

## **Board of Trustees Minutes**

OCTOBER 17, 2011 7:00 pm

The regular meeting of the Board of Trustees was called to order at 7:00 pm with a salute to the flag led by Mayor Richard Lamberson

Present: Mayor Lamberson; Trustees: Jim Rouleau, Alex Nazemetz, and Daniel Gleason

Absent: Bob Parker

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

Attending: Alex Whipple

The following were in attendance for the sewer presentation:

Rhea Carls-Planning Board

David Domboski

David Meyers

Melissa Meyers

Kathy Sader

Kathy Eggert

Cel Borromeo

Doug Borromeo

Paige Drake

Dr. Gulati

Mrs. Gulati

Jiantong Li

Yuyim Quan

Wilma Robert

John Robert

Rajnikant Patel

Dr. S.D. Soni

Judy Abraham

RESOLUTION #2011-183

ACCEPT MINUTES OF OCTOBER 3, 2011

On motion made by Trustee Gleason, second by Trustee Nazemetz resolved to accept the minutes of 10/3/2011. Aye-all. Nay-none.

TREASURERS REPORT

As of October 14, 2011

	CHECKING	SAVINGS
GENERAL	\$3,020.00	\$1,073,235.00
WATER	\$736.00	\$360,521.00
SEWER	\$15,714.00	\$388,148.00
LIBRARY	\$43,335.00	
T&A	\$11,064.00	
WATER BOND		\$6,298.00
<b>TOTALS</b>	<b>\$73,869.00</b>	<b>\$1,828,202.00</b>

	RESERVES GENERAL	RESERVES WATER	RESERVES SEWER	TOTAL
EQUIPMENT	\$180,267.00	\$	\$	
POLICE UNIFORMS	\$5,446.00	\$	\$	
NEW BUILDING & BLDG REPAIR	\$38,308.00	\$	\$	
POLICE EQUIPMENT	\$31,261.00	\$	\$	
CURBING & STORM SEWER	\$39,339.00	\$	\$	
WELL HOUSE PUMP/ROUTINE MAINT		\$	\$	
WELL & WATER TANK BLDGS/TANK MAINT		\$	\$	
METER PITS		\$	\$	
LIFT STATION, PITS, PUMP MAINT		\$	\$	
ENGINEERS		\$	\$	
		\$	\$	
	<b>\$294,621.00</b>	<b>111,776.00</b>	<b>36,004.00</b>	<b>\$442,401.00</b>

RECEIPTS:		DISBURSEMENTS: from 6/1/11 to present	
AIM State Aid		GENERAL	\$
Building/Sign/Pool permit	108.00		245,720.00
Bid Deposit/Award		WATER	\$
Backflow testing			38,558.00
Clerk fees	2.00	SEWER	\$
CHIPS			257,381.00
Code Violation fees		LIBRARY	\$
			9,485.00
		<b>TOTAL</b>	<b>\$</b>
			<b>551,144.00</b>

Court Security	
Court Fines/fees	7,107.00
Calibration-Pressure Bldg	
Class Action	
Donation	
DWI funds	
Equipment sales	
Franchise Fees	
Fire Inspections	
Gaming License	
Grants	
Inspections-c/o	40.00
Insurance refund	
Juvenile Officer	
Lawn mowing	
Municipal Aid	
Mortgage Tax	
Police Contract	
Pop machine	
Property Taxes	12,336.00
Property Taxes-Penalty	815.00
Rent-WCB	110.00
Reimbursements	47.00
Sales Tax	
Scrap metal	
Town Sewer Payment	
Utility Tax	1,155.00
Unmetered Water	
Vehicle repair rebate	
Vending permit	
Vital Stats	
Water-Qtr Town	
Water meter	
Zoning fees	
ZBA/PB Hearing fees	
<b>Total</b>	<b>21,720.00</b>

RESOLUTION #2011-184

ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to accept the Treasurers Report and pay current bills. Bills paid by abstract #64972011 for \$5,576.18,

#64972012 for \$259.26, #64972013 for \$1,441.71, 64972014 for \$57,371.04 and #64972015 for \$523.31. Aye-all. Nay-none.

### **Melissa Meyers-sewer line capacity**

- 1<sup>st</sup> question asked of the board was if any of them knew the layout of the sewer lines in the village.
- Mayor said he has a general idea of them.
- Melissa presented a well researched power point of the village sewer lines with mapping and statements from previous board meetings. The board thanked Melissa and acknowledged that there was a lot of information in her presentation that was very beneficial to them.
- Several property owners of the village made comments as follows:
- Meyers/Domboski-There were 3 engineering studies done, but where did the village get representation?
- Domboski-Why is village concerned with saving the town developer (Tiller) money?
- Meyers-Why tax highly used sewer lines with added customers-hook up at 7<sup>th</sup> St.
- Mayor asked why these people weren't complaining about the sewer problems before.
- Papasergi said the DPW keeps the sewer system flushed out.
- Papasergi requested that before the sewer studies were completed, that the engineers contact him regarding the problematic areas, no one has ever contacted him and the board never pressed for a complete study.
- Tiller has been told several times since 1991, during many attempts to develop his property that he needs to hook his sewer up at 7<sup>th</sup> St. but he keeps coming back to the board requesting hook up at another location.
- Mayor asked Papasergi why he did not contact the engineers, he advised that he made the board, village attorney, and town planner aware of his concerns at several previous meetings and felt the board could have followed up.
- Tiller plans a lift station no matter where the hook up is.
- Dave Meyers stated that he's had experience with lift stations and the pool of sewage will create a foul odor.
- Papasergi said it could create more of a problem, why should village pay to get it?
- Mayor stated town will be in charge of maintenance.
- Domboski said the 7<sup>th</sup> St. sewer line was installed for future development; Tiller shouldn't hook onto St. John's at our expense.
- Fodor stated the Town/Village have a water and sewer contract. A capacity study indicated there is ample capacity; developer wants to hook into St. John's. Sewer line is not close to maxing out capacity. As a comparison, Fodor stated it would be like driving from Salamanca to Allegany; you could use Rt 417 or Rt 86 but it wouldn't be appropriate to tell someone which route to take.

- Robert said if pressure test/flow test was done, assuming pipe is 8" at .40% grade, if the assumption is flawed, the study results will be flawed.
- Domboski thinks the sole purpose of allowing Tiller to connect at St. Johns is the money Tiller will save. He felt board should be more concerned about the effects on village residents in that area, and not the cheapest way for the contractor.
- Fodor said the village has to produce a hard reason to not let him hook at St. John's.
- Papasergi states the engineer had an obligation to contact village personnel about problematic areas and did not.
- Fodor said that Papasergi had every opportunity to contact the engineers and she encourages him to find the facts.
- Sader said that if Superintendent Papasergi's legitimate questions on the study had not been answered, then the study does not give us enough information.
- Domboski read aloud from the previous minutes that the engineer was supposed to contact village personnel to discuss the study.
- Papasergi then suggested that the board go back and review minutes from previous years, he learned a lot of the reasoning behind decisions previous boards made and of valuable information retrieved from the prior minutes. Minutes continually referred to the 5<sup>th</sup> St sewer line being maxed out.
- Papasergi advised that Crisafulli, at a public hearing, was previously told that he would have to hook sewer from his development in that area into N. 7<sup>th</sup> St. Mr. Wind was also denied hookup to sewer leading to N. 5<sup>th</sup> St. for a nursing home development he planned as prior boards felt no more sewer should be added to the 5<sup>th</sup> St sewer line. He also advised that the Crisafulli hearing was a hearing for annexation of property into the village and was still denied hookup at 5<sup>th</sup> St.
- Domboski asked what the village's benefit is if the board's priority is to save the developer money; no tax dollars are received.
- Papasergi stated that each time Tiller wanted to develop, he was told by prior boards he would have to hook up at 7<sup>th</sup> St. Papasergi remembers references to that effect on three separate occasions.
- Melissa asked why the village didn't have an engineering study done, especially with the problem lines.
- Rouleau indicated the initial resolution was to allow hook up at 7<sup>th</sup> St, 241 customers go to 5<sup>th</sup> St. line, 90 to 7<sup>th</sup> St. line; it makes common sense. Keep the resolution to go to 7<sup>th</sup> St.
- Melissa knows the resolution is in place, but the 1<sup>st</sup> resolution was rescinded during a meeting that Tiller attended, unannounced and not on the agenda.
- Mayor said the developer is trying to save money.
- Fodor said the contract says village needs to offer the developer the most economical location as possible. Papasergi disagreed and felt that Tiller wasn't being denied hookup to the sewer; sewer infrastructure in village should not be jeopardized to make it convenient for a developer outside the village.
- Domboski said, what if then he wants to open the road at St. John's instead of his road from 7<sup>th</sup> St., it is more economical to do so, and he may?

- Melissa said the engineers did not perform due diligence, sewer personnel know how to work the sewer flushing, it was up to the engineers to talk to them.
- Mayor suggested another engineering study be done, including smoke tests, cameras.
- Fodor suggested an independent study.
- Rouleau asked if sewer hookup could be stopped.
- Fodor needs to look at the engineering contracts.
- Papasergi said the engineers need to talk with our DPW employees; there are specific questions needed to ask engineers, the study is incomplete without a thorough review of the system in that area.
- Suggestion was made that a moratorium be placed on future sewer hookups. Fodor will prepare resolution, will notify Tiller's attorney.
- Bid for engineering; scope of bids, other studies to be researched for preparation of bid to present at next board meeting.
- This segment of meeting ended at 8:50 pm.

#### RESOLUTION #2011-185

BOARD IMMEDIATELY SUSPENDS THE IMPLEMENTATION OF RESOLUTION #2011-162 (TANGLEWOOD SEWER HOOK-UP AT ST. JOHN'S DRIVE) WITH A MORATORIUM IN PLACE UNTIL APRIL 30, 2012

WHEREAS residents of the Village expressed concern that there were grade problems and possibly other problems with the St. John's Drive sewer line and with the route from a proposed St. John's Drive connection point to the main sewer line, on motion by Rouleau, seconded by Nazemetz, be it resolved that the Board suspends the implementation of Resolution #2011-162, which resolution provided that the Tanglewood Subdivision project could hook into the Village sewer line at St. John's Drive, pending the completion of an engineering study conducted by a Village retained engineer, of the proposed connection and proposed sewage route from the subdivision through to the main. Such suspension shall remain in place until April 30, 2012, or until the Village lifts the suspension by resolution prior to April 30, 2012. Aye-Rouleau, Nazemetz. Nay-none. Abstain-Gleason.

#### **POLICE**

- Papasergi informed board that the light bar on top of CO-11 (Crown Vic) is not working and is under warranty. The car is in service but we are waiting for a new electrical board for the light bar.
- Mayor questioned McGraw's overtime and was informed that he attended a 2 day tactical training school held in Olean for a shooting scenario. He had no one else who could work the night shift. Papasergi felt it was an excellent school for McGraw to attend.
- Officer Gonska is dangerously close to capacity for his police hours for the year.
- Mayor asked how many police calls have been made to SBU, Papasergi stated that were no more than the average calls.

## **DPW**

- Rouleau recommended that we get right on to the engineering study as discussed above.
- Papasergi informed board that sewer line in front of Allegany Credit Union needs to have a camera put through it. There is a sink hole in the ground near a utility pole and wants to make sure the pole did not break the sewer line in that area. Needs to run the root cutter through, then camera to look through to see if the pole damaged the sewer line.
- Contamination was found on the north east corner of West Main St. (Former Gee property). Wilson Farms work is being done due to gasoline spill.
- Mayor asked if leaves/brush are being picked up, Papasergi stated personnel are working on it now.
- Mayor questioned if storms sewers are cleaned-Papasergi stated yes-in the spring and checked again after leaves are picked up and are cleaned if needed.
- Mayor asked if snow equipment was ready yet, Papasergi stated it will be worked on in the very near future.
- Mayor asked if overhanging branches will be trimmed, Papasergi hopes to get it completed.
- Mayor asked about the life of the Sidewalk plow/Snow blower-Papasergi feels it should go for another year or longer.
- Mayor questioned Bucket trucks- Papasergi has several brochures, and they are being looked into. Need full sized truck to haul chipper. Rodney from Town of Allegany needs to be involved, possibly town could share the cost.
- Mayor wants to schedule a joint meeting with the Town/Village boards after water and sewer agreements are ready for review. Waiting on Town to finish their part.
- Fodor will complete the Motherhouse (FSA) agreement for fire protection hydrants.
- Mayor questioned smoke testing-waiting on NY Rural Water to perform. Papasergi suggested we check with Olean to see if they have a smoke machine and can assist us. Mayor will contact Olean Mayor Witte and/or Tom Windus.
- Sewer flushing program-some manholes could be raised, some act as storm drains.
- Papasergi feels it is important to hire an engineer to plan these types of infrastructure upgrades and to determine which areas are priority over others.

## **OTHER**

- Dave Hall will get in touch with Fodor to discuss training for Zoning Planning/Boards. Wendy Tuttle could possibly have information to review.
- Town donates \$1,000 towards Bonagany. Town assisted village with sweeping after event.
- Time Warner Cable-Rouleau asked if it is possible to get a list of updates to the channel lineup when changes are made.
- Gleason asked about 2X4's that were on the Home Depot bill-they were used for gaps between the road and driveways on N 4<sup>th</sup> St. until the street was paved.
- Safety meeting needs to be scheduled. Contact Rouleau.
- Rouleau feels it is necessary to have people on the agenda if there is a major concern about an item and wish to speak at length. Mayor does not want to limit people from speaking if they are at a board meeting. Rouleau agreed but felt that residents should be aware of major issues prior to the board voting on them.
- Mayor stated he has a list of vendors for the SCADA project equipment from Eric Wohlers, Cattaraugus County Health Department.
- Nazemetz will contact Steve Rado regarding his concerns of the sidewalks on Union St.
- Jobe to contact Fodor regarding the chlorine/fluoride monitoring system order issue.
- Jobe to contact Fodor regarding Planning Board/Zoning Board training.

The following correspondence was reviewed and put on file:

1. US Postal Service-letter carriers relocated to Olean
2. ST West Fall Planning & Zoning Conference
3. EB'S Eatery-renewal of liquor license
4. NY Class-election
5. Catt Co Arts Council
6. Morris Assoc.-Funding through consolidated funding application
7. Bonagany receipt for \$2,500
8. Time Warner Cable-changes in service
9. Eric Wohlers Catt Co Health Dept-Wilson Farms Remedial Investigation/Water well #1

## **CHRIS KORZENIEWSKI WATER/SEWER BILL**

- Received a letter from Mr. Korzeniewski who resides at 82 N. 3<sup>rd</sup> St.
- He received a water/sewer bill over 2 quarters that total \$853.13; usual bill has been \$55-61/qtr.
- Flynn tried contacting him after the read looked high in the 2<sup>nd</sup> Q, but phone number was not in the book.

- When he came into the office to pay his bill, he was advised then that he may want to check all connections to see if he possibly had a leak. This was in mid-July.
- He stated he found a running toilet in his basement and had the problem fixed immediately.
- He worked 3 jobs this summer and wasn't home much, and hadn't known there was a problem with the toilet until after the water bill was received.
- When he received a large 3<sup>rd</sup> Q bill, Rena informed him that the readings had crossed quarters and he may have had the problem on the tail end of the 2<sup>nd</sup> Q and the beginning of the 3<sup>rd</sup> Q before the toilet was fixed.
- He asked if he could have any sort of relief from the bill.
- Board agreed to work out a payment arrangement with him over several months until paid in full.
- Also will waive the late fees for this time frame.
- Flynn to contact him to work out a payment plan.

RESOLUTION #2011-186

MAKE PAYMENT ARRANGEMENT WITH KORZENIEWSKI OF 82 N 3<sup>RD</sup> FOR WATER/SEWER BILL

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to make a payment arrangement with Korzeniewski of 82 N 3<sup>rd</sup> St. for his water/sewer bill that totals over \$800.00 due to an unknown leak. Late fees on this balance will be waived until paid. Aye-all. Nay-none.

RESOLUTION #2011-187

ADJOURN MEETING

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to adjourn at 9:40 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn

Clerk Treasurer