

**Board of Trustees Meeting Minutes  
December 21, 2009 7:00 pm**

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, and Dan Gleason

Absent: Trustee Diana Rzepka

Also Present: Rena Flynn, Clerk Treasurer; Janine Fodor, Village Attorney

Absent: DPW Supt. & Police Chief Dominic Papasergi

RESOLUTION #2009-251

ACCEPT MINUTES OF DECEMBER 7, 2009

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to accept the minutes of December 7, 2009. Aye-all. Nay-none.

**TREASURERS  
REPORT**

As of December  
18, 2009

	CHECKING	SAVINGS		
GENERAL				
	\$2,617.00	\$901,045.00		
WATER				
	\$195.00	\$318,659.00		
SEWER				
	\$1,496.00	\$231,822.00		
LIBRARY				
	\$32,637.00			
T&A				
	\$6,328.00			
WATER BOND				
		\$6,282.00		
 TOTALS				
	\$43,273.00	\$1,457,808.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT		\$		
	\$145,767.00	50,336.00	\$ 12,878.00	\$208,981.00
POLICE	\$5,416.00			\$5,416.00

UNIFORMS

BUILDING

	\$38,096.00	\$ 39,486.00	\$ 22,897.00	\$100,479.00
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POLICE  
EQUIPMENT

	\$26,107.00			\$26,107.00
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CURBING & STORM SEWER	\$34,140.00			\$34,140.00
GENERAL	\$30,004.00			\$30,004.00

WELL HOUSE PUMP ROUTINE MAINT		\$ 1,009.00		\$1,009.00
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WELL/WATER BLDGS/TANK MAINT		\$ 10,318.00		\$10,318.00
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METER PIT		\$ 11,570.00		\$11,570.00
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LIFT STATION, PITS, PUMP			\$ 4,005.00	\$4,005.00
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	<b>\$279,530.00</b>	<b>\$ 112,719.00</b>	<b>\$ 39,780.00</b>	<b>\$432,029.00</b>
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RECEIPTS:

Building/Sign/Pool permit	
Bid Deposit	
Backflow testing	
Clerk fees	25.00
CHIPS	
Court Security	225.00
Class Action	
Donation	
DWI funds	
Equipment sales	
Franchise Fees	5329.00
Fire Inspections	
Gaming License	
Inspections-c/o	120.00
Insurance refund	
Juvenile Officer	
Judge Fines/fees	7904.00
Justice Grant	
Lawn mowing	
Municipal Aid	
Mortgage Tax	
Police Contract	
Property Taxes	
Property Taxes-Penalty	
Rent-WCB	225.00
Reimbursements	180.00
Sales Tax	

DISBURSEMENTS: from 6/1/09-present

GENERAL	\$ 343,655.00
WATER	\$ 105,928.00
SEWER	\$ 197,498.00
LIBRARY	\$ 13,992.00
<b>TOTAL</b>	<b>\$ 661,073.00</b>

Scrap metal	
Town Sewer Payment	
Utility Tax	
Unmetered Water	
Vehicle repair rebate	49.00
Vital Stats	
Water-Qtr Town	
Water meter	
Zoning fees	10.00
ZBA/PB Hearing fees	125.00
<b>Total</b>	<b>13942.00</b>

RESOLUTION #2009-252  
ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to accept the Treasurers Report and pay the current bills. Bills paid by #20000531 for \$413.73, #20000532 for \$44,713.70 and #20000533 for \$439.45. Aye-all. Nay-none.

**Police:**

- Trustee Rouleau asked about losing police officers. Officer Harrison is not working (since July 2008) and is currently not collecting compensation of any type. Officer Graham may be taking a position with another agency in the near future.
- Attorney Fodor mentioned that an Allegany Police Officer (possibly Conner) has conducted traffic stops at the crest of the bridge heading east on 417. She feels it is a safety hazard as she can't see the car stopped until almost upon the site. Chief to address this with officers.

**384d Retirement Option:**

- There is a contractual obligation per the union contract to provide the benefit for 20 years and out.
- Trustee Fortuna said that one employee should not benefit in a way that is detrimental to others
- Could there be a change in the contract to provide a buy-out instead of offering the 384d?
- Would like to set up a meeting with Scott from Teamsters possibly during the 2<sup>nd</sup> week of January, 3:30-4:00 pm.
- Board would like to meet prior to meeting with Scott to discuss the various options and whether there should be a change in the police contract.

**Clerk:**

- Workers Compensation representative came in today to review the internet connection, phone availability, etc. A cabinet for them to store their computer and phone when not in use will be shipped to the village, and he will set it up before they commence their hearings, around mid-January.

- Mayor asked about the state holding back payments to the village due to economic conditions and Clerk stated that no word has come from the Comptroller's office affecting the village at this time. Chips and State Aid payments have been received in full for this year.

### **Health Insurance**

- There is a material change in the union contract health benefit section where the spouse is requested to have their employer complete and furnish a document to Teamsters of the insurance they offer the employee.
- There is a reduced benefit as there is less coverage for the same dollars of health insurance coverage.
- The spouse's employer may have a plan contribution whereas the village does not.
- Is it possible for those employees who no longer need to have a family plan to purchase a single plan?
- Would village pay for a single plan and if an employee opts for family coverage, he would be responsible to pay the difference?
- Union contract plan would have to be modified to reflect any changes.
- Village is one of very few businesses that the employee does not pay anything towards premium.

The following correspondence was reviewed and put on file:

1. Time Warner Cable
2. Governor Paterson-Addition of Tier 5 retirement
3. Home Service-Water supply pipe information
4. ZBA-Decision Middaugh, 72 North 1<sup>st</sup> St.

### **RESOLUTION #253**

#### **ALLOW VACATION DAY CARRY-OVER**

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to allow carry-over of remaining vacation time for 2009. The vacation carry-over must be taken by May 1, 2010.

D. Papasergi 10 days

R. Flynn 1 day

C. McGraw 1.5 days

Aye-all. Nay-none.

- Board discussed the vacation day benefit. It is a benefit that the board does not have to provide. Some employees may be getting too much vacation time per year if they cannot use it up in the course of the year. Clerk Flynn stated that some individuals are committed to their position by arranging that a departmental supervisor be on duty and therefore need to work around other employee's schedules before making time for vacation of their own. Board will discuss vacation time further while reviewing the personnel policy

RESOLUTION #254  
PAY COMPENSATION TIME

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to pay year end compensation time to the following:

C. McGraw 24.5 hours

T. Peterson 39.75 hours

Aye-all. Nay-none.

RESOLUTION #255  
BOARD MEETING DATE/TIME CHANGES

On motion made by Trustee Rouleau, second by Trustee Gleason, resolved to schedule the upcoming board meeting dates and times as follows:

January 4 4:00 pm

January 18 4:00 pm

February 1 4:00 pm

February 15 no meeting

March 1 4:00 pm

March 15 7:00 pm

Aye-all. Nay-none.

RESOLUTION #256  
ACCEPT GRANT FROM NYS FOR BUCKLE UP NEW YORK

On motion made by Trustee Fortuna, second by Trustee Gleason, resolved to accept the New York State Buckle Up New York grant in the amount of \$1,020.00. Aye-all. Nay-none.

RESOLUTION #257  
ACCEPT GRANT FROM NYS FOR SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

On motion made by Trustee Fortuna, second by Trustee Gleason, resolved to accept the New York State Selective Traffic Enforcement grant in the amount of \$1,500.00. Aye-all. Nay-none.

**DPW: Parking in front of Allegany Elementary school:**

- Discussion was made regarding temporary “No Parking” signs on the south side of Maple Avenue in front of the elementary school.
- Trustee Fortuna stated that a parking lot is needed in front of the school. Why put signs up if it is unenforceable.
- Attorney Fodor stated that the law cannot be legally enforced by resolution.
- Trustee Fortuna asked why signs needed to be placed when for as long as cars have been parked there, there haven’t been many accidents.

- Trustee Rouleau asked if vehicles can park where there isn't a curb.
- Mayor asked if the school had been contacted. Clerk Flynn stated that yes; DPW Supt. Papasergi contacted Principal Christopher to discuss the parking situation. Mayor suggests that a meeting be held with school personnel or that a school representative attend our next scheduled board meeting.
- When parking, do all 4 wheels need to be off the roadway?
- Board will refer issue to the Planning Board for their review.

**DPW: Water/Sewer issue for 181 ½ West Main St. (Amore)**

- Board reviewed previous billing periods in regards to consumption.
- Bill will be adjusted as follows:
  - Charge for water as it was billed for 4/1/09, 7/1/09 and 10/1/09
  - Average sewer over the current quarter (1300 cf) and the 2 previous quarters before the problem (2300 cf and 900 cf) = 1500 cf per quarter
  - Drop late charges

**DPW**

- Mayor would like to utilize Town mechanic.
- City of Olean will provide village with resolution for the annual sewer payment to be split into 2 payments: September and March. The town will pay their portion to the village upon receipt of the resolution.
- Attorney Fodor stated that it is up to property owners to keep sidewalks cleared even though the village sidewalk plow regularly maintains them.

**Cleaning Contract vs. Building Maintenance employee**

- Should village hire someone to clean as well as perform light maintenance work?
- Existing janitorial contract isn't suiting our current needs.
- There is a projected 16% increase in the existing janitorial contract.
- Board would like the person plowing the municipal building parking lot to shovel the entrances and sidewalk. Or the people responsible for the sidewalk plow to swing in here to clean the sidewalk and entrances.
- Clerk Flynn stated that general maintenance needs to be done as well as cleaning so the building can be kept in good condition. She has a list of general maintenance duties that could be performed. Some only have to be done periodically, others on a more routine basis.
- Clerk stated that village is going to be receiving revenue from State of New York Workers' Compensation Board which wasn't anticipated at the beginning of the fiscal year.
- Clerk also stated that the janitorial contract was budgeted for as well a building maintenance employee for 5 hours per week.
- Board suggested that an ad be placed in the newspaper for a light building maintenance position for 8-10 hour per week.
- Clerk stated that social security, medicare, workers compensation would have to be paid upon hiring an employee. She stated that this is already budgeted for.

RESOLUTION #258

TEMPORARY “NO PARKING” SIGNS TO BE INSTALLED ON THE SOUTH SIDE OF MAPLE AVENUE FROM THE BUS GARAGE ENTRANCE TO NORTH 5<sup>TH</sup> STREET

On motion made by Trustee Gleason, second by Trustee Rouleau, resolved to have temporary “No Parking” signs installed on the south side of Maple Avenue between the entrance of the Bus Garage to North 5<sup>th</sup> St. Aye-all. Nay-none.

RESOLUTION #259

PLACE AD IN NEWSPAPER FOR PART-TIME LIGHT MAINTENANCE POSITION FOR THE MUNICIPAL BUILDING

On motion made by Trustee Rouleau, second by Trustee Gleason, resolved to place an ad in the newspaper for a part-time light maintenance position for the municipal building and grounds. Aye-all. Nay-none.

RESOLUTION #260

ALLOW US CENSUS BUREAU TO UTILIZE BOARD ROOM

On motion made by Trustee Gleason, second by Trustee Rouleau, resolved to allow the US Census Bureau to utilize the board room as a 2010 Census Questionnaire Assistance Center during the months of February-April 2010. There is no reimbursement for the use of the office space. Aye-all. Nay-none.

RESOLUTION #2009-261

ADJUST WATER/SEWER BILL FOR 181 ½ WEST MAIN ST.

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to adjust the water/sewer bill of Mr. Amore’s for the property located at 181 ½ West Main St. His former tenant created a problem with the drainage of water and the board agreed to adjust the bill to reflect this. Bill will be adjusted for the average of sewer charges and late fees will be reversed out. Aye-all. Nay-none.

RESOLUTION #2009-262

ENTER EXECUTIVE SESSION

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to enter executive session at 8:35 pm to discuss cyber security theft. Aye-all. Nay-none.

RESOLUTION #2009-263

CLOSE EXECUTIVE SESSION

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to close executive session at 8:44 pm. Aye-all. Nay-none.

RESOLUTION #2009-264  
ADJOURN MEETING

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to adjourn meeting at 8:45 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn  
Clerk Treasurer