

REGULAR MEETING, TOWN OF RANDOLPH, May 12, 2021

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 12<sup>th</sup> day of May 2021.

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

ABSENT:	Nate Root	----	Councilman
	Bridget Marshall	----	Attorney

OTHERS PRESENT: Elise Gorth – Randolph Register; Don McElwain & Ashton O’Brien - Water Sewer Dept.

**REGULAR MEETING**

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

**BID OPENING**

Supervisor Senn opened bids for 2 2021 HD or newer one-ton pick-up trucks with an 8-10’ extendable plow.

1. Fredonia Ford - \$39,489.00 (No Plow) / \$22,411.00 with trade in. Bid did not contain a Waiver of Immunity Form or a Non-Collusive Bidding Certificate.
2. Shults Auto Group – 42,463.00 / \$28,124.00 Trade In. Bid contained all required documents.

RESOLUTION 53-2021

**MEETING MINUTES**

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

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

Resolved that the Board approves the meeting minutes from April 14, 2021 as submitted.

**REPORT OF TOWN OFFICIALS**

**TOWN JUSTICE**

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No report.

### CODE ENFORCEMENT

12 permits issued for \$640 for April 2021.

RACDC- No Report.

Monthly Report of the Supervisor – A report was provided to the Board by BLB.

### CLERK

Clerk Hind submitted the monthly report for April 2021 to the Board. The local shares were Town-\$6,967.12; Supervisor - \$198.78.

Attorney Marshall arrived at 7:40PM.

### SUPERINTENDENT OF HIGHWAYS

Superintendent Uhl provided a detailed report on the activities for the month of April 2021.

### WATER/SEWER

Don McElwain reported monthly activities to the Board. Supervisor Senn stated that the Town was notified earlier in the day that we would have been awarded the EPG Grant of \$30,000 which requires a 20% match.

### SAMPLE HILL

No activity.

### COMMUNICATIONS

#### NEW DIRECTIONS/RANDOLPH ACADEMY

Clerk Hind stated that she had been contacted by the Sheriff's Department regarding the seriousness of calls at the Randolph Academy and New Directions. The Department stated that the number of calls for 2021 have already exceeded the total number for the whole 2020 year. The seriousness of the calls is also escalating. There are not only run-a-ways; assaults, thefts etc. are occurring more and more. Members of the community and the Town can call New Directions to be put on an all call list to be informed when a New Directions resident has run away. It was stressed that the situation is becoming serious. It was also noted that the situation at New Directions is affecting the Town's contract with the Sheriff's Department because the Deputy that is assigned to

Randolph on those evenings is having to assist in the incidents occurring at New Directions instead of patrolling the Town.

**OLD BUSINESS**

Conewango Sewer District – Supervisor Senn has been in contact with Conewango and their Clerk will contact Clerk Hind.

RESOLUTION 54-2021

**FORESTER FOR WATER DISTRICT PROPERTIES**

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

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

Resolved that the Board approves using Robinson as the Forester for the Water District properties. He is authorized to proceed with marking of the first third of Reservoir Road. Hatchery Road will be done after the first frost.

**NEW BUSINESS**

RESOLUTION 55-2021

**TRUCK BID**

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

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

Resolved that the Town of Randolph rejects Fredonia Ford bid as it did not contain all required documents; the Town accepts the bid of \$56,802.00 for two 2021 HD or newer one-ton pick-up trucks.

**MUNICIPAL BUILDING DAMAGE**

The Board had been advised previously of damage that occurred at the Municipal Building due to a faulty drinking fountain. It is believed that the water flowed throughout the evening until it was found the next morning. The water damage occurred in approximately half of the building. Insurance was notified and a mitigation company was obtained to access and remediate the damage. Drywall, insulation, cabinets and tile have been removed throughout the building. A walk through was done at the close of the meeting.

RESOLUTION 56-2021

**MEETING MINUTES**

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

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

Resolved that the Board approves Clerk Hind to proceed with repairs of the Municipal Building at her discretion

**MARIJUANA REGULATION**

There was a discussion regarding NYS's new marijuana regulation. The Town has until December 31, 2021 or nine months after the effective date of the legislation to opt out via a local law subject to permissive referendum. It was decided more information was needed before any action would be taken.

RESOLUTION 57-2021

**PLANNING & ZONING**

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

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

Resolved that the Board adopts the following guidelines for the Planning and Zoning Boards:

**Town of Randolph Planning Board & Zoning Board of Appeals Guidelines**

1. The Planning Board will notify the Zoning Board of Appeals of any recommendation at least two days prior to the Zoning Board of Appeals hearing or within 15 days of notification and not longer than 30 days.
2. Recommendations from the Planning Board shall be sent to the Zoning Board of Appeals in the form of Planning Board minutes.
3. The Zoning Board of Appeals and Planning Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions. The minutes shall include the reasons for all decisions, and any conditions of approval. Each Board will ensure that the Code Enforcement Officer, Municipal Clerk, and the other Board receive copies of the minutes and action taken.

4. In cases requesting a use variance not specifically permitted in the Town ordinance, approval must be given by a majority vote of the Planning Board and Zoning Board of Appeals in accordance with Section 6.1 of the Municipal Code. If in such case there is disagreement between the two Boards, the chairmen of each Board shall present their opinions to the Town Board. A vote by the Town Board on the requested use variance shall determine the final decision.

5. If a zoning case arises requiring a vote by both boards and there is a common member on both Boards, the common member of each Board should abstain from voting.

**RACDC**

Councilwoman Frame stated that she had requested that the RACDC Director attend this meeting. She had also requested that the Director share the playground grant application that that was awarded be shared with the board. She stated further that she hopes the Director will share this information and attend the next Board meeting.

**WEEDEN PARK PATH**

There was discussion regarding a new path from Main Street to the back portion of Weeden where the new softball field is being installed. This will be installed on the permanent ROW to the Town. Highway Superintendent stated he requested quotes to install a cement sidewalk. After a discussion, it was decided to proceed with installation of a new path later in the summer when the highway department has time and to use limestone or blacktop instead of concrete.

RESOLUTION 58-2021

**ADVANCED SPEED/SCHOOL ZONE SIGN REQUEST**

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

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

Resolved that the Town of Randolph request that the NYS DOT install advanced School Speed Zone signs on Main Street before the speed zones.

RESOLUTION 59-2021

**BUDGET MODIFICATIONS & TRANSFERS**

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

ADOPTED      Ayes    4            Beach, Senn, Learn, Frame

Nays 0

Resolved that the Board authorizes the following budget modifications and transfers:

**GENERAL FUND**

**Budget Transfers:**

\$24.00 FROM A1910.4 - CONTINGENT  
 \$24.00 TO A8010.41 - ZONING - CONTRACTUAL - ZONING BOARD

**STREET LIGHTING**

**Budget Transfers:**

\$12.00 FROM SL5182.4 - STREET LIGHTING - CONTRACTUAL  
 \$12.00 TO SL9030.8 - EMPLOYEE BEFEFITS - SOCIAL SECURITY

RESOLUTION 60-2021

**AUDIT OF BILLS**

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

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

**ABSTRACT #5**

General Fund	No. 92-113	\$13,133.28
Street Lighting District		1,043.69
Refuse District		1,479.92
Fire District		
Snow Removal		
Highway Fund	No. 66-85	17,602.49
TAP CAPITAL PROJECT	No.	
Sewer Fund	No. 39-47	2,003.31
Water Fund	No. 69-83	9,170.37
WATER CAPITAL PROJECT – DWSRF #18013	No. 3	1,209.00

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With no further business, on a motion from Councilman Beach, seconded by Councilwoman Frame, the meeting was adjourned at 8:42 PM. Carried unanimously.

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Gretchen A. Hind, RMC/CMC, Town Clerk