

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE HELD ON JANUARY 14, 2008 AT 7:00 PM IN THE TRUSTEES ROOM OF THE MUNICIPAL BUILDING, 156 NORTH MAIN ST WELLSVILLE, ALLEGANY COUNTY, NEW YORK.

PRESENT: Mayor: Bradley Thompson
Trustees: Jesse Case, Laurie Hennessy, Judy Lynch, and Tom Hayden
Chief of Police: Steven Mattison
DPW Director: William Whitfield
Village Attorney: Dan Synakowski

ABSENT: NONE

VISITORS: Kathryn Ross, Barb Graves, Steve Havey, Bob Insley, Mike Raptis, Peter Brown, Larry Kingsley, and Billy Braun..

The meeting opened with the pledge to the flag.

Mayor Thompson called the meeting to order and announced the first order of business would be the approval of the minutes of the previous regular meeting and special public hearing held on December 10, 2007. **Motion made to accept the minutes by Trustee Hayden with a second by Trustee Case the minutes were approved as presented.**

At this time the Mayor opened the floor to Steve Havey.

Mr. Havey, Executive Director of the Wellsville Chamber of Commerce mentioned a desire on the part of numerous Restaurant Owners in the Village to enter into an arrangement whereby the Village would provide their business with commercial garbage pick-up. Due to the rising cost being incurred through the independent haulers contracts with the businesses the owners are looking at more economical sources.

Bob Insley, Mike Raptis, and Peter Brown indicated they were willing to purchase the dumpsters to save the Village that large up-front cost if that would help in the determination of the feasibility. There being an estimated total of 89 potential commercial accounts the more that would indicate a desire to have the Village provide the service the lower the cost would be to each business.

Bill Whitfield presented an initial analysis showing that the cost per pick-up would be approximately \$111.20 based on an estimate of there being 49 commercial accounts, previously serviced by the Village, generating approximately 1,300 tons of refuse annually. Mr. Whitfield indicated that certainly more refinement would need to be done as more accurate information was received. The restaurant owners present indicated that if the charge were to be the \$111.20 per load they would not have an economic reason to shift to the Village service.

The Mayor indicated a desire for the Village to assist local businesses in controlling their operating costs, but the ultimate decision has to be based on the economic feasibility for the Village. The Mayor asked Steve and the Chamber to canvas the membership and determine what actual interest exists within the business community for the Village to

once again offer this service. The Trustees also indicated their commitment to helping the local business if the numbers can be made to work.

MAYOR'S BUSINESS:

1. The Mayor indicated receipt of notification from the Wellsville Country Club of their intent to apply for a Seasonal Liquor License to be allowed to sell beer at the Snack Shop on the golf course.
2. The Mayor requested approval of the following resolution;

BE IT RESOLVED that the Village of Wellsville General Election will be held on March 18, 2008 with the only polling place to be located at the Wellsville VFW Post 2530, corner of East Genesee Street and Maple Avenue, Wellsville, with the hours that the polls will be open to be from 12:00 noon to 9:00 pm.

On a motion made by Trustee Lynch and second by Trustee Case the resolution was approved.

3. The Mayor requested authorization for the Wellsville Police Department to enter into a Memorandum of Understanding with the New York State University Police at Alfred State College, and for Mayor Thompson be authorized to execute the necessary documents on behalf of the Wellsville subject to review and approval by the Village Attorney. **On a motion by Trustee Hayden and second by Trustee Lynch the authorization was approved as requested.**
4. The Mayor requested approval of the following resolution;

BE IT RESOLVED that the Village of Wellsville hereby agrees to sell to the Village of Angelica one 1998 Freightliner/Altec Bucket Truck VIN 1FV6HFBA7WH919925 for the sum of \$32,500.00,

And, the Village of Angelica hereby agrees to purchase from the Village of Wellsville one 1998 Freightliner/Altec Bucket Truck VIN 1FV6HFBA7WH919925 for the sum of \$32,500.00,

Further, the Village of Angelica acknowledges that it has inspected the truck and accepts it in "as-is" condition without warranty of any kind, expressed or implied, including the implied warranties of merchantability and fitness for a particular purpose. The entire risk as to the quality and performance of the truck is with the Village of Angelica.

THEREFORE, should the truck prove defective, the Village of Angelica assumes the entire cost of all necessary servicing, repair or correction. In no event will the Village of Angelica assert any claim for liability against the Village of Wellsville, nor shall the Village of Wellsville be liable to the Village of Angelica for any damages arising out of the use or inability to use the truck.

This agreement is governed by the laws of the State of New York.

On a motion made by Trustee Lynch and second by Trustee Hayden the resolution was approved.

5. The Mayor requested approval to appoint Kathleen Osgood as Sub-Registrar and a part-time clerk for the Village of Wellsville effective immediately. This is a replacement for Elizabeth Harris-Potter who accepted a counseling position with

Genesee Valley Central School. **On a motion by Trustee Case and second by Trustee Hayden the appointment was approved.**

6. The Mayor requested approval to increase the Mileage Reimbursement Rate from the current 42.5 cents per mile to the amended rate of 50.5 cents per mile as established by the IRS effective January 1, 2008. The reimbursement will be for any personal vehicle used in the course of performing Village business. **On a motion made by Trustee Hennessy and second by Trustee Hayden the increase was approved.**
7. The Mayor requested with regret the acceptance of the resignation of Robert J. Turybury effective as of January 11, 2008. **On a motion made by Trustee Case and second by Trustee Hennessy the acceptance was approved with regret.**
8. The Mayor requested that Bill Whitfield be authorized to immediately begin the process for hiring a replacement for Mr. Turybury. **On a motion made by Trustee Case and second by Trustee Hayden authorization was approved.**
9. The Mayor requested approved of a request made by the MS Society – NYS Chapter to hold their annual MS Walk on May 4, 2008 in the Village of Wellsville. **On a motion made by Trustee Hennessy and second by Trustee Hayden the request was approved.**

TRUSTEES BUSINESS:

CASE: Nothing at this time.

HENNESSY:

1. Indicated concern that she has noticed on a daily basis that the traffic signal at Main & Fassett goes out at 6:00am. Mr. Whitfield indicated that his department was aware of the problem, apparently when the controller is timed to go from continual flashing to the full functioning traffic signal mode the internal controller does not make the change. Resolution of the problem will mean replacing the entire control unit. Since the system is close to 40 years old it is very difficult to find replacement parts. Until the new control unit is installed Village employees are manually changing the settings each morning.
2. Trustee Hennessy also requested that the Board move into Executive Session to discuss personnel and legal matters. **On a motion made by Trustee Hayden and second by Trustee Lynch the request was approved.**

LYNCH:

1. Trustee Lynch commended the DPW department for its assistance in removing the ice problem at Genesee Street & Scott Avenue over Christmas.
2. Thanks were also given to Billy Braun for his timeliness in resolving the Brooklyn Avenue clean-up.
3. Asked for a status report regarding the Code Enforcement situation – Mayor Thompson indicated that he still needed to have a discussion with Town Supervisor Fanton to determine whether it would be feasible to share the servicing as in the past or hire an individual full-time. He indicated that this would be resolved shortly.

HAYDEN: Nothing at this time.

DEPARTMENT REPORTS:

FIRE DEPARTMENT:

1. NONE

POLICE:

1. Chief Mattison requested approval for Officer Mark Bierman and Communications Tech Chris Perkins to attend the TRAC's meeting in Albany on January 30, 2008. **On a motion made by Trustee Hayden and second by Trustee Hennessy the request was approved.**
2. Chief Mattison presented to the Board the Police Department's 2007 Annual Report.
3. Chief Mattison requested that Scott Lanphier, Chad Green and Joshua Kemp be moved to permanent status of employment since they had all satisfied their probationary period. **On a motion made by Trustee Hayden and second by Trustee Case the appointments were approved.**

DPW:

1. Director Whitfield requested approval for Jeff Smith to attend MEUA Engineering Workshop in Syracuse on February 21-22, 2008 at a cost of \$75.00. **On a motion made by Trustee Lynch and second by Trustee Case the request was approved.**
2. Director Whitfield recommended the Board award the tree removal contract to Twin Trees Services. The quotes received from Twin Trees was \$3,675.00, from True Cut Tree Services was \$5,485.00, and from Cut Above \$5,625.00. **On a motion made by Trustee Hennessy and second by Trustee Hayden the recommendation was approved.**
3. Director Whitfield requested authorization for Kier Dirlam to attend the OSHA 2008 Compliance Workshop for Safety Managers on February 25, 2008 in Elmira at a cost of \$199.00. On a motion made by Trustee Lynch and second by Trustee Case the request was approved. Mayor Thompson announced that Mr. Dirlam was recently appointed the additional duties of Safety and Health Coordinator.
4. Director Whitfield presented information to the Board regarding the anticipated budget shortfalls in most of the fuel appropriations due to the escalated Fuel Costs that have been and are anticipated to continue to take place for the foreseeable future. It was noted that the Fire Department budget for fuel for this fiscal year has already been fully expended. The Mayor asked that all departments be made aware of the situation and conservation steps begin to be implemented.
5. Director Whitfield requested approval for \$10,000.00 to be taken from the Contingency Fund and used as a capital infusion for the Fuel Farm. Like amounts are being infused by the Town of Wellsville and the School District. These additional funds will be used to stabilize the Cash Flow that has been adversely impacted by the escalating fuel prices. **On a motion by Trustee Hayden and second by Trustee Lynch the request was approved.**
6. Director Whitfield advised the Board of the current status of the Madison Creek Culvert Study. Based on the study recommendations the Village must determine what course of action should be chosen and then steps put in motion to begin the remedial process. Mayor Thompson indicated he would be meeting with the

family that has experienced the lose to their garage and work out a reasonable compensation for the situation involving their garage. It is understood that whatever option of remediation the Village chooses to select, the funding would have to come from bond financing.

CLERK TREASURER:

1. Mayor Thompson requested approval for the following current vouchers listed in Abstract #14 dated November 15, 2008 to be paid as reviewed by the Trustees.
Motion made by Trustee Hayden seconded by Trustee Hennessy to pay bills in the total amount as follows;

Fund A	\$103,126.72	Vouchers	518 to 621
Fund CC	50.00		1
Fund CS	500.00		31
Fund CT	20,324.80		20 to 22
Fund E	158,927.75		205 to 253
Fund F	17,523.58		219 to 272
Fund G	39,570.57		227 to 294
Fund R	5,931.81		51 to 65
Fund TA	<u>1,074.48</u>		4
Total	<u>\$347,029.71</u>		

2. (2008 Year-end Adjustment) Mayor Thompson requested approval to increase the appropriation for A9040.800 Employee Benefits – Workers Compensation by \$3,303.00 to cover the 2008 Village Share due to the Allegany County Treasurer. It is also requested that this fund be transferred from A1990.400 Special Items – Contingency Fund to cover this adjustment. **On a motion made by Trustee Hayden and second by Trustee Case the requested was approved.**
3. (2007 Year-end Adjustment) Mayor Thompson requested approval to increase the total appropriations for the year by \$8,000.00. These funds were permanently transferred to cover unappropriated expenditures incurred with the maintenance of the Landfill. The account that will be established to reflect this transfer is A9901.9. This request is made by the Villages’ outside auditors. **On a motion made by Trustee Hayden and second by Trustee Case the request was approved.**
4. The Board reviewed a letter received from the outside auditors addressing the issue of why the submittal date to the Village of the May 31, 2006 did not reflect the actual date the report was received by the Village.
5. (2008 Fiscal Year) Mayor Thompson requested approval of the 2006-2007 Encumbrances to be included in the 2007-2008 Fiscal Year Budget prior to closing the 2006-2007 Fiscal Year-End. This will only take place if there are available appropriations still remaining. **On a motion made by Trustee Hayden and second by Trustee Hennessy the request was approved subject to there being appropriated funds still available to use.**

Meeting was adjourned on a motion by Trustee Hennessy and second by Trustee Case to move into executive session at 8:09 pm.

The Executive Session adjourned at 9:10 pm on a motion by Trustee Hennessy and second by Trustee Lynch.

On the call of Mayor Thompson the regular meeting was adjourned at 9:10 pm.

Respectfully submitted,

Darrell Caldwell
Village Clerk Treasurer