

REGULAR MEETING, TOWN OF RANDOLPH, July 10, 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 10th day of July 2024.

PRESENT: Dale Senn ----- Supervisor
John Hale ----- Council Member
Tim Beach ----- Council Member
Bob Learn ----- Council Member
Nate Root ----- Council Member
Gretchen Hind ----- Clerk

ABSENT: Bridget Marshall ----- Attorney
Cody Uhl ----- Superintendent of Highways

OTHERS PRESENT: Don McElwain -Water Dept; Caleb Henning, MDA

PUBLIC HEARING – Open Public Hearing for the possible submission of one or more CDBG applications for the 2024 program year. Notice of the Public Hearing was published in the Post-Journal on July 2, 2024 and posted on the Town Clerk sign board. On a motion by Councilperson Beach, seconded by Councilperson Frame, whereupon the Supervisor declared the Public Hearing for the possible submission of one or more CDBG applications for the 2024 program 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 CDBG applications for the 2024 program year: NO ONE PRESENT

The following persons appeared in opposition to for the possible submission of one or more CDBG applications for the 2024 program 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 Root and seconded by Councilman Hale, whereupon the Supervisor declared the public hearing on for the possible submission of one or more CDBG applications for the 2024 program year closed.

CALL TO ORDER

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

PUBLIC PARTICIPATION

Randolph Regional EMS Corporation discussed its desire to enter into contract with the Town of Randolph and is requesting \$56,258 in funding for the 2025 budget year.

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Attorney Marshall arrived at 7:36PM

Preston Marshall introduced himself and stated he will be running for District Attorney for Cattaraugus County. After giving his background, he asked the Board for support in the upcoming election.

RESOLUTION 82-2024

MEETING MINUTES

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

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

Resolved that the Board approves the meeting minutes from June 12, 2024 as submitted.

REPORT OF TOWN OFFICIALS

TOWN JUSTICE- No report

CODE ENFORCEMENT

June 2024 reported submitted. 5 permits issued for \$175.

RACDC- No Report

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

CLERK Clerk Hind also submitted the monthly report for June 2024 to the Board. The local shares were Town-\$570.60; Supervisor - \$77.98.

SUPERINTENDENT OF HIGHWAYS

No Report

WATER/SEWER

Don McElwain reported monthly activities to the Board for June.

SAMPLE HILL

No activity

ER / RANDOLPH CEMETERY

No report

BI-CENTENNIAL:

Clerk Hind has been in contact with the HS Art Teacher regarding creation of a logo to be used for the Bi-Centennial Celebration.

COMMUNICATIONS

OLD BUSINESS

ARPA FUNDING

RESOLUTION 83-2024

EARMARK ARPA FUNDS – WATER INFRASTRUCTURE PROJECT

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

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

Resolved that the Town authorizes earmarking \$1,000 in ARPA funding for an upcoming Water Infrastructure Project.

NEW BUSINESS

RESOLUTION 84-2024

RESOLUTION WITH REFERENCE TO THE PROPOSED TOWN OF RANDOLPH, CATTARAUGUS COUNTY, NEW YORK WATER STUDY

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

ADOPTED Ayes 4 Senn, Hale, Beach, Learn
 Nays 0

WHEREAS, a public information meeting was held on July 10, 2024, for the purpose of identification of community development needs and announcement of the opportunity to apply for Community Development Block Grant (CDBG) funds: and

WHEREAS, the Town of Randolph and would like to complete an engineer study of their aging water system to determine the areas of concern: and

WHEREAS, affordability for Town residents and property owners is a significant concern in advancement of the proposed project: and

WHEREAS, the Town may be eligible for CDBG funding based on the results on the HUD data tool and must submit a competitive application to obtain CDBG funding.

NOW, THEREFORE, be it RESOLVED as follows:

1. The Town Board authorizes Municipal Solutions to prepare an application for Community Development Block Grant funds from the NYS Office for Community Renewal.
2. The Town Board authorizes the Supervisor to execute the application for Community Development Block Grant funds from the NYS Office for Community Renewal.
3. This resolution shall take effect immediately.

RESOLUTION 85-2024

AUTHORIZING ADVERTISING FOR RFQ'S FOR ENGINEERING SERVICES FOR THE WATER STUDY

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

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

Resolved that the Town of Randolph approves advertising for RFQ's for engineering services related to the Water Study.

RESOLUTION 86-2024

SEQR Determination for Proposed Engineering Study of the Town's Water System

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

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

WHEREAS, the Town of Randolph administers the municipal water system which provides potable water to the Town's residents; and

WHEREAS, the Town is in need of conducting an engineering study to evaluate the condition of the water system, collect information, identify needs, study alternatives and costs to address identified needs and compile engineering reports; and

WHEREAS, the Town Board recognizes the need to complete SEQR proceedings for this project; and

WHEREAS, 6 NYCRR 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQ) provide that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

“(18) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soil studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted Action.”

NOW THEREFORE, BE IT RESOLVED, THAT

The Town Board of the Town of Randolph declares this to be a Type II action for the State Environmental Quality Review Act purpose, and no further action will be required.

RESOLUTION 87-2024

MUNICIPAL SOLUTIONS CONTRACT FOR SERVICES RELATING TO THE WATER STUDY

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

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

Resolved that the Town of Randolph Town Board authorizes Supervisor Senn to sign a contract with Municipal Solutions for services relating to the Water Study.

RESOLUTION 88-2024

CIVIL RIGHTS POLICY

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

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

Resolved that the Town of Randolph hereby establishes the following Civil Rights Policy:

Civil Rights, Equal Employment Opportunity and Section 3 Policy

The Town of Randolph created and adopted this Civil Rights Policy to conform to standards set forth by NYS Homes and Community Renewal, which oversees administration of the federal CDBG program.

This policy will be in compliance with the following statutes, regulations and Executive Orders:

- ∂ Title IV of the Civil Rights Act of 1964 (42 USC 2000d et seq. 24 CFR Part 1)
 - ∂ The National Affordable Housing Act of 1990 (42 USC 12832)
 - ∂ The Rehabilitation Act of 1973, Section 504, as amended (29 USC 794)
 - ∂ 24 CFR Part 8
 - ∂ The Age Discrimination Act of 1975 (42 USC 6101 et seq.)
 - ∂ Executive Order 11246, as amended by Executive Order 11375
 - ∂ Title VIII of the Civil Rights Act of 1968 (42 USC 3601 et seq.), as amended
- by
- the Fair Housing Amendments Act of 1968 [the Fair Housing Act]
 - ∂ Executive Order 11063, as amended by Executive Order 12259
 - ∂ Section 3 of the Housing and Community Development Act of 1968, as amended
- (24 CFR Part 135
 - ∂ Executive Orders 12138, 11625, 12432, as amended
 - ∂ 24 CFR Part 85

In accordance with the above statutes, regulations and Executive Orders, the Town of Randolph will adhere to the following policy in the implementation of its CDBG funded programs:

The Town of Randolph will not exclude participation from, deny program benefits to, or discriminate in awarding program funds to any person based on race, color, national origin, religion, sex, age, sexual orientation or disability.

Furthermore, the Town will take affirmative steps to accommodate the varying needs of disabled/handicapped individuals in order to afford equal access to any CDBG funded program.

With respect to employment opportunities, the Town of Randolph will promote equal opportunity to the above groups as well as Minority and Woman Owned Business Enterprises in the procurement of goods and services required to implement a CDBG program.

Furthermore, to the greatest extent feasible, the Town will promote the procurement of services to firms owned or that employ substantial numbers of low and moderate income persons, as well as firms that are located in the Town's local service area.

With respect to fair housing practices, the Town will take necessary actions to promote fair housing and prevent housing discrimination in the implementation of the Town's housing program.

With respect to labor standards practices, the Town will ensure compliance with Davis Bacon and Related Labor Standards Acts.

In accordance with the above statutes, regulations and Executive Orders, the Town of Randolph will appoint the following officers to oversee the implementation of the above policies for CDBG funded programs:

With respect to fair housing practices, the Town will designate Supervisor of the Town to act as the Fair Housing Officer and promote fair housing and prevent housing discrimination in the implementation of the Town's housing program.

With respect to Section 3 practices, the Town will designate Supervisor of the Town to be act as the Section 3 Officer and ensure compliance with Section 3 of the Housing and Urban Development Act of 1968, as amended.

With respect to labor standards practices, the Town will designate the Supervisor of the Town to act as the Labor Standards Officer and ensure compliance with Davis Bacon and Related Labor Standards Acts.

Fair Housing Policy Prohibiting Discrimination in Housing

Section One

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.

The People of the State of New York have in the New York State Constitution, Article IX, Section 2, delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry. Therefore, be it enacted by the Town Board of the Town of Randolph, Cattaraugus County, New York, as follows.

Section Two

Purpose

For the purpose of providing and ensuring fair housing opportunities for all within the jurisdiction of the Town of Randolph, the Town Board hereby prohibits discrimination on the basis of sex, race, creed, age, familial status, color, national origin, religion, disability (physical or mental), sexual orientation, marital status, military status or victims of domestic or dating violence in the sale, rental, financing, or provision of brokerage services for housing within the jurisdiction of the Town of Randolph.

Section Three

Lands to Which this Policy Applies

This policy shall apply to all areas within the jurisdiction of the Town of Randolph.

Section Four

Affirmatively Furthering Fair Housing Actions

The Town of Randolph will undertake the following actions to promote Fair Housing.

1. Display fair housing posters and distribute fair housing materials prepared by New York State, the municipality, U.S. Department of Housing and Urban Development (HUD), or fair housing organizations to community residents, landlords, real estate professional and lenders;
2. Hold an annual public meeting to address fair housing issues and obtain community input:

Elected officials, municipality staff in charge of planning, zoning, building, housing, community and economic development, and their third-party consultants attend and online fair housing training seminar.

RESOLUTION 89-2024

PURCHASE POSTAGE METER

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

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

Resolved that the Board authorizes the purchase of one IX-5 Series Postage Machine Base, with auto feeder, sealer, catch tray, ink cartridge and 5lb weighing platform in the amount of \$4,455.50 via Quadient Sourcewell Contract 218135/ 011322-QDT.

RESOLUTION 90-2024

PAYMENT OF CHURCH STREET WATERLINE LINE REPLACEMENT: NORTHRUP & MDA

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

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

Resolved that the Town approves payment of \$57,375.00 to Northrup Construction and \$923.57 to MDA Engineers for services related to the repair of the Church Street Waterline; furthermore, payment is to be made from SW8320.2 and fund balance.

RESOLUTION 91-2024

BUDGET TRANSFERS & MODIFICATIONS

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

ADOPTED Ayes 4 Senn, Hale, Beach, Learn
 Nays 0

Resolved that the Town approves the following budget transfers:

GENERAL FUND:

BUDGET TRANSFER:

| | | | |
|----------|------|---------|----------------------------|
| \$10,721 | FROM | A1990.4 | SPECIAL ITEMS - CONTINGENT |
| \$10,721 | TO | A1620.2 | BUILDING - EQUIPMENT |

BUDGET MODIFICATION:

We resolve to increase the General Fund 2024 expenditure budget by \$1,195 due to the use of APRA for the purchase of an AED cabinet for Weeden Park. This will increase accounts A4089 - ARPA REVENUE and A3989.49 - OTHER PUBLIC SAFETY - ARPA.

HIGHWAY FUND:

BUDGET TRANSFER:

| | | | |
|-------------|------|----------|-----------------------------|
| \$46,341.87 | FROM | DA5110.2 | GENERAL REPAIRS EQUIPMENT |
| \$46,341.87 | TO | DA5110.4 | GENERAL REPAIRS CONTRACTUAL |

BUDGET MODIFICATION:

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We resolve to increase the Highway Fund 2024 expenditure budget by \$410 due to additional CHIPS monies available. This will increase accounts DA3501 – CONSOLIDATED HIGHWAY (CHIPS) and DA5112.4 – PERMANENT IMPROVEMENTS – CONTRACTUAL.

WATER FUND:

BUDGET MODIFICATION:

We resolve to increase the Water Fund 2024 expenditure budget by \$108,760 due to the expenditures related to the Crowley St. waterline replacement. This will increase accounts SW8320.4 – SOURCE SUPPLY – CONTRACTUAL and APPROPRIATED FUND BALANCE.

RESOLUTION 92-2024

AUDIT OF BILLS

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

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

The Town authorizes payment of bills on ABSTRACT #7 to include payment to Northrup Construction & Eric Butler:

| | | |
|--------------------------|-------------|-------------|
| General Fund | No. 161-189 | \$17,955.21 |
| Street Lighting District | | 1,752.81 |
| Refuse District | | 0 |
| Fire District | | 0 |
| Snow Removal | | 0 |
| Highway Fund | No. 83-102 | 146,989.91 |
| SEWER CAPITAL PROJECT | No. 2-3 | 13,002.50 |
| Sewer Fund | No. 61-66 | 2,342.22 |
| Water Fund | No. 94-111 | 77,923.68 |

Councilman Root announced he will be resigning from his position as Town Councilman

RESOLUTION 93-2024

NATHAN ROOT RESIGNATION

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

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

The Town accepts Councilman Nathan Root’s resignation effective 7/11/2024 with regrets.

With no further business, on a motion from Councilman Beach, seconded by Councilman Learn the meeting was adjourned at 8:30PM. Carried unanimously.

Gretchen A. Hind, RMC/CMC, Town Clerk