

MINUTES OF A BOARD MEETING OF THE VILLAGE OF WELLSVILLE BOARD OF TRUSTEES  
HELD ON October 23, 2017 AT 7:00 PM IN THE DAVID A. HOWE LIBRARY, MONDAY CLUB  
ROOM, 155 MAIN STREET, ALLEGANY COUNTY, WELLSVILLE, NEW YORK.

PRESENT: Mayor: Randy Shayler  
Trustees: Jeremy Cole, Jamie Herman, Ed Fahs  
Dir. DPW: Bill Whitfield  
Treasurer: Earl Johnson  
Atty: Dan Synakowski

ABSENT: Trustee: Dawn Ketchner  
Police Chief: Tim O'Grady

VISITORS: Brian Quinn

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

Mayor Shayler stated the first order of business is the acceptance of the minutes from the Regular Meeting held on October 09, 2017 and the minutes from the Public Hearing held on October 09, 2017. . Trustee Herman made a motion to accept the minutes and Trustee Cole seconded the motion. Carried.

MAYOR'S BUSINESS:

1. Mayor Shayler requested acceptance and approval of Resolution 17/18-9 Amending Zoning District Regulations Table Local Law #2.

**RESOLUTION NO 17/18-9  
OF THE VILLAGE BOARD OF TRUSTEES**

**TO AMEND THE ZONING DISTRICT USE REGULATION TABLE**

**WHEREAS**, a resolution was duly adopted by the Board of Trustees of the Village of Wellsville for a public hearing held by said governing body on October 23rd, 2017 at the Municipal Building, 156 North Main Street, to hear all interested parties on the proposed Local Law entitled Local Law #2 of 2017 To Amend the Zoning District Use Regulation Table, and

**WHEREAS**, notice of said public hearing was duly advertised the Wellsville Daily Reporter of Wellsville NY, on October 10, 11 and 12, 2017, and

**WHEREAS**, said public hearing was duly held on October 23rd, 2017 at the David A Howe Library, 155 North Main Street and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Board of Trustees of the Village of Wellsville that adoption of said proposed Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard for SEQRA, and

**WHEREAS**, the Board of Trustees of the Village of Wellsville after due deliberation finds it in the best interest of said Village of Wellsville to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of Wellsville hereby adopts said Local Law #2 of 2017, a copy which is attached hereto and made a part of this resolution.

Dated: October 23, 2017; this resolution shall take effect immediately with the law in effect upon filing.

Moved by Mayor Shayler, seconded by Trustee Herman

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>Absent</u>
Mayor Shayler	<u>Aye</u>		

I, Kathy Kinder, do hereby certify that Local Law #2 of 2017 was passed at a meeting of the Board of Trustees of the Village of Wellsville, NY held on October 23, 2017, and is incorporated in the original minutes of that 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

2. Mayor Shayler requested executive session for personnel matter.

TRUSTEES' BUSINESS:

COLE:

1. Trustee Cole made a motion to accept and approve the vouchers as listed in the Abstract of Vouchers dated October 23rd, 2017. Trustee Herman seconded the motion. Carried.
2. Trustee Cole made a motion to accept and approve the Treasurer's Report for September 2017. Trustee Herman seconded the motion. Carried.
3. Trustee Cole made a motion to accept and approve the Financial Report for September 2017. Trustee Herman seconded the motion. Carried.
4. Trustee Cole made a motion to accept and approve the write-off the Uncollectable Electric Balance List totaling \$6,994 including collected balances of \$2,821 for a total of \$4,173. Trustee Herman seconded the motion. Carried.

HERMAN:

1. Trustee Herman stated the Sunday Spectator, from Sunday, October 15, 2017, did an article regarding the Village of Wellsville receiving a \$2.5 million boost from the state for the wastewater treatment plant upgrades.
2. Trustee Herman made a motion to accept the resignation of Patrolman Tory Rounds for retirement effective October 31<sup>st</sup>, 2017. Trustee Herman stated accepting Patrolman Round's resignation is with deep regret and

congratulates him on his retirement. Trustee Cole seconded the motion.  
Carried.

3. Trustee Herman requested executive session for personnel matters.

KETCHNER:

1. Absent

FAHS:

1. Trustee Fahs *made* a request to accept and approve Resolution 17/18-10 declaring the intent to be lead agency on the Madison Creek Culvert replacement project.

### **RESOLUTION NO 17/18-10 OF THE VILLAGE BOARD OF TRUSTEES**

#### **SEQR RESOLUTION DECLARING THE INTENT TO BE LEAD AGENCY ON THE MADISON CREEK CONCRETE BOX CULVERT DESIGN PROJECT**

At a regular meeting of the Board of Trustees of the Village of Wellsville, New York held on October 23, 2017, the following resolution was adopted:

**WHEREAS**, the Village of Wellsville Village Board of Trustees (hereinafter referred to as Village Board) has reviewed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared by the MRB Group (hereinafter referred to as Village Engineer) on the above referenced Village of Wellsville Madison Creek Concrete Box Culvert Design Project (hereinafter referred to as Action); and

**WHEREAS**, the Village Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board determines that said Action is also subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

**WHEREAS**, the Village Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Village Board does hereby declare its intent to be designated as the lead agency for the Action, and identifies that it is a Type 1 Action pursuant to SEQR; and

**BE IT FURTHER RESOLVED**, that the Village Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on **Wednesday, November 22, 2017**.

**BE IT FURTHER RESOLVED**, that the Village Board shall also undertake the necessary County Planning Board referrals to Allegany County pursuant to General Municipal Law Section 239.

Dated: October 23, 2017; this resolution shall take effect immediately.

Moved by Trustee Fahs, 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>Absent</u>
Mayor Shayler	<u>Aye</u>		

I, Kathy Kinder, do hereby certify that resolution #17/18-10 was passed at a meeting of the Board of Trustees of the Village of Wellsville, New York held on October 23, 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

2. Trustee Fahs announced receipt of the Fireboard Minutes from October 16, 2017.
3. Trustee Fahs requested executive session

POLICE DEPT:

1. Absent

DPW:

1. Bill Whitfield announced revised plans for the Gateway Project. Bid advertisements will be within the next two weeks with opening late November or early December.
2. Bill Whitfield announced leaf pickup will begin October 30<sup>th</sup> continuing through December 8<sup>th</sup>. Any leaves left out after December 8<sup>th</sup> must be in bags.
3. Bill Whitfield stated currently Farnum Street is being milled with paving to begin October 25<sup>th</sup> to the 27<sup>th</sup> weather permitting.
4. Bill Whitfield stated survey began on October 16<sup>th</sup>, 2017 for the Madison Creek Culvert. This precludes the start of the design phase. The Village must wait for the SEQR to be finalized.
5. Bill Whitfield mention the Village of Arcade had a fire in their Electric Dept. Mr. Whitfield said the Village of Wellsville reached out the Village of Arcade and sent up a bucket truck for them to use. Also, Mr. Whitfield stated that Brad Mattison and a crew from the Village of Wellsville assisted the county in paving bridge approaches in Friendship and Rushford.

ATTY:

1. None to report.

TREASURER:

1. Request executive session for personnel matter.

On a motion made by Trustee Fahs and seconded by Trustee Cole, the Board moved out of regular session and into executive session at 7:13 pm. Carried.

On a motion made by Trustee Cole and seconded by Trustee Herman, the Board moved out of executive session and back into regular session at 8:09 pm. Carried.

Trustee Herman made a motion to hire Tory Rounds as part-time patrolman effective November 1<sup>st</sup>, 2017. Trustee Fahs seconded the motion. Carried.

Trustee Herman made a motion to hire Justin Zajicek as Temporary Full-time Patrolman starting November 6<sup>th</sup>, 2017. Trustee Cole seconded the motion. Carried.

Trustee Fahs made a motion to approve filling the position of water/wastewater maintenance worker with the provisional candidate effective November 13<sup>th</sup>, 2017 contingent upon acceptance of the employment agreement. Trustee Cole seconded the motion. Carried.

On a motion made by Trustee Herman and seconded by Trustee Fahs the meeting was adjourned at 8:10 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).