

MINUTES OF A BOARD MEETING OF THE VILLAGE OF WELLSVILLE BOARD OF TRUSTEES  
HELD ON JUNE 12, 2017 AT 7.00 PM IN DAVID A. HOWE LIBRARY, GARDEN ROOM, 155  
NORTH MAIN STREET, ALLEGANY COUNTY, WELLSVILLE, NEW YORK

PRESENT: Mayor: Randy Shayler  
Trustees: Jeremy Cole, Jamie Herman, Dawn Ketchner, Ed Fahs  
Police Chief: Tim O'Grady  
Treasurer: Earl Johnson  
Dir. of DPW: Bill Whitfield  
Atty: Dan Synakowski

VISITORS: Brian Quinn, Larry Weinbauer, Donald Latten

The meeting opened with the pledge to the flag led by Trustee Herman.

Mayor Shayler opened the floor to Donald Latten. Mr. Latten commented on his neighbor is finally mowing his lawn. Mr. Latten asked if it was possible if the Village could do anything to allow public parking in the Proto lot (across from the Texas Hot). Mayor Shayler stated that was public property and the Village is unable to do anything about it.

Mayor Shayler addressed Mr. Weinbauer's request about having his block party, July 29<sup>th</sup>. Mr. Shayler stated the Village may be having construction going on about that time on Main Street and Mr. Weinbauer may have to have extra security for his party. Mr. Weinbauer stated there are no changes to the program from the last two years. Mr. Weinbauer said having more security on hand would be no problem. Mayor Shayler made a motion to accept the party request contingent upon working with Bill Whitfield around the construction. Mayor Shayler asked Mr. Weinbauer about the charities he contributes to. Mr. Weinbauer stated he donated part of the monies to St. Judes and Music on the Lawn. Trustee Herman seconded the motion. Carried.

Mayor Shayler stated the first order of business is the acceptance of the minutes from the Public Hearing held on May 22<sup>nd</sup>, 2017. Trustee Fahs made a motion to except the minutes and Trustee Cole seconded the motion. Carried.

MAYOR:

1. Mayor Shayler stated a Public Hearing will be held at this same location on June 19<sup>th</sup> at 5:00 pm for the purpose of hearing public comments related to the village community development needs, specially needed repairs to the culvert collapse adjacent to Pearl Street, and the possible submission of an Imminent Threat CDBG grant application to address that need.
2. Mayor Shayler announced the Legislators Clambake will be held from 1-6 pm on July 28<sup>th</sup>, 2017 at Island Park with the price of each ticket at \$40.00 each payable to "Allegany County Board of Legislators".
3. Mayor Shayler requested a motion allowing Bokman to hold their 6<sup>th</sup> Annual Car Show on Saturday, July 22<sup>nd</sup> from 8am to 3 pm. Trustee Herman made a motion to accept the request and Trustee Fahs seconded the motion. Carried.
4. Mayor Shayler mentioned the Western Regional MEUA Meeting will be hosted by the Village of Wellsville. Anyone planning to attend the scheduled lunch, afternoon events and dinner needs to contact Bill Whitfield so proper reservations can be made.

TRUSTEES:

COLE:

1. Trustee Cole made a motion to accept and approve the vouchers as listed in the Abstract of Vouchers dated June 12<sup>th</sup>, 2017. Trustee Herman seconded the motion. Carried.
2. Trustee Cole made a motion to accept and approve the Treasurer's Report for May 2017. Trustee Herman seconded the motion. Carried.
3. Trustee Cole requested acceptance and approval of Resolution No. 17/18-3 to purchase the sewer Fund Dump Truck. Trustee Cole questioned that this truck would be used to haul sludge mostly and if this truck could be used in other ways also. Mr. Whitfield stated the truck would be used in more ways. Trustee Herman made a motion to accept Resolution No. 17/18-3 and Trustee Fahs seconded the motion.

**RESOLUTION NO 17/18-3  
OF THE VILLAGE BOARD OF TRUSTEES**

**TO PURCHASE A DUMP TRUCK**

At a regular meeting of the Board of Trustees of the Village of Wellsville, New York held on June 12, 2017, the following resolution was adopted:

**WHEREAS**, the Village of Wellsville Trustees has approved the 2017-2018 Annual budget which includes a Capital Plan, and

**WHEREAS**, the Village of Wellsville, in discussion with the Department of Public Works, has deemed it necessary to purchase a new Dump Truck for the Sewer Fund based upon the age and condition of the current fleet, and

**WHEREAS**, the purchase price of the Dump Truck in an amount that shall not exceed Eighty Thousand Dollars (\$80,000) which shall be appropriated from the Sewer Fund Capital Reserves, and

**WHEREAS**, this resolution is subject to permissive referendum per public notice which will be given through the official newspaper within 10 days and which would require 20% of the registered voters as of the last election to file a petition with the village clerk.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Trustees of the Village of Wellsville does hereby authorize the purchase of a new Dump Truck.

Dated: June 12, 2017; this resolution shall take effect immediately.

Moved by Trustee Herman \_\_\_\_\_, seconded by Trustee Fahs \_\_\_\_\_.

The foregoing resolution was adopted by the Board of Trustees of the Village of Wellsville by roll call:

Trustee Cole	<u>Aye</u>	Trustee Fahs
<u>Aye</u>		
Trustee Herman	<u>Aye</u>	Trustee Ketchner
<u>Aye</u>		
Mayor Shayler	<u>Aye</u>	

I, Kathy Kinder, do hereby certify that resolution #17/18-3 was passed at a meeting of the Board of Trustees of the Village of Wellsville, New York held on June 12, 2017, and is incorporated in the original minutes of that said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

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Certified by the Village Clerk

4. Trustee Cole stated a request to accept and approve a Resolution (No. 17/18-4) to enter into a purchase/lease agreement to replace the WPD vehicle as proved through the 2017-2018 Annual Budget has been put off until the 2018-2019 Fiscal Year.
5. Trustee Cole made a motion to modify Local Law #5 of the year 1999, that any persons obtaining a reptile permit must provide a photo of each reptile, in a lockable container within 5 business days of the permit issue. Failure to provide proof will result in revocation of the permit. Trustee Herman seconded the motion. Carried.

HERMAN:

1. WWTP Project Update- Trustee Herman requested qualifications, pricing and support of the MRB Group.
2. Trustee Herman made a motion to execute agreement(s) with MRB Group for engineering services for the Wastewater Treatment Plant Project as described for the purpose of grant and financing applications. Trustee Ketchner seconded the motion. Carried.
3. Trustee Herman made a motion to accept and approve the Resolution No. 17/18-2 to authorize Municipal Solutions Inc. to prepare applications for funding through the NYS Water Infrastructure Improvement Act on behalf of the Village and Trustee Cole seconded the motion. Carried.

**RESOLUTION NO 17/18-2  
OF THE VILLAGE BOARD OF TRUSTEES**

RESOLUTION WITH REFERENCE TO THE PROPOSED  
VILLAGE OF WELLSVILLE, ALLEGANY COUNTY, NEW YORK  
NYS WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT APPLICATION

**WHEREAS**, the Village Board of Trustees of the Village of Wellsville has determined that it is in the Village's best interest to apply for grant funding to further assist in the financing of its Wastewater Treatment Plant Improvement Project: and

**WHEREAS**, affordability for the Village's residents and property owners is a significant concern in advancement of the proposed project: and

**NOW, THEREFORE BE IT RESOLVED** the Wellsville Village Board, duly convened does hereby:

1. Authorize Municipal Solutions, Inc. to prepare applications for funding through the NYS Water Infrastructure Improvement Act.
2. Authorize Mayor Randy Shayler to execute the application for NYS Water Infrastructure Improvement Act grant and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the Village of Wellsville's obligations under the grant agreement.

Dated: June 12, 2017; this resolution shall take effect immediately.

Moved by Trustee Herman, seconded by Trustee Cole.

The foregoing resolution was adopted by the Board of Trustees of the Village of Wellsville by roll call:

Trustee Cole	<u>Aye</u>	Trustee Fahs
<u>Aye</u>		
Trustee Herman	<u>Aye</u>	Trustee Ketchner
<u>Aye</u>		
Mayor Shayler	<u>Aye</u>	

I, Kathy Kinder, do hereby certify that resolution #17/18-2 was passed at a meeting of the Board of Trustees of the Village of Wellsville, New York held on June 12, 2017, and is incorporated in the original minutes of that said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

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Certified by the Village Clerk

4. Trustee Herman made a motion to approve the operating permit for the Balloon Rally to hold fireworks display on Saturday night, July 22<sup>nd</sup>, 2017 following the balloon launch at dusk. Trustee Fahs seconded the motion. Carried.
5. Trustee Herman requested executive session.

KETCHNER:

1. Burrous Building Update- No update at this time.
2. Trustee Ketchner made a motion to authorize Mayor Shayler to execute the required agreement for the NYS Main Street Grant award which is subject to cancellation six months post award. Trustee Fahs seconded the motion. Carried.
3. Trustee Ketchner made a motion to accept and approve the Resolution No. 17/18-1 to approve the NYSDOT TEP Gateway Agreement committing funds to the project of which 80% will be reimbursed through federal funds. Trustee Herman seconded the motion. Carried.

**RESOLUTION NO 17/18-1  
OF THE VILLAGE BOARD OF TRUSTEES**

AUTHORIZING NYSDOT TEP GATEWAY AGREEMENT

**WHEREAS**, a Project for the Transportation Enhancement Program: Wellsville Gateway Enhancements, P.I.N. 6754.81 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

**WHEREAS**, the Village of Wellsville desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Transportation Enhancement Program: Wellsville Gateway Enhancements.

**NOW, THEREFORE BE IT RESOLVED** the Wellsville Village Board, duly convened does hereby

**RESOLVE**, that the Wellsville Village Board hereby approves the above-subject project; and it is hereby further

**RESOLVED**, that the Wellsville Village Board hereby authorizes the Village of Wellsville to pay in the first instance 100% of the federal and non-federal share of the cost of Design and Construction/Construction Inspection phase work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of \$469,000 is hereby appropriated from unassigned General Fund balance and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

**RESOLVED**, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village of Wellsville shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

**RESOLVED**, that the Mayor of the Village of Wellsville be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Wellsville with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

**RESOLVED**, this Resolution shall take effect immediately.

Dated: June 12, 2017; this resolution shall take effect immediately.

Moved by Trustee Ketchner, seconded by Trustee Fahs.

The foregoing resolution was adopted by the Board of Trustees of the Village of Wellsville by roll call:

Trustee Cole	<u>Aye</u>	Trustee Fahs
<u>Aye</u>		
Trustee Herman	<u>Aye</u>	Trustee Ketchner
<u>Aye</u>		

Mayor Shayler

Aye

I, Kathy Kinder, do hereby certify that resolution #17/18-1 was passed at a meeting of the Board of Trustees of the Village of Wellsville, New York held on June 12, 2017, and is incorporated in the original minutes of that said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

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Certified by the Village Clerk

4. Trustee Ketchner requested executive session regarding matters leading to possible employment.

FAHS:

1. WPD Labor Agreement Update –No update at this time.
2. Trustee Fahs stated the receipt of the Dyke Street's Budget Accountability report for March 1<sup>st</sup> thru May 31<sup>st</sup>, 2017 which has been filed in the Clerk's Office.
3. Trustee Fahs made a motion to hire KS LaForge tp tear down the Quonset hut salt/sand storage building in accordance with DOL inspection for a cost not to exceed \$5000.00. Trustee Cole seconded the motion. Carried.

POLICE:

1. Chief O'Grady requested acceptance and approval to enter into a contract with Lexis Nexis. Trustee Herman made a motion to accept the request and Trustee Cole seconded the motion. Carried.
2. Chief O'Grady requested executive session regarding employee history.

DPW:

1. Mr. Whitfield stated the Village is tempting to do more paving than the Village has done in the past.

ATTY:

1. None to report.

TREASURER:

1. None to report.

On a motion made by Trustee Cole and seconded by Trustee Ketchner the Board moved out of regular session and into executive session at 7:41 pm. Carried.

On a motion made by Trustee Ketchner and seconded by Trustee Cole the Board moved out of executive session and back into regular session at 8:31 pm. Carried.

Trustee Herman made a motion to hire James Roberts as Probationary Part-time Police Officer and agree the Village of Wellsville P.D. will sponsor Mr. Roberts to attend the

remainder (2<sup>nd</sup> half) of the Rural Police Training Academy under specific conditions at no cost to the Village. Trustee Fahs seconded the motion. Carried.

Trustee Ketchner made a motion to hire James Fisher as a Water/Wastewater Maintenance worker effective Monday June 19<sup>th</sup>, 2017. Trustee Herman seconded the motion. Carried.

On a motion made by Trustee Fahs and seconded by Trustee Ketchner the meeting was adjourned at 8:32 pm.

Respectfully submitted,

Kathy Kinder  
Village Clerk

Per NYS Amendment to the State's Open Meeting Law, public records already available under FOIL, in addition to any resolution, law, rule, regulation, policy or any amendment, that is scheduled to be the topic of discussion at an open meeting, are available upon request to the extent practicable as determined by the Village of Wellsville. The Village of Wellsville will post board meeting agenda and minutes on its web site at [www.wellsvilleny.com](http://www.wellsvilleny.com).