

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE HELD ON May 26, 2009 AT 7:00 PM IN THE TRUSTEES ROOM OF THE MUNICIPAL BUILDING, 156 NORTH MAIN STREET, WELLSVILLE, ALLEGANY COUNTY, NEW YORK

PRESENT: Deputy Mayor: Judy Lynch
Trustees: Laurie Hennessy, Jamie Herman, and Tink LaForge
DPW Dir: William Whitfield
Police Chief:
Village Atty:

ABSENT: James Cretkos, Steve Mattison, and Dan Synakowski

VISITORS: Brian Quinn, and Bill Cavanaugh

The meeting was opened with Clerk Caldwell leading the assembled in the Pledge of Allegiance.

Deputy Mayor Lynch called the meeting to order and announced the first order of business would be the approval of the minutes of the previous regular meeting. **Minutes were unanimously approved on a motion by Trustee LaForge and second by Trustee Hennessy.**

The Deputy Mayor opened the meeting for public comments.

1. No comments.

MAYORS BUSINESS:

1. **Made motion for a waiver of the Open Container Law during the ‘Block Party’ on July 11, 2009 from 8:00pm to 1:00am, seconded by Trustee LaForge and approved unanimously.**
2. Thanked the James and Mary Ellen Hennessy family for donating the flag that is currently flying over the Municipal Building. This flag draped the casket of their son Patrick Hennessy during his military funeral.
3. Thanked the police and all volunteers for their investment of time and effort to make the Memorial Parade a safe and successful event.
4. Requested Executive Session for personnel issue.

TRUSTEES BUSINESS:

HERMAN:

- 1) Requested status of Village Court fees and was informed that it appeared that more fees were remaining with the Village,
- 2) O’Connor Street resident’s request that a Children at Play sign be posted to alerted traffic,
- 3) Request from the Fire Department that the ceiling tile in their meeting rooms be replaced due to past water damage. Bill Whitfield will look at what can be done when the new fiscal year has started,

- 4) the FAST team is requesting that they be allowed to use Village owned property (homes) for training purposes, as long as the Village Attorney has no problem with request, and 5) Inquired regarding whether or not the Village could pay back any excess BAN funds prior to their maturity, the Clerk will check but it is believed that repayment can only be made at time of maturity.

HENNESSY:

- 1) Indicated that Miller Street is in need of patching of pot holes. Bill Whitfield indicated that as soon as the new fiscal year starts the patching will take place.

LYNCH: Nothing additional.

LAFORGE:

- 1) **Made a motion to have Evans Electronics taken off of the approved vendor list for the Village, seconded by Trustee Hennessy. During the discussion of this motion it was mentioned that it might be better to indicate to the vendor that past actions that they took were unacceptable and that if this type of behavior happened again they would be removed from the approved vendor list. The motion was defeated on a three to one vote.**

DEPARTMENT REPORTS:

FIRE REPORT: None

POLICE REPORT: None

DPW:

1. **Request approval of the Municipal Resolution regarding the Green Innovation Grant Program for 2009. On a motion by Trustee Herman and second by Trustee LaForge the resolution was approved unanimously.**
2. **Request approval to award General Line Construction Material bids as follows:**
 - i. **Gottogo Electric - \$3,933.92**
 - ii. **Hull Electric - \$1,042.00**
 - iii. **Stuart C. Irby Co. - \$19,981.68**
 - iv. **Maynard Electric - \$4,285.98**
 - v. **Wesco - \$6,207.68**

On a motion by Trustee Herman and second by Trustee LaForge the bid awards were approved.
3. **Request approval to award the Ferric Chloride bid to – Kemira Water Solutions, Inc. @ \$522/dry ton delivered. On a motion made by Trustee Herman and second by Trustee LaForge the bid award was approved.**
4. **Request approval to award the fuel bids to – NOCO Energy Corp. – Unleaded @\$1.799, Diesel @\$1.6349, and Winter Blend @\$1.7251; on a motion by Trustee Herman and second by Trustee LaForge the fuel bids were accepted and awarded.**
5. **Request authorization to hire Kevin Walsh as a Summer Intern for the Electric Department starting June 1, 2009 @ \$8.50/hr. On a motion by Trustee LaForge and second by Trustee Herman the hiring was approved.**

6. Request approval to award the sidewalk repair/replacement bid to The L.C. Whitford Co., Inc. in the amount of \$39,019.50. On a motion by Trustee LaForge and second by Trustee Hennessy the bid was awarded.
7. Request approval of resolution authorizing the Deputy Mayor to sign documents allowing the Village of Wellsville to obtain 6MW of Fixed Price Transmission Congestion Charges from NYISO for a period of 10 years as recommended by NYMPA. On a motion by Trustee Herman and second by Trustee LaForge the resolution was approved.

CLERK/TREASURER:

1. Request approval of the vouchers as listed in Abstract #22 dated May 11, 2009, on a motion by Trustee LaForge and second by Trustee Hennessy the current vouchers were approved as follows:

| <u>Fund</u> | <u>Amount</u> | <u>Vouchers</u> |
|-------------|-------------------|-----------------|
| A | \$16,061.69 | 1085 – 1110 |
| CT | \$12,034.19 | 43 - 46 |
| EE | \$125,821.69 | 530 – 555 |
| F | \$9,109.45 | 575 – 589 |
| G | \$2,801.25 | 564 – 575 |
| R | \$ 643.08 | 145 – 146 |
| TA | <u>\$1,354.27</u> | 27 - 28 |
| Total | \$167,825.62 | |

2. Request acceptance and approval of the April 30, 2009 Treasurer Report and Year-to-Date financials. On a motion by Trustee LaForge and second by Trustee Hennessy the reports were accepted and approved.
3. Request approval of VCM Associates, Inc. as the Plan Administrator for the Deferred Compensation Plan for Employees of Village of Wellsville based on the fee structure that has been provided to the Village. On a motion by Trustee Herman and second by Trustee LaForge the request was approved.
4. Request approval of Resolution to Amend and Restate the Model Plan of the Deferred Compensation Plan for Employees of Village of Wellsville effective December 7, 2007 (copy attached). On a motion by Trustee Hennessy and second by Trustee LaForge the resolution was approved.
5. Request approval of the Resolution naming the Village Clerk/Treasurer and the Village Attorney as trustees of the Deferred Compensation Plan for Employees of Village of Wellsville (copy attached). On a motion by Trustee LaForge and second by Trustee Herman the resolution was approved.
6. Request approval of payment of \$1,250.00 from the proceeds of the Sidewalk BAN sale on 3/25/09 to Municipal Solutions, Inc. for their services in connection with the sale, and authorize the transfer of \$1,250.00 from the Capital Fund to the General Fund to make the

payment. On a motion by Trustee LaForge and second by Trustee Herman the payment and transfer were approved.

- 7. Request approval of the budget modifications per attached list. On a motion by Trustee LaForge and second by Trustee Hennessy the request was approved.**

On a motion by Trustee LaForge and second by Trustee Herman the board voted to move into Executive Session to discuss personnel and contractual issues at 7:39pm.

Deputy Mayor Lynch requested that the Board move from the Executive Session to Regular Session. On a motion by Trustee Hennessy and seconded by Trustee Herman the Board moved back into Regular Session at 8:55 PM.

A motion was made by Trustee LaForge and seconded by Trustee Herman to create a new Civil Service middle management non-union salaried position to assist with supervision of the water and sewer division of the Public Works Department. The motion was approved unanimously.

A motion was made by Trustee Herman and seconded by Trustee LaForge to approve the Steps & Grade adjustments as of June 1, 2009 for the eligible Department of Public Works employees. The motion was approved unanimously.

Trustee Herman made a motion to adjourn the meeting and seconded by Trustee LaForge at 9:00pm.

Respectfully submitted,

Darrell Caldwell
Village Clerk/Treasurer