

**Board of Trustees Meeting Minutes
March 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 #2010-038
ACCEPT MINUTES OF FEBRUARY 1, 2010

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to accept the minutes of February 1, 2010. Aye-all. Nay-none.

TREASURERS
REPORT
As of February 19, 2010

	CHECKING	SAVINGS		
GENERAL	\$13,552.00	\$787,339.00		
WATER	\$7,440.00	\$336,951.00		
SEWER	\$4,179.00	\$389,833.00		
LIBRARY	\$21,203.00			
T&A	\$6,380.00			
WATER BOND	\$6,283.00			
TOTALS	\$59,037.00	\$1,514,123.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$148,812.00	\$	\$	\$218,040.00
POLICE UNIFORMS	\$5,418.00	53,347.00	15,881.00	\$5,418.00
		\$	\$	
BUILDING	\$38,108.00	39,494.00	22,902.00	\$100,504.00
POLICE EQUIPMENT	\$26,115.00			\$26,115.00
CURBING & STORM SEWER	\$34,150.00			\$34,150.00
GENERAL	\$30,013.00			\$30,013.00
WELL HOUSE PUMP ROUTINE MAINT		\$ 1,009.00		\$1,009.00
		\$		
WELL/WATER BLDGS/TANK MAINT		10,320.00		\$10,320.00
		\$		
METER PIT		11,573.00		\$11,573.00
			\$	
LIFT STATION, PITS, PUMP			4,005.00	\$4,005.00

	\$	\$	\$
\$282,616.00	115,743.00	42,788.00	\$441,147.00

RECEIPTS:

Building/Sign/Pool permit	
Bid Deposit	
Backflow testing	2400.00
Clerk fees	1.00
CHIPS	
Court Security	
Court Fines/fees	7410.00
Class Action	
Donation	
DWI funds	
Equipment sales	
Franchise Fees	5870.00
Fire Inspections	
Gaming License	
Inspections-c/o	200.00
Insurance refund	
Juvenile Officer	979.00
Justice Grant	
Lawn mowing	
Municipal Aid	
Mortgage Tax	
Police Contract	
Property Taxes	
Property Taxes-Penalty	
Rent-WCB	
Reimbursements	256.00
Sales Tax	51461.00
Scrap metal	
Town Sewer Payment	
Utility Tax	
Unmetered Water	
Vehicle repair rebate	
Vital Stats	
Water-Qtr Town	35671.00
Water meter	
Zoning fees	
ZBA/PB Hearing fees	

Total	104248.00
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DISBURSEMENTS: from 6/1/09-present

	\$
GENERAL	465,184.00
	\$
WATER	129,556.00
	\$
SEWER	207,776.00
	\$
LIBRARY	19,821.00
	\$
TOTAL	822,337.00

RESOLUTION #2010-039
ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Fortuna, second by Trustee Rouleau resolved to accept the Treasurers Report and pay the current bills. Bills paid by #20000542 for \$9,824.18, #20000543 for \$166,878.73, and #20000541 for \$21,685.60. Aye-all. Nay-none.

JOE BRADLEY

- Has been applying for federal jobs over the past 3 years, getting to final interviews and gets eliminated.
- He has a firearms license, and the sheriff wanted to discuss this with him, stated that he had an extensive record.
- He researched it to find out what the record was. Evidently a numbering error on fingerprinting was made by our court several years ago when processing paperwork for DCJS.
- Error has since been corrected. He hired attorney Mark Howden who cleared up the violation which had been recorded as a felony.
- Joe had incurred and paid charges for redoing his fingerprints and attorney fees totaling \$550.00.
- Attorney Fodor will contact Attorney Howden to prepare a release on Joe's behalf.
- In the future, there will not be anything on his record, as the record has been expunged.
- Village will reimburse Attorney Howden for these expenses upon Joe signing release.

RESOLUTION #2010-040
PAY ATTORNEY MARK HOWDEN \$550.00 FOR EXPENSES INCURRED BY JOE BRADLEY FOR COURT ERROR

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to pay Attorney Mark Howden for expenses incurred due to a prior court error. Expenses total \$550.00 and will be paid upon Mr. Bradley's signing of release. Aye-Gleason, Fortuna, Rzepka. Nay-none. Abstain-Rouleau.

VILLAGE OF ALLEGANY POLICE DEPARTMENT
CHIEF'S MONTHLY REPORT

MONTH OF:	<u>February</u>	<u>2010</u>
Complaint Calls		<u>52</u>
Miscellaneous Calls		<u>79</u>
Larceny Complaints		<u>1</u>
Attempted Larceny Complaints		<u>0</u>
Burglary Complaints		<u>0</u>

Attempted Burglary Complaints		1
Vehicle & Traffic Tickets Issued		25
D.W.I. Arrests		0
Felony Arrests		1
Misdemeanor Arrests		4
Violation Arrests		7
Local Law Arrests		9
Accidents Investigated	P.I.	0
	P.D.	1
Parking Tickets Issued		84
Town Calls		13

Other

(Identify): Wednesday February 3, 2010 - Conducted a Police Meeting at the Municipal Building.

Monday February 22, 2010 - Our Department investigated a motorvehicle accident where a motorist struck one of the cement light poles, a tree and two street signs on West Main Street in front of the K of C.

DPW REPORT FOR THE MONTH OF FEBRUARY 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.
- Fire Inspections were conducted at area places of assembly in the Village.
- Lance attended two training sessions on Insulated Concrete Forms (RVAC).
- Did water, sanitary sewer and storm sewer locates as needed.
- Finished picking up Christmas Trees that were put out to curbs by village residents.
- Worked with Town on chipping brush and Christmas trees at Town Pit.
- Worked on equipment – Currently fixing rust spots, priming and repainting as well as routine maintenance etc...
- Put cold patch in potholes on village streets.
- Secured area on West Main Street where a cement light pole was extensively damaged after being struck by a motor vehicle. Stayre Electric is working on replacement of same.
- Cleared a sewer main clog on South Seventh Street.
- Hauled sand to be mixed with salt for road surface treatment.
- Mixed sand and salt for road surface treatment.
- Flushed sewer mains – monthly sewer flush.
- Replaced a broken hydraulic fluid line on Sidewalk Plow

- ✓ Trustee Rzepka asked about the private meeting with the Town of Allegany. What deals are being made that all board members and essential personnel are not a part of the

decision making process? What about adding onto town's building for village DPW offices and storage? Who is there at the meetings? Mayor stated that Jim Hitchcock, Hans Sendlakowski, Rodney Gleason, a couple of town employees, Charlie Fortuna and himself were at the meeting. Trustee Rzepka asked why Dominic was not there. If Rodney was there, Dominic should be there as well. Why, as Deputy Mayor does she never know about these meetings until after they're held? Trustee Fortuna said they discussed adding onto the new building and a joint salt/sand storage shed. Dominic stated that items are discussed in the back room prior to board meetings and not in the public. Trustee Rouleau said he would be upset if he was not informed of meetings and information.

- ✓ Discussion was made about merger with town. Attorney Fodor thought it was premature to start petition to merge at this time.

POLICE

Trustee Rouleau asked about the following topics that were brought up during the most recent police meeting:

- "Secret meetings" that the police department stated were being held. He wondered when and what they are? The police are aware that the board discusses items while talking and signing invoices prior to board meetings. It was evident 2 years ago that items are discussed in private prior to open discussion at board meetings because of the way the budget was handled by the mayor and board. No discussion was allowed at the open board meeting.
- Trickle charges for the police car computers. The computers have a heater inside that needs to be kept warm. Our car batteries are wearing down when a vehicle is not started for a few days because the computers need to be kept warm. Sheriff department is having the same problem with car batteries wearing down. Chief stated that the police cars need to be started and let run for a bit to alleviate the problem. This task can be put on the daily vehicle check off list. Trickle charges will be put into the budget for 2011.
- Building foundation problems.
- Dispatcher needed on weekends to write entries in the police day book. Mayor was skeptical that a person was needed. Trustee Rzepka said it was a responsibility of the police position to record tickets and do information's. Attorney Fodor said there is a problem with having a non-police officer doing dispatch. Trustee Gleason said that each year things are getting slower and slower on the streets and it is quiet on weekends. Once in a while there are fights that break out, and it may get busy downtown between midnight and 2am. Chief said a dispatcher could be utilized at the beginning and end of the college school year as more students and people are out at that time of year. Two people are needed in the police department if someone is brought in; to be a witness and in the case of a female violator.
- New York State Retirement-no changes or additional paperwork is needed as the union contract states that the village will provide plan 384D and it was board approved.
- Portable radios-some radios are still good, Chief has 4 new ones in the budget.
- In house storage room
- Shower in basement-Trustee Rouleau asked about a privacy issue. Trustee Rzepka wondered about using the fire hall for showers. Mayor asked if we could put a shower in. Chief stated the back bathroom could have the small tub area converted to a shower.

- ✓ Mayor thanked Officer Conner for the good job he was doing on patrolling the elementary school area for traffic infractions. Trustee Fortuna also commented to the Chief on Conner's nice job. Officer Conner stated to Chief that he was acknowledged by the Mayor. Chief also advised Conner of Trustee Fortuna's comments and that he had a lot of positive feedback on patrolling the school zones.
- ✓ Mayor asked about availability of space for storing police vehicles at the old fire hall. Chief said the building is heated.

DPW

- Town/Village salt/sand storage shed. Supt. Papasergi stated it is absolutely necessary to track the village usage.
- Town/Village mechanical truck bays. Supt. Papasergi noted that if the town mechanic works on village vehicles, who would get priority if town and village both have vehicles that need work simultaneously?
- Chief asked about "confined space". Mayor mentioned a tester that can be used.
- Trustee Rzepka stated that annual physicals for DPW can be done with fire department personnel. Tim Peterson's and Tony Papasergi's cost will be covered under the fire department.
- Floor grates need to be fixed in shop/garage.
- Lock DPW garage, can be hard to do in the summer because of the frequency of going in and out. Items that go to the town need to be tracked.
- Will sit down as a group to review the need for a new village building in the future.
- There was a car accident on 2/22/10 on West Main St. in which a light pole, tree, and street signs were run down. DPW personnel were called to clear up the debris. Supt. Papasergi to contact the state to order signs that were damaged.

CODE

- At the police meeting, SBU representative Rick Treitley asked if village knew who was living in off campus housing. Supt. Papasergi said that if there is a new tenant, the dwelling needs to be inspected. At that time, CEO Jobe asks for a copy of the signor page of the lease indicating the people living in the dwelling. If no change is made in tenants, no inspection needs to be done. Attorney Fodor suggested that SBU should be obtaining an off-campus address for all their students.
- Meet with off-campus students in fall for informational purposes.

MERGER/CONSOLIDATION ISSUE

- Mayor will ask Limestone Mayor Jim Stoddard to speak to board about what he is going through with dissolution.
- Mayor would like village to cross train positions with town.

SEWER

- Request that city sewer meter pit be cleaned at least every other day. Sludge and gravel causes higher flow readings.
- Supt. Papasergi received a guarantee that our sewer meter calibration is +/-1.

WATER

- County advised that a new state law would require an alarm system that goes off if the fluoride/chlorine levels are not within the parameters of what they should be.
- Village may be looking at a new company for alarm system.

CLERK

- Website information was reviewed by board. It was decided that Dominic would get specifics from Mike Blumenthal regarding what would be included in the \$3000 upgrade bill.

RIVER PARK

- Mayor has paperwork to review with Assessor and Town Trustee Hitchcock.
- Mark Lombardo, Town Parks & Recreation Supervisor was informed that the town will need to maintain the park in the future, including mowing.

SHARED SERVICE AGREEMENT WITH TOWN

- Attorney Fodor and Attorney Tuttle have finished the agreement.
- Will review at the next board meeting
- Certificate of Insurance needs to be obtained by both municipalities

2011 BUDGET

- Website-what will Blumenthal's do for an additional \$3000?
- Local photographer has offered to re-take the personnel pictures at no cost, also have someone else who will give us a price to take pictures.
- Curbing-Mayor would like to have village personnel install curbing in a small area on the hill. We could borrow the curbing forms from the Town. Storm sewers on St. Mary's, St. Johns and St. Joes also need installed. Also in front of Elementary school, but Supt. Papasergi said that town is expected to widen the roadway and we shouldn't address that area at this time. Supt. Papasergi stated that when any curbing is done, part of the process is simultaneously installing storm sewers.
- Supt. Papasergi's main consideration for this spring/summer/fall will be to catch up on maintenance items. Possibly extend the water line from Elm Street to pit road.
- Signs need to be ordered-"Welcome to Allegany", stop signs, police signs.

The following correspondence was reviewed and put on file:

1. Christmas in Allegany meeting 2/2/10
2. Planning Board minutes 1/6, 1/11, 1/18/10
3. State of NY-Home Rule Legislation
4. Planning Board letter to Higby-day care center
5. DPW meeting 2/3/10
6. Safety meeting 2/3/10
7. Niagara Career and Technical Education Center-Bartucca
8. Website meetings 2/8, 2/16/10
9. Southern Tier West Membership Tiers Description

10. NYCOM membership letter
11. Time Warner Cable-renewals (2)
12. NYS Dept. of State-Amanda's law effective 2/22/10
13. Catt. Co. Planning Board minutes 1/28/10
14. Zachary R. Robertson, Eagle Scout

RESOLUTION #2010-041
ANNOUNCE SATURDAY, MARCH 6, 2010 AS FRANCIS D. PEZZIMENTI DAY IN
VILLAGE OF ALLEGANY

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to announce Saturday, March 6, 2010 as Francis D. Pezzimenti Day in the Village of Allegany in recognition of his Honorary Lifetime Fire Chief Award for the Allegany Engine Company to be presented to him at the annual election dinner that evening. Aye-all. Nay-none.

RESOLUTION #2010-042
APPROVE PURCHASE OF 24 MAIN STREET CHRISTMAS ORNAMENTS

On motion made by Trustee Fortuna, second by Trustee Rzepka resolved to approve the purchase of 24 Main Street light pole ornaments from Display Sales at a cost of \$5224.00. This will be in conjunction with the rejuvenation of Christmas in Allegany. Aye-all. Nay-none.

RESOLUTION #2010-043
APPROVE PARTICIPATION IN CATTARAUGUS AND CHAUTAUQUA COUNTIES 2009-
2010 NYS DEPARTMENT OF STATE LOCAL GOVERNMENT EFFICIENCY GRANT
PROGRAM FOR AN EFFICIENCY IMPLEMENTATION GRANT FOR SHARED SERVICE
HIGHWAY SAFETY PROGRAM

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to approve the participation in a shared highway safety program grant for the striping of highways of which the Village of Allegany has approximately 5 lane miles that annually need striping. The Village will provide 2 employees and one single axle truck to assist the county in striping our roads. Aye-all. Nay-none.

RESOLUTION #2010-044
EXTEND THE TEMPORARY MORATORIUM FOR OUTDOOR BURNING FURNACES
LL1-2009 FOR AN ADDITIONAL 9 MONTHS

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to extend the temporary moratorium for the Use of Outdoor Wood Heaters. This nine month extension will end 9/9/2010. Aye-all. Nay-none.

RESOLUTION #2010-045
EXTEND RHEA CARLS APPOINTMENT TO PLANNING BOARD FOR AN ADDITIONAL
FIVE YEARS

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to extend Rhea Carls appointment to the Planning Board for an additional five years. Term will be from 4/1/10-3/31/15. Aye-all. Nay-none.

RESOLUTION #2010-046

APPROVE ESTIMATE OF GREG STAYER ELECTRIC TO PURCHASE, INSTALL AND CONNECT NEW LIGHT POLE

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to approve estimate of Greg Stayer Electric to purchase, install, and connect new light pole that was damaged due to a car accident. Complete price will be \$8450.00. Aye-all. Nay-none.

RESOLUTION #2010-047

EXTEND JENNY O'BRIEN'S APPOINTMENT TO ZONING BOARD OF APPEALS FOR AN ADDITIONAL FIVE YEARS

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to extend Jenny O'Brien's appointment to the Zoning Board of Appeals for an additional five years. Term will be from 4/1/10-3/31/15. Aye-all. Nay-none.

RESOLUTION #2010-048

APPROVE PETERSON & JOBE TO ATTEND NEW YORK RURAL WATER TECHNICAL CONFERENCE MAY 24-MAY 27, 2010

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to approve Peterson and Jobe's attendance at New York Rural Waters Technical Conference May 24-27, 2010. Conference cost to be \$325 each plus hotel expenses. Up to 15 credit hours for water license will be obtained. Aye-all. Nay-none.

RESOLUTION #2010-049

APPROVE PETERSON & JOBE TO ATTEND NEW YORK RURAL WATER ASSN. WATER FLUORIDATION SEMINAR IN BUFFALO 4/8/10

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to approve Peterson and Jobe's attendance at New York Rural Waters Water Fluoridation seminar in Buffalo on April 8, 2010. No fee for this seminar, 5 credit hours. Aye-all. Nay-none.

RESOLUTION#2010-050

ENTER EXECUTIVE SESSION

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to enter executive session at 5:45 pm to discuss a personnel matter. Aye-all. Nay-none.

RESOLUTION #2010-051

CLOSE EXECUTIVE SESSION

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to close executive session at 6:05 pm. Aye-all. Nay-none.

RESOLUTION #2010-052
DEDICATE MEETING TO ZACHARY R. ROBERTSON WHO HAS ACHIEVED THE
RANK OF EAGLE SCOUT

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to dedicate tonight's meeting to Zachary R. Robertson, who has achieved the rank of Eagle Scout from Boy Scout Troop 677. Aye-all. Nay-none.

RESOLUTION #2010-053
ADJOURN MEETING

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to adjourn meeting at 6:56 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn, Clerk Treasurer