

## **BOARD OF TRUSTEES MINUTES**

**Monday, April 1, 2013 4:30 pm**

RESOLUTION #2013-045

OPEN REORGANIZATION MEETING

On motion made by Trustee Nazemetz, second by Trustee Parker resolved to open the Reorganization Meeting. Aye-all. Nay-none.

Elected Trustees John Davis and Jerry Cummins, Sr. took the Oath of Office and were sworn in.

The following items were read by Mayor Lamberson:

1. Appointments
2. Official Newspaper
3. Dates/Times of regular board meetings
4. Designation of Depositories
5. Committees
6. Purchasing Policy
7. Investment Policy
8. Advance Approval of Claims
9. Mileage Allowance

RESOLUTION #2012-046

CLOSE REORGANIZATION MEETING

On motion made by Trustee Parker, second by Trustee Nazemetz resolved to close the reorganization meeting. Aye-all. Nay-none.

The regular meeting of the Board of Trustees was called to order at 4:30 pm with a salute to the flag led by Mayor Richard Lamberson

Present: Mayor Richard Lamberson; Trustees: Alex Nazemetz, Bob Parker, Jerry Cummins, and John Davis

Also Present: Dominic Papasergi, Chief of Police & DPW Supt., Rena Flynn, Clerk Treasurer, Lance Jobe, CEO, and Janine Fodor, Attorney

Attending: Athena Silluzio, Deputy Clerk, Rhea Carls, Planning Board

RESOLUTION #2013-047  
ACCEPT MINUTES OF 3/18/2013

On motion made by Trustee Parker, second by Trustee Nazemetz, resolved to accept the minutes of 3/18/2013. Aye-all. Nay-none.

TREASURERS REPORT  
As of March 28, 2013

	CHECKING	SAVINGS	CD	
GENERAL	\$5,513.00	\$501,515.00	\$300,000.00	
WATER	\$1,775.00	\$458,321.00	\$ 50,000.00	
SEWER	\$1,172.00	\$498,922.00	\$ 50,000.00	
LIBRARY	\$40,095.00			
T&A	\$17,104.00			
WATER BOND				
<b>TOTALS</b>	<b>\$65,659.00</b>	<b>\$1,458,758.00</b>	<b>\$400,000.00</b>	
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$174,966.00	\$	\$ 14,377.00	<b>\$235,335.00</b>
POLICE UNIFORMS	\$5,453.00	45,992.00		<b>\$5,453.00</b>
		\$		
NEW BUILDING & BLDG REPAIR	\$38,353.00	39,756.00	\$ 23,079.00	<b>\$101,188.00</b>
POLICE EQUIPMENT	\$33,298.00			<b>\$33,298.00</b>
CURBING & STORM SEWER	\$39,385.00			<b>\$39,385.00</b>
		\$		
WELL HOUSE PUMP/ROUTINE MAINT		1,016.00		<b>\$1,016.00</b>
WELL & WATER TANK BLDGS/TANK		\$		
MAINT		10,388.00		<b>\$10,388.00</b>
		\$		
METER PITS		14,159.00		<b>\$14,159.00</b>
LIFT STATION, PITS, PUMP MAINT			\$ 9,041.00	<b>\$9,041.00</b>
		\$		
ENGINEERS		10,027.00	\$ 3,503.00	<b>\$13,530.00</b>
		\$		
	<b>\$291,455.00</b>	<b>121,338.00</b>	<b>\$ 50,000.00</b>	<b>\$462,793.00</b>
RECEIPTS:				DISBURSEMENTS: from 6/1/12 to present
AIM State Aid				
Building/Sign/Pool permit			GENERAL	\$ 671,673.00
Bid Deposit/Award			WATER	\$ 132,203.00

Backflow testing		SEWER	\$ 160,160.00
Clerk fees	1.00	LIBRARY	\$ 15,835.00
CHIPS		TOTAL	\$ 979,871.00
Code Violation fees			
Court Security	264.00		
Court Fines/fees			
Calibration-Pressure			
Bldg			
Donation			
DWI funds			
Equipment sales			
Franchise Fees			
Fire Inspections			
Gaming License			
Grants	4,480.00		
Inspections-c/o			
Insurance refund			
Lawn mowing			
Municipal Aid			
Mortgage Tax			
Police Contract			
Police Fees			
Pop machine			
Property Taxes			
Property Taxes-Penalty			
Refuse Collection			
Rent-WCB	220.00		
Reimbursements	23.00		
Sales Tax			
Scrap metal			
Sewer Payment-Town			
Sidewalks			
Utility Tax	3,092.00		
Unmetered Water			
Vending permit			
Vital Stats			
Water-Qtr Town			
Water meter			
Zoning fees	28.00		
ZBA/PB Hearing fees			
<b>Total</b>	<b>8,108.00</b>		

RESOLUTION #2013-048

ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Nazemetz second by Trustee Parker resolved to accept the Treasurers Report and pay current bills. Bills paid by Abstract #64972101 for \$596.88, #64972102 for \$7,767.83 and #64972103 for \$4,982.47. Aye-all. Nay-none.

**Department Reports:** Papasergi's reports will be attached to next board minutes.

The following correspondence was discussed and put on file:

1. NYCOM-2013-2014 State Budget Update
2. State of NY Public Service Commission-Safety of Electric Transmission & Distribution Systems
3. Electronic Waste Alliance Network
4. Allegany Engine Co-parade participants
5. Time Warner Cable-expiring agreements

## **POLICE**

- Papasergi said that he is looking at new police cars. More information is needed before he can present to the board. There are state bids out, or we can piggyback on another municipality.
- FCC radio upgrades, waiting on Eagle Radio and Cattaraugus County. Police cars first then facilities.

## **DPW**

- The chlorine/fluoride alarms which detect leakage in all chloride tanks need immediate attention. Rite Enterprises has given Papasergi a quote for replacement of these.
- Chlorine heads are bad on Regal gas monitors. They are approximately \$1,400. These are standard for all well houses. Papasergi wants to have one on standby in the case one breaks down. The damaged one can then most likely be rebuilt.
- Papasergi will count the number of sign posts on hand.
- Main Street will be hosed down by the Fire Dept. before SBU graduation weekend.
- Flags will be hung in the near future.
- Consider installing a pulley system for hanging banners.
- Papasergi will organize a group tour of the buildings and facilities (including well houses, water tank, and pump stations) for the board members possibly during the 1<sup>st</sup> week of May. Tentatively scheduled for May 11.
- Borrow camera from Olean for sewer infiltration.
- Jobe will complete the NYSDEC Wastewater Collection or Treatment System Owner/Operator survey

- Jobe does not agree to HomeServe-solicitation mailing for water service line coverage. Board suggested that the village does not endorse/recommend private business and will have something in the next newsletter.

### **DPW-WATER LOOP 1<sup>ST</sup> TO 2<sup>ND</sup>**

- Papasergi obtained an engineering quote from Clark Patterson Lee for the proposed 10" water main installation from 1<sup>st</sup> to 2<sup>nd</sup> St.
- Papasergi has also contacted Alienello and Hannon Engineering.
- Lamberson recommended we contact Wendell Duscherer also.
- Parker asked for Jobe to provide costs for the piping of the water loop project.

### **CODE-BUILDING/ZONING FEES**

- Jobe would like to eliminate the extra fee paid for renewal of a building permit.
- Currently a building permit is given for 1 year and it is up to the property owner to contact Jobe for a final inspection.
- If a property owner wants to revise the original building permit, Jobe does a change order.
- According to Jobe, he, as CEO has the right to extend the length of a building permit.
- Board suggested an initial building permit go no longer than 18 months. Parker doesn't like the idea of a building permit going too far out leaving a property unmaintained.
- It is up to Jobe to contact the property owner before the expiration of 18 month period
- Board all agreed that if a building permit expires, it cannot be extended. It would then have to be renewed at 50% of the original fee.

### **OTHER**

- Board will consider the Electronic Waste Alliance Network clean up day. Papasergi will check on the size of the containers. Can it be locked for the night? Cost to have someone work and monitor the waste?
- Board members will contact the parade committee if they wish to participate in the Allegany Firemen's Parade.
- Flynn to close Class bank accounts due to low interest rates.
- Jobe and Fodor suggested that the village comply with NYS Assemblyman Kearns-Resolution of Support A.88 & A.824 for contact information for vacant structures.
- Nazemetz checked into having pizza and refreshments for the SBU students who are doing village cleanup from 3/16-4/21/2013. It has been tentatively scheduled for Monday, 4/22/2013 (Earth Day) at 5 pm. Location?? RSVP to Bona coordinator by 4/15.

- Mayor wants to have the Building & Code software installed on Lance's laptop computer for him to gain access to the building permits. Fodor would also like to have access in order for her and Lance to review building permits together. Fodor suggested using web access instead of the server. Jobe will bring in the Code laptop and have the software installed.

### **Denise Schneider-Allegany Main St. & More**

- New business association is hoping to be formed.
- Would like to hang a banner at the intersection of 5<sup>th</sup> & Main Sts. for the village wide garage sale being held May 24-25 from 9am-5pm.
- They would like a board member to attend their meetings.
- Next meeting is scheduled for Wed. April 3 at 7 pm at Linger Longer.
- Chicola has offered them space at the vacant land at the corner of 2<sup>nd</sup> & Main Sts.
- Considering having the Allegany Alumni band perform in the park, Mary Carls is contact person.

### **RESOLUTION #2013-049**

#### **APPROVE SHAWLEY OFFICE CASH REGISTER MAINTENANCE AGREEMENT FOR 1 YEAR**

On motion made by Trustee Nazemetz, second by Trustee Parker resolved to approve the Shawley Office cash register maintenance agreement for 1 year for \$93.50. Aye-all. Nay-none.

### **RESOLUTION #2013-050**

#### **CLOSE CLASS BANK ACCOUNTS DUE TO LOW INTEREST RATES**

On motion made by Trustee Cummins, second by Trustee Davis resolved to close the Class bank accounts due to low interest rates. Aye-all. Nay-none.

### **RESOLUTION #2013-051**

#### **APPROVE PURCHASE OF TRANSMITTERS ON FLOW METERS FROM EMCOR FOR \$4,589.00**

On motion made by Trustee Cummins, second by Trustee Parker resolved to approve the purchase of signal transmitters on 3 flow meters at a cost of \$4,589.00. Aye-all. Nay-none.

### **RESOLUTION #2013-052**

#### **EXTEND COMPLETION OF SIDEWALK PROJECT TO AUGUST 16, 2013**

On motion made by Trustee Nazemetz, second by Trustee Parker resolved to extend the completion of the sidewalk project to August 16, 2013. Aye-All Nay-none.

RESOLUTION #2013-053

SUPPORT FOR NYS CONTACT INFORMATION FOR VACANT STRUCTURES

SUPPORT FOR NYS-CONTACT INFORMATION FOR VACANT STRUCTURES

On a motion made by Trustee Cummins, seconded by Trustee Nazemetz, the following was

ADOPTED	AYES	4	Trustee Cummins	Trustee Nazemetz
			Trustee Parker	Trustee Davis

NAYES 0

Resolved to support New York State regarding the proposed laws concerning contact information for vacant structures.

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Village of Allegany Board of Trustees supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the Village of Allegany hereby supports the passage of said Bills and respectfully requests that the State Representatives who represent constituents in the Village of Allegany support the passage of said Bills.

RESOLUTION #2013-054

EXTEND NEW BUILDING PERMIT PERIOD TO 18 MONTHS

On motion made by Trustee Cummins, second by Trustee Davis resolved to extend a new building permit for a property to 18 months, with a renewal allowable before expiration. Aye-All Nay-none.

RESOLUTION #2013-055

APPLY FOR NYSDOT PERMIT AND HANG BANNERS FOR ALLEGANY MAIN ST. & MORE GARAGE SALE AND SBU ALUMNI WEEKEND

On motion made by Trustee Cummins, second by Trustee Nazemetz resolved to apply for the NYSDOT permit and have the village DPW hang the banners for Allegany Main St. & More and SBU Alumni Weekend. Aye-All Nay-none.

RESOLUTION #2013-056

WAIVE VENDING FEES FOR VILLAGE-WIDE GARAGE SALE TO BE HELD MAY 24-25, 2013

On motion made by Trustee Nazemetz, second by Trustee Parker resolved to waive the vending fees for the village wide garage sale to be held May 24-25, 2013. Aye-All Nay-none.

RESOLUTION #2013-057

APPROVE ALL REORGANIZATION MEETING ITEMS

On motion made by Trustee Cummins, second by Trustee Davis resolved to approve all the reorganization meeting items, listed as addendum A. Aye-All Nay-none.

RESOLUTION #2013-058

APPROVAL FOR ALLEGANY MAIN STREET AND MORE TO ADD PAGE TO VILLAGE/TOWN WEBSITE

On motion made by Trustee Cummins, second by Trustee Nazemetz resolved to approve Allegany Main Street and More (Business Organization) to have a webpage on the Village/Town website. Aye-All Nay-none.

RESOLUTION #2013-059

ENTER EXECUTIVE SESSION FOR ATTORNEY/CLIENT INFORMATION (STETZ FOIL) AND AGREEMENT WITH WNY & PA RAILROAD

On motion made by Trustee Parker, second by Trustee Nazemetz resolved to enter Executive Session at 5:45 pm to discuss Attorney/Client Information (Stetz FOIL request) and the Agreement with WNY & PA Railroad. Aye-all. Nay-none.

RESOLUTION #2013-060

CLOSE EXECUTIVE SESSION



On motion made by Trustee Nazemetz, second by Trustee Parker resolved to close Executive Session at 6:07 pm. Aye-all. Nay-none.

RESOLUTION #2013-061

ADJOURN MEETING

On motion made by Trustee Parker, second by Trustee Nazemetz resolved to adjourn meeting at 6:08 pm. Aye-all. Nay-none.

Attachment A-Reorganization Meeting

Respectfully submitted,

Rena Flynn

Clerk Treasurer

Attachment A

**VILLAGE OF ALLEGANY**  
**APPOINTMENTS 2013-2014**

Deputy Mayor	Robert Parker
Clerk Treasurer, Court Clerk Registrar of Vital Statistics	Rena Flynn
Deputy Clerk, Deputy Court Clerk Deputy Registrar of Vital Statistics	Athena Silluzio
Office Clerk (part time)	Rhea Carls
Building Maintenance (part time)	Robert Tucker
Acting Justice	David Porter
Superintendent of Public Works Deputy Superintendent of Public Works	Dominic G. Papasergi Lance Jobe
Police Chief	Dominic G. Papasergi
Patrolman/Acting Sergeant	Christopher McGraw

Sr. Patrolman-part time

Timothy Peterson

Patrolmen-part time

Frank Snyder

Daniel Gonska

\*Lou Harrison

David Conner

Sean Oberfell

Jennifer Graham

Christopher Baker

Timothy Blovsky

Matthew Rado

Zachary Klafehn

Juvenile Officer

Christopher McGraw

Civil Defense Director

Dominic G. Papasergi

Emergency Command Coordinator

Dominic G. Papasergi

Attorney

Janine Fodor

Code Enforcement Officer

Lance Jobe

Chief Water Operator

Lance Jobe

Crossing Guards

Frank Boni

Donna Eberle

Thomas Jones

Official Newspaper

Times Herald, Olean

Village Board Meetings

1<sup>st</sup> Monday of each month, 4:30 pm

3<sup>rd</sup> Monday of each month, 7:00 pm

Municipal Building

subject to change

Official Depositories

Five Star Bank

Community Bank

MBIA Class

**VILLAGE OF ALLEGANY**  
**COMMITTEES 2013-2014**

Streets	John Davis
Water	Robert Parker Alexander Nazemetz
Sewer	Robert Parker Alexander Nazemetz
Police	Robert Parker
Fire Department Liaison	Richard Lamberson
Budget	Richard Lamberson
Sidewalks	Robert Parker Alexander Nazemetz
Trees	Alexander Nazemetz
Contracts	Jerry Cummins

Clerk's Office

Jerry Cummins

Zoning/Planning Boards

John Davis

Village/Town/School Liaison

John Davis

Safety Committee

Jerry Cummins

Personnel Committee

Robert Parker

Alexander Nazemetz

## PURCHASING POLICIES AND PROCEDURES

THIS RESOLUTION SETS FORTH THE POLICIES AND PROCEDURES OF THE VILLAGE OF ALLEGANY to meet requirements of General Municipal Law, Section 104-b.

### Purpose

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interest of taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or of any other general special of local law.

### Procedures for Determining Whether Procurements are Subject to Bidding.

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

- |                 |  |
|-----------------|--|
| \$1-500         | At the discretion of the Department Head.                          |
| \$501-3000      | At the discretion of the Board and Department Head (may be verbal) |
| \$3001-9999     | Written quote from at least 2 separate vendors (if available).     |
| \$10,000 and up | Sealed bids in conformance with Municipal law, Section 103.        |

Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes will be awarded to the lowest responsible and responsive vendor.

#### Statutory Exceptions From These Policies and Procedures

Except for procurements made pursuant General Municipal Law, Section 103(3) (throughout county contracts) or Section 104 (through state contract), State Finance Law, Section 175-b (from agencies for the blind or severely handicapped), Correction Law, Section 186 (articles manufactured in correctional institutions), or the items excepted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law, Section 104-b.

#### Procedures For Public Work Projects/Contracts

\$1-500	At the discretion of the Department Head.
\$501-5000	At the discretion of the Board and Department Head.
\$5001-9999	Documented telephone quotes from at least 3 separate vendors (if available).
\$10000-19999	Formal written request for Proposal with a response from at least (2) Vendors and if possible (3) vendors.
\$20000 and up	Formal sealed bids in conformance with Municipal Law, Section 103.



In all circumstances, whenever other than the lowest quote is awarded, there must be written documentation of the reason for the award.

UNDER NO CIRCUMSTANCES CAN A QUOTE THAT EXCEEDS THE BID LIMIT BE AWARDED

Professional Services and Consultants

\$1-10,000      Annual charge will be at the discretion of the Department Head,  
and with the approval of the Board.

\$10001-19999      Prices will be obtained by formal written quotes from at least 2  
sources and the award will be made at the discretion of the  
Department Head and with the approval of the Board.

\$20,000 and up      Prices will be obtained by Formal Request for proposal, with the  
award of contract being made by the Board.

Awards to other than the lowest proposer must be properly documented with the rational/reason for rejection of the lowest price.

Any and all procedures not specifically covered in this policy will be adhered to as covered in General Municipal Law. Section 104-b.

An emergency exists wherein the delay caused by soliciting quotes would endanger the health, welfare, or property of the municipality, or more important the individual taxpayer, then the

procurement of goods or services will be at the discretion of the property department head with documentation as to the nature of the emergency and shall be sent to the Governing Board, within five (5) working days of such procurement.

### Annual Review

The governing board shall annually review these policies and procedures. The Board shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

### Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of this General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to

Cause action against the Village of Allegany or any officer or employer thereof.

### Resolution

This resolution shall take effect immediately.

## **INVESTMENT POLICY OF THE VILLAGE OF ALLEGANY**

The objectives of the Investment Policy of the Village of Allegany is to minimize risk, to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceed of obligation in:

Certificates of Deposit issued in a bank or trust company authorized to do business in New

York State:

Savings accounts;

Obligations of New York State;

Obligations of the United State Government;

The following banks and municipal investors are designated by the Village of Allegany;

Five Star Bank, Allegany, New York

The Community Bank, N. A., Olean, New York

MBIA Municipal Investors Service Corporation

Collateral:

Certificate of Deposits shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of federal agencies, the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Obligations shall be held by a third party.

Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United State Government.

The governing Village Board of the Village of Allegany shall review and approve the investment policy, at least annually, and if practicable, at its organizational meeting and the members shall review and amend, if necessary these investment policies

The provision of these investment guidelines shall take effect prospectively, and shall not invalidate the prior selection of any Custodial Bank or prior investment.

## **ADVANCE APPROVAL OF CLAIMS**

WHEREAS the Board of Trustees of the Village of Allegany has determined to authorize payment in advance of audit claims for public utility services, postage, credit card accounts, freight and express charges, and

WHEREAS all such claims shall be presented at the next regular meeting for audit, and

WHEREAS the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees.

Section 2. That this resolution shall take effect immediately.

## **MILEAGE POLICY**

WHEREAS the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of Trustees shall approve reimbursement to such officers and employees at the rate of \$.565 per mile;

Section 2. That this resolution shall take effect immediately.