

Board of Trustees Meeting Minutes

July 19, 2010; 4:00 pm

The regular meeting of the Board of Trustees was called to order with a salute to the flag led by Deputy Mayor Diana Rzepka.

Present: Trustees: Charlie Fortuna, Diana Rzepka, Dan Gleason and Jim Rouleau

Absent: Mayor Richard Lamberson

Also Present: Rena Flynn, Clerk Treasurer, Dominic Papasergi, Police Chief & DPW Supt., Janine Fodor, Village Attorney

RESOLUTION #2010-143

ACCEPT MINUTES OF JUNE 21, 2010

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to accept the minutes of June 21, 2010. Aye-all. Nay-none.

TREASURERS REPORT

As of July 15, 2010

	CHECKING	SAVINGS		
GENERAL	\$3,858.00	\$1,096,441.00		
WATER	\$3,360.00	\$268,197.00		
SEWER	\$3,025.00	\$421,543.00		
LIBRARY	\$49,046.00			
T&A	\$6,985.00			
WATER BOND		\$6,287.00		
TOTALS	\$66,274.00	\$1,792,468.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$179,077.00	\$	\$	\$248,388.00
POLICE UNIFORMS	\$5,426.00	53,408.00	15,903.00	\$5,426.00
		\$	\$	
BUILDING	\$38,161.00	69,540.00	22,934.00	\$130,635.00
POLICE EQUIPMENT	\$26,152.00			\$26,152.00
CURBING & STORM SEWER	\$34,198.00			\$34,198.00

WELL HOUSE PUMP ROUTINE MAINT	\$			
		1,010.00		\$1,010.00
WELL/WATER BLDGS/TANK MAINT	\$			
		10,332.00		\$10,332.00
METER PIT	\$			
		11,586.00		\$11,586.00
LIFT STATION, PITS, PUMP			\$	
			4,011.00	\$4,011.00
			\$	
		\$283,014.00	\$ 145,876.00	\$ 42,848.00
				\$471,738.00

RECEIPTS:			DISBURSEMENTS: from 6/1/10 to present	
Building/Sign/Pool permit	126.00		GENERAL	\$ 122,510.00
Bid Deposit			WATER	\$ 34,714.00
Backflow testing			SEWER	\$ 3,655.00
Clerk fees	8.00		LIBRARY	\$ 15,847.00
CHIPS			TOTAL	\$ 176,726.00
Code Violation fees				
Court Security				
Court Fines/fees	9,191.00			
Class Action				
Donation				
DWI funds				
Equipment sales				
Franchise Fees				
Fire Inspections	25.00			
Gaming License				
Grants				
Inspections-c/o	160.00			
Insurance refund				
Juvenile Officer				
Lawn mowing	125.00			
Municipal Aid				
Mortgage Tax				
Police Contract				
Property Taxes	345,431.00			
Property Taxes-Penalty	350.00			
Rent-WCB				
Reimbursements	1,267.00			
Sales Tax				
Scrap metal				
Town Sewer Payment				
Utility Tax	6,260.00			

Unmetered Water	67.00
Vehicle repair rebate	
Vital Stats	
Water-Qtr Town	
Water meter	
Zoning fees	20.00
ZBA/PB Hearing fees	

Total **363,030.00**

RESOLUTION #2010-144

ACCEPT TREASURER’S REPORT AND PAY BILLS

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to accept the Treasurer’s Report and pay bills. Bills paid by abstract #20000561 for \$2,922.41, #20000562 for \$40,525.56, #20000563 for \$1,528.64, and #20000564 for \$13,015.72 Aye-all. Nay-none.

RESOLUTION #2010-145

ENTER EXECUTIVE SESSION

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to enter Executive Session at 4:01 pm to discuss: 1. Personnel and 2. Contract. Aye-all. Nay-none.

RESOLUTION #2010-146

CLOSE EXECUTIVE SESSION

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to close Executive Session at 5:02 pm. Aye-all. Nay-none.

DPW REPORT FOR THE MONTH OF JUNE 2010

- Cleaned tops of catch basins as needed.
- Lance did Code as needed – see Code Enforcement Blotter.
- Cut grass as needed.
- Dominic and Lance attended highway school in Ithaca, NY.

- Did water, sanitary sewer and storm sewer locates as needed.
- Flushed sewer mains – monthly sewer flush.
- Swept streets with street sweeper.
- Started working on repairing cracks on roadways in village. Blew out and put hot crack fill in cracks on streets.
- Continued working on locating water main shutoffs, hydrant shutoffs, storm sewer clean outs, storm sewers etc. in the hill area, in preparation for future GIS Data collecting.
- Changed 4 bulbs on light poles on Main Street.
- Painted fire hydrants in village. Hill area has not been done yet as we are planning on continuing our fire hydrant replacement program in that area.
- Worked on fixing up the Police / EMT building at Firemen’s Park. Village is supplying labor and Fire Department is buying the supplies.
- Painted and put down glass beads on crosswalks throughout village.
- Worked on cleaning storm sewer catch basins.
- Started running root cutter through sewer mains.
- Put up and took down temporary No Parking Signs on North Second Street, Pine Street, Elm Street and North First Street in preparation for Firemen’s Old Home Week Activities.
- Swept Main Street area prior to Old Home Week parades.
- Put up and took down Detour Roadway Street Signs used to reroute traffic for Old Home Week parades.

VILLAGE OF ALLEGANY POLICE DEPARTMENT
CHIEF'S MONTHLY REPORT

MONTH OF:	<u>June</u>	<u>2010</u>
Complaint Calls		<u>57</u>
Miscellaneous Calls		<u>63</u>
Larceny Complaints		<u>3</u>
Attempted Larceny Complaints		<u>0</u>
Burglary Complaints		<u>1</u>
Attempted Burglary Complaints		<u>0</u>
Vehicle & Traffic Tickets Issued		<u>13</u>
D.W.I. Arrests		<u>0</u>
Felony Arrests		<u>0</u>
Misdemeanor Arrests		<u>2</u>
Violation Arrests		<u>2</u>
Local Law Arrests		<u>1</u>
Accidents Investigated	P.I.	<u>0</u>

	P.D.	<u>2</u>
Parking Tickets Issued		<u>22</u>
Town Calls		<u>19</u>

Other

(Identify): Thursday June 17, 2010 - Chief Papasergi and firemen conducted fire prevention and education talks and gave tours of the fire station to Mrs. Siriani's 2nd grade class and to a YMCA preschool group.

Tuesday June 22 through Saturday June 26, 2010 - Extra police patrols were used to keep an eye on people in town and work traffic for various Allegany Engine Company Old Home Week activities.

The following correspondence was reviewed and put on file:

1. Community Bank-thank you
2. Don Black, Concerned Citizens & Business Committee of Allegany (NYSDOT)
3. WNY&PARR-lease agreements
4. National Grid-Gross Receipts Taxes
5. Gov. Paterson-Energize New York
6. Christmas In Allegany meeting notes
7. Time Warner Cable-agreements
8. Leandra's Law-8/15/10-2nd phase implemented
9. NYS Department of Labor-regulations regarding fireworks & pyrotechnics
10. Town of Allegany: Re: Bonaventure Square SEQR Review
11. Christmas in Allegany-St. Bonaventure Church notes
12. Sewer meeting with Peter Marcus meeting notes
13. Tanglewood Subdivision meeting notes

DPW

Backhoe

- Current backhoe is from 2002.
- Will order a 2010 JCB for a net cost of \$48,338 plus \$5000 per year lease on a new backhoe each year
- Cost is \$69,838 less trade in of 2002 of \$21,500.
- Agreement will be in effect for 5 years.
- Village pays for any maintenance
- All 4 DPW personnel can operate it

POLICE

- Trustee Gleason thought the hours for June including Old Home Week were excessive.
- Sheriff department did bike patrol during Old Home week.
- Would like to hire 3 new part time officers
- Crossing Guards-Maynard Thompson will have 1st choice of the area for crossing; will ask Frank Boni if he'd like to take on the 2nd permanent position.
- Will put an ad in the paper for a 2nd substitute crossing guard.

OTHER

- Collins Burton Inc. State Liquor Authority Renewal application
- Harmon Club (K of C) State Liquor Authority Renewal application
- ZBA asked about four hour mandatory training each year, will talk to CEO Jobe about it.
- Randy's Up the River wants to operate a concession trailer on Thursday through Saturday evenings downtown for vending hot dogs, tacos, soft drinks. He wants to park on Main St. and be open from 9pm-3am while SBU is in session. Board was leery about him vending on the street.

The board and village attorney discussed the following meeting and made these comments:

MEETING CONCERNING TANGLEWOOD SUBDIVISION

- THERE ARE MANY STORIES CIRCULATING ABOUT THE SUBDIVISION AND WHAT THE VILLAGE IS OFFERING TO TILLER TO ANNEX INTO THE VILLAGE
- WE ALL NEED TO SIT DOWN WITH MR. TILLER AND SEE WHAT HE ACTUALLY WANTS IN THE BEST INTEREST OF HIS SUBDIVISION
- ATTORNEY FODOR WANTS TO GET WATER/SEWER SERVICES FROM ST. JOHN'S DRIVE
- TECHNICAL ENGINEER SAYS HE CAN GET IT FROM THERE INSTEAD OF N. 7TH ST.
- WILL THE VILLAGE GIVE HIM ACCESS TO THE LINES FROM ST. JOHN'S IN HE DOES NOT ANNEX?
- TILLER FEELS HE WAS BLACK MAILED.
- TOWN HEARD VILLAGE OFFERED HIM \$80,000 TO ANNEX, FALSE INTERPRETATION
- NO MONEY WAS MENTIONED, ONLY THAT THE VILLAGE COULD POSSIBLY PURCHASE HIS MATERIAL FOR HIM ON THE STATE CONTRACT, TO BE REIMBURSED BY TILLER
- TILLER SAID IF HE ANNEXES, HE WOULD BE GUARANTEED ACCESS TO ST. JOHN'S
- PLANNING BOARD NEEDS TO MEET FIRST, MAKE THEIR SUGGESTIONS AND THEN THE VILLAGE BOARD ULTIMATELY MAKES THE DECISION TO OPEN UP ST. JOHN'S
- DOMINIC THOUGHT THEY COULD WORK TOGETHER WITH THE STORM SEWER ISSUES IN THE ST. MARY'S SUBDIVISION.
- WITH ANNEXATION, SAME LAWS APPLY, WITHOUT THERE ARE DIFFERENT LAWS
- VILLAGE WOULD RATHER HE HOOK UP SEWER AT 7TH ST. TO ENABLE FURTHER EXPANSION
- VILLAGE NEEDS AN ENGINEER TO SEE WHERE TO TAP IN SEWER AT ST. JOHN'S

- PAT WONDERED IF TILLER WOULD ACCEPT TOWN ENGINEER'S STUDY
 - TILLER WOULD BE RESPONSIBLE FOR PAYING AN INDEPENDENT CONTRACTOR
 - PAT WILL CONTACT TILLER TO MEET WITH HIMSELF, MAYOR, RODNEY, DOM AND LANCE.
- Important for Mr. Tiller to hire an independent engineer to review the water/sewer
 - Any conditions the village has applies to all property owners
 - Attorney said village cannot force him to hook into 7th St. unless there's an engineering reason to not hook into St. John's Dr.
 - With Tiller's subdivision, everyone benefits, village and town, village would stand to lose out without annexation
 - Future development in the village would stop if the project is not annexed.
 - See what Aaron Tiller wants to do.

RESOLUTION #2010-147

APPROVAL TO REVIEW THE CITY OF OLEAN ANNUAL SEWER BILL WITH THE TOWN OF ALLEGANY PRIOR TO SENDING PAYMENT

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to approve the review of the City of Olean annual sewer contract bill with the town before sending out payment. Aye-all. Nay-none.

RESOLUTION #2010-148

APPROVE PAYMENT OF BEREAVEMENT PAY FOR DAN GONSKA

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to approve the payment of bereavement pay for Officer Daniel Gonska for the 10 hours he was absent during Old Home Week due to the death of his long time mate. Officer Gonska has been with the APD for over 10 years and special consideration was given on behalf of the board of trustees for this action. Aye-all. Nay-none.

RESOLUTION #2010-149

TRANSFER \$5000 FROM WATER ENGINEERING BUDGET (FY 5/31/2010) TO ENGINEERING RESERVE FUND

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to transfer \$5000 from the Water Engineering budget from fiscal year 5/31/10 to the Water Engineering Reserve Fund. Aye-all. Nay-none.

RESOLUTION #2010-150

APPOINT SEAN OBERGFELL AS ALLEGANY POLICE DEPARTMENT CHAPLAIN

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to appoint APD Officer Sean Obergfell as APD Chaplain. This is a voluntary position with no incremental pay. Aye-all. Nay-none.

RESOLUTION #2010-151

ACCEPT THE RESIGNATION OF DONALD HOLDRIDGE FROM CROSSING GUARD

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to accept the resignation of Donald Holdridge from the Crossing Guard position. Aye-all. Nay-none.

RESOLUTION #2010-152

APPROVAL TO PLACE AD FOR SUBSTITUTE SCHOOL CROSSING GUARD

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to approve the placement of an ad in the newspaper for a substitute crossing guard. Aye-all. Nay-none.

RESOLUTION #2010-153

APPROVAL TO INTERVIEW FOR PART TIME POLICE OFFICERS

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to approve interviewing for part time police officers. Aye-all. Nay-none.

RESOLUTION #2010-154

ORDER RADIO FOR CROWN VICTORIA

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to order a new radio for the Crown Victoria and to repair the other for a spare radio. Money may be used from the police equipment reserves if necessary. Aye-all. Nay-none.

RESOLUTION #2010-155

GO OUT TO BID FOR SANDER

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to go out to bid for a sander. Bid opening will be 8/16/2010. Aye-all. Nay-none.

RESOLUTION #2010-156

GO OUT TO BID FOR LEAF VACUUM/MULCHER

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to go out to bid for a leaf vacuum/mulcher. Bid opening will be 8/16/2010. Aye-all. Nay-none.

RESOLUTION #2010-157

GO OUT TO BID FOR LEAF RECEIVER BOX

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to go out to bid for a leaf receiver box. Bid opening will be 8/16/2010. Aye-all. Nay-none.

CHRISTMAS IN ALLEGANY

- Village would like to lease property for the use of "Christmas in Allegany"
- Attorney feels the lease should be in the organization's name for leasing the property from St. Bonaventure Church
- St. Bonaventure Church has initially agreed to lease the property to the village for this use.

RESOLUTION #2010-158

APPROVAL FOR ATTORNEY FODOR TO WRITE LEASE AGREEMENT FOR ST. BONAVENTURE CHURCH PROPERTY

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to approve Attorney Fodor to write a lease agreement for St. Bonaventure Church property for "Christmas in Allegany" use. Aye-all. Nay-none.

RESOLUTION #2010-159

APPROVAL FOR CODE ENFORCEMENT OFFICER JOBE TO ATTEND 1 DAY MANDATORY EDUCATIONAL PROGRAM FOR CODE ENFORCEMENT

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to approve attendance for Lance Jobe for NYSDOS-Mandatory Educational Program for Code Enforcement. Aye-all. Nay-none.

RESOLUTION #2010-160

SET STANDARD WORKDAY FOR ELECTED AND APPOINTED OFFICIALS AT 10 HOURS PER MONTH

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to set the standard workday for Elected and Appointed Officials at 10 hours per month. Aye-all. Nay-none.

RESOLUTION #2010-161

SET RATES FOR LAWN MAINTENANCE, TRASH PICK-UP AND TRASH REMOVAL FOR ORDERS OF REMEDY

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to set the rates for Lawn Maintenance, Trash pickup and Trash removal for Orders of Remedy as follows:

COSTS FOR ORDERS OF REMEDY

Lawn Mowing, Trash Pickup and Trash Removal

All Priced Per Location

Equipment :

Zero turn mower and/or JD 425	\$50
String Trimmer	\$25
Truck Fee-1 Ton	\$65
Truck Fee-Pickup	\$50
Dump fees	Actual fee at dump

Labor: Charged 1 hour minimum

1. Summer help per hour	\$25
2. Building Maint. Per hour	\$30
3. Supervisor per hour	\$37

Aye-all. Nay-none.

RESOLUTION #2010-162

APPROVE NY MUTUAL AID & ASSISTANCE AGREEMENT FOR WATER/WASTEWATER PROVIDERS

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to approve the NY Mutual Aid & Assistance Agreement for Water/Wastewater Providers sponsored by New York Rural Water. Aye-all. Nay-none.

RESOLUTION #2010-163

ADJOURN MEETING

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to adjourn at 6:50 pm. Aye-all. Nay-none.

Respectfully Submitted.

Rena Flynn

Clerk Treasurer