28.

**SUPERINTENDENT OF HIGHWAYS**

Superintendent Sickles gave a detailed report on the activities for the month a December 2016. He also provided the Board with figures for the purchase of a new dump truck. The Sterling truck's transmission has failed and is being rebuilt.

**WATER/SEWER**

Water Project update was provided to the Board by MDA Engineers.

**SAMPLE HILL**

No activity.

**COMMUNICATIONS**

Communication was received from The Association of Towns regarding their annual meeting, RCS regarding their SEQRA and STW training for Town Officials.

**OLD BUSINESS**

RESOLUTION 7-2017

**NYS DOT SHARED SERVICE AGREEMENT**

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 Town will not take action on the NYS DOT Shared Service Agreement request.

**FLOOD DAMAGE PREVENTION LAW**

Attorney Marshall will look at the old Flood Damage Prevention Law and draft new with amendments.

**NEW BUSINESS**

**AUDIT OF TOWN BOOKS**

The Audit of the Clerk books will be February 8<sup>th</sup> at 7:00 pm. Justice books will be audited by Supervisor Senn and he will report to the Board. The Town Audit with Treasurer/Bookkeeper is TBA.

RESOLUTION 8-2017

**DWSRF – CONTRACT #6 PAY APP NO. 6**

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 approves Pay Application No. 6 for DWSRF Contract No. 6 with JD Northrup as submitted for \$87,119.27. The Town also approves the Winter Shutdown request starting December 13 with an anticipated start-up date of April 1, weather permitting. This will pause the contract clock.

RESOLUTION 9-2017

**CATTARAUGUS COUNTY CONTRACTS**

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 approves the WIC, SWAN Site and Town Highway Funds as submitted by the County.

RESOLUTION 9-2017

**STW MEMBERSHIP**

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

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

Resolved that the Town renews its membership with Southern Tier West.

RESOLUTION 10-2017

**EXECUTIVE SESSION**

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

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

Resolved that the Board enter into Executive Session at 8:45PM for discussion regarding the employment of a particular person.

RESOLUTION 11-2017

**EXECUTIVE SESSION**

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

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

Resolved that the Board return to regular session at 9:20PM.

RESOLUTION 12-2017

**COMPENSATION TIME**

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 the Town will end comp time for the Highway department.

RESOLUTION 13-2017

**EMPLOYEE CELL PHONE**

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

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

Resolved that as of February 1<sup>st</sup>, Marc Bohall's cell phone will no longer be paid for by the Town.

## RESOLUTION 14-2017

**AUDIT OF BILLS**

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

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

Resolved that the bills be paid on Abstract #13 in the following amounts:

General Fund	No. 338-348	\$34,386.67
Street Lighting District		
Refuse District		
Debt District		
Snow Removal		
Highway Fund		
FEMA Repairs		
Sewer Fund		
Water Fund		
WATER CAPITAL PROJECT – DWSRF #18013		

Resolved that the bills be paid on Abstract #1 in the following amounts redacting payment to BAS until Councilwoman Frame can further investigate:

General Fund	No. 1-17	\$16,875.72
Street Lighting District		
Refuse District		
Debt District		0
Snow Removal		611.26
Highway Fund	No. 1-7	9,670.41
FEMA Repairs		
Sewer Fund	No. 1-2	1,292.99
Water Fund	No. 1-7	22,637.52
WATER CAPITAL PROJECT – DWSRF #18013	No. 1-3	88,685.34

With no further business, on a motion from Councilman Beach, seconded by Councilman Root, the meeting was adjourned at 10:05 pm. Carried unanimously.

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Gretchen A. Hind, Town Clerk