

**Board of Trustees Minutes  
April 2, 2007**

RESOLUTION #2007-032  
OPEN REORGANIZATION MEETING

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to open the reorganization meeting. Aye-all. Nay-none.

- Charles Fortuna took the oath of Office as a new elected Trustee.
- Diana Rzepka took the oath of Office as a re-elected Trustee.
- Richard Lamberson took the oath of Office as re-elected Mayor.

RESOLUTION #2007-033  
ACCEPT APPOINTMENTS, OFFICIAL NEWSPAPER, BOARD MEETING TIMES  
AND DATES, OFFICIAL DEPOSITORIES, AND COMMITTEES FOR FISCAL  
YEAR 2008

On motion made by Trustee Rouleau, second by Trustee Gleason resolved to accept the personnel appointments, official newspaper, board meeting times and dates, and official depositories and committees for fiscal year 2008. (attached) Aye-all. Nay-none.

RESOLUTION #2007-034  
ACCEPT PURCHASING POLICY AND INVESTMENT POLICY FOR FISCAL  
YEAR 2008

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to accept the purchasing policy and investment policy for fiscal year 2008. (attached) Aye-all. Nay-none.

RESOLUTION #2007-035  
ACCEPT ADVANCE APPROVAL OF CLAIMS FOR FISCAL YEAR 2008

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to accept the advance approval of claims for fiscal year 2008. (Attached) Aye-all. Nay-none.

RESOLUTION #2007-036  
ACCEPT MILEAGE POLICY FOR FISCAL YEAR 2008

On motion made by Trustee Rzepka, second by Trustee Rouleau resolved to accept the mileage policy for fiscal year 2008. (Attached) Aye-all. Nay-none.

RESOLUTION #2007-037  
CLOSE REORGANIZATION MEETING

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to close the reorganization meeting. Aye-all. Nay-none.

The regular meeting of the Board of Trustees was opened with a salute to the flag led by Mayor Richard Lamberson.

Present: Mayor Lamberson; Trustees: Daniel Gleason, Charles Fortuna, Diana Rzepka, and James Rouleau

Also present: Rena Flynn, Clerk Treasurer; Dominic Papasergi, Police Chief and DPW Superintendent, Lance Jobe, CEO; Janine Fodor, Attorney

Attending: Marie Finch, John Gaston

RESOLUTION #2007-038  
ACCEPT MINUTES OF MARCH 19, 2007

On motion made by Trustee Rzepka, second by Trustee Rouleau, resolved to accept the minutes of March 19, 2007. Aye-all. Nay-none.

TREASURERS REPORT  
AS OF MARCH 30, 2007

	CHECKING	SAVINGS	RESERVES BUILDING	RESERVES EQUIPMENT	RESERVES POLICE
GENERAL	\$10,069.00	\$699,299.00	\$7,457.00	\$ 90,015.00	\$ 1,999.00
WATER	\$2,136.00	\$241,256.00	\$38,979.00	\$ 44,959.00	
SEWER	\$1,068.00	\$189,365.00	\$22,601.00	\$ 13,169.00	
LIBRARY	\$20,988.00				
T&A	\$3,655.00				
WATER BOND		\$6,253.00			
TOTALS	\$37,916.00	\$1,136,173.00	\$69,037.00	\$ 148,143.00	\$ 1,999.00

RECEIPTS:

Judge Fines/fees	
Inspections	\$160.00
ZBA/PB Hearing fees	
Court Security	
Clerk fees	
Reimbursements	\$49.00
Vital Stats	
Utility Tax	\$9,097.00

Unmetered Water	
Building/Sign permit	
Zoning fees	
Police Contract	
Sales Tax	
Water-Qtr Town	
Juvenile Officer	
Franchise Fees	
Bid Deposit	
Backflow testing	
Property Taxes	
Games of Chance	\$100.00
Town Sewer Payment	
Municipal Tax	
Mortgage Tax	
DWI funds	
Fire Inspections	\$200.00
CHIPS	
Total	\$9,606.00

RESOLUTION #2007-039  
ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to accept the Treasurers report and pay current bills. Bills paid by Abstract #20000353 for \$78.90, #20000354 for \$3892.44, #20000355 for \$4608.97, #20000356 for \$6432.88, #20000357 for \$3572.91, and #20000358 for \$724.20. Aye-all. Nay-none.

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

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MONTH OF:	March	2007
Complaint Calls		68
Miscellaneous Calls		101
Larceny Complaints		0
Attempted Larceny Complaints		0
Burglary Complaints		0
Attempted Burglary Complaints		0

Vehicle & Traffic Tickets Issued		19	
D.W.I. Arrests		0	
Felony Arrests		0	
Misdemeanor Arrests		1	
Violation Arrests		7	
Local Law Arrests		12	
Accidents Investigated	P.I.	0	P.D.
Parking Tickets Issued		116	
Town Calls		13	

Other (Identify): **Wednesday March 14, 2007-** Chief Papasergi, Sgt. McGraw, Ptlm.Cassada and most of the DPW Crew attended CPR Annual Training at the Robert H. Livingston Com. Center.

**Thursday March 15 through Saturday March 17, 2007-** Patrols kept eye on W.Union Street area in reference to flooding. Roadway was closed from South First Street to South Fifth Street.

**Wednesday March 21, 2007 -** A Police Meeting was held at the Municipal Building

**Wednesday March 28, 2007 -** Chief Papasergi and Sgt. McGraw attended a Cattaraugus County Police Chief's Association Meeting in Delevan.

## DPW REPORT FOR THE MONTH OF MARCH 2007

- Sanded Streets and Plowed Snow from Streets, Sidewalks and Parking Lots as needed.
- Cleaned tops of catch basins as needed.
- Lance did Code as needed – see Code Enforcement Blotter. Talked with some businesses and residents on Main Street to pick up debris gathered during the winter months and to try to keep areas cleaned up. Also talked with tenants of some rental properties in reference to same.
- Fire Inspections at area businesses are nearing completion.
- Did water, sanitary sewer and storm sewer locates as needed.
- Making repairs on and are preparing the generator to be painted.

- Hauled snow from various areas in Village to prepare for future snow plowing.
- Cleared snow from area around fire hydrants in Village.
- Worked on village equipment - minor repairs to various vehicles and equipment etc.
- Patched holes in streets with cold patch
- Electronic Control for Variable Speed Drive at Sewer Lift Station #2 was repaired.
- Serviced and cleaned police vehicles.
- Water-main break on 4" water main leading to the St Bonaventure Clubhouse, Golf Course and Cemetery. Assisted Town Water Department with running a new Town 8" Water Main from the Village 8" Water Main on East Main Street to the 4" Water Main.
- Flushed Sewers – Monthly Sewer flush.
- Read Water Meters for quarterly billing.
- Started picking up leaves and brush put out to curbs.
- Raked out sod that was lying in subways throughout village as a result of snowplowing roadways during winter.
- West Union Street was closed for 3 days due to flooding.
- Filled in washed out areas in West Union Street where it flooded.
- Started sweeping sand out of subways.
- Started sweeping sand from streets.
- Water pump on street sweeper went down, had to replace same.
- Assisted Town with street sweeping as their sweeper was struck by a vehicle and is temporarily out of service.

DPW Crew attended CPR Training at the Robert H. Livingston Community Center. (One employee was off sick and will make up training at later date.

- There is concern that the street sweeper is kicking up too much dust. Supt. Papasergi will order lights to put on the sweeper in order for it to be more visible while operating.

RESOLUTION #2007-040  
APPROVE PURCHASE OF LED DIRECTIONAL LIGHT BAR FOR TOP OF  
SWEEPER

On motion made by Trustee Fortuna, second by Trustee Gleason resolved to approve the purchase of a LED directional light bar for the top of the street sweeper at a cost not to exceed \$540.00. Aye-all. Nay-none.

The following correspondence was reviewed and put on file:

1. New York Rural Water Association – 15 year recognition
2. Planning Board minutes – March 21, 2007
3. NYCOM - Main Street West Economic Development Conference
4. Catt. Co. Board of Elections Recanvass of Votes
5. American Water Works Association Certificate of Appreciation
6. Letter from Don Black family-wind farm

RESOLUTION #2007-041  
LETTER OF SUPPORT OF NY RURAL WATER ASSOCIATION

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to write a letter to Congressman Kuhl in support for NY Rural Water Association. Aye-all. Nay-none.

RESOLUTION #2007-042  
LETTER OF REFERENCE FOR SDS

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to write a letter of reference for SDS Waste Disposal. Aye-all. Nay-none.

RESOLUTION #2007-043  
APPROVAL TO BILL PROPERTY OWNERS FOR WATER AND SEWER

On motion made by Trustee Rouleau, second by Trustee Rzepka resolved to approve billing of water and sewer bills to the property owners and not the tenants. This will become effective with the billing period beginning 7/1/07. A letter will be sent to all property owners who rent out their homes.

RESOLUTION #2007-044  
APPOINT ADAM CARLSON TO POLICE DEPARTMENT

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to appoint Adam Carlson as a part time police officer. Aye-all. Nay-none.

- Attorney Fodor will revise the Local Law for administration and enforcement of the NYS Uniform Fire Prevention and Building Code
- State of New York requirement to broadcast public meetings does not pertain to the village per Wendy Brand of Assemblyman Giglio's office. We will continue to post the meeting minutes on our website.
- Attorney Fodor will contact Town Attorney for completion of the Town/Village shared highway service agreement.
- CEO Jobe will contact Mr. Benson of 4<sup>th</sup> & Maple for completion of the right of way paperwork.
- Supt. Papasergi will contact Blades of the I86 reconstruction project about the damage on North 1<sup>st</sup> St.
- Public Hearing for 2008 Budget will be held at 7:20 on Mon, April 16, 2007.

RESOLUTION #2007-045

DISSOLUTION/MERGER STUDY CONSULTANT

On motion made by Trustee Gleason, second by Trustee Rouleau resolved to engage the services of consulting firm CGR of Rochester, NY to prepare the study of the dissolution/merger of the village and town. This is on the advice of the selection committee chosen to review the proposals and personnel. Aye-all. Nay-none.

RESOLUTION #2007-046

ADJOURN MEETING

On motion made by Trustee Fortuna, second by Trustee Rzepka resolved to adjourn meeting at 9:42 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn  
Clerk Treasurer

**VILLAGE OF ALLEGANY  
APPOINTMENTS 2007-2008**

Deputy Mayor	Diana Rzepka
Clerk Treasurer, Court Clerk Registrar of Vital Statistics	Rena Flynn
Deputy Clerk, Deputy Court Clerk Deputy Registrar of Vital Statistics	Pamela Withers
Superintendent of Public Works Deputy Superintendent of Public Works	Dominic G. Papasergi Lance Jobe
Police Chief Patrolman/Acting Sergeant Sr. Patrolman-part time Patrolmen-part time	Dominic G. Papasergi Christopher McGraw Timothy Peterson Frank Snyder Daniel Gonska Lou Harrison David Conner Patrick Brandow Jared Cassada Sean Obergfell Steven Dombek Jennifer Graham
Juvenile Officer Civil Defense Director Incident Command Officer Attorney Code Enforcement Officer Electrical Inspector Chief Water Operator	Christopher McGraw Dominic G. Papasergi Dominic G. Papasergi Janine Fodor Lance Jobe Lance Jobe Lance Jobe
Crossing Guard	Lynn Lounsbury Stan Hedden



Official Newspaper

Times Herald, Olean

Village Board Meetings

1<sup>st</sup> & 3<sup>rd</sup> Mondays of each month  
7:30 pm Municipal Building  
Subject to change

Official Depositories

Five Star Bank  
Community Bank  
MBIA Class

**VILLAGE OF ALLEGANY  
COMMITTEES 2007-2008**

Streets	Daniel Gleason
Water	Charles Fortuna Diana Rzepka
Sewer	Charles Fortuna
Police	James Rouleau
Fire Department Liaison	Richard Lamberson
Budget	Richard Lamberson
Sidewalks	Diana Rzepka Charles Fortuna
Trees	Daniel Gleason
Contracts	Diana Rzepka
Clerks Office	Diana Rzepka
Zoning/Planning Boards	James Rouleau
Village/Town/School Liaison	Daniel Gleason
Safety Committee	Diana Rzepka
Personnel Committee	James Rouleau Charles Fortuna

## PURCHASING POLICIES AND PROCEDURES

THIS RESOLUTION SETS FORTH THE POLICIES AND PROCEDURES OF THE VILLAGE OF ALLEGANY to meet requirements of General Municipal Law, Section 104-b.

### Purpose

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interest of taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or of any other general special of local law.

### Procedures for Determining Whether Procurements are Subject to Bidding.

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

\$1-500	At the discretion of the Department Head.
\$501-3000	At the discretion of the Board and Department Head (may be verbal)
\$3001-9999	Written quote from at least 2 separate vendors (if available).
\$10,000 and up	Sealed bids in conformance with Municipal law, Section 103.

Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes will be awarded to the lowest responsible and responsive vendor.

### Statutory Exceptions From These Policies and Procedures

Except for procurements made pursuant General Municipal Law, Section 103(3) (throughout county contracts) or Section 104 (through state contract), State Finance Law,

Section 175-b (from agencies for the blind or severely handicapped), Correction Law, Section 186 (articles manufactured in correctional institutions), or the items excepted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law, Section 104-b.

#### Procedures For Public Work Projects/Contracts

\$1-500	At the discretion of the Department Head.
\$501-5000	At the discretion of the Board and Department Head.
\$5001-9999	Documented telephone quotes from at least 3 separate vendors (if available).
\$10000-19999	Formal written request for Proposal with a response from at least (2) Vendors and if possible (3) vendors.
\$20000 and up	Formal sealed bids in conformance with Municipal Law, Section 103.

In all circumstances, whenever other than the lowest quote is awarded, there must be written documentation of the reason for the award.

#### UNDER NO CIRCUMSTANCES CAN A QUOTE THAT EXCEEDS THE BID LIMIT BE AWARDED

#### Professional Services and Consultants

\$1-10,000	Annual charge will be at the discretion of the Department Head, and with the approval of the Board.
\$10001-19999	Prices will be obtained by formal written quotes from at least 2 sources and the award will be made at the discretion of the Department Head and with the approval of the Board.
\$20,000 and up	Prices will be obtained by Formal Request for proposal, with the award of contract being made by the Board.

Awards to other than the lowest proposed must be properly documented with the rational/reason for rejection of the lowest price.

Any and all procedures not specifically covered in this policy will be adhered to as covered in General Municipal Law. Section 104-b.

An emergency exists wherein the delay caused by soliciting quotes would endanger the health, welfare, or property of the municipality, or more important the individual taxpayer, then the procurement of goods or services will be at the discretion of the property department head with documentation as to the nature of the emergency and shall be sent to the Governing Board, within five (5) working days of such procurement.

#### Annual Review

The governing board shall annually review these policies and procedures. The Board shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

#### Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of this General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to cause action against the Village of Allegany or any officer or employee thereof.

#### Resolution

Adopted on April 2, 2007 by Village of Allegany Board of Trustees

## **INVESTMENT POLICY OF THE VILLAGE OF ALLEGANY**

The objectives of the Investment Policy of the Village of Allegany is to minimize risk, to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceed of obligation in:

Certificates of Deposit issued in a bank or trust company authorized to do business in New York State:

Savings accounts;

Obligations of New York State;

Obligations of the United State Government;

The following banks and municipal investors are designated by the Village of Allegany;

Five Star Bank, Allegany, New York  
The Community Bank, N. A., Olean, New York  
MBIA Municipal Investors Service Corporation

Collateral:

Certificate of Deposits shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of federal agencies, the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Obligations shall be held by a third party.

Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United State Government.

The governing Village Board of the Village of Allegany shall review and approve the investment policy, at least annually, and if practicable, at its organizational meeting and the members shall review and amend, if necessary these investment policies

The provision of these investment guidelines shall take effect prospectively , and shall not invalidate the prior selection of any Custodial Bank or prior investment.

Resolution adopted April 2, 2007

## **ADVANCE APPROVAL OF CLAIMS**

WHEREAS the Board of Trustees of the Village of Allegany has determined to authorize payment in advance of audit claims for public utility services, postage, freight and express charges, and

WHEREAS all such claims shall be presented at the next regular meeting for audit, and

WHEREAS the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees.

Section 2. That this resolution shall take effect immediately.

## **MILEAGE POLICY**

WHEREAS the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of Trustees shall approve reimbursement to such officers and employees at the rate of .485 per mile;

Section 2. That this resolution shall take effect immediately.

Resolution adopted April 2, 2007-