

TOWN OF CARROLLTON
MONTHLY MEETING
July 16, 2019 5:30PM

MUNICIPAL COMPLEX

640 MAIN STREET

LIMESTONE, NY 14753

Present: Supervisor Ralph Bottone, Councilman James Rounsville, Councilman Jay Little, Councilman Ralph Bottone, Councilman David Frederick, Town Clerk Julie Carlson, CEO John Helgager.

Not Present: Book Keeper Ivy Spry, Councilman Brian Jacoby, Hwy Superintendent Mike Fox.

Residents: Don Jacoby, George Osborne, Micah Arnold, Samantha & Zach Hayes.

Supervisor Bottone called the Meeting to order at 5:30PM, followed by the Pledge of Allegiance.

Motion made Councilman Rounsville, seconded by Councilman Frederick to accept the June Monthly Minutes as written. All voting yes, Motion carried.

Motion made by Councilman Little, seconded by Councilman Rounsville to pay bills presented. All voting yes, Motion carried.

2019 Bills Presented

- Capital \$ 50,059.74 v#4-5
- General \$ 15,083.15 v#154-165
- Highway \$ 9,711.93 v#60-69
- Sewer 1 \$ 85.39 v#10
- Sewer 2 \$ 2,438.80 v#54-61
- Water \$ 913.94 v#52-55
- Total \$78,803.05**

Checks Received:

\$265.66 Town Clerk's Acct-June Sales
23,246.00 Justice Michael Soper-Fines Collected for June
17,243.71 Justice Joseph Crowley-Fines Collected for June
141.49 Fire Commissioners-Fuel Usage-May 2019
1,650.00 Cemetery Sales
142.50 Catt. County Restitution pymt.
350.97 The Evans Agency-overpayment

\$43,040.33Total

Supervisor Bottone addressed CEO John Helgager asking him to define his job description to the Board. Helgager is not really certified as a Code Enforcement Officer. He said you have to take the civil service test to be certified as our Code Enforcement Officer. He did take the exam, just waiting for the results. He said once he is certified with Civil Service, he will be able to do his job as Code Enforcement Officer. He will be able to enforce them; at this time, he can make people aware of them. Supervisor Bottone stated he this will further discussed later in Executive Session with Attorney Erik Firkel and John Helgager when the Board discusses Job descriptions.

Monthly Reports: The Town Clerk, Town Justices, Supervisor and Highway and Code Enforcement Reports were distributed and reviewed.

Ben Slotman, MDA Project Engineer-provided update on WWTP Project contract 1 & 2.

Contract No. 1-Sludge Removal and Bank Rehabilitation: Northrup restoration around lagoons needs to still be completed. Wet weather has set them back. They are continuing to monitor the area in hopes of getting area restored soon. **Contract No. 2- WWTP and Pump Station Improvements:** H& K submitted Pay App #4 for work completed to install the generator and low lift pump station control panel. This included credits associated

with CO#4. H&K completed installation of the start switches for the blowers and restoration from the generator installation. Leonard Run work is completed. Change Order #4 approved by EFC. Change Order #5 to zero out the contingency allowance bid item in the contract. Anticipation H&K will be requesting substantial completion on their contract. Pay app#4 is showing all work at 100%, contingency allowance was not used. Town is still withholding 5% retainage.

WWTP Disinfection: The Preliminary Engineer's Report for effluent disinfection at the WWTP is nearing completion. When completed it can be submitted to the DEC and used in conjunction with funding applications. Advised to allow Town Supervisor to read and accept report upon completion.

Motion made by Councilman Rounselle, seconded by Councilman Frederick to approve and authorize Supervisor Bottone to sign Payment Application No. 4 submitted by H&K Services, Inc. for the amount of \$40,658.47. All voting yes, Motion carried.

Motion made by Councilman Frederick, seconded by Councilman Rounselle to accept H & K Change Order #5 as written. All voting yes, Motion carried.

Motion made by Councilman Rounselle, seconded by Councilman Little to authorize Town Supervisor Ralph Bottone to review and accept the Engineer's Report and direct MDA to submit the report to the DEC. All voting yes, Motion carried.

Motion to Adopt Resolution No: 4-2019 Title: New York State Department of Environmental Conservation (Department) proposed to modify the Town of Carrollton's State Pollutant Discharge Elimination System (SPDES) Permit SPDES No. NY0029068. Moved by Councilman Frederick, Seconded by Councilman Little.

Whereas, New York State Department of Environmental Conservation (Department) proposed to modify the Town of Carrollton's State Pollutant Discharge Elimination System (SPDES) Permit SPDES No. NY0029068 to include disinfection requirements in accordance with 6 NYCRR Part 703.4. Effluent disinfection is required because it is necessary to protect public health. The proposed permit modification includes: Seasonal disinfection requirements of the sewage treatment plant effluent and a schedule of compliance to comply with the new seasonal disinfection limits.

Whereas, The Town of Carrollton intends to submit an application under the Water Quality Improvement Project (WQIP) Program for grant funding for the effluent disinfection system. **Whereas,** the Town of Carrollton agrees to match up to 25% of the requested grant amount. **NOW, THEREFORE, BE IT RESOLVED** that Ralph Bottone, Town Supervisor, is authorized on behalf of the Town of Carrollton and its governing body to submit this application. **BE IT FURTHER RESOLVED** that Ralph Bottone, Town Supervisor, is authorized on behalf of the Town of Carrollton and its governing body to commit the Town of Carrollton to comply with the requirements of Article 15-A of the New York State Executive Law: Participation By Minority Group Members and Women With Respect to State Contracts by providing opportunities for Minority-owned Business Enterprise (MBE)/Woman-owned Business Enterprise (WBE) participation. Resolved this 16th day of July, 2019. AYES: Councilman Little, Rounselle, Frederick, Supervisor Bottone NOES: N/A. Absent: Jacoby.

Motion to Adopt Resolution No: 5-2019 Title: Sexual Harassment Prevention Policy.

Moved by Supervisor Bottone, seconded by Councilman Rounselle.

Whereas, Gov. Andrew Cuomo signed into law the New York State Budget Bill for Fiscal Year 2019 which enacted several key legislative initiatives that address sexual harassment in the workplace. **Whereas,** all employers must provide a sexual harassment prevention policy to all of its employees on an annual basis. **Whereas,** all employers must provide sexual harassment prevention training on an annual basis to all of its employees in compliance with the sexual harassment prevention training program developed by the New York State Department of Labor and New York State Division of Human Rights. **NOW, THEREFORE, BE IT RESOLVED** that the Town of Carrollton and its governing body hereby adopt the attached Sexual Harassment Prevention Policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment prevention training to all its employees. Resolved this 16th day of July, 2019. AYES: Councilman Rounselle, Little, Frederick, Supervisor Bottone. NOES: N/A. Absent: Jacoby.

Correspondence: N/A

Open Forum:

Guests:

Town Residents: Samantha & Zach Hayes are taking over getting the Library prepared to open to the Public. Requested to have the Library open while the Town Clerk and Book Keeper are working Tuesday -Friday and they will open it one evening a week-Mondays 4-7pm. At this time the Library is packed full of books for all ages and books are to be borrowed on an honor system. The Board agreed to hours at this time to see how it works out.

Town Residents: George Osborne and Micah Arnold of Leonard Run addressed the Board on the Creek wall that has been washed away and laying in the creek. The water is now washing away the bank and up to the resident's homes. The Board discussed the issue, reviewed the previous discussions with Mike Fox. It is not an issue the Town can fix at this time. Councilman Frederick said he had been up to look at the situation and suggested talking to Cattaraugus County Soil & Water Dept.-Bob Shanks. Supervisor Bottone said he would make a phone call in the morning and also talk to Hwy Superintendent Mike Fox again to review the situation again.

Rex Bennett-prospective property investor introduced himself to the Board and expressed his interest in a possible purchase of a parcel in the Town to widen his Taxi Service Business. It has been verified by the Board and the Code/Zoning Officer the property is in a Business District.

Bob Parker-Legislature Candidate for District #6, introduced himself once again to the Board, expressing his interest in listening and learning the Town Issues at hand.

Ricky Dixon Water/Sewer/Maintenance:

Cemetery: report he met with the Surveyor Supervisor Bottone contacted to see the Limestone Cemetery located off of Rte. 219. The Surveyor will be contacting him with Quote within 2-3 wks. and schedule a date if Board approves it.

Water: report of a water leak on Church Street, will begin fixing on Monday, July 23rd. He has left a message with a water resident to give her 48 hr. notice of shutting off to do the work in the area. He has not heard back from her, but will need to shut the water off to do the work.

Replacement of the water valves-previously discussed at last meeting. Ricky said he has talked to a few people on the proper way to handle it. Board advised him to dig a couple and check them. He will be working close to one on Church St. so maybe he can check out the condition of the valve there. The Board advised to have the Town Hwy Dept. help him. Supervisor Bottone said he would inform them of it.

New Business:

Supervisor Bottone informed the Board that Jerry Peterson is done this weekend. He would be helping Ricky with this weekend readings, and that it would be his last day. The Board discussed Jerry's decision, asking Ricky if he knew why. Ricky said things started building up and he made his decision.

The Board reviewed Jerry's position, and stated what they wanted advertised for filling the position. Ricky did remind the Board of Jerry helping him at the plant, to cover his time off and wk. end readings. That there should be another licensed water operator with him. The Board will discuss the job title in Executive Session.

Supervisor Bottone said he wants the Bradford League Football team to be charged this year. He has already talked to who runs the program and they are on board with it. Bottone will have Attorney Erik Firkel draw up the contract for this year.

Samantha & Zach Hayes asked the Board where the Attorney stands on helping them get the Soccer League Tax ID number so they will no longer be running under the Town of Carrollton. The Board will ask the Attorney Firkel. The Board then discussed charging for the program to be run here. The Hayes gave numbers to the Board as to how many children were Town of Carrollton residents that played. They expressed how the Town has little to keep people involved and they hated to lose the program by it not being run under the Town's name. Once that starts happening the program may move out of Limestone all together and that is one less event in the Town. After much discussion, The Board decided to keep the Soccer Program under the Town of Carrollton for another year.

Councilman Rounsville informed the Board that Justice Joseph Crowley was asking for permission by the Town Board to be approved to apply for a grant for the Town Judicial System.

Motion to Adopt Resolution No. 6-2019 Title: Resolution to Apply for Justice System Grants

Moved by Councilman Rounsville, seconded by Councilman Frederick to approve Justice Joseph Crowley to apply for a grant for the Town of Carrollton Judicial System. AYES: Councilman Little, Rounsville, Frederick, Supervisor Bottone
NOES: N/A. Absent: Jacoby.

Old Business:

Supervisor Bottone informed the Board that the property on Paton Drive that Code Enforcement has been dealing with had the County step in. The owners were upset in the beginning, but in turn when they found out the assistance, they could get possibly get they were thankful.

Supervisor Bottone told the Board its time talk to the Realtor about the complex. There were not any bids for the Complex when advertised and it was agreed by the Board that if it doesn't sell then to have the Supervisor talk to a realtor. The Board agreed. Bottone said he would contact a Realtor on Wednesday.

The Board had discussion of what to do with the Municipal Employees here at the Complex if it sells, and they don't allow us to be here. Options were bounced around. Bottone brought up the reasoning of the Town moving out of the old municipal building and the mold testing that was done before we moved out. Bottone said when he was interested in buying the building, he contacted the person who did it and they laughed and said it wasn't enough for us to move out. Councilman Frederick said he will go and take a look at the building. He said it will need a lot of work to come back into NYS compliance, and repair of the ceilings, roof, etc.

Motion made by Supervisor Bottone, seconded by Councilman Little to set 2 Monthly Meetings per month beginning in August. Meetings will be on the 1st Tuesday and 3rd Tuesday at 5:30PM. All voting yes, Motion carried.

Motion made by Supervisor Bottone, seconded by Councilman Frederick to go into Executive Session at 7:30pm to address Job Descriptions asking John Helgager and Attorney Eric Firkel to stay. All voting yes, Motion carried.

Motion made by Councilman Little, seconded by Supervisor Bottone to adjourn the Meeting at 8:30pm. All voting yes, Motion carried.

Respectfully Submitted~~ Julie Carlson-Town Clerk