

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE HELD ON JULY 13, 2009 AT 7:00 PM IN THE TRUSTEES ROOM OF THE MUNICIPAL BUILDING, 156 NORTH MAIN STREET, WELLSVILLE, ALLEGANY COUNTY, NEW YORK

PRESENT: Mayor: James Cretekos
Trustees: Judy Lynch, Jamie Herman, Laurie Hennessy, and Tink LaForge
DPW Dir: William Whitfield
Police Chief: Steve Mattison
Village Atty: Dan Synakowski

ABSENT: None

VISITORS: Brian Quinn, Jim Raptis, Ralph Eastlack, and Chris Perkins.

The meeting was opened with Trustee LaForge leading the assembled in the Pledge of Allegiance.

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, hearing no corrections the minutes were approved for filing as presented.

The Mayor opened the meeting for public comments.

1. Ralph Eastlack – Announced to the board that the 2nd Annual Ron Thompson Memorial Dice Run would be held at Island Park on July 18, 2009 and will include a 104 mile classic car and motorcycle County ride with a Beef on Wick dinner following at the park. The Town has already given its approval for the event and Mr. Eastlack was just providing the Village Board with a heads on. The Board thanked Mr. Eastlack for his efforts.
2. Jim Raptis – Spoke to the board regarding the lack of signs within the Village directing visitors to the Municipal Parking Lot off of Madison Street. He indicated that he feels that due to the limited parking in the business district, especially during the summer months, that any assistance that can be provided to our visitors would be appropriate. The Board agreed and instructed Mr. Whitfield to proceed with the necessary work to place the signage in the appropriate locations.

MAYORS BUSINESS:

1. Notification has been received from the American Legion Post 702 of their intent to renew their liquor license scheduled to expire on August 31, 2009.
2. **Request approval to prepay \$150,000.00 of principal on the 2009 Sidewalk BAN to save the interest expense on the funds which will not be used. The prepayment will incur a ‘breakage fee’ of approximately \$1,070.00. On a motion by Trustee Herman and second by Trustee Hennessy the request was approved unanimously.**
3. **Request for a Joint Hearing of the Town and Village Boards on August 10, 2009 at 6:45pm in the Village Board Room to handle the Petition for Annexation received from William A. Cavanaugh. On a motion by Trustee LaForge and second by Trustee Herman the meeting was set.**

4. The Mayor announced that the Village will be commencing rate studies for all of the Utilities based on the fact that there has not been any studies performed in a number of years.
5. **Notification has been received from the Wellsville Creative Arts Center of their intent to renewal their liquor license which expires on July 31, 2009. They are requesting that the Village Board waive the 30-day notification requirement this one time, they apologized to the Board for this mistake and indicated it would not happen again. On a motion by Trustee LaForge and second by Trustee Hennessy the waiver was granted.**
6. Notification has been received from the Loyal Order of Moose #601 of their intent to renew their liquor license which expires on September 30, 2009.

TRUSTEES BUSINESS:

HERMAN:

- 1) Thanked Charlie Joyce and the assistance that his employees are providing the Village in cleaning up unsightly lots within the Village.
- 2) Thanked everyone involved in last weekends successful Balloon Rally Parade.
- 3) Requested Executive Session to discuss a personnel issue.

HENNESSY:

- 1) None

LYNCH:

- 1) Thanked the DPW crews for their efforts this summer in patching the Village streets.

LAFORGE:

- 1) **Made a motion to request a public hearing for August 10, 2009 for the purpose of amending the Sidewalk Café Local Law No. 5 of 2003, second was given by Trustee Herman. After considerable discussion and upon the recommendation of the Village Attorney the motion was defeated in favor of the Village Attorney receiving written responses from the Trustees on what specific changes are felt to be needed and from those he will draft a new Local Law which will then be reviewed prior to setting a date and time for the public hearing.**

DEPARTMENT REPORTS:

FIRE REPORT: 1) The Fireboard minutes for June 15, 2009 have been received and filed.

POLICE REPORT:

1. **Request approval to move Scott Lanphier to part-time Communication Tech effective July 13, 2009 due to his resignation from full-time in order to accept employment with the Allegany County Sheriff Office. On a motion by Trustee Herman and second by Trustee LaForge the request was approved unanimously.**
2. **Request authorization to us the Communication Technicians during Balloon Rally weekend for traffic control due to the lack of part-time officers available. On a motion by Trustee Herman and second by Trustee LaForge the request was approved unanimously.**
3. **Approval to advertise the employment opportunity for a Communication Technician to replace the position held by Scott Lanphier. On a motion by Trustee Herman and second**

by Trustee LaForge the request was approved unanimously with the requirement that the individual be placed on probationary status until passage of the Civil Service exam.

DPW:

1. Provide the board with an update on National Grid's position regarding the annexation of William Cavanaugh. There has not been any official word received at this point in time although National Grid admits unofficially they would not have an interest in bringing a line in to service this parcel if it is not annexed. It is hoped that word will arrive prior to the joint hearing.
2. Balloon Rally camping update from the DEC indicates that they will not recognize the dike area for camping. Liability if any problems occur will rest on the Village as owner of the property. The DEC did not commit to the possibility of them patrolling the area for violators. Since the camping has already commenced the Board feels that the best that they can do is work towards correcting the situation for next year.
3. It was brought to the Board's attention that the \$16,000.15 received from the Main Street Grant (Alfred Housing) last year and intended to be used for the ornamental lights and sidewalk brick was not spent and now is not available. The Clerk indicated to the Board that the funds were received and were intended to be used for the afore mentioned purpose, but due to the fiscal constraints on spending and the delay in ordering the material the funds were not used, and they were not specifically designated. Due to the fact that the fiscal year ended with negative operations by approximately \$100,000.00 no encumbrances can be authorized. It was indicated that if the funds are determined to be allocated then a budget modification must be approved by the Board. Based on all the information provided the Board determined that no additional expenditures would be approved for this fiscal year.

CLERK/TREASURER:

1. **Requested approval of the vouchers as listed in Abstract #3 dated July 13, 2009, on a motion by Trustee LaForge and second by Trustee Hennessy the current vouchers were approved as follows:**

Abstract #3

<u>Fund</u>	<u>Amount</u>	<u>Vouchers</u>
A	\$157,945.72	80 – 148
CT	\$ 13,841.89	4
EE	\$ 18,399.96	53 – 77
F	\$ 23,211.87	34 – 64
G	\$ 11,074.69	32 – 66
R	\$ 8,035.46	10 – 19
TA	<u>\$ 97.24</u>	2
Total	\$232,606.83	

2. **Requested acceptance and approval of 2009 fiscal year-end Budget Modifications to the General, Water, Sewer, and Refuse Funds (listing attached). The modifications are**

necessary to account for the accrued liabilities caused by the last week of payroll of Fiscal Year 2009 paid the first week of June 2009 On a motion by Trustee LaForge and second by Mayor Cretekos the request was approved.

3. Requested Executive Session for personnel and contractual issues. On a motion by Trustee LaForge and second by Trustee Hennessy the request was approved at 8:02pm.

Mayor Cretekos requested that the Board move from the Executive Session to Regular Session. On a motion by Trustee LaForge and seconded by Trustee Hennessy the Board moved back into Regular Session at 8:35 PM.

Trustee Herman made a motion to instruct the Clerk to pay Scott Lanphier for his accumulated and unused vacation time amount to 84 hours and his accumulated and unused floating holiday time amount of 64 hours. The total of 148 hours will be paid to him in his final check from the Village. The motion was seconded by Trustee Hennessy and approved unanimously.

Motion was made by Trustee Herman for two trustees to meet with the Police Union President regarding the filed grievances. The motion was seconded by Trustee LaForge and approved unanimously with the Board agreeing with the Mayors position regarding both issues.

With there not being any further business the meeting was adjourned on the call of Mayor Cretekos at 8:40pm.

Respectfully submitted,

Darrell Caldwell
Village Clerk/Treasurer