

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE HELD ON OCTOBER 9, 2008 AT 7:00 PM IN THE TRUSTEES ROOM OF THE MUNICIPAL BUILDING, 156 NORTH MAIN ST WELLSVILLE, ALLEGANY COUNTY, NEW YORK.**

**PRESENT:** Mayor: James Cretekos  
Trustees: Laurie Hennessy, Judy Lynch, and Tink LaForge  
DPW Dir: William Whitfield  
Village Atty.: Dan Synakowski

**ABSENT:** Trustee Jamie Herman  
Police Chief Steve Mattison

**VISITORS:** Jim Close, and Brian Quinn

The meeting opened with the pledge to the flag.

Mayor Cretekos called the meeting to order and announced the first order of business would be the approval of the minutes of the previous regular meeting held on September 22, 2008. **Motion made to accept the minutes by Trustee Hennessy with a second by Trustee Lynch the minutes were approved as presented.**

The Mayor opened the meeting for public comments.

1. Mr. Close indicated that he has noticed a significant deterioration of water quality at his home over the past six months. He wanted to know if this is a general condition throughout the Village or an isolated case. Bill Whitfield assured Mr. Close that the quality of the Village water supply is as high currently as it has been for many years. Mr. Whitfield indicated that he would have Village personnel test Mr. Close's tap water and see if there is any problem at his residence.
2. Mr. Close voiced his concern regarding the generally poor condition of many of the sidewalks within the Village. He desired to know what the current policy and procedures were to address these conditions. Bill Whitfield provided Mr. Close with a detailed overview of the current program that the Village is implementing to address these situations.

**MAYOR'S BUSINESS:**

1. Mayor Cretekos requested a motion to approve the adoption of Local Law No. 4 of the Year 2008. **On a motion by Trustee LaForge and second by Trustee Lynch the adoption passed unanimously.**
2. Mayor requested approval of the following resolutions;

**Allegany County Tobacco Control Program  
Young Lungs at Play Resolution**

**WHEREAS, smoking is responsible for the premature deaths of over 430,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases; and**

**WHEREAS, secondhand smoke is responsible for over 50,000 deaths among nonsmokers each year; and**

**WHEREAS, tobacco kills more Americans each year than alcohol, cocaine, crack, heroin, homicide, suicide, accidents, fires and AIDS combined; and**

**WHEREAS, 80% of smokers started smoking before the age of 18, and the average initiation age is 12 years old; and**

**WHEREAS, every year in New York an estimated 24,900 young people under the age of 18 begin smoking and one-third of these children will die prematurely from tobacco related illnesses; and**

**WHEREAS, the 2006 U.S. Surgeon General's report states, the scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke; and**

**WHEREAS, Allegany County Tobacco Control Program is collaborating with town and municipalities in Allegany County to model healthier behaviors for our children;**

**NOW, THEREFORE, the Village of Wellsville Board of Trustees resolves as follows:**

**That the playground located at Island Park in the Village of Wellsville, New York be designated as a tobacco-free zone. Appropriate signage will be posted designating it as a tobacco-free zone.**

**REALITY CHECK  
RESOLVED! A RESOLUTION  
Supporting smokefree movies...**

**WHEREAS, tobacco use is the leading cause of preventable death and disability in the United States; and**

**WHEREAS, youth age 12-20 are one-sixth of the U.S. population, but buy one-quarter of all movie tickets; and**

**WHEREAS, most U.S. movies with tobacco imagery are rated G, PG or PG-13, and three quarters of all U. S. live-action films rated PG-13 and 40 percent of films rated G or PG released 1999-2005 feature tobacco; and**

**WHEREAS, exposure to smoking in movies is the primary influence on half of all new adolescent smokers; and**

**WHEREAS, each year an estimated 390,000 teens start smoking because of exposure to smoking in movies and 120,000 will die prematurely as a result; and**

**WHEREAS, the tobacco industry has had a long, documented history of promoting tobacco use and particular brands on screen, while obscuring its true role; and**

**WHEREAS, the U.S. Centers for Disease Control and Prevention in 2002, 2003 and 2005 listed smoking in movies as a primary reason why the decline in teen smoking rates has stalled; and**

**WHEREAS, the World Health Organization, American Medical Association, National PTA, American Heart Association, American Lung Association, American Legacy Foundation, American Academy of Pediatrics, American Academy of Allergy, Asthma, and Immunology, Society for Adolescent Medicine, L.A. County Department of Health Services and others endorse getting smoking out of movies rated G, PG and PG-13;**

**NOW, THEREFORE be it resolved that the Board of Trustees of the Village of Wellsville, New York endorses the four objectives of the Smoke Free Movies campaign:**

**Rate new smoking movies “R”, with the sole exceptions being when the tobacco presentation clearly and unambiguously reflects the dangers and consequences of tobacco use or is necessary to represent smoking of a real historical figure; (2) require producers to certify on screen that no one on the production received anything of value in consideration for using or displaying tobacco; (3) require strong anti-smoking ads before any movie with tobacco use, regardless of rating; (4) stop identifying tobacco brands.**

**RESOLUTION IN SUPPORT  
REALITY CHECK’S RETAIL TOBACCO ADVERTISING CAMPAIGN**

**WHEREAS, in New York State alone the tobacco industry spends \$516 million annually to market its deadly products; and**

**WHEREAS, every day another 4,000 American children start to smoke, and another 2,000 become regular, daily smokers; and**

**WHEREAS, 75% of youth shop in a convenience store at least once a week; and**

**WHEREAS, tobacco advertising in retail stores has a powerful influence on teens who are significantly more likely to smoke due to advertising than they are due to peer pressure; and**

**WHEREAS, children are more likely than adults to notice and remember tobacco advertising; and**

**WHEREAS, nearly 90% of adult smokers started smoking before they were 18 years old; and**

**WHEREAS, retail stores are a integral part of our community;**

**NOW, THEREFORE, be it resolved that the Village of Wellsville, New York Board of Trustees supports Allegany County Reality Check in their campaign to raise awareness of the prevalence and impact of tobacco advertising and promotion with parents and local retailers; and**

**BE IT FURTHER RESOLVED** that the Village of Wellsville, New York Board of Trustees supports reducing, rearranging or eliminating tobacco advertisements in the retail setting to protect the health and wellness of Allegany County youth.

**BE IT FURTHER RESOLVED**, because there are still many magazines in the school libraries that contain tobacco advertisements, the Village of Wellsville, New York Board of Trustees supports efforts by Reality Check and the Attorney General to limit tobacco company access to youth by eliminating tobacco advertising in all editions of all magazines in schools.

**BE IT FURTHER RESOLVED**, because Ebony, Essence, Jet, Outdoor Life, Field and Stream, and Popular Science are carried in so many school libraries, these magazines should be included in the tobacco advertisements free arrangement immediately.

**On a motion made by Trustee LaForge and second by Trustee Hennessy all three resolutions were unanimously approved.**

3. Mayor Cretekos requested a public hearing be scheduled to hear comments regarding the Local Law No. 5 of the Year 2008 pertaining to 'A local law allowing the alternate exemption from Village taxation to veteran's', on October 27, 2008 at 6:45 pm. **On a motion made by Trustee LaForge and second by Trustee Lynch the request was approved unanimously.**

**TRUSTEES BUSINESS:**

**HERMAN:** 1. Not in attendance.

**HENNESSY:** 1. Nothing at this time.

**LYNCH:**

1. Made a motion that an additional parking space in front of the library be designated a handicapped space adjacent to the existing handicapped space. The motion was seconded by Trustee LaForge and the request was approved unanimously.

**LAFORGE:**

1. Requested that we check on the cost of purchasing the necessary additional fencing to replace the temporary fence that is in place in front of Giant Food Mart along the Route 417 right-of-way.
2. Made the observation that there are currently only four (4) vacant storefronts on Main Street.

**DEPARTMENT REPORTS:**

**FIRE DEPARTMENT:**

1. No new business to present.

**POLICE:**

1. Nothing at this time

**DPW:**

1. Director Whitfield indicated he had a legal issue to discuss in Executive Session.
2. Request for a 2008-2009 budget modification to account F8340.465 by \$6,509.93 to cover the costs of Williams Avenue capital improvement project pavement restoration. The overage is due to the cost of blacktop increasing threefold since the time the original cost estimates were obtained for the project. On a motion made by Trustee Hennessy and second by Trustee LaForge the modification was approved unanimously.
3. Director Whitfield informed the board that the arterial bridge is scheduled to open on October 10<sup>th</sup>.
4. Director Whitfield informed the board that the DOT will begin milling State Street the week of October 13<sup>th</sup>.

**CLERK TREASURER:**

1. Requested approval for the following current vouchers listed in Abstract #8 dated October 9, 2008 to be paid as reviewed by the Trustees. **Motion made by Trustee Herman seconded by Trustee LaForge to pay bills in the total amount as follows ;**

<u>Abstract #8:</u>			
Fund A	\$ 24,977.25	Vouchers	346 to 396
Fund CT	22,648.36		112 to 14
Fund EE	15,831.59		184 to 210
Fund F	22,884.60		181 to 222
Fund G	5,181.73		178 to 205
Fund R	2,018.14		50 to 53
Fund TA	<u>1,149.12</u>		8
Total	<u>\$ 94,690.79</u>		

2. Requested approval to encumber the net unused proceeds of the 2007A Retention and Drainage Bond Issue in the amount of \$84,350.00. **On a motion made by Trustee LaForge and second by Trustee Hennessy the encumbrance was unanimously approved.**
3. Requested approval of the following budget modifications; Total Public Safety = \$47,374.34, Total Transportation = \$13,893.70, and Total Debt Service = \$79,189.00. **On a motion made by Trustee LaForge and second by Trustee Hennessy the modifications were approved unanimously.**

Mayor Cretekos requested that the Board move into Executive Session to discuss a legal matter. **On a motion by Trustee LaForge and second by Trustee Lynch the Board moved into Executive Session at 7:30pm.**

Mayor Cretekos requested that the Board move from Executive Session to Regular Session. **On a motion by Trustee LaForge and second by Trustee Hennessy the Board moved back into Regular Session at 7:50pm.**

**With no further business the meeting was adjourned on a call by Mayor Cretekos at 7:50 pm.**

Respectfully submitted,

Darrell Caldwell  
Village Clerk/Treasurer