

**Board of Trustees Meeting Minutes  
April 6, 2009**

RESOLUTION #2009-072

CALL REORGANIZATION MEETING TO ORDER

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to call the reorganization meeting to order. Aye-all. Nay-none.

RESOLUTION #2008-073

ACCEPT APPOINTMENTS, OFFICIAL NEWSPAPER, DATES/TIME OF REGULAR BOARD MEETINGS, DESIGNATION OF DEPOSITORY, AND COMMITTEES

**APPOINTMENTS 2009-2010**

Deputy Mayor	Diana Rzepka
Clerk Treasurer, Court Clerk Registrar of Vital Statistics	Rena Flynn
Deputy Clerk, Deputy Court Clerk Deputy Registrar of Vital Statistics	Pamela Withers
Acting Justice	David Porter
Superintendent of Public Works Deputy Superintendent of Public Works	Dominic G. Papasergi Lance Jobe
Police Chief Patrolman/Acting Sergeant Sr. Patrolman-part time Patrolmen-part time	Dominic G. Papasergi Christopher McGraw Timothy Peterson Frank Snyder Daniel Gonska Lou Harrison David Conner Sean Obergfell Jennifer Graham Christopher Baker Anthony Bartucca Timothy Blovsky Matthew Finnerty
Juvenile Officer Civil Defense Director Incident Command Officer	Christopher McGraw Dominic G. Papasergi Dominic G. Papasergi

Attorney  
Code Enforcement Officer  
Chief Water Operator

Janine Fodor  
Lance Jobe  
Lance Jobe

Crossing Guard

Bonnie Kuhn  
Donald Holdridge  
Maynard Thompson  
Frank Boni

Crossing Guard Subs

Official Newspaper

Times Herald, Olean

Village Board Meetings

1<sup>st</sup> & 3<sup>rd</sup> Mondays of each month  
7:30 pm Municipal Building  
subject to change

Official Depositories

Five Star Bank  
Community Bank  
MBIA Class

### **COMMITTEES 2009-2010**

Streets

Daniel Gleason

Water

Charles Fortuna  
Diana Rzepka

Sewer

Charles Fortuna

Police

James Rouleau

Fire Department Liaison

Richard Lamberson

Budget

Richard Lamberson

Sidewalks

Diana Rzepka  
Charles Fortuna

Trees

Daniel Gleason

Contracts

Diana Rzepka

Clerks Office	Diana Rzepka
Zoning/Planning Boards	James Rouleau
Village/Town/School Liaison	Daniel Gleason
Safety Committee	Diana Rzepka
Personnel Committee	James Rouleau Charles Fortuna

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to accept the personnel appointments, official newspaper, dates & times of regular board meetings, designation of depositories and committees for fiscal year 2010. Aye-all. Nay-none.

RESOLUTION#2008-074

ACCEPT PURCHASING POLICY AND INVESTMENT POLICY

**PURCHASING POLICIES AND PROCEDURES**

THIS RESOLUTION SETS FORTH THE POLICIES AND PROCEDURES OF THE VILLAGE OF ALLEGANY to meet requirements of General Municipal Law, Section 104-b.

Purpose

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interest of taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or of any other general special of local law.

Procedures for Determining Whether Procurements are Subject to Bidding.

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

- \$1-500                    At the discretion of the Department Head.
- \$501-3000             At the discretion of the Board and Department Head (may be verbal)
- \$3001-9999            Written quote from at least 2 separate vendors (if available).
- \$10,000 and up        Sealed bids in conformance with Municipal law, Section 103.

Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes will be awarded to the lowest responsible and responsive vendor.

Statutory Exceptions From These Policies and Procedures

Except for procurements made pursuant General Municipal Law, Section 103(3) (throughout county contracts) or Section 104 (through state contract), State Finance Law, Section 175-b (from agencies for the blind or severely handicapped), Correction Law, Section 186 (articles manufactured in correctional institutions), or the items excepted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law, Section 104-b.

Procedures For Public Work Projects/Contracts

\$1-500	At the discretion of the Department Head.
\$501-5000	At the discretion of the Board and Department Head.
\$5001-9999	Documented telephone quotes from at least 3 separate vendors (if available).
\$10000-19999	Formal written request for Proposal with a response from at least (2) Vendors and if possible (3) vendors.
\$20000 and up	Formal sealed bids in conformance with Municipal Law, Section 103.

In all circumstances, whenever other than the lowest quote is awarded, there must be written documentation of the reason for the award.

UNDER NO CIRCUMSTANCES CAN A QUOTE THAT EXCEEDS THE BID LIMIT BE AWARDED

Professional Services and Consultants

\$1-10,000	Annual charge will be at the discretion of the Department Head, and with the approval of the Board.
\$10001-19999	Prices will be obtained by formal written quotes from at least 2 sources and the award will be made at the discretion of the Department Head and with the approval of the Board.
\$20,000 and up	Prices will be obtained by Formal Request for proposal, with the award of contract being made by the Board.

Awards to other than the lowest proposer must be properly documented with the rational/reason for rejection of the lowest price.

Any and all procedures not specifically covered in this policy will be adhered to as covered in General Municipal Law. Section 104-b.

An emergency exists wherein the delay caused by soliciting quotes would endanger the health, welfare, or property of the municipality, or more important the individual taxpayer, then the procurement of goods or services will be at the discretion of the property department head with documentation as to the nature of the emergency and shall be sent to the Governing Board, within five (5) working days of such procurement.

Annual Review

The governing board shall annually review these policies and procedures. The Board shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of this General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to cause action against the Village of Allegany or any officer or employee thereof.

Resolution

**INVESTMENT POLICY OF THE VILLAGE OF ALLEGANY**

The objectives of the Investment Policy of the Village of Allegany is to minimize risk, to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceed of obligation in:

Certificates of Deposit issued in a bank or trust company authorized to do business in New York State:

Savings accounts;

Obligations of New York State;

Obligations of the United State Government;

The following banks and municipal investors are designated by the Village of Allegany;

Five Star Bank, Allegany, New York  
The Community Bank, N. A., Olean, New York  
MBIA Municipal Investors Service Corporation

Collateral:

Certificate of Deposits shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of federal agencies, the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Obligations shall be held by a third party.

Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United State Government.

The governing Village Board of the Village of Allegany shall review and approve the investment policy, at least annually, and if practicable, at its organizational meeting and the members shall review and amend, if necessary these investment policies

The provision of these investment guidelines shall take effect prospectively , and shall not invalidate the prior selection of any Custodial Bank or prior investment.

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to accept the Purchasing policy & procedures and the Investment policy for fiscal year 2010. Aye-all. Nay-none.

RESOLUTION #2008-075  
ACCEPT ADVANCE APPROVAL OF CLAIMS

**ADVANCE APPROVAL OF CLAIMS**

WHEREAS the Board of Trustees of the Village of Allegany has determined to authorize payment in advance of audit claims for public utility services, postage, freight and express charges, and

WHEREAS all such claims shall be presented at the next regular meeting for audit, and

WHEREAS the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees.

Section 2. That this resolution shall take effect immediately.

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to accept the Advance Approval of Claims for fiscal year 2010. Aye-all. Nay-none.

RESOLUTION #2008-076  
ACCEPT MILEAGE ALLOWANCE

**MILEAGE POLICY**

WHEREAS the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of Trustees shall approve reimbursement to such officers and employees at the rate of \$.55 per mile;

Section 2. That this resolution shall take effect immediately.

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to accept the Mileage Policy for fiscal year 2010. Aye-all. Nay-none.

RESOLUTION 2008-077  
CLOSE REORGANIZATION MEETING

On motion made by Trustee Fortuna, second by Trustee Rzepka on resolved to close the Reorganization meeting. 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 Lamberson; Trustees: James Rouleau, Charlie Fortuna, and Diana Rzepka

Absent: Trustee Dan Gleason

Also Present: Rena Flynn, Clerk Treasurer; Dominic Papasergi, Chief of Police & DPW Supt.

Attending: Jamie Faulkner, Andy Papasergi

RESOLUTION #2009-078  
ACCEPT MINUTES OF MARCH 16, 2009

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to accept the minutes of March 16, 2009. Aye-all. Nay-none.

TREASURERS  
REPORT  
AS OF March 16, 2009

	CHECKING	SAVINGS
GENERAL	\$5,427.00	\$1,090,685.00
WATER	\$620.00	\$98,652.00
SEWER	\$607.00	\$138,040.00
LIBRARY	\$46,450.00	
T&A	\$6,114.00	
WATER BOND		\$6,278.00

TOTALS **\$59,218.00** **\$1,333,655.00**

	RESERVES GENERAL	RESERVES WATER	RESERVES SEWER	TOTAL
EQUIPMENT	\$143,082.00	\$ 42,792.00	\$ 9,867.00	\$195,740.00
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
	<b>\$236,718.00</b>	<b>\$ 98,617.00</b>	<b>\$ 34,740.00</b>	<b>\$370,075.00</b>

RECEIPTS:		DISBURSEMENTS: from 6/1/08-present	
Judge Fines/fees		GENERAL	\$ 541,454.00
Inspections	120.00	WATER	\$ 78,597.00
ZBA/PB Hearing fees		SEWER	\$ 262,687.00
Court Security		LIBRARY	\$ 31,148.00
Clerk fees	11.00	TOTAL	<b>\$ 913,886.00</b>
Reimbursements	916.00		
Vital Stats			
Utility Tax	7562.00		
Unmetered Water			
Building/Sign/Pool permit	88.00		
Zoning fees	20.00		
Police Contract			
Sales Tax			
Water-Qtr Town			
Juvenile Officer			
Franchise Fees			
Bid Deposit			
Backflow testing			
Property Taxes	34839.00		
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  
 Total **43956.00**

RESOLUTION #2009-079  
 ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to accept the Treasurers Report and pay the current bills. Bills paid by abstract #20000481 for \$1,904.36, #20000482 for \$2,896.55 and #20000483 for \$28,070.12. Aye-all. Nay-none.

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

MONTH OF:	March	2009
Complaint Calls		72
Miscellaneous Calls		102
Larceny Complaints		1
Attempted Larceny Complaints		0
Burglary Complaints		0
Attempted Burglary Complaints		0
Vehicle & Traffic Tickets Issued		31
D.W.I. Arrests		1
Felony Arrests		0
Misdemeanor Arrests		30
Violation Arrests		6
Local Law Arrests		7
Accidents Investigated	P.I.	1
	P.D.	2
Parking Tickets Issued		55
Town Calls		35

Other (Identify): **Saturday March 14, 2009** - After an investigation by our Police Department, the City of Olean Police Department and the Cattaraugus County Sheriff's Department a nineteen year old male was arrested for thirteen counts of criminal mischief, thirteen counts of making graffiti, and one count of possession of graffiti in reference to numerous buildings with graffiti painted on them over the past few months. More arrests are pending in the Town of Allegany and the City of Olean.

**Wednesday March 25, 2009** - Our Police Department participated in a Training Drill conducted

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on the St. Bonaventure University Campus. DPW also assisted with traffic. Cattaraugus County Sheriff's Department, New York State Police, New York State Park Police, City of Olean Police, and other officials also participated. Chief Papasergi and Sgt. McGraw attended several meetings for the planning of the event and also attended the meeting held after the event.

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## DPW REPORT FOR THE MONTH OF MARCH 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.
- Lance and Pam started doing fire inspections at businesses and places of assembly in Village.
- Did water, sanitary sewer and storm sewer locates as needed.
- Put cold patch in pot holes on village streets.
- Changed some street lights on Main Street. Also had capacitors and ballast changed in some of the lights as they were not working properly and ordered more parts for future repairs..
- Officials from the Cattaraugus County Health Department conducted the Village annual inspection of our Water Distribution System.
- Water meters were read for water/sewer quarterly billing.
- Continued Back-Flow Device Testing in Village.
- Serviced John Deer Tractor and put sweeper attachment on in preparation for sweeping sand and sod off of subways.
- Picked up weeds leaves and tree limbs put out to curbs, advised various people not to put items out to streets until subways are swept out.
- Raked out sod that was lying in subways throughout village as a result of snowplowing roadways and sidewalks during winter months.
- Started sweeping and hauling away sand out of subways in village. Hill area has been completed and we are currently working on the flats. Streets left to do are Maple Avenue, Pine, Elm, Fifth, Chestnut, North & South Seventh, Sixth, Oak and Union streets.
- Swept sand off all village streets with street sweeper, except for some of the streets listed above.
- Tire on backhoe burst hole in sidewall. Other tires on backhoe were in dire need of replacement and therefore replaced with new ones.
- Working with Rural Water - Checking our Water System (Town & Village) for any possible water leaks throughout our water distribution system. Found a leak in the St. Bonaventure University area which will be taken care of by the town and a small leak on Maple Avenue near Fourth Street which will be taken care of by the village.
- Replaced hot water tank at Municipal Building.
- Due to an electrical type serge in area Sewer Lift Station #2 received major damage to electrical controls, the variable speed drive system and one of the three

pumps. Niagara Mohawk and our insurance company have been notified of same. Damage could exceed \$25,000 to \$30,000 dollars.

- Moody and Associates conducted the six year cleaning and redevelopment of Water Well House Number Two and when doing same reported that the water well house was in better shape this year than when it was conducted six years ago. No cleaning or repairs were needed.
  - The back shop injection well has been dug up and soil samples have been sent out for testing.
  - Worked on Street, Water and Sewer Budget for the 2009-2010 fiscal year.
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- ✓ If Bona Responds is looking for projects, they could paint the well houses that have been painted with graffiti.
  - ✓ The underground injector site work has begun; the soil is being tested now. Lance believes that everything looks promising at this point.
  - ✓ Greasing the backhoe is on the equipment schedule.
  - ✓ Mayor would like to have DPW workers watch videos on chainsaws, chippers, and bucket trucks. Supt. will look into obtaining them.
  - ✓ North 1<sup>st</sup> Street water project should begin in early May. Town is in the process of sending out bid sheets.
  - ✓ Mayor would like water/sewer power outages tracked
  - ✓ Trustee Fortuna will be in touch with Attorney Fodor about the sewer #2/ National Grid electrical problem
  - ✓ There was a complaint about the condition of the property located at 71 North 2<sup>nd</sup> St. The house is vacant, but open. Kids are in and out and playing on the property. There is garbage and mold believed to be in the house. Windows are broken. Complainant would like to know what can be done. CEO Jobe will be made aware of this situation.

The following correspondence was reviewed and put on file:

1. Time Warner Cable-service changes
2. The Bukiewicz Organization-Study of Real Property Tax Assessment in Catt. Co.
3. Zoning Board of Appeals minutes 3/4/09
4. Southern Tier Health Care System Child Advocacy Center-community service

RESOLUTION #2009-080

APPROVE HIGHWAY SCHOOL FOR SUPT. PAPASERGI AND DEPUTY-SUPT.  
JOB

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to approve Dominic Papasergi and Lance Jobe's attendance to Highway School in early June. Aye-all. Nay-none.

RESOLUTION #2009-081

APPROVAL TO ORDER VARIABLE SPEED DRIVE FOR SEWER #2

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to approve the ordering of a variable speed drive for replacement of same for sewer #2 that was damaged from the power outage. Aye-all. Nay-none.

RESOLUTION #2009-082  
SCHEDULE PUBLIC HEARING FOR 2010 BUDGET\*

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to schedule the Public Hearing for the 2010 Budget for April 20, 2009 at 7:20 pm. Aye-all. Nay-none.

\*This date was changed to April 14, 2009 at 4:00 pm due to NYCOM regulations

RESOLUTION #2009-083  
ADJOURN MEETING

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to adjourn the meeting at 8:15 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn  
Clerk Treasurer