

**TOWN OF CHARLOTTE
COUNTY OF CHAUTAUQUA
STATE OF NEW YORK**



The Town Board, Town of Charlotte held a regular Board Meeting on Wednesday, March 11, 2020 at 7:00 p.m. in the David Vern Luce Community Building Allen Chase, Supervisor presiding. Board members present were: Darren Carlstrom, Harold North, Mark Jaquith, and Mark Abbey. Others present were: Mark LeBaron, Highway Superintendent, Jeff Crossley, Town Justice, Alan Gustafson, Code Enforcement Officer, Randy Buntjer, Bob Crier & Ken Megarry, Innogy, Sandy Sayyeau, GHD, Sherman Sweeney, Jen & John Conway, Earl & Joni Riggle, Patti & Marshall Greenstein, Emily Wakelee, and Susan L. Peacock, Town Clerk.

The meeting was called to order.

Prayer was offered by Mark Abbey followed by the Pledge of Allegiance.

Each board member had been given a copy of the minutes of the February 12th, 2020 board meeting. A motion was made by Mark Jaquith seconded by Darren Carlstrom and with none opposed it carried to accept the minutes as submitted.

A motion was made by Mark Abbey, seconded by Harold North and with none opposed it carried to draw warrants on the proper funds in payment of Highway Claims No. 32 to No. 51 in the amount of \$15,505.38 which have been duly audited and to draw warrants on the proper funds in payment of General Fund Claims No. 62 to No. 108 in the amount of \$77,139.92 which have been duly audited.

A motion was made by Harold North, seconded by Darren Carlstrom and with none opposed it carried to accept the February 2020 Financial Report prepared for the Town of Charlotte by Bahgat Laurito & Bahgat,

A motion was made by Darren Carlstrom, seconded by Mark Jaquith and with none opposed it carried to accept the Justice Audit that was completed January 14, 2020.

A motion was made by Darren Carlstrom, seconded by Mark Abbey and with none opposed it carried to allow Mark LeBaron, Highway Superintendent, to put the 2012 Freightliner up for auction at the Tietsworth Palmyra Live Auction on May 9th with a \$40,000 reserve.

A motion was made by Mark Abbey, seconded by Harold North and with none opposed it carried to set the Town of Charlotte Clean Up Day for Saturday, May 9th, 2020 from the hours of 8am – 4pm at the Town Highway Barns.

The following resolution was made by Harold North, seconded by Mark Jaquith and with none opposed it carried

RESOLVE, that the Town Board, Town of Charlotte hereby formally request that the NYS Budget's Energy Siting Amendment be withdrawn before the Budget is voted on. Additionally, we petition the State to respect our Home Rules rights, and to defend our authority to regulate renewable energy projects as the citizens of our community see fit.

WHEREAS: NYS is a Home Rule State, which basically means that any and all powers of the State emanate from the people, and,

WHEREAS: Per the NYS Constitution, Article IX, it is our statutory obligation to protect the health, safety and welfare of citizens of our community, and

WHEREAS: On February 21, 2020 Governor Cuomo proposed a Budget Amendment "to dramatically speed up the permitting and construction of renewable energy projects, and

WHEREAS: This amendment will effectively remove any meaningful input from citizens, towns, counties, local environmental groups, and community businesses regarding the siting and regulation of renewable energy projects, and

WHEREAS: All of these proposed changes are not only in conflict with our Home Rule rights but are also contrary to our obligation to protect the health, safety and welfare of our constituents.

A motion was made by Darren Carlstrom, seconded by Mark Jaquith and with none opposed it carried to put together a bid package for a new roof for the East side of the Highway Building and post an advertisement for bids on the project. This ad would run March 20th for 1 week, with bids due in the Town Clerk's Office by Wednesday, April 8th at 5:00pm, at which time they will be read aloud. ***This motion was not completed due to COVID-19 restrictions. Corrected at the April 8, 2020 meeting.**

A motion was made by Harold North, seconded by Mark Abbey and with none opposed it carried to amend the Cassadaga Wind Project Road Use Amendment to include: Current Lower Cleland Rd., as needed, Mill Creek Rd., as needed, All of East Rd., Hooker Rd., West of Hall Rd., a section of Andrews Rd., as needed and North Hill Rd. to County Rd. 77 with no addition to amount of the bond in place.

Discussion was heard on the following:

1. **JUSTICE REPORT:** 48 new cases, 39 closed in February. Serving a criminal summons' is becoming an issue. Justice Jeffrey Crossley attended a meeting with the Public Defender to approach the subject. It was determined that the notices should go out in First Class Mail. The DEC's yearly burn ban is March 16 – May 14, 2020. A Town Court Summary Report for 2020 was presented as follows:

		2020	
		NEW CHARGES	CLOSED CHARGES
JAN		33	35
FEB		48	39
MAR			
APR			
MAY			
JUNE			
JUL			
AUG			
SEPT			
OCT			
NOV			
DEC			
TOTAL OPENED CHARGES			TOTAL CLOSED CHARGES
		81	74
TOTAL CHARGES TO DATE FOR 2019			155
PETTY CASH FUND IS		\$250.00	
TRAINING COMPLETED		Upcoming:	Core A for Judges April 18, 2020 at 8AM in Salamanca
			Court Clerk Advanced Program April 25, 2020 at 8AM in Salamanca

2. **HIGHWAY REPORT:**

1. Posted weight limits on roads March 2nd.
2. Continuing plowing and sanding Town roads.

3. Continuing work on the new addition. New shelves and a new work bench have been installed. Painting and stocking shelves.

4. Removed transmission on County Haul truck, began repairs. The 3rd gear is out.

5. Hired Mike Rizzo as a Full Time employee March 9, 2020.

6. Placed 3 loads of millings at the intersection of Mill Creek Rd. & East Rd. to build up the road.

7. The computer and printer the Highway Superintendent is using is obsolete and not useable at this point. A new computer and printer will be needed.

3. **CLERK REPORT:** February scheduled hours were 34.5 with 44 hours actually worked leaving the total amount of 9.5 hours over the scheduled hours. The bucket truck payments have not been received from the Town of Ellery \$7818.51 initial portion and \$231.55 for the 2020 insurance. The Ellery Town Clerk advised that the payments will be in vouchers for this month's meeting and the checks will be in the mail shortly. The Town of Sheridan's initial portion \$7818.51 has been received. The rebate for the welder was refused due to an invalid purchase date. Mark LeBaron, Highway Superintendent will follow up with the vendor regarding the rebate. Mrs. Helen Bochmann, (Kenneth Bochmann, past Town Supervisor), has several Town Supervisor files and will be going through them to remove anything personal. At that point she will contact the Town Clerk for transport to the Records Storage Room at the Town Offices. The following report was presented:

03/02/2020

Town Clerk Monthly Report
February 01, 2020 - February 29, 2020

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Account#	Account Description	Fee Description	Qty	Local Share
	Building fees	Miscellaneous	1	2,440.00
			Sub-Total:	\$2,440.00
A-1255	Certified Copies	Certified Copies	6	60.00
			Sub-Total:	\$60.00
A2544	Dog Licensing	Female, Spayed	5	25.00
		Female, Unspayed	2	24.00
		Male, Neutered	6	30.00
	Senior Citizen Discount	Senior Citizen Discount	5	-10.00
			Sub-Total:	\$69.00
Total Local Shares Remitted:				\$2,569.00
Amount paid to: NYS Ag. & Markets for spay/neuter program				17.00
Total State, County & Local Revenues:		\$2,586.00	Total Non-Local Revenues: \$17.00	

4. **TAX COLLECTOR:** February tax amount collected: \$ 308,743.00.

5. **WRITTEN ASSESSOR'S REPORT:**

Assessors Report

March 2020

Legal Notices were filed starting March 1st for two consecutive weeks in the Post Journal as required by the State regarding assessment inventory.

I am at the point where I need to replace the current laptop I am using. It's approximately 7-8 years old with windows 7. Windows 7 is no longer being supported as of January 2020. In addition, the State is rolling out a new version of RPS called ACES which needs windows 10. I put money in my budget and the laptops I'm looking at will be somewhere between \$1200 -\$1800. The cost of the laptop will be divided between Charlotte, Cherry Creek, and Gerry.

Thank you.

6. **CODE ENFORCEMENT REPORT:** 4 Building Permits issued so far this year. The Zoning Board would like to re-visit the current Zoning Law and make some recommendations for some changes to the permits in the AG-1 Zone. These laws were last updated in 2012.

7. **WIND UPDATE:** Randy Buntjer from Innogy introduced Civil Superintendent Ken Megarry and Site Safety Bob Crier. Realizing the challenges of some of the roads, Mr. Buntjer requested that Innogy provide a grader and roller to be on site as the project continues.

8. Town Resident Marshall Greenstein questioned the hours of operations for the Wind project, as they change Town to Town, and there are exceptions for concrete hauling and turbine erecting circumstances. This is all broken down in our Host Agreement, which can be found on our website.

9. Town Resident, Joni Riggle, made recommendations to Randy Buntjer regarding the Arkwright Wind project and the road problems incurred by that project.

10. Town Resident John Conway voiced concerns regarding the speed limit for wind project trucks. Mr. Buntjer requested detailed information so this can be addressed immediately.

A motion to adjourn was made by Darren Carlstrom, seconded by Harold North and with none opposed it carried.

The next regular Town Board Meeting is scheduled for Wednesday, April 8th, 2020 at the David Vern Luce Building, 8 Lester St., Sinclairville, NY. **Due to COVID-19 restrictions, the meeting venue was moved to the Town of Charlotte Highway Department Building in a legal notice published April 3, 2020.**

Respectfully submitted

Susan Peacock

Town Clerk/Tax Collector/Registrar