

TOWN OF CARROLLTON
Public Hearing / Monthly Meeting
December 15, 2020 4:00PM

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, CEO Lance Jobe, and Town Attorney Eric Firkel. **Not present:** W/S/Maintenance Ricky Dixon, Hwy Superintendent Mike Fox, Bookkeeper Keli Rounsville. **Public:** Nobody in attendance.

Public Hearing:

Supervisor Rinfrette opened the Public Hearing following the Pledge Allegiance for:

Town of Carrollton Local Law 1 of 2020 to Override the Tax Levy Limit Established in General Municipal Law §3-C

Local Law 2 of 2020 Amendment to Local Law 1 of 1987

This local law shall apply to all areas of special flood hazard within the jurisdiction of the Town of Carrollton, Cattaraugus County, including the territory of the Village of Limestone upon its dissolution effective December 31, 2010.

The Town Clerk provided affidavit of Advertising of the Public Hearing. No Correspondence related to the Public Hearing was received.

There were no comments for or against the Local Laws presented.

Motion made by Councilman Newbury, seconded by Councilman Little to close the Public Hearing at 4:30PM.

Supervisor Rinfrette opened the December Monthly Meeting directly following the adjournment of the Public Hearing for the Local Law 1-2020 to Override the 2021 Tax Cap Limit and Local Law 2-2020 Amendment to the Flood Management Plan Local Law 1-1987.

Motion made by Councilman Newbury, seconded by Councilman Bottone to accept November Monthly and Public Hearing Minutes as written. All voting yes, Motion carried.

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

2020 Bills Presented

- General \$ 9,783.33 v#228-244
- Highway \$21,194.88 v#143-152
- Sewer 1 \$ 98.84 v#17
- Sewer 2 \$ 1,665.57 v#105-110
- Water \$ 1,109.96 v#91-94
- Capital \$-0-
- Total \$33,852.58**

Checks Received 11/24-12/15/2020

\$ 556.31 Town Clerk's Acct-November Sales
10,579.00 Justice Michael Soper-November 2020
6,595.00 Justice Joseph Crowley-October 2020
1,490.00 Rental Income
1,434.00 Atlantic Broadband Jan-June 2020 Franchise fees
195.00 Fire Commissioners Fuel-Oct., Nov. Usage.
2,465.00 Catt. County Mortgage Tax Apportionment
142.50 Catt. County Restitution surcharge
Total \$23,456.93

Monthly Reports: The Town Clerk, Judges and Highway Reports were reviewed.

Motion made by Councilman Little, seconded by Councilman Bottone to adopt –
Town of Carrollton Local Law 1 of 2020 to Override the Tax Levy Limit Established in General Municipal Law §3-C

Be it enacted by the Town Board of the Town of Carrollton as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Carrollton pursuant to General Municipal Law §3-C, and to allow the Town of Carrollton to adopt a budget for the fiscal year beginning January 1, 2021 and ending December 31st, 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-C.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-C, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of at least 60% of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Carrollton, County of Cattaraugus, is hereby authorized to adopt a budget for th fiscal year 2021 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-C.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date: This Local Law shall take effect upon adoption.

BE IT ENACTED THIS 15th day of December, 2020 by the TOWN OF CARROLLTON, CATTARAUGUS COUNTY, NEW YORK to be effective immediately.

Town Supervisor Robert Rinfrette-AYE, Councilman Dan Newbury-AYE, Councilman Ralph Bottone-AYE, Councilman Jay Little-AYE, Councilman James Rounsville-AYE. Motion Carried.

Motion made by Councilman Newbury, seconded by Councilman Little to adopt
Local Law 2 of 2020 Amendment to Local Law 1 of 1987

Be it enacted by the Town Board of The Town of Carrollton as follows:

Local Law 1 of 1987 (attached hereto as Exhibit A), is hereby amended as follows: Sections 3.0, 3.1, and 3.2 are hereby stricken and replaced with the following language:

Section 3.0

GENERAL PROVISIONS

3.1 LANDS TO WHICH THE LOCAL LAW APPLIES

This local law shall apply to all areas of special flood hazard within the jurisdiction of the Town of Carrollton, Cattaraugus County, including the territory of the Village of Limestone upon its dissolution effective December 31, 2010.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Town of Carrollton, Community Number 360063 are identified and defined on the following documents prepared by the Federal Emergency Management Agency.

(1) Flood Insurance Rate Map (FIRM) and Flood Hazard Boundary Map (FHBM) No. 360063D, whose effective date is March 18, 1983.

(2) Flood Insurance Rate Map Village of Limestone (Single Panel) No. 360081 0001 B, whose effective date is April 17, 1978.

(3) Flood Boundary and Floodway Map Village of Limestone (Single Panel) No. 360081 0001 B, whose effective date is April 17, 1978.

(4) A scientific and engineering report entitled "Flood Insurance Study, Village of Limestone, New York Cattaraugus County" dated October 1977.

BE IT ENACTED this 15th day of December, 2020 by the TOWN OF CARROLLTON, CATTARAUGUS COUNTY, NEW YORK to be effective immediately.

Town Supervisor Robert Rinfrette-AYE, Councilman Dan Newbury-AYE, Councilman Ralph Bottone-AYE Councilman Jay Little-AYE, Councilman James Rounsville-AYE.

Resolution 2020-ESTABLISHING A DISTRIBUTION FEE FOR THE TOWN OF CARROLLTON-LIMESTONE WATER DISTRICT

WHEREAS, the Town of Carrollton-Limestone Water District provides access to each parcel located within the water district.

WHEREAS, The Town of Carrollton Board recognizes that the ability to hook up to municipal water provides a material benefit to the owners of property within the Town of Carrollton.

WHEREAS, The Town of Carrollton Board desires to add a distribution fee to any parcel located within the Town of Carrollton-Limestone Water District in order to offset maintenance and overhead charges.

RESOLVED, that the Town of Carrollton Board hereby establishes a Distribution Fee of \$20.00 per billing cycle (every two months), that will be paid by the landowner of any parcel of property that is located within the Town of Carrollton-Limestone Water District that is not hooked up to municipal water.

Town Supervisor Robert Rinfrette-AYE, Councilman Dan Newbury-AYE, Councilman Ralph Bottone-AYE Councilman Jay Little-AYE, Councilman James Rounsville-AYE.

The foregoing resolution, having been approved by a majority of the members of the Town Board was declared by the Supervisor to be duly adopted on December 15th, 2020.

Resolution 2020-AUTHORIZING THE TOWN OF CARROLLTON TO ENTER INTO A SHARED SERVICES CONTRACT WITH THE TOWN OF FARMERSVILLE TO PROVIDE CODE ENFORCEMENT SERVICES

WHEREAS, the Town of Farmersville has approached the Town of Carrollton to enter into a contract to provide shared services for code Enforcement.

WHEREAS, The Town of Carrollton Board is amenable to entering into a contract with the Town of Farmersville, provided that there is no additional cost of the taxpayers of the Town of Carrollton;

RESOLVED, that the Town of Carrollton Board hereby authorizes the Town Supervisor to enter into a contract with the Town of Farmersville for any costs; further the Town of Farmersville agrees to indemnify and hold the Town of Carrollton harmless from any liability associated with the contract.

Town Supervisor Robert Rinfrette-AYE, Councilman Dan Newbury-AYE, Councilman Ralph Bottone-AYE Councilman Jay Little-AYE, Councilman James Rounsville-AYE.

The foregoing resolution, having been approved by majority of the members of the Town Board was declared by the Supervisor to be duly adopted on December 15th, 2020.

Lance Jobe, CEO provided information to the Board on the upcoming reconstruction of Rte. 219, informing the Board that the street lights will have new poles, Flashing lights. Project is to start in Spring of 2021. Preliminary work will most likely start before Spring. The Board questioned whose expense this would be. Lance stated it is on the State side. Discussion of roads -will be working on the South lane's concrete-will be chopped up, new road.

Correspondence:

The Town of Carrollton Board of Fire Commissioners held their Annual Fire Elections on 12/8/2020. The Elections were held to name one five-year commissioner for a term starting 01/01/21-12/31/2025.

Todd Yonker was elected with 14 votes.

WWTP Disinfectant Project: The Board requested Supervisor Rinfrette hold off paying C.P. Ward until the concrete in question is cleared up. The material cost and restoration fees are in question.

Supervisor Rinfrette said he would make a phone call to the Engineers to find out more information for the Board. He requested Lance Jobe, CEO to meet the next morning to make a phone call.

Old Business:

Union negotiations are still continuing. Town Attorney Eric Firkel said he has been in contact with Jeff from Union and he needs to set up meeting with Board Members that are negotiating. The Board appointed Councilman Dan Newbury to replace Councilman James Rounsville due to availability during the working hours. Councilman Jay Little stated he is available whenever the time is set up.

Executive Session:

Motion made by Councilman Little, seconded by Councilman Rounsville to enter Executive Session for Union Negotiations. All voting yes, Motion carried.

Motion made by Councilman Bottone, seconded by Councilman Rounsville to exit Executive Session. All voting yes, Motion carried.

Motion made by Councilman Little, seconded by Councilman Newbury to adjourn meeting at 7:00PM. All voting yes, Motion carried.

Respectfully submitted,

Julie Carlson, Town Clerk

