

Town of Carroll
Town Board Minutes
November Regular Meeting 6:30pm
Wednesday, November 11, 2020

The November Monthly Meeting of the Town of Carroll was held on the 11th day of November 2020 at 6:30 p.m., at the Fireman's Blue Building, Station 2, 25 Hazzard Street, Frewsburg, New York, with the following board members present:

Supervisor Russell Payne
Councilwoman Patty Ekstrom
Councilman Thomas Fenton
Councilman Thomas Allison
Councilman Kenneth Dahlgren

Others in attendance were: Water Supervisor Daniel Sisson, Highway Superintendent, James Mitchener, Police Chief William Nelson, Code Enforcement Officer Alan Gustafson, District 16th Legislator John Davis, Carroll Policeman Troy Kennelley, Animal Control Officer, Nick Cusimano, and Town Clerk Susan Rowley. Residents in attendance were Debbie Nelson, Harold Bennett, Cory Lauffenburger, Tim Burkett, Ed Nazario, Kathy Cusimano, Hunter Cusimano, Michael Walker, Nicholas Niles, Tracy Magnuson, Kaleb McBride, Maddie Voty, Devin Wolfe, Mark Nelson, Tammy Nelson, John Munson, Lorri Munson, Sydney Smith, Jonathan Cooper, Jr., John Cooper, Chris Loctzenhis.

As COCID-19 restrictions were being followed, and this meeting was open to public attendance. Everyone signed in, temperatures were taken and documented, and every person in attendance had to fill out a COVID questionnaire before being allowed past the sign in table. Town of Carroll Police Department handled all COVID restrictions. This meeting was put on Face Book Live for any other residents wanting to view the meeting.

At 6:30pm Supervisor Russell Payne called the November 2020 meeting to order and led before he led everyone in the Pledge of Allegiance to the Flag, he recognized all Veterans for Veterans Day.

Public statements, announcements, and questions:

Supervisor Payne began the meeting by introducing Mr. Ed Nazario, the Frewsburg Volunteer Fire Department, who is the Chairman of the Fireman's Finance Committee. Mr. Nazario addressed the meeting with the financial concerns of the department, they plan to reenact more with the town and attend town meetings. The Fire Department has a slight budget increase this year, due to a 25-year-old Fire truck that is aging out and needs to be replaced in the upcoming year. He asked the residents to keep watching the Fireman's Facebook page for more information.

Supervisor Payne requested a motion to accept the October meeting minutes. Motion was made by Councilwoman Patty Ekstrom, with a second by Councilman Thomas Allison. All in favor, Carried.

Supervisor Payne requested a motion be made for authorization to pay the November Monthly Bills. Motion was made by Councilwoman Patty Ekstrom, with a second by Councilman Thomas Allison. All in favor, Carried.

Bills approved for November 2020:

General Fund	\$17,16.02	Vouchers 384-424
Water Fund	\$18,141.11	Vouchers 173-194
Highway Fund	\$20,835.44	Vouchers 181-199
Trust & Agency	\$13,314.36	Vouchers 24-26

Town Issues:

Supervisor Payne requested authorization to accept Budget Transfers for October of 2020 for BLB. Supervisor Payne requested a motion be made to accept the budget transfer. A motion was made by Councilwoman Patty Ekstrom and Second by Councilman Kenneth Dahlgren. All in favor, Carried.

Supervisor requested a motion to close the regular monthly meeting in order to begin the first of two public hearings. The first being for the purpose of voting on adopting a town law to override the tax cap for the 2021 Tax year. A motion was made by Councilman Thomas Allison, seconded by Councilwoman Patty Ekstrom. All in favor, Carried.

Supervisor Payne introduced the New Town Law by reading it in its entirety out loud.

Attachment 1

Supervisor Payne requested a motion to accept the local law as written. Councilman Dahlgren questioned the 2021 tax cap rate. Supervisor Payne explained that it is 1.56%. Councilman Kenneth Dahlgren made a motion to override the 2021 Tax Cap, seconded by Councilwoman Patty Ekstrom.

Roll call Vote:

Councilwoman Ekstrom: Aye

Councilman Dahlgren: Aye

Councilman Allison: Aye

Councilman Fenton: Aye

Supervisor Payne: Aye

All in Favor, Carried.

Supervisor Payne called the second public hearing to order for the purpose of discussion and adoption of the Town Budget for Fiscal Year 2021. The Town Board members have been provided with copies of the 2021 Preliminary Town Budget, and a copy of the Preliminary Budget has been available for resident review at the Town Clerk's office. All persons wishing to address the town board will be allowed 5 minutes to speak. Those in favor of the adoption of the budget will speak first, those opposed to the adoption of the budget will follow. Salary increases for the Town of Carroll Officers have appeared in the newspaper, along with the appropriate legal notice pursuant to the laws of New York State. Supervisor Payne stated that he is seeking a motion to adopt the Town of Carroll Preliminary Budget as prepared and submitted by our Bookkeepers, Bahgat & Laurito-Bahgat, and subsequently reviewed by the Town of Carroll Board.

Supervisor Payne offered comments from the floor.

Legislator John Davis stood and stated that he would like to speak in opposition to the proposed budget. He stated that he had sent letters to the Board expressing concerns that he has about the proposed .26 per thousand tax increase. He stated that we are obviously in unusual times right now with COVID crisis happening and many people have lost jobs, or lost their income or raises for this year and the upcoming year. Businesses have lost income as well, and he feels it is really prudent for the town board to spend as much time

as they can, as much as he appreciates the work that the board has done, but is asking the board to continue to look at ways to decrease the budget where they can for the citizens of the town. We currently have had a water rate increase that just went into effect, he feels it is very difficult for the residents. He is asking the board to relook at the budget before voting to approve this budget.

Supervisor Payne stated that part of the increase includes a new position to Code Enforcement to hire an additional person with the abundant work load on the Code Enforcement Officer. Code Enforcement has not been upgraded in many years and it is needed to catch up on the many issues the town is facing.

Supervisor Payne asked for any other questions or concerns for the board regarding the budget?

Councilwoman Ekstrom stated that she is in agreement with Legislator Davis, she has talked to Supervisor Payne about this previously, thinking that the board should schedule another budget meeting to try to adjust the budget to try to adjust it to be less taxing on the town. She realizes that we are under a time constraint, so we would have to move quickly to reschedule another meeting and public hearing. Councilwoman Ekstrom made a motion to table the vote to adopt the 2021 Town Budget until the board can look closer to reduce the increase. Councilman Dahlgren seconded the motion. Supervisor Payne called a roll call vote.

Councilwoman Ekstrom: Aye

Councilman Dahlgren: Aye

Supervisor Payne: Aye

Councilman Allison: Aye

Councilman Fenton: Aye

All in favor, Carried.

Supervisor Payne requested a motion to return to the Regular November Monthly Meeting. Motion was made by Councilman Kenneth Dahlgren, seconded by Councilwomen Patty Ekstrom. All in Favor, Carried.

For Town and County Tax purposes, the Town of Carroll is currently charging the sum of \$1.00 for a second notice mailing, and due to this causing, an issue with residents, Supervisor Payne is requesting a motion to rescind this fee. He

requested a motion to rescind the \$1.00 second notice charge. A motion was made by Councilman Kenneth Dahlgren, seconded by Councilwoman Patty Ekstrom. All in favor, Carried.

Supervisor Payne made a motion to go into Executive Session to discuss an internal personal matter. A motion was made by Councilman Kenneth Dahlgren, seconded by Councilman Thomas Fenton. All in favor, Carried.

Executive Session began at 6:46 and ended at 6:57, with no action taken.

Supervisor Payne requested a motion to return to the Regular November Monthly Meeting. Motion was made by Councilman Thomas Fenton, seconded by Councilwomen Patty Ekstrom. All in Favor, Carried.

New Business: None to report

Old Business: None to report

Personnel Issues:

Supervisor read a letter of resignation from the Town of Carroll's Swimming Instructor, Allison Russell.

Attachment 2

Departments and Officer's Reports:

Supervisor Payne stated that the Monthly Supervisor's Financial report from BLB, and the Monthly clerk's report have been submitted to the Board.

Police Chief, William Nelson:

Chief Nelson submitted a copy of his report to the board.

Attachment 3

He stated that activity in the town for October was relatively quiet, Halloween was quiet, it was nice to see that children were out, wearing masks and social distancing, but still able to enjoy the Halloween activities available to them. He stated that there were no problems this year or in the previous year with Halloween, and he appreciates that.

Chief Nelson stated that the State did paint the pavement markings on the curb across from the Town Hall, the "NO PARKING" pavement markings are now complete in the Town. He states it has helped immensely with parking violations within the Town.

He stated that the Town from time to time does receive COVID violation complaints within the town. Complaints of violations get sent into the State, the State sends them to the County Sheriff, the Sheriff sends them to the local Town Officials, which is Chief Nelson. He stated that the town has not received any complaints in the month of October, which is great. He thinks that people are adhering to the State's COVID Compliance orders, which is helping the Town.

He wanted to remind residents because the Holiday time is nearing and people are using more Fedex and UPS so much more. An incident happened in town where a resident was home when they received a delivery, the resident happened to be outside, but not obvious. As the package was delivered, a car drove by and stopped, someone got out of the car and began walking towards the house, and the resident came into view, the person saw the resident and turned around and got back into their vehicle and left. He wants to remind residents if they are expecting packages, to remove them from your porch or have a neighbor who may be home collect them for you. You usually get notification of delivery, so you know when your package has been delivered, and remove it from view as soon as possible.

Councilwoman Patty Ekstrom asked Chief Nelson is he has noticed traffic on Frew Run and Bunce Road slowing down with the speed trailer? Chief Nelson stated that the speed trailer was set up on Bunce Road for about a week, and it is currently on Frew Run. This speed trailer is available for town use from the Safety Village and he feels it really has helped to make motorist more aware of their speed.

Supervisor Payne thanked Chief Nelson for taking the initiative to borrowing the speed trailer and has had many residents who live on those roads very happy that it was there.

Chief Nelson was also asked if there was anymore information on the break ins in town. Chief stated that there has only been one time that local cars have been broken into. He stated that he was able to gather some security video,

but it was very difficult to prove anything as the video was not so he could prove anything. He wanted to remind residents to lock their cars at night, and not to leave any valuables on a seat in in clear sight.

Highway Superintendent James Mitchener:

Superintendent Mitchener stated that this past month the Highway Department has been filled with preparing for winter weather. They have completed removal and grinding up of brush and leaves from summer and early fall, much time spent with Ellicott and Falconer assisting. Plow trucks have winter tires on and the plows and wings are on, along with the sand and salt spreaders installed. With the opportunity of good weather, they have been completing brush cutting, and they have done some shoulder work. The rest of the material for the old highway garage will be delivered soon, and hopefully they can get that installed before winter hits.

Water Department Supervisor Dan Sisson:

Water Supervisor Sisson stated that the Water Department is also preparing for Winter, with getting hydrant's drained and placing markers on them so they can be seen during the winter months. He wanted to remind residents to please assist the department by shoveling out the hydrants near their homes if they get buried in snow to assist the Fire Department if there is a fire. He is requesting that if you plow your driveway, or have someone plow for you, please plow away from the hydrants so they are not buried, for the safety of the town.

He addressed the fact that there was an increase in the water bills this month, he added that in 2018 there was a meeting, they sat down with the Supervisor and the Water Board, and discussed the improvements that are much needed in the Frewsburg Water District. There are two tanks that need to be replaced, the tank on Water Street was installed in 1948. It needs to be painted or replaced, and it cost over \$400,000 to paint them, so it makes more sense to replace the tank as the costs for maintaining a new tank will be less. The department plans to make that tank a little bigger to make it more beneficial to the town. The tank on Wigren Road has the same issues, and they plan on making that tank a little smaller. The town will have about 1 Million gallons standing with both tanks. The department and the committee looked at all the costs, and looked at the town's priorities. Pipes on Water

Street will also need replacing with the same size pipe, as at this time the pipe is different sizes. Currently there are issues with water pressure in the town, the County requires there to be at least 20 pounds of pressure all the time. Replacing the pipes will improve the flow of water and the pressure that is required. In the next year, they are hoping to begin replacing tanks, with an overall cost of \$3Million. He states that this is the reason water rates are increasing. The new tanks are glasses lined and will not need to be painted, just cleaned which will cost much less to maintain.

Supervisor Sisson also stated that the Department is looking into applying for a grant to assist the town with these expenses, if not they will have to apply for a low interest loan. In past years, the town has been very fortunate to receive over \$2Million dollars in grants in previous years to improve water infrastructure, with the average income in the town, the town does not qualify for a lower interest grant.

Supervisor Sisson stated that in 2018 the town voted on a three-year step of increases on water rates, in May of 2019 they were raised, and this year because of COVID, the town board voted to delay the increase until this past billing cycle. The water rates were raised beginning August 1, and he stated there will be another increase on August 1, 2021. Those funds will be going to upgrade the water tanks so they will be available for water to the town for the future.

He stated if someone does have an issue with their water bill to please call him. He will be happy to talk to you to figure out why your bill is what it is. He wanted to remind everyone that your bill is quarterly, so the bill is for three months of water use. The department is working to keep the water rates as low as possible, but as the system gets older, it is going to drive the cost higher, and they are trying to keep the infrastructure up to date.

Councilman Dahlgren reminded Supervisor Sisson to mention that when the town was applying for grants, the town water rates were not high enough to receive grants from the State or Federal Government, the governments want to see that the towns are trying to help themselves by supporting their water district by charging enough for water usage to help the system run properly.

Supervisor Sisson also stated that the water project is so big, that the town will be doing it in two different phases, a year or two apart, as both tanks are

in dire need of maintenance and the county keeps testing the tanks and stating the work needs to be done.

Animal Control Officer Nicholas Cusimano:

Officer Cusimano submitted September and October reports.

Attachment 4

He stated that in September he assisted with the town's rat issue and set traps in different areas. He has been busy assisting many stray dogs to find their homes. He states that having your dog licensed in the Town is very important because it assist him in returning lost dogs. He has a list of all the resident dog owners in the town, including the dog's license numbers. He only has to look up the number and call the resident to return the dog. It makes it so much better for the dog and the owner. If the dog is not licensed, he is required to take it to the pound, which is an expense for the town and the owners.

Officer Cusimano is going to try to plan a rabies clinic in the Spring, if COVID restrictions will allow it to happen. He will keep the town informed on when that might be able to happen.

Lisa Volpe -Assessor's Office:

Ms. Volpe submitted the Assessor's November Report to the board, Supervisor Payne read out loud, it has been added as an attachment.

Attachment 5

Code Enforcement Officer Alan Gustafson:

Officer Gustafson stated that he will submit a written report next month. He stated that he issued 8 permits last month, and the Planning Board meet and a couple of Special Use Permits were issued. He has another meeting scheduled in a couple of weeks to approve more.

Officer Gustafson stated that he has been with the town since 2006 and there hasn't been any meaningful increase of recognition of Code Enforcement since he started, and Code Enforcement is very important to the town. He stated that there are only so many hours that he is paid for, and there is more work to do all the time. He is very happy that the town is acknowledging the fact

that more money needs to be put towards Code Enforcement to get the extra help that is needed. He submitted a report to Supervisor Payne earlier this year, it was a brief survey including other municipalities similar to Carroll and looked into what those municipalities were paying for Code Enforcement activity and then he divided it by the population of the town. He stated that at that time Carroll was second or third from the bottom as to what they pay for Code Enforcement. He appreciates that the board realizes that this needs to happen to improve Code Enforcement in the town. He feels now that the town is at an average now with other municipalities in the area.

Last year Code Enforcement was able to budget for some computer software that helps them manage their work load much better. Standardized notice of violations and things like that will be much easier when using this software. He will have a tablet that will coupled with the software, while out in the field doing inspections, if something is noticed, they can enter a violation then and take a picture of it that will upload to the system and will make it so much more efficient. Hopefully with the added hours and the new software, they will be able to be more noticeably efficient in the future.

He is still working on many ongoing violations and new violations. At the last Planning board meeting there was a special use permit issued for a private camp on Anderson Road, many people heard about it and thought there was a campground being put in, which is not that case. It is for 5 or 6 small family campers for personal use. He wanted to stop any rumors as he has had many calls from concerned residents.

County Legislator John Davis questioned Officer Gustafson as to what the process is when a Code violation is issued. Officer Gustafson stated that generally complaints are handled in two ways, if someone files a complaint, he will check it out, and depending on the situation and the violation it could mean a knock on the door, and hopefully speaking with the resident will take care of it. He tried to work with people as much as he can, rather than throwing a violation at them, however, if no cooperation is taken the resident receives a written notice and they would have a certain time frame to correct the violation. If they still do not comply, there would be a court order given.

County Legislator of the 16th District, John Davis:

Legislator Davis stated that he has two issues that he wants to address. One was the Democratic Election Commissioner, that process was brought to the legislature with a nomination, but because there was some concern that came with that process, it was kicked back to the Democratic Committee at the County level for them to revisit the nomination process.

The other item that received attention at the County meeting was a solar project that is being proposed in Ripley. There was quite a bit of opposition to that project. The legislature is listening to the constituents and hearing their concerns and taking all of that into consideration moving forward for that project.

Additionally, local issues that were brought to Legislator Davis was residents are requesting stripping on Oak Hill Road. He had two constituents contact him to ask if the Oak Hill Road section of the town roads could be stripped. They mentioned that when you get up higher on the hill with fog and snow, it's really difficult to see where you are on the road without lines. Legislator Davis talked to Highway Superintendent Mitchener concerning this issue.

Legislator Davis was also contacted by Supervisor Payne concerning the strobe light on Oak Hill and how it is affecting the Martz Observatory and providing interference when people are using the telescopes at the Observatory on clear nights. He spoke with Sheriff Quattrone about this issue, as it is operated through the Sheriff's Department. Sheriff Quattrone indicated that they will install a switch and that if individuals are wanting to view the skies, a phone number can be called and the strobe light can be temporarily be turned off during viewing hours.

Legislator Davis has been asked if the Town meetings can be notices and agendas on Facebook before a Town meeting.

Supervisor Payne thanked Legislator Davis for the work and the solution that he provided to the Observatory. Observatory President, Gary Nelson is very appreciative of what the county can do to help this problem. They appreciate Legislator Davis's hard work to make this happen.

Ken Dahlgren: No Report

Patty Ekstrom: Asked if a budget workshop could be scheduled for Wednesday, November 18 at 6:00pm. She also wanted to say Thank you to all of our Veterans and to our Fire Department. She stated how nice it is to hear everyone working together in the town for the betterment of the town. She stated that attending a board meeting is a pleasure at this time. She wanted to also thank everyone who attended, stating that it is good to see more of our community coming to each meeting, and she encourages more of our community to attend monthly meetings. She also wanted to thank Allison Russell for being our Aquatics Director and all the great things she was able to do. She stated that due to COVID, we are not sure when we will be able to offer a swimming program, so the town will most likely shelf looking for a replacement until we are sure we can get the program up and running again.

Tom Allison: No Report

Tom Fenton: No Report

Supervisor Payne: No Report

Supervisor Russell Payne requested a motion to adjourn the meeting at 7:42pm. Councilwoman Patty Ekstrom made the motion; Councilman Kenneth Dahlgren seconded the motion. All in favor. Carried.

Respectfully Submitted,

Susan Rowley
Town of Carroll Clerk