

VILLAGE OF CATTARAUGUS
14 Main Street, Cattaraugus, NY 14719

ORGANIZATIONAL MEETING

April 6, 2015 6:00 p.m.

PRESIDING: Daniel Mosier, Mayor

PRESENT: Trustees: Nicki Bradley, Richard Feuz, Walter Gunther, Thomas Patterson; Kory Gross, DPW Superintendent left 7:08 pm; Eugene Doucette, Treasurer; Rose LaQuay, Recording Secretary

VISITORS: Jason Opferbeck, Resident; Duane & Barb Opferbeck, Residents; Susie Gates, Resident; Jay William Frantz, Attorney; Robert Botsford, Resident; Rick LeFeber, Resident

CALL TO ORDER:

Mayor Mosier called the meeting to order at 6:00 p.m. Constitutional Oaths of Office were administered to Mayor Daniel Mosier, and Trustees Richard Feuz and Thomas Patterson. The pledge to the American flag was recited and roll call taken.

Resolution #1 - 2015 - 2016 DESIGNATIONS

Mayor Mosier made the following designations:

Village Clerk Undertaking:	\$100,000.00 Bond
Official Newspaper:	Olean Times Herald
Meeting Night:	2nd Monday of each month at 7:00 pm
Work-Session Night:	4th Monday of each month at 7:00 pm
Next Organizational Meeting:	April 4th, 2016 at 7:00 pm
Meeting Rules:	Based on NYCOM Handbook for Village Officials (2013) Rules of Procedure 5.1 - 5.9 as follows:

Regular Meetings

- The Mayor of the village presides at meetings of the Board of Trustees. In the Mayor's absence, the Deputy Mayor shall preside.
- The regular meeting of the Board of Trustees will be held on the 2nd Monday of each month.
- The regular meetings will commence at 7:00pm and be held in the boardroom/courtroom at village hall.

Work-Session Meetings

- The work-session meeting of the Board of Trustees will be held on the 4th Monday of each month.
- The work-session meetings will commence at 7:00pm and be held in the boardroom/courtroom at village hall.
- The work-session meetings will not allow public commentary yet allow the public to see the Board of Trustees discuss topics, new endeavors and work. The public is encouraged to attend and bring any questions and/or suggestions to regular meetings of the Board of Trustees.

Special Meetings

- Special meetings of the Board of Trustees are all those Board meetings other than regular and work-session meetings.
- A special meeting may be called by the Mayor or any Trustee upon notice to the entire Board.
- Notice may be given by telephone, in person, email or in writing at least 24hrs in advance unless an emergency calls.

Quorum

- A quorum of the Board of Trustees must be present to conduct business.
- A quorum of the five member Board of Trustees is three.
- In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

Executive Sessions

- Executive sessions will be held in accordance with Public Officers Law § 105.
- All executive sessions will be commenced in a public meeting.

Agendas

- The agenda of every meeting of the Board of Trustees will be prepared by the Clerk at the direction of the Mayor.
- The Mayor or any Trustee may have an item placed on the agenda on at least 24 hours notice.
- When possible, items for the agenda must be given to the Clerk by 4:00pm the day prior to the meeting.
- Items may be placed on the agenda at anytime, including during the meeting by a majority vote of the board.
- The agenda will be prepared and emailed to board members no later than 5:00pm the day before the meeting.
- If necessary, a supplemental agenda may be distributed at the beginning of the meeting.

Voting

- Pursuant to Village Law, each member of the Board of Trustees has one vote. The Mayor may vote on any matter, but must vote in case of a tie.
- A vote upon any question will be taken by "yes" and "no."
- When taking votes, the Clerk must record in the minutes for each Trustee whether they voted yes, voted no, abstained from voting or were absent. Abstentions and absences should not be counted as votes. Abstentions and absences are neither positive nor negative votes; they're simply no vote at all.
- For the purposes of determining whether a matter passed, the Clerk must tally the number of yes votes.
- Unless otherwise specified by state law, a majority of the totally authorized voting power of the board must vote yes for the matter to pass.

Minutes

- Minutes will be taken by the Clerk.
- Minutes must consist of a record of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.
- Minutes must include the following:
 - o Name of the Board;

- o Date, place and time of the meeting;
- o Notation of whether a board member is present or absent, and the board member's time of arrival or time of departure if different from the time the meeting was called to order and adjourned;
- o Name and title of other village officials and employees present and the approximate number of attendees;
- o Record of communications presented to the Board;
- o Record of reports made by the Board or other village personnel;
- o Time of Adjournment; and
- o Signature of Clerk or person who took the minutes if not the Clerk.

Minutes may not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board resolves to have the Clerk do so.

Minutes must be approved by the Board at the next board meeting. The minutes may be amended only upon Board approval.

Order of Business

- Call to order;
- Stand and recite "The Pledge of Allegiance;"
- Roll call;
- Approval of previous meeting's minutes;
- Public comment period
- Report of officers and committees;
 - o Police Dept/Crossing Guard
 - o Streets/DPW (Street Commissioner/Supt of Public Works)
 - o Water/Sewer
 - o Village Properties
 - o Events/Memorial Day Parade
 - o Insurance
 - o Civil Defense
 - o Youth Council
 - o Senior Citizens
 - o Parks & Trees
 - o Ambulance
 - o Planning/Zoning
 - o Code Enforcement Officer
 - o Treasurer Report
 - o Clerk/Tax Collector/Registrar Report
 - o Attorney/Legalities
 - o Historian
- Correspondence (Written & E-mail)
- Old business
- New business
- Appropriations
- Auditing (approval of abstract) and;
- Adjournment

General Rules of Procedure

- The Mayor of the village presides at meetings of the Board of Trustees. In the Mayor's absence, the Deputy Mayor shall preside.
- The Mayor of the village presides at work-session meetings of the Board of Trustees. In the Mayor's absence, the Deputy Mayor shall preside.
- The presiding officer may debate, move, make motions and take other action that other Board members may take.
- Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking.
- Motions require a second.
- A board member, once recognized, may not be interrupted when speaking unless it is to call him/her to order. If a board member, while speaking, is called to order, they must cease speaking until the question of order is determined. If the member is in order, he/she shall be permitted to proceed.
- A board member may not be limited in the number of times he/she speaks on a question.
- Motions to close or limit debate require a two-thirds vote.
- Board members will observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Guidelines for Public Comment

- The public may speak only during the meeting's Public Comment period and at any other time a majority of the Board allows.
- Speakers must be recognized by the presiding officer.
- Speakers must give their name and organization, if any.
- Speakers must limit their remarks to 3 minutes on a given topic. After everyone who wishes to speak has spoken once, the Mayor or presiding officer may grant an additional 3 minutes to a previous speaker.
- Speakers may not yield any remaining time they may have to another speaker.
- Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- All remarks shall be addressed to the Board as a body and not to individual Board members. Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Interested parties or their representatives may also address the Board by written communications.

Guidelines for Use of Recording Equipment

- All members of the public and all public officials are allowed to tape or video record public meetings.
- Recording is not allowed during executive sessions.

- The recording must be done in a manner which does not interfere with the meeting.
- The Mayor may make the determination that the recording is being done in an intrusive manner, taking into consideration, but not limited to, brightness of lights, distance from the Village Board, size of the equipment, the amount of noise generated by the activity, and the ability of the public to still participate in the meeting.
- If the Mayor determines that the recording is interfering with the meeting, the Mayor may request the individual alter his/her behavior to eliminate the interference. If the Mayor's request is not complied with, the Mayor may have the individual removed from the meeting room.

Adjournment

- Meetings must be adjourned by motion.

Procurement Policy:	1992 with 2014 Amendment
Cell Phone / Computer Policy:	Not found, tabled to April 13, 2015 meeting
Internet Use Policy:	2004 Village Employee Handbook
Fixed Assets Policy:	1998
Investment Policy:	2010
Sexual Harassment Policy:	2004 Village Employee Handbook
Vehicle Use Policy:	Not found, tabled to April 13, 2015 meeting
Work Place Violence Prevention Pol.	2015

Motion to adopt preceding Resolution #1 Designations by Trustee Feuz, second by Trustee Patterson, the resolution was

ADOPTED Aye 5 Bradley, Feuz, Gunther, Mosier, Patterson
Nay 0

Resolution #2 - 2015 - 2016 APPOINTMENTS & SALARIES

Mayor Mosier made the following appointments, salaries and benefits:

Mayor	Daniel Mosier	\$4,000.00 / year
Deputy Mayor	Richard Feuz	
Trustee	Nicki Bradley	\$1,500.00 / year
	Richard Feuz	\$1,500.00 / year
	Walter Gunther	\$1,500.00 / year
	Thomas Patterson	\$1,500.00 / year
Auditor of Claims	Nicki Bradley	\$ 500.00 / year
Committees:		
Police Dept.	Mayor Mosier and Trustee Patterson	
Streets / DPW	Mayor Mosier and Trustee Bradley	
Village Properties	Mayor Mosier and Trustee Gunther	
Water / Sewer	Village Board	
Events / Parade	Village Board	
Insurance	Village Board	
Civil Defense	Village Board	
Youth Council	Trustee Feuz	
Senior Citizens	Trustee Gunther	
Parks & Trees	Trustee Feuz	
Ambulance	Trustee Feuz	
Library	Trustee Gunther	
Planning / Zoning	Trustee Bradley	
Clerk / Collector / Registrar	Rose LaQuay	\$27,350.00 / year
Treasurer	Eugene Doucette	\$ 6,700.00 / year
Deputy Clerk / Collector / Registrar	Joy LaQuay	\$ 11.25 / hour
Attorney	Jay Frantz, Esq.	Subject to Village / Attorney Retainer Agreement
Code Enforcement Officer	Gary Brecker	\$ 3,500.00 / year
Animal Control Officer	Mary Dankert	\$ 800.00 / year
Street Commissioner/ Supt. of Public Works	VACANT	
Wastewater Treatment Operator	Per Union Contract	\$ 18.24 / hour
Laborer	Per Union Contract	\$ 17.69 / hour
Grounds Helper	VACANT	
DPW Summer Help		\$ 8.75 / hour
Per Diem Clerk / Typist	VACANT	
Part Time Police Officer		\$ 13.79 / hour
School Crossing Guard		\$ 10.43 / hour
Sub. School Crossing Guard		\$ 10.43 / hour
Janitor		\$ 10.61 / hour
Youth Council Director	Stacy Corbin	Youth Program Budget
Historian	Patrick Cullen	No Pay
Board of Assessment Review - 5 Year Terms End 9/30/____	James Agnew (2015)	
	Steven Patterson (2018)	
	Bruce Moody (2019)	
Joint Planning Board - 5 Year Terms End 8/31/____		

Patrick Cullen (2015)
 Myra Johnston (2017)
 Joe Pagett (Chair) (2018)
 John Illig (2019)
 Jan Bobseine (2019)

Zoning Board of Appeals - 5 Year Terms

Duane Smith (2015)
 Dennis Baker (2016)
 Wayne Stein (Chair) (2017)
 Andy Rupp (2018)
 Mark Reid (2019)

11 Holidays Observed

New Year's Day, Good Friday, Memorial Day, Independence Day,
 Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day,
 Day After Thanksgiving, Christmas Eve, Christmas Day

Vacation

Clerk: 1-2 yrs: 1 Wk. (40 hours), 3-9 yrs: 2 Wks. (80 hours)
 10-24 yrs: 3 Wks. (120 hours), 25+ yrs: 4 Wks. (160 hours)
 DPW: 6 mo-18 mo: 1 Wk. (40 hours), 18 mo-4 yrs: 2 Wks. (80 hours)
 5+ yrs: 3 Wks. (120 hours)

Sick Time

12 sick days / year (96 hours)

Health Insurance

DPW Employee per Union Contract to May 31, 2016
 (effective 6/1/15 10% contribution)

Motion to adopt preceding Resolution #2 Appointments & Salaries by Trustee Patterson, second by Mayor Mosier, the resolution was

DEFEATED Aye 2 Mosier, Patterson
 Nay 3 Bradley, Feuz, Gunther

Motion to adopt preceding Resolution #2 Appointments & Salaries by Trustee Patterson, second by Mayor Mosier, the resolution was

ADOPTED Aye 5 Bradley, Feuz, Gunther, Mosier, Patterson
 Nay 0

Resolution #3 - 2015 - 2016 ADVANCE APPROVAL OF CLAIMS

WHEREAS the board of trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges; and

WHEREAS all such claims must be presented at the next regular meeting for audit; and

WHEREAS the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the board of trustees disallows.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the board of trustees disallows.

Section 2. That this resolution is effective immediately.

Motion to adopt preceding Resolution #3 Advance Approval of Claims by Trustee Bradley, second by Trustee Feuz, the resolution was

ADOPTED Aye 5 Bradley, Feuz, Gunther, Mosier, Patterson
 Nay 0

Resolution #4 - 2015 - 2016 MILEAGE ALLOWANCE

WHEREAS the board of trustees has determined to pay a fixed rate for mileage as reimbursement to Village officers and employees who use their personal automobiles while performing their official Village duties;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees will approve reimbursement to such officers and employees at the rate of the current IRS allowance per mile.

Section 2. That this resolution is effective immediately.

Motion to adopt preceding Resolution #4 Mileage Allowance by Trustee Feuz, second by Trustee Gunther, the resolution was

ADOPTED Aye 5 Bradley, Feuz, Gunther, Mosier, Patterson
 Nay 0

Resolution #5 - 2015 - 2016 ATTENDANCE AT SCHOOLS & CONFERENCES

WHEREAS there is to be held during the coming official year a) NYCOM's Annual Meeting and Training School; b) NYCOM's Fall Training School; c) NYCOM's Public Works Training School; d) Cattaraugus County Association Meetings; etc.; and

WHEREAS attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the officers and employees are authorized to attend the following schools: a) NYCOM's Annual Meeting and Training School; b) NYCOM's Fall Training School; c) NYCOM's Public Works Training School; d) Cattaraugus County Association Meetings; etc.

Section 2. That this resolution is effective immediately.

Motion to adopt preceding Resolution #5 Attendance at Schools & Conferences by Trustee Patterson, second by Trustee Feuz, the resolution was

ADOPTED **Aye** **5** **Bradley, Feuz, Gunther, Mosier, Patterson**
 Nay **0**

Resolution #6 - 2015 - 2016 DESIGNATION OF DEPOSITORIES

WHEREAS the board of trustees has determined that Village Law § 4-412(3)(2) requires the designation of banks or trust companies for the deposit of all village monies;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees designates the following institutions as depositories of all moneys received by the village treasurer, clerk, and receiver of taxes. Names of Institutions: Bank of Cattaraugus

Section 2. That this resolution is effective immediately.

Motion to adopt preceding Resolution #6 Designation of Depositories by Trustee Feuz, second by Trustee Bradley, the resolution was

ADOPTED **Aye** **5** **Bradley, Feuz, Gunther, Mosier, Patterson**
 Nay **0**

Resolution #7 - 2015 - 2016 CONTRACTS & AGREEMENTS

Authorization to sign the following contracts and agreements was given to Mayor Mosier.

Catt Area Youth Council	\$2,700.00
Catt Library	\$4,500.00
Let's Travel Club (Sr Citizen Prg)	\$ 800.00
Town of New Albion	Reimbursement of ½ Deputy Clerk Wages & Clerk Health Insurance – signed 1/2015
Town of New Albion	Equipment – signed 1/2015
Town of New Albion	Village Hall Rental – signed 1/2015

Motion to adopt preceding Resolution #7 Contracts & Agreements by Trustee Feuz, second by Trustee Patterson, the resolution was

ADOPTED **Aye** **5** **Bradley, Feuz, Gunther, Mosier, Patterson**
 Nay **0**

Resolution #8 - 2015 - 2016 FEES & PERMITS

Mayor Mosier set the following fees and permits:

Fees:

Tax Certificate	\$ 10.00 / copy
Vital Records	\$ 10.00 / copy
Genealogical Search	\$ 20.00 / two names
Solicitation Permit	\$ 10.00 / day per person
Return Check Fee	\$ 35.00
FOIL Copies	\$.25 / page

Zoning Permits:

Minimum Permit	\$ 50.00
Demolitions	\$ 50.00
Decks/Porches/Fences	\$ 50.00
Swimming Pools	\$ 50.00
Wood Stove/Chimneys	\$ 50.00

New Construction:

Up to 2,000 Sq Ft	\$100.00
2,001-5,000 Sq Ft	\$150.00
5,001-10,000 Sq Ft	\$200.00
Over 10,000 Sq Ft	\$400.00
Special Use	\$100.00
Variance	\$100.00
Surchg.– Bldg w/out Permit	\$150.00

Motion to adopt preceding Resolution #8 Fees & Permits by Trustee Bradley, second by Trustee Gunther, the resolution was

ADOPTED **Aye** **5** **Bradley, Feuz, Gunther, Mosier, Patterson**
 Nay **0**

Resolution #9 - 2015 - 2016 SIGNATORY ON GENERAL ACCOUNT

WHEREAS, the board has determined it of benefit to the Village to have multiple signers on the General Account so Village business may be conducted in a timely manner. The following shall be given authority to sign checks for the Village: Daniel Mosier, Mayor; Richard Feuz, Deputy Mayor; Eugene Doucette, Treasurer; Rose LaQuay, Clerk.

Motion to adopt preceding Resolution #9 Signatory on General Account by Trustee Bradley, second by Trustee Feuz, the resolution was

ADOPTED **Aye** **5** **Bradley, Feuz, Gunther, Mosier, Patterson**
 Nay **0**

Resolution #10 - 2015 - 2016 EXECUTIVE SESSION

RESOLVED, to enter into executive session at 7:08 pm to discuss personnel with Jay Frantz in attendance.

Motion to adopt preceding Resolution #10 Executive Session by Trustee Patterson, second by Trustee Bradley, the resolution was

ADOPTED **Aye** **5** **Bradley, Feuz, Gunther, Mosier, Patterson**

Nay 0

Resolution #11 - 2015 - 2016 OPEN MEETING

RESOLVED, to close executive session and re-open public session at 7:23 pm.

Motion to adopt preceding Resolution #11 Open Meeting by Trustee Feuz, second by Trustee Patterson, the resolution was

ADOPTED Aye 5 Bradley, Feuz, Gunther, Mosier, Patterson
Nay 0

Resolution #12 - 2015 - 2016 ATTORNEY APPOINTMENT

RESOLVED, to authorize Mayor Mosier to sign the Village Attorney Retainer Agreement and appoint Jay Frantz, Esq. as Village of Cattaraugus Attorney.

Motion to adopt preceding Resolution #12 Attorney Appointment by Trustee Feuz, second by Trustee Bradley, the resolution was

ADOPTED Aye 5 Bradley, Feuz, Gunther, Mosier, Patterson
Nay 0

Resolution #13 - 2015 - 2016 MOTION TO ADJOURN

With no further business to discuss, the 2015-2016 Village of Cattaraugus Organizational meeting is adjourned at 7:24 pm.

Motion to adopt preceding Resolution #13 Motion to Adjourn by Trustee Bradley, second by Trustee Gunther, the resolution was

ADOPTED Aye 5 Bradley, Feuz, Gunther, Mosier, Patterson
Nay 0

Respectfully submitted,

Rose M. LaQuay
Recording Secretary
Village of Cattaraugus Board of Trustees

NEXT MEETING: Regular Board Meeting April 13, 2015 7:00 pm