

**Board of Trustees Meeting Minutes  
February 1, 2010 4:00 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, Diana Rzepka, and Dan Gleason

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

RESOLUTION #2010-026  
ACCEPT MINUTES OF JANUARY 18, 2010

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to accept the minutes of January 18, 2010. Aye-all. Nay-none.

TREASURERS  
REPORT  
As of January 31, 2010

	CHECKING	SAVINGS		
GENERAL	\$2,648.00	\$788,191.00		
WATER	\$6,670.00	\$306,720.00		
SEWER	\$9,874.00	\$386,296.00		
LIBRARY	\$22,526.00			
T&A	\$6,090.00			
WATER BOND		\$6,282.00		
<b>TOTALS</b>	<b>\$47,808.00</b>	<b>\$1,487,489.00</b>		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$145,788.00	\$	\$	\$209,009.00
POLICE UNIFORMS	\$5,417.00	50,341.00	12,880.00	\$5,417.00
		\$	\$	
BUILDING	\$38,102.00	39,490.00	22,900.00	\$100,492.00
POLICE EQUIPMENT	\$26,111.00			\$26,111.00
CURBING & STORM SEWER	\$34,145.00			\$34,145.00
GENERAL	\$30,009.00			\$30,009.00
WELL HOUSE PUMP ROUTINE MAINT		\$ 1,009.00		\$1,009.00
		\$		
WELL/WATER BLDGS/TANK MAINT		10,319.00		\$10,319.00
		\$		
METER PIT		11,572.00		\$11,572.00
			\$	
LIFT STATION, PITS, PUMP			4,005.00	\$4,005.00
	<b>\$279,572.00</b>	<b>\$</b>	<b>\$</b>	<b>\$432,088.00</b>

112,731.00

39,785.00

RECEIPTS:

Building/Sign/Pool permit 250.00

Bid Deposit

Backflow testing

Clerk fees 1.00

CHIPS

Court Security

Court Fines/fees

Class Action

Donation

DWI funds

Equipment sales

Franchise Fees

Fire Inspections

Gaming License

Inspections-c/o 40.00

Insurance refund

Juvenile Officer

Justice Grant

Lawn mowing

Municipal Aid

Mortgage Tax

Police Contract

Property Taxes

Property Taxes-Penalty

Rent-WCB 75.00

Reimbursements 1000.00

Sales Tax

Scrap metal

Town Sewer Payment

Utility Tax 861.00

Unmetered Water

Vehicle repair rebate

Vital Stats

Water-Qtr Town

Water meter

Zoning fees 10.00

ZBA/PB Hearing fees

**Total 2237.00**

DISBURSEMENTS: from 6/1/09-present

GENERAL \$ 434,500.00

WATER \$ 122,386.00

SEWER \$ 201,073.00

LIBRARY \$ 18,315.00

TOTAL \$ **776,274.00**

RESOLUTION #2010-027

ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to accept the Treasurers Report and pay the current bills. Bills paid by #20000539 for \$1,421.07, #20000540 for \$8,574.72, and #20000541 for \$269.98. Aye-all. Nay-none.

RESOLUTION #2010-028

DEDICATE MEETING TO PAUL & SHIRLEY NENNO

On motion made by Trustee Rzepka second by Trustee Fortuna resolved to dedicate tonight's meeting to former Cattaraugus County Justice Paul Nenko who recently passed away. Aye-all. Nay-none.

**DPW REPORT FOR THE MONTH OF JANUARY 2010**

- 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.
- Did water, sanitary sewer and storm sewer locates as needed.
- Back-Flow Devises at area businesses in Town has been completed - still working on Village Businesses.
- Picked up Christmas Trees that were put out to curbs by village residents.
- Took down Christmas Wreath decorations off light poles on Main Street.
- Hauled snow from areas throughout village to make room for future snow plowing.
- Worked with Peck Construction on Water and Sewer locations for new building project on West Main Street.
- Put up temporary No Parking Signs on Maple Avenue in area in front Allegany Elementary School.
- Worked on equipment – Currently fixing rust spots, priming and repainting etc...
- Put cold patch in potholes on village streets.
- Frank Snyder completed in-service hour training for water license recertification
- Lance attended Code school in Buffalo.

**VILLAGE OF ALLEGANY POLICE DEPARTMENT**

**CHIEF'S MONTHLY REPORT**

MONTH OF:	<b>January</b>	<b>2010</b>
Complaint Calls		<u>52</u>
Miscellaneous Calls		<u>123</u>
Larceny Complaints		<u>2</u>
Attempted Larceny		<u>0</u>

Complaints		
Burglary Complaints		1
Attempted Burglary Complaints		0
Vehicle & Traffic Tickets Issued		16
D.W.I. Arrests		1
Felony Arrests		1
Misdemeanor Arrests		2
Violation Arrests		8
Local Law Arrests		5
Accidents Investigated	P.I.	0
	P.D.	3
Parking Tickets Issued		32
Town Calls		18

Other

(Identify): Wednesday January 27, 2010 - Chief Papasergi attended a Cattaraugus County Chief of Police Association Meeting in Olean, NY.

Saturday January 30, 2010 - Our Police Department investigated a rape complaint that occurred on SBU Campus. Incident occurred when Sgt. McGraw was releasing a subject that was arrested for DWI earlier in evening to SBU Security. Complainant called into security office when Sgt. McGraw was at location. Sgt. McGraw responded to scene with SBU Security and started an investigation into incident. A nineteen year old male was arrested later that evening as a result of an investigation conducted by members of our department.

**POLICE**

- Trustee Rouleau asked about cell phone tickets. Chief stated that we have received a grant for traffic violations, looking for seat belt infractions and cell phone use, currently recording number of stops and warning people. Trustee Rzepka said local people say the cops don't care about stopping people. It is legal to talk on the cell phone as an officer, only if on official business.
- Trustee Fortuna asked about traffic control after the St. Bonaventure games, sometimes there is someone at S. 7<sup>th</sup> St. and East Union but the traffic then clogs at S. 5<sup>th</sup> St. Chief commented that there would be more of a traffic jam if there was someone at S. 5<sup>th</sup> St. as the red light on N. 5<sup>th</sup> would stop traffic.
- Board asked about personal use of village equipment; Chief said that for computers, only official business is allowed. Are there sites that village should restrict access to?
- Cattaraugus County has access to car computers, can find out where any car is at any time. Our police department does not have access to this information at this time.
- Fingerprint scan equipment update has been extended. Can no longer use ink for fingerprinting. Working with City of Olean to learn new system, which will be mandatory in the near future. For our police officers to go to the City of Olean to do fingerprinting, it could delay them for 2 hours and if their system is being used, it could

take longer than that. Chief is hopeful that APD would be able to purchase its own equipment, therefore making the procedure less time consuming.

- St. Bonaventure University Rape Case-Normally this would be turned over to another law enforcement agency because it happened on the campus. APD gathered enough evidence to arrest someone. Mayor said he heard the police department did a good job. Chief praised his employees for the effort they put forth. There was some overtime involved while trying to solve the case and could be additional OT incurred while finishing up with the investigation.

#### **DPW**

- Ball bearing gear on sander needs repair
- Trying to use more salt with sand
- Street light is still out at 3<sup>rd</sup> and Main St.
- Tree in subway on East Union St. is damaging sidewalk
- Need to go out to bid on tree removal, increase budget for 2011
- 2 board members and CEO Jobe will mark sidewalks that need to be replaced. This will be a priority for this upcoming fiscal year because of safety issues.
- Lawn mowing for properties in village that violate code-is prevailing wage necessary? Trustee Rouleau will talk to CEO Jobe.
- Temporary “No Parking” signs at the Allegany Elementary School are working well. Village will take them down in good weather. Will have the Planning Board review the parking laws.
- Main Street lighting is ok for now but when the trees bloom, the lighting will be dim again. Trees are not at the proper height to trim much at this point in order to alleviate the dim lighting situation. According to Supt. Papasergi, something else needs to be done to better the lighting in the downtown area.

#### **CODE**

- Have CEO Jobe look into what other municipalities in the area charge for building permits.

#### **CLERK**

- Cattaraugus County Department of Social Services sent a Work Experience Worksite Agreement for Temporary Assistance. Board denied this request as there is no one available to supervise anyone at this time.
- Attorney to complete the revision of the State of New York Workers’ Compensation agreement to include internet charges.
- Mayor requested that preliminary numbers be submitted for the 2011 budget.

#### **LIBRARY**

- Trustee Fortuna asked what it would take for the Town of Allegany to take over the Allegany Public Library.

#### **RIVER PARK**

- Mayor has paperwork to review with Assessor.
- Town Attorney will file the deed

### **SHARED SERVICE AGREEMENT WITH TOWN**

- Attorneys to finish agreement, cosmetic changes only.

### **PLANNING BOARD**

- Board would like them to review the sidewalk ordinance and parking signs. Rhea Carls, Planning Board member has asked that the Board of Trustees submit a complete list of all the items needed to be reviewed in order to take care of everything at once in the event that a local law needs changed.

### **O'Keefe-31 West Main St. Water/Sewer bill**

- Received a large bill for \$2079.85 for the 4<sup>th</sup> Q, 2009.
- Determined that the problem was a running toilet that was not reported by the tenants.
- Will give it to Lance Jobe for further review.

### **PatBern- 3 ½ East Main St. Water/Sewer bill**

- Mother of tenant received large bill for the 4<sup>th</sup> Q, 2009 for \$490.68
- Stated that her son has never lived in an apartment with the type of toilet (with a tank) and the noise coming from the toilet was normal to him, although it was a running toilet with water going through the meter.
- Water was also going into the sewer.
- Bill will stand as is.

The following correspondence was reviewed and put on file:

1. National Kidney Foundation-World Kidney Day, March 11
2. Genesee Community College-Tony Bartucca police enrollment
3. Cattaraugus County Planning Board agenda, 1/28; minutes 12/3
4. NYSDEC-annual reports, new requirement
5. Computel Consultants-cable franchise fee review
6. State of NY budget announcement
7. Planning Board minutes; Nov. 12, Nov. 16, and Dec. 9, 2009
8. Benetech, Inc.-Benefits Update
9. Cattaraugus County Planning Board-action taken for 35 West Main (Iroquois Ins.)
10. OTH article on St. Bonaventure rape case-Allegany Police work

RESOLUTION #2010-029

WATER/SEWER BILL FOR 3 ½ EAST MAIN ST. WILL STAND AS IS

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to deny lowering the water/sewer bill for 3 ½ East Main St. as the water was metered and went down the sewer. Bill will stand as is. Aye-all. Nay-none.

RESOLUTION #2010-030

ACCEPT RESIGNATION OF AIMEE SNYDER

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to accept the resignation of Aimee Snyder as an Office Clerk. Aye-all. Nay-none.

RESOLUTION #2010-031  
CAP BUILDING PERMIT FEES AT \$250

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to cap building permit fees at \$250.00 for a major construction job. This is only for the building permit, additional fees may be applied as necessary. Aye-all. Nay-none.

RESOLUTION #2010-032  
APPROVE NATHAN AUSTIN PAY INCREASE AT ALLEGANY PUBLIC LIBRARY

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to approve the pay increase to \$11.45 per hour for Allegany Public Library employee Nathan Austin. Aye-all. Nay-none.

RESOLUTION #2010-033  
PROCLAIM MARCH 11, 2010 AS WORLD KIDNEY DAY

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to proclaim March 11, 2010 as World Kidney Day in order to create awareness about chronic kidney disease. Aye-all. Nay-none.

RESOLUTION #2010-034  
ENTER EXECUTIVE SESSION

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to enter executive session at 5:05 pm to discuss a contractual matter. Aye-all. Nay-none.

RESOLUTION #2010-035  
CLOSE EXECUTIVE SESSION

On motion made by Trustee Rouleau, second by Trustee Fortuna resolved to close executive session at 5:06 pm. Aye-all. Nay-none.

RESOLUTION #2010-036  
EXECUTE AGREEMENT WITH FIVE STAR BANK

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to execute the final agreement with Five Star Bank with regards to cyber security. Upon receipt by Five Star Bank, all past transactions will be implemented. Aye-all. Nay-none.

RESOLUTION #2010-037  
ADJOURN MEETING

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to adjourn meeting at 5:08 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn, Clerk Treasurer