

**Board of Trustees Minutes**

**July 11, 2011 4:30 pm**

The regular meeting of the Board of Trustees was called to order at 4:30 pm with a salute to the flag led by Mayor Richard Lamberson

Present: Mayor Lamberson; Trustees: Jim Rouleau, Alex Nazemetz, Dan Gleason, and Bob Parker

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

RESOLUTION #2011-129

ACCEPT MINUTES OF JUNE 20, 2011

On motion made by Trustee Gleason, second by Trustee Nazemetz resolved to accept the minutes of 6/20/2011. Aye-all. Nay-none.

TREASURERS REPORT

As of July 11, 2011

	CHECKING	SAVINGS		
GENERAL	\$22,957.00	\$1,149,336.00		
WATER	\$4,471.00	\$340,777.00		
SEWER	\$9,610.00	\$475,526.00		
LIBRARY	\$53,344.00			
T&A	\$8,639.00			
WATER BOND		\$6,296.00		
<b>TOTALS</b>	<b>\$99,021.00</b>	<b>\$1,971,935.00</b>		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$180,201.00	\$ 41,552.00	\$ 8,946.00	<b>\$230,699.00</b>
POLICE UNIFORMS	\$5,444.00	\$	\$	<b>\$5,444.00</b>
NEW BUILDING & BLDG REPAIR	\$38,294.00	\$ 39,658.00	\$ 23,011.00	<b>\$100,963.00</b>
POLICE EQUIPMENT	\$31,250.00			<b>\$31,250.00</b>
CURBING & STORM SEWER	\$39,324.00			<b>\$39,324.00</b>
WELL HOUSE PUMP/ROUTINE MAINT		\$ 1,013.00		<b>\$1,013.00</b>

WELL & WATER TANK BLDGS/TANK MAINT	\$		
	10,363.00		<b>\$10,363.00</b>
METER PITS	\$		
	14,125.00		<b>\$14,125.00</b>
LIFT STATION, PITS, PUMP MAINT		\$	
		4,025.00	<b>\$4,025.00</b>
ENGINEERS	\$		
	5,012.00		<b>\$5,012.00</b>
	\$	\$	
	<b>\$294,513.00</b>	<b>111,723.00</b>	<b>\$35,982.00</b>
			<b>\$442,218.00</b>

RECEIPTS:		DISBURSEMENTS: from 6/1/10 to present	
AIM State Aid			
Building/Sign/Pool permit	301.00	GENERAL	\$ 111,240.00
Bid Deposit/Award		WATER	\$ 17,722.00
Backflow testing	100.00	SEWER	\$ 19,634.00
Clerk fees	6.00	LIBRARY	\$ 2,925.00
CHIPS		TOTAL	\$ <b>151,521.00</b>
Code Violation fees			
Court Security			
Court Fines/fees	15,579.00		
Calibration-Pressure Bldg	193.00		
Class Action			
Donation			
DWI funds			
Equipment sales			
Franchise Fees			
Fire Inspections	50.00		
Gaming License	25.00		
Grants			
Inspections-c/o	120.00		
Insurance refund			
Juvenile Officer			
Lawn mowing			
Municipal Aid			
Mortgage Tax	3,684.00		
Police Contract			
Pop machine	50.00		
Property Taxes	471,650.00		
Property Taxes-Penalty	44.00		
Rent-WCB	220.00		
Reimbursements	54.00		
Sales Tax			
Scrap metal			

Town Sewer Payment	
Utility Tax	6,280.00
Unmetered Water	179.00
Vehicle repair rebate	
Vending permit	
Vital Stats	50.00
Water-Qtr Town	
Water meter	
Zoning fees	10.00
ZBA/PB Hearing fees	

**Total 498,595.00**

**RESOLUTION #2011-130**

**ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS**

On motion made by Trustee Rouleau, second by Trustee Parker resolved to accept the Treasurers Report and pay current bills. Bills paid by abstract #20000628 for \$1,222.80, #2000629 for \$450.52, #20000630 for \$7,831.38, and #20000631 for \$26,967.32. Aye-all. Nay-none.

**BONAGANY**

- Steve Kuchera, representative of the BonaGany event was here to thank the Board of Trustees for their donation of \$2500 to the annual BonaGany. He also thanked the board for their continued support.

**HARRIET STREET SIDEWALKS**

The following people attended the meeting to discuss sidewalks on Harriet St.:

Stephen Abrams	72 Harriet
Cheryl Stetz	44 Harriet
Maggie Stady	43 Harriet
William Van Sickle	29 Harriet
Linda Dodd-Nagel	61 Harriet

- Abrams stated he and the others in attendance were unaware of the change in the law. He felt the residents of the street should have had input.
- Flynn said the proper legal notice was posted in the paper, on the front window and on the website.
- Papasergi advised that the parking laws were reviewed by the board and Planning Board and the only streets on the flats that had parking on both sides was a section of N. 2<sup>nd</sup> St. and Harriet St.
- Asked about the cost of the signs, Dominic stated about \$80-90 each, including the pole
- Why are signs needed now when not necessarily needed? There is no parking problem on the street. 98% of the time, no one is parked on the street.
- Board passed a resolution for the Traffic Law
- Abrams asked if signs could be removed or if the existing signs could be modified.
- Mayor said there were problems on his street (N. 2<sup>nd</sup>) with the Traffic Law, but the board agreed to the proposed law and voted on it. He said there was still ample room for Fire Trucks/Ambulances to get through even with 2 large trucks parked across from each other. Papasergi said there was a problem with an ambulance getting through this past Halloween and had to wait until someone backed out to get through.
- Mayor asked about the distance between signs, if there is something in the NYSDOT law that would indicate footage between signs or how many need to be placed within a certain area.
- Signs were located on both sides of the street when the school was located at 4<sup>th</sup> & Maple, the parking restrictions were from 8 am-4 pm. The new law was intended to bring the area up to date as signs were removed after the school closed and the 8am-4pm restriction was still in effect.
- Problem times are Halloween, BonaGany, Old Home Week, when plowing streets during the day and currently school buses are using the side streets now that the school is in the town.
- Papasergi said traffic regulations require that signs be consistent throughout the village.
- Stetz stated the street is 20.5' wide.
- Signs should not be placed directly in front of homes.
- Papasergi agreed that placement of some signs needed to be changed as he also felt signs should not be placed directly in front of a residence.
- He advised that he was on vacation and a misunderstanding occurred as far as placement of the signs.
- Ambulance service and fire protection should be the most important factor when deciding on parking restrictions
- Mayor said that the property owners he heard from most were those with single lane driveways.
- Papasergi said police enforcement is through a parking ticket. The department tries to warn violators first.

- Dodd-Nagel said if there are regulations to follow, they should be followed.
- Mayor said DPW should hold off on placing signs in questionable areas for now.
- Mayor stated that if signs are kept, then maybe during certain functions, a bag could be placed over them to allow parking.
- Additional signs will we placed on N. 1<sup>st</sup> St and Maple Ave. Nothing scheduled for hill area, more restrictive area.
- Planning Board will contact Harriet St. residents when they hold their next meeting to discuss Traffic Law.
- Letter from Mary Terry of 63 Harriet St. was received. The content of the letter was why the signs were installed.

#### RESOLUTION #2011-131

#### SEND TRAFFIC REGULATIONS LAW (LL#1-2011) TO PLANNING BOARD FOR REVIEW

On motion made by Trustee Nazemetz, second by Trustee Gleason resolved to send the Traffic Regulations Law back to the Planning Board for their review. Aye-all. Nay-none.

The Harriet Street residents also brought up the following topics:

#### **SANITARY SEWER**

- Abrams still has a problem with the sanitary sewer at his house.
- Gets sewage in his basement when there are problems in the village.
- Feels his property is a low point.
- Recently there was a problem on N. 4<sup>th</sup> and his sewer had problems.
- Papasergi said there was a possible leak somewhere by the old school property, not located at this point. Could be emptying into the sanitary sewer system.

#### **LEAF PICK-UP**

- Someone is still putting yard waste on the street even though the pick-up has ended, believes the property owner on N. 5<sup>th</sup> whose property butts up at Harriet could be discarding it.
- DPW notice has been given to property owners, none have claimed it.

### DPW REPORT FOR THE MONTH OF JUNE 2011

- Cut grass as needed.
- Cleaned off tops of Storm Sewer Catch Basins as needed.
- Lance did Code as needed – see Code Enforcement Blotter.

- Did water, sanitary sewer and storm sewer locates as needed.
- Changed bulbs on Main Street light poles as needed.
- Flushed sewer mains in Village (Monthly Flush).
- Put down topsoil and seeded same in subways throughout village where damage occurred due to snowplowing roadways and sidewalks during winter months and in areas where stumps were removed.
- Patched pot holes throughout village with hot blacktop. Had bad areas ground out and replaced them with new blacktop.
- Worked on getting the Police / EMT building at Firemen's Park ready for Old Home Week Activities. Building was flooded earlier in year.
- Started painting and putting down glass beads on crosswalks in village.
- Worked on cleaning storm sewer catch basins.
- Installed No Parking signs on North Second Street and North Seventh Street.
- Put up and took down temporary No Parking Signs on Pine Street, Elm Street, North First Street and in areas of the Fire Station in preparation for Firemen's Old Home Week Activities.
- Repaired and/or replaced several faulty water meter wires and/or water meters at various houses in village so water reader could input water usage for water/sewer billing purposes.
- Swept streets with street sweeper.
- Swept Main Street area prior to Old Home Week parades.
- Put up and took down Detour Roadway Street Signs used to reroute traffic for Old Home Week parades.
- 5HP Pump was taken out and a new 20HP pump and wiring were installed at Sewer Lift Station #1. First stage of upgrade to Sewer Lift Station #1.
- Took four rows of paver bricks out of subway next to the sidewalk on the West Main Street near the Allegany Library and installed a planter in the area.
- Cleared a sewer main plug on North Fourth Street in Village.
- Used fire truck to wet plants in planter areas in the business district on Main Street as plants were dying due to heat and dryness.

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

OF:	MONTH	2011
	June	
	Complaint Calls	66
	Miscellaneous Calls	82
	Larceny Complaints	2
	Attempted Larceny Complaints	0
	Burglary Complaints	1
	Attempted Burglary Complaints	0
	Vehicle & Traffic Tickets Issued	18
	D.W.I. Arrests	0

Felony Arrests		0
Misdemeanor Arrests		0
Violation Arrests		4
Local Law Arrests		0
Accidents Investigated	P.I.	0
	P.D.	1
Parking Tickets Issued		3
Town Calls		14

Other (Identify): **Tuesday June 21 through Saturday June 25 2011** - Extra police patrols were used to keep an eye on people in town and work traffic for various Allegany Engine Company Old Home Week activities. Bike Patrols were also utilized.  
Participated in a Shadow Program (ride along) with the Criminal Justice Class at BOCES.

The following correspondence was reviewed and put on file:

1. Cattaraugus County Planning Board 50 year Annual Dinner, Wed, 7/27, S. Dayton
2. ALCS Gator Communicator-Officer Gonska
3. Cattaraugus County Health Dept.-Public Water Supply Sanitary Sewer Results
4. Gov. Cuomo-property tax cap
5. Gov. Cuomo-Groundbreaking Labor Deal
6. Time Warner Cable-potential changes (2)
7. J. Karl-fluoride in village water (Catt Co Health Dept response)
8. US Postal Service-Allegany Post Office
9. Gov. Cuomo-Labor Deal
10. BonaGany-new logo
11. State of NY Public Service Commission-Additional Stray Voltage Testing
12. Troy & Banks-lighting district

#### **DPW**

- SCADA-process has been started, meeting held with Chris Short, AutoCom; Frank and Bob Greenwald, Eagle Radio; Greg Stayer, Stayer Electric; Dom, Lance, and Athena.
- Piece of equipment ordered is for the fluoride/chlorine alarm system, so eventually it is going to eliminate DPW OT on weekends and holidays. We need approval from Cattaraugus County Health Department after side-by-side testing is completed.
- There was no wash-away of any of the area that was re-done on the Main St. side of the Library.
- Gleason suggested a letter be composed to ask Main St. property owners to keep new plants watered. Flowers/planters look nice in the business district; Gleason will talk to business people on possibly forming a business association.

- V/T Water Supply Agreement Draft #1 and V/T Sewer Agreement Draft #1 will be reviewed by Fodor, Tuttle, Papasergi and R. Gleason
- Rouleau asked if our employees cleaned up the Firemen's Park after Old Home Week. Papasergi advised that the Fire Department cleans the lot but before mowing, village employees scan the lot to make sure there are no missed wires, bolts, etc. left over from the carnival in the lawn that could damage our equipment.
- Cattaraugus County Health Dept.-Public Water Supply Sanitary Sewer Results-Jobe will contact Chris Crawford of the Cattaraugus County Health Department when recommendations/requirements are completed.

### **MAIN STREET BRICKS**

- Who is responsible for the bricks is the ultimate question; village, state, property owner?
- Parker suggested a letter be sent to Main St. property owners for the sidewalk maintenance along with the planter maintenance.
- Fodor said abutting landowner should take care of the bricks. The problem with that is they can remove the bricks and put something else in its place.
- Can business owner's possibly form a business association or a Chamber of Commerce and pool funds together to keep up the sidewalks with the village making a contribution?
- This could be an issue with other village taxpayers as to why Main St. has village assistance, when other areas do not. Fodor said that there is a justification to keep Main St. looking nice; it is a commitment of the village to beautify.
- For liability purposes, it is important to take care of all areas that are in bad shape. There are areas other than Main St. that need more attention.
- Other surrounding communities have brick pavers, Mayor to contact Randolph, Papasergi to contact Orchard Park.

### **OTHER**

- Fodor will review the Southern Tier West-2011 Annual Comprehensive Planning Process (Economic Development Strategy)
- Board to review Tanglewood Subdivision-Sewer Capacity Study
- Flynn will research Tanglewood road opening/closing onto St. John's Drive
- Board agreed to stick to the previously stated \$100 for mailbox repair for Dr. Kothari, 4 Upland Terrace. A letter will be sent with the reimbursement that this was a one-time only decision. Their mailbox enclosure is placed too close to the road.



## **DPW-REFUSE COLLECTION**

- Prevailing wage may be a major component in the upcoming contract for refuse collection. Flynn contacted SDS and they stated the following prevailing wage rates: \$14 per hour wage + \$5.34 for benefits for the driver; \$10 per hour wage + \$5.34 for benefits for the helper. SDS was unable at the time to provide the wage rate paid to their employees.
- Flynn sent figures to Fodor of the total revenue and expense for annual trash collection and the village is currently supplementing about 1/3.
- Bulk of SDS expense is paid for by property owners.

### **RESOLUTION #2011-132**

#### **APPROVE NYS DEFERRED COMPENSATION ROTH CONTRIBUTIONS PARTICIPATION AGREEMENT**

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to approve the NYS Deferred Compensation option for ROTH contributions (post tax) at no cost to the village. Aye-all. Nay-none.

### **RESOLUTION #2011-133**

#### **APPROVE SOUTHERN TIER WEST BASIC MEMBERSHIP AND COMMUNITY GIS**

On motion made by Trustee Parker, second by Trustee Gleason resolved to approve Southern Tier West Regional Planning & Development Board basic membership (\$150) and community GIS option (\$400) for an annual fee of \$550.00. Aye-all. Nay-none.

### **RESOLUTION #2011-134**

#### **ALLOW FOR MAIN STREET CLOSING FOR THE BONAGANY ON SEPTEMBER 24 FROM 7AM-7PM**

On motion made by Trustee Gleason, second by Trustee Nazemetz resolved to allow for Main St. to be closed for the BonaGany on Sat. September 24 from 7am-7pm. West Main will be closed from N. 2<sup>nd</sup>-N. 5<sup>th</sup>, with local traffic only on East Main from N. 5<sup>th</sup> to bridge at SBU. Aye-all. Nay-none.

### **RESOLUTION #2011-135**

#### **ALLOW FOR BONAGANY BANNER TO BE HUNG ON WEST MAIN STREET IN SEPTEMBER**

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to allow for the BonaGany banner to be hung from light poles across West Main St. for the month of September. Aye-all. Nay-none.

### **RESOLUTION #2011-136**

THANK YOU TO PETERSON LANDSCAPING FOR DONATING AND PLANTING THE CHRISTMAS TREE FOR CHRISTMAS IN ALLEGANY EVENT

On motion made by Trustee Gleason, second by Trustee Parker resolved to thank Dennis Peterson Landscaping for the donation and planting of a Christmas tree for the Christmas in Allegany Event. Aye-all. Nay-none.

RESOLUTION #2011-137

APPOINT DAN DEROSE AS ALTERNATE TO THE ZONING BOARD OF APPEALS

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to appoint Dan DeRose as an alternate to the Zoning Board of Appeals. Appointment will be until 3/31/2012. Aye-all. Nay-none.

RESOLUTION #2011-138

APPOINT MARCIE KNOX TO THE PLANNING BOARD

On motion made by Trustee Rouleau, second by Trustee Parker resolved to appoint Marcie Knox to the Planning Board. Appointment will be until 3/31/2016. Aye-all. Nay-none.

RESOLUTION #2011-139

SEND SEWER CAPACITY STUDY FOR TANGLEWOOD TO PLANNING BOARD

On motion made by Trustee Gleason, second by Trustee Nazemetz resolved to send the Sewer Capacity Study for Tanglewood to the Planning Board for their review. Aye-all. Nay-none.

RESOLUTION #2011-140

APPROVE WAIVER OF STATE AID ELIGIBILITY OR STATE AID REIMBURSEMENT FROM CATTARAUGUS COUNTY YOUTH BUREAU FOR JUVENILE OFFICER

On motion made by Trustee Gleason, second by Trustee Nazemetz resolved to approve the waiver of state aid eligibility or state aid reimbursement from Cattaraugus County Youth Bureau for the Juvenile Officer. 2011 allocation has been reduced to \$660 and board would like to have the funds directed to the Allegany Youth Center operated by the Town of Allegany. Aye-all. Nay-none.

RESOLUTION #2011-141

APPROVE LAW ENFORCEMENT INTERMUNICIPAL AGREEMENT FOR SPECIAL DETAIL DEPUTIES PERFORMING MUTUAL AID POLICE DUTIES IN SCHUYLER COUNTY

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to approve the Law Enforcement Mutual Aid Police Duty Agreement in Schuyler County for Officer Baker to work as

an officer at the Watkins Glen car races. He will take the 2008 Dodge Durango with him. Aye-all. Nay-none.

RESOLUTION #2011-142

APPROVE PLACEMENT OF 2 100 WATT HIGH PRESSURE SODIUM ROADWAY LIGHTS

On motion made by Trustee Gleason, second by Trustee Parker resolved to approve the placement of 2 100 Watt high pressure sodium roadway lights to be installed at the corners of West Main St. and North 3<sup>rd</sup> and West Main St. and North 5<sup>th</sup> St. at an annual cost of approximately \$197.53. Aye-all. Nay-none.

RESOLUTION #2011-143

APPROVAL FOR R. TUCKER TO CONTINUE MOWING RIVER PARK UNTIL MOWING SEASON ENDS

On motion made by Trustee Parker, second by Trustee Rouleau resolved to approve Bob Tucker to continue mowing the River Park until this year's mowing season ends. Aye-all. Nay-none.

RESOLUTION #2011-144

APPROVE 5 YEAR CONTRACT WITH CATTARAUGUS COUNTY FOR SHARED SERVICES

On motion made by Trustee Parker, second by Trustee Gleason resolved to approve a 5 year contract with Cattaraugus County for Shared Services. Aye-all. Nay-none.

RESOLUTION #2011-145

OPEN EXECUTIVE SESSION

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to open executive session at 6:27 pm to discuss the liability claim. Aye-all. Nay-none.

RESOLUTION #2011-146

CLOSE EXECUTIVE SESSION

On motion made by Trustee Gleason, second by Trustee Nazemetz resolved to close the executive session at 6:35 pm. Aye-all. Nay-none.

RESOLUTION #2011-147

ADJOURN MEETING

On motion made by Trustee Nazemetz, second by Trustee Gleason resolved to adjourn at 6:35.

Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn

Clerk Treasurer

#### SUMMER MEETING SCHEDULE

July 4	cancel
July 11	Regular meeting 4:30
July 18	cancel
July 25	vouchers will be available for signing
August 1	cancel
August 8	Regular meeting 4:30
August 15	cancel
August 22	vouchers will be available for signing
September 5	cancel
September 12	Regular meeting 4:30
September 19	cancel
September 26	vouchers will be available for signing