

**Board of Trustees Meeting Minutes
March 16, 2009**

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

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

RESOLUTION #2009-057
ACCEPT MINUTES OF MARCH 2, 2009

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to accept the minutes of March 2, 2009. Aye-all. Nay-none.

TREASURERS
REPORT
AS OF March 16, 2009

	CHECKING	SAVINGS		
GENERAL	\$15,750.00	\$1,082,185.00		
WATER	\$999.00	\$106,652.00		
SEWER	\$839.00	\$144,540.00		
LIBRARY	\$22,846.00	\$6,278.00		
T&A	\$5,276.00			
WATER BOND		\$6,278.00		
TOTALS	\$45,710.00	\$1,345,933.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$143,082.00	\$ 42,792.00	\$ 9,867.00	\$195,741.00
POLICE UNIFORMS	\$2,912.00		\$	\$2,912.00
BUILDING	\$38,047.00	\$ 39,446.00	22,871.00	\$100,364.00
POLICE EQUIPMENT	\$18,581.00			\$18,581.00
CURBING & STORM SEWER	\$34,096.00			\$34,096.00
WELL HOUSE PUMP ROUTINE MAINT		\$ 1,008.00		\$1,008.00
WELL/WATER BLDGS/TANK MAINT		\$ 7,809.00		\$7,809.00
METER PIT		\$ 7,562.00		\$7,562.00
LIFT STATION, PITS, PUMP			\$ 2,002.00	\$2,002.00
	\$236,718.00	\$ 98,617.00	\$	\$370,075.00

34,740.00

RECEIPTS:

Judge Fines/fees	10213.00
Inspections	
ZBA/PB Hearing fees	
Court Security	
Clerk fees	
Reimbursements	
Vital Stats	
Utility Tax	9.00
Unmetered Water Building/Sign/Pool permit	
Zoning fees	
Police Contract	
Sales Tax	
Water-Qtr Town	
Juvenile Officer	
Franchise Fees	
Bid Deposit	
Backflow testing	
Property Taxes	
Gaming License	
Town Sewer Payment	
Municipal Aid	
Mortgage Tax	
DWI funds	
Fire Inspections	400.00
Donation	
CHIPS	
SMSI grant	
Justice Grant	
Lawn mowing	
Water meter	
Equipment sales	6553.00
Total	10622.00

DISBURSEMENTS: from 6/1/08-present

	\$
GENERAL	541,454.00
	\$
WATER	78,597.00
	\$
SEWER	262,687.00
	\$
LIBRARY	31,148.00
	\$
TOTAL	913,886.00

RESOLUTION #2009-058

ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to accept the Treasurers Report and pay the current bills. Bills paid by abstract #20000478 for \$7195.42, #20000479 for \$258.00 and #20000480 for \$31,383.89. Aye-all. Nay-none.

Tom Tobin of Aquarius Water Delivery made a presentation for delivery of water for swimming pools. Below are some of his facts and the board's suggestions:

- He has 3 trucks, 1 will be dedicated to this area.
- He wants to fill up truck in the off hours (evenings, weekends)
- Takes 6-7 minutes off hydrant to fill truck
- An above-ground 24' pool takes 5 trucks of water
- He will supply his own hoses
- Tom will look into incidental costs of items village may request
- Use our meter with backflow prevention device
- Utility hydrant behind shop will be used
- Chain meter to hydrant for theft protection
- Chart meter for usage, read meter each day
- Rate schedule will be outside village water rate currently \$23.90/1000 cf
- If our meter is unavailable, he needs to have a meter with backflow prevention put on, check valve
- Can be billed monthly
- Lance will draw bottle of water to test for chlorine residual
- Janine will draft a generic contract.

DPW-No Report

- Will start sweeping subways Wednesday, need to pick up yard waste first that has been placed at the side of the road.
- Main St. lights need to be finished, some are still not working properly
- Will call Mike Watson, Maple Ave. about removing stumps from tree that fell during the storm last fall
- 2 stumps on North 2nd also need to be removed
- Need to get North 1st Street done before any other projects
- Supt. Papasergi will meet with Mayor at 5PM Monday to ride around the village; Trustee Rouleau will also go along.

North 1st St. Water Project

- Since the village owns the boring machine and the town has the need for much more boring than the village on this project, the village wants a credit for some portion of the boring that will be done. It is estimated that it will cost \$900 per service connection and credit should be given to the village for any boring that occurs.
- Town charges service fee to maintain distribution line, customer is responsible for shut off to house.
- 2/3 of the main is in the village.
- 3 Hydrants and 3 valves have also been purchased for work at Pine St. Village requests a credit for those purchases also. (\$5000-\$6000)
- The project should not be equal in regards to payment responsibilities

- Lance asked at a meeting for this project and was advised that the village will not be responsible for labor or equipment fees. Village responsibilities were for ½ of materials only.
- Attorney Fodor will talk with Town Water Attorney Yaw regarding credits for hydrants, valves, and boring each connection.
- Village will not sign contract with the town until these matters are resolved.

National Grid power issue

- Last Thursday, National Grid had sub-contracted services with a cable company. The sub-contractor hit a power source which caused equipment damage at sewer station #2.
- The variable speed board needs to be replaced; Supt. would like to have another board for backup purposes.
- There is lightening protection on the controls at the lift station.
- Starter for other two pumps were damaged, approximately \$1500 per starter.
- Stayer Electric is working on the problems.

Zoning Board of Appeals

- The ZBA has approved new forms: Variance Information and Variance Application
- Attorney Fodor feels that they are not user friendly
- Lance denies a Zoning application if there is an issue with the Zoning Law.
- ZBA then needs to address the situation from that point forward..

Police-No Report

- Caught person painting graffiti in village, he has been arrested.
- Full payment will only be accepted for the 2004 Tahoe, if the highest bidder is unable to pay for the vehicle, it will be offered to the next highest bidder.

The following correspondence was reviewed and put on file:

1. Allegany Engine Company-Super Parade contribution
2. My Community Wellness luncheon 3/26
3. NYSDEC-Climate Smart
4. Solar Liberty-solar energy systems
5. Franciscan Sisters of Allegany Anniversary Celebration, 4/24
6. US Department of Justice-letters of acknowledgement for Bartucca
7. Tom Windus, City of Olean, letter of gratitude
8. Suzanne Jakovac-letter ZBA expiration of term
9. Cattaraugus County Legislature-American Recovery & Reinvestment Act
10. National Grid-online survey on improved service reliability
11. Time Warner Cable-charge assessed for late payments
12. Time Warner Cable-Time Warner Inc. divest ownership interest

RESOLUTION #2009-059
CONTRACT WITH TOM TOBIN, AQUARIUS WATER DELIVERY FOR
PURCHASING METERED WATER FOR FILLING POOLS

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to contract with Aquarius Water Delivery for the purchase of metered water for the purpose of filling swimming pools. This is contingent upon signing a contract between the Village of Allegany and Aquarius. Aye-all. Nay-none.

RESOLUTION #2009-060
APPROVE DONATION TO ALLEGANY ENGINE COMPANY SUPER PARADE

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to approve a donation to the Allegany Engine Company Super Parade in the amount of \$500.00. This will be paid in June, 2009. Aye-all. Nay-none.

RESOLUTION #2009-061
ACCEPT JAKOVAC LETTER TO END TERM WITH VILLAGE ZONING BOARD
OF APPEALS

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to accept the letter from Suzanne Jakovac ending her term with the Zoning Board of Appeals, effective March 31, 2009. Aye-all. Nay-none.

RESOLUTION #2009-062
APPROVE ZBA VARIANCE INFORMATION SHEET AND VARIANCE
APPLICATION

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to approve the ZBA Variance Information Sheet (new) and the Variance Application form which was revised by the ZBA. Aye-all. Nay-none.

RESOLUTION #2009-063
APPROVE BACKFLOW PREVENTION DEVICE TESTER COURSE FOR
PETERSON

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to approve Tim Peterson's attendance to Backflow Prevention Device Tester Course to be held in Rochester April 20-23, 2009. This will enable Tim to be certified in backflow prevention device testing. Aye-all. Nay-none.

- 30 tests per year need to be done to remain certified.

RESOLUTION #2009-064

APPROVE CHARGE OF \$75.00 TO PULL WATER/SEWER METER AT CUSTOMERS REQUEST

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to approve a charge of \$75.00 to those customers who want to have a water/sewer meter pulled and checked. If deemed to be defective a new meter will be installed at no cost of the meter to the customer. If the one that is replaced was determined to not be defective, the customer will pay for the cost of pulling the meter as well as the cost of the new meter at the current market price. Aye-all. Nay-none.

- There has been a recent issue with water/sewer customers wanting new meters installed when they don't agree with their bill.
- The water department personnel will remove the meter, replace it with a new meter, test the removed meter for accuracy, and if it is determined to be in good working order, the customer will pay \$75.00 for the work involved as well as the current market price of the new meter installed.
- If the removed meter is found to be defective, the cost of the new meter will be absorbed by the village.
- Customer needs to pay \$75.00 for pulling the meter no matter what the outcome of the meter is.

RESOLUTION #2009-065

REVOKE RESOLUTION #2009-052 (TOWN TO SHARE COST OF WATER METER READER AND CHARGING BASE) AND REPLACE IT WITH TOWN TO PAY ONE HALF THE COST OF THE MAINTENANCE AGREEMENT, SERVICE AND REPAIRS AND ADDITIONAL EQUIPMENT NEEDED FOR THE WATER METER READER AND CHARGING BASE

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to revoke resolution #2009-052 and replace it with the following words: Town of Allegany will be charged with ½ cost of any maintenance agreement, service and repairs and additional equipment for the water meter reader and charging base. Aye-all. Nay-none.

RESOLUTION #2009-066

WATER METERING PIT REQUIRED FOR ANY FUTURE DEVELOPMENT

On motion made by Trustee Fortuna, second by Trustee Rzepka resolved to require that a metering pit be installed for any future development by the municipality, authority, developer, contractor or other agency that is responsible or requesting the development. This includes any lines extending outside the village. Aye-all. Nay-none.

- Any new sewer additions need to be approved by the City of Olean.

DPW Union Contract

- Scott Chismar from Teamsters would like Attorney Fodor to make the changes relative to call out/compensation time.
- Also include an attachment concerning the health insurance
- Everything else seemed fine.
- Board will approve contract at next meeting if everything is correct.

St. Elizabeth Motherhouse

- Does not want to annex into the village
- Wants to pay village water rates
- Town could exempt them from the assessment only if village would bill them at the town rate
- If Motherhouse and Town agree, town will not assess them for special district fees, but the village needs to bill them at the town rate
- Town needs to draft a resolution pertaining to this agreement

River Park

- Wendy Tuttle has the title to do the search

Rt. 417 Water Project

- The village board requests that the traffic pattern with the Allegany Fire Department be addressed before the village concurs with the town for SEQR lead agency designation.
- Letter will be written to Pat Eaton, Town Supervisor requesting this.

RESOLUTION # 2009-067

APPOINT PAUL WISNIEWSKI TO ZONING BOARD FOR A FIVE YEAR TERM

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to appoint Paul Wisniewski to the Zoning Board of Appeals for a five year term beginning April 1, 2009. Aye-all. Nay-none.

RESOLUTION # 2009-068

TAKE OVER WATER/SEWER BILLING FOR ST. ELIZABETH MOTHERHOUSE

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to take over the water/sewer billing for St. Elizabeth's Motherhouse. This will begin only after we have received a board resolution from the Town of Allegany with an agreement between the Motherhouse and Town that the town will no longer assess them for special district fees. The Village will bill them at the "outside village" rate as in the past. Aye-all. Nay-none.

RESOLUTION # 2009-069

ENTER EXECUTIVE SESSION

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to enter executive session at 10:10 pm to discuss employee evaluations. Aye-all. Nay-none.

RESOLUTION # 2009-070
CLOSE EXECUTIVE SESSION

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to close the executive session at 10:50 pm. Aye-all. Nay-none.

RESOLUTION #2009-071
ADJOURN MEETING

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to adjourn the meeting at 10:52 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn
Clerk Treasurer