

Board of Trustees Meeting Minutes

August 16, 2010; 4:00 pm

RESOLUTION #2010-164

OPEN BID FOR TOW BEHIND LEAF MULCHER/VACUUM

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to open the bid for the Tow Behind Leaf Mulcher/Vacuum. Aye-all. Nay-none.

1. Joe Johnson Equipment	\$25,563.20	(XV6000)
2. Joe Johnson Equipment	\$14,995.50	(LCT65)
3. ODB	\$16,840.00	(LTC60C)
4. Bradco Supply Company	\$23,877.00	
5. Snowfighting Equipment	\$24,943.00	(JD 82 hp)
6. Snowfighting Equipment	\$29,143.00	(JD 99 hp)
7. Valley Fab & Equipment	\$20,887.00	(Tarco)

RESOLUTION #2010-165

CLOSE BID FOR TOW BEHIND LEAF MULCHER/VACUUM

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to close the bids for the Tow Behind Leaf Mulcher/Vacuum. Aye-all. Nay-none.

RESOLUTION #2010-166

OPEN BID FOR LEAF RECEIVER BOX

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to open the bid for the Leaf Receiver Box. Aye-all. Nay-none.

1. Joe Johnson Equipment	\$5,150.00
2. ODB	\$3,800.00
3. Bradco Supply Company	\$4,500.00
4. Snowfighting Equipment	\$4,610.00
5. Valley Fab & Equipment	\$3,959.00

RESOLUTION #2010-167

CLOSE BIDS FOR LEAF RECEIVER BOX

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to close the bids for the Leaf Receiver Box. Aye-all. Nay-none.

RESOLUTION #2010-168

OPEN BID FOR CONVEYOR TYPE HOPPER BODY SPREADER FOR SALT & SAND

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to open the bid for the Conveyor Type Hopper Body Spreader for Salt & Sand. Aye-all. Nay-none.

1. Bradco Supply Company \$10,745.00
2. Snowfighting Equipment \$15,943.00
3. Valley Fab & Equipment \$10,469.00 + 385.00 = \$10,854.00

RESOLUTION #2010-169

CLOSE BID FOR CONVEYOR TYPE HOPPER BODY SPREADER FOR SALT & SAND

On motion made by Trustee Fortuna, second by Trustee Rzepka resolved to close the bid for the Conveyor Type Hopper Body Spreader for Salt & Sand. Aye-all. Nay-none.

RESOLUTION #2010-170

OPEN PUBLIC HEARING FOR TRAFFIC REGULATIONS LL1-2010

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to open the public hearing for Traffic Regulations Local Law #1-2010. Aye-all. Nay-none.

- Board would like to have Harriet Street changed to 25 mph. (Sec. 1A 2(d))
- Discussion of Sec. 4A 1a parking on subways from April 1-Oct. 31-this was changed due to the number of property owners having their driveways resealed during this timeframe. Board will review.

RESOLUTION #2010-171

CLOSE PUBLIC HEARING FOR TRAFFIC REGULATIONS LL1-2010

On motion made by Trustee Fortuna, second by Trustee Rzepka resolved to close the public hearing for Traffic Regulations Local Law #1-2010. Aye-all. Nay-none.

The regular meeting of the Board of Trustees was called to order at 4:48 pm with a salute to the flag led by Mayor Richard Lamberson

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

Absent: Trustee Dan Gleason

Also Present: Rena Flynn, Clerk Treasurer, Dominic Papasergi, Police Chief & DPW Supt., Janine Fodor, Village Attorney; Rhea Carls, Planning Board, Bob Parker, ZBA

RESOLUTION #2010-172

ACCEPT MINUTES OF JULY 19, 2010

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to accept the minutes of July 19, 2010. Aye-all. Nay-none.

TREASURERS REPORT

As of August 13, 2010

	CHECKING	SAVINGS		
GENERAL	\$12,058.00	\$1,125,134.00		
WATER	\$46,722.00	\$296,229.00		
SEWER	\$4,355.00	\$461,673.00		
LIBRARY	\$44,719.00	\$6,288.00		
T&A	\$7,066.00			
WATER BOND				
GENERAL RESERVE		\$55,936.00		
TOTALS	\$114,920.00	\$1,945,260.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
		\$	\$	
EQUIPMENT	\$179,210.00	53,439.00	15,913.00	\$248,562.00
POLICE UNIFORMS	\$5,430.00			\$5,430.00
		\$	\$	
BUILDING	\$38,190.00	39,562.00	22,948.00	\$100,700.00
POLICE EQUIPMENT	\$26,171.00			\$26,171.00
CURBING & STORM SEWER	\$34,224.00			\$34,224.00
		\$		
WELL HOUSE PUMP ROUTINE MAINT		1,011.00		\$1,011.00
		\$		
WELL/WATER BLDGS/TANK MAINT		10,338.00		\$10,338.00
		\$		
METER PIT		11,593.00		\$11,593.00
			\$	
LIFT STATION, PITS, PUMP			4,014.00	\$4,014.00
		\$		
ENGINEERS		5,000.00		\$5,000.00
		\$	\$	
	\$283,225.00	120,943.00	42,875.00	\$447,043.00

RECEIPTS:

Building/Sign/Pool permit	332.00
Bid Deposit	
Backflow testing	50.00

DISBURSEMENTS: from 6/1/10 to present

	\$
GENERAL	135,002.00
	\$
WATER	35,029.00
SEWER	\$

			3,862.00
			\$
Clerk fees	4.00	LIBRARY	15,847.00
			\$
CHIPS		TOTAL	189,740.00
Code Violation fees			
Court Security	290.00		
Court Fines/fees	5,402.00		
Class Action			
Donation			
DWI funds			
Equipment sales			
Franchise Fees			
Fire Inspections			
Gaming License			
Grants			
Inspections-c/o	1,440.00		
Insurance refund			
Juvenile Officer			
Lawn mowing			
Municipal Aid			
Mortgage Tax			
Police Contract			
Property Taxes	20,185.00		
Property Taxes-Penalty	1,009.00		
Rent-WCB	405.00		
Reimbursements	467.00		
Sales Tax	53,803.00		
Scrap metal			
Town Sewer Payment			
Utility Tax	1,593.00		
Unmetered Water			
Vehicle repair rebate			
Vital Stats			
Water-Qtr Town	45,087.00		
Water meter			
Zoning fees	30.00		
ZBA/PB Hearing fees			
Total	130,097.00		

RESOLUTION #2010-173

ACCEPT TREASURER'S REPORT AND PAY BILLS

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to accept the Treasurer's Report and pay bills. Bills paid by abstract #20000564 for \$13,015.72, #20000565 for \$4,734.95,

#20000566 for \$9,264.83, #20000567 for \$207.11, #20000568 for \$7,052.18 and #20000569 for \$55,777.51. Aye-all. Nay-none.

VILLAGE OF ALLEGANY POLICE DEPARTMENT
CHIEF'S MONTHLY REPORT

MONTH	July	2010
OF:		
Complaint Calls		54
Miscellaneous Calls		85
Larceny Complaints		2
Attempted Larceny Complaints		0
Burglary Complaints		0
Attempted Burglary Complaints		0
Vehicle & Traffic Tickets Issued		6
D.W.I. Arrests		0
Felony Arrests		0
Misdemeanor Arrests		0
Violation Arrests		2
Local Law Arrests		0
Accidents Investigated	P.I.	0
	P.D.	2
Parking Tickets Issued		1
Town Calls		23

Other (Identify): **Friday July 16, 2010** - The police radio in CO-11 needed to be replaced as it was no longer working properly.

Saturday July 24, 2010 - Police patrols were called out early to assist with traffic and keeping people away from several electric and other utility lines and trees that had fallen throughout the village due to an F-1 Tornado that touched down in area.

Wednesday July 28, 2010 - Chief Papasergi attended a Cattaraugus County Association of Chief's of Police meeting in Allegany, NY.

DPW REPORT FOR THE MONTH OF JULY 2010

- Cleaned tops of catch basins as needed.
- Lance did Code as needed – see Code Enforcement Blotter.
- Cut grass as needed.
- Did water, sanitary sewer and storm sewer locates as needed.
- Flushed sewer mains – monthly sewer flush.
- Swept streets with street sweeper.
- Continued working on repairing cracks on roadways in village.
- 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.
- Painted fire hydrants on South Seventh Street.
- Worked on cleaning storm sewer catch basins.
- Put weed killer down in brick paved subway areas along Main Street. After weeds died, used a torch to burn dried out weeds.
- Started running root cutter through sewer mains.
- Repaired three faulty fire hydrants on (1) North Third Street, (1) Maple Avenue and (1) North First Street.
- Replaced No Parking This Side and No Parking Here to Corner signs and posts on North Fourth Street.
- Started trimming trees that had branches blocking street signs in areas around village.
- Worked on patching pot holes on village streets.
- Replaced a four inch water main valve and installed two six inch water main valves at the intersection of Fourth and Chestnut Street
- Painted doors on Water Well House #1 and #2
- Painted Water Well Hose #3
- Prepared Maple Avenue, North Third, Pine, Elm Spruce and Chestnut (from Second to Third) Streets' to be resurfaced.
- Resurfaced Maple Avenue, North Third, Pine, Elm Spruce and Chestnut (from Second to Third) Streets' with fiber seal
- Crews were called out to remove trees from roadways and block roadways due to an F-1 Tornado which touched down in area causing problems in areas of Union Street, Main Street, Third Street, Fourth Street, Harriett, Fifth Street and Sherwood Drive. Other areas in village had tree branches down in back yards.
- Replaced a broken water service at 55 North Fifth Street
- Repaired a broken water main on Maple Avenue near Fourth Street.

A representative from the **Church of God of Prophecy** was here to request placement of a drop off box at the village hall for used cell phones. This is a collection and fundraiser for their church. A representative from the church will stop in periodically to pick up the phones. There is also a donation receipt for those who have donated phones.

RESOLUTION #2010-174

APPROVE COLLECTION BOX FOR USED CELL PHONES FOR A FUNDRAISER FOR CHURCH OF GOD OF PROPHECY

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to approve a collection box for used cell phones for a fundraiser for the Church of God of Prophecy. Aye-all. Nay-none.

Aaron Tiller has agreed to the contents of the following letter from the Planning Board:

July 21, 2010

From: Village of Allegany Planning Board

To: 1. Village Board of Trustees
2. Aaron Tiller, Tanglewood Subdivision

Re: Tanglewood Subdivision and St. John's Drive

The motion was made to recommend to the Village Board of Trustees in regard to St. John's Drive-

1. The opening of St. John's Drive to the Tanglewood Subdivision would be contingent on the annexation of the subdivision into the Village of Allegany.
2. The trees between the two (2) subdivisions will remain, except for those that need to be removed for utilities during construction.
3. Once a significant percent of construction is complete, and annexation has occurred, then only those trees blocking the roadway (St. John's extension) shall be removed.

Motion was made by Rhea Carls, second by Larry Kardos. Aye-all. Nay-none.

Planning Board members present:

E. Paul Hardiman, Chairperson

Lynda Dunn

Seth Groden

Larry Kardos

Rhea Carls

Absent: Phil Trask

He is working with his attorney on annexation into the village.

His plan is to finish with the town first on a final plat plan, due to meet with town in September. He is working on getting town approval for one unit (entire property) to annex into the village. SEQR has been completed.

Attorney Fodor feels that #3 needs a certain percentage as opposed to leaving it as significant. Rhea Carls, Planning Board member thought 30% or 5 homes were significant for homes completed.

Also determination of where the sewer hookup will occur, lift station installation (village to maintain); water meter pit installation is contingent on annexation. Need a more detailed engineering study before hooking onto St. John's Dr.

A letter of agreement from Tiller's attorney regarding hookups is required.

Village will issue a letter to town for Tiller to continue on his subdivision. Letter will state conditions village will honor upon annexation, village to allow him to join in sewer and water.

RESOLUTION #2010-175

APPROVAL FOR ATTORNEY FODOR TO DRAFT A LETTER TO AARON TILLER'S ATTORNEY REGARDING ESTABLISHMENT OF THE TANGLEWOOD SUBDIVISION

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to approve Attorney Fodor's drafting of a letter to Tiller's attorney regarding the establishment of the Tanglewood Subdivision. Items of letter to include Water meter pit, sewer hookup, and the opening of St. John's Drive to the Tanglewood subdivision. Aye-all. Nay-none.

The following correspondence was reviewed and put on file:

1. Letter to Town regarding storm
2. PERMA Safety/Loss Control Evaluation
3. Village Planning Board minutes: 2/22/10, 3/10/10, 3/24/10, 6/10/10
4. Cattaraugus County Planning Board Minutes
5. United Way-Cattaraugus County Campaign Proclamation
6. Time Warner Cable-possible changes in TV stations
7. Planning Board-motion on Tanglewood Subdivision & St. John's Drive
8. Revised notes on Tanglewood Subdivision meeting
9. Cattaraugus County Real Property Services-adjustment Bennett
10. Safety Meeting Minutes
11. Court Fine & Fee Breakdown-July 2010
12. State of NY Dept. of Public Service-Joint Proposal on NYSEG rate cases
13. State of NY Public Service Commission-Additional Mobile Stray Voltage Testing

POLICE

- Chief will put extra officers on patrol at the beginning of the school year for the local colleges due to the added population in the village. This helped with control last year.
- Board asked if a police officer could be at the Allegany Elementary School on the first day of school for traffic enforcement.

DPW

- Street light is out at 5th & Main St.
- Mayor stated that flags and banners affect the brightness of street lights.
- Municipal Building lot and driveway needs sealing. Board received a quote for \$500 from Carters. Board would like 1-2 additional quotes.
- Dominic & Lance reviewed the tree bids again. Covey Tree Inc. looks to be the best option. Dom will contact them for the pricing on stumps only.
- Cattaraugus County owns the property at 126-128 West Main St. Several people are interested in parking there.
- Received a complaint of someone burning outside at 6th and Oak St. CEO Jobe to address.
- 32 North 2nd St. property needs maintenance again due to property maintenance violations. Property has been abandoned.
- Potential problem trees that need to be looked at:
 - Two on N. 3rd
 - One on N. 5th
 - One on N. 2nd
 - Two on Union
 - Elm and N. 2ndJay from National Grid and Dom will ride around to observe trees and see which ones National Grid may remove.

OTHER

- Hickey Tavern will renew its liquor license.
- Would like to purchase a projector for power point presentations for the various boards and departments to utilize for training purposes. Attorney Fodor suggested that village look into renting equipment from SBU.
- ZBA asked if the annual 4 hours of training is absolutely necessary. CEO Jobe said there are many topics that can be covered and recommends that the 4 hours per year be continued. Board also suggested that the town be included in any sessions that CEO Jobe holds.

CHRISTMAS IN ALLEGANY

- Village would like to lease property for the use of "Christmas in Allegany"

- Attorney feels the village should not be a signatory in a lease because of the religious overtones.
- She is advising the village to not sign a lease with St. Bonaventure for the use of the property next to the village property.
- Christmas in Allegany is not an organization/association, and therefore cannot sign a lease.
- There are options: 1. File to become a non-profit (usually a fee) 2. Individual or group to sign lease, need to obtain renters insurance 3. Owner of property to not require a lease (St. Elizabeth's is the owner of the property but they have relinquished the property to St. Bonaventure Church).
- Committee will need to meet to discuss the matter.

RESOLUTION #2010-176

APPROVAL FOR VILLAGE TO SUPPORT UNITED WAY OF CATTARAUGUS COUNTY, INC. BY ADOPTING A RESOLUTION FOR THEIR ANNUAL CAMPAIGN

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to approve a resolution supporting the United Way of Cattaraugus County, Inc. during their campaign which runs from Sept.-Dec. Aye-all. Nay-none.

RESOLUTION #2010-177

APPROVE FUNDING AND INSTALLATION OF A BASE STATION RADIO AND EXTENDING THE ANTENNA TOWER

On motion made by Trustee Fortuna, second by Trustee Rzepka resolved to approve the funding of a base station radio with a tone remote and extending the existing antenna tower 10 feet at the new Allegany Fire Department Building. Cost is approximately \$8,800 with the village funding \$2,200.00. Aye-all. Nay-none.

RESOLUTION #2010-178

APPROVE ADJUSTMENT OF PROPERTY TAX BILL FOR BENNETT

On motion made by Trustee Fortuna, second by Trustee Rzepka resolved to approve the adjustment of the property tax bill for Martha Bennett, 103 N. 4th St., due to assessor error. Ms. Bennett was eligible for an aged exemption which was not taken upon processing the tax bills. Adjustment is \$245.50. Aye-all. Nay-none.

RESOLUTION #2010-179

APPOINT MATTHEW P. SCHNELL AS PART TIME POLICE OFFICER

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to appoint Matthew P. Schnell as a part-time Police Officer for the initial purpose of sponsoring him for the Police Academy. Aye-all. Nay-none.

RESOLUTION #2010-180

APPROVE KINLEY CONSTRUCTION WATER SUPPLY CONTRACT

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to approve Kinley Construction Water Supply Contract for filling pools. Proper certificate of insurance has been provided. Aye-all. Nay-none.

RESOLUTION #2010-181

ACCEPT "BUCKLE UP NEW YORK" (BUNY) GRANT FROM NYS

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to accept the BUNY grant from NYS in the amount of \$1,056.00 Aye-all. Nay-none.

RESOLUTION #2010-182

APPROVE LISTING IN POLK DIRECTORY

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to approve the annual listing in the Polk Directory. Inclusion in the book provides us with a copy of the book. Cost is \$290.00. Aye-all. Nay-none.

RESOLUTION #2010-183

REFER LOCAL LAW FOR OUTDOOR BURNING DEVICES TO PLANNING BOARD AND SCHEDULE A PUBLIC HEARING

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to refer the Outdoor Burning Device Local Law to the Planning Board for their review. A Public Hearing will be scheduled for Monday, Sept. 20 at 4:00 pm. Aye-all. Nay-none.

RESOLUTION #2010-184

ADJOURN MEETING

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to adjourn at 6:26 pm. Aye-all. Nay-none.

Respectfully Submitted.

Rena Flynn, Clerk Treasurer