

VILLAGE OF CATTARAUGUS  
14 Main Street, Cattaraugus, NY 14719

REGULAR BOARD MEETING  
May 9, 2016 7:00 p.m.

**PRESIDING:** Daniel Mosier, *Mayor*

**PRESENT:** *Trustees:* Robert Botsford, Jason Crawford, Eric Pritchard, Wirt Smith (left at 10:34 pm); Jonathan Wolfe, *DPW Supt.*; Gene Doucette, *Treasurer*; Rose LaQuay, *Recording Sec.*, Gary Brecker, *CEO*

**VISITORS:** Per Sign In Sheet - Jake Alianello, *MDA Engineers*; Dakota Stankey & Miguel Ortiz, *Shield Financial*; Paula Stockman, *Catt. Cty. Legislator*; Brian Albrecht, *Resident*; Julie Lyautey, *Olean Resident*; Eric Eddy, *Olean Resident*; Kristian Patterson, *Olean Resident*; Joe Tanner, *Resident*; Brian Parisi, *Resident*; Trina Rickard, *Resident*, Duane & Barbara Opferbeck, *Residents*; Greg & Avie Shawl, *Residents*; Beth McIntyre, *Resident*; Steve Griffin, *Resident*; Linda Klein, *Gowanda Resident*; Rick LeFeber, *Resident*; Gloria Burroughs, *Resident*; Kyle & Heather Harris, *Residents*; Alan Nephew, *Gowanda Resident*; Tracey Erhart, *Resident*; Tom Patterson, *DPW*; Rich Place, *Salamanca Press*

**CALL TO ORDER & APPROVAL OF MINUTES:**

Mayor Mosier called the meeting to order at 7:03 p.m. The Pledge of Allegiance was recited, and roll call taken.

**Resolution #42 - 2016 / 2017 Approval of Minutes**

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

|                |     |   |                                      |
|----------------|-----|---|--------------------------------------|
| <b>ADOPTED</b> | Aye | 4 | Botsford, Crawford, Pritchard, Smith |
|                | Nay | 1 | Mosier                               |

Resolved, the minutes of the April 11, 2016 Regular Meeting, April 13, 2016 Budget Hearing, April 25, 2016 Special Meeting and April 28, 2016 Bid Opening are approved.

Mayor Mosier presented Notice of Claim against Village of Cattaraugus and Board of Trustees of the Village.

**Mayoral Legal Representation**

On a motion by Mayor Mosier, NO Second, the following resolution was

|                    |     |   |               |
|--------------------|-----|---|---------------|
| <b>NOT ADOPTED</b> | Aye | 0 | No Vote Taken |
|                    | Nay | 0 | No Vote Taken |

To authorize the Mayor to obtain an attorney to litigate the claim against the Village of Cattaraugus and Board of Trustees of the Village of Cattaraugus.

**PUBLIC COMMENT:**

1. Jake Alianello, MDA Engineers and Jeff Smith, Municipal Solutions - Water Project update including bid award for Meter Supply and Installation and quotes for Water Storage Tank Metering.

**Resolution #43 - 2016 / 2017 Bid Award to Yarussi Construction, Inc.**

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

|                |     |   |  |
|----------------|-----|---|--|
| <b>ADOPTED</b> | Aye | 5 | Botsford, Crawford, Mosier, Pritchard, Smith |
|                | Nay | 0 |  |

Resolved, to award the Meter Supply and Installation contract to Yarussi Construction, Inc. for the amount of their bid of \$227,500.00 and authorize Mayor Mosier to sign the Notice of Award.

**Resolution #44 - 2016 / 2017 Authorization to Mayor to Execute Agreement**

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

|                |     |   |  |
|----------------|-----|---|--|
| <b>ADOPTED</b> | Aye | 5 | Botsford, Crawford, Mosier, Pritchard, Smith |
|                | Nay | 0 |  |

Resolved, to authorize Mayor Mosier to execute the Agreement and Notice to Proceed as soon as the required bonds, certificate of insurance and signed agreement have been successfully completed.

**Resolution #45 - 2016 / 2017 Water Storage Tank Metering Proposal**

On a motion by Trustee Pritchard, second by Trustee Botsford, the following resolution was

|                |     |   |                                      |
|----------------|-----|---|--------------------------------------|
| <b>ADOPTED</b> | Aye | 5 | Botsford, Crawford, Pritchard, Smith |
|                | Nay | 0 | Mosier                               |

Resolved, to accept the proposal from Cyclops for the supply of a Mach 3 Ultrasonic Transducer, programming and training for the amount of \$1,045.00 and have the Village Water Department order the equipment and schedule the installation.

2. Trina Rickard, Nakeema's Haven - In attendance to discuss Nakeema's Haven.
3. Gary Brecker, Code Enforcement Officer - Nakeema's Haven has applied for zoning permit, next step is a Special Use application that has not been received to date. Once received, a Public Hearing with the Joint Planning Board will be scheduled and public notice made as required.
4. Brian Albrecht - In attendance to discuss Village Attorney decision.

5. Julie Lyautey - In attendance to discuss Nakeema's Haven.
6. Eric Eddy - In attendance to discuss Nakeema's Haven.
7. Kristian Patterson - In attendance to discuss Nakeema's Haven.
8. Brian Parisi - In attendance to discuss Nakeema's Haven.
9. Beth McIntyre - In attendance to discuss Nakeema's Haven.
10. Linda Klein - In attendance to discuss Nakeema's Haven.
11. Rick LeFeber - In attendance to discuss Nakeema's Haven.
12. Jay Frantz - In attendance to present Notice of Claim against Village of Cattaraugus and Board of Trustees of the Village of Cattaraugus.

**Resolution #46 - 2016 / 2017                      Recess**

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

**ADOPTED**    Aye    5            Botsford, Crawford, Mosier, Pritchard, Smith  
                       Nay    0

Resolved, to take a recess at 8:25 p.m.

**Resolution #47 - 2016 / 2017                      Reopen Public Meeting**

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

**ADOPTED**    Aye    5            Botsford, Crawford, Mosier, Pritchard, Smith  
                       Nay    0

Resolved, to reopen the public meeting at 8:38 p.m.

**REPORTS:**

1. Treasurer - Treasurer Doucette requested transfers to cover overexpended accounts at fiscal year end.

**Resolution #48 - 2016 / 2017                      Transfers to Overexpended Accounts**

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

**ADOPTED**    Aye    5            Botsford, Crawford, Mosier, Pritchard, Smith  
                       Nay    0

Resolved, in the General Fund to transfer from Contingent 1990.4 to 9040.8 Compensation in the amount of \$1420.00, to 7320.4 Youth in the amount of \$500.00, to 5110.1 Street Personal in the amount of \$8,000.00, to 1364.4 Property in the amount of \$7,500.00; in the Water Fund to transfer from 9730.4 BAN Interest to 8668.4 Engineering in the amount of \$9,000.00 and from 8340.1 Distribution Personal to 9040.8 Compensation in the amount of \$592.00; and in the Sewer Fund to transfer from 8120.1 Sanitary Sewer Personal to 9040.8 Compensation in the amount of \$355.00.

2. Insurance - Insurance renewal proposal and new company quotes as follows: Gray Insurance - Trident Argonaut at a premium of \$19,941.82, Shield Financial - Houston Casualty at a premium of \$17,787.79 and Shield Financial - Glatfelter at a premium of \$19,450.00.

**Resolution #49 - 2016 / 2017                      Municipal Insurance Policy**

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

**ADOPTED**    Aye    5            Botsford, Crawford, Mosier, Pritchard, Smith  
                       Nay    0

Resolved, to accept the insurance proposal from Shield Financial - Houston Casualty for \$17,787.79 and authorize Mayor Mosier to sign required policy paperwork for policy term of June 1, 2016-May 31, 2017.

3. Youth Council - Looking at a 3 day program. Lifeguards not returning, Trustee Pritchard to contact Catt - LV regarding lifeguards. Swim release forms will be due prior to the first day of the program.
4. Police - Monthly report given, required repairs done to Police vehicle and Officer Waasdorp reported on applicant for Part Time Police Officer position. Meeting was held with Southwest Fire Convention, dates of convention August 3 - 6. Small parade Friday at 7:00 pm and large parade Saturday at 3:00 pm. Fire companies are looking for residents wishing to provide a dugout area.

**Resolution #50 - 2016 / 2017                      Hire Part Time Police Officer**

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

**ADOPTED**    Aye    5            Botsford, Crawford, Mosier, Pritchard, Smith  
                       Nay    0

Resolved, to hire Ray Campbell as part time Police Officer to start May 16, 2016 at current pay rate of \$13.79 with pay increase effective June 1, 2016.

5. DPW - 2 Summer help returning - Jacob Bronneberg and Caleb Wares. DPW Supt. met with Simmons regarding submission of final paperwork to FEMA. Quote received for webmaster data with no overage charges, annual payment and a one time set up fee at \$500.00 / year. Board of Trustees approved with no motion needed.

**Resolution #51 - 2016 / 2017                      Hire DPW Summer Help**

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

**ADOPTED**    Aye    4            Botsford, Mosier, Pritchard, Smith  
                       Nay    0

Abstain 1 Crawford

Resolved, to hire Jacob Bronneberg and Caleb Wares as DPW Summer help.

- 6. Events - Memorial Day Parade and Service on May 30, 2016. Community Picnic still in planning stage.
- 7. Senior Citizens - Dispute regarding table set up between Let's Travel Club and Catt. Cty. Senior Wellness. Catt. Cty. requirements must be met.
- 8. Library - New television installed.
- 9. Clerk - Register report distributed. Rite Aid requested permission to hold Flu Shot Clinic at Village Hall again this fall. Board approved clinic with no resolution needed. Question raised regarding employee share of health insurance premium while on compensation. Board agreed monthly payment would be best to prevent large lump sum required upon return to work. Tax warrant presented for Board approval.

**Resolution #52 - 2016 / 2017 Authorization to Mayor to Sign Tax Warrant**

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

|                |     |   |  |
|----------------|-----|---|--|
| <b>ADOPTED</b> | Aye | 5 | Botsford, Crawford, Mosier, Pritchard, Smith |
|                | Nay | 0 |  |

Resolved, to authorize Mayor Mosier to sign 2016-2017 Tax Warrant. For the General Fund, \$419,421.00; For the Unpaid Water Fund \$12,458.35; For the Unpaid Sewer Fund \$4,721.72; For the Unpaid Benefit Charge \$8,250.00 for a total of \$444,851.07.

**CORRESPONDENCE**

- 1. Mosier - Joint Planning Board re: Tannery Bridge
- 2. NYS Dept. of Public Service - CES Program
- 3. CEO Brecker - Update (3)
- 4. NYS Teamsters Health & Hospital Fund - Expiring Agreements
- 5. Catt. Cty. Dept. of Aging - Grant opportunity - Trustee Crawford to contact Catt. Cty. Dept. of Aging
- 6. REDC CFA Funding Workshop Dates & Locations
- 7. WNY Downtown Revitalization Initiative Application & Info Session
- 8. MDA Consulting Engineers - Recommendation to Award - Meter Supply & Installation
- 9. MDA Consulting Engineers - Recommendation to Award - Water Storage Tank Metering
- 10. Gray Insurance Agency - Insurance Proposal 2016 - 2017

**OLD BUSINESS**

- 1. Old Elementary School - Tabled
- 2. Zoning Board of Appeals Appointment - Tabled
- 4. Time Warner Cable Draft Franchise Agreement - Tabled
- 5. Property Sale - Trustee Pritchard to contact Cattaraugus County regarding parcel on tax auction.
- 6. FEMA funds - DPW to finish on schedule.
- 7. Proposed Local Law #1-2016 - Peddling - Public Hearing to be held June 13, 2016 at 7:00 pm
- 8. Tannery Bridge - Trustee Pritchard distributed joint letter from Town and Village to Cattaraugus County regarding Tannery Bridge closure. Trustee Botsford distributed book excerpt regarding Tannery Bridge.

**NEW BUSINESS**

- 1. Employee Handbook - Tabled

**EXECUTIVE SESSION**

**Resolution #53 - 2016 / 2017 Executive Session**

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

|                |     |   |                                       |
|----------------|-----|---|---------------------------------------|
| <b>ADOPTED</b> | Aye | 4 | Botsford, Crawford, Mosier, Pritchard |
|                | Nay | 0 |                                       |

Resolved, to go into executive session at 11:03 p.m. to discuss Union negotiations with DPW Supt. Wolfe and Clerk LaQuay in attendance.

**Resolution #54 - 2016 / 2017 Reopen Public Meeting**

On a motion by Trustee Pritchard, second by Trustee Botsford, the following resolution was

|                |     |   |                                       |
|----------------|-----|---|---------------------------------------|
| <b>ADOPTED</b> | Aye | 4 | Botsford, Crawford, Mosier, Pritchard |
|                | Nay | 0 |                                       |

Resolved, to close the Executive Session and reopen the public meeting at 11:29 p.m.

**APPROVAL OF ABSTRACT #12 - May 9, 2016**

|               |                |              |
|---------------|----------------|--------------|
| General       | #19133 - 19160 | \$ 17,662.65 |
| Water         | #6800 - 6814   | \$ 2,068.00  |
| Sewer         | #4316 - 4325   | \$ 10,795.31 |
| Youth Council | #262           | \$ -         |

**Resolution #55 - 2016 / 2017 Approval of Abstract #12 - May 9, 2016**

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

|                |     |   |                                       |
|----------------|-----|---|---------------------------------------|
| <b>ADOPTED</b> | Aye | 4 | Botsford, Crawford, Mosier, Pritchard |
|                | Nay | 0 |                                       |

Resolved, that Abstract #12 - May 9, 2016 be paid in the amounts presented.

**ADJOURNMENT**

**Resolution #56 - 2016 / 2017**

**Motion to Adjourn**

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

**ADOPTED** Aye 4 Botsford, Crawford, Mosier, Pritchard  
Nay 0

Resolved, the May 9, 2016 Regular Board Meeting be adjourned at 11:31 p.m.

Respectfully submitted,

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

**NEXT MEETING:**

|  |               |           |
|--|---------------|-----------|
| Work Session                                       | May 23, 2016  | 7:00 p.m. |
| Regular Board Meeting & Proposed Local Law #1-2016 | June 13, 2016 | 7:00 p.m. |