

Board of Trustees Minutes

October 4, 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: Deputy Mayor Rzepka, Trustees: Dan Gleason, Charlie Fortuna, and Jim Rouleau

Absent: Mayor Richard Lamberson

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

Attending: Bob Parker, ZBA

RESOLUTION #2010-211

ACCEPT MINUTES OF SEPTEMBER 20, 2010

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to accept the minutes of September 20, 2010. Aye-all. Nay-none.

TREASURERS REPORT

As of Oct. 1, 2010

	CHECKING	SAVINGS		
GENERAL	\$6,260.00	\$1,107,357.00		
WATER	\$600.00	\$318,803.00		
SEWER	\$858.00	\$468,792.00		
LIBRARY	\$36,850.00			
T&A	\$9,257.00			
WATER BOND		\$6,289.00		
TOTALS	\$53,825.00	\$1,901,241.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$179,266.00	\$	\$	
POLICE UNIFORMS	\$5,431.00	53,453.00	15,921.00	\$248,640.00
		\$	\$	\$5,431.00
BUILDING	\$38,202.00	39,573.00	22,959.00	\$100,734.00
POLICE EQUIPMENT	\$26,179.00			\$26,179.00
CURBING & STORM SEWER	\$34,234.00			\$34,234.00
		\$		
WELL HOUSE PUMP ROUTINE MAINT		1,011.00		\$1,011.00
		\$		
WELL/WATER BLDGS/TANK MAINT		10,340.00		\$10,340.00

METER PIT		\$	11,596.00		\$11,596.00
LIFT STATION, PITS, PUMP		\$		4,016.00	\$4,016.00
ENGINEERS		\$	5,001.00		\$5,001.00
		\$	\$283,312.00	\$	120,974.00
				\$	42,896.00
					\$447,182.00

RECEIPTS:

AIM State Aid 13035.00

Building/Sign/Pool permit

Bid Deposit

Backflow testing

Clerk fees 2.00

CHIPS

Code Violation fees

Court Security

Court Fines/fees

Class Action

Donation

DWI funds

Equipment sales

Franchise Fees

Fire Inspections

Gaming License

Grants 174.00

Inspections-c/o 120.00

Insurance refund

Juvenile Officer

Lawn mowing

Municipal Aid

Mortgage Tax

Police Contract

Property Taxes 2,718.00

Property Taxes-Penalty 190.00

Rent-WCB

Reimbursements 469.00

Sales Tax

Scrap metal

Town Sewer Payment

Utility Tax 4,103.00

Unmetered Water

Vehicle repair rebate

DISBURSEMENTS: from 6/1/10 to present

	\$
GENERAL	232,594.00
	\$
WATER	55,566.00
	\$
SEWER	9,448.00
	\$
LIBRARY	18,257.00
	\$
TOTAL	315,865.00

Vital Stats
Water-Qtr Town
Water meter 389.00
Zoning fees
ZBA/PB Hearing fees

Total 21,200.00

RESOLUTION #2010-212

ACCEPT TREASURERS REPORT AND PAY BILLS

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to accept the Treasurers Report and pay current bills. Bills paid by abstract # 20000574 for \$20,537.75. Aye-all. Nay-none.

Steve Brostko, P&A Group was asked to speak on Health Insurance Policy

- Steve works with the Town of Allegany health insurance policy
- Changes to the health insurance plan were made for the town, from HMO to high deductible plan
- Increased deductible=lower premium
- Example-savings of premium from \$1,300 to \$700 per month, generate \$600 savings per month =\$7,200 per year per individual policy. Say you have a \$3,000 deductible and the employer saves \$7,200, the employer can give each individual a certain dollar amount tax free to pay for the deductible.
- This is called an HRA-Health Reimbursement Account which is 100% funded by the employer with the premium savings.
- P&A would administer the HRA
- P&A gives each person a debit card which is used for prescriptions, doctor's office visits. It is automatically linked to the HRA.
- The employee is responsible for bills through HRA until you reach the deductible amount.
- Pay entire cost of prescription initially then after meeting deductible, go back to the co pay amount.
- HRA can be unrestricted; used for dental, vision, over the counter items or be restricted and used only for deductible items
- Savings rolls over each year, i.e. if you are allotted \$3,000/yr and only use \$1,000, you can roll over \$2,000, then add it to the upcoming year for a total of \$5,000. There is no cap.
- If you accumulate a large dollar amount in your HRA, you could save for retirement health insurance if the plan so states.
- Can give an HRA in lieu of pay raises or take sick time accumulated and put \$ amount in HRA
- Attorney Fodor stated that with the experience she had with her plan, she actually paid double the deductible, she paid the sticker price for any medical

- BC/BS has pre-negotiated price for service, provider needs to bill insurance
- Wal-Mart has a \$4.00 co pay on pharmacy
- Effective 1/1/11 you need a prescription from the doctor for over the counter medication to qualify for HRA, even though the medicine does not have to be a prescription drug to be covered by the HRA
- HRA not eligible for gym memberships, cosmetic, nursing homes
- Covered-braces for kids, diabetic supplies
- P&A tracks information on-line
- Can accumulate \$ on HRA on less than annual time frame-monthly , quarterly
- Will go to surviving spouse if plan states so
- Money stays with the employer and is paid out for services when the card is swiped
- Village will need a Plan Document, which is designed by the village
- Co-pays range, drug plans range
- There is one deductible to meet for a family plan, each person on a family plan does not have to meet the deductible individually.

DPW REPORT FOR THE MONTH OF SEPTEMBER 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.
- Worked on cleaning storm sewer catch basins.
- Continued trimming trees that had branches blocking street signs in areas around village.
- Worked on patching pot holes on village streets.
- Center and/or fog lines were painted on North and South First Street, North and South Seventh Street, North and South Fifth Street, Maple Avenue, Union Street and on Harriet Street between Fifth and Chestnut Street. Catt County Highway did painting and our crew and town crew assisted with directing traffic while painting was being applied. Also assisted with traffic for some of town areas that were being painted.
- Installed conduit and electric wire in new Water Pit located on west end of the village on Water Main line that feeds the town. Water Meter is now in operation on West End Water District and due to this being a new district, it is my recommendation that water billing to Town for this area should be done from the readings of the aforesaid meter.
- Filled cracks in Municipal Building parking lot to prepare for sealing of same.
- Made twenty electric extension cord & circuit boxes for coming off lights poles on Main Street for Bonagany or other activities and/or events that would need electric on the Main Street area.
- Changed bulbs on Main Street light poles as needed.
- Lance attended Code Enforcement Training Class in Mayville New York.
- Repaired and replaced and/or rewired several faulty water meter remotes in village.
- Used sewer machine to assisted town with unplugging sewer plugs in the town.

VILLAGE OF ALLEGANY POLICE DEPARTMENT
CHIEF'S MONTHLY REPORT

MONTH OF:	September	2010
Complaint Calls		52
Miscellaneous Calls		100
Larceny Complaints		1
Attempted Larceny Complaints		0
Burglary Complaints		0
Attempted Burglary Complaints		0
Vehicle & Traffic Tickets Issued		30
D.W.I. Arrests		1
Felony Arrests		0
Misdemeanor Arrests		5
Violation Arrests		26
Local Law Arrests		17
Accidents Investigated	P.I.	0
	P.D.	3
Parking Tickets Issued		28
Town Calls		14

Other

(Identify): **Saturday September 25, 2010** - Extra patrols were used to keep eye on people in town for the annual Bonagany Events.

Monday September 27, 2010 - Two males were arrested for stealing an electric wheel chair from area of in front of the Bird Cage. Incident occurred on Saturday September 18, 2010 and arrests were made after an investigation into the incident by our department.

Wednesday September 29, 2010 - Chief Papasergi attended a Cattaraugus County Association of Chief's of Police meeting in Olean, New York. Went on tour of the Child Advocacy Center and educated on what the facility has to offer.

September 2010 - Sr. Patrolman Peterson and the Executive Director for Residential Living and Conduct at Saint Bonaventure University started going to college rental properties in village to talk with occupants and hand out informational packets.

- Chief Papasergi is getting back to a lighter police schedule now that SBU has been in session since August.
- There was a suggestion to possibly look into purchasing 1-2 church pews at Allegany Full Gospel Church for \$100 for the use by the Workers Compensation Board on Mondays.
- Need to get another meeting scheduled for Personnel Policy
- Need to plan a joint meeting to discuss the goals of the contract for Water Supply Agreement with the Town. Village personnel: Supt. Papasergi, Trustee Fortuna, Chief Water Operator Jobe, Attorney Fodor and Town personnel: Highway Supt. Gleason, Trustee Hitchcock, and Attorney Tuttle.
- Papasergi is getting pricing on keys for the Municipal Building and other high security buildings.

Christmas in Allegany

- Attorney Fodor stated that by holding and supporting Christmas in Allegany, it adds the village to a risk pool, and to sign on to sponsor an event, it opens the door for other uses.
- Papasergi disagreed because it is actually St. Bonaventure Church property and they can dictate the use of the property.
- Deputy Mayor Rzepka once again said that the village has sponsored the event in many previous years and even utilized the municipal building, why is there such an issue now?

The following people were here to discuss the **Tanglewood Subdivision**:

Rodney Gleason-Town

Aaron Tiller

Lori Tiller

Rick Kavanagh-Town PB

Richard Attea-attorney for Tiller

- Town engineer Kirk Wilson reviewed the sewer capacity study completed by Mark Alianello and “concur with the findings of the report indicating sufficient downstream capacity exists in the existing sanitary sewer system to accept the flow from the proposed Tanglewood development.”
- Trustee Rouleau feels the capacity is much better at 7th St. due to the lesser amount of hookups going to that location.
- Mr. Tiller said his first inclination was to tie into St. John’s
- Attorney Fodor says the contract is to supply water and sewer to the town if there is capacity.
- Papasergi responded that the village is permitting the town to hook into the village sewer line and it is to the sole discretion of the village board as to where the sewer tie in occurs.
- Rodney Gleason stated that the issue is between the town and village pertaining to sewage going into lift station #1.
- Attorney Attea says it will cost Tiller an additional \$80,000-100,000 more to hook into 7th St.
- Papasergi said the cost issue affects village water/sewer customers because nothing is established about lift station #1 and the infrastructure leading to it. This is the case with hookup at either location and needs to be addressed immediately.

- Rouleau did some research and there are 241 customers on the hill with sewer going to lift station #1 under a series of many twisting streets. There are 92 sending waste down 7th St. and he reiterates that this is a better hookup site.
- Trustee Gleason feels that the village should try to save Tiller money by hooking Tanglewood (located in the town) sewer into St. Johns.
- Papasergi again stated that he is concerned about village water/sewer customers having to absorb the expense of clogs, etc. that could happen and feels the town should be responsible for a share of that expense. The sewer line area going down 5th St. is prone to problems and he would like the town to accept some liability for future potential issues as this topic was never addressed in the engineering study and is a vital concern.
- Papasergi said the trunk is going down several different streets, instead of just 2 at the 7th St. hookup.
- **Papasergi said the village board should not jeopardize village water/sewer customers to financially help out a town project. This could financially affect village customers.**
- Attea is asking the village board for consideration to hook up to St. Johns.

RESOLUTION #2010-213

VILLAGE PERMITS TANGLEWOOD SUBDIVISION (TILLER) TO HOOK TOWN SEWER LINE TO VILLAGE SEWER LINE AT NORTH 7TH ST. NEAR NOLAN DRIVE

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to permit the Tanglewood Subdivision to hook the town sewer line to the village sewer line at North 7th St. near Nolan Drive. Aye-Fortuna and Rouleau. Nay-Gleason.

The following correspondence was reviewed and put on file:

1. Catt. Co. Planning Board Meeting Minutes 8/26/10
2. Governor Paterson-Health care Reform
3. Governor Paterson-Bridge Plan for health insurance
4. Papasergi-recommendations on Tanglewood
5. Cattaraugus County Municipal Officials meeting minutes
6. Time Warner Cable-service changes (2)
7. Kirk Wilson, Foit-Albert Tanglewood Sewer Capacity study summary
8. Town of Allegany-letter to City of Olean regarding sewer issue
9. STEP Grant Recap
10. P&C Insurance-meeting notes

Local Law #2-2010 Traffic Regulations of the Village of Allegany aka Local Law #1-1983 General Municipal Law Article VII

- Section 4A1a There is no charge for the temporary permit; this would be for parking in subways during a driveway resealing, party at a home, etc.
- Diagonal parking was addressed near the Burton and Knights of Columbus (the two areas constructed by NYS for diagonal parking) and agreed to by the board. Papasergi will implement this into a separate section of the law.
- Attorney Fodor questioned why the law was being sent to a public hearing before the planning board reviewed it.
- Papasergi stated the Planning Board at their meeting of June 10, 2010 had addressed all the prior concerns and gave their information to the village board. The Planning Board does not plan to discuss the law any further as they have reviewed it since November 2009 and completed their suggestions in June 2010.
- The only variation to their suggestion was the one-way issue on Chestnut Street and the board of trustees respectfully disagreed with their suggestion.

RESOLUTION #2010-214

VILLAGE ACCEPTS THE TRAFFIC REGULATIONS LAW LL#2-2010

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to accept the Traffic Regulations Law LL#2-2010 with the agreed to change of 4A1a and diagonal parking (above). Aye-all. Nay-none.

RESOLUTION #2010-215

SCHEDULE THE PUBLIC HEARING FOR LL#2-2010 ON OCTOBER 18, 2010 AT 6:50 PM

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to schedule the Public Hearing for the Traffic Regulations Law LL#2-2010 for Monday, October 18 at 6:50 pm. Aye-all. Nay-none.

RESOLUTION #2010-216

APPROVE P&C SOLUTIONS AS BROKER OF RECORD FOR PERMA

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to approve P&C Solutions as the Broker of Record for PERMA for Workers Compensation Insurance. Aye-all. Nay-none.

RESOLUTION #2010-217

APPROVE REJECTION OF SUPPLEMENTAL SPOUSAL LIABILITY COVERAGE

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to approve the rejection of Supplemental Spousal Liability Coverage Insurance. Aye-all. Nay-none.

RESOLUTION #2010-218

EXTEND STATE OF NEW YORK WORKERS COMPENSATION RENTAL AGREEMENT FOR ONE YEAR

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to extend the State of New York Workers Compensation Rental Agreement for one year for the rental of the court room. Aye-all. Nay-none.

RESOLUTION #2010-219

VILLAGE OF ALLEGANY TO SIGN LAND USE AGREEMENT WITH ST. BONAVENTURE CHURCH FOR CHRISTMAS IN ALLEGANY EVENT

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to have the Village of Allegany sign the land use agreement with St. Bonaventure Church for use of their property for Christmas in Allegany Event and Santa Claus House. Aye-all. Nay-none.

RESOLUTION #2010-220

SIGN SETTLEMENT AGREEMENT WITH NATIONAL GRID FOR GROSS RECEIPTS TAXES

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to sign the settlement agreement with National Grid for the local Gross Receipts Taxes. Aye-all. Nay-none.

RESOLUTION #2010-221

ADJOURN MEETING

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to adjourn the meeting at 6:22 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn, Clerk Treasurer