

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



The Town Board, Town of Charlotte held a regular Board Meeting on Wednesday, October 2, 2019 at 7:00 p.m. in the David Vern Luce Community Building Allen Chase, Town Supervisor presiding. Board members present were: Darren Carlstrom, Harold North, Henry Harper Jr. and Mark Abbey. Others present were: Jeff Crossley, Town Justice, Mark LeBaron, Town Highway Superintendent, Alan Gustafson, Town Zoning/Building Code Officer, Kris Wiles, Town Dog Control Officer, Larry Barmore, Chautauqua County Clerk, Chip Readling & Stephanie Ottley, Innogy, Randy Buntjer, Innogy Site Construction Manager, Sandy Sayyeau, GHD, Beth Hadley, Sinclairville Free Library, Sherman Sweeney, Kristine Buntjer, John & Jennifer 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.

Supervisor Chase opened the Public Meeting regarding the proposed release of funds in the Building Reserve Fund in the amount of \$28,000 for the Lean-2 addition to the Highway Building. No one spoke against or in favor of the releasing of funds and the meeting was closed.

A motion was made by Darren Carlstrom seconded by Harold North and with none opposed it carried to release the funds in the Building Reserve fund in the amount of \$28,000 for the Lean-2 addition to the Highway Building.

Each board member had been given a copy of the minutes of the September 11th, 2019 board meeting. A motion was made by Henry Harper Jr., seconded by Harold North and with none opposed it carried to accept the minutes as submitted.

A motion was made by Darren Carlstrom seconded by Mark Abbey and with none opposed it carried to draw warrants on the proper funds in payment of Highway Claims No. 152 to No. 163 in the amount of \$5329.33 which have been duly audited and to draw warrants on the proper funds in payment of General Fund Claims No. 209 to No. 228 in the amount of \$3369.42 **corrected amount \$18,669.42 (added Pavlock Construction \$15,000.00 for part of lean-2 building. Corrected 11/6/19 meeting.** which have been duly audited.



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

A motion was made by Henry Harper Jr., seconded by Harold North and with none opposed it carried to approve the following budget transfers:

Town of Charlotte
Budget Modifications
10/2/19

General Fund Townwide

Modify 2019 adopted budget by increasing Revenue Line A3088 State Aid Court Grant by \$4,240 and Increasing Expenditure Line A110.2 Justices Equipment by \$4,240

to reflect JCAP grant funds received and spent

Modify 2019 adopted budget by increasing Revenue Line A2460 Wind Power Host Fees by \$1,200 and Increasing Expenditure Line A7540.4 Museum Contractual by \$1,200

to reflect funds received and donation to History Fair

Highway Fund Townwide

Modify 2019 adopted budget by increasing Revenue Line DA2460 Wind Power Host Fees by \$12,800 and Increasing Expenditure Line DA5130.4 Machinery Contractual by \$12,800

to reflect funds received and added to machinery repair line

A motion was made by Mark Abbey, seconded by Harold North, and with none opposed it carried to authorize Allen Chase, Town Supervisor, to pay GHD invoice #75039 dated 9/10//19 in the amount of \$5,927.00 out of the escrow account funded entirely by Innogy. This is at no cost to the Town in any way.



A motion was made by Darren Carlstrom seconded by Harold North and with none opposed it carried to forward a partial payment of \$15,000 to Pavlock & Sons Construction to cover expenses incurred for the new Lean-2 addition on the Highway Department Garage. The remainder will be paid upon completion of the project.

The 2020 Tentative Budget was presented to the Town Clerk on September 25, 2019. A copy was distributed to all Town Councilmen.

A motion was made by Henry Harper Jr., seconded by Mark Abbey and with none opposed it carried to increase A8810.4 - Cemetery Contractual Expense \$1000 for a total of \$4500 and increase the unexpended balance from \$30,000 to \$31,000

.A motion was made by Mark Abbey, seconded by Darren Carlstrom and with none opposed it carried to adopt the 2020 Tentative Budget as the Preliminary Budget and it has now been filed with the Town Clerk as such. Copies are available to the Public and the Tentative Budget is also available on the Town's website.

A motion was made by Henry Harper Jr., seconded by Harold North and with none opposed it carried to set the date for a Public Hearing for the Preliminary Budget on Wednesday, November 6th, 2019 at 7pm in the David Vern Luce Community Building, 8 Lester St., Sinclairville, NY.

The following resolution was offered by Henry Harper Jr., seconded by Harold North and with none opposed it carried

RESOLUTION WAIVING THE FEES ON MARRIAGE LICENSES FOR ACTIVE DUTY MEMBERS OF THE ARMED FORCES

WHEREAS, on August 20, 2019, New York Governor Andrew Cuomo signed legislation waiving the State fee on marriage licenses for active duty members of the Armed Forces {S.3756/A.55} ["legislation"]; and

WHEREAS, the legislation also gives local governments freedom to waive the fees they charge for marriage license; and

WHEREAS, the Town of Charlotte wishes to waive the fees charged on marriage licenses to active duty members of the Armed Forces;



NOW, THEREFORE BE IT RESOLVED that the Town of Charlotte hereby formally waives the fees to be charged on marriage licenses for active duty members of the Armed Forces in accordance with New York State Law.

Discussion was heard on the following:

1. **JUSTICE REPORT:** Justice Jeffrey Crossley reported 30 new charges and 31 closed charges in September. Training regarding the new changes coming January 1, 2020 for the Justice as well as the Court Clerk is continuing this month. Issues with the Justice shall be directed directly to the Court when available, Tuesdays 2-4 pm. The Justice Grant has been reconciled and settled and closed. The new security system is up and functional. 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	11		30
AUG	39		16
SEPT	30		31
OCT			
NOV			
DEC			
TOTAL OPENED CHARGES		TOTAL CLOSED	
	296	CHARGES	299
TOTAL CHARGES TO DATE FOR 2019			595
PETTY CASH FUND IS	\$250.00		
Note: July Matrix & Officer Eddy ticket Is this one of the dates the Town has paid for coverage?			

2. **HIGHWAY REPORT:**

- * Ditching continues on Johnson Rd.
- * Surface treated first part of Mill Creek Rd. and Endahl Rd.
- * Sprayed cracks on Hall, Hooker and Upper East Roads.
- * Placed millings on the upper and lower sections of the gravel end of Johnson Rd.



- * Hauled blacktop for the Village of Cassadaga High St. project as well as hauling blacktop for 3 days to help the Town of Conewango.
- * Hauled 35 loads of ice control sand for winter.
- * Building addition has been started by Pavlock & Sons.
- * Helped surface & treat Evergreen Cemetery, who provided the oil.
- * S. St. George is done reinforcing East and Cleland Roads with 4 inches of crushed gravel under 4 inches of crushed limestone graded and rolled in conjunction with the Wind Project.

3. **CLERK REPORT:** September scheduled hours were 38 with 39 hours actually worked leaving the total amount of 1 hour over the scheduled hours. The broken Court printer was brought to the Chautauqua County Community Recycling Day at Cummins Engine Plant in Lakewood on September 14th. The mandated Sexual Harassment online training is going well with most employees completing the training and have presented the completion certificate to the Town Clerk. The remaining employees will complete the training by the October 9th, 2019 deadline mandated by Governor Cuomo. Moved the old black & white Dell printer to the Assessors/Building Code office for their use. A Thank You card was received from the Valley Historical Society for the Town's donation to help support the History Fair. The following report was presented:



TOWN OF CHARLOTTE
ASSESSORS REPORT
October 2019

I attended the NYS Assessors conference September 23-25th and picked up 12 credits towards my yearly continuing education requirements.

STAR credit checks are being mailed out to those who have registered for the program. The STAR credit check is the program the State has implemented for all new Basic and Enhanced STAR applications. If a property owner has experienced any problems they need to contact the State of NY directly at 518-457-2036.

Also, the State has been mailing out Property Tax Relief checks to property owners. This is in addition to the STAR Credit check. To be eligible, you must:

- live in a school district that is complying with the New York State property tax cap,
- receive either the Basic or Enhanced STAR exemption or credit,
- have an income of \$275,000 or less, and
- have paid school property taxes for the applicable year.

I will be sending out Senior Low Income renewal applications in the next month. These are the annual renewals that have to be filed with the Assessor's office and returned to the office by March 1, 2020.

Thank you.



5. **BUILDING/ZONING REPORT:** Alan Gustafson, Building & Zoning Officer, continued with training last month. He's been continuing to enforce property maintenance issues. The following report was presented:

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
AUGUST - SEPTEMBER 2019**

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

Building Permits Issued:	10
Building Permit Fees:	\$495.00
Building Inspections Performed:	12
Certificates of Occupancy:	0
Certificates of Compliance:	5
Phone Calls/Personal Contact/Email:	42
Complaints/Violations/Actions Taken:	2

Highlights:

- It has been very busy during the past month regarding new building permit requests. The total number of YTD permits is consistent with previous years.
- Work has begun on the Highway Garage addition.
- An application for a permanent meteorological tower has been submitted by Cassadaga Wind, LLC. A Public Hearing will be scheduled as soon as possible for this request.
- I attended the Western Southern Tier Building Officials Association Annual Training Conference in Mayville, NY, where I received the balance of my required 24 hours of in-service training credit. This was savings of \$275 since this year's conference was paid by my primary employer this year.

Respectfully Submitted,

Alan Gustafson
Code Enforcement Officer

6. DCO REPORT: Kris Wiles, Town DCO, requested the Town Board visit the Town Dog Law in regard to section 3 C., as there is no defined time regarding "Noise: No person shall keep, or permit to be kept, on the premises of the owner or person having



control of such dog, any dog which by its continual barking, howling, whining, or other frequent or long-continued noise shall unreasonably disturb the comfort or repose of any other person". The following report was presented:

DCO REPORT

K. Wiles

10 CALLS RECEIVED

1 Dog nuisance complaints, such as noise, destruction of property, running loose, ect.

___ Dangerous Dog (s)

2 Dog (s) found

___ Dog (s) missing

2 Dogs taken to SPCA

3 Other Cato - Questions regarding dog laws

6 APPEARANCE TICKETS ISSUED

4 Licensing

2 Other _____

Scheduled to appear: 9 / 24 / 2019 @ 4:00 PM

* NOTES

*Reimbursement funds requested ___ None YES (See page 2 for mileage used)

Signed Krista Wiles 10 / 02 / 2019



7. **WIND UPDATE:** Chip Reading from Innogy gave an update on the progress of the project.

1) Tree Clearing Activities: Tree clearing activities continue and are going smoothly thus far. We have completed clearing the string between T15 and T40 and have moved our crews down to the southeast corner of the project near Erwin Road. We also continue with hand clearing and mechanical clearing in the northwest part of the project, near T-21.

As we discussed last week, there have been some limited instances where our tree clearing contractor has not used the correct roads. We are in the process of getting signs up that direct traffic related to the wind project and we continue to coordinate with our contractors on using the correct roads.

2) Road Reinforcement Activities: We have commenced road reinforcement activities in both the Towns of Charlotte and Cherry Creek. We anticipated that these activities will be complete by 9/27.

3) Execution of the Large Generator Interconnection Agreement: We have executed our Large Generator Interconnection Agreement with National Grid and NYISO, which will allow the project to inject electricity onto the grid.

4) Start of Civil Construction: I am pleased to say that all civil plans have been submitted to the State for their review and approval.

Also, it was reiterated that if any members of the community have any questions or concerns, they can always reach Innogy at 1-844-731-3982 and cassadagamesages@innogy.com.

8. A shared service contract for the Bucket Truck has been drawn up by the Town Attorney and distributed for signing to the other 3 Towns in the Agreement: The Towns of Ellery, Sheridan and Stockton. All expenses will be divided between the 4 Towns and will be invoiced by the Town of Charlotte Town Clerk once the agreement is signed by the Municipalities involved.

9. Beth Hadley, Sinclairville Free Library spoke about updates that are needed in 2020 to the Sinclairville Free Library parking lot as well as distributed a calendar of events for October at the Library and a "save the date" card for the open house scheduled for December 2nd.

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10. The Town and County continue to be alert of dead and/or dying Ash trees on and near the roadways.

11. Town Resident Sherman Sweeney voiced the outcome of his experience viewing the Wind Turbines. Mr. & Mrs. Sweeney did not hear any noise from the Turbines after coming into close proximity to them.

12. Town Residents John & Jen Conway voiced concerns over noise and other effects of the Wind Turbines in close proximity to residences.

A motion to adjourn was made by Darren Carlstrom, seconded by Henry Harper Jr. and with none opposed it carried. The next regular Town Board Meeting is scheduled for Wednesday, November 6th, 2019 at the David Vern Luce Building, 8 Lester St., Sinclairville, NY.

Respectfully submitted
Susan L. Peacock
Town Clerk/Tax Collector/Registrar