

REGULAR MEETING TOWN OF RANDOLPH, August 12, 2020

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 on the 12<sup>th</sup> day of August 2020.

|          |                  |      |                            |
|----------|------------------|------|----------------------------|
| PRESENT: | Dale Senn        | ---- | Supervisor                 |
|          | Tim Beach        | ---- | Councilman                 |
|          | Amber Frame      | ---- | Councilwoman               |
|          | Bob Learn        | ---- | Councilman                 |
|          | Nate Root        | ---- | Councilman                 |
|          | Cody Uhl         | ---- | Superintendent of Highways |
|          | Gretchen Hind    | ---- | Clerk                      |
|          | Bridget Marshall | ---- | Attorney                   |

OTHERS PRESENT: Elise Gorth – Randolph Register; Don McElwain, Ashton O’Brien-Water/Sewer; Gary Barton and Paul Steward, Zoning Board

**REGULAR MEETING**

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

**PUBLIC PARTICIPATION-NONE**

RESOLUTION 59-2020

**MEETING MINUTES**

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

|         |      |   |                                 |
|---------|------|---|---------------------------------|
| ADOPTED | Ayes | 5 | Beach, Senn, Frame, Learn, Root |
|         | Nays | 0 |                                 |

Resolved that the Board approves the meeting minutes from June 10, 2020 as submitted.

**REPORT OF TOWN OFFICIALS**

**TOWN JUSTICE** –No Report

**CODE ENFORCEMENT**

7 permits for a total of \$245 for June and 5 permits for a total of \$335 for July 2020 were issued.

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RESOLUTION 60-2020

### MOWING – 56 MAIN STREET

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

|         |      |   |                                 |
|---------|------|---|---------------------------------|
| ADOPTED | Ayes | 5 | Learn, Frame, Beach, Senn, Root |
|         | Nays | 0 |                                 |

Resolved that the Town authorizes the highway department to mow the front of 56 Main Street, 10 feet in from the sidewalk. All fees associated with mowing the property are to be relieved on the owner's taxes.

### Monthly Report of the Supervisor

June & July treasurer report was provided to the Board by BLB.

### CLERK

Clerk Hind submitted the monthly report for June & July 2020 to the Board. The local shares were Town-\$1,475.00, 4,349.10; Supervisor-\$137.45, 430.67.

### SUPERINTENDENT OF HIGHWAYS

Superintendent Uhl provided a report on the activities for the month of July 2020.

### WATER/SEWER

Don McElwain reported monthly activities to the Board.

### SAMPLE HILL

No activity.

**COMMUNICATIONS** Communication was received from Univera Healthcare that 2021 premiums may increase by 7.3%.

### OLD BUSINESS

Conewango Sewer District – Town Attorney Bridget Marshall contacted Town of Conewango's Attorney again after Clerk Hind contacted Attorney Pullen's office and they have not had success in receiving any response from the Town of Conewango.

### NEW BUSINESS

RESOLUTION 61-2020

### WATER OPERATOR TRAINING

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

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

Resolved that the Town authorizes Ashton O'Brien to attend Water Operator Training in Olean.

RESOLUTION 62-2020

**DWSRF- MUNICIPAL SOLUTIONS AMENDMENT No. 3**

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

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

Resolved that the Town authorizes Supervisor Senn to sign Amendment No. 3 for the Municipal Solutions Contract for the DWSRF project.

RESOLUTION 63-2020

**LGS-1 RECORDS RETENTION AND DISPOSITION SCHEDULE**

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

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

Resolved that the Records and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

Further resolved, that in accordance with Article 57-A:

- a. Only those records will be disposed of that are described in the Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- b. Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value or merit retention beyond established legal minimum periods.

RESOLUTION 64-2020

**LEGISLATION REQUEST: CPL WILLIAM JAMES HILLARD II – NYS INTERSTATE 86 W. MAIN ST BRIDGE'S MEMORIAL NAMING**

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

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

Resolved that Randolph resident CPL William James Hillard II was killed in action in Vietnam on March 15, 1969 and at the request of multiple residents the Town of Randolph requests the State Legislature introduce legislation that designates both the NYS Interstate 86E & 86W bridges that cross over W. Main Street through the Town of Randolph, Cattaraugus County be named the CPL William James Hillard II Memorial Bridge.

RESOLUTION 65-2020

**BUDGET TRANSFERS & MODIFICATIONS**

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

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

**GENERAL FUND**

We resolve to increase the General Fund 2020 expenditure budget by \$2200 which represents grant funds received by the Pomeroy Foundation. This will increase accounts A2389.5 - Misc. - Other Governments - Historical Marker Grant and A7510.2 - Historian - Equipment.

**Budget Transfers:**

\$339.00 FROM A8010.4 – Zoning - Contractual  
\$289.00 TO A8010.41 – Zoning – Contractual – Zoning Board  
  
\$3,000.00 FROM A1990.4 – Contingent  
\$3,000.00 TO A5132.2 – Garage – Equipment

**HIGHWAY FUND**

**Budget Modification:**

We resolve to increase the Highway Fund 2020 expenditure budget by \$73,990 which represents additional CHIPS monies. This will increase account DA3501 – State Aid – CHIPS and DA5112.4 – Permanent Improvements – Capital Expense.

**Budget Transfers:**

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\$4,053.00 FROM DA5110.4 – General Repairs - Contractual  
\$4,053.00 TO DA9060.8 – Employee Benefits – Hospital & Medical

RESOLUTION 66-2020

**EXECUTIVE SESSION**

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

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

Resolved that the Town enters into executive session regarding the Article 78 hearing filed against the Zoning Board.

RESOLUTION 67-2020

**EXECUTIVE SESSION**

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

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

Resolved that the Town come out of executive session at 8:58PM.

RESOLUTION 68-2020

**APPOINT ATTORNEY FOR ARTICLE 78 HEARING – ZONING BOARD**

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

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

Resolved that the Town authorizes Summit Risk to appoint an attorney to represent the Zoning Board in the Article 78 proceeding filed against them.

RESOLUTION 692020

**ZONING BOARD BILL - HODGSON RUSS**

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

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

Resolved that the Town authorizes a bill received from Hodgson to be paid.

RESOLUTION 70-2020

**AUDIT OF BILLS**

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

ADOPTED      Ayes    5            Beach, Senn, Frame, Root. Learn  
                      Nays    0

Resolved that the bills on Abstract #7 were previously audited by email in the following amounts:

|   |             |             |
|---|-------------|-------------|
| General Fund                            | No. 172-201 | \$18,596.77 |
| Street Lighting District                |             | 917.06      |
| Refuse District                         |             | 652.78      |
| Debt District                           |             |             |
| Snow Removal                            |             | 0           |
| Highway Fund                            | No. 98-114  | 216,452.54  |
| TAP CAPITAL PROJECT                     | No.         |             |
| Sewer Fund                              | No. 51-62   | 2,271.76    |
| Water Fund                              | No. 97-115  | 4,167.04    |
| WATER CAPITAL PROJECT –<br>DWSRF #18013 | No.         |             |

RESOLUTION 71-2020

**AUDIT OF BILLS**

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

ADOPTED      Ayes    5            Beach, Senn, Frame, Root. Learn  
                      Nays    0

Resolved that the bills on Abstract #7 are audited and approved for payment in the following amounts:

|                          |             |             |
|--------------------------|-------------|-------------|
| General Fund             | No. 202-227 | \$16,085.71 |
| Street Lighting District |             | 924.81      |
| Refuse District          |             | 541.65      |
| Debt District            |             |             |
| Snow Removal             |             | 0           |
| Highway Fund             | No. 115-129 | 12,387.60   |

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|   |             |           |
|---|-------------|-----------|
| TAP CAPITAL PROJECT                     | No.         |           |
| Sewer Fund                              | No. 63-69   | 4,337.52  |
| Water Fund                              | No. 116-129 | 13,190.61 |
| WATER CAPITAL PROJECT –<br>DWSRF #18013 | No. 7       | 728.00    |

With no further business, on a motion from Councilman Beach, seconded by Councilwoman Frame, the meeting was adjourned until September 9<sup>th</sup> at 7:30PM. Carried unanimously.

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Gretchen A. Hind, RMC/CMC, Town Clerk