

Board of Trustees Minutes

OCTOBER 3, 2011 4:30 pm

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 Lamberson; Trustees: Jim Rouleau, Alex Nazemetz, and Bob Parker

Absent: Daniel Gleason

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

Attending: Mark Alianello, Consulting Engineer for Franciscan Sisters of Allegany, John Bhe, FSA, Curt Thiel, Hoffman LLC, Eric Wohlers, Catt. Co. Health Department

RESOLUTION #2011-170

ACCEPT MINUTES OF SEPTEMBER 12, 2011

On motion made by Trustee Parker, second by Trustee Rouleau resolved to accept the minutes of 9/12/2011. Aye-all. Nay-none.

TREASURERS REPORT

As of September 28,
2011

	CHECKING	SAVINGS		
GENERAL	\$10,670.00	\$1,160,239.00		
WATER	\$1,104.00	\$361,521.00		
SEWER	\$1,105.00	\$388,148.00		
LIBRARY	\$41,169.00	\$6,298.00		
T&A				
WATER BOND				
TOTALS	\$54,048.00	\$1,916,206.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$180,267.00	\$	\$	
POLICE UNIFORMS	\$5,446.00	41,572.00	8,952.00	\$230,791.00
		\$	\$	\$5,446.00
NEW BUILDING & BLDG REPAIR	\$38,308.00	39,677.00	23,025.00	\$101,010.00
POLICE EQUIPMENT	\$31,261.00			\$31,261.00

CURBING & STORM SEWER	\$39,339.00		\$39,339.00
		\$	
WELL HOUSE PUMP/ROUTINE MAINT		1,014.00	\$1,014.00
WELL & WATER TANK BLDGS/TANK MAINT		\$	
		10,368.00	\$10,368.00
		\$	
METER PITS		14,131.00	\$14,131.00
			\$
LIFT STATION, PITS, PUMP MAINT			4,027.00
		\$	
ENGINEERS		5,014.00	\$5,014.00
		\$	
	\$294,621.00	111,776.00	\$ 36,004.00
			\$442,401.00

RECEIPTS:		DISBURSEMENTS: from 6/1/11 to present	
AIM State Aid			
Building/Sign/Pool permit	120.00	GENERAL	\$ 201,555.00
Bid Deposit/Award		WATER	\$ 33,335.00
Backflow testing		SEWER	\$ 253,537.00
Clerk fees	2.00	LIBRARY	\$ 7,902.00
CHIPS		TOTAL	\$ 496,329.00
Code Violation fees			
Court Security			
Court Fines/fees	6,806.00		
Calibration-Pressure Bldg			
Class Action			
Donation			
DWI funds			
Equipment sales			
Franchise Fees			
Fire Inspections			
Gaming License			
Grants	1,468.00		
Inspections-c/o	160.00		
Insurance refund			
Juvenile Officer			
Lawn mowing			
Municipal Aid	12,774.00		
Mortgage Tax			
Police Contract			
Pop machine	54.00		
Property Taxes	18,789.00		
Property Taxes-Penalty	1,158.00		
Rent-WCB	110.00		

Reimbursements	337.00
Sales Tax	
Scrap metal	
Town Sewer Payment	98,385.00
Utility Tax	3,015.00
Unmetered Water	
Vehicle repair rebate	
Vending permit	
Vital Stats	
Water-Qtr Town	
Water meter	
Zoning fees	
ZBA/PB Hearing fees	
Total	143,178.00

RESOLUTION #2011-171

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 #64972007 for \$4,419.46, #64972008 for \$1,420.79, #64972009 for \$45,125.09, and #64972010 for \$2,411.95. Aye-all. Nay-none.

St. Elizabeth Motherhouse (Franciscan Sisters of Allegany) Proposed Fire Services

- Mark Alianello, Consulting Engineer, John Bhe, FSA, and Curt Thiel, Construction Engineer, Hoffman LLC, representing Franciscan Sisters of Allegany, and Eric Wohlers, Cattaraugus County Health Dept. were in attendance.
- In order to provide adequate fire protection service for their construction project and to assure adequate water flow pressure, a 1,000 gallon per minute pump is needed.
- Existing 6" line supplying the fire system will not be adequate for supplying the new pump needed.
- Property is currently equipped with 3 hydrants, 2 additional hydrants are needed.
- Would like village to assume responsibility of operating 5 hydrants, as the operators have the proper knowledge to assure the hydrants are safely and properly operated. Benefits also include the ability to sell water from the hydrants.

- Environmental Health Director Eric Wohlers of Catt. Co Health Department was approached and agreed that it was in the best interests of both parties that the village assume responsibility of the hydrants.
- Village responsibility would be to notify Motherhouse of problems, not fix them. Jobe has no issues with it.
- Flush schedule will be 1-2 times per year for 5 hydrants (approx. 4 hours)
- 3 old style hydrants will be replaced and 1 new hydrant will be installed (one village approved hydrant was recently installed). FSA will reimburse village for cost of hydrants and all parts needed towards installing hydrants.
- FSA agree to reimburse village for any maintenance beyond flushing. They still own lines.
- They also inquired about looping the 6" line around the building perimeter with another looping of an 8" line out to the village line as it may help the village water pressure with larger flows, with the village assuming ownership.
- Benefits include increased hydraulic capacity to move water to the south end of the system, minimum disruption of service if it is necessary to work on a line in the 7th St/E Main St area, and village knowledge of water line operations, minimizing repairs.
- Lamberson asked about the legality of looping lines since the Motherhouse is located in the town and Fodor stated that public funds of the village should not benefit a private user (with the village maintaining their line).
- St. Elizabeth Motherhouse is in the Town Wide Water District.
- Board agreed to flush hydrants only, not to take ownership for the water line.
- Fodor will draft a contract and give to Jobe.
- Papasergi suggested that a clause be added in the contract that if St. Elizabeth's sells property any part of the property that this issue would be readdressed.
- Mayor asked John Bhe if selling the property was in the future plan for the FSA, he stated no. Mayor does not feel a need to address this issue by adding a clause.

RESOLUTION #2011-172

ALLOW ST. ELIZABETH MOTHERHOUSE TO TAP INTO 6" WATER LINE ON NORTH 7TH ST.

On motion made by Trustee Parker, second by Trustee Nazemetz resolved to allow St. Elizabeth Motherhouse to tap into a 6" water line on North 7th St. for adequate fire protection services. Aye-all. Nay-none.

DPW REPORT FOR THE MONTH OF AUGUST 2011

- Cut grass as needed.
- Lance did Code as needed – see Code Enforcement Blotter.
- Did water, sanitary sewer and storm sewer locates as needed.
- Flushed sewer mains in Village (Monthly Flush).
- Used fire truck to water plants in planter areas in the business district on Main Street.
- Dug up and replaced a 6" Water Main Valve on North Fourth Street in the area located between Chestnut Street and Spruce Street.
- Found a small sinkhole area under the cement in roadway on North Fourth Street. Dug area up and put material in same to eliminate it.
- Finished removing weeds from areas between bricks and small planters near trees in the business district on West Main Street. Also finished putting material down to help keep weeds from returning.
- Repaired sidewalk blocks on East Main Street and North First Street – Main Street block was removed to repair a water service shut off in area and North First Street block needed to be replaced due to shifting of the block that occurred sometime after new sidewalk blocks were installed as part of a Water Main Installation Project that occurred in the area.
- Fixed a driveway curb at 37 North Third Street.
- Fixed a driveway curb at 36 North Second Street. Also fixed subway area of driveway where stump was removed.
- Installed a new Sewer Manhole Top on a Sanitary Sewer Manhole on Fourth Street in front of old high school building.
- Repaired Storm Sewer Basins and replaced tops in need of same and worked on other infrastructure on North Fourth Street in preparation for paving to be done.

DPW REPORT FOR THE MONTH OF SEPTEMBER 2011

- Cut grass as needed.
- Lance did Code as needed – see Code Enforcement Blotter.
- Did water, sanitary sewer and storm sewer locates as needed.
- Used fire truck to water plants in planter areas in the business district on Main Street.
- Continued to work on infrastructure and preparation for paving to be done on North Fourth Street.
- Installed a water service shutoff in front of 83 North Fourth Street.
- Resurfaced North Fourth Street with hot binder. Due to excessive damage on the surface of the roadway binder had to be put down. Putting binder down also helped to save on the amount of top that needed to be put down. Assisted by the Town of Allegany and Town of Portville Highway Departments.
- Resurfaced North Fourth Street with hot blacktop. Assisted by the Town of Portville and Town of Hinsdale Highway Departments.
- Put hot blacktop down to blend in roadways at Chestnut at Fourth Street intersection, Spruce at Fourth Street intersection and entrances to the Benson Building (old high school bldg.).
- Started fixing some of the driveway approaches in need of same on North Fourth Street.

- Water meters were read for water/sewer quarterly billing.
- Posted Chestnut Street from North Fourth Street to North Second Street as a One Way Street per new local law. Installed new Do Not Enter and One Way signs at intersections. Will install more signs and new No Parking This Side signs on side of roadways of Chestnut when underground gets them marked.
- Installed outdoor receptacle boxes (four each) on the main street lighting meter services near the K of C, Town Hall, Medical Center and Mangia's buildings.
- Put up and took down Detour and Road Closed signs for the annual BONAGANY Event.
- Cleaned Main Street area before and after the annual BONAGANY Event.
- Cleaned out bay DPW is using at old fire hall building and prepared area to house the police vehicles. Installed a lock box on building so officers have access to a key to the building. Also changed remotes for overhead door.
- Installation of the new Water/Sewer SCADA and Alarm System has started. Contractors are currently working on the Sewer Lift Stations.

VILLAGE OF ALLEGANY POLICE DEPARTMENT

CHIEF'S MONTHLY REPORT

MONTH OF:	August	2011
Complaint Calls		58
Miscellaneous Calls		76
Larceny Complaints		1
Attempted Larceny Complaints		0
Burglary Complaints		1
Attempted Burglary Complaints		0
Vehicle & Traffic Tickets Issued		20
D.W.I. Arrests		0
Felony Arrests		0
Misdemeanor Arrests		0
Violation Arrests		7
Local Law Arrests		5
Accidents Investigated	P.I.	0
	P.D.	1
Parking Tickets Issued		20
Town Calls		24

Other
 (Identify): **Tuesday August 2, 2011 - Chief Papasergi conducted a Fire prevention and Education Talk and showed youth the Ambulance and Fire Truck at the Teddy Bear Day Care**

with the Allegany Fire Department.

Thursday August 25, 2011 - Patrolman Gonska talked with the Allegany Limestone Driver's Ed Class about various safety issues pertaining to driving vehicles.

Monday August 29, 2011 - Extra patrols were used at the Town of Allegany Meeting Room on the Birch Run Road as requested by Town Supervisor Eaton. Village will be reimbursed by the town for cost of Officers used.

VILLAGE OF ALLEGANY POLICE DEPARTMENT CHIEF'S MONTHLY REPORT

MONTH OF:	September	2011
Complaint Calls		76
Miscellaneous Calls		74
Larceny Complaints		3
Attempted Larceny Complaints		1
Burglary Complaints		1
Attempted Burglary Complaints		0
Vehicle & Traffic Tickets Issued		9
D.W.I. Arrests		0
Felony Arrests		1
Misdemeanor Arrests		2
Violation Arrests		28
Local Law Arrests		36
Accidents Investigated	P.I.	0
	P.D.	1
Parking Tickets Issued		26
Town Calls		11

Other

(Identify): **Wednesday, September 28, 2011** - Chief Papasergi attended a Cattaraugus County Association of Chiefs of Police meeting in Salamanca, NY

Wednesday, September 28, 2011 - Moved police vehicles to the old Fire Hall building on North First Street. Building is heated and should help to keep computers in vehicles warmer and save wear on vehicle batteries. Had lock changed on door so officer's have access and changed overhead door openers.

The following correspondence was reviewed and put on file:

1. Village Planning Board-topics for training
2. Map of proposed legislative districts for Catt. Co.
3. Acknowledgement from "The Inkwell"
4. ZBA in house training topics

POLICE

- The police cars were moved to the old fire hall. There were problems with the car batteries running low last winter as the car computers need to be kept warm. The fire hall building is heated. There are two bays, front and back with one door. Lock was changes, key box was installed and door remote was upgraded for village access.
- The equipment that was in the fire hall will now be stored in the police garage.
- Flynn will let the insurance company know of the changes.
- October police hours have been reduced.
- There is a new person (replacing Grube) at the county level who is working with the car computers. He is learning the system so not sure when he will start working with the village computers.
- Village purchased one car computer; two were supplied by the county.

DPW-

RADIOS-

- Papasergi asked the board to permit him to apply for new frequencies for the future upgrade of the radio systems to comply with FCC regulations, by having our own FCC licensing.
- Due to new FCC requirements of changing currently used agency frequencies, now would be the time to get out licensing in order.
- We have been using another agency's frequency for many years and Papasergi has recently been questioned about the legality of it.
- He feels it is necessary to have our frequency changed to abide by the rules of the FCC and to avoid potential fines.
- Lamberson asked if we could go along with the town's frequency, Papasergi said no because of the police.
- Parker asked why we need to change now, since we've been using the other agency's frequency for so many years. Papasergi reiterated the need for FCC compliance especially since he's been recently questioned on it. If there are legality issues with the current frequency we are using, we should absolutely conform to the FCC regulations. Fines could be hefty.

- Radio changes would be base radios, portables, and vehicles (both PD & DPW), about 40 radios.
- Papasergi will get the price to make the changes.
- Initially we need to get the licensing in place, it may take up to one year; this will set the coordinates, latitude and longitude. If the licensing is put into place, then the frequency changes can be done. The cost of license data preparation is \$695 for the police, \$450 for the DPW.
- There are new FCC regulations requiring all frequencies currently being used to be in compliance with new mandates sometime in 2013. If questions arise from FCC regarding the current frequency being used, we may advise them that we are in the process of addressing the matter.
- Papasergi is hopeful that the county will absorb the cost of the frequency changes, but can't guarantee it. The licensing should be in place, if started now, by the 2013 deadline.

MISC-

- Parker inquired about an open electrical box on Lamb's building after the Bonagany, Jobe to close it.
- Jobe will set up in-house training for Planning Board and Zoning Board.
- Rouleau asked Jobe to make sure all the sheets hanging off of homes be taken down.
- How much does the town contribute to the Bonagany?
- Front door locks were adjusted and should be working.
- Lamberson to contact Lynda Dunn regarding a Main St. organization.
- Downtown fountain should be turned off.

MARCELLUS SHALE-

- Jobe was recently contacted by Triana Energy, who wants to purchase water from the village supply for fracking.
- We need to send a letter of interest to sell water.
- Currently water is selling for \$5-\$12+ per thousand gallons.
- DEC has given its approval for the village to sell if interested; village is able to sell 1 million gallons per day.
- Triana would probably load tankers in an area near exit 24 so trucks could have easy access.
- Sales revenue will be shared in some percentage (to be determined) by village, town, and proposed property owner where connection will be established.
- Potential revenues of \$87,000 per month.

- Both village/town and Triana employees will track the usage; will use a meter with a backflow device.
- Village has every right to shut down the water source if there is an emergency or drought, etc.
- Excess revenues can be used towards the general fund if the water department is in good working order.
- Papisergi will set up a committee to address a recommendation for the fees and location for access to the water.
- Board will determine the price to charge.

WATER BILL ISSUE AT 54 S 7TH-

- Mr. Bloise called to ask if the water could be shut off at his property; he is in a land contract with the tenants and they haven't paid their water/sewer bill.
- Bill for \$654 was put on his 2011 village taxes, and there is an accumulated balance of \$233 so far for the 1st & 2nd Quarter.
- Mr. Bloise is sent the quarterly bill in addition to late notices so he knows what is outstanding; Flynn also sends the tenant a quarterly bill.
- Past practice is to not shut off the water, especially if there are children living there.
- The Health Dept. has no say in the matter.
- Public Service Commission may rule to not turn off utilities in the case that someone residing in a home could be utilizing medical equipment, needing a utility.
- Board decided that it is the owner's responsibility to collect the amount due, therefore do not turn the water off, not to use the village as a means of forcing tenants out.

SCADA-

- In the process of hooking up the sewer now.
- Would like to go out to bid for the chlorine/fluoride monitoring system equipment.
- Burgh-Schoenenberger, who Jobe placed an order with and has since cancelled it due to miscommunication and not the appropriate equipment, has sent a letter requesting a restocking fee of the equipment. Fodor to compose a letter to them regarding same.
- We need to loop a water line to each well house to tap new required chlorine/fluoride monitoring equipment which will be installed as part of the SCADA installation.
- Will consider asking the town engineer to prepare the specifications, could cost \$300-\$350.
- Catt. Co. Health Department has the final say.
- Bid to go in local paper as well as Buffalo News, and on website.

OTHER

- Board will perform the annual audit of the justice accounts (both Brennan and Porter) as required by the Justice Court. Board to complete the work by the 1st board meeting in November.
- Board will review the Cattaraugus County Municipal Official Association notice for feedback in whether to continue the organization due to lack of participation.
- Flynn reviewed the expenses for the Bonagany in addition to the \$2,500 donation given.
- Flynn provided the board with the PERMA Loss Control Evaluation (Workers Compensation) and ways to increase our score with additional safety meetings and activities.
- Lamberson will complete a request for the Planning Board to revisit the parking signs on Harriet St.
- Sidewalk conditions were briefly discussed.
- Gas Main damage was settled at no cost to the village.

RESOLUTION #2011-173

PROCEED WITH FCC LICENSING FOR POLICE AND DPW

On motion made by Trustee Rouleau, second by Trustee Nazemetz resolved to proceed with the FCC licensing for all radios for the DPW and Police Department. Fees will be \$695 and \$450 for Eagle Radio to prepare the licensing data and mandatory filing, and radio to radio base and mobile frequencies. Aye-all. Nay-none.

RESOLUTION #2011-174

APPROVAL TO SEND LETTER OF INTEREST TO TRIANA ENERGY FOR THE SALE OF WATER

On motion made by Trustee Parker, second by Trustee Nazemetz resolved to approve a letter of interest to be sent to Triana Energy for the sale of municipal water. Aye-all. Nay-none.

RESOLUTION #2011-175

APPROVE SENSUS ANNUAL SOFTWARE SUPPORT FOR THE WATER/SEWER READER

On motion made by Trustee Parker, second by Trustee Nazemetz resolved to approve the Sensus annual software support for the water/sewer reader in the amount of \$1,452.00. Aye-all. Nay-none.

RESOLUTION #2011-176

GO OUT TO BID FOR SCADA CHLORINE/FLUORIDE MONITORING SYSTEM EQUIPMENT

On motion made by Trustee Rouleau, second by Trustee Nazemetz resolved to go out to bid for the Chlorine/Fluoride Monitoring system equipment. Bid opening to be November 7th. Aye-all. Nay-none.

RESOLUTION #2011-177

APPROVAL FOR JOBE TO ATTEND CODE SCHOOL JANUARY 23-25, 2012 IN BUFFALO

On motion made by Trustee Rouleau, second by Trustee Parker resolved to approve Code School attendance for Jobe for January 23-25, 2012 at a cost of \$275 plus accommodations of \$270.00. Aye-all. Nay-none.

RESOLUTION #2011-178

ALLOW OLEAN ROD & GUN CLUB TO POST SIGNS IN THE VILLAGE FOR THEIR ANNUAL SHOW

On motion made by Trustee Parker, second by Trustee Rouleau resolved to allow Olean Rod & Gun Club to post signs in the village for their annual gun show. Sign law to be given at time of application. Aye-all. Nay-none.

RESOLUTION #2011-179

TRANSFER \$10,000 FROM SEWER FUND TO GENERAL FUND

On motion made by Trustee Rouleau, second by Trustee Parker resolved to transfer \$10,000 from the sewer fund to the general fund to start paying down the due-to/due-from. Aye-all. Nay-none.

RESOLUTION #2011-180

ENTER EXECUTIVE SESSION TO DISCUSS UNION CONTRACT, PERSONNEL, AND LAWSUIT

On motion made by Trustee Nazemetz, second by Trustee Rouleau resolved to enter Executive Session at 6:23 to discuss the Union Contracts, personnel, and lawsuit. Aye-all. Nay-none.

RESOLUTION #2011-181

CLOSE EXECUTIVE SESSION

On motion made by Trustee Nazemetz, second by Trustee Parker resolved to close Executive Session at 6:45 pm. Aye-all. Nay-none.

RESOLUTION #2011-182

ADJOURN MEETING

On motion made by Trustee Rouleau, second by Trustee Nazemetz resolved to adjourn at 6:45.
Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn

Clerk Treasurer