

**TOWN OF CARROLLTON**  
**MONTHLY MEETING**  
**February 24, 2021 5:00PM**

**MUNICIPAL COMPLEX**

**640 MAIN STREET**

**LIMESTONE, NY 14753**

**Present:** Supervisor Bob Rinfrette, Councilman Jay Little, Councilman James Rounsville, Councilman Ralph Bottone, Councilman Dan Newbury, Town Clerk Julie Carlson, Town Attorney Eric Firkel.

**Not Present:** CWO/S1&2 Maintenance Ricky Dixon. Hwy Superintendent Mike Fox, CEO Lance Jobe, Bookkeeper Keli Rounsville. **Guests:** Tom Fenner-Fenner Realtor, Board Member of Bradford Raptors, Residents: Wendy Johnston, Mike Rogozinski, Gary Simbulski.

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

**Motion** made by Councilman Newbury, seconded by Councilman Rounsville to accept January 2021 Organizational Minutes as written. All voting yes, Motion carried.

**Motion** made by Councilman Bottone, seconded by Councilman Newbury to pay bills presented. All voting yes, Motion carried.

**2020 Bills Presented**

- General \$12,478.06 v#259-261
- Highway \$ -0-
- Sewer 1 \$ 111.66 v#18
- Sewer 2 \$ 1,033.59 v #117
- Water \$ 484.96 v#101
- Capital \$ -0-
- Total \$14,108.27**

**2021 Bills Presented**

- \$ 43,283.57 v#8-35
- \$ 9,749.71 v#2-12
- \$ 411.35 v#2-3
- \$ 2,404.62 v#3-12
- \$ 838.48 v#3-10
- \$ 26.35 v#1
- Total \$55,714.08**

**Checks Received:**

- \$ 1,229.00 Town Clerk's Acct-January Sales
- 7,846.00 Justice Michael Soper-Fines Collected for January
- 9,740.00 Justice Joseph Crowley-Fines Collected for January
- 2,667.00 Rents
- \$21,482.00 Total**

**Monthly Reports:** The Town Clerk, Town Justices, Hwy Report were submitted for review.

**Correspondence:**

Phone call received from Cattaraugus County Probation Department stating that the restitution that was not able to be retrieved from the juveniles for the Criminal Trespassing/Criminal Tampering incident at the Town Complex on May 31, 2020 was changed and they did have one juvenile make payment, in the amount of \$206.07. They will be forwarding the payment in the next few weeks. (The claims submitted \$412.14.)

NYS Dept of Agriculture and Markets submitted their Municipal Shelter Inspection Report for the SPCA Located at 2944 Route 16, Olean NY completed on 02/08/2021. The findings were all Satisfactory.

Guest: Board Member -Bradford Raptors-Youth Football Program sent correspondence inquiring about the use of the football field for 2021, storage of equipment. The Board agreed to the use of football field and to stay with amount that was agreed upon for the 2020 year, which was cancelled due to Covid-19 shut down. The Board reiterated they must follow NYS Guidelines according to all executive orders when the season begins.

Winter Soccer Program sent along update that they have cancelled the 2021 season completely. And questioned if they would be charging for the season. The Board agreed there would be no charge for the 2021 season.

The Town of Carrollton Joint Fire District submitted the results of the Election held on February 2, 2021 for the Bond Resolution of the Board of Fire Commissioners of the Town of Carrollton Joint Fire District in the Town of Carrollton, Cattaraugus County New York Authorizing the Acquisition of a used 2012 Fouts Brothers/Kenworth Pumper/Tanker equipped with a 3500-gallon poly tank, and other miscellaneous apparatus and authorizing the issuance of up to \$172,000.00 in serial bonds of said Fire District to partially finance the cost there of. Total number of ballots cast 22. 18 ballots in favor, 3 ballots against, no blanks, 1 void.

Cattaraugus County Veterans Program-Our Veterans, their stories. Catt. County requested to get the word out on the project they are working on to get veterans from our local area to share their stories. The clerk reported she printed Flyers and distributed to businesses and community areas in our town, and posted on our website.

**Motion** made by Councilman Rounsville, seconded by Councilman Newbury to reappoint Brian Eaton to the Board of Assessment Review for a 5-year term. Term 10/2020-09/31/2025. All voting yes, Motion carried.

**Town Historian Kim Colley** reported through correspondence she is looking into doing a MUG Fundraiser with historical photos on them to produce income to cover the Historian expenses that may occur putting together the History of Limestone Town of Carrollton information. The income would go directly to the Town of Carrollton Historian account. The Board had no objections to the project.

#### **The Complex:**

Clerk Carlson asked the Board asked for Board confirmation to charge storage for the locker room use for the Bradford Raptors and the Enchanted Mountain Roller Derby Team for the new year while not in use. The Board agreed they can just use it as part of they rental of field and gym.

**Complex Maintenance:** Jerry Peterson requested his date change for extended leave for surgery. Date is set for March 16<sup>th</sup>. Ricky Dixon said he can still cover building maintenance while Jerry is off. The Board approved the time off for Jerry Peterson and Ricky Dixon to cover maintenance at the Town Complex. The hours and pay are to be documented the same as last year when Jerry was off for extended time.

#### **New Business:**

Clerk Carlson requested the Board to review the Water Resolution- \$20.00 Adjusting Water Rate Fees that they adopted in December 2020. Councilman Bottone felt it should be reviewed before the bills begin being distributed. Clerk Carlson said in depth research of all properties that would fall into this category within the Water District was done which was a very tedious task. She stated the help of the county provided a water district list that was worked on long ago before the Village was dissolved. The Water District is in need of income and the Board made the Budget for 2021 using this information compiled to as income for the Water Department. She stated if the Board decides to change their resolution, they will also need to review the Budget for 2021 and see where they can make changes to that as well. She stated she is only providing what is asked and reminding of the steps to be taken either way. Clerk Carlson also stated a letter would be submitted to each new water billing customer on this list stating the reasoning behind it and the resolution that was adopted. The Board reviewed the adopted Resolution as requested and hashed out questions surrounding it.

**Motion** made by Councilman Bottone, seconded by Councilman Rounsville to keep the adopted Water Resolution 2020 dated December 15, 2020 Title: **Establishing a Distribution Fee for the Town of Carrollton-Limestone Water District** in place as is. AYES: Supervisor Rinfrette, Councilman Bottone, Councilman Little, Councilman Newbury, Councilman Rounsville. NOES: None. Absent: all present. All Voting yes, Motion carried.

**Resolution 03-2021** Moved by Councilman Dan Newbury, Second by Councilman Jim Rounsville

**TITLE: RESOLUTION ADOPTING THE CATTARAUGUS COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, THE TOWN OF CARROLLTON, has reviewed the 2021 Cattaraugus County Hazard Mitigation Plan, A copy of the Plan is attached hereto as Exhibit A;

**WHEREAS**, the 2021 Cattaraugus County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, THE TOWN OF CARROLLTON is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

**WHEREAS**, THE TOWN OF CARROLLTON Town Board has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

**NOW THEREFORE, BE IT RESOLVED** by Town Board that the TOWN OF CARROLLTON hereby adopts the 2021 Cattaraugus County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan. AYES: Supervisor Robert Rinfrette, Councilman Ralph Bottone, Councilman Dan Newbury, Councilman James Rounsville, Councilman Jay Little. NOES: None. ABSENT: All Present. Certified Julie Carlson, Town Clerk.

**Resolution 04-2021 Moved By: Councilman Jay Little Second By: Councilman Dan Newbury  
Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusting Via State-let Contract**

**Whereas**, the New York state Department of Transportation proposes the construction, reconstruction, or improvement of **US 219, SH 8007, Bradford-Carrollton, Part 1 SB Preventative Maintenance Overlay and NB Mill and Overlay Culvert Replacement, Guide Rail, Median Barrier, and Sign Replacement** in the Town of Carrollton located in Cattaraugus County, PIN 5101.93 and

**Whereas**, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the relocation of bracket arms and luminaires to utility poles installed for lighting pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

**Whereas**, the service life of the relocated and or replaced utilities has not been extended, and

**Whereas**, the State will provide for the reconstruction of the above-mentioned work, as shown of the contract plans relating to the above-mentioned project.

**Be it Resolved:** That the Town of Carrollton approves of the relocation of bracket arms and luminaires to utility poles installed for lighting and the above-mentioned work performed on the project and shown of the contract plans relating to the project that the Town of Carrollton will maintain or cause to be maintained he adjusted facilities performed as above stated and as shown of the contract plans.

**Be it Further Resolved:** that Town of Carrollton has the authority to sign, with the concurrence of the Carrollton Board, any and all documentation that may become necessary as a result of this project as it relates to the Town of Carrollton, and

**Be it Further Resolved:** That the clerk of the Town of Carrollton is hereby directed to transmit five (5) Certified copies of the foregoing resolution to the New York State Department of Transportation.

The Votes are recorded as: AYES: Supervisor Robert Rinfrette, Councilman Jay Little, Councilman Ralph Bottone, Councilman Dan Newbury, Councilman James Rounsville. NOES: NONE. ABSENT: All Present.

Resolution adopted by majority vote of The Town of Carrollton Town Board at an official meeting held on the 24<sup>th</sup> of February in the year 2021. Certified Julie Carlson, Town Clerk

**Old Business:**

**Rentals:** Julie Carlson, Clerk reported that Parts R Us is behind 2 months. (December 2020, January 2021.) Jehrod Babb Room 108 is still in process of moving out, however all rents are paid up through December 2021. The clerk reported that Babb said the recent inclement weather has made the move more difficult to do quickly. Councilman Newbury -complex liaison said he will watch for room 108 to empty out room and speak to John Smith for Parts R Us.

**Sale of Complex:**

**Realtor Tom Fenner** has requested update from the Board on the Survey for the Complex at 640 Main Street, Limestone. He has the prospective buyer waiting patiently to hear that is completed. Town Clerk stated she called the Surveyor on Thursday, February 18<sup>th</sup>. He said he was told by Lawyer there was no rush at this time. Clerk told Surveyor that to our knowledge there was and we have been waiting for minimum of 3 months. Stated regardless of this sale going through our Board wants a survey and it has to be done. Surveyor stated he will put us on the calendar for the next week. Beginning February 22<sup>nd</sup>. At this time there has not been any contact back from the surveyor that he has moved on it.

Councilman Bottone also presented an ABSTRACT of the School Property/Municipal Complex. The Abstract from when the Town received the School Properties. He stated the Town didn't even need to have an Abstract down. When asked where he got it from, he stated never mind.

**Base Ball Field:**

Councilman Bottone stated he has information that the Board will be interested in and passed out a letter from the NYS Parks, Recreation and Historic Preservation for the Recreation Field Grant- (aka Baseball Field). The letter explains the transferring of the site to private ownership. It states that the LWCF (Land and Water Conservation Fund) assistance shall be maintained in public outdoor recreation us in perpetuity, and shall not be converted to other than public outdoor recreation use, except with approval of the Secretary of the Interior, delegated to the NPS. As such, the Town may only transfer this site to private ownership if they obtain NPS approval through a process known as a conversion. The Conversion requires that the Town provide replacement lands that are of equivalent outdoor recreation value and usefulness as those being converted. Such replacement lands cannot be currently in outdoor recreation or open space use. Value is determined by appraisals completed to the uniform Appraisal Standards for Federal Land Acquisitions. The Conversion process must adhere to the requirements of the National Environmental Protection Act and Section 106 of the National Historic Preservation Act. Grand funds cannot be returned in exchange for lifting of LWCF obligations. It was noted that the Town should know that there are costs associated with the conversion that may include, but are not necessarily limited to costs to obtain and develop replacement outdoor recreation lands, expenses associated with obtaining services of an environmental engineer or consultant to complete environmental review, and the costs of obtaining a licensed appraiser who can complete appraisals to UASFLA standards. The Letter stated if the Town would wish to start this process, they request a narrative and site plan describing the proposal for the site.

The Board talked about possibilities. The Town Attorney, Eric Firkel stated there are ways to work with this kind of situation.

Councilman Bottone said he will not allow a slaughter house to be in the middle of town, and he has many residents that don't want it also. Councilman Little stated we need to sell this property. The tax payers are paying to keep it running. Councilman Little stated he wants the Town residents to have a say. Councilman Newbury called the Realtor to see if he could arrange for the potential buyer to come back again and meet with the Town Residents with his proposal of the building and property. The Realtor called immediately with reply. The Board set a date for March 9<sup>th</sup> for the Public to Attend to see the presentation and ask any questions they have.

Firkel described the process for a Permissive Referendum, the steps, time frame, signatures needed and can be put on the ballot for a special election. The Public votes, the Public makes the decisions.

**Motion** made by Councilman Bottone, seconded by Councilman Rounsville to adjourn the Meeting.  
All voting yes, Motion carried.

**Respectfully Submitted,**

**Julie Carlson-Town Clerk**