

**Board of Trustees Meeting Minutes
September 21, 2009**

The regular meeting of the Board of Trustees was called to order at 7:30 pm with a salute to the flag led by Mayor Richard Lamberson.

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

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

Attending: Patrick Eaton, Town of Allegany Supervisor; Town Board members Hans Sendlakowski and Jim Hitchcock; Don Benson

RESOLUTION #2009-170
ACCEPT MINUTES OF AUGUST 10, 2009

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to accept the minutes of August 10, 2009. Aye-all. Nay-none.

RESOLUTION #2009-171
PAY CURRENT BILLS

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to pay the current bills. Bills paid by #20000508 for \$789.26, #20000509 for \$162.02, #20000510 for \$470.99, #20000511 for \$6,028.83, #20000512 for \$45,111.92, #2000513 for \$7,431.45, #20000514 for \$1,603.88, #20000516/#20000517/#20000519 for \$7,044.56, and #20000520 for \$167,733.17. Aye-all. Nay-none.

Don Benson, 4th & Maple

- He had a problem with a faulty backflow preventer device and there was a large consumption of water from the q/e 6/30/09.
- Water supervisor acknowledged the problem and repaired and retested the backflow device-determined to be working correctly.
- Water supervisor stated that the water did not go into the sanitary sewer but into the storm sewer.
- Board agreed to send a corrected bill for the water consumed and the average past 2 quarters of sewer. Total bill will be \$1242.42.

RESOLUTION #2009-172

CORRECTION TO WATER/SEWER BILL FOR FOURTH & MAPLE (BENSON)

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to send a corrected bill for water/sewer for the 2nd quarter, 2009 for property located at 4th & Maple because of the faulty backflow preventer device and water not going into the sanitary sewer. Bill will be \$1,242.42, savings of \$2,269.82. Aye-all. Nay-none.

Pat Eaton, Town of Allegany Supervisor

- Commends the Town/Village employees on the great job done while working together on the North 1st St. water project.
- We should make a continuing effort to work together.
- Federal stimulus money for sewer pumps
- There are pre-existing conditions that must be met, pump needed to handle extra flow from the upcoming extension of the sewer district.
- Supt. Papasergi is researching the internet to find the right grant to pursue.
- **Sewer lift station needs to be upgraded first before adding any additional lines.**
- Wendy Brand could be contacted for assistance in grant writing.
- City of Olean needs to be contacted for any sewer expansion.
- Sewer line will go the Roosa Development land, others would have to petition the town if they want to add on later.
- SEQR-recommend an 8" line, south side of West Main has a 6" line at carwash.
- Main sewer trunk at the corner of 1st & Main is 16"
- Consumer should bear the cost of upgrade
- Preferential area of input needs to be determined

Tim Peterson, Police Uniforms

- Would like to purchase funeral attire for the department so they will look professional when attending funerals of dignitaries
- Chief, Sergeant, Senior Investigator would be decorated and would include jackets, pants at an estimated cost of \$400 for each set.
- Part time officers-would like every officer to be issued a uniform. Jacket only would cost approximately \$200-250 each.
- Board feels that because of the turnover rate of part time officers, that only the top positions be considered.
- Board would like the actual prices before further comment.

Tim Peterson, Police

- Samantha Snyder has been working Friday and Saturday nights in dispatch and recording calls/tickets in the day book
- Police department would like her to be appointed as Police Matron
- What is the matron position and what are the job specs?
- Trustee Rzepka stated that jobs should be posted (union)
- Attorney Fodor is concerned that there could be liability if something happens to a prisoner or the person in charge of the prisoner without proper training.

DPW REPORT FOR THE MONTH OF AUGUST 2009

- 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.
- Swept some streets street sweeper.
- Repaired Water Hydrant near area in front of 58 South Seventh Street.
- Did monthly sewer flush.
- Cleaned storm sewer catch basins in area near Allegany Limestone School District Bus Garage.
- Replaced approximately 100 feet of sidewalk on North First Street from Maple Avenue north to Pine Street. Sidewalks that were damaged when installing storm sewers and/or water hydrants in area.
- Replaced sidewalk blocks on South Seventh Street near the DPW Building.
- Replaced driveway apron and repaired driveway of shop area where hydrant was replaced with hot black-top.
- Put millings in end of driveways on North First in areas from Maple Street, north, to Elm Street.
- Worked on subway in areas in front of 103 and 107 North First Street so water would drain away from edge of roadway.
- Worked on filling in edge of roadway on North First Street.
- Cut high grass along Union Street and also area near Union and Fifth Street Intersection.
- Dug up and replaced Sewer Manhole located in the middle of the Maple Avenue and North First Street Intersection.
- Repaired storm sewer catch basin in area in front of 118 Nolan Drive. Repair was temporary and will need to replace same in future.
- Repaired edge of roadway near sidewalk at intersection of Spruce at North Fourth Street.
- One (1) door at Water Well House # 2 and Two (2) doors at Water Well House # 1 were replaced by Olean Lock and Key. All three Water Well Houses now have new doors on them.
- Replaced air vent shutters at Water Well House # 3.
- Put warning signs on all three Water Well Houses advising light switch to be turned on (Which will also turn on ventilation fans) prior to entering the chemical side of the Well Houses.
- Replaced No Parking This Side signs and posts on South Seventh Street.
- Started replacing street light bulbs on Main Street with a different style light bulb. Should be cheaper to replace and use less wattage.

VILLAGE OF ALLEGANY POLICE DEPARTMENT
CHIEF'S MONTHLY REPORT

MONTH OF:	August	2009
Complaint Calls		65
Miscellaneous Calls		103
Larceny Complaints		0
Attempted Larceny Complaints		0
Burglary Complaints		0
Attempted Burglary Complaints		0
Vehicle & Traffic Tickets Issued		7
D.W.I. Arrests		0
Felony Arrests		0
Misdemeanor Arrests		0
Violation Arrests		20
Local Law Arrests		25
Accidents Investigated	P.I.	0
	P.D.	0
Parking Tickets Issued		74
Town Calls		21

Other

(Identify): **Friday August 21, 2009** - Officers' from our Police Department went to the wake of the late Catt. Co. Sheriff Dennis John to pay respects.

Saturday August 22, 2009 - Officers' from our Police Department attended the funeral of the late Catt. Co. Sheriff Dennis John.

Wednesday August 26, 2009 - Conducted a Police Meeting at Municipal Building - 7301, 7302, 7303, 7307 and 7343 attended. Village Trustee Rouleau also attended.

Friday August 28, 2009 - Officers' from our Police Department went to the wake of the late Retired Franklinville Chief Walter Dziekonskiz to pay respects.

Saturday August 29, 2009 - Officer Bartucca represented our Police Department at the funeral of the late Retired Franklinville Chief Walter Dziekonskiz.

POLICE

- Chief remarked that the bike patrol is working well and it is advantageous to the department.
- Was reported that cars are travelling too fast on 1st Street, run radar
- Consider sending computer fraud police report to newspaper
- Clerk to look into Teamsters letter of NYS retirement change to 384d
- Chief to check with Cattaraugus County about cell phone texting law

DPW

- North 1st St. subways need to be finished
- Sweep North 2nd St.
- Tree across from First Presbyterian Church needs to be removed
- Stumps removed
- Mayor to plan on getting training session set up for DPW (village/town)
- Tim to contact Lori Tiller for electric needs for Bonagany, arrange for access to town hall if necessary
- Village will concur with the town of Allegany for their SEQR lead agency status for the construction of a sanitary sewer line along NYS RT 417. Potential project impacts must be submitted to the town by 10/14/09.
- Clerk to send letter from Michael Chicola to attorney representing Jorge DeLarco about dangerous tree on his property located at 126-128 West Main St.
- Attorney to look into sewer #2 damage that was done due to a power outage by National Grid sub-contractor

CLERK

- Advised the board of computer fraud that occurred between Aug. 31 & Sept, 2, 2009.
- Five Star Bank notified clerk of someone hacking into our ach and having money transferred from one account to two others.
- No village accounts were affected at that time.
- Total access was \$9,000 which Five Star Bank states that village is responsible for.
- Clerk notified insurance company, village attorney, computer tech who came in and ran virus scans (none discovered) and police department to prepare an incident report.
- Fiscal year end 5/31/09 financial statements were issued to the board with the recommendation that they contact clerk with any questions.

The following correspondence was reviewed and put on file:

1. NYSEG-Natural Gas Emergency Response Training
2. NYS Comptroller-Personal Finance Resource
3. ST West-Certificate of Appreciation
4. Allegany Public Library-dedication of clock Sat. 9/26 @ 2.45 PM
5. Catt. Co. Municipal Officials-meeting 9/24/09
6. NYS Department of State Revitalizing NY-Oct, 7
7. NYS Comptroller-NYS Infrastructure needs
8. Time Warner Cable-Switched Digital Video
9. Allegany Recreation & Parks Department-thank you

10. ZBA Work Session minutes Aug. 12, 2009
11. Time Warner Cable-service changes
12. Catt. Co. Legislature-letter to Gov. Patterson
13. NYS Comptroller-Infrastructure Planning Advice
14. City of Olean/Town/Village/SBU sewer meeting
15. DPW Safety Meeting-minutes

RESOLUTION #2009-173

ISSUE REFUND FOR OVERPAID 2009 TAX BILL FOR 63 WEST MAIN ST.

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to send a refund for an overpaid tax bill for 63 West Main St. (Decapua) due to a property assessor error of not reducing the taxable value for the 2009 village tax bill. Amount to be refunded is \$94.22. Aye-all. Nay-none.

RESOLUTION #2009-174

PURCHASE ADDITIONAL CRIME INSURANCE COVERAGE FOR COMPUTER & FUNDS TRANSFER FRAUD

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to purchase additional crime insurance coverage (\$10,000) for computer and funds transfer fraud. Cost to be approximately \$200. Aye-all. Nay-none.

RESOLUTION #2009-175

APPROVE FLYGT SERVICE TRAINING CLASS FOR PETERSON

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to approve Tim Peterson's attendance for Flygt service training class on October 20-21, 2009. Aye-all. Nay-none.

RESOLUTION #2009-176

AGREEMENT WITH CITY OF OLEAN FOR VILLAGE TO PAY ½ ANNUAL SEWER BILL NOW AND BALANCE BY MARCH 15, 2010

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to pay City of Olean for one half of the billed annual sewer invoice at this time and to pay the balance by March 15, 2010 as per the invitation of City of Olean Mayor Carucci. The amount due will accrue no late charges or interest fees. The payment terms are contingent upon the approval of the City of Olean Common Council. Aye-all. Nay-none.

RESOLUTION #2009-177

CORRECTION TO WATER/SEWER BILL FOR 7 NORTH 2ND ST. (BUMP)

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to reduce the delinquent water/sewer bill owed on the property located at 7 North 2nd St., Allegany. The

delinquency will be reduced by \$1379.72, which will make the delinquency \$551.82. The adjustment will need to be corrected with the Cattaraugus County Treasurer's Office due to the fact that the initial water/sewer delinquency was put on the 2009 village property tax bill. Aye-all. Nay-none.

RESOLUTION #2009-178
PROCLAIM SEPTEMBER 25, 2009 AS ALCS WALL OF FAME DAY

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to proclaim September 25, 2009 as Allegany Limestone Wall of Fame Day honoring the following 2009 inductees: Tom Birmingham, Louis Lucco, and Leo Nenno. Aye-all. Nay-none.

RESOLUTION #2009-179
APPROVAL TO CONVERT MUNICIPAL BUILDING LADIES RESTROOM TO
COMBINED HANDICAP ACCESSIBLE RESTROOM

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to approve the village DPW to convert the existing Municipal Building Ladies restroom into a combined handicap accessible restroom at a cost not to exceed \$1200.00. Aye-all. Nay-none.

RESOLUTION #2009-180
APPROVE SENSUS AUTOREAD ANNUAL SUPPORT AGREEMENT FOR \$1320.00

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to approve the Sensus autoread annual maintenance support for \$1320.00. Aye-all. Nay-none.

RESOLUTION #2009-181
SCHEDULE PUBLIC HEARING FOR SENIOR CITIZEN EXEMPTION SLIDING SCALE

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to schedule a public hearing for the Senior Citizen Exemption Sliding Scale. Public Hearing will be held on October 5, 2009 at 7:20 pm. Aye-all. Nay-none.

RESOLUTION #2009-182
ACCEPT RESIGNATION OF PAUL WISNIEWSKI FROM ZONING BOARD OF APPEALS

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to accept the resignation of Paul Wisniewski from the Zoning Board of Appeals. Aye-all. Nay-none.

RESOLUTION #2009-183
APPROVAL FOR LEE PAPASERGI TO COMPLETE RESOLUTION INDEXING

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to approve Lee Papasergi to complete the resolution indexing program on Microsoft Access. This is a program that was initiated by Southern Tier West. Aye-all. Nay-none.

RESOLUTION #2009-184
WAIVE VENDING FEES FOR BONAGANY

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to waive the vending fees for the Bonagany. Clerk will prepare the permits upon approval of Bonagany Chairperson. Vendors will pay a \$25.00 fee to Bonagany. Aye-all. Nay-none.

RESOLUTION #2009-185
BONNIE KUHN TO SERVE AS SUBSTITUTE CROSSING GUARD

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to accept Bonnie Kuhn's offer to serve as a substitute crossing guard as she is unable to work as a permanent crossing guard. Aye-all. Nay-none.

RESOLUTION #2009-186
APPOINT MAYNARD THOMPSON AS PERMANENT CROSSING GUARD

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to appoint Maynard Thompson as a permanent crossing guard. Aye-all. Nay-none.

RESOLUTION #2009-187
APPOINT DAVID VITALE AS PERMANENT MEMBER OF ZONING BOARD OF APPEALS

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to appoint David Vitale to the Zoning Board of Appeals as a permanent member to replace Paul Wisniewski. Term to expire 3/31/14. Aye-all. Nay-none.

RESOLUTION #2009-188
APPROVE CONTRACT WITH NYS WORKERS' COMPENSATION BOARD FOR USE OF COURT ROOM FOR PROCEEDINGS

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to approve the contract with the NYS Workers' Compensation Board for use of the village court room for their Monday board proceedings from 9:30 am-3:30 pm., effective for one year from date of signing. Rate will be \$75.00 per month. Aye-all. Nay-none.

RESOLUTION #2009-189

SEND BOARD REVIEWED COURT AUDIT TO UNIFIED COURT SYSTEM

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to send the board reviewed 2009 court audit to Unified Court System. Aye-all. Nay-none.

RESOLUTION #2009-190

REFUND TOM TOBIN, AQUARIUS WATER DELIVERY FOR \$150 SECURITY DEPOSIT FOR WATER CONTRACT

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to refund the security deposit of \$150.00 for the water contract to Tom Tobin, Aquarius Water Delivery. Aye-all. Nay-none.

RESOLUTION #2009-191

ADJOURN MEETING

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to adjourn the meeting at 10:32 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn, Clerk Treasurer