

Town of Carroll
Town Board Minutes
January Organizational and Regular Meeting 6:30pm
Wednesday January 12, 2022

The January Monthly Meeting of the Town of Carroll, along with the 2022 Organizational Town Meeting was held on the 12th day of January 2022 at 6:30 p.m., at the Town of Carroll Municipal Building, 5 West Main Street, Frewsburg, New York, with the following board members present:

Councilman/Deputy Supervisor Kenneth Dahlgren
Councilman Dalton Anthony
Councilman Thomas Fenton
Councilman John Barber

Attending via Zoom: Supervisor Russell Payne

Others in attendance were: Water Supervisor Daniel Sisson, Highway Deputy Superintendent Michael Walker, Police Chief William Nelson, Assessor's Office Representative Laurie Sorg and Town Clerk Susan Rowley. There were no residents in attendance due to the Town Hall because of a closer to the Town Hall due to COVID 19.

This meeting was placed on Facebook Live for any residents wanting to view the meeting.

At 6:35pm Deputy Supervisor Kenneth Dahlgren called the January 2022 Organizational and Regular Monthly meeting to order and led everyone in the Pledge of Allegiance to the Flag.

Public statements, announcements and questions:

Deputy Supervisor Dahlgren read a letter from the IBEW Union regarding the Water and Highway Employees. **Attachment 1**

Deputy Kenneth Dahlgren requested a motion to recognize and approve the voluntary recognition of the IBEW Local 106 Union for the Town Water and Highway Department employees as per the letter that he read.

A motion was made by Councilman Dalton Anthony and seconded by Councilman John Barber. All in Favor, Carried.

Deputy Supervisor Dahlgren read a letter that was sent from Baghat Laurito & Baghat concerning newly updated ARPA regulations. **Attachment 2**

Deputy Supervisor Dahlgren read a letter of Engagement addressed to the Town Supervisor of the Town of Carroll from Attorney Michael Panebianco of Lewis & Lewis Law Firm, specifying the legal services that his firm would be providing to the Town of Carroll in light of the fact we as a Township will no longer be utilizing the legal services of Webb, Scolton & Hajdu as our Town Attorney's. **Attachment 3**

Deputy Supervisor Dahlgren requested a motion to accept the services of Michael Panebianco of Lewis & Lewis Law Firm as the Town of Carroll Attorney moving forward. A motion was made by Councilman Fenton and seconded by Councilman John Barber. All in Favor, Carried.

Deputy Supervisor Dahlgren welcomed Public Comments stating that if you wish to have an interactive conversation with the Town Board and or the Supervisor, please contact the Supervisor or the Town Clerk at least one week prior to the town meeting, and provide an outline of the matter you wish to discuss in order to be placed on the agenda, also please sign the public comment sheet provided when signing into the meeting, if you wish to address the board.

Public Comments: Deputy Supervisor Dahlgren opened comments from the floor, requesting that anyone wishing to speak please stand, state their name and keep comments brief, 3 minutes or less, as a courtesy to the business nature of the meeting and other time constraints.

There were no comments.

Deputy Supervisor Dahlgren requested a motion to accept the December 2021 Regular and end of the year meeting minutes. A motion was made by Councilman John Barber, and seconded by Councilman Thomas Fenton. All in Favor, Carried.

Deputy Supervisor Dahlgren requested a motion to pay the January 2022 Town of Carroll Monthly Bills. A motion was made by Councilman Dalton Anthony and seconded by Councilman Thomas Fenton. All in Favor, Carried.

Deputy Supervisor Dahlgren also requested a motion to accept the Town of Carroll Budget Transfers that were received from Baghat-Laurito and Baghat for the month of December 2021. A motion was made by Councilman Thomas Fenton and seconded by Councilman John Barber. All in Favor, Carried.

Bills approved for January 2022:

General Fund	\$ 11,322.81	Vouchers 1-17
Water Fund	\$ 3,865.78	Vouchers 1-11
Highway	\$ 20,391.32	Vouchers 1-19
Trust & Agency	\$ 15,530.20	Vouchers 1-3

**2022 Organizational Agenda
January 12, 2022**

Town Attorney — Michael Panebianco — Lewis & Lewis Law Firm (**Attorney of Record**)

Records Management Officer — Susan Rowley

Freedom of Information Officer — Susan Rowley

Town Supervisor	\$6,400.00
Town Bookkeeper (BLB)	Contractual
Councilmen (4) @ \$1,600	\$6,400.00
Justices (2) @ \$7,000	\$14,000.00
Court Clerk	\$9,450.00
Highway Superintendent	\$66,409.00
Water Supervisor	\$69,900.00
Police Chief	\$31,212.00
Fire Inspector	\$3,001.00
Animal Control Officer	\$4,584.00
Town Clerk	\$39,000.00

Reg. of Vital Statistics	\$500.00
Records Management Officer	\$1,600.00
Code Enforcement Officer	\$9,239.00
Highway MEO/ Deputy Supr.	\$25.23per hr.
Highway MEO's	\$24.58per hr.
*MEO's starting after 12/1/2013 fall into a 5-year step program	
Year 1 \$15.00 Year 2 \$17.00, Year 3 \$19.00, Year 4 \$20.00, Year 5 full rate	
Laborer Rate	\$14.00 up to \$17.00 per hr.

Part-time employees

Youth Director	\$7,800.00 per year
Life Guards	\$13.20 per hr.
Cleaners/Custodial Staff	\$13.20 per hr.
Court Assistant	\$13.20 per hr.
Assistant Animal Control Officer	\$13.20 per hr.
Deputy Town Clerk	\$13,260.00 per year
Highway Department Clerk	\$ 5,000.00 per year
Water Department Clerk	\$ 6,100.00 per year
Code Enforcement Clerk	\$ 4,014.00 per year

Police Officers:

Part-time Police Officer, Troy Kennelly	\$20.00 per hr.
Part-time Police Officer, Garrett Jackson	\$20.00 per hr.
Part-time Police Officer, Michael Anderson	\$20.00 per hr.

Officers will be paid by-weekly. There shall be no reimbursement for days lost for jury duty without prior approval from the Town Board. When the police officers are required for Grand Jury cases or other duty, they will be reimbursed at the payroll rate per hour and not more than an 8-hour day.

Animal Control Officer, Nick Cusimano shall file a monthly report with the Town Board and be paid a mileage rate of **\$58.5** cents per mile for the use of his vehicle on Town business.

Salaries of the Town Council will be paid quarterly and Supervisor will be paid on a monthly basis unless otherwise specified.

A Motion to accept the following Designations was made by Councilman Fenton and seconded by Councilman Anthony. All in Favor, Carried.

1. Bank Depository —M & T Bank — Foote Avenue, Jamestown Branch or the Falconer Branch
2. Official Newspaper — Jamestown Post Journal

Motion made by to accept the following Authorizations was made by Councilman John Barber and seconded by Councilman Dalton Anthony. All in Favor, Carried.

1. Official Bank Signatories — Russell Payne, Kenneth Dahlgren
2. Certifier of Payrolls — Susan Rowley
3. Authorization for the Town Supervisor to:
 - a. approve attendance at conferences, conventions, training seminars, workshops, etc. for members of town staff when funds are budgeted.
 - b. approve budget transfers as per Bahgat, Laurito and Bahgat CPAs
 - c. to accept resignations on behalf of the Town Board.
4. Authorization to establish a Town Clerk petty cash account in the amount of \$50.00 to be overseen by Susan Rowley.
5. Effective January 13, 2020, Judge Robert Gray of the Town of Carroll Justice Court appointed Town Clerk Susan Rowley to act as Deputy Court Clerk which would effectively allow her to collect fees and/or fines for the Town of Carroll Court, and help with other Court related matters as designated by the Town of Carroll Justice Court, with an annual budgeted stipend of \$1500.00.

A Motion to accept the following items was made by Councilman John Barber and seconded by Councilman Fenton. All in Favor, Carried.

1. Holidays with pay for **FULL TIME** employees will be as follows: New Year's Day, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day, the Friday after Thanksgiving, Christmas Eve Day, and Christmas Day. Overtime will be paid after a 40-hour week.
2. The Bookkeeper (BLB) is to be properly notified when sick leave is taken.
3. The Town Clerk's office will be closed in addition to the current holidays, Martin Luther King Jr. Day, Election Day and the PM of any primary and registration days.

The Town Clerk's Office Hours:

Monday - 9:00 AM to 6:00 PM

Tuesday, Thursday, Friday - 9:00 AM to 4:30 PM

Closed daily for lunch hour Noon-1:00PM

Wednesday- **Closed**

Spring/Summer (May through Sept) hours are the same except- Friday 9-NOON.

The 4th Saturday of the month, 9:00 AM - NOON

5. Vacation time:

1 through 5 years	5 days
6 through 10 years	10 days
11 through 15 years	15 days
16 through 20 years	20 days
21 and over	25 days
6. Highway Superintendent to be authorized to obtain bids on oil, bituminous etc. and to spend no more than \$1500.00 for small tools in 2022.
7. Supervisor Payne will act as the Town of Carroll Chief Financial officer and funds shall be invested in CD's or Treasury bills or any savings account at the discretion of the Supervisor. The

Supervisor will be authorized to sign any written agreement with the bank wherein they pledge securities etc.

8. The Supervisor shall be authorized to pay all bills in connection with labor when presented for recreation programs, senior citizens, water district, highway, custodian, deputy clerks and all utility and insurance bills.
9. Authorization to establish the mileage rate at the current IRS rates \$58.5 cents per mile.
10. Establishment of fee for photocopying under Freedom of Information: the charge for Photocopying under Freedom of Information is established at \$.25 per photocopy (sheet size up to 9 x 14 inches).

The 2022 Ethics Board, per Chairman Tim Burkett, has evaluated, and will be advising the Town Board, as to their recommended changes for the implementation of an updated Town of Carroll Code of Ethics.

Standing Committees are as follows:

Highway, Streets, Sidewalks, Lighting, Landfill: **Mike Walker-Chair**, Russ Payne, Thomas Fenton, Attorney Michael Panebianco

Election: Town Board

Insurance: **Ken Dahlgren-Chair**, Russ Payne, Susan Rowley

Public Safety/Civil Defense & Welfare: **Chief Bill Nelson-Chair**, Tom Fenton, Dan Sisson,

Water, Russ Payne, Dan Sisson, Brad Long, Tim Eklund, Dalton Anthony

Town Hall & Buildings: **John Barber**, Mike Walker, Russell Payne, Dan Sisson

Employee Committee — Labor Management: **Russell Payne-Chair**, Mike Walker, Dan Sisson, Chief Bill Nelson, Susan Rowley

Records Management: **Ken Dahlgren-Chair**, Russell Payne, Susan Rowley

Parks/ Recreation Committee: **Patty Ekstrom-Chair** Kim Dilts, Mike Walker, Russ Payne, Dalton Anthony

Grants Committee: **Russell Payne-Chair**, Janet Black, Ken Dahlgren, Barb Cessna, Karen Davis, John Barber

Board of Ethics: **Tim Burkett-Chair**, Mel McGinnis, Ron Lemon, Brian Gustafson, Rachel Roushey

Comprehensive Planning Committee: **Ken Dahlgren-Chair**, Trudy Bloomquist, Polly Hansen, Randy Sitler, Jason Bussman

Busines District Planning Committee: Tracy Magnuson, Dan Terhune, Chuck Weber, Pat Fuller, **Ken Dahlgren-Chair**

Agriculture Committee: Jack Jones Ill, Ben Gauger

Economic Development/Tourism: To Be Determined

Community Engagement Committee: Russ Payne, Karen Davis, Ken Dahlgren, Sherry Jacobson, Susan Rowley, Polly Hansen, Kelly Norrod, Judy DiGregorio

A Motion to accept the aforementioned Committee Appointments was made by Councilman Fenton and seconded Councilman Barber. All in Favor, Carried.

All Town of Carroll Regular Monthly Meeting times will begin at 6:30PM, with the Town Board Members meeting at 6:00PM to look over monthly Town bills.

January 12, 2022- **(Organizational Meeting)**

January 12, 2022- **(Regular Meeting)**

February 9, 2022

March 9, 2022
April 13, 2022
May 11, 2022
June 8, 2022
July 13, 2022
August 10, 2021
September 14, 2022
October 12, 2022
November 9, 2022
December 14, 2022
December 29, 2022 **(Final Meeting)**

A Motion was made to accept the following 2022 Board Meeting Dates by Councilman Barber and seconded by Councilman Anthony. All in Favor, Carried.

A Motion to accept entire organizational agenda as presented and was made by Councilman Anthony and seconded by Councilman Barber. All in Favor, Carried.

Deputy Supervisor Kenneth Dahlgren stated that the regular January monthly meeting will resume with the following:

Town Issues: None to Report

New Business: None to Report

Old Business: None to Report

Personnel Issues: Police Chief Nelson has received a letter of resignation from Police Officer Garrett Jackson effective December 31, 2021.

Contracts and Agreements: None to Report

Departments and Officer's Reports:

Deputy Supervisor Dahlgren stated that the Monthly Supervisor's Financial report from BLB, and the Monthly Town Clerk's report have both been submitted to the Board.

Police Chief, William Nelson:

Police Chief Nelson stated that he had little to report other than his Monthly Report, which is attached. **Attachment 4**

Police Chief Nelson wished to thank Officer Jackson for his years of service to the Town of Carroll Police Department, stating that he did a wonderful job and it was nice having a resident to be an officer with the town. He thanked him for all of the years he was in service when Police Chief Nelson came on to his position. Police Chief Nelson stated that he is looking to hire a new police officer very soon, he has been interviewing applicants.

Police Chief Nelson also inquired about the budget transfer to the Police Department to be earmarked for a new Police vehicle. He just wanted the board to be aware of the monies that should have been transferred. This amount has been budgeted in the past, and stopped a few years ago, and reinstated in the past two years. Clerk Rowley reminded Deputy Supervisor Dahlgren of the letter that was received from Laura at Baghat-Laurito and

Baghat, stating that the board needed to do a resolution from the board. The board decided to have Supervisor Payne verify with BLB and make a resolution at the February Board Meeting.

Deputy Highway Superintendent Michael Walker:

Deputy Supervisor Walker stated that he has submitted a copy of his request to spend town funds, and it needs to be reviewed and a resolution passed to allow him to spend town funds on Highway Department needs, including blacktop, nova chip, stone, oil, ect. Prices are going up and fluctuating so his estimates are a little higher than previous years. Highway Superintendent Walker has budgeted the town roads and highways that need to be resurfaced this upcoming year, and he shared the list with the board.

Councilman Thomas Fenton made a motion to accept the Highway Supervisor's request to spend town funds for Highway use. Councilman John Barber seconded the motion. All in Favor, Carried.

Highway Supervisor Walker requested board approval to purchase a new excavator. He gave figures to the board and a discussion regarding how purchasing a new excavator and trading in the town's current excavator. Deputy Supervisor stated that in years past the town was on a revolving cycle of trading in equipment to be sure that the town always had good working equipment and not all equipment will be aging at the same time. He stated that this is the most cost-efficient way to keep up with the town equipment, and this practice was stopped a few years ago, and we need to start the revolving cycle. Highway Supervisor Walker is looking for a five-year agreement to pay for this excavator, and consider ARPA funding to assist with this purchase when that funding is being considered.

Deputy Supervisor Dahlgren requested a motion to allow the Highway Department to purchase a new excavator for the town, using the trade in value of the current town owned excavator to off set the final price. A motion was made by Councilman John Barber made a motion to authorize the purchase of the excavator. Councilman Anthony seconded the motion. All in Favor, Carried.

Water Department Supervisor Dan Sisson:

Supervisor Sisson stated that the department has been doing general maintenance at the pump houses. They are having issues with a sensor for a

water tank, and he has one on an overnight shipment so they can get it replaced. They are having issues at the Highway and Water Department with the doors as they are 20 years old and aging. They have a \$11,289.95 quote from Jackson Locksmithing, which will be split between the Water and Highway Departments.

Deputy Supervisor Kenneth Dahlgren made a motion to authorize the Highway and Water Departments to contract Jackson Locksmithing to replace the hardware on the department doors with keys that will allow various access to employees and department heads, with the departments sharing the cost of the new hardware. Councilman John Barber seconded the motion. All in Favor, Carried.

Water Supervisor stated that 117 Water Street is going to be closing soon and then when the weather cooperates, they will begin demolition of that building.

Animal Control Officer Nicholas Cusimano:

Animal Control Officer Cusimano was absent, but submitted December's Animal Control Monthly Report.

Attachment 5

Code Enforcement Officer Alan Gustafson:

Code Enforcement Officer Gustafson was absent, and has submitted December's Code Enforcement Monthly Reports to the board. The board discussed the former Ethan Alan building and will be looking into ways to redevelop that property, working with the Code Enforcement Officers along with the owner.

Attachment 6

Assessor's Office:

Town of Carroll Assessor's Office representative, Laurie Sorg submitted the Assessor's report. She stated that the tax bills have gone out, and there is a 2-month lag before new information reaches the local districts, so some tax bills may not have the correct name or addresses on them. She is working with Code Enforcement officers concerning permits and finding residents that did not apply for a permit before building or adding things that need to be

permitted. Ms. Sorg also mentioned the aging exemption concerning residents who are low income and get an exemption on their property taxes. She stated that you normally have to renew that exemption every year to verify your income, this year the Governor has stated that it needs to be a local resolution by each municipality to decide if this exemption will automatically renew. Last this year it was an executive order that residents receiving the exemption were not required to renew due to COVID regulations. If you have not received it before you need to call the assessor's office before March 1st to qualify. Deputy Supervisor Dahlgren requested a board resolution to forgo the 467 and 459C exemptions renewals for 2022, so they would automatically renew for this year. Councilman John Barber made the motion and it was seconded by Councilman Dalton Anthony. All in Favor, Carried.

Attachment 7

County Legislator District 16 John Davis: Absent

Town Council Reports:

Councilman Ken Dahlgren:

He is going away, but will be available, but please keep in mind that he will be in a time zone with a 12-hour difference. He stated that he will be back before the February meeting, and is available to meet via zoom if needed.

Councilman Dalton Anthony:

He wanted to thank the town for the opportunity to serve the town as a councilmember and he is looking forward to serving over the next 4 years. He stated that if you would like to contact him, you will be able to find his information on the town website, and please feel free to contact him with any concerns you may have.

Councilman John Barber:

Councilman Barber stated that he is also grateful to serve the town. He and Councilman Anthony attended a new officer meeting virtually together and

they gathered a lot of information regarding serving on the town board. He looks forward to serving for the next 4 years.

Councilman Thomas Fenton:

Councilman Fenton stated that he is working with an individual regarding purchasing the seven acres of property along Falconer-Frewsburg Road, along the Conewango. He hopes to have more information at the next board meeting.

Supervisor Payne:

Deputy Supervisor Dahlgren read the following statement from Supervisor Payne:

I would like to take this opportunity to thank Tim Burkett for his impeccable service to the Town of Carroll as a Town Councilman over the last two years and wish him much success in his future endeavors.

I would like to congratulate Councilman Dalton Anthony for running a very successful campaign and for his election to the Town of Carroll Town Board and for being perhaps the youngest Councilman to ever be elected to that position in the Town of Carroll.

Supervisor Payne also added that he wanted to publicly thank Officer Jackson for his years of service on the Town Police Department, stating that he was a fine officer and will be hard to replace.

He also stated that he wanted to thank Dalton and John for serving on the town board and he looks forward to working with them.

Supervisor Payne also wanted to announce that there is a new business in town, he would like to welcome Nicole's Cakes on Ivory Road, which is going to be a great addition to the town. He added that even though he cannot currently reveal the details, he stated that someone has purchased the town transfer station and he will be making that announcement as soon as his is at liberty to discuss it. He closed with stating..." GO BILLS"

Deputy Supervisor Dahlgren requested a motion to adjourn the January Organizational and Regular January Town of Carroll meeting at 7:50pm. A motion to adjourn the meeting was made by Councilman Anthony and seconded by Councilman Barber. All in favor, Carried.

The next Town of Carroll monthly meeting will be held on February 9, 2022 at 6:30pm at the Town of Carroll Municipal Building, 5 West Main Street, Frewsburg, NY.

Respectfully Submitted,

Susan Rowley
Town of Carroll Clerk