

REGULAR MEETING, TOWN OF RANDOLPH, September 11, 2024

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 11th day of September 2024.

PRESENT: Dale Senn ----- Supervisor
John Hale ----- Council Member
Tim Beach ----- Council Member
Loni Nagle ----- Council Member
Bob Learn ----- Council Member
Gretchen Hind ----- Clerk
Cody Uhl ----- Superintendent of Highways

ABSENT: Bridget Marshall ----- Attorney

OTHERS PRESENT: Don McElwain, Jason Beaver -Water Dept; Elise Gorth - Register Graphics; Nick Pezzino -B&L; Sal Rinaldi & Dave Messenger - Planning Board; Harry Uhl, , Rosemary Gillen, Louise Boutwell.

Harry Uhl opened the meeting with a moment of silence in remembrance of 9/11 and prayer.

PUBLIC HEARING - Open Public Hearing for the proposed Tax Cap Override 2025 Local Law. Notice of the Public Hearing was published in the Post-Journal on August 31, 2024 and posted on the Town Clerk sign board. On a motion by Councilperson Beach, seconded by Councilperson Learn, whereupon the Supervisor declared the Public Hearing for the proposed Tax Cap Override Local Law for the 2025 Town Budget year was now open and asked if there was any interested person who desired to be heard.

The following persons appeared in favor of for the possible submission of one or more Tax Cap Override Local Law for the 2025 Town Budget year: NO ONE PRESENT

The following persons appeared in opposition to for the possible submission of one or more Tax Cap Override Local Law for the 2025 Town Budget year: NO ONE PRESENT

The Town Clerk reported that the following pertinent written communications had been received: NONE.

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, on a motion from Councilman Learn and seconded by Councilman Beach, whereupon the Supervisor declared the public hearing on for the possible submission of one or more Tax Cap Override Local Law for the 2025 Town Budget year closed.

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CALL TO ORDER

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

PUBLIC PARTICIPATION

Nick Pezzino: Provided an update on the Sewer Project and how he will report in the future.

Planning Board: Discussed the proposed amendment to the Zoning Law Section 10.27

Steven McElwain: Discussed installation of EV Charging Stations at zero cost to the Town. They are a level three charge and would take approximately 20 minutes for a full charge.

Kathy Hedrich: Discussed her dismay with the suggestion of the trees being removed from Main Street last month by Board member Tim Beach.

RESOLUTION 108-2024

MEETING MINUTES

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Board approves the meeting minutes from August 14, 2024 as submitted.

REPORT OF TOWN OFFICIALS

TOWN JUSTICE- No report

CODE ENFORCEMENT

August 2024 reported submitted. 8 permits issued for \$355.

RACDC- No Report

Monthly Report of the Supervisor – The August 2024 Financial Report was submitted to the Board from BLB.

CLERK Clerk Hind also submitted the monthly report for August 2024 to the Board. The local shares were Town-\$605.20; Supervisor – \$565.35.

SUPERINTENDENT OF HIGHWAYS

Cody Uhl reported monthly work for August.

WATER/SEWER

Don McElwain reported monthly activities to the Board for August.

SAMPLE HILL

No activity

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ER / RANDOLPH CEMETERY

Quarterly Reports provided.

COMMUNICATIONS

OLD BUSINESS

BI-CENTENNIAL

Supervisor Senn is forming a committee and will hold a meeting on September 18.

ARPA FUNDING:

RESOLUTION 109-2024

ARPA FUNDING PURCHASE – TOSHIBA COPIER

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Board authorizes the purchase of one Toshiba e-studio 3025AC via Sourcewell Contract# 030321-TOS pricing for \$4,876.25 to be paid from ARPA funding.

RESOLUTION 110-2024

ARPA FUNDING – WEEDEN PARK

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Board earmarks any remaining ARPA Funds to be utilized in Weeden Park.

WATER/SEWER GENERATOR GRANT

The Town is still waiting for DHSES approval on the Change of Scope for the generator model.

NEW BUSINESS

SEWER PROJECT

After meetings with Municipal Solutions a discussion regarding the Sewer Project Engineering fees not being covered by grant funding and short-term financing closing possibly not happening until December 2024, it was determined a loan from the General Fund would be a recommended course of action.

RESOLUTION 111-2024

GENERAL FUND LOAN TO SEWER PROJECT

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle

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Nays 0

Resolved that the Board authorizes an interfund loan from General Fund to the Sewer Project in the amount of \$110,000 at 4.75% interest.

RESOLUTION 112-2024

MUNICIPAL SOLUTIONS CONTRACT AMENDMENT

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Town Board authorizes Supervisor Senn to sign the Municipal Solutions Contract Amendment.

RESOLUTION 113-2024

SEWER PROJECT: PAY APP #2 – H&K Services

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Town authorizes payment of Pay App #2 in the amount of \$276,205.85 to H&K for construction work on the Sewer Project.

RESOLUTION 114-2024

ONSOLVE – PUBLIC ALERT SYSTEM

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Town continue to utilize OnSolve (CodeRed) for the Town’s Alert system authorizes payment to OnSolve.

RESOLUTION 115-2024

LOCAL LAW 3-2024: TAX CAP OVERRIDE PURSUANT TO GENERAL MUNICIPAL LAW S 3-C

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Town adopts the following Local Law:

Town Title: **Tax Cap Override Pursuant to General Municipal Law S 3-c**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF RANDOLPH, COUNTY OF CATTARAUGUS AS FOLLOWS:

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SECTION 1 Legislative Intent

It is the intent of the town board of the Town of Randolph, County of Cattaraugus to override the real property tax levy limit set forth in General Municipal Law S 3-c (5).

SECTION 2 Authority

General Municipal Law S 3-c (5) authorizes the town board to adopt a local law overriding the tax cap by vote of sixty percent (60%) of the town board.

SECTION 3 Tax cap Override

The Town Board of the Town of Randolph, County of Cattaraugus hereby overrides the real property tax levy limit as required by General Municipal Law S 3-c for the town fiscal year 2025.

SECTION 4 Severability

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5 Effective date

This local law shall be effective immediately upon filing with the Secretary of State.

RESOLUTION 116-2024

SCHEDULE PUBLIC HEARING – LOCAL LAW 4-2024 AMENDING ZONING LAW SECTION 10.27 COMMERCIAL SOLAR ENERGY CONVERSION SYSTEMS

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Town Board will hold a Public Hearing on Local Law 4-2024 to amend Zoning Law on October 9, 2024 at 7:30PM.

RESOLUTION 117-2024

PURSUE EV CHARGING STATION INSTALLATION

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle

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Nays 0

Resolved that the Town intends to pursue the installation of EV Charging Stations through Supernova at no cost to the Town.

RESOLUTION 118-2024

RELIGIOUS SIGNS: WEEDEN PARK

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Town's Religious Sign Policy for Weeden Park be that signs must have prior approval before installation and only be hung on the metal fence surrounding the batting cage with zip ties. Signs must be removed immediately following the event.

RESOLUTION 119-2024

BUDGET TRANSFERS & MODIFICATIONS

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

ADOPTED Ayes 5 Senn, Hale, Beach, Learn, Nagle
 Nays 0

Resolved that the Town approves the following budget transfers:

GENERAL FUND:

BUDGET TRANSFER:

\$250 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$250 TO A1110.2 - JUSTICES - EQUIPMENT

\$250 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$250 TO A1355.2 - ASSESSOR - EQUIPMENT

\$445 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$445 TO A1620.2 - BUILDING - EQUIPMENT

\$2,000 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$2,000 TO A1670.2 - CENTRAL PRINTING - EQUIPMENT

\$43 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$43 TO A5010.4 - SUPERINTENDENT HIGHWAY - CONTRACTUAL

\$1,193 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$1,193 TO A7110.4 - PARKS - CONTRACTUAL

\$250 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$250 TO A8010.2 - ZONING - EQUIPMENT

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BUDGET MODIFICATION:

We resolve to increase the General Fund Town Wide 2024 expenditure budget by \$18,500 due to the use of APRA funds for the blacktop overlay on the basketball court. This will increase accounts A4089 = ARPA REVENUE and A3989.49 – OTHER PUBLIC SAFETY – ARPA.

HIGHWAY FUND

BUDGET MODIFICATION:

We resolve to increase the Highway Fund 2024 expenditure budget by \$703 due to the sale of scrap material. This will increase accounts DA2650 – SALES OF SCRAP MATERIALS and DA5110.4 – MAINTENANCE OF STREETS – CONTRACTUAL.

WATER FUND

BUDGET MODIFICATION:

We resolve to increase the Water Fund 2024 expenditure budget by \$14,836 this will increase accounts SW8320.4 – SOURCE SUPPLY – CONTRACTUAL and APPROPRIATED FUND BALANCE.

RESOLUTION 120-2024

AUDIT OF BILLS

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

ADOPTED Ayes 5 Senn, Hale, Beach, Nagle, Learn
 Nays 0

The Town authorizes payment of bills on ABSTRACT #9 as follows:

General Fund	No. 216-245	\$35,945.863
Street Lighting District		1,728.31
Refuse District		0
Fire District		0
Snow Removal		0
Highway Fund	No. 131-147	229,881.59
SEWER CAPITAL PROJECT	No. 7-8	283,085.35
Sewer Fund	No. 78-86	2,247.88
Water Fund	No. 130-148	8,861.73

With no further business, on a motion from Councilman Beach, seconded by Councilman Hale the meeting was adjourned at 9:07PM. Carried unanimously.

Gretchen A. Hind, RMC/CMC, Town Clerk