

REGULAR MEETING TOWN OF RANDOLPH, March 11, 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, NY on the 11<sup>th</sup> day of March 2020.

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

ABSENT: Bridget Marshall ---- Attorney

OTHERS PRESENT: Elise Gorth – Randolph Register; Don McElwain, Ashton O’Brien-Water Department

**REGULAR MEETING**

Supervisor Senn called the meeting to order at 7:30PM.

**PUBLIC PARTICIPATION-NONE**

RESOLUTION 31-2020

**MEETING MINUTES**

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

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

Resolved that the Board approves the meeting minutes from February 12, 2020 as submitted.

**REPORT OF TOWN OFFICIALS**

**TOWN JUSTICE**

No report.

**CODE ENFORCEMENT**

3 permits for a total of \$225 was issued for February 2020.

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RACDC- NO REPORT

Monthly Report of the Supervisor

February treasurer report was provided to the Board by BLB.

CLERK

Clerk Hind submitted the monthly report for February 2020 to the Board. The local shares were Town-\$3,101.00; Supervisor-\$77.24.

SUPERINTENDENT OF HIGHWAYS

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

WATER/SEWER

Don McElwain reported monthly activities to the Board.

Attorney Bridget Marshall entered at 7:45PM.

SAMPLE HILL

No activity.

COMMUNICATIONS

Clerk Hind reported to the Board that her office had been served with an Article 78 filing against the Randolph Zoning Board of Appeals.

OLD BUSINESS

Conewango Sewer District – Town Attorney Bridget Marshall is to contact Town of Conewango’s Attorney.

NEW BUSINESS

RESOLUTION 32-2020

DWSRF- ASSESSMENT MANAGEMENT PLAN

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

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

Resolved that the Board authorizes DWSRF funds be utilized for MDA Engineers to prepare an Asset Management Plan for the Water Department.

RESOLUTION 33-2020

**AFTER PROM**

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

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

Resolved that the Board authorizes the payment of 1 \$100 bill towards the RCS After-Prom.

RESOLUTION 34-2020

**WEEDEN PARK USAGE - RYSA**

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

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

Resolved that Randolph Youth Soccer Association is authorized to use the Weeden Park soccer fields for games and practices through June 30<sup>th</sup>.

RESOLUTION 35-2020

**REQUESTING THE WITHDRAWAL OF THE STATE BUDGET'S ENERGY SITING AMENDMENT**

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

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

**WHEREAS:** NYS is a Home Rule State, which basically means that any and all powers of the State emanate from the people.

**WHEREAS:** Per the NYS Constitution, Article IX, it is our statutory obligation to protect the health, safety and welfare of citizens of our community.

**WHEREAS:** On Feb 21, 2020, Governor Cuomo proposed a Budget Amendment "to dramatically speed up the permitting and construction of renewable energy projects."

**WHEREAS:** This amendment could be passed with the Budget by April 1<sup>st</sup>, replacing the current Article 10 process with a radically new method for siting renewable energy projects.

**WHEREAS:** The stated purpose of this proposed far-reaching change is to enhance the execution of the *Climate Leadership and Community Protection Act (CLCPA)*.

**WHEREAS:** Although the objectives of the CLCPA sound admirable, there is no empirical scientific proof that industrial wind energy (compared to Nuclear, Hydro or Gas) saves any consequential amount of Carbon Dioxide (CO<sub>2</sub>).

**WHEREAS:** Conversely, there is considerable scientific evidence that onshore industrial wind energy projects will likely be a *net economic liability* to NYS host communities. This will be particularly burdensome to social justice communities.

**WHEREAS:** There is extensive scientific evidence that onshore industrial wind energy projects will likely result in adverse health effects to some citizens of NYS host communities.

**WHEREAS:** There is substantial scientific evidence that industrial wind energy projects will likely cause extensive eco-system damage to onshore NYS host communities, or to marine locales where offshore wind projects are sited.

**WHEREAS:** This amendment will effectively remove any meaningful input from citizens, towns, counties, local environmental groups, and community businesses regarding the siting and regulation of renewable energy projects.

**WHEREAS:** The new process is structured such that scientific data, or testimony from qualified experts, will have little bearing regarding siting regulations and approval.

**WHEREAS:** Once an application is submitted, the new Office of Renewable Energy Siting (ORES) has 60 days to review and determine if it is complete. If the ORES decision is **not** made in that time, the application is *automatically* deemed complete!

**WHEREAS:** Once an application is determined to be complete, ORES has 12 months to approve the project. If the ORES decision is **not** made in that time, the application is *automatically* approved! There is no provision for extending this time limit.

**WHEREAS:** The Governor's proposal also seems to indicate that the State might get into the ownership and/or operation of renewable energy generation. Such a profound change would also severely limit the ability of local communities to regulate such industrial projects.

**WHEREAS:** All of these proposed changes are not only in conflict with our Home Rule rights, but are also contrary to our obligation to protect the health, safety and welfare of our constituents.

**RESOLVED:** The Town of Randolph formally requests that this Budget Amendment be withdrawn before the Budget is voted on. Additionally we petition the State to respect our Home Rules rights,

and to defend our authority to regulate renewable energy projects as the citizens of our community see fit.

RESOLUTION 36-2020

**BUDGET TRANSFERS**

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

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

Resolved that the Town authorizes the budget transfers as follows:

**GENERAL FUND**

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**Budget Transfers:**

\$162.00	FROM	A1990.4 - SPECIAL ITEMS - CONTINGENT
\$162.00	TO	A1010.4 - TOWN BOARD - CONTRACTUAL
\$14.00	FROM	A1990.4 - SPECIAL ITEMS - CONTINGENT
\$14.00	TO	A1920.4 - SPECIAL ITEMS - MUNICIPAL DUES
\$1,459.00	FROM	A1990.4 - SPECIAL ITEMS - CONTINGENT
\$1,459.00	TO	A9040.8 - EMPLOYEE BENEFITS - WORKER'S COMP

**REFUSE & GARBAGE**

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**Budget Transfers:**

\$86.00	FROM	SR9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY
\$86.00	TO	SR9040.8 - EMPLOYEE BENEFITS - WORKER'S COMP

**STREET LIGHTING**

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**Budget Transfers:**

\$3.00	FROM	SL5182.4 - STREET LIGHTING - CONTRACTUAL
\$3.00	TO	SL9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY

**HIGHWAY FUND**

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**Budget Transfers:**

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\$1,459.00	FROM	DA9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY
\$1,459.00	TO	DA9040.8 - EMPLOYEE BENEFITS - WORKER'S COMP
\$1,400.00	FROM	DA5110.4 - GENERAL REPAIRS - CONTRACTUAL
\$1,400.00	TO	DA9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
\$1,400.00	FROM	DA5130.4 - MACHINERY - CONTRACTUAL
\$1,400.00	TO	DA9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
\$1,400.00	FROM	DA5142.4 - SNOW REMOVAL - CONTRACTUAL
\$1,400.00	TO	DA9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL

**Budget Modifications:**

We resolve to increase the Highway Fund 2020 expenditure budget by \$367 which represents monies received from the sales of scrap materials. This will increase accounts DA2650 - Sales of Scrap Materials and DA5130.2 - Machinery - Equipment.

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**WATER FUND**

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**Budget Transfers:**

\$515.00	FROM	SW9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY
\$515.00	TO	SW9010.8 - EMPLOYEE BENEFITS - STATE RETIREMENT

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**SEWER FUND**

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**Budget Transfers:**

\$26.00	FROM	SS9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
\$26.00	TO	SS9010.8 - EMPLOYEE BENEFITS - STATE RETIREMENT
\$215.00	FROM	SS9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
\$215.00	TO	SS9040.8 - EMPLOYEE BENEFITS - WORKER'S COMP

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RESOLUTION 37-2020

**HIGHWAY SUPERINTENDENT TRAININGS**

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

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

Resolved that Highway Superintendent Cody Uhl be authorized to attend Cornell trainings in April and May.

RESOLUTION 38-2020

**WATER/SEWER DEPARTMENT TRAININGS**

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

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

Resolved that the Water and Sewer employees be authorized to attend trainings in April.

RESOLUTION 39-2020

**ARCHITECTURAL DRAWINGS- HIGHWAY BARN**

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

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

Resolved that the Board authorizes proceeding with obtaining architectural drawings for an addition to the highway barn.

RESOLUTION 40-2020

**AUDIT OF BILLS**

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

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

Resolved that the bills be paid on Abstract #3 in the following amounts:

General Fund	No. 73-101	\$28,358.79
Street Lighting District		1,006.39
Refuse District		1,811.73

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Debt District		51,150.00
Snow Removal		69.78
Highway Fund	No. 36-56	67,039.36
TAP CAPITAL PROJECT		
Sewer Fund	No. 20-26	1,611.54
Water Fund	No. 40-50	2,486.80
WATER CAPITAL PROJECT – DWSRF #18013	No. 4	850.00

With no further business, on a motion from Councilman Beach, seconded by Councilwoman Frame, the meeting was adjourned at 8:40 pm. Carried unanimously.

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Gretchen A. Hind, RMC/CMC, Town Clerk