***TOWN OF CARROLLTON***

***Monthly Meeting***

***February 21st, 2023***

***Work Session 4:30PM Open Meeting 5:00PM***

**Municipal Complex 640 Main Street Limestone, NY 14753**

**Present:** Supervisor Bob Rinfrette, Councilman Dan Newbury, Councilman Bob Burkett, Councilman Jay Little, Councilman Lynn Case, Town Clerk Julie Carlson, Bookkeeper Diane Frick, Hwy Superintendent Mike Fox, PB Chair Wendy Johnston**,** PB Members Laura Rogers, Jeff Case.CWO/S1&2 Maintenance Ricky Dixon, CEO/Building/Electrical Inspector Lance Jobe. **Residents:** Tyler Robinson, Ian Clark, Don Jacoby, John & Bonnie Spry. **Not in Attendance:** Town Attorney Eric Firkel.

**Work Session**

**Motion** made by Councilman Little, 2nd by Councilman Newbury to appoint Lynn Case to the Town Board filling the vacancy left by David Barger.All voting yes, Motion carried. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye. Motion carried

Supervisor Rinfrette called the Work Session to order @4:30PM to review and sign the monthly vouchers.

**Monthly Meeting**

Supervisor Rinfrette called the Meeting to order at 5:00PM, followed by the Pledge Allegiance.

**Motion** made by Councilman Burkett, 2nd by Councilman Newbury to accept January Monthly Meeting Minutes as written. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

**Motion** made by Councilman Burkett, 2nd by Councilman Little to pay bills presented. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

All voting yes, Motion carried.

**2022 Bills Presented 2023 Bill Presented**

* General $ 33,410.56 v#278-283 General $ 14,829.04 v#14-37
* Highway $ 30.00 v#161 Highway $ 9,390.80 v#5-16
* Sewer 1 $ -0- Sewer 1 $ 134.77 v#3
* Sewer 2 $ 1,212.29 v#118-119 Sewer 2 $ 6,835.17 v#6-17
* Water $ -0- Water $ 8,609.00 v#5-17

Capital $ -0- Capital $ -0-

**Total $ 34,652.85 Total $ 39,798.78**

**Checks Received:**

**$** 287.00 Town Clerk's Acct-January Sales

23,562.00 Justice Michael Soper-Fines Collected for January

1,185.00 Justice Joseph Crowley-Fines Collected for January

3,428.00 Rents Collected

251.45 Carrollton Fire Commissioners -Fuel Dec. 2022

427.18 Carrollton Fire Commissioners-Fuel January 2023

270.00 PERMA-Comp case reimbursement

2,363.40 PERMA Comp case reimbursement

9.00 OSC overpayment refund for Sept 2022 Justice Fund

1,378.00 Atlantic Broadband Franchise Fees 07/2022-12/31/2022

430,254.37 Tax Collector payment to Town Supervisor for 2023 Tax Warrant

**Total $483,415.40**

**Correspondence: 1)** NYS Department of Transportation Project Designation of Restricted Highway:

Amended 01/24/2023 US 219 northbound and southbound beginning 1000 ft of South of Main Street in the Tow of Carrollton in Cattaraugus County and continuing to 1000 ft north of North Main Street. Project will also include 200 ft in each direction on all side streets that are along US 219 within the above noted limits. Which is being reconstructed under Contract No. D264903 is designated as a Restricted Highway. Designation of Restricted Highway expires on Nov. 30, 2024. Included details on Traffic Regulation on Restricted Highways. **2)** Catt. County Municipality Directory Update. **3)** Mystic Waters Resort-Owners put in request to amend the Zoning to be Business, not Residential. Their business was pre-existing before the Land Use Management Plan Book was created with Zoning map. Parcels were incorrectly zoned as Residential. **4)**Catt. County Agreement to Spend Highway Funds.

**Resolution 1-2023: Agreement to Spend Highway Funds in 2023**

**Motion** made by Councilman Little, 2nd by Councilman Newbury to Agreement for the Expenditure of Highway Moneys: Agreement between the Town Superintendent of the Town of Carrollton, Cattaraugus County, New York, and the undersigned members of the Town Board.

Pursuant to the provision of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received frum the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of $272,328.00 shall be set aside to be expended for primary work and general repairs upon 24.08 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.
2. Executed in duplicate this 21st day of February, 2023. Supervisor Rinfrette, Councilman Jay Little, Councilman Dan Newbury, Councilman Bob Burkett, Councilman Lynn Case. Town Superintendent of Highways Michael Fox.

**Monthly Written Reports:** Reviewed Town Justice Monthly report, Hwy Superintendent Report, Town Clerks.

**Town Clerks Report: Clerk Carlson:1)** provided the updated Rental income report for the Complex for year ending 2022, and this year 2023 to date. Provided all payments from Parts R Us from move in date in 2012 to date. Board directed Clerk Carlson to send letter to Parts R Us to set up a meeting at his convenience to address issues on delinquency. **2)**Confirmation to Catt. County Board of Elections verifying officer positions due to be Elected in the Town of Carrollton: 1) Justice 4 yr. term 2) Councilman 4 yr. term. Filling Vacancy positions: Councilman term ends 2023 -4 yr. term, Councilman term ends 2025-2 yr. term. **3)** Catt. County Emergency Services is distributing Covid-19 at home test kits if Municipality is interested, just needs a request and count. Board directed Clerk to get a full case for the Town to have available for the Employees and Residents.

**Water/Sewer Billing:** Clerk Carlson stated billing went out Feb. 1 for Dec/January usage rates. Still waiting on response as to what to do for billing on Main/Bailey Drive. CWO Dixon was meeting with owner of property. At this point it is still at a full bill rate. Will need to correct w/s billing as well as the Tax Bill if charges for this property is incorrect. Clerk was told on 01/19/2022 that there is a line going into the building so the owner should be getting a full bill. At that time there was a water leak around that area (not that property) so they had to dig and saw the line going into the building, Clerk was asked which bill they were getting and was verified it should be a full bill, according to the Town Water Policies. Clerk mailed out letter to tenant on the change in billing along with new bill in February 2022. Never had a response back or a returned letter or the bills for the full year. Issue came up when owner checked with County on address changes for the property and tax bill was received. At this point Clerk is still waiting on issues to be rectified and the next step. Owner requested to be kept in the loop.

CWO Dixon stated he met with owner, walked through the building, and did not see a sink or toilet.

**Bookkeeper -Diane Frick- 1) Payroll:** reported that she has moved on getting all the information to Complete Payroll company. She stated however it is not going to go in effect until April. There is only one employee left on paper check distribution. It will be mailed USPS to the employee. She did discuss with employee and they are aware that of the process, employee chose to stick with paper check distribution.

**2)Comp Insurance:** Still working with PERMA to complete the comp case in 2022, we have received 2 checks for reimbursement, but it is not completed. The new Comp Company-Comp Alliance has provided cards to share with each employee to carry with them, so if something were to happen on the job, they can give it to the doctor, hospital for billing information. She will distribute to all.

**3)AUD-**has found someone willing to help with previous AUD’s. -Tammy Davies. Requesting Board Approval.

**4)**Reminder to Board that she will be off the month of April, as agreed when hired. Keli Rounsville has agreed to fill in during this time.

**Motion** made by Councilman Burkett, 2nd by Councilman Little to authorize Supervisor Rinfrette and Bookkeeper Diane Frick to contract with Tammy Davies for assistance on completing the AUDs to bring the Town up to date. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

**Motion** made by Councilman Burkett, 2nd by Councilman Newbury to appoint Keli Rounsville as Deputy Bookkeeper as a fill in only. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

**Highway Superintendent Fox-** **1) DOT Project**-discussed with Board, he is contacting Albany for redirection of oversized/heavy loads so they are not being detoured on Main Street. **2)**Reviewed Jan Monthly report that was provided. **3)**Door was replaced at Highway Dept. **4) Highway worker position:** Advertisement was placed in OTH classifieds for 3 days, with no interest. Placed same ad on Facebook and interviewed 3 applicants so far. Clerk Carlson stated the ad was also posted on Home page of the Town Website.

**5)GIS Program-**has meeting set up with Southern Tier West to go over the program on 02/22/2023.

**CWO/Sewer Maintenance Rick Dixon**-**1)**stated not a lot is happening in the Water/Sewer Dept this month. Working on Annual Water Report. **2)**Had the truck inspected, stated a lot more needed done for the inspection. He said there were wires spliced and covered under the seats. He is not sure who did that, it had been to 2 other places when work was done previously. **3)**Councilman Burkett directed Rick to get a quote on a new front door to the Sewer Plant. It is rusted through. **4)**Discussed Lighting-directed to contact Jim Rounsville on the LED lighting. **5)**Temp Pump-get a quote.

**PB Chair Wendy Johnston:** 1**)** requesting confirmation on a water test that was conducted on the Rt 219 property that is working on a county check list. CEO Jobe confirmed the test was passing, not for Public Use. The County will be requiring a test for that. 2) PB Meeting-was not a full Board for February. Only she and Laura attended. Provided minutes as to matters addressed, and discussed.

Clerk Carlson addressed PB Chair, stating when reviewing the LUMP book, and making any amendments that the terminology for commercial on the Zoning Map is Business, so when addressing any of these changes be sure to use the same, unless going through and changing all Business Zones to Commercial. Everything needs to follow through. Carlson stated is was brought to her attention because of the most recent zoning amendment.

**Code Enforcement**-**CEO Lance Jobe:** reported he denied a Building Application for a garage on Leonard Run due to set back policy. That Owner submitted a Special Use Application, which was sent to the Zoning Board. He addressed the set back policy, and that he had also met with the 573 Paton Drive for the Building Permit submitted for Car Ports. He said he explained to them the Setbacks, and what the requirements are. At this point if they are denied, and need to apply for a Special Use Permit which is $125, and it will be addressed by the Zoning Board. At this point they have not pursued a Special Use application.

**Open Forum:** Residents complaints of Tarps on roofs, inquiring how long they are allowed to use this a temporary fix. The tarps are blowing back and forth and some are blowing off. CEO Jobe stated that complaints can be filed, and he can address. He can not by NYS Law just drive around looking for Code violations. They need to be reported. By phone call, letter, email. Upon the complaint they have just said he will drive by the property and can send a letter.

Residents asked about the Sewer Connection at the new home being built at 597 Paton Drive. CWO/Sewer Maintenance Rick Dixon stated that he is only responsible to the property, not on it.

Parking on side walk issues: Supervisor Rinfrette and Councilman Burkett both have been in contact with the Sheriff’s Dept and State Police as far as what to do. They said if they are requested, they can come. Supervisor Rinfrette advised residents to make the call.

**New Business: Set Public Hearing for Zoning Map Amendments**

**Resolution 2-2023 Public Hearing for Local Law 1-2023 Made by Councilman Newbury, 2nd by Councilman Burkett for Local Law 1-2023: Title: A LOCAL LAW ADOPTED PURSUANT TO SECTION 277-1 OF THE TOWN LAW OF THE STATE OF NEW YORK, AMENDING LOCAL LAW 1OF 2014 AMENDING THE TOWN OF CARROLLTON ZONING LAW.**

**WHEREAS, The Town of Carrollton Board will hold a Public Hearing on March 7th, 2023 at 5PM at the Municipal Complex located at 640 Main Street, Limestone NY.** Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Resolution adopted.

**Old Business:**

**Mower for Cemetery:**

Councilman Little provided 2 quotes from Bobcat of Olean for a 48-inch cut zero-turn $4, 417.00 not commercial, no roll cage. 2nd Quote was for zero-turn $7,374.36 which was commercial, had a roll cage,. Both quotes are at State Bid Price. There are additional charges, for Dealer P.D.I, freight charges, material and logistics. Prices vary depending on which model is ordered. Board discussed pricing, however suggested by resident to check Coast Sales before moving on this. Board stated Rick Dixon did get quotes from others, however not from Coast Sales. Board agreed to get quote from Coast Sales, and bring back to March meeting.

**Elevator:** Councilman Newbury addressed the Board regarding the recent update on elevator. He met with Verizon to have phone line tied in and the worker could not find where a line was installed. He spent 2 hours looking. He stated it was going to be very costly to do this, stating $10,000. He has said we need an IT guy to do this. Newbury said we are stalled at this point again. What do they advise.

**Zoning Board:**

**Motion** made by Councilman Burkett, 2nd by Councilman Newbury to appoint Hugh Maguire to the Zoning Board effective immediately. (Filling vacancy term).

Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

**Executive Session:**

**Motion** made by Councilman Burkett, seconded by Councilman Little to enter Executive session with Town Attorney via Phone conference. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

**Motion** made by Councilman Newbury, 2nd Councilman Little to adjourn Executive Session. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

**Motion** made by Councilman Burkett, 2nd by Councilman Little to close the Elevator at Municipal Complex at effective March 1st, 2023 until further notice, notify all upstairs tenants to use stairs or optional move to 1st floor. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

The Board stated Job Descriptions need to be created and will be addressed. Informed Clerk Carlson to work on hers when time permits. They would be working on the others.

**Motion** made by Councilman Newbury, seconded by Councilman Burkett to adjourn the Monthly Meeting. Rinfrette-aye, Newbury-aye, Burkett-aye, Little-aye, Case-aye. Motion carried.

**Respectfully Submitted,**

***Julie Carlson-Town Clerk***