

Board of Trustees Minutes

April 4, 2011; 4:30 pm

RESOLUTION #2011-051

OPEN REORGANIZATION MEETING

On motion made by Trustee Rouleau, second by Trustee Parker resolved to open the reorganization meeting at 4:30 pm. Aye-all. Nay-none.

The following items were read by Mayor Richard Lamberson:

Appointments

Official Newspaper

Days/Times of regular meetings

Designation of depositories

Committees

Purchasing Policy

Investment Policy

Advance Approval of Claims

Mileage allowance

RESOLUTION #2011-052

CLOSE REORGANIZATION MEETING

On motion made by Trustee Rouleau, second by Trustee Parker resolved to close the reorganization meeting at 4:45 pm. Aye-all. Nay-none.

The regular meeting of the Board of Trustees was called to order at 4:45 with a salute to the flag led by Mayor Richard Lamberson

Present: Mayor Lamberson; Trustees: Jim Rouleau and Bob Parker

Absent: Trustees: Dan Gleason and Alex Nazemetz

Also Present: Rena Flynn, Clerk Treasurer, Lance Jobe, Code Enforcement Officer, and Athena Silluzio, Deputy Clerk

Absent: Dominic Papasergi, Police Chief & DPW Supt. and Janine Fodor, Attorney

RESOLUTION #2011-053

ACCEPT MINUTES OF MARCH 21, 2011

On motion made by Trustee Parker, second by Trustee Rouleau resolved to accept the minutes of March 21, 2011. Aye-all. Nay-none.

TREASURERS REPORT

As of Apr. 4, 2011

	CHECKING	SAVINGS		
GENERAL	\$7,445.00	\$826,583.00		
WATER	\$1,153.00	\$353,732.00		
SEWER	\$1,127.00	\$454,006.00		
LIBRARY	\$38,686.00			
T&A	\$8,800.00			
WATER BOND		\$6,294.00		
TOTALS	\$57,211.00	\$1,640,615.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$180,120.00	\$	\$ 8,941.00	\$230,589.00
POLICE UNIFORMS	\$5,442.00	\$		\$5,442.00
BUILDING	\$38,277.00	\$	\$ 22,998.00	\$100,910.00
POLICE EQUIPMENT	\$31,236.00			\$31,236.00
CURBING & STORM SEWER	\$39,307.00			\$39,307.00
WELL HOUSE PUMP ROUTINE MAINT		\$		\$1,013.00
WELL/WATER BLDGS/TANK MAINT		\$		\$10,357.00
METER PIT		\$		\$14,117.00
LIFT STATION, PITS, PUMP			\$ 4,023.00	\$4,023.00
ENGINEERS		\$		\$5,009.00
		\$		\$
	\$294,382.00	111,659.00	\$ 35,962.00	\$442,003.00
RECEIPTS:			DISBURSEMENTS: from 6/1/10 to present	
AIM State Aid				
Building/Sign/Pool permit	76.00		GENERAL	\$ 586,838.00

Bid Deposit/Award		WATER	\$ 124,078.00
Backflow testing	300.00	SEWER	\$ 145,444.00
Clerk fees	1.00	LIBRARY	\$ 28,126.00
CHIPS		TOTAL	\$ 884,486.00
Code Violation fees			
Court Security			
Court Fines/fees			
Class Action			
Donation			
DWI funds			
Equipment sales			
Franchise Fees			
Fire Inspections	200.00		
Gaming License			
Grants	3,997.00		
Inspections-c/o	80.00		
Insurance refund			
Juvenile Officer			
Lawn mowing			
Municipal Aid			
Mortgage Tax			
Police Contract			
Property Taxes	27,120.00		
Property Taxes-Penalty	1,972.00		
Rent-WCB	110.00		
Reimbursements			
Sales Tax			
Scrap metal			
Town Sewer Payment			
Utility Tax	8,231.00		
Unmetered Water			
Vehicle repair rebate			
Vital Stats	10.00		
Water-Qtr Town			
Water meter			
Zoning fees			
ZBA/PB Hearing fees			
Total	42,097.00		

RESOLUTION #2011-054

ACCEPT TREASURERS REPORT AND PAY BILLS

On motion made by Trustee Rouleau, second by Trustee Parker resolved to accept the Treasurers Report and pay current bills. Bills paid by abstract #20000614 for \$3,622.44 and #20000615 for \$23,507.83.

Aye-all. Nay-none.

Pat Mykins of 181 N. 2nd St.

- Bought her house in 1976
- There's a 2" water line from Elm St. to the end of N. 2nd where she lives
- Would like to have an 8" water line installed
- Village DPW could install the line
- Need to do a study of what it would cost to install, this would be a big project and would need an engineer
- Mayor suggested using the town engineer as a way to share services
- There's also a ditch behind her house that collects over flow from the highway
- The ditch is open for about 110 feet behind the homes and would like it filled in
- The ditch had been filled in up to the property before hers, this leads the board to believe that the previous owner stopped the process
- The ditch can't be closed off entirely, needs pipe to drain, fill to cover pipe, and then seed area (Need to purchase pipe, gravel, bank run, grass seed)
- Jobe feels it would take approximately 1 week to complete
- Jobe will get some pricing together on the project, job may not get done right away
- Pat also mentioned that when flushing sewers, bring a hose to divert the water as it pools in her yard. Jobe stated that they are doing that now.

DPW

- Plan to get subways swept before May 1
- Start with flats 1st, probably will need to do all village streets this year because of the quantity of sand used this winter.
- Last year, Papasergi decided to select certain areas to sweep subways and not the entire village as it was very time consuming. Focus is on cleaning the ones that weren't done last year, at the least.
- Use the vac com (catch basin cleaner) to clean out drywells-connected to sweeper
- Fire Department will hose off Main St. in early May
- John Hare, Town Board member has requested a hydraulic study on the water system from former Town Engineer Kirk Wilson. He should provide this as we have paid for it.
- GIS-Jobe and a summer employee will work on it
- Would like to have 1-2 summer workers on Main St. to pull weeds, paint rails, paint planters, etc. in order to keep Main St. looking good
- Brick work for the areas with problems needs to be done on Main St. Mayor suggests a summer worker do the work. Jobe stated that the job should be done right, including putting felt down in order to permanently correct the problems. Feels the state did not do the job correctly and the village will now need to spend the money to correct the brick problems. Jobe feels the job is more complicated for summer workers to tackle alone.
- In order to apply herbicide/pesticide, need to have a person certified in the application.
- Trustee Rouleau asked about inventory of equipment, tools, desks, chairs, etc. Any major equipment is inventoried and serial numbers are in the files. Clerk Flynn keeps a spreadsheet of major equipment purchases and also submits it to the insurance company. Tools and other

items are marked with village identification. Flynn stated that all inventory cannot be tracked as it would take a full time person to do the job. Also with so much inventory coming in and out, it would be hard to track without a dedicated person.

- Would like to go out to bid for the Property Maintenance-Code Violations. Need to decide whether to bid by hour, job, plus equipment.

The following correspondence was reviewed and put on file:

1. Five Star Bank-name as official depository
2. Cattaraugus County Planning Board minutes and agenda
3. Mark D. Alianello, P.E.-engineering services
4. Allegany Engine Co-annual parade
5. Cattaraugus IDA-Revisions to Uniform Tax Exemption Policy
6. Town of Allegany-Bonaventure Square Amendment to SEQR Negative Declaration to include District Energy Facility
7. Time Warner Cable-expiring agreements

RESOLUTION #2011-055

APPOINT JEFFREY BAXTER TO VILLAGE ZONING BOARD OF APPEALS AS AN ALTERNATE FOR A TWO YEAR TERM (4/1/11-3/31/13)

On motion made by Trustee Rouleau, second by Trustee Parker resolved to appoint Jeffrey Baxter to the Zoning Board of Appeals as an alternate for a two year term 4/1/11-3/31/13. Aye-all. Nay-none.

RESOLUTION #2011-056

REAPPOINT WILLIAM WIEDMAN TO VILLAGE ZONING BOARD OF APPEALS FOR A FIVE YEAR TERM (4/1/11-3/31/16)

On motion made by Trustee Rouleau, second by Trustee resolved to reappoint William Wiedman to the Zoning Board for a five year term. Position 4/1/11-3/31/16. Aye-all. Nay-none.

RESOLUTION #2011-057

COLLABORATE WITH ST. BONAVENTURE UNIVERSITY (SBU) AND CATTARAUGUS COMMUNITY ACTION (CCA) IN APPLICATION FOR A GRANT FOR THE OFFICE ON VIOLENCE AGAINST WOMEN (OVW)

On motion made by Trustee Rouleau, second by Trustee Parker resolved to collaborate with SBU and CCA in application for a grant for the OVW to reduce sexual assault, domestic violence, dating violence, and stalking on campus. Aye-all. Nay-none.

RESOLUTION #2011-058

APPROVAL FOR ALCS NATURAL HELPERS TO HOLD A BUFFALO NEWS KIDS DAY ON APRIL 26, 2011 FROM 6AM TO 8AM IN THE VILLAGE

On motion made by Trustee Parker, second by Trustee Rouleau resolved to approve ALCS Natural Helpers to hold a Buffalo News Kids Day on April 26, 2011 from 6am-8am at the corners of Rt. 417 and 1st St. and Maple Ave. and N.1st St. Aye-all. Nay-none.

RESOLUTION #2011-059

APPROVAL FOR THE CENTER FOR FAMILY UNITY TO HOLD A "ROADBLOCK" FUNDRAISER ON MAY 20, 2011 FROM 7 AM TO 9:30 AM IN THE VILLAGE

On motion made by Trustee Parker, second by Trustee Rouleau resolved to approve The Center for Family Unity to hold a Roadblock Fundraiser on May 20, 2011 from 7am-9:30am at the intersection of 1st St and Rt. 417. Funds raised help with family programs in the area. Aye-all. Nay-none.

RESOLUTION #2011-060

ACCEPT ANNUAL MAINTENANCE CONTRACT WITH SHAWLEY FOR CASH REGISTER

On motion made by Trustee Rouleau, second by Trustee Parker resolved to accept the annual maintenance contract with Shawley for the cash register for \$89/year. Aye-all. Nay-none.

RESOLUTION #2011-061

SCHEDULE PUBLIC HEARING ON 2012 BUDGET FOR MONDAY, APRIL 18, 2011 AT 6:45 PM

On motion made by Trustee Parker, second by Trustee Rouleau resolved to schedule the public hearing on the 2012 budget for Monday, April 18, 2012 at 6:45 pm. Aye-all. Nay-none.

RESOLUTION #2011-062

APPROVE INSURANCE RENEWAL WITH US SPECIALTY INSURANCE (P&C-BROKER) FOR 2012

On motion made by Trustee Rouleau, second by Trustee Parker resolved to approve the insurance renewal with US Specialty Insurance (P&C-broker) for 2012. Aye-all. Nay-none.

RESOLUTION #2011-063

APPROVE ALL REORGANIZATION ITEMS FOR YEAR 4/1/2011-3/31/2012

On motion made by Trustee Parker, second by Trustee Rouleau resolved to approve all reorganization items (as listed below) for the year 4/1/2011-3/31/2012. Aye-all. Nay-none.

APPOINTMENTS 2011-2012

Deputy Mayor	Daniel Gleason
Clerk Treasurer, Court Clerk, Registrar of Vital Statistics	Rena Flynn
Deputy Clerk, Deputy Court Clerk, Deputy Registrar of Vital Statistics	Pamela Withers (till 4/28/2011) and Athena Silluzio
Office Clerk	Rhea Carls
Building Maintenance	Robert Tucker
Acting Justice	David Porter
Superintendent of Public Works	Dominic G. Papasergi
Deputy Superintendent of Public Works	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 David Conner Sean Obergfell Jennifer Graham Christopher Baker Timothy Blovsky Matthew Finnerty

	Matthew Rado
Juvenile Officer	Christopher McGraw
Civil Defense Director	Dominic G. Papasergi
Incident Command Officer	Dominic G. Papasergi
Attorney	Janine Fodor
Code Enforcement Officer	Lance Jobe
Chief Water Operator	Lance Jobe
Crossing Guard	Maynard Thompson
	Frank Boni
Crossing Guard Subs	John Kuhn
Official Newspaper	Times Herald, Olean
Village Board Meetings	1 st Monday of each month, 4:30 pm
	3 rd Monday of each month, 7:00 pm
	Municipal Building
	Subject to change
Official Depositories	Five Star Bank
	Community Bank
	MBIA Class

COMMITTEES 2010-2011

Streets	Daniel Gleason
Water	Robert Parker
	Alexander Nazemetz
Sewer	Robert Parker
Police	James Rouleau
Fire Department Liaison	Richard Lamberson
Budget	Richard Lamberson
Sidewalks	Robert Parker
	Alexander Nazemetz
Trees	Daniel Gleason
Contracts	Alexander Nazemetz
Clerk's Office	Alexander Nazemetz
Zoning/Planning Boards	James Rouleau
Village/Town/School Liaison	Daniel Gleason
Safety Committee	James Rouleau
Personnel Committee (Police)	James Rouleau
	Richard Lamberson
Personnel Committee (All but Police)	James Rouleau
	Daniel Gleason

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:

- | | |
|-----------------|--|
| \$1-5000 | At the discretion of the Department Head. |
| \$5001-9999 | 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

\$1-5000	At the discretion of the 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

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

NY Class

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, freight and express charges, or any claims subject to a late fee or interest charge accruing by a stated date, 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 \$.50 per mile;

Section 2. That this resolution shall take effect immediately.

RESOLUTION #2011-064

APPOINT ATHENA SILLUZIO AS DEPUTY CLERK, DEPUTY COURT CLERK AND DEPUTY REGISTRAR OF VITAL STATISTICS

On motion made by Trustee Parker, second by Trustee Rouleau resolved to appoint Athena Silluzio as Deputy Clerk, Deputy Court Clerk and Deputy Registrar of Vital Statistics to be effective immediately. Aye-all. Nay-none.

RESOLUTION #2011-065

USE \$3,000 FROM GENERAL FUND BALANCE TO REMOVE STUMPS IN THE VILLAGE

On motion made by Trustee Parker, second by Trustee Rouleau resolved to use \$3,000 from the general fund-fund balance in order to remove the stumps in the village, about 12-14. Aye-all. Nay-none.

- Went into budget work session. Reviewed General Fund Revenues, Street Department Expenses and Police Department Expenses. Will review again on **Thursday, April 14 at 4:00 pm.**

RESOLUTION #2011-066

ADJOURN MEETING

On motion made by Trustee Parker, second by Trustee Rouleau resolved to adjourn the meeting at 7:40 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn, Clerk Treasurer