

REGULAR MEETING, TOWN OF RANDOLPH, February 8, 2023

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 8<sup>th</sup> day of February 2023.

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

ABSENT: Bridget Marshall ---- Attorney

OTHERS PRESENT: Elise Gorth – Randolph Register; Don McElwain & Ashton O’Brien -Water Dept. Shelby Jones & Kelly Burdick – Clerk’s Office.

**ORGANIZATIONAL MEETING**

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

**PUBLIC**

**WATER BILL – ACC#30571**

Jennifer Yata requested reimbursement of \$59.80 in water bill fees due to a leak at the valve of the pit where the meter is installed.

**CROWLEY ST. WATER**

Residents from Crowley St. were present to discuss their ongoing discolored water issue. Caleb Henning, MDA Engineers, discussed that the flushing of Crowley Street did not produce the results that were hoped for. The recommendation is to attempt to locate some sort of blockage in the line or replace the entire line.

Attorney Marshall entered the building at 7:35 PM

A Crowley Street property owner stated they were concerned that this water issue is going to affect their property value if the issue is not addressed. It is imperative this get fixed. Another resident stated, It’s one pipe, one street. Just get it done. You did it on Weeden Road. Do it here.

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The Board requested Caleb Henning to supply them with price estimates for a pipe cut out to remove the blockage and one to replace the pipe.

RESOLUTION 12-2023

**MEETING MINUTES**

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

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

Resolved that the Board approves the meeting minutes from January 4, 2023 as submitted.

**REPORT OF TOWN OFFICIALS**

**TOWN JUSTICE**

No Report.

**CODE ENFORCEMENT**

3 permits for a total of \$175 were issued for January 2023.

**RACDC- NO REPORT**

**Monthly Report of the Supervisor** – The January 2023 Financial Report was submitted to the Board from BLB.

**CLERK**

Clerk Hind submitted the monthly report for January 20223 to the Board. The local shares were Town-\$377.40; Supervisor - \$169.09.

**SUPERINTENDENT OF HIGHWAYS**

Superintendent Uhl provided a detailed report on the activities for the month of January 2023

**WATER/SEWER**

Don McElwain reported monthly activities to the Board. Lead pipe inventory was discussed. The inventory of the lead pipe in the Water District in due the end of 2024.

**SAMPLE HILL**

No activity.

**COMMUNICATIONS**

None

**OLD BUSINESS**

**Garbage Truck:** The garbage truck sold for \$18,600 through Auctions International.

**Municipal Building Roof:** Highway Superintendent Cody Uhl addressed the Board regarding plans for the roof repairs needed at the municipal building. He is going to utilize a CPL architect for assistance in drawing them up along with bid documents.

**Employee Wage Step program:** Councilperson Bob Learn reported he is still working on a program to recommend.

**NEW BUSINESS**

RESOLUTION 13-2023

**COURT AUDIT**

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

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

                  Nays    0

Resolved that the Board audited the books of the Justice Department prior to the Board meeting and the Board approves the audit pursuant to Town Law Section 123 the criminal and civil dockets of the Town Justice for 2022 having duly examined and the fines and fees have been turned over to the proper officials and further resolved that;

**AUDIT OF TOWN CLERK BOOKS**

the Board audited the Clerk's books and that the records of the Town Clerk for 2022 having been duly examined and found all fees have been turned over to the proper officials.

RESOLUTION 14-2023

**SAFE ROUTES TO SCHOOL TAP PROJECT 5763.56 – Drainage at Main Street**

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

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

                  Nays    0

Resolved that the Board approves the construction change in the drainage on Main Street located near Peaches and Cream due to an existing sewer line for the Safe Routes to School TAP Project 5763.56.

RESOLUTION 15-2023

**SAFE ROUTES TO SCHOOL TAP PROJECT 5763.56 – CPL PAY APP #19**

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

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

Resolved that the Board approves the payment of Pay App #16 in the amount of \$19,826.30 for the Safe Routes to School TAP Project 5763.56 to CPL Engineering.

**SAFE ROUTES TO SCHOOL TAP PROJECT 5763.56 – Main Street Lighting**

There was a discussion regarding options for the new luminaires to be installed on Main Street. It was decided that the Board will request the contractor purchase and install the luminaires at the bid price.

RESOLUTION 16-2023

**AFTER PROM DONATION**

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

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

Resolved that the Board authorizes payment of a bill up to \$100 for an After Prom expense.

RESOLUTION 17-2023

**WEEDEN ROAD WATER LINE REPLACEMENT PROJECT- S. ST. George**

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

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

Resolved that the Board approves Change Order No 4, Pay App No 2 in the amount of \$10,467.10 and Pay App No 3 in the amount of \$9,122.85.

**VOLUNTEER FIREMAN PROPERTY TAX EXEMPTION**

Supervisor Senn discussed a new property tax exemption available to those serving as a volunteer fireman in the Town.

RESOLUTION 18-2023

**AGREEMENT TO SPEND HIGHWAY FUNDS**

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

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

Resolved that the Town approves the Agreement to Spend Highway Funds as required by Highway Law.

RESOLUTION 19-2023

**ADVOCACY DAY IN ALBANY**

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

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

Resolved that the Town authorizes Highway Superintendent Uhl to attend Advocacy Day in Albany on March 7<sup>th</sup> utilizing the Town truck for transportation for himself as well as other local Highway Superintendents.

RESOLUTION 20-2023

**OPPOSING GOVERNOR HOCHUL'S BAN OF GAS STOVES AND OTHER FOSSIL FUEL HEATING EQUIPMENT**

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

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

WHEREAS, Governor Hochul's State-of-the-State address contained a proposal to prohibit the sale of new fossil fuel powered heating systems by 2030 for smaller buildings and by 2035 for larger buildings, and

WHEREAS, Governor Hochul is further calling for zero-emission new construction, with no on-site fossil fuel combustion by 2025 for smaller buildings and by 2028 for larger buildings, and

WHEREAS, President Biden and the White House have come out against any prohibition of gas stoves, and

WHEREAS, the Governor's ban is intended to help address climate change, but this government mandate

is more of a burden on our region's working-class residents and will have a devastating effect on

restaurants, businesses and manufacturing facilities when they have to convert to all electric, and

WHEREAS, the cost to convert a house to electric will result in a cost between \$20,000 \$50,000 per

household and would not include any kind of backup system in the event of a power outage, and

WHEREAS, the conversion to electric will create unnecessary financial burden and hardship for businesses that compete on a national or global level, and

WHEREAS, the ban will push a lot of businesses out of state and will contribute to accelerated population loss for those that are fed up with high taxes, the high cost of living, unreasonable government mandates, reckless spending by the government, and unrealistic environmental mandates not consistent with our geographic region, and

WHEREAS, a ban on natural gas appliances and water heaters is not feasible for Western New York with harsh winter weather and an exposed electrical infrastructure; appliances used to heat water and cook food need to work during power outages especially during times of inclement weather, and

WHEREAS, this past December saw a blizzard rip through the Buffalo Metro Area leaving tens of thousands of residents stuck in their home without power, many for several days; gas appliances, fed by a more resilient infrastructure, allowed those residents to heat their homes, boil water, and safely cook their food during the days needed to clear the roads and restore electricity; more than 40 people died during this storm - some froze to death; many more would have suffered if they had to rely on a power grid for cooking and emergency heating, and

WHEREAS, current technology, that is expected to replace gas appliances, such as space heating, does not work well in our climate; this fact was noted in the recent Climate Action Council's report which proposed requiring two heating sources for New York Residents who live in areas that are frequently too cold, and

WHEREAS, electrical appliances have more moving parts and are expensive to maintain and repair, and

WHEREAS, all electric appliances have been shown to be less efficient and therefore cost more to generate the same amount of heat than natural gas fed appliances, and

WHEREAS, mandating the purchase of electrical appliances is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth, and

WHEREAS, with the higher costs, energy bills will go through the roof for residents, further exacerbating the recent price spikes in food, transportation, and general merchandise, and

WHEREAS, as we have seen with California's recent push to make everything electric, this government mandate will likely lead to an increased strain on our state's electrical grid leading to black outs and rationing, which is especially dangerous with the winter weather we routinely experience, and

WHEREAS, the costs to bury power lines, increase renewable energy infrastructure, and increase the capacity of transformers will be passed on directly to consumers in the form of increased energy costs, and

WHEREAS, individual homes, especially those in older housing stock like Buffalo, will be forced to conduct costly in-home electrical panel upgrades to accommodate the increased demand from their appliances, and

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WHEREAS, the ban on fossil-fuel powered heating equipment and appliances will cause severe hardship on the residents and businesses within Cattaraugus County and Western New York, and

WHEREAS, the Town of Randolph Town Board condemns the New York State Legislature and Governor Hochul for continuing to pass hypocritical and nonsensical environmental laws which burden the working-class citizens of this county and state all the while ignoring the largest source of pollution - China, a country that has virtually no environmental protections and continues to be irresponsible and indefensible with environmental policies which ultimately end up subsidized by United States consumers through the purchase of hundreds-of-billions of imports much of which are brought to market through New York City ports, now, therefore, be it

RESOLVED, that the Town of Randolph Town Board hereby vehemently opposes the Governor's plan to ban natural gas heating and appliances as not feasible or warranted for the Town of Randolph, Cattaraugus County and much of Western New York, and be it further

RESOLVED, that the Town of Randolph Town Board hereby strongly urges Governor Hochul and the New York State Legislature to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Hochul, the Western New York Delegation to the New York State Senate and Assembly and any other party deemed necessary and proper.

RESOLUTION 21-2023

**BUDGET MODIFICATIONS & TRANSFERS**

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

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

Resolved that the Board authorizes the following budget modifications:

**HIGHWAY**

**BUDGET MODIFICATION:**

We resolve to increase the Highway Fund 2023 expenditure budget by \$3,350 due to monies received for an insurance claim. This will increase accounts DA2680 - INSURANCE RECOVERIES and DA5110.4 - GENERAL REPAIRS – CONTRACTUAL

RESOLUTION 22-2023

**WATER ACC #30571 ACCOUNT CREDIT**

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

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

Resolved that the Board authorizes crediting of \$59.80 to account #30571 for water usage due to a leak at the valve located next to the meter inside the pit.

Councilperson Frame discussed complaints she received from residents that they could not pay their water bill and tax bill on the evening of January 31<sup>st</sup>. Clerk Hind discussed the strict tax law and having to keep the postmarked envelopes for six years in order to remove any penalty beginning February 1<sup>st</sup>. Clerk Hind agreed there would be evening hours on January 31<sup>st</sup> to accommodate residents that are unable to pay during regular office hours.

RESOLUTION 23-2023

AUDIT OF BILLS

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

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

ABSTRACT #2

General Fund	No. 4-41	\$69,888.99
Street Lighting District		3,113.08
Refuse District		0
Fire District		157,708.48
Snow Removal		52.33
Highway Fund	No. 3-33	106,451.30
TAP CAPITAL PROJECT	No. 1-2	19,521.69
Sewer Fund	No. 2-19	18,993.28
Water Fund	No. 3-29	32,132.54

With no further business, on a motion from Councilman Beach, seconded by Councilman Learn the meeting was adjourned at 9:00PM. Carried unanimously.

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Gretchen A. Hind, RMC/CMC, Town Clerk