

**TOWN OF CARROLLTON**

**MONTHLY MEETING**

**April 11, 2017**

**4:00PM**

**MUNICIPAL COMPLEX**

**640 MAIN STREET**

**LIMESTONE, NY 14753**

**Present:** Town Supervisor James Stoddard, Councilman Florence Fuller, Councilman Ralph Bottone, Councilman James Rounsville, Councilman Brian Jacoby, Town Clerk Julie Carlson, and Water/Sewer/Rental Clerk Rosemary Fowler, Highway Superintendent Mike Fox, John Helgager CEO, and the Town Attorney. **Public Attendance:** Ben Slotman, Chip McCracken. **Not Present:** Rick Dixon W/S/Maintenance, Bookkeeper Mary Rhodes.

Supervisor Stoddard called the Meeting to order following with the Pledge of Allegiance at 4:00pm.

**Motion** made by Councilman Rounsville, 2<sup>nd</sup> by Councilman Fuller to pay bills presented. All voting yes, Motion carried.

**2017 Bills presented**

- General \$23,394.17 v#66-91
- Highway \$11,880.00 v#28-36
- Sewer 1 \$ 616.66 v#6-7
- Sewer 2 \$ 10,784.83 v#24-35
- Water \$ 1,942.49 v#22-30
- Total \$46,618.15**

**Motion** made by Councilman Rounsville, 2<sup>nd</sup> by Councilman Fuller to approve the March 14, 2017 Monthly Meeting Minutes as written. All voting yes, Motion carried.

**Checks Received:**

- 232.00 Town Clerk's Acct-March 2017 Sales
- 15,581.00 Justice-Joseph Crowley-Fines Collected for March 2017
- 12,289.00 Justice Michael Soper-Fines Collected for March 2017
- 175.00 Matt Zurat-Rm 210 Rent-move March 15, 2017/April 2017
- 165.00 Karen Fox-Foxy's Pet Shop- (641) Garage Rent-April 2017
- 157.00 Bill's Barber Shop Rm 100 Rent-April 2017
- 400.00 John Helgager-Something Nu -Rent-Rm 2017, balance Rm 200-March 2017
- 197.69 Fire Commissioners-February Fuel Usage
- 293.00 Dennis Johnson-Rm 109-Rent-April 2017
- 235.00 Sunday Nite Basketball-3/12, 3/19, 3/26, 4/2, 4/9/2017
- 350.00 Enchanted Mountains Roller Derby-Gym Rent-March 2017
- 350.00 Enchanted Mountains Roller Derby-Gym Rent-April 2017
- 157.00 S&B Sound & Production-Rm 204-Rent-March 2017
- 157.00 S&B Sound & Production-Rm 204-Rent-April 2017
- 1,800.00 John Smith Parts R Us -Rent- February 2017
- 124.00 McCaffery Oil Rm 205-April 2017
- 50.00 S. Hayes--Gym Rental B-day Party-04/08/2017 2hrs.
- 250.00 Cemetery Sales
- 300.00 Cemetery Sales
- 319.70 Refund from Cleveland Brothers Equipment Co., Highway Dept.

**Total \$33,582.39**

**Monthly Reports:** The Town Clerk, Water/Sewer/Rental Clerk, Highway Superintendent, Town Justices Reports, Supervisor Financial Reports were all distributed and reviewed.

## **Correspondence:**

- Catt. County Health Dept.- Mosquito Spraying 2017

The County will charge \$2,041 for spraying this year. The Board discussed and decided to not commit this year.

- Proposal to paint main hallway downstairs from front entrance to end of hallway, not including vestibule. Approximately 4,000 square feet. Projected cost of paint and related materials is approximately \$262.92. The painting would be done by the Towns hourly maintenance staff.

The Board reviewed the 2-tone color choices and agreed to the painting. Councilman Rounsville is checking into prices through Sherwin Williams.

- Interest rates for purchasing a tractor were provided by Steve Foster of Five Star Bank for \$30,000 at 3.65% for 3 years as of 04/07/2017. The rates will be changing so check on rates again before purchase. The Board discussed the tractor and where to buy from again and what accessories to have on it. Councilman Rounsville is going to make some phone calls and then let each Board Member know what he has found out.
- Five Star Bank provided Credit Card information to the Municipality. The Board discussed who should be the listed users. The Board agreed to Julie, Rose, Rick, Mike Fox. These cards would only be used for purchases at places that the Town does not have an account with. The billing statement breaks down the user and purchases each person makes

**Motion** made by Councilman Bottone, 2<sup>nd</sup> by Councilman Rounsville to open a Credit Card account through Five Star Bank. Users listed will be Julie Carlson, Rosemary Fowler, Rick Dixon, Mike Fox. All and any additional Users must be brought before the Board before being added. All voting yes, Motion carried.

**Resolution 04-2017** Moved by Councilman Fuller, 2<sup>nd</sup> by Councilman Jacoby Authorizing the Release of Money in Limestone Cemetery Perpetual Funds at Northwest Savings Bank. The Cemetery Association dissolved and turned the Limestone Cemetery over to the Town of Carrollton Municipality. The Town will put the Money in the General Fund under Cemetery. The use of the money will be to do continuous maintenance on the Cemetery. All voting yes, Motion carried.

## **Water/Sewer/Rental Clerk-Rosemary Fowler:**

- Rose reported past due Rents: one non-payment rental - Room 110. Parts R Us is behind March & April.
- One inquiry for a new rental, will get back to us. Presently there are 7 available rooms.
- Water/Sewer 2 – April 2017 bills have been issued.  
Sewer 1- As of 4/3/17 \$14,883 has been paid of the \$49,241 due for the year. 30.2%.

## **John Helgager-Code Enforcement Officer/Building & Zoning:**

- John reported he is issuing Courtesy letters stating that a code compliance and property maintenance inspection from the roadway has been conducted, giving 90 days to start to comply. He has had several phone calls and the owners are willing to start working to get back in compliance with the codes. John said he is willing to work with people if they are making the effort. He has not completed all the Town of Carrollton yet, but is working his way through it. He is using State Laws and everybody needs to comply.

## **Guest: Ben Slotman WWTP Project:**

- Mr. Slotman gave a project update. 1)Bids were received and opened for the Sludge Removal and Bank Stabilization Project -Phase 1. 2)S. St. George has rescinded their bid and provided an explanation letter. 3)Recommendation Letter for bids.

**Resolution 05-2017** Moved by Councilman Rounsville, 2<sup>nd</sup> by Councilman Fuller to accept the Bid withdrawal from S. St. George Enterprises, Inc. for the Sludge Removal and Bank Stabilization Project-Phase 1. All voting yes, Motion carried.

**Resolution 06-2017** made by Councilman Rounsville, 2<sup>nd</sup> by Councilman Jacoby to reject remainder of Bids submitted for the Sludge Removal and Bank Stabilization Project-Phase 1.

MDA Consulting Engineers provided information that has brought up significantly higher than anticipated costs due to limited access to the site and the proposed installation procedure. This leads to potential

modifications to the installation procedure that would allow the contractor to drive on the installation and potentially equate to savings.

MDA recommended that the Town rebid the project. The project will be revised to include modifications to the scope of work pertaining to the installation of the bank stabilization.

**Resolution 07-2017** Moved by Councilman Rounsville, 2<sup>nd</sup> by Councilman Fuller authorizing revisions to the contract. All voting yes, Motion carried.

**Resolution 08-2017** Moved by Councilman Bottone, 2<sup>nd</sup> by Councilman Jacoby authorizing the revised contract be advertised for bid on April 14<sup>th</sup>, 2017 in the Olean Times Herald. All voting yes, Motion carried.

### **Mike Fox Highway Superintendent:**

Mike thanked the Board for appointing him to complete the term of Highway Superintendent.

- he started out doing inventory of the roads and the trucks. He informed the Board the 1-Ton truck is 9 years old. It is not inspected and needs work done to pass inspection. Last year Superintendent Jim Hicks had it out to bid at \$13,500. He said the trade in value is \$7500 on a 350@ \$43,000 give or take a little. He is also checking into a 550. He is trying to use all resources to get the best prices. This is all just preliminary information.
- To stay within the Budget this year he is working on sluices, and potholes this year. He is and will be working on a 5-year Road plan for the 25 miles owned in Town of Carrollton. His goal is 5 miles per year.

### **Open Forum:**

Chip McCracken, Land Owner in Carrollton said he is asking the Board to consider allowing local brine water to be hauled to our Wastewater Plant. He said he thinks other Town Oil Producers would be interested in this and they would all benefit from it. He said speaking for himself he is willing to pay discharge fees. The closest discharge plant facility is Franklin, PA. Ben Slotman of MDA Engineering stated our system is more domestic. Supervisor Stoddard said he is interested in looking into it. Councilman Bottone said the key is to see if and what we can do to accept it. Ben Slotman said he will talk to DEC and get back to the Board with information.

### **New Business:**

- Supervisor Stoddard informed the Board that he and Mary Rhodes have completed the audit of the Town Clerks Accounts for the years 2015 & 2016, and there were no discrepancies.

Supervisor Stoddard requested the Board for permission to estimates for stripping the floor in hallways.

- The Board agreed to getting estimates to bring back to the Board.

Councilman Jacoby would like the Board to consider revisiting the Complex, and research ideas to do something with the building.

### **Planning Board:**

- Chairman Bob Wood updated the Board on the progress they have made on getting flags and benches for the Town through the Grant that was received. He said he has made a separate committee from the community to work on the project. This Committee consists of Melissa Woods, Linda Brown, and Rolland Corbin. Highway Superintendent Mike Fox is also in contact for input of the project.
- Bob suggested a third Zoning Board of Appeals Member: Tom Sturdevant of Church Street. He has qualifications from his everyday job and feels he would be very resourceful.
- Bob informed the Board on the Public Hearing that was held at 4PM in the Planning/Zoning Board Meeting Room for the Zoning Variance & Special Use Permit that Sigmund Degitz applied to open a restaurant on 1020 Rt. 219. Bob gave the recommendation from the Planning Board for the Town Board to consider. The Planning/Zoning Board recommended a Temporary 6-month Zoning Variance & Special Use Permit to Sigmund Degitz for location: 1020 Rt. 219. Under the Terms: 1) Property must

comply with the Property Maintenance Codes. 2) Proposed facility must meet all Building Code and ADA Requirements. 3) Dept. of Health must approve and certify the facility.

**Motion** made by Councilman Rounsville, 2<sup>nd</sup> by Councilman Jacoby to accept Planning/Zoning Board recommendation of a Temporary Conditional 6 Month Special Use Permit and Zoning Variance with the conditions of bringing the property up to Property Maintenance Code and Health Inspection and the inspection of property by CEO at the end of the 6-month period effective 04/11/17, expiring 10/10/2017. All voting yes, Motion carried.

**Motion** made by Councilman Bottone, 2<sup>nd</sup> by Councilman Rounsville to temporarily adjourn the Board Meeting for the Public Hearing Scheduled and advertised previously upon the recommendation of the Planning/Zoning Board. All voting yes, Motion carried.

**Public Hearing for Special Use Permit and Zoning Variance to open a Restaurant at 1020 RT. 219:**

Supervisor Stoddard opened the Public Hearing at 5:45pm. There were no public comments.

Supervisor Stoddard closed the Public Hearing.

**Motion** made by Councilman Rounsville, 2<sup>nd</sup> by Councilman Fuller to approve the Temporary 6-Month Special Use Permit and Zoning Variance to Sigmund Degitz for Location: 1020 Rt. 219. Under the Terms: 1) Property must comply with the Property Maintenance Codes. 2) Proposed facility must meet all Building Code and ADA Requirements. 3) Dept. of Health must approve and certify the facility. Effective 04/11/17, expiring 10/10/2017. All voting yes, Motion carried.

**Motion** made by Councilman Fuller, 2<sup>nd</sup> by Councilman Bottone to adjourn the Public Hearing. All voting yes, Motion carried.

**Motion** made by Councilman Fuller, 2<sup>nd</sup> by Councilman Bottone to resume the Monthly Board Meeting. All voting yes, Motion carried.

**Executive Session:**

**Motion** made by Councilman Bottone, 2<sup>nd</sup> by Councilman Rounsville to enter Executive Session to discuss a potential litigation with Property Maintenance Issues. All voting yes, Motion carried.

**Motion** made by Councilman Rounsville, 2<sup>nd</sup> by Councilman Fuller to adjourn Executive Session. All voting yes, Motion carried.

**Old Business:**

**Motion** made by Councilman Jacoby, 2<sup>nd</sup> by Councilman Rounsville in agreement for the Town of Carrollton to pay \$1.00 to Cattaraugus County to purchase parcel 101.071-2-25 location 611 Paton Drive, if the County is willing to sell with the intentions of clearing it and putting out to bid to the Public. All voting yes, Motion carried.

The Town Attorney will confer with the County Treasurer and get back to the Town Board with their response.

**Motion** made by Councilman Fuller, 2<sup>nd</sup> by Councilman Rounsville to adjourn the meeting at 7:00PM. All voting yes, Motion carried.

*The next scheduled Meeting is Tuesday, May 9th, 2017 @ 4PM.*

**Respectfully Submitted,**

**Julie Carlson –Town Clerk**