

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE HELD ON FEBRUARY 11, 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: Susan Szczerbacki, Kathryn Ross, and Barb Graves

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 January 28, 2008. **Motion made to accept the minutes by Trustee Hennessy with a second by Trustee Hayden the minutes were approved as presented.**

At this time the Mayor opened the floor to Susan Szczerbacki.

Mrs. Szczerbacki presented an overview of a planned 28 unit housing development for income eligible families assisted by the New York State Housing Trust Fund Corporation. The new development is to be located on land currently owned by Chad Whitford at the corner of Seneca and Howard Streets adjacent to the Highland Manor Nursing Home.

The project will have a total cost of approximately \$4 million and is anticipated to begin in the spring of 2008. Part of the requirements for this project includes having the Village of Wellsville approve a Property Tax Exemption for the project similar to what has been approved and put in place with the other similar projects completed in the Village of Wellsville. The exemption calls for the land assessed value to be fully taxed, and the improvements to be included based on a Payment In Lieu of Tax schedule per unit within the project with the Village receiving 58% of the established payment per unit.

The Mayor thanked Mrs. Szczerbacki for presenting to the Board the overview regarding the planned new 28 unit housing development to be located at the corner of Seneca and Howard Streets. He stated that the Board was desirous of assisting in bringing more affordable housing to Wellsville and appreciated everything that Alfred Housing Committee, Inc. has been associated with to-date. He requested approval of the project and support of the tax exemption agreement with authorization for the Mayor and Village Treasurer to execute the necessary documentation subject to the review and positive recommendation of the Village Attorney. **On a motion by Trustee Hayden and second by Trustee Hennessy the approval was given.**

MAYOR'S BUSINESS:

1. The Mayor requested approval of the appointment of Rose Dahar, 162 School Street as an Election Inspection for the March 18th Village Election as a replacement to Lorraine Chaffee. **On a motion made by Trustee Hayden and second by Trustee Hennessy the request was approved.**
2. The Mayor requested approval to establish MBIA Asset Management – Municipal Investors Service Corporation, 113 King Street, Armonk, NY as an approved depository for the Village of Wellsville and its investment funds. **On a motion made by Trustee Hennessy and second by Trustee Lynch the request was approved.**
3. The Mayor requested approval of the following Municipal Cooperation Resolution;

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (“Section 119-o”) empowers municipal corporations (defined in Article 5-G, Section 119-n to include school districts boards of cooperative educational services, counties, cities, town and villages) and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the Village of Wellsville, wishes to invest certain of its available investment funds in cooperation with other corporations and/or districts pursuant to a municipal cooperation agreement;

WHEREAS, the Village of Wellsville, wishes to assure the safety and liquidity of its funds;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Village of Wellsville Clerk/Treasurer is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of the VILLAGE OF WELLSVILLE.

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

4. The Mayor requested approval of the May 31, 2007 State Audit Report as amended and submitted to the State Comptroller’s office. On a motion made by Trustee Case and second by Trustee Hayden the request was approved.
5. The Mayor requested approval to move into Executive Session to discuss a legal and personnel matter. On a motion made by Trustee Hennessy and second by Trustee Lynch the request was approved.
6. The Mayor requested approval of the following resolution;

**RESOLUTION APPROVING AGREEMENT
WITH REDEVELOPMENT COMPANY**

WHEREAS, Wellsville-Seneca Housing Co., L.P. (the “Company”) has been duly created and is existing as a redevelopment company pursuant to Article 5 of

the Private Housing Finance Law of the State of New York (the Redevelopment Companies Law “RCL”); and

WHEREAS, the Company has submitted to this Village Board a proposed form of contract between the Village of Wellsville, the Town of Wellsville and the Company relating to tax exemption of real property located in the Town and Village of Wellsville to be transferred to the Company, said proposed form of contract is in the form of Schedule “A” annexed hereto; and

WHEREAS, the Village Board believes that the terms and conditions of the proposed form of contract are in the best interest of the Village of Wellsville and the Town of Wellsville, New York.

NOW, THEREFORE, be it resolved by the Village Board of the Village of Wellsville, a body politic, a lawful quorum of which is duly assembled, as follows:

1. That the Mayor of the Village of Wellsville be and the same hereby is authorized to execute and deliver the said contract in substantially the form of Schedule “N” annexed hereto as approved by the Village Board at this meeting, and the Village Clerk is hereby authorized and directed to thereafter affix the seal of the Village of Wellsville thereto and attest the same.
2. That it is found and determined that all formal actions of the Village Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village Board and that all deliberations of the Village Board and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements.

THIS RESOLUTION shall be in full force and effect from and after its passage in accordance with the regulations of this Village Board.

On a motion by Trustee Hayden and second by Trustee Case the resolution was approved unanimously, subject to the review and acceptance by the Village Attorney.

7. The Mayor requested approval of the following Certificate of Approval of Supervising Agency; and authorization for the Village Treasurer to execute same,

WHEREAS, Article 5 of the Private Housing Finance Law of the State of New York (the “Act”) provides for the creation of Redevelopment Companies; and

WHEREAS, the Partners of Wellsville-Seneca Housing Co., L.P. a Limited Partnership organized pursuant to the Partnership Law of the State of New York (the “Company”), have submitted to the undersigned for filing, the Limited Partnership Agreement and Certificate of Limited Partnership of the Company and a Certificate of Creation of a Redevelopment Company; and

WHEREAS, the undersigned has reviewed the Agreement and Certificate of Limited Partnership and the Certificate of Creation of a Redevelopment Company; and

WHEREAS, the Company has made known its intention to acquire certain real property in the Village of Wellsville, New York as more particularly described in Schedule "A" annexed hereto; and

WHEREAS, the undersigned has determined that such acquisition is necessary and convenient for the public purpose; and

WHEREAS, the Company has submitted to the undersigned a plan for the development, construction and operation, on the real property described in Schedule "A", of 28 units of housing for income eligible families (the "Project"), assisted by the New York State Housing Trust Fund Corporation; and

WHEREAS, the undersigned has reviewed the plan for the Project submitted by the Company; and

WHEREAS, the Village Board of Wellsville has duly passed a Resolution approving the creation of Wellsville-Seneca Housing Co., L.P.

NOW THEREFORE, the undersigned hereby certifies that:

1. Consent is given to the filing of the Certification of Creation of a Redevelopment Company submitted by Wellsville-Seneca Housing Co., L.P. and the same is hereby filed.
2. It is determined that the acquisition of certain real property located in the Village of Wellsville, New York as more particularly in Schedule "A" annexed hereto, to necessary and convenient for the public purpose.
3. The Plan and Project submitted by the Company conforms with the provisions and purposes of the Act.

On a motion made by Trustee Hayden and second by Trustee Case the certificate of approval was approved unanimously, subject to review and acceptance by the Village Attorney.

TRUSTEES BUSINESS:

CASE: 1) Requested approval adopt New York State Department of Transportation's recommendation to establish Route 19 through the Village of Wellsville as part of the "Bike Route". The Local Law will be required to be changed if the Village Attorney does not find any reason for the Village to decide not to adopt the recommendation. **On a motion made by Trustee Hennessy and second by Trustee Lynch the approval was given subject to the review and acceptance by the Village Attorney.**

HENNESSY: 1) Inquired as to the status of the Board being supplied with regular financial reports. The Village Clerk indicated that based on the current status of bringing the accounting software current it is hoped that current financial reports will begin to be provided at the next Board meeting.

LYNCH: 1) Asked about the status of the Retention Pond situation. The Village Attorney indicated that he had been given an estimate of between \$500.00 and \$750.00 to have a formal assessment completed. The Board indicated unanimously that the assessment work needed to proceed and that the cost estimate was acceptable.

HAYDEN: 1) Requested that Bill Rech be added to Dyke #2 active roll, and Nathan Ost, Dan Gleason, David Giest, and Dave Langer be added to McEwen #4 active roll. On a motion made by Trustee Lynch and second by Trustee Case the additions were approved. 2) Requested that Melinda Lang (Mills) be removed from McEwen #4 active roll. **On a motion made by Trustee Case and second by Trustee Lynch the request was approved.**

DEPARTMENT REPORTS:

FIRE DEPARTMENT:

1. NONE

POLICE:

1. Chief Mattison reported on his recent training received at the National Center for Missing & Exploited Children. He wished to thank the Board for allowing him to attend this most important training.

DPW:

1. Director Whitfield requested approval to award the Reservoir Pump Station Standby Generator to Cummins Northeast in the amount of \$17,112.00. The only other bid received was from R.B. U'Ren for \$16,072.13. The reason for the low bid not being accepted was due to it containing too many exceptions to the bid specifications. The payment for the generator will come from IEEP. **On a motion made by Trustee Hennessy and second by Trustee Hayden the request was approved.**
2. Director Whitfield requested authorization to hire Adam Orpet – probationary – Sanitation Worker – Grade 6, Entry Level at \$13.44/hr to start February 19th. **On a motion made by Trustee Hennessy and second by Trustee Hayden the request was approved.**
3. Director Whitfield requested approval for a Leave of Absence (without pay) for a 2-week period for Sebastian Dunne, between April 16th and May 6, 2008 to go on a Missionary trip to Zambia. **On a motion made by Trustee Case and second by Trustee Hayden the request was approved.**
4. Director Whitfield announced that the garbage collection scheduled for Monday, February 18th will be held on Tuesday, February 19th due to the 18th being a holiday.

CLERK TREASURER:

1. Mayor Thompson requested approval for the following current vouchers listed in Abstract #16 dated February 12, 2008 to be paid as reviewed by the Trustees.
Motion made by Trustee Case seconded by Trustee Hayden to pay bills in the total amount as follows;

Fund A	\$ 46,476.55	Vouchers	673 to 713
Fund EE	177,129.30		273 to 296
Fund F	9,772.14		297 to 318
Fund G	10,020.84		319 to 342
Fund R	<u>4,049.56</u>		74 to 78
Total	<u>\$247,448.39</u>		

2. Clerk Caldwell presented to the Board a status report on the 2008 financials and the 2009 budget preparation. It is hoped that both items will be available for review by the Board at the next meeting.

Meeting was adjourned on a motion by Trustee Hemessy and second by Trustee Lynch to move into executive session at 7:55 pm.

The Executive Session adjourned at 8:45 pm on a motion by Trustee Hayden and second by Trustee Lynch.

On the call of Mayor Thompson the regular meeting was adjourned at 8:45 pm.

Respectfully submitted,

Darrell Caldwell
Village Clerk Treasurer