

**Board of Trustees Meeting Minutes  
January 4, 2010 4:00 pm**

RESOLUTION #2010-001

OPEN BID FOR SALE OF 1997 FORD F350 DUMP TRUCK WITH SNOWPLOW

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to open the bid for the sale of the 1997 Ford F-350 Dump Truck with Snowplow. Aye-all. Nay-none.

- |                     |         |
|---------------------|---------|
| 1. Terry Hitchcock  | \$7,016 |
| 2. Barbara Anderson | \$9,632 |
| 3. Thomas Woodin    | \$6,660 |
| 4. Patrick Burke    | \$7,011 |
| 5. Jay Little       | \$7,705 |

RESOLUTION #2010-002

CLOSE BID FOR SALE OF 1997 FORD F350 DUMP TRUCK WITH SNOWPLOW

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to close the bid for the sale of the 1997 Ford F-350 Dump Truck with Snowplow. Aye-all. Nay-none.

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

Present: Mayor Richard Lamberson; Trustees: James Rouleau, Charlie Fortuna, Diana Rzepka, and Dan Gleason

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

RESOLUTION #2010-003

ACCEPT MINUTES OF DECEMBER 21, 2009

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to accept the minutes of December 21, 2009. Aye-all. Nay-none.

TREASURERS  
REPORT  
As of December 31,  
2009

	CHECKING	SAVINGS
GENERAL	\$1,252.00	\$854,191.00
WATER	\$1,247.00	\$304,720.00
SEWER	\$869.00	\$349,296.00
LIBRARY	\$26,776.00	
T&A	\$6,189.00	
WATER BOND		\$6,282.00

TOTALS **\$36,333.00** **\$1,514,489.00**

	RESERVES GENERAL	RESERVES WATER	RESERVES SEWER	TOTAL
EQUIPMENT	\$145,788.00	\$ 50,341.00	\$ 12,880.00	\$209,009.00
POLICE UNIFORMS	\$5,417.00			\$5,417.00
BUILDING	\$38,102.00	\$ 39,490.00	\$ 22,900.00	\$100,492.00
POLICE EQUIPMENT	\$26,111.00			\$26,111.00
CURBING & STORM SEWER	\$34,145.00			\$34,145.00
GENERAL	\$30,009.00			\$30,009.00
WELL HOUSE PUMP ROUTINE MAINT		\$ 1,009.00		\$1,009.00
WELL/WATER BLDGS/TANK MAINT		\$ 10,319.00		\$10,319.00
METER PIT		\$ 11,572.00		\$11,572.00
LIFT STATION, PITS, PUMP			\$ 4,005.00	\$4,005.00
	<b>\$279,572.00</b>	<b>\$ 112,731.00</b>	<b>\$ 39,785.00</b>	<b>\$432,088.00</b>

RECEIPTS:  
Building/Sign/Pool  
permit

Bid Deposit

Backflow testing

Clerk fees

CHIPS

Court Security

Class Action

Donation

DWI funds

Equipment sales

Franchise Fees

Fire Inspections

Gaming License

Inspections-c/o

Insurance refund

Juvenile Officer

Judge Fines/fees

Justice Grant

Lawn mowing

Municipal Aid

Mortgage Tax

Police Contract

DISBURSEMENTS: from 6/1/09-present

GENERAL \$ 376,372.00

WATER \$ 113,944.00

SEWER \$ 198,433.00

LIBRARY \$ 17,451.00

TOTAL **\$ 706,200.00**

Property Taxes	
Property Taxes-Penalty	
Rent-WCB	
Reimbursements	
Sales Tax	
Scrap metal	
Town Sewer Payment	120,440.00
Utility Tax	3814.00
Unmetered Water	
Vehicle repair rebate	
Vital Stats	
Water-Qtr Town	
Water meter	
Zoning fees	
ZBA/PB Hearing fees	
<b>Total</b>	<b>124254.00</b>

RESOLUTION #2010-004  
ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to accept the Treasurers Report and pay the current bills. Bills paid by #20000534 for \$3,460.41 and #20000535 for \$6,302.68. Aye-all. Nay-none.

## DPW REPORT FOR THE MONTH OF DECEMBER 2009

- Sanded and Plowed Snow from Streets and Lots as needed.
- Cleaned tops of catch basins 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.
- Assisted the county in replacing the light bulbs on their light poles at the county barn building on Seventh Street.
- Made bathroom at municipal building handicap assessable.
- Ran internet line to Court Room for future use by State of New York Worker’s Compensation Board.
- Water meters were read for water/sewer quarterly billing.
- Replaced a water service line curb stop shut-off valve at 72 North First Street.
- Fixed a water service line that was leaking at 14 North Third Street.
- Worked on testing Back-Flow Devises at area businesses required to have them.
- Moved a speed limit sign on Union Street as it was too close to a driveway that was added near Seventh and Union.
- Put emergency led lights on new one ton.
- Started picking up Christmas Trees that were put out to curbs by village residents.

**VILLAGE OF ALLEGANY POLICE DEPARTMENT**  
**CHIEF'S MONTHLY REPORT**

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MONTH OF:	<u>December</u>	<u>2009</u>
Complaint Calls		62
Miscellaneous Calls		74
Larceny Complaints		2
Attempted Larceny Complaints		0
Burglary Complaints		0
Attempted Burglary Complaints		0
Vehicle & Traffic Tickets Issued		15
D.W.I. Arrests		1
Felony Arrests		0
Misdemeanor Arrests		2
Violation Arrests		4
Local Law Arrests		4
Accidents Investigated	P.I.	0
	P.D.	1
Parking Tickets Issued		58
Town Calls		25

Other

(Identify): Wednesday December 2, 2009 - Chief Papasergi attended a Cattaraugus County Chief of Police Association Meeting in Salamanca, NY.

Thursday December 10, 2009 - Ptlm. Gonska and Ptlm. Conner attended Grand Jury for a Felony DWI case pending.

**POLICE**

Gary McCready 373-7455 residing at 133 West Main St. has a complaint for the police.

- He has been having a driveway dispute with the tenants next door.
- Marion Horey is the owner of the property where he resides and is unable to attend meeting.
- Gary states he has been verbally abused and his life and body threatened.
- He stated that local officers have been at this location on several occasions.
- Neighbor spins out in the driveway which sends snow back on his driveway after he shoveled.

- There is a fence by the property line.
- Survey needs to be checked to see where the actual property boundaries are located.
- Trooper Prince responded to the most recent call.
- Judge will issue a criminal summons based on the facts.
- It has been an ongoing situation.
- Board would like Chief to look at the day book to see what the ongoing course of conduct has been.
- Trooper Prince stated that it is very refreshing to know that the village police department takes care of itself.

#### Allegany Elementary School Parking Issue:

- Chief met with personnel from the school district to discuss where to park.
- Temporary “No Parking” signs will be put up next Monday (1/11/10) from the playground entrance to the Absolut Nursing Home entrance (Town/Village line).
- This will give Principal of AES a chance to get letters out to the public.
- There is a safety issue created by backing out of potential parking lot.
- Possibly propose a law of “No parking from 8am-4pm on school days”
- Principal wants to add onto parking lot at west end.
- Town has signs on their side of the road for “No Parking.”

#### St. Bonaventure University Fire Department/Ambulance calls

- Trustee Gleason stated that there are a high number of calls from St. Bonaventure University to the Allegany Fire Department or Ambulance for services, especially on the weekends.
- SBU does not pay fire tax.
- SBU is not charged for these calls.
- Chief Papasergi suggested that donations be made to the Fire Department for these calls.
- SBU used to donate to the village a small amount of revenue each year to help defray costs; this has not been done in quite a few years.

The following correspondence was reviewed and put on file:

1. Energy Curtailment Specialists (PowerPay)
2. Time Warner Cable-agreements
3. Town of Allegany-Elementary School Parking (see old business)
4. DSS Research-Health Insurance Survey
5. Town of Allegany-Bonaventure Square

#### **DPW**

- Street light in front of the library is out.
- Board decided that contracting with Energy Curtailment Specialists would not be in the best interest of the village. It would be too risky with the sewer stations and water pumps as they would have to be manually monitored.
- National Grid has provided Mayor with books of light pole attachments to review for betterment of lighting on Main Street.
- Plans for Town of Allegany Bonaventure Square are in the clerk’s office.

- Letter from Mayor Lamberson and Town Supervisor Eaton was sent to Mr. Kapoor, Director of Public Works for the City of Olean regarding the most recent annual sewer bill and some of the interpretation issues of the contract.
- Mayor would like to meet with Mayor Witte and other public officials to discuss the bill.
- Mayor would like to set up a joint meeting in order to finalize some agenda items that have been on for a long time.
- Trustees Fortuna and Rouleau are on the committee for building maintenance. Rena will schedule interviews for the building maintenance worker.

#### Sidewalk Ordinance

- Attorney will once again review the language in the sidewalk law concerning the transfer of liability wording
- Hold Harmless agreement will be difficult to put into law if the village is responsible for plowing the sidewalks.
- Village is pro-active in clearing the sidewalk but cannot be indemnified.
- If someone falls on a sidewalk, both abutting property owner and village could be sued by party.
- On East Union there are a couple areas that the sidewalk blocks are lifted, Supt. Papisergi feels that when spring arrives, they could settle out.

#### Grass Mowing-Property Maintenance

- When property owner does not mow lawn and when notified continues to not comply, village can hire someone to mow the lawn and the bill can be charged to the property owner.
- Bill can also be assessed on their property taxes.
- Need to go to bid for this contract, prevailing wages need to apply. Need to bid out as an hourly rate as opposed to a lump sum contract.
- Rena will contact insurance company to see if village personnel can go onto private property to maintain the property.
- Wear and tear on village equipment.

### **CLERK**

#### Security Fraud

- Attorney Fodor spoke with Five Star Bank's attorney, who acknowledged the discussion of the fraud during public meetings. Attorney couldn't say whether the representatives of Five Star would accept this as confidentiality.
- No refund has been credited to our account at this point.
- Clerk Flynn needs to re-open net-teller in order to process NYS and Local Retirement payments beginning in February, 2010. Attorney believes that no ach authority is needed for this transaction.

#### New York State & Local Retirement

- State is now requiring that elected and appointed officials who do not have set hours to keep a log of hours worked and time spent while in their elected/appointed capacity.

This is to be kept for a period of 3 months in order to get a standard “work day”, a key component in determining service credit.

**RESOLUTION #2010-005**

**RECOMMENDATION TO PLANNING BOARD TO HAVE TEMPORARY “NO PARKING” SIGNS INSTALLED IN FRONT OF AES ON MAPLE AVENUE**

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to recommend to the Planning Board that temporary “No Parking” signs be installed on the Maple Avenue side of the Allegany Elementary School from the playground entrance to the nursing home entrance (town/village line). Aye-all. Nay-none.

**RESOLUTION #2010-006**

**REQUEST THAT METER PIT FOR WATER METERING TO BE INSTALLED THIS SPRING ON EAST END**

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to request that a meter pit be installed for the metering of water (spring 2010) before any future development takes place on the east end of the village/town area. Aye-all. Nay-none.

**RESOLUTION #2010-007**

**REQUEST THAT METER PIT FOR WATER METERING TO BE INSTALLED ON WEST END**

On motion made by Trustee Gleason second by Trustee Fortuna resolved to request that a meter pit be installed for the metering of water before any future development takes place on the west end of the village/town area. Aye-all. Nay-none.

**RESOLUTION #2010-008**

**RE-OPEN NET TELLER FOR INTERCOMPANY TRANSFERS AT FIVE STAR BANK**

On motion made by Trustee Rzepka second by Trustee Gleason resolved to re-open the net-teller at Five Star Bank for the purpose of transferring intercompany funds only. (No ach authority) Aye-all. Nay-none.

**RESOLUTION #2010-009**

**ANNUAL DRIVING RECORD/DISCLOSURE TO EMPLOYEE REGARDING PROCUREMENT**

On motion made by Trustee Rzepka second by Trustee Rouleau resolved to request an annual driving record from employees on the recommendation of our insurance company. Forms for request will be given to all employees for their signature. This assures that village employees maintain a current unrestricted driver’s license. Aye-all. Nay-none.

RESOLUTION #2010-010  
STATE OF NEW YORK WORKERS COMPENSATION BOARD RENTAL AGREEMENT  
TO BE MODIFIED

On motion made by Trustee Fortuna second by Trustee Gleason resolved to request that the State of New York Worker's Compensation Board rental agreement be modified for the phone lines that will be installed and for responsibility of ½ the monthly internet charge. Aye-all. Nay-none.

RESOLUTION #2010-011  
ACCEPT BID FROM BARBARA ANDERSON FOR 1997 FORD F-350 DUMP TRUCK

On motion made by Trustee Rouleau second by Trustee Gleason resolved to accept the bid from Barbara Anderson for \$9632.00 for the purchase of a 1997 Ford F-350 dump truck with snowplow. Aye-all. Nay-none.

RESOLUTION #2010-012  
ADJOURN MEETING

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to adjourn meeting at 6:08 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn  
Clerk Treasurer