

TOWN OF CARROLLTON

MONTHLY MEETING

August 19, 2014

6:00PM

MUNICIPAL COMPLEX

640 MAIN STREET

LIMESTONE, NY 14753

Present: Supervisor Bruce Hudson, Councilman Ralph Bottone, Councilman Jim Rounsville, Councilman Jim Stoddard, Councilman Brian Jacoby, Town Clerk Julie Carlson, Water/Sewer/Maintenance Ricky Dixon, Water/Code/Building Inspector Lance Jobe.

Supervisor Hudson called the Meeting to order following with the Pledge of Allegiance at 6:00PM.

Motion made by Councilman Bottone, 2nd by Councilman Rounsville to pay bills presented. All voting yes, Motion carried.

- General \$ 50,503.73 v#205-239
- Highway \$ 105,215.79 v#81-92
- Sewer 1 \$ 120.32 v#10
- Sewer 2 \$ 1,819.60 v#72-81
- Water \$ 2,028.44 v#59-70
- **Total \$159,687.88**

Motion made by Councilman Stoddard, 2nd by Councilman Rounsville to accept August 5th, Special Meeting Minutes as written. All voting yes, Motion carried.

Checks Received:

\$ 147.29 Town Clerk's Acct-Sporting, Mar. Licenses & copies/bldg. permits
5,479.00 Justice-Joseph Crowley-Fines Collected for July
5,191.00 Justice Michael Soper-Fines Collected for July
500.00 Enchanted Mountain Roller Derby -Gym Rent-August
165.00 Karen Fox-Foxy's Pet Shop- (641) Garage Rent-August
1,150.00 John Smith "Parts R Us"-Rent- August
125.00 William Songer-Bill's Barber Shop Rm 100 Rent-July
125.00 William Songer-Bill's Barber Shop Rm 100 Rent-August
17,500.00 Baldwin's Forest Products-Road Bond
88.69 Fire Commissioners-June Fuel Usage
1,072.00 Atlantic Broadband Franchise fees-January-June 2014
142.85 Cattaraugus Co. Restitution Surcharge
60,024.74 Cattaraugus County Sales Tax Distribution-2nd Qtr.
273.30 Charles Putt-slucice pipe for Kelly Drive-Quattrone's

Total \$91,983.87

Guest: Allegany-Limestone School Elementary Principal- David Taylor and Elementary Guidance Counselor- Ted Costa presented the OLWEUS BULLYING PREVENTION PROGRAM. This program will be guiding teachers and students how to recognize bullying, how to handle the situation and help the parents at home be aware of signs of bullying and how to deal with it. They are working at the elementary level to hopefully instill anti-bullying at a young age to continue it as they get older and move to middle/high school level. A program guide was presented to give to the Youth Rec Center.

Councilman Bottone addressed Ricky Dixon for the Water/Sewer Dept. to present the estimate for the metal siding on the Sewer Plant Buildings including window and door trim. The estimate is approximately \$1600.

Motion made by Councilman Bottone, 2nd by Councilman Stoddard to purchase materials for the Sewer Plant Control and Blower Buildings exterior. All voting yes, Motion carried.

Ricky also presented as requested a quote for a 2015 Ford F250 4x4 truck with plow from Henderson Ford.

Motion made by Councilman Rounsville, 2nd by Councilman Bottone to purchase a 2015 Ford F250 4x4 Truck with plow as quoted by Henderson Ford of Webster, NY for The Water/Sewer/Maintenance Department. All voting yes, Motion carried.

Guest: Caleb Henning of MDA Consulting Engineers presented the Waste Water System Evaluation & Sludge Removal Plan in its final form. He distributed a book to each Board Member and Supervisor, Town Clerk and extra's for the Sewer Plant Department. He stated that he misinformed the Board about the grant funds through CWSRF, and that Financial Solutions has suggested Rural Development. Caleb stated that Mark Jackson is supportive of the study and is comfortable with the 2016 schedule. Councilman Rounsville stated that he has made contact with Bradford City for a proposal on the sludge removal and they will be getting back in touch. Caleb suggested keeping track of all expenses spent on all repairs to submit for reimbursement.

Guest: Tom Enterline, Town of Carrollton property owner addressed the Board about the Dice Run for the LVFD. He stated he realized it's put on by the LVFD and not the Town, but voiced his opinion about the Dice Run and his property being destroyed by it. Bottom line is he no longer is giving permission to use any of his property for the Dice Run.

Guest: Kevin & Karen Fox Town of Carrollton Residents of 635 Main Street inquired to purchasing the strip of property when surveyed for the sale of 641 Main Street. They have maintained the property for 20 years. He wants to have the right away to get into his house. Would like to purchase to middle of the driveway. When purchased he agrees to give the Town the easement for drainage repairs, etc. The Town Board gave a verbal agreement to Kevin and Karen Fox for the sale of this piece.

The Clerks Report, Justice Reports, Building Permit Report, Highway Superintendent's Report, Water/Sewer/Rental Report and the Supervisor Report were presented & reviewed for the month of July.

Correspondence:

Lance Jobe submitted a letter received from a land owner on Limestone Run with a complaint of his neighbor's property. Lance said he would look into and get back to the person who filed the complaint.

S. Ferrucci submitted a request to wave the 30 day waiting period to apply for a liquor license for Pen's Pub.

Motion made by Councilman Bottone, 2nd by Councilman Stoddard to grant the request to wave a 30 day waiting period to apply for a liquor license to Pen's Pub. All voting yes, Motion carried.

Austin Security sent a quote for the Court Room Security System to supply and install a replacement DVR for our existing Courtroom Camera System. The Board reviewed the quotes and decided they should get a comparison from another company before making a decision.

Youth Recreation Department- an e-mail from a resident if there will be an afterschool program for this school year. The Board discussed as to what is required to run a daycare.

Motion made by Councilman Jacoby, 2nd by Councilman Stoddard to end the Youth Recreation Department daily afterschool program, and go back to the conventional program. All voting yes, Motion carried.

Resolution No. 06-14 Resolution authorizing application for funds from the 2014 Court Assistance Program

Resolved, the Carrollton Town Board hereby authorizes Town Justice Joseph Crowley to file an application for office supplies/funding from the New York State office of Court Administration 2014 Justice Court Assistance Program.

Introduced by: Councilman Ralph Bottone, 2nd by Councilman Jim Rounsville. Votes; Supervisor Bruce Hudson-Aye, Councilman Brian Jacoby-Aye, Councilman Ralph Bottone-Aye, Councilman Jim Stoddard-Aye, Councilman Jim Rounsville-Aye.

Old Business:

641 Main Street-Sale of old Municipal Building

Guest: Sig Degitz, Town Resident

The Board recognized Sig Degitz offer of \$12,000.00. Supervisor Hudson and the Board reiterated to Sig the condition of the building and the asbestos and air quality issue. The building will be sold as is. He was asked of his intentions to fix up the building and what he intended to use it for. Sig intends to open an auction house. Bldg. /Code -Lance Jobe let him know that he will need to apply for a special use variance for a special use permit. He will need to go to the Zoning Board of Appeals. Sig said he will go to a Planning Board meeting to get more information as to what he needs, and can do. The Board agreed along with Sig to table the purchase of the building until Sig gets all the information he needs to know whether or not he can carry out his plans.

Attorney Eric Firkel stated he would have his Abstractors take a look at the parcel and the piece that Kevin & Karen Fox are wanting to purchase.

New Business:

Casey's Building-Attorney Eric Firkel stated that Greg Ralph is donating the parcel to the Town. Firkel stated the estimate is removing the asbestos outside at \$4000.00-5,000.00, tear down of the building \$10,000-\$15,000.00 and to haul away totaling \$25,000.00.

Councilman Bottone stated he didn't realize it would cost this much.

Motion made by Councilman Rounsville, 2nd by Councilman Bottone to accept the parcel donated by property owner Greg Ralph as is, subject to being clear of all leans. All voting yes, Motion carried.

Motion made by Councilman Stoddard, 2nd by Councilman Rounsville to accept the **RESOLUTION NO. 07-14 Resolution Establishing Rules of Order and Procedure for Official Meetings of the Carrollton Town Board; Referred to as "RULES OF ORDER"**. Councilman Ralph Bottone-Aye, Supervisor Bruce Hudson-Aye, Councilman Brian Jacoby-Aye, Councilman Jim Rounsville-Aye, Councilman Jim Stoddard-Aye.

Betsy Frank/Moe Kemp Properties-complaints of the incline from the football field sending water down the back yard and flooding them out. Councilman Bottone will address this issue.

River beside Discovery Antiques-Main Street- Councilman Bottone will address this.

Open Forum:

Councilman Jacoby stated that he will be covering the ruts on the football field from the dice run with his roller.

Councilman Jacoby stated he met with Ben Parsons for the lights on the side of the building. He said it is possible to get shields, he will check into alternates.

Motion made by Councilman Bottone, 2nd by Councilman Stoddard to adjourn the meeting at 9:00PM. All voting yes, Motion carried.

The Next Regularly Scheduled Board Meeting is scheduled for Tuesday, September 16th, 2014 @ 6PM.

Respectfully Submitted,

Julie Carlson –Town Clerk

Town of Carrollton, New York

DATE: 08/19/2014

RESOLUTION NUMBER: 07
MOVED BY: Councilman Stoddard

DATE: 08/19/2014
SECOND BY: Councilman Rounsville

TITLE: **Resolution Establishing Rules of Order and Procedure for Official Meetings of the Carrollton Town Board; Referred to as "RULES OF ORDER"**

WHEREAS, Section 63 of the Town Law provides that a Town Board may determine the rules of its procedure and establishes certain procedures that may not be altered except by resolution of the Town Board; now therefore be it

RESOLVED, that the following Rules of Order be hereby adopted pursuant to Section 63 of the Town law:

Town of Carrollton Rules of Order

GENERAL RULES

1. The supervisor, when present, shall preside at the meeting of the Town Board. In the absence of the supervisor, the deputy supervisor shall preside. In the absence of the supervisor and deputy supervisor, the other members of the town board present, shall designate one of their members to act as temporary chairman of the meeting. If the supervisor returns, he shall commence presiding at the meeting. This rule applies to public hearings and any other official meetings of the Town Board.
 2. A majority of the town board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
 3. The vote upon every question shall be taken by the ayes and nays, and the names of the members present and their votes shall be entered in the minutes.
 4. Every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all the members of the town board except in such instances where a larger number of affirmative votes are required by these Rules of Order.
 5. The town board may determine the rules of its procedure, and the supervisor may, from time to time, appoint one or more committees, consisting of members of the board, to aid and assist the board in the performance of its duties.
 6. The supervisor may offer or second a resolution or a motion.
 7. Petitions and Requests from the Floor:
 - a. The Supervisor and Town Board may allow any member of the audience to speak to the Supervisor and Town Board during the period of the meeting identified on the agenda as "Petitions and Requests from the Floor."
 - b. Any such person wishing to speak to the Town Board shall state their name, address and topic they wish to address.
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- c. Persons speaking to the town board shall address to the town board and not to other members of the audience in the form of a debate.
 - d. Each person shall be limited to four minutes of public comment, unless a majority of the Town Board present, by motion, grants additional time in increments of two minutes.
 - e. The Supervisor or chairman of the meeting shall immediately suspend, and may cause the removal of, any person using inappropriate, hateful, derogatory and/or vulgar language of any type.
 - f. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of a town board meeting.
 - g. Rule number seven and all subsections shall apply to the procedures of public comment during public hearings and any other special or committee meetings of the Town of Carrollton.
 - h. The Clerk shall cause the information presented by members of the audience speaking to the town board to appear in the official minutes in their entirety.
8. Debate shall not begin on a resolution, local law, or otherwise debatable motion until it has been moved by a town board member and seconded by another town board member.
9. With the exception of any action and/or motion deemed to be procedural in nature (i.e. motions to approve minutes, approval of vouchers, motions to enter executive session, motions to adjourn and any other motions that shall be deemed procedural in nature), all resolutions, local laws and otherwise debatable motions shall be dated, appropriately titled and numbered. The Town Clerk shall cause the dated, appropriately titled and numbered actions to be chronologically sorted by year.
10. Actions and Procedures:
- a. All actions, resolutions and local laws to be considered by the town board at a regular or special meeting shall be available to each town board member at least twenty-four (24) hours in advance of the meeting;
 - b. This rule shall not apply to typical procedural actions such as motions to approve minutes, approval of abstracts and vouchers, motions to enter executive session, motions to adjourn and any other motions that shall be deemed procedural in nature;
 - c. Any board member wishing to take action or resolution of an issue shall provide the resolution to the town clerk or supervisor so that the resolution shall be available to all other board members at least twenty-four hours in advance of the meeting where it may be considered;
 - d. A vote of four-fifths of board members shall be necessary to bring a resolution into immediate consideration;
 - e. Any resolution being considered by immediate consideration shall be considered during the *new business / immediate requests* portion of the agenda;
 - f. When a question is under debate, no motion shall be entertained unless for a recess, to table the motion under debate or to amend the motion under debate, none of which motions are amendable or debatable;
 - g. No motion shall be made to offer any amendment to an amendment already before the town board on any proposition.

11. Order of Agenda:

- a. Call meeting to order
- b. Pledge of Allegiance
- c. Roll Call
- d. Review vouchers/pay bills
- e. Approval of Minutes
- f. Public Hearing (if scheduled)
- g. Petitions & Requests from Floor
- h. Correspondence
- i. Reports from Department Heads
 - i. Town Clerk
 - ii. Code Enforcement Officer / Building Permits
 - iii. Dog Control Officer
 - iv. Justices
 - v. Supervisor
 - vi. Highway Superintendent
- j. Committee Reports
- k. Old Business
- l. New Business / Immediate Requests
- m. Adjournment

12. A four-fifths vote of the town board members shall be required to suspend these rules of order.

13. If for any reason the Rules of Order of the Town of Carrollton conflict with the statutory law, the statutory law shall take precedence.

The resolution as stated above is hereby adopted by a majority vote of the Town of Carrollton Town Board at an official meeting held on the 19th day of August in the year 2014, the ayes and nays take and recorded below:

AYE Ralph Bottone, Councilman

AYE Bruce Hudson, Supervisor

AYE Brian Jacoby, Councilman

AYE Jim Rounsville, Councilman

AYE Jim Stoddard, Councilman

CERTIFIED: Julie M. Carlson
 Julie M. Carlson, Clerk
 Town of Carrollton

