

REGULAR MEETING, TOWN OF RANDOLPH, September 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 14th day of September 2016.

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

ABSENT: Bridget Marshall ----- Attorney

OTHERS PRESENT: Elise Gorth – Randolph Register; Dave Heckman - Code Enforcement; Don McElwain – Water Department; Caleb Henning – MDA Engineers; Dave Messenger – Planning Board; Tom Lecceadone, Tom Congdon, Mary Heyl, Bob Learn and Valerie Barzak.

CALL MEETING TO ORDER

Supervisor Senn called the meeting to order with the Pledge of Allegiance at 7:30PM.

PUBLIC PARTICIPATION

Dave Messenger, Planning Board Chairman, was present to discuss the proposed Comprehensive Plan. He stated the Comprehensive Plan was to set the vision of the Community. It is not in any conflict with the zoning laws. Councilwoman Frame questioned the new business area. Mr. Messenger stated, “they encourage small privately owned businesses”. He stated this is a draft plan and the Planning Board is willing to hear input.

Tom Congdon was present to discuss the condition of the former Laundry Mat and Bakery. He stated it looks like the McNallie Fisher buildings used to. It’s disastrous. Code Enforcement Officer, David Heckman has posted the lower floor and unoccupied apartments. He stated the 3rd floor is a “pigeon floor”. Mary Joyce is the current owner of both buildings. Adjacent building owner Valerie Barzak said she felt that the buildings are a health risk. She is asking for the water to be turned off and no one be able to occupy the building until it is brought up to code.

RESOLUTION 106-2016

APPROVAL OF MINUTES

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

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

Resolved that the minutes of August 10, 2016 be approved as presented.

REPORT OF TOWN OFFICIALS

TOWN JUSTICE - No Report

CODE ENFORCEMENT

Dave Heckman provided the Board with a report for the month of August 2016. 11 permits were issued with total fees collected of \$535.00

RACDC- Report was provided to the Board.

Monthly Report of the Supervisor

The August 2016 Report was provided to the Board by BLB.

CLERK

Clerk Hind submitted the monthly report for August 2016 to the Board. The local shares were \$488.24.

SUPERINTENDENT OF HIGHWAYS

Superintendent Sickles gave the Board detailed report on the activities for the month of August 2016.

WATER/SEWER - Report from MDA provided to the Board. Caleb Henning stated that Moody had some issues with their generator. JD Northrup is making decent progress. All sections they have pushed still need to be tied together and meter pits installed. Councilwoman Frame discussed the parking of Northrup vehicles blocking views at intersections. She asked Caleb to please speak with them again before an accident occurs.

SAMPLE HILL CEMETERY

COMMUNICATIONS

Communications were provided to the Board. No action taken.

Attorney Bridget Marshall entered the meeting at 8:40 PM.

OLD BUSINESS

SHARED SERVICE AGREEMENTS

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

NEW BUSINESS

RESOLUTION 107-2016

DWSRF – LARKIN ST. PARCEL AQUISITION

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

ADOPTED	Ayes	4	Root, Hale, Frame, Beach
	Nays	0	
	Abstain	1	Senn

Resolved that the Town approves appraisal and the acquisition of the Larkin St parcel owned by Dale Senn for a purchase price of \$2,500.00.

RESOLUTION 108-2016

DWSRF – PAY APPLICATION NO. 2 for CONTRACT NO. 6 – JD NORTHRUP

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

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

Resolved that the Town approves Pay Application No. 2 for DWSRF Contract No. 6 with JD Northrup for \$41,970.88.

RESOLUTION 109-2016

PROPOSED COMPREHENSIVE PLAN – PUBLIC HEARING

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

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

Resolved that the board schedule a Public Hearing on the adoption of the proposed Comprehensive Plan on October 12, 2016 at 7:30PM.

RESOLUTION 110-2016

TRICK-OR-TREAT HOURS

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

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

Resolved that the Town will hold Trick-or-Treat hours on October 31st from 6-7:30 PM.

RESOLUTION 111-2016

TEMPORARY HIGHWAY EMPLOYEE

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

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

Resolved that Highway Superintendent Sickles be authorized to hire a temporary employee at \$12.50 to backfill Marc Bohall's position while he is out.

RESOLUTION 112-2016

PURCHASE OF LAWNMOWERS

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

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

Resolved that the Board approves the purchase of a John Deere Z930M Z-Track for \$5,690 and a John Deere X570 Garden Tractor for \$2,490 State Contract #PC66663. Funds are to be taken out of buildings, cemetery and Park equipment budget lines.

RESOLUTION 113-2016

WEEDEN PARK RANDOLPH RAIDER USE

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

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

Resolved that the Randolph Raider Midget Football League be authorized to use Weeden Park upon receipt of Insurance Certificate.

RESOLUTION 114-2016

MUNICIPAL BUILDING ELECTRONIC SIGN BOARD

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

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

Resolved that the Clerk Hind be authorized to purchase a new electronic sign board for the Municipal Building determined to be the best value not to exceed \$15,000 with the input of Town IT Mike Frame.

RESOLUTION 115-2016

EXECUTIVE SESSION

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

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

Resolved that the Board enter into Executive Session at 9:15PM to discuss litigation with Charter Oak a/s/o Community Bank and Randolph McNallie LLC.

RESOLUTION 116-2016

EXECUTIVE SESSION

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

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

Resolved that the Board return to regular session at 9:35 PM.

RESOLUTION 117-2016

Authorization of the Issuance of an RFP for the Cleanup and Remediation of 112-114 Main Street, Randolph, New York

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

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

WHEREAS, the Town of Randolph, in order to preserve public safety and in the face of eminent danger to the public, ordered the demolition of the building at 112-114 Main Street, Randolph, NY, following the partial collapse of the building; and

WHEREAS, the debris and rubble on the private property represents a public nuisance potentially resending a threat to the public; and

WHEREAS, the Town Board wishes to contract for the removal of the debris from the property that the property owner has refused to take responsibility and which is necessary to prevent further harm to the public; and

WHEREAS, the Town Board wants to ensure that the removal of debris is done in accordance with all applicable federal and state laws and regulations; and

NOW therefore be it resolved, by the Town Board of the Town of Randolph as follows:

1. The Town Supervisor is authorized to seek proposals for the cleanup at 112-114 Main Street property in accordance with General Municipal Law § 103.
2. The RFP shall inform prospective bidders that the debris may contain asbestos and that all bidders will be required to demonstrate that they are licensed to remove such debris in accordance with applicable law, and all bids shall include a plan for disposal of the waste in accordance with state and federal regulations,
3. The bid shall include a separate request for stabilizing the site and filling in the property to ground level as a separately stated item, and
4. The bid shall make clear that the Board may accept either part of the bid or the total bid.
5. This resolution is effective immediately.

RESOLUTION 118-2016

BUDGET TRANSFER

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

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

Resolved that the following budget transfers be made:

**Budget Transfer:
GENERAL FUND**

\$	862.00	FROM	A1990.4 - CONTINGENT
\$	862.00	TO	A3650.4 - DEMOLITION OF UNSAFE BUILDINGS
\$	500.00	FROM	A1990.4 - CONTINGENT
\$	500.00	TO	A8010.4 - ZONING - CONTRACTUAL

\$ 39.00 FROM A1990.4 - CONTINGENT
 \$ 39.00 TO A9050.8 - EMPLOYEE BENEFITS - UNEMPLOYMENT

\$ 3,613.00 FROM A1990.4 - CONTINGENT
 \$ 3,613.00 TO A9901.0 - TRANSFER TO OTHER FUNDS

RESOLUTION 119-2016

STUDENT PARKING AT WEEDEN PARK

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

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

Resolved that the Town does not authorize student parking during school hours at Weeden Park.

RESOLUTION 120-2016

AUDIT OF BILLS

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

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

Resolved that the bills be paid on Abstract #9 in the following amounts:

General Fund	No. 215-245	\$36,818.02
Street Lighting District		1,572.16
Refuse District		576.80
Debt District		0
Snow Removal		0
Highway Fund	No. 133-150	190,726.42
FEMA Repairs	No. 151	18,443.40
Fire District	No.	0
Sewer Fund	No. 55-63	1,969.96
Water Fund	No. 99-109	3,289.64
WATER CAPITAL PROJECT - DWSRF #18013	No. 24-26	59,285.82

With no further business, on a motion from Councilman Beach, seconded by Councilwoman Frame, the meeting was adjourned at 10:00 pm. Carried unanimously.

Gretchen A. Hind, Town Clerk