



The Town Board, Town of Charlotte held a regular Board Meeting on Wednesday, July 10, 2019 at 7:00 p.m. in the David Vern Luce Community Building Allen Chase, Supervisor presiding. Board members present were: Harold North, Henry Harper Jr., and Mark Abbey. Darren Carlstrom was absent. Others present were: Jeffrey Crossley, Town Justice, Mark LeBaron, Highway Superintendent, Leah Grossman, Innogy, Sandy Sayyeau, GHD, Mark Jaquith, Sherman Sweeney, Jeff Embury, Earl & Joni Riggle, Jen & John Conway, 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 June 11th, 2019 board meeting. A motion was made by Mark Abbey, seconded by Harold North and with none opposed it carried to accept the minutes as submitted.

A motion was made by Henry Harper Jr., seconded by Harold North and with none opposed it carried to draw warrants on the proper funds in payment of Highway Claims No. 113 to No. 130 in the amount of \$5788.21 which have been duly audited and to draw warrants on the proper funds in payment of General Fund Claims No. 151 to No. 169 in the amount of \$4484.23 which have been duly audited.

A motion was made by Harold North, seconded by Mark Abbey and with none opposed it carried to accept the June 2019 Financial Report prepared for the Town of Charlotte by Bahgat Laurito & Bahgat.

A motion was made by Mark Abbey, seconded by Henry Harper Jr., and with none opposed it carried for the Deputy Highway Superintendent to perform the duties required by the Highway Superintendent regarding the wind farm project as Mark LeBaron, Highway Superintendent, will recuse himself of these duties due to conflict.

A motion was made by Mark Abbey, seconded by Harry North and with a roll call re-vote as follows: Harry North - YEA, Henry Harper Jr., - YEA, Mark Abbey - YEA and Allen Chase - YEA to pass the following RESOLUTION and allow Supervisor Chase to sign the document providing the decommissioning amount total \$3,438,495.00. This amount will be re-evaluated every 5 years after installation over the life of the turbines and does not include scrap value of the turbines and related equipment.



TOWN OF CHARLOTTE TOWN BOARD

RESOLUTION APPROVING CASSADAGA WIND PROJECT DECOMMISSIONING AGREEMENT

WHEREAS, Cassadaga Wind, LLC (the “Company”) has obtained a Certificate of Environmental Compatibility and Public Need (the “Certificate”) from the New York State Board on Electric Generation Siting and the Environment pursuant to Public Service Law Article 10 to operate a wind energy generating facility in the Town of Charlotte including related collection and road access infrastructure in the Town (the “Project”); and

WHEREAS, under Section 11.1 of the Host Community Agreement between the Company and the Town dated December 28, 2016 (“HCA”), the Company was required to create a Decommissioning and Site Restoration Program (the “Decommissioning Plan”), and intended that compliance with the Decommissioning Plan would be a condition of the Certificate; and

WHEREAS, the Certificate does require the Company to file a final Decommissioning Plan with the Secretary to the Public Service Commission, Department of Public Service and required the Company to provide a letter of credit, for the benefit of the Town, that will provide suitable security for removal of specific Facility components as required by the Certificate; and

WHEREAS the Company has submitted the Decommissioning Plan to the Town which has been reviewed and approved by the Town’s independent engineers, GHD; and

WHEREAS, the Company submitted a form of Letter of Credit to be used as security for the Town, and the form of the Letter of Credit has been reviewed and approved by the Town’s legal counsel; and

WHEREAS, the wind farm itself together with its environmental impacts, are not subject to the State Environmental Quality Review Act (“SEQRA”) and the remaining aspects of this Agreement are a Type II action under SEQRA as they authorize no new activity.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Charlotte as follows:

1. The Cassadaga Wind Project Decommissioning Agreement between Cassadaga Wind LLC and the Town, including the Decommissioning Plan, the cost estimates to be used to determine the amount of the Letter of Credit, and the form of the Letter of Credit, are hereby approved and the Supervisor is directed to execute said Agreement on behalf of the Town.



2. Nothing in this Decommissioning Agreement amends any portion of the Host Community Agreement nor changes any obligation therein related to the use of Town roads.

3. This resolution shall be effective immediately.

Passed and adopted by the Town of Charlotte Town Board on the 10th day of July, 2019.

A motion was made by Mark Abbey, seconded by Henry Harper Jr., and with none opposed it carried to allow the Town Clerk, Susan L. Peacock to set up and use the Bill Pay option on the Town’s Community Bank website to pay Utility bills ONLY. These bills will consist of: Windstream Communications, Spectrum Time Warner, National Grid and Erie County Comptroller Electric bills. Town Board member Harry North abstained from voting on this motion due to a possible conflict with Windstream Communications.

Discussion was heard on the following:

1. **JUSTICE REPORT:** The approved Robe and Security Grants need to be closed out by August. June saw 29 new cases and 32 closed cases bringing the total to 438 total charges for the year. The installation of a new GFI electrical outlet has been requested again for the air conditioning unit that was purchased last year. The following report was submitted:

DISPENSING JUSTICE FOR ALL					
2019					
	NEW CHARGES			CLOSED CHARGES	
JAN			36		59
FEB			32		38
MAR			34		32
APR			51		32
MAY			34		29
JUNE			29		32
JUL					
AUG					
SEPT					
OCT					
NOV					
DEC					
TOTAL OPENED CHARGES				TOTAL CLOSED CHARGES	
			216		222
TOTAL CHARGES TO DATE FOR 2019					438
PETTY CASH FUND IS			\$250.00		



2. **HIGHWAY REPORT:**

1. Working on cutting more trees on Barnum Rd., ditching, & replacing cross and driveway pipes.
2. Helping the Towns of Sheridan, Ellery and Stockton pave their Town roads.
3. Town employees had the week of July 1-5 off for vacation.
4. Town received notice that the EWR CHIPS money would be reinstated for 2019-2020 in the amount of \$20,637.19.
5. On schedule for paving and chip seal for mid-August.
6. Tax exempt status has been approved for EBAY purchases.
7. Mark LeBaron worked with Windstream and lowered the utility bill by \$41.13. These savings should be seen on the next utility bill.

3. **CLERK REPORT:** June scheduled hours were 38 with 47 hours actually worked leaving the total amount of 9 hours over the scheduled hours. A "Thank You" note and \$100 donation was received from Town resident Carol Snyder for use of the Town Park. Matthew Riggle, Deputy Town Clerk, will be attending training for the Laserfiche System at Southern Tier West on July 23rd. Prescription medication disposal awareness was discussed regarding the opioid crisis that is impacting the surrounding communities. The following report was presented:

TOWN OF CHARLOTTE
 COUNTY OF CHAUTAUQUA
 STATE OF NEW YORK



07/01/2019

Town Clerk Monthly Report
 June 01, 2019 - June 30, 2019

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Account#	Account Description	Fee Description	Qty	Local Share
	Building fees	Additions & Alterations	1	25.00
		Barns/Garages/Sheds	3	140.00
		Sub-Total:		
A-1255	Certified Copies	Certified Copies	5	50.00
		Sub-Total:		\$50.00
A2544	Dog Licensing	Female, Spayed	12	60.00
		Female, Unspayed	2	24.00
		Male, Neutered	15	75.00
		Male, Unneutered	2	24.00
		Replacement Tags	1	3.00
	Senior Citizen Discount	Senior Citizen Discount	10	-20.00
		Sub-Total:		\$166.00
Total Local Shares Remitted:				\$381.00
Amount paid to: NYS Ag. & Markets for spay/neuter program				39.00
Total State, County & Local Revenues:			\$420.00	Total Non-Local Revenues: \$39.00

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Susan Peacock, Town Clerk, Town of Charlotte during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

_____	_____	_____	_____
Supervisor	Date	Town Clerk	Date



4. **ASSESSOR REPORT:** A written report was submitted as follows:

Assessors Report

July 2019

The Final Roll was filed July 1, 2019 with the County and the State of NY. Also, the appropriate legal notice was posted in the Post Journal.

In addition, a link to the 2019 final roll is required by the State to be on our website and this will be completed upon receipt of the link from the County.

Assessors' reports required by the State of NY have been filed with the Office of Real Property Services in Albany.

With the 2019 roll filed I have updated the RPS software program to create the 2020 file and we are beginning work on next year's assessment roll.

Thank you.




Department of
Taxation and Finance

OFFICE OF REAL PROPERTY
TAX SERVICES

TIMOTHY J. MAHER
Director of Real Property Tax Services

June 18, 2019

TO: Assessors, City Managers and Mayors
FROM: Rebecca Bellard 
SUBJECT: 2019 Final Special Franchise Full Values

Enclosed is your Certificate of Final Special Franchise Full Values for the 2019 assessment roll. Municipalities will need to equalize these full values using their current 2019 roll level of assessment. **Assessments shall in no case exceed full value.** If the stated level of assessment is not accepted as a state equalization rate, these full values will have to be equalized using the state equalization rate when that rate is established. The only exception to this change is municipalities which still have "base" utility property. These municipalities will receive assessed values which are to be put directly on the assessment roll. Your special franchise certificate will indicate whether you are receiving full values or equalized assessments. **Please note, companies that do not appear on this Certificate of Final Special Franchise do not have taxable utility property in your municipality in the public right-of-way.**

If you have any questions related to your special franchise values, please contact Rebecca Bellard at (518) 530-4900, or via e-mail at ORPTS.special.franchise@tax.ny.gov

Enclosure

TOWN OF CHARLOTTE
 COUNTY OF CHAUTAUQUA
 STATE OF NEW YORK



STATE OF NEW YORK
 DEPARTMENT OF TAXATION AND FINANCE
 OFFICE OF REAL PROPERTY TAX SERVICES
 WA Harriman State Campus
 Albany, N Y 12227
 (518) 530-4900

RP31
 Dated
 June 18, 2019

CERTIFICATE OF FINAL SPECIAL FRANCHISE FULL VALUE

For city and town assessment roll to be filed in 2019

Mr. Allen Chase, Supervisor 062600
 Town of Charlotte
 2200 Cook Rd.
 Cherry Creek, NY 14723

The State Office of Real Property Tax Services has determined the final special franchise full values for the following special franchise companies at the amounts shown below. The full values were determined in accordance with Article 6 of the Real Property Tax Law and Part 8197 of Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York. The full values include both the value of the tangible property situated in, upon, under or above public streets, highways, waters and other public places and the value of the franchise, right, authority or permission to occupy such public streets, highways, waters and public places.

Town of Charlotte, Chautauqua County	<u>Full Value Number</u>	<u>Final Full Value</u>
National Fuel Gas Dist. Corp. 6363 Main St Williamsville, NY 14221-5887 Village of Sinclairville		\$14,000
Town Outside Villages		<u>\$2,870</u>
Total Town:	123700-0626	\$16,870
Niagara Mohawk dba Nat'l Grid 300 Erie Blvd West Syracuse, NY 13202 Village of Sinclairville		\$148,314
Town Outside Villages		<u>\$881,896</u>
Total Town:	132350-0626	\$1,030,210
Windstream New York, Inc. P.O. Box 2629, c/o Duff and Phelps Addison, TX 75001 Village of Sinclairville		\$216,552
Town Outside Villages		<u>\$179,361</u>
Total Town:	629000-0626	\$395,913
Cassadaga Telephone Corp. P.O. Box 209 Freedonia, NY 14063-0209 Town Outside Villages		\$63,890
Total Town:	643900-0626	<u>\$63,890</u>
DFT Local Service P.O. Box 209 Freedonia, NY 14063-0209 Village of Sinclairville		\$143,505
Town Outside Villages		<u>\$52,499</u>
Total Town:	707000-0626	\$196,004
Grand Total		<u>\$1,702,887</u>



5. **CODE ENFORCEMENT REPORT:** A written report was submitted as follows:

Supervisor
Allen Chase

Town Clerk / Registrar
Susan Peacock

Highway Superintendent
Mark Lebaron

Attorney
Dana Lundberg

TOWN OF CHARLOTTE

8 Lester Street, P.O. Box 482
Sinclairville, New York 14782
Phone (716) 962-6047 Fax (716) 962-3843

CODE ENFORCEMENT OFFICE

Alan Gustafson, Code Enforcement Officer
Cellular/Text: (716) 450-3032
E-Mail: townofcharlotteceo@outlook.com

Councilmen
Mark Abbey
Darren Carlstrom
Henry Harper Jr
Harry North

Assessor
Kevin Okerlund

Justice
Jeffery Crossley

**CODE ENFORCEMENT OFFICER
MONTHLY REPORT
JANUARY-JULY 2019**

To Members of the Town Board, below is a summary of activity for January-July 2019:

Building Permits Issued:	21
<ul style="list-style-type: none">• 19-001, 2796 Edson Road, Malcolm Bernard, Shed• 19-002, 3160 Charlotte Hill Road, Donald Fisher, Barn• 19-003, 3417 Charlotte Hill Road, Jesten Trask, Demolish Manufactured Home• 19-004, 3417 Charlotte Hill Road, Jesten Trask, Single-Wide Manufactured Home• 19-005, 2562 East Road, Nathan Spinler, House Addition• 19-006, 6480 Nelson Road, Branden Robbins, Garage• 19-007, 7260 Route 60, Lot #13, George Gugino, Roofing• 19-008, 7059 Rood Road, Town of Charlotte, Highway Garage Addition• 19-009, 6550 Route 60, Mark Jaquith, Garage• 19-010, 6618 Charlotte Center Road, Henry Harper, Jr., Swimming Pool• 19-011, 2812 Hooker Road, Kevin Oakes, Deck• 19-012, 6612 Harper Road, River Sitters, LLC., Storage Building• 19-013, 7370 North Hill Road, Mark Ladd, Shed• 19-014, 6436 Harper Road, Scott Fenten, Swimming Pool Deck• 19-015, 6912 Cleland Road, Peter Spyra, Storage Building• 19-016, 3118 Cassadaga Road, Frederick DeGolier, Storage Building• 19-017, 2431 Johnson Road, Jeanine Walton, Double-Wide Manufactured Home• 19-018, 7260 Route 60, Lot #29, Michael Gilbert, Roofing• 19-019, 6439 Nelson Hill Road, Darren Smith, Single-Family Dwelling• 19-020, 2131 East Road, Larry Manhard, Shed• 19-021, 6565 Charlotte Center Road, Stephen Anderson, Demolish Single-Wide Manuf. Home	
Building Permit Fees:	\$950.00
Building Inspections Performed:	51
Certificates of Occupancy:	0
Certificates of Compliance:	12
Phone Calls/Personal Contact/Email:	75
Complaints/Violations/Actions Taken:	29

Respectfully Submitted,

Alan Gustafson, CEO



6. **WIND UPDATE:** Several compliance filings related to construction and Article 10 have been submitted to New York State. Tree clearing is due to start in mid-August providing the compliance filings that were filed are approved. The (15) \$1000 per site payments should be forwarded to the Town as soon as construction begins. A new revised "letter of credit" was issued with verbiage that Supervisor Chase requested.

7. **VILLAGE DISSOLUTION UPDATE:** An informational forum is taking place Wednesday, July 24, 2019 at the Park Church to discuss the estimated savings to Village residents with a Village dissolution. Discussion was heard on the adoption of "special districts" should the Village dissolve, as well as supportive payments to the Sinclairville Free Library, 76'ers, History Museum and Sinclairville Fire Department. Supervisor Chase voiced his opinion that these total support amounts would not change. The vote to dissolve is open to Village Residents ONLY and will be August 13, 2019 from Noon – 9pm at the David Vern Luce Building, 8 Lester St., Sinclairville. This and more information is on the Town website under the "Village Dissolution" tab.

8. A "Notice of Liability" in the amount of \$115 was received from New York City using a picture of a license plate and truck. The violation occurred May 24, 2019 while the vehicle in question was housed in the highway barns in Charlotte. A letter was drafted by the Town Clerk, Susan L. Peacock to fight the charges as per the notice. The letter and information were also forwarded to the Town Attorney, Lundberg Price P.C., for review.

9. Jeff Embury, Sinclairville Free Library Board Member, voiced interest in contacting the HOPE Chautauqua Prescription medication disposal program.

10. Sherman Sweeney voiced concern that several Village residents are not fully informed regarding the Village dissolution plans.

11. Earl Riggle voiced concerns regarding the letter of credit from Innogy.

12. Joni Riggle voiced concerns regarding Innogy's noise complaint policy. Supervisor Chase responded that he will be looking into the noise complaint policy.

13. Sandy Sayyeau, GHD, said she will be meeting with Town Supervisors regarding drainage and intersection issues during the wind turbine construction.

A motion to adjourn was made by Mark Abbey, seconded Harold North and with none opposed it carried. The next regular Town Board Meeting is scheduled for Wednesday, August 13th, 2019 at the David Vern Luce Building, 8 Lester St., Sinclairville, NY.

Respectfully submitted

Susan L. Peacock

Town Clerk/Tax Collector/Registrar