

Village of Allegany Board of Trustees Meeting

Monday, November 17, 2014 at 6:00 PM in the Village Hall

The meeting was opened at 6:00 PM. All Board Members were in attendance. Chief of Police/ Superintendent Papasergi was not in attendance.

The minutes of the November 3, 2014 meeting were accepted and approved by Trustee Nazemetz and seconded by Trustee Gleason. All-ayes, Nay-none.

The payment of bills was approved. Trustee Cummins inquired about the WEX Bank fuel bill amount. The Clerk will confirm the last month's payment with the company and then pay the correct amount after board approval. Trustee Cummins made a motion to accept the bills with the exception of the WEX Bank bill and Trustee Gleason seconded. All-ayes, Nay-none.

Public Session

Attorney Fodor updated the Board on the boat/kayak launch property concern. The deed for the property was located in Wendy Tuttle's office. The deed had not recorded and Ms. Fodor explained that the recording serves at the notice to a third party. Ms. Fodor's concern was that the deed was difficult to read and she wanted to be sure the one rectangular parcel replaced an easement, which may or may not be the village need to access the pump station in that area. The legal description goes east to the West side of the current park area and the easement may not be where it is needed for village access.

She explained that an easement is permission to use an area. She also explained that a group could buy the area with a created non-profit status, such as a citizen group.

A resolution (#2014 – 161) was made by Trustee Cummins, seconded by Trustee Gleason to have a surveyor define the property lines and the village and town could split the cost of the surveyor to have the deed recorded properly and then pass ownership to the town. The cost would be limited to \$500 each. All-ayes, Nay-none.

New Business

Longevity pay was discussed. The Clerk is to have the total figures to The Board for the December 1 meeting to have the figures approved.

Time off without pay was requested by the Clerk for four days in December (December 19-December 26- the other days are scheduled holidays). The Clerk explained that the Deputy Clerk would cover the time she was away and the Clerk would work the last week of the year so the Deputy Clerk could have vacation time. The Board asked if there was a policy and no one was aware of such a policy. A Resolution (#2014-162) was made by Trustee Davis, seconded by Trustee Gleason, to add to the current Personnel Policy that employees without adequate time off can request up to five business days off with Board approval. All-ayes, Nay-none.

Cross Training was discussed by the Board members. Water billing was mentioned as a possible cross training since water readers are read the same way within the village as in the Town and the same equipment and software is used to record the readings and to produce billings. The recommendation to cross train came from the CRG report.

The Mayor also spoke with the City of Olean regarding their SCADA policies and procedures. Olean has detailed procedures and may be able to help in a shared services arrangement in writing the village guidelines and procedures. Code Enforcement Officer, Lance Jobe stated that he has been working on operating procedures (SOP's) for the equipment and he is open to receiving help.

Alternate plans for payroll and all of the clerical functions were discussed. The Mayor agreed to meet with Olean Mayor Aiello, Town Superintendent Hare and Ellicottville representatives to get ideas on sharing of duties.

In other new business, Trustee Cummins asked about the loss of water on a Sunday a couple of weeks ago. Lance Jobe, Chief Water Operator, stated there was a chlorine change and switch over that caused a severe loss of water. He stated that the Fire Suppression systems are not metered and he could not tell where the water went. Trustee Cummins requested an investigation of what happened to the system and where one million gallons of water went.

Attorney Fodor asked about the FOIL request for sewer pipe information that the State issued. The clerk mentioned that Superintendent Papasergi had received a memory stick with information from the County but was unsure if the request had been answered. The Clerk will follow-up with the Superintendent on this issue.

Trustee Cummins requested a new financial statement from the Clerk. The Clerk will present a new statement at the next meeting and apologized for not having produced the November 1 statement on time.

Trustee Cummins also requested an update from the Code Enforcement Officer on the number of CO's completed, the number of Fire Inspections done and the revenue received. Lance Jobe agreed to provide the report at the next meeting.

The shutoff of meters was discussed. Many people leave the village in the winter and request that the village shutoff their meters. The discussion centered on fire safety, billing for the time away and responsibility of any water breaks of the homeowner and the village. The village will shut-off at the curb stop only and cannot shutoff one line to a multi-unit building. Some residents have asked that their meter be removed and Lance Jobe stated that we charge for damaged meters and we do not remove meters unless there is a problem.

A resolution was made (#2014-162) to have the Planning Board look at the issue of meters and shutoffs and fees as part of an office fee schedule at their next meeting. The resolution was introduced by Trustee Gleason and seconded by Trustee Davis. Lance Jobe stated that the Planning Board would be meeting on December 3rd at his request and they would tackle those issues at that meeting. All-ayes, Nay-none.

Resolution # 2014 – 163 was introduced by Trustee Gleason and seconded by Trustee Davis to change the March 2015 Village Election day to Wednesday, March 18th to avoid the St. Patrick's Day holiday. All-ayes, Nay-none.

The Clerk asked about the filing of Liquor Licenses that had been received. The Board advised her to file them in the office.

DPW

The Mayor asked how many backflows we had to do (if we stay in the backflow business). Lance Jobe stated there were 90 to do. Fifty dollars is charged for each device we test and he stated that plumbing places do that work also.

The DPW Building concrete wall is done. There are two small doors and Trustee Cummins asked about the completion of the concrete due to the weather. Lance Jobe stated that the trim along the concrete is to be completed and the cafer was made to ensure water run- off. Insulation will be done by the village staff and Trustee Cummins stated that was his concern since you could see through the building.

The building can be studded and profiled to seal it per Lance Jobe. The man doors are not in yet and the bathrooms will be done by our crew. The Mayor and the Board would like to see the entire building completed as soon as possible and they want to be able to go in and see the work done.

Public Session was re-engaged when Don Benson and Melissa Meyers appeared at 7 PM to discuss the boat/kayak and Mr. Benson asked why the deed had not been recorded and no one knew. Mr. Benson also asked why the Town requested ownership of the land in 2010 (when the deed was dated). The Board answered that the Town was maintaining the park there and the only need for the village was the right to get to the pump station. Insurance has been paid by the Town for the area. Ms. Meyers noted that the village's name can be changed on the DEC permit. There is no group that can "own" the area due to the cost to the owner of the liability exposure. There was no reference to a survey in the original deed and the easement protects the water and sewer servicing area. The area is needed for emergency discharge use and is a use easement on the deed. Mr. Benson was concerned about the future and the possible need to have construction on the easement area. Further discussion caused the rescission of Resolution #2014 – 161 by Trustee Cummins, seconded by Trustee Nazemetz. A resolution was established (#2014 – 164) by Trustee Gleason, seconded by Trustee Davis, to record what is already in the deed and not conduct a survey and the Town will own the property. All-ayes, Nay-none.

A copy of the deed, once filed, will be given to Ms. Meyers by Attorney Fodor. Mr., Benson mentioned if the Fire Department is interested in the launch and they are 501C authorized, the benefits would be to all parties to have the boat/kayak launch and the Town would not be liable. The only hesitation may be the grant application that may only apply to municipalities. The Mayor will attend the Town meeting tomorrow to discuss the ideas generated at this meeting.

Police

No updates

Correspondence

1. Olean General Hospital – file
2. Rinker Oil invoicing changes – advise we are no longer using their services
3. Letter regarding tavern – file – Board cannot act on an anonymous letter
4. GOACC Newsletter – file
5. NYS AED Regulations – Trustee Cummins to look at the price of an AED for Village use

Old Business

1. The Mayor will call Mr. Braccio regarding the union contract
2. The new computer system is to be reviewed with Trustee Cummins
3. The Code of Ethics approval is waiting for confirmation on one subject and it was determined that there would have to be a board of three members from the village
4. The job duties for the Clerk and Deputy Clerk were to be reviewed for approval by the entire board
5. Trustee Cummins to research the First Aid box

Trustee Cummins motioned to go into Executive Session at 7:40PM to discuss a personnel matter, seconded by Trustee Gleason. All-ayes, Nay-none.

Executive Session ended at 8:50 PM with a motion to end by Trustee Nazemetz, seconded by Trustee Davis. All-ayes, Nay-none.

Trustee Davis motioned to re-open the regular meeting, seconded by Trustee Gleason. All-ayes, Nay-none.

Resolution #2014 – 165 was made by Trustee Davis, seconded by Trustee Cummins to settle a claim for \$20,000. All-ayes, Nay-none.

Trustee Cummins made a motion to adjourn the meeting, seconded by Trustee Davis at 8:58 PM. All-ayes, Nay-none.

Respectfully Submitted,

Lorrie B. Fisher

Village of Allegany Clerk/Treasurer