

**MINUTES OF THE
TOWN BOARD MEETING
JULY 8, 2021**

The regular meeting of the Town Board, Town of Ripley was called to order by Supervisor Bowen at 7:30 p.m., in the Ripley Town Hall with the Pledge of Allegiance. The following were present:

Supervisor: Douglas Bowen
Council: Patricia Hathaway (ABSENT)
Michael Rowe (ABSENT)
John Trevelline
Phil Chimera
Deputy Town Clerk: Ryleigh Enterline

Guests: Roy Fletcher, Robert Mazza, Dale Davis, Missy Chimera, Ruth Blackman, Andrew Joiner

As the Town Board continues safe COVID -19 pandemic procedures, this evening's meeting was held with social distancing practices and on "Zoom" for those who would rather participate from home.

Zoom Dept. Heads: Doc Hamels (Historian), Jim Spacht (Highway Superintendent), Shelly Spacht (Planning Board Chairperson).
Zoom Guests: Bob Macintosh, Julie Rice, David Prenatt, Rob Galbraith, Derrek Rieman

APPROVAL OF MINUTES

The minutes of the Regular Town Board Meeting dated 6/10/21 were approved. Councilman Trevelline moved and Councilman Chimera seconded. This was carried unanimously.

The minutes of the Special Town Board Meeting dated 6/28/21 were approved. Councilman Trevelline moved and Councilman Chimera seconded. This was carried unanimously.

APPROVAL OF ABSTRACTS

Warrant No. 7 in the amount of \$21,651.32 drawn on the General Acct. Was presented and audited by the Board Members.

Warrant No. 7 in the amount of \$ \$271,876.00 drawn on the Highway Acct. Was presented and audited by the Board Members.

Warrant No. 7 in the amount of \$26.37 drawn on the St. Light Acct. Was presented and audited by the Board Members.

Warrant No. 7 in the amount of \$3,292.97 drawn on the Sewer Acct. Was presented and audited by the Board Members.

Warrant No. 7 in the amount of \$2,516.36 drawn on the Water Acct. Was presented and audited by the Board Members.

Warrant No. 7 in the amount of \$ \$295,979.99

drawn on the Capital Acct. Was presented and audited by the Board Members.

Councilman Trevelline made the following motion: that the Supervisor be directed to draw the checks to cover the warrant as allowed for vouchers numbered 469 through 537. This was seconded by Councilman Chimera and carried unanimously.

APPROVAL OF THE 2021 FINANCIAL STATEMENT

Councilman Trevelline made the motion to approve the Supervisor's 2021 Financial Statement. This was seconded by Councilman Chimera and carried unanimously.

CORRESPONDENCE

*Supervisor's Office received the monthly Time Warner Cable (Charter Communications) update.

* Letter from Town Planning Board (recommended revision to Walls and Fences zoning law, Section 621)

* Annual Downstream Notification from FMC

DISCUSSION TO COMPLETE 2020 JUSTICE AUDIT

Following a board discussion on the annual Justice Audit, Supervisor Bowen made the motion that the 2020 Justice Audit be completed in-house. This was seconded by Councilman Chimera

WATER #4 BID UPDATE

Due to all bids for water #4 coming in over budget, Supervisor Bowen made the motion to hold a special town board meeting at 6:30 PM on Monday, July 12th 2021 in order to discuss authorizing and advertising new bids. This was seconded by Councilman Chimera.

HIGHWAY FUND BUDGET MODIFICATION

Supervisor Bowen made a motion to modify the 2021 adopted budget by increasing revenue account DA3501 CHIPS funding by \$139,604 and by increasing expenditure line DA5112.2 CHIPS Capital Outlay \$139,604. This was seconded by Councilman Trevelline.

REMINDER

Councilman Bowen reminded board members and guests that the comment period for the Solar Law will continue until August 10, 2021.

DEPARTMENT HEAD REPORTS

WATER/SEWER REPORT

Supervisor Bowen presented the Water/Sewer Superintendent's Report as attached.

HIGHWAY

Supervisor Bowen read Highway Superintendent Spacht's monthly report as attached.

Ruth Blackman of North State Street voiced her concerns regarding the flooding that took place this past week. She informed the board that the culvert near Park Avenue was filled with debris and is in need of maintenance.

CODE OFFICER

Supervisor Bowen read the Code Officer's monthly report as attached.

ASSESSOR

Supervisor Bowen read the Assessor's Monthly report as attached.

PLANNING BOARD

Shelly Spacht stated that the Planning Board had no new business to report at this time and that the July meeting will be held on July 12 at 7:00 PM.

TOWN CLERK

Mrs. Enterline, Deputy Town Clerk had nothing new to report but informed guests that Hunting Licenses will be available at some point in August.


PRIVILEGE OF THE FLOOR

Roy Fletcher of Greenbush Road voiced his concerns over the condition of the sidewalks in front of the Fire Department. He informed the board that he had fallen this past February and that the sidewalk is hazardous.

Robert Mazza of North East Pennsylvania inquired about the status of the Fireman's field down by Park Avenue. He stated that he was interested in the property as a business venture and would like to buy, lease, or lease to own the property.

Ruth Blackman of North State Street also brought up that during the annual burn ban, there is no way to dispose of leaves or fallen branches. She inquired about an alternative way to dispose of unwanted debris.

Mr. Trevelline made the motion to adjourn the meeting. This was seconded by Mr. Chimera and carried unanimously. 8:00 p.m.


Respectfully submitted,
Ryleigh Enterline
Deputy Town Clerk

The Town of Ripley

14 North State Street, PO Box 352

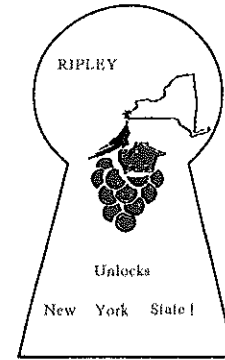
Ripley, New York 14775

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NYS TDD: 711

E-mail: ripleyts@fairpoint.net

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Town Board Meeting
July 8, 2021

7:30 P.M.

Town Board Members

Douglas Bowen, Supervisor

Michael Rowe, Deputy Supervisor

Patricia Hathaway, Councilwoman

John Trevelline, Councilman

Phil Chimera, Councilman

Rebecca Rowe Carvalho, Town Clerk

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Minutes Approval
 - a. June 10, 2021 Regular Board Meeting.
 - b. June 28, 2021 Public Hearing on Solar law.
1. Abstracts Approval- General, Highway, Water, Sewer, Street Lighting, Capital
2. Approval of June 30, 2020 Financial Statement.
3. Correspondence:
 - a. Charter Communications
 - b. E-mail from Town Planning Board (recommended revision to Walls and Fences zoning law Section 621)
4. Motion: Approve proposal from BAHGAT & LAURITO-BAHGAT for completion of the 2020 Justice Audit.
5. Motion: Approve review of Town Zoning Section 621, Walls and Fences to implement Planning Boards recommendation.
6. Reminder: Comment period for Solar Law continues to August 10th.
7. Assessors Report
8. Code Officers Report
9. Highway Report
10. Planning Board Report.
11. Town Clerk Report.
12. Privilege of the Floor
13. Adjourn

Town of Ripley
Budget Modification

~~6/10/21~~

7/8/21

Highway Fund

Budget Modification:

Modify the 2021 adopted budget by increasing Revenue Account DA3501 CHIPS Funding by \$139,604 and by increasing Expenditure line DA5112.2 CHIPS Capital Outlay by \$139,604

to reflect the 2021 allocations for CHIPS, PAVE NY, & EWR funding



Mark Meyerhofer
Senior Director
Government Affairs

July 7, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

Spectrum Northeast, LLC, (“Spectrum”), is making its customers aware that on or around August 2, 2021, Spectrum will discontinue its Pay-Per-View Events Barker Channel (iN DEMAND Previews) channel 650 on the channel lineup serving your community, however, customers will continue to see PPV Events promoted between programs on HDPPV, SDPPV, iN 1, iN2, iN3, Hot Choice and PPV en Español as well as on cross channel spots.

To view a current Spectrum channel lineup visit www.spectrum.com/channels.

If you have any questions, please feel free to contact me at 716-686-4446 or via email at Mark.Meyerhofer@charter.com.

Sincerely,

Mark Meyerhofer
Senior Director, Government Affairs
Charter Communications

Walls and Fences zoning law Section 621 - PB change request

Good morning.

At the Planning Board's special meeting last night on 6/21/21, by unanimous roll call vote, the Planning Board voted to recommend that the Town Board amend the Town Zoning Law Section #621, "Fences and Walls" as follows:

Current language: "B. Permit Requirements - Fences shall be allowed up to and including 4 feet in height "By Right".

Fences above 4 feet in height shall require a Special Use Permit and consideration will be given to visibility from adjacent properties, light and air movement, etc."

Requested Revised language: "B. Permit Requirements - Fences shall be allowed up to and including 6 feet in height "By Right".

Fences above 6 feet in height shall require a Special Use Permit and consideration will be given to visibility from adjacent properties, light and air movement, etc."

I discussed this change with Melanie last week, the Town's Code Enforcement Officer, and she agreed this is a reasonable change and it is in-line with other Towns in our County.

The Planning Board does not recommend making any further changes to this zoning law other than what is listed above, at this time.

Thank you,
Shelly Spacht
Town of Ripley Planning Board Chair

June 23rd, 2021

Douglas Bowen
Town of Ripley
Ripley Town Hall
14 North State Street
Ripley, NY 14775

RE: Annual Written Downstream Notification
TechnipFMC / FMC Technologies Measurement Solutions, Inc.
1602 Wagner Avenue
Eric, PA 16510

Dear Mr. Bowen:

In accordance with the Pennsylvania Storage Tank and Spill Prevention Act (Act 32-1989), TechnipFMC / FMC Technologies Measurement Solutions, Inc. has prepared and implemented a Spill Prevention Response (SPR) Plan to address the appropriate management of stored regulated petroleum products. A requirement of the SPR Plan is the annual written notification to downstream water users and municipalities. This notification must also provide a detailed inventory of the type and quantity of material in storage at the facility.

Please accept this letter as notification for the reporting year 2021. I have also attached a Tank Summary which provides detailed information on the quantity, type and location of material in storage at TechnipFMC / FMC Technologies Measurement Solutions, Inc.

If you have any questions, please do not hesitate to contact me at 814-664-8103 ext. 230 or by email at tcoldren@ae-gis-usa.com.

Sincerely,



Tim Coldren
Project Manager
AG Aegis Company, Inc.

cc: *Christine Gammon*
TechnipFMC / FMC Technologies Measurement Solutions, Inc.

2.1.2 Oil Storage

The capacities of oil containers present at the site are listed below and are also indicated on the facility diagrams in Figures 2 and 3 (Appendix A). All containers with capacity of 55 gallons or more are included.

Table 2-1: Oil Containers

Map ID No.	Storage Capacity (gallons)	Content	Location	Description
001A	5000	Used Oil UN 1993	Main Plant	Steel AST with Concrete Diking
002A	1500	Kensol 48H Hydrotreated Distillates	Main Plant	Steel AST with Steel Diking
003A	3000	Kensol 48H Hydrotreated Distillates	Main Plant	Steel AST with Steel Diking
004A	3000	Kensol 48H Hydrotreated Distillates	R & D	Steel AST with Concrete Diking
007A	30000	Brad Penn UN 1270	R & D	Steel AST with Concrete Diking
009A	3000	Kensol 48H Hydrotreated Distillates	R & D	Steel AST
010A	800	Water / Used Oil UN1993	Mobile (Trailer Mounted)	Steel AST with Steel Diking
011A	15000	Kensol 48H Hydrotreated Distillates	Main Plant	Steel AST in Concrete Vault
017A	3000	Medium Oil UN 1270	R & D	Steel AST with Concrete Diking
018A	2000	Blended Oil UN 1270	R & D (portable)	Portable Skid Tank
019A	2000	Blended Oil UN 1270	R & D (portable)	Portable Skid Tank
020A	2000	Blended Oil UN 1270	R & D (portable)	Portable Skid Tank
021A	15000	Light Oil UN 1268	R & D	Steel AST with Concrete Diking

Map ID No.	Storage Capacity (gallons)	Content	Location	Description
022A	15000	Heavy Oil UN 1270	R & D	Steel AST with Concrete Diking
023A	15000	X-Heavy Oil UN 1270	R & D	Steel AST with Concrete Diking
024A	15000	Medium Oil UN 1270	R & D	Steel AST with Concrete Diking
Total Storage:				130,300 Gallons

BAHGAT
&
LAURITO-BAHGAT
Certified Public Accountants & Consultants
Providing the Tools For Financial Success!

June 2, 2021

Mr. Douglas Bowen
Town of Ripley Supervisor
14 North State Street
Ripley, NY 14775

Dear Mr. Bowen:

It is a pleasure to provide you with a proposal for an agreed-upon procedures engagement for the Town of Ripley Justices. This proposal encompasses an agreed-upon-procedures engagement for the calendar year 2020.

We will perform the procedures in accordance with U.S. generally accepted government auditing standards, which incorporate the financial audit and attestation standards established by the American Institute of Certified Public Accountants (AICPA). The procedures are included in the enclosure to this letter.

We are not engaged to perform, and will not perform, an audit, the objective of which would be to express an opinion. Accordingly, we will not express such an opinion. Were we to perform additional procedures, other matters might come to our attention that we would report to you.

Our report will be intended solely for your information and use and should not be used by those who have not agreed to the procedures or taken responsibility for the sufficiency of the procedures for their purposes.

EXPERIENCE & QUALIFICATIONS

Sham D. Bahgat and Louann Laurito-Bahgat, (partners of Bahgat & Laurito-Bahgat, CPA's) are Certified Public Accountants, licensed by the state of New York. Both are members of the American Institute of Certified Public Accountants and of the New York State Society of Certified Public Accountants. Together they possess over 50 years of experience in the practice of public accounting. Currently we provide accounting and attestation services for 24 Townships.

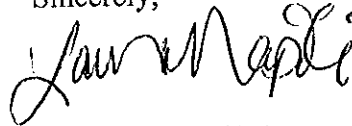
Our firm participates in the Peer Review Program, a program sponsored by the American Institute of Certified Public Accountants that provides quality control standards for an accounting and auditing practice. As such we are reviewed by an independent accounting firm that determines that we have complied with the quality control standards established by the Peer Review Board of the AICPA. We have successfully completed all our reviews with unmodified opinions. A copy of the opinion is included with this proposal.

FEES

We will perform the agreed-upon-procedures engagement for the Town of Ripley Justices for a fee of \$2,750. Our proposal is based on the attached procedures and cooperation from your staff with providing all requested documentation. If inconsistencies are identified, we will discuss these with the Town prior to any additional procedures being performed. If additional procedures are determined to be necessary, they will be billed at our hourly rate of \$115. A report of our findings and recommendations will be provided upon completion of the engagement.

Thank you for giving us the opportunity to provide you with this proposal. I look forward to working with you in the future. If you have any questions regarding this proposal, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Laura Napoli". The signature is written in a cursive, flowing style.

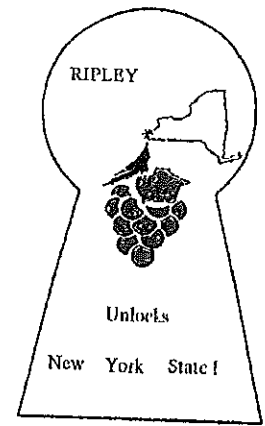
Laura Napoli, CPA
Director

Town Justice Agreed Upon Procedures:

1. A selection of cash receipts will be analyzed and tested for the requirements listed in the NYS Comptroller's Annual Checklist for Review of Justice Court Records.
2. A selection of cash disbursements will be analyzed and tested for the requirements listed in the NYS Comptroller's Annual Checklist for Review of Justice Court Records.
3. Two monthly bank reconciliations will be analyzed to ensure that the reconciliations are properly prepared.
4. A listing of bail will be analyzed to ensure that appropriate the corresponding amount of bail is available in the Justice's bank account(s) and to verify that the cases listed are not closed.
5. A listing of any installment payments will be analyzed to ensure that payments are received, recorded appropriately, and deposited timely.
6. Selected monthly reports were prepared based on the requirements listed in the NYS Comptroller's Annual Checklist for Review of Justice Court Records.
7. A selection of cases will be analyzed based on the requirements listed in the NYS Comptroller's Annual Checklist for Review of Justice Court Records.
8. Security of electronic data will be analyzed to ensure that procedures are in place to protect financial and confidential data.

The Town of Ripley

Jason K. Jones, Acting Assessor
14 N. State St P.O. Box 352
ripleyta@fairpoint.net
Ripley, New York 14775
Phone 716-736-4050
Fax 716-736-2202



RIPLEY - GATEWAY TO NEW YORK STATE

TO: Ripley Town Board
FROM: Jason K. Jones
DATE: July 8, 2021
SUBJECT: July 2021 Report from the Assessor's office

Final Roll 2021 is complete and a copy is in the Town Clerk's office. It may also be viewed on the Chautauqua County website and the Town's website has a link to it.

Property transfers for the month May are entered: 6 transfers for a total of \$230,940

All Basic Assessor training complete and orientation at the County is scheduled for July 15th at 1pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Jason K. Jones", written over a horizontal line.

Jason K. Jones
Acting Assessor
716-736-4050 Ripley Office
716-581-1777 Cell phone

TOW OF RIPLEY
Code Enforcement REPORT
JUNE 2021

BUILDING PERMITS-8

ASSESSED VALUE-\$73,000

MADISON MATTHEWS-10 MAPLE-SUP

TERESA TESTRAKE-11 N STATE-POLE STRUCTURE

BRUCE UTEGG-9850 E MAIN-ADDITION

JIM CHAMBERS-5033 RT 76-ADDITION

LAUREN RITTEN-6270 E LAKE RD-VENUE

CHAD DICARIA-7048 BAUERS-SUP

FRANCINE CARRIS-9747 E CARRIS-GARAGE

COURT CASES HAVE BEGUN!!!!

Town of Ripley

Journal

07-08-21

Summary Report by Date: 06-11-2021 - 07-08-2021

Category	Date	Notes
General	06-11-21	Moved loader to S.Ripley,took sidewalk out on S.State ,moved mlni from Reservoir
General	06-14-21	Moved shoulder equi. to Irish , took sidewalk out on S. State at Yokom's and put wheelchair sign up on E.Sidehill
General	06-15-21	Hauled gravel for shoulders on Irish
General	06-16-21	Shouldered Irish and hauled gravel.
General	06-17-21	Shouldered Irish and hauled gravel
General	06-18-21	Shouldered Welch
General	06-19-21	James and Billy helped fix water leak
General	06-21-21	Worked on tractor injector pump and got ready to haul millings off Rt.20
General	06-22-21	Hauled millings off Rt.20
General	06-23-21	Hauled millings off Rt.20
General	06-24-21	Hauled millings off 20 to Westfield and hauled blacktop for Mina
General	06-25-21	Hauled gravel for shoulders on Welch and hauled millings off 20 to Westfield
General	06-28-21	Hauled millings off 20 to Westfield and blacktop for Mina
General	06-29-21	Hauled blacktop for Frenchcreek and gravel for shoulders
General	06-30-21	Hauled blacktop for Frenchcreek ,worked on tractor and took it to Wiggers
General	07-01-21	Hauled blacktop for Frenchcreek
General	07-02-21	Cleaned pipes out on Shaver,Maple, creek by shop because of debris causing flooding
General	07-05-21	Holiday
General	07-06-21	Paved for Clymer
General	07-07-21	Paved for Clymer , hauled stone for Water Dep.
General	07-08-21	Took senior banners down ,hauled stone and excavator for water dep.,unload building for Ripley Beach and took hyd. cyclinder off 9 dump

June's Water/Sewer Report

Important: All sewer connections must be inspected by the Town before they are used.

NOTE

1. All unpaid bills were due 07/07/2021, penalties have been applied to all non-paid bills.
2. Meter readings were performed at the end of June and bills have been printed and sent out on 07/07/2021.
3. The water department would like to remind all contractors and farmers to slowly open and close valves while filling tanks to prevent hammering in the water mains. Also, slow filling tanks would be preferred since the water plant takes 24 hours for replenishment due to it being a slow sand filter plant.
4. We performed 2 major repairs this month.
 1. The intersection of Maple and Lakeview; there was a hole approx. 3" by 18" in a 4" cement water main. With the assistance from the Ripley Highway Department, we were able to complete the repair with in 7hrs. Cost was approx. \$700.00 in parts, 28-man hours (overtime), and the cost for running equipment.
 2. At the corner of Lakeview and Loomis, a 6" water main valve failed at a seal. The repair was completed in 6hrs with assistance for the Ripley Highway Department. Cost was approx. \$2,000.00 in parts, 38-man hours (straight time/overtime), and the cost for running equipment.

WD5

- Final Touch ups will start in a few months. We only have a few yards and Lake Side Dr. Note: Lake Side Dr. is currently under construction with Sewer 2 and will be finalized after Sewer 2 with assistance from The Ripley Highway Department pending Scheduling.

EQUIPMENT

- **JCB Backhoe**: Waiting for windshield replacement to be schedule
- **2021 Chevy 5500**: Ordered after approval
- **Kohler 30 Generator**: Has been identified to have an overheating issue and we are working on the generator when we have free time to determine the full-scale problem
- **Truck Milage**
 - 2016 Ford F-250 Odometer Reading:46,840; Ran a total of 640 miles for the month of June, averaging 14.8 MPG.

- 2012 Chevy 3500HD Odometer Reading:68,835; Ran a total of 478 miles for the month of June, averaging 9.2MPG.

WATER AND SEWER

- weekly maintenance performed on schedule
 - pulling solids
 - running hydro-gritter to reduce incoming grit
 - decant the digester
 - waste to the digester
 - greasing
 - bearings at aeration basin
 - bearings at grit tank
 - bearings in Comminutor
 - bearings in hydro-gritter
 - bearings in automatic bar screen
 - bearings in high-capacity compressors
 - bearings for both clarifiers
 - bearings in high flow plunger pump
 - bearings in non-potable pumps
 - adjustments
 - Return flow from clarifiers to aeration basin
 - clarifier production
 - chlorine injection
 - Manually removing solids throughout the day
 - clean and inspect clarifiers
 - clean and inspect contact tanks
 - clean and inspect grit tank
 - clean and maintain buildings
- performed daily tests, inspections, and paperwork
- Performed monthly tests for both plants
- Weed control for hydrants has started
- Brought back on west clarifier for heavy rains management
- In talks with DOH, Town Supervisor, and CPL to determine timetable for complete filter media change out and full inspection drainage
- Would like to begin pricing of digital 24-hour monitoring services for Water plant
- Blew in and leveled 76.57 Tons of Filter sand into the East filter with assistance from the Ripley Highway department.
- Performed our first set of Lead and copper testing.
- Hauled 5.75 dried biosolids to the landfill

THIS MONTHS REQUIRED TESTING

- Water plant

- 2 Total Coliform
- **Sewer Plant**
 - Coliform
 - TSS and BOD5

NON-DEPARTMENT

- Performed fabrication and installation of locks for hut bathrooms
- Moved boxes for the Justice department
- Have been assisting the Highway department as much as we can while they are doing road work

PROJECTS To COMPLETE

1. Orthophosphate for the water plant
 - a. Have parts to begin install, waiting for a time to schedule
2. Non-potable pump
 - a. Awaiting Parts
3. Low Flow Regulator
 - a. Scheduling soon
4. WD5
 - a. Grounds touch up

Water Plant production

- **Average Gallons Per Day (GPD) [Down from May]**
 - Influent: 84,936 GPD (.0849 MGD)
 - Effluent: 98,931 GPD (0.0939 MGD)
- **Total Gallons Per Month (GPM)[Down from May]**
 - Influent: 2,548,067GPM (2.55 MGM)
 - Effluent: 2,967,916 GPM (2.97 MGM)

Waste Water Treatment Plant Flows

- **Average Flow in Million Gallons per Day (MGD)**
 - 0.1813 MGD [Down from May]
- **Total Flow in Million Gallon per Month (MGM)**
 - 5.4 MGM [Down from May]