

**Board of Trustees Meeting Minutes
December 15, 2008**

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

Present: Trustees: Dan Gleason, Charlie Fortuna, and Diana Rzepka

Also Present: Rena Flynn, Clerk; Lance Jobe, CEO

Absent: Trustee James Rouleau, Dominic Papasergi, Chief of Police & DPW Supt.

Attending: Brian Lothridge, Times Herald

RESOLUTION #2008-198

ACCEPT MINUTES OF DECEMBER 1, 2008

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to accept the minutes of December 1, 2008. Aye-all. Nay-none.

RESOLUTION #2008-199

ACCEPT AMENDED MINUTES OF NOVEMBER 17, 2008

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to accept the amended minutes of November 17, 2008. Aye-all. Nay-none.

**TREASURERS
REPORT
AS OF Dec. 15, 2008**

	CHECKING	SAVINGS		
GENERAL	\$32,182.00	\$1,176,657.00		
WATER	\$530.00	\$61,540.00		
SEWER	\$847.00	\$102,424.00		
LIBRARY	\$31,966.00			
T&A	\$4,749.00			
WATER BOND		\$6,276.00		
TOTALS	\$70,274.00	\$1,346,897.00		
	RESERVES	RESERVES	RESERVES	TOTAL
	GENERAL	WATER	SEWER	
EQUIPMENT	\$142,837.00	\$ 42,750.00	9,857.00	\$195,444.00
POLICE UNIFORMS	\$2,907.00			\$2,907.00
			\$	
BUILDING	\$37,982.00	\$ 39,408.00	22,849.00	\$100,239.00
POLICE EQUIPMENT	\$18,552.00			\$18,552.00
CURBING & STORM SEWER	\$34,038.00			\$34,038.00

WELL HOUSE PUMP ROUTINE MAINT	\$ 1,007.00	\$1,007.00
WELL/WATER BLDGS/TANK MAINT	\$ 7,802.00	\$7,802.00
METER PIT	\$ 7,555.00	\$7,555.00
LIFT STATION, PITS, PUMP		\$ 2,000.00
		\$ 2,000.00
	\$236,316.00	\$ 98,522.00
		\$ 34,706.00
		\$369,544.00

RECEIPTS:

Judge Fines/fees	8667.00
Inspections	40.00
ZBA/PB Hearing fees	
Court Security	
Clerk fees	
Reimbursements	1.00
Vital Stats	
Utility Tax	
Unmetered Water	
Building/Sign/Pool permit	
Zoning fees	
Police Contract	
Sales Tax	
Water-Qtr Town	
Juvenile Officer	
Franchise Fees	5336.00
Bid Deposit	
Backflow testing	
Property Taxes	1827.00
Gaming License	
Town Sewer Payment	
Municipal Aid	
Mortgage Tax	5555.00
DWI funds	
Fire Inspections	25.00
Donation	
CHIPS	
SMSI grant	
Justice Grant	
Lawn mowing	
Water meter	
Equipment sales	
Total	21451.00

DISBURSEMENTS: from 6/1/08-p

	\$
GENERAL	444,208.00
	\$
WATER	62,433.00
	\$
SEWER	257,128.00
	\$
LIBRARY	29,143.00
	\$
TOTAL	792,912.00

RESOLUTION #2008-200

ACCEPT TREASURERS REPORT AND PAY CURRENT BILLS

On motion made by Trustee Fortuna, second by Trustee Rzepka resolved to accept the Treasurers Report and pay current bills. Bills paid by abstract #20000462 for \$5,990.14, #20000463 for \$39,702.05 and #20000464 for \$750.73. Aye-all. Nay-none.

Police Report-no report

DPW Report-no report

- Trustee Gleason suggested that during budget preparation, new dump trucks should be considered.

Eric Wohlers of the Cattaraugus County Health Department spoke on Indoor/Outdoor furnaces and made the following comments:

- His office has received numerous complaints over the past two years on **outdoor burning furnaces**.
- There are no regulations in place for enforcement by Cattaraugus County Health Department, NYS Department of Health, or NYS Department of Environmental Conservation (NYSDEC).
- With the economy as it is more and more homeowners choose to heat with these devices and the use is expected to increase.
- His intent is to make the community aware that the State Attorney General's Office is concerned and it has also received complaints.
- NYSDEC wants to tighten regulations on open burning.
- NYSDEC has no intent to institute regulations on indoor wood burning stoves.
- Indoor wood burning stoves are regulated by the NYS Building Code and must be installed and maintained properly and efficiently.
- Outdoor furnaces are sometimes being used as backyard incinerators.
- State of Maine has good outdoor practices which could be followed in some fashion.
- Initial cost of outdoor burning devices (up front is) approximately \$5000 and can be recouped in about 5 years.
- Smoke stacks need to meet height guidelines.
- EPA in 2007 initiated a voluntary program for manufacturers to construct cleaner heaters with 70% efficiency. In 2008, they increased the efficiency component to 90%.
- Set backs for zoning are necessary.
- No outdoor units have been installed in the village.
- Outdoor stoves are what the village needs to have regulated or preferably banned in accordance with his recommendation.
- Village board has agreed to a 6 month moratorium for **outdoor burning furnaces**.
- Notice will be put in the Times Herald, sent with water bills, given to Planning Board, and a copy of the resolution will be mailed to vendors of these devices.

The following correspondence was reviewed and put on file:

1. ZBA-VanDamme reports
2. ZBA-Price reports
3. ZBA minutes
4. Planning Board minutes 4/23/08, 5/12/08
5. K-9 unit insurance
6. State of Dept. of Public Service-commission proceedings
7. State of NY Department of Health-Drinking Water State revolving fund
8. State of NY Unified Court System-grant award \$20,499.48
9. Time Warner Cable-Switched Digital Video
10. Time Warner Cable-cable changes
11. Foster's Club Paradise-liquor license renewal
12. City of Olean-Regional Water/Sewer Authority meeting, 1/6/09, 4:00 pm

- Chief Papasergi and Trustee Fortuna will further examine K-9 unit. (Portville currently has a unit)
- Winter tires for the 2009 Crown Victoria are needed as some police officers report that the vehicle is difficult to handle. Lance will look into purchasing 2 used rims and tires.
- Lance stated that the Underground Injection Control Program information received from the USEPA was faxed to Amy at GES today. He will wait to hear from her before proceeding.
- Richard Peck has a certified clean-up business for the possible work to be done regarding Underground Injection Control Program.
- Mayor Lamberson will attend Water Authority meeting at City of Olean January 6, 2009.
- Cattaraugus County Salt/Sand Facility will be further studied before agreeing to apply for grant with county.
- Mayor Lamberson will contact Legislator Boser regarding wholesale gas purchases through the county.
- Town of Allegany Fire Commissioners will pay the village portion of the tower antenna for the police radio at the new fire hall in exchange for the time and material supplied by village personnel for the pictures taken during all phases of construction of the fire hall.
- River Park Sale to town-town will be responsible for surveys, locates, maintenance (including mowing and garbage removal), winterizing, etc.
- Fence installed by property owners at 31 North 5th was approved by CEO Jobe and Supt. Papasergi. The village has a 50 foot right of way and they measured it and the fence location was acceptable.
- Clerk to put a notice in the water bills about the dog ordinance.

RESOLUTION #2008-201

ACCEPT MODIFIED ZONING PERMIT APPLICATION

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to accept the modified zoning permit application. Permit application will be effective for use immediately. Aye-all. Nay-none.

RESOLUTION #2008-202
ACCEPT SUBCON JANITORIAL CONTRACT FOR 2009

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to accept the SubCon Janitorial Contract for 2009 for \$235.00 per month. Aye-all. Nay-none.

RESOLUTION #2008-203
IMPOSE A TEMPORARY MORATORIUM FOR OUTDOOR BURNING FURNACES

On motion made by Trustee Rzepka, second by Trustee Gleason resolved to impose a temporary moratorium (six months) in order to further study the installation and regulation of outdoor wood burning furnaces. Aye-all. Nay-none.

RESOLUTION #2008-204
DEDICATE WATER PRESSURE BUILDING AT WALMART

On motion made by Trustee Gleason, second by Trustee Fortuna resolved to dedicate the Water Pressure Building at the expanded Wal-Mart facility as the Superintendent of Public Works has determined that the additional work requested is acceptable. Aye-all. Nay-none.

RESOLUTION #2008-205
DEDICATE MEETING TO PAMELA WITHERS

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to dedicate this evenings meeting to Deputy Clerk Pamela Withers for her endless dedication to her position and resolve in successfully obtaining grant money in various departments for the Village of Allegany. Aye-all. Nay-none.

RESOLUTION #2008-206
APPROVE COMPENSATION TIME

On motion made by Trustee Gleason, second by Trustee Fortuna agreed to pay accumulated compensatory time to employees with the last pay of the year. Aye-all. Nay-none.

RESOLUTION #2008-207
VACATION/PERSONAL DAY CARRY-OVER

On motion made by Trustee Gleason, second by Trustee Rzepka resolved to carry over unused vacation time/personal time for the following positions:
Superintendent/Police Chief: 13 vacation days

Sergeant: 1 personal day
Clerk Treasurer: 1 vacation day
Deputy Clerk: 1 ½ vacation days
Code Enforcement Officer: 1 vacation day, 1 personal day
Aye-all. Nay-none.

RESOLUTION #2008-208
ADJOURN MEETING

On motion made by Trustee Rzepka, second by Trustee Fortuna resolved to adjourn meeting at 9:12 pm. Aye-all. Nay-none.

Respectfully submitted,

Rena Flynn
Clerk Treasurer