

VILLAGE OF CATTARAUGUS
14 Main Street, Cattaraugus, NY 14719

REGULAR BOARD MEETING
July 13, 2015 7:00 p.m.

PRESIDING: Daniel Mosier, *Mayor*

PRESENT: *Trustees:* Jason Crawford, Richard LeFeber, Wirt Smith, Beau Wulf; Jonathan Wolfe, *Deputy DPW Supt.;* Gene Doucette, *Treasurer;* Rose LaQuay, *Recording Secretary*

VISITORS: Per Sign In Sheet - Thomas Patterson, *Resident;* Bruce Moody, *Resident;* Marjorie Manning, *Resident;* Anna Mallaber, *Resident;* Elise Kriedeman, *Resident;* Diane Drain, *Resident;* Brenda Bailey, *Let's Travel Club;* Patty Murphy, *Resident;* Annella Wulf, *Resident;* Alice Abramowski, *Resident;* J. Stuckey, *Resident;* Tillie Moody, *Resident;* Nancy Rosel, *Resident;* Edna Booth, *Resident;* Dorothy Harvey, *Resident;* Robert Botsford, *Resident;* Jake Alianello, *MDA Consulting Engineers;* Megan Pankow-Walker, *Gowanda News;* Jay Frantz, *Village Attorney*

CALL TO ORDER:

Mayor Mosier called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited, roll call taken.

APPROVAL OF MINUTES

Resolution #116 - 2015 / 2016 **Approval of Minutes**

On a motion by Mayor Mosier, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, the minutes of the June 8, 13, 22, 29 and July 6, 2015 meetings are approved with correction of heading to Work Session on June 13 and 22; and Special Meeting on June 29 and July 6.

PUBLIC COMMENT:

1. Thomas Patterson - in attendance to observe.
2. Bruce Moody, Let's Travel Club - Requested update on Senior Building. CEO Officer Brecker to take samples for testing.

Resolution #117 - 2015 / 2016 **Reimbursement of Expenses**

On a motion by Mayor Mosier, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to reimburse CEO Brecker as per Village practice for asbestos testing fees and mileage.

Resolution #118 - 2015 / 2016 **Permission for Let's Travel Club**

On a motion by Mayor Mosier, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to allow Let's Travel Club to meet at the Senior Building until testing results are returned.

3. Robert Botsford - In attendance to observe.

REPORTS:

1. Youth Council - Clerk LaQuay confirmed 1/2 and 1/2 pay schedule for Director Stacy Corbin.
2. Code Enforcement Officer - Demo permit expired for Route 353 / Rumsey Street. CEO Brecker working with owner and contractor to renew. Two building permits issued in June.
3. Streets / DPW / Water / Sewer - Withdrawal report to be completed Tuesday. Chip sealing, blacktop, catch basins and mowing done. Need to finish gates at sewer plant. Standard Operating Procedures started for both water and sewer. Leavenworth to be started, followed by West Street. Need 3 trees down for sidewalk work, need tree review completed. Looking at skid steer for sidewalk plowing, cost of \$50,000 for 60" wide. No trade on backhoe this year, asked for Board plan for Kelley Summit land, answered Trustee Crawford's inquiry regarding salt purchase - already done in May.

Sidewalk Bids received -

1. Seneca Construction Services, Salamanca, NY 450 linear feet
2. Countryside Landscaping, Cattaraugus, NY 655 linear feet
3. 2 Cuzins Contracting, Portville, NY 450 linear feet

Resolution #119 - 2015 / 2016 **Accept Sidewalk Bid**

On a motion by Mayor Mosier, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to accept Countryside Landscaping's bid of 655 linear feet for the \$18,000.00 budget.

4. Water Project - Jacob Alianello updated the Board the extension was approved for 12/31/16. The water grant opportunity was reviewed, application to be submitted. Conference call to be set up.

Resolution #120 - 2015 / 2016 **Recess**

On a motion by Trustee Smith, second by Trustee Wulf, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to take a 10 minute recess at 8:30 p.m.

Resolution #121 - 2015 / 2016 Reopen Public Meeting

On a motion by Mayor Mosier, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to reopen the public meeting at 8:42 p.m.

5. Police - Officer Yansick distributed Police report. Cattaraugus County updating mobile communications, current computer in car needs to be updated at cost of \$2364.00 plus \$480.00 for dock. Additional discussion on police ticket revenue.

Resolution #122 - 2015 / 2016 Executive Session

On a motion by Mayor Mosier, second by Trustee Smith, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to enter into executive session at 9:00 p.m. to discuss employment of an individual with Clerk LaQuay, Attorney Frantz and Officer Yansick present.

Resolution #123 - 2015 / 2016 Exit Executive Session

On a motion by Mayor Mosier, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to exit executive session at 9:07 p.m. and re-open the public meeting.

Resolution #124 - 2015 / 2016 Hire Temporary Part Time Police Officer

On a motion by Mayor Mosier, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to hire Christopher Draudt as Temporary Part Time Police Officer at \$13.79 / hour, 2 paid ride alongs with Officers Miller and Yansick.

6. Treasurer - Asked for questions on FEMA spreadsheet and Reserve Accounts spreadsheet. DPW Supt. requested separate account for FEMA monies. Treasurer Doucette requested transfers and notified the Board that the Annual Report would be ready for their review at their next regular meeting. A contribution request from CLV Little League Softball was denied.

Resolution #125 - 2015 / 2016 Increase Estimated Revenues & Expenditures

On a motion by Trustee Wulf, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to increase estimated revenues and expenditures by \$161,567.93 FEMA payments received.

Resolution #126 - 2015 / 2016 FEMA Road Repair Bank Account

On a motion by Mayor Mosier, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to open a separate account for FEMA road repairs with Mayor Daniel Mosier, Deputy Mayor Beau Wulf, Treasurer Eugene Doucette, and Clerk Rose LaQuay.

Resolution #127 - 2015 / 2016 Transfers

On a motion by Mayor Mosier, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, transfer \$50,000.00 from FEMA monies into Street Equipment Reserve, \$200,000.00 from General Checking to General Savings, and \$161,567.93 from General Checking to Road Reserve.

7. Ambulance - Stone work still to be completed. Parking Lot and sidewalk replacement in progress.
9. Clerk / Tax Collector / Registrar - Water account #252 requested forgiveness of 2,000 gallon overage charge of \$6.50. Board declined. Clerk LaQuay to notify homeowner. Clerk LaQuay asked for questions on water schedule for proposed water law.

Resolution #128 - 2015 / 2016 Request for Water Overage Forgiveness

On a motion by Trustee Wulf, second by Trustee Smith, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to deny forgiveness of \$6.50 overage charge for 2,000 gallons per meter reading.

Resolution #129 - 2015 / 2016 Time Warner Cable

On a motion by Trustee Wulf, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to accept franchise fee of \$5,720.00 paid in 2015 in lieu of \$2,764.72 2015-16 Village Tax.

10. Attorney / Legalities - Requested resolution regarding DPW Supt. contract, gave a timeline for law.

Resolution #130 - 2015 / 2016 DPW Supt. Contract

On a motion by Mayor Mosier, second by Trustee Wulf, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to remove the plowing overtime clause from the DPW Supt. contract.

CORRESPONDENCE:

- a. Email from Eric Pritchard – Vacancy
- b. Joint Planning Board – Minutes from June 10
- c. Time Warner Cable – Expiring Agreements (2)
- d. Request from T. Mozino – Forgiveness Water / Sewer Account 110
- e. NYS Homes & Community Renewal – Project Status Report Request
- f. Rite Aid Pharmacy – Request to host free u clinic for public

Resolution #131 - 2015 / 2016 **Flu Clinic**

On a motion by Trustee Smith, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to allow Rite - Aid to hold free u clinic at Village Hall contingent that Rite - Aid indemnify and hold harmless the Village for any mishaps prior to, during and after the clinic.

- g. NYS Homeland Security – FY 2015 Unified Hazard Mitigation Program
- h. Complaint from Sue Perry – Property not mowed at 135 Jefferson - Tabled
- i. Email from NYS DEC – 229 Homer St. Site (Olean)
- j. Zoning Board of Appeals – Minutes from June 24
- k. NYS Homeland Security – FEMA payment
- l. Village of Gowanda – Executed Inter-municipal Agreement
- m. Municipal Solution / CDBG – Approval of Request for Extension
- n. NYS Dept. of Public Service – Study of Telecommunications
- o. Email from NYSHCR – Updates to the CDBG Program (2)
- p. Email from Env. Facilities Corp. – Water Infrastructure Grants
- q. Cattaraugus County – Notice of Administrative Hearing
- r. NYCOM – Petition regarding Local Gross Receipt Tax
- s. USDA – Community Economic Development Funding Forum
- t. NYS DEC – 2014 Water Withdrawal Annual Report
- u. Resignation by Mark Reid from Zoning Board of Appeals

Resolution #132 - 2015 / 2016 **Recess**

On a motion by Trustee Smith, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to take a 10 minute recess at 10:10 p.m.

Resolution #133 - 2015 / 2016 **Reopen Public Meeting**

On a motion by Mayor Mosier, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to reopen the public meeting at 10:20 p.m.

OLD BUSINESS

1. Proposed Zoning Law Amendment - Tabled pending Joint Planning Board review.
2. Proposed Water Law - Tabled.
3. Pat McGee Trail Water Line Easement - Tabled.
4. Old Elementary School - Trustee LeFeber contacted J. O'Connell & Associates, tabled.
5. Trash Pickup - Tabled.
6. Water Treatment Plant Operator Trainee position

Resolution #134 - 2015 / 2016 **Executive Session**

On a motion by Mayor Mosier, second by Trustee Crawford, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to enter into executive session to discuss employment of an individual with Clerk LaQuay and Attorney Frantz present.

Resolution #135 - 2015 / 2016 **Exit Executive Session**

On a motion by Mayor Mosier, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to exit executive session at 10:51 p.m. and re-open the public meeting.

Resolution #136 - 2015 / 2016 **Hire Water Treatment Plant Operator Trainee**

On a motion by Mayor Mosier, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 3 LeFeber, Mosier, Wulf

Nay 2 Crawford, Smith

Resolved, to hire Thomas Patterson as Water Treatment Plant Operator Trainee at a starting wage of \$15.46, 6 months probation and protection through Teamsters Local 264 Union membership. Office of New York State Comptroller to be contacted for investigation of appearance of impropriety. If impropriety found, Mr. Patterson's employment ends immediately; if no findings, hiring stands.

NEW BUSINESS

1. Cell Phone and Vehicle Use Policies - Proposed policies submitted to Board for review. Adopted policies inserted following these minutes.

Resolution #137 - 2015 / 2016 Cell Phone and Vehicle Use Policies

On a motion by Mayor Mosier, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to adopt proposed cell phone and vehicle use policies and incorporate into Employee Handbook.

2. Public Committees - Board still looking for public participation for the following boards: Economic Development, Celebrations & Events, Grants, Inter-Municipal & Shared Services

Resolution #138 - 2015 / 2016 Water Treatment Plant Operator Trainee Start Date

On a motion by Mayor Mosier, second by Trustee LeFeber, the following resolution was

ADOPTED Aye 3 LeFeber, Mosier, Wulf
Nay 2 Crawford, Smith

Resolved, to set the start date for Thomas Patterson's employment as Monday, July 20, 2015.

APPROVAL OF ABSTRACT #2 - July 13, 2015

Submitted for the following payments:

General	#19032 - 19057, 10711 - 10735	\$478,614.59
Water	#6627 - 6648	\$ 50,264.43
Sewer	#4215 - 4224	\$ 5,581.93
Youth	#251 - 253	\$ 300.00

Resolution #139 - 2015 / 2016 Approval of Abstract #2 - July 13, 2015

On a motion by Trustee Wulf, second by Trustee Smith, the following resolution was

ADOPTED Aye 4 Crawford, Mosier, Smith, Wulf
Nay 0

Resolved, that Abstract #1 - June 8, 2015 be paid in the amounts presented.

Resolution #140 - 2015 / 2016 Executive Session

On a motion by Mayor Mosier, second by Trustee Wulf, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to enter into executive session to discuss a personnel matter with Clerk LaQuay and Attorney Frantz present.

Resolution #141 - 2015 / 2016 Exit Executive Session

On a motion by Mayor Mosier, second by Trustee Wulf, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, to exit executive session at 11:22 p.m. and re-open the public meeting.

ADJOURNMENT

Resolution #142 - 2015 / 2016 Motion to Adjourn

On a motion by Mayor Mosier, second by Trustee Wulf, the following resolution was

ADOPTED Aye 5 Crawford, LeFeber, Mosier, Smith, Wulf
Nay 0

Resolved, the July 13, 2015 Regular Board Meeting be adjourned at 11:23 p.m.

Respectfully submitted,

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

NEXT MEETING: Work Session July 27, 2015 7:00 p.m.