

MINUTES OF A BOARD MEETING OF THE VILLAGE OF WELLSVILLE BOARD OF TRUSTEES  
HELD ON November 27, 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, Dawn Ketchner, Ed Fahs  
Dir. DPW: Bill Whitfield  
Police Chief: Tim O'Grady  
Treasurer: Earl Johnson  
Village Atty: Dan Synakowski

VISITORS: Jeff Monroe, Chris Potter, Tim Joyce, Shawn Bray, MRB Group

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 November 27, 2017. Trustee Herman made a motion to accept the minutes and Trustee Fahs seconded the motion. Carried.

MAYOR'S BUSINESS:

1. Mayor Shayler announced December 11<sup>th</sup>, 2017 the Village's Annual Organizational Meeting will be held.
2. Mayor Shayler addressed the Board about having a second meeting Board Meeting in December. Trustee Herman made a motion not to hold a second meeting in December due to the Holiday season. Trustee Cole seconded the motion. Carried.
3. Mayor Shayler announced the Chamber of Commerce will be hosting Holidays in the Village on Thursday nights, November 30<sup>th</sup>, December 7<sup>th</sup>, 14<sup>th</sup>, and the 21<sup>st</sup> from 6:00 to 8:00 pm. Mayor Shayler encourages everyone to shop local!
4. Mayor Shayler announced the Chamber would be having the Christmas Parade on November 30<sup>th</sup> at 7:10 pm. The parade lineup will be at Tullar Field, parade down Main Street to the David A. Howe Library.
5. Mayor Shayler announced the Chamber is requesting to have firework displays on December 7<sup>th</sup> at 8:00 pm. Fireworks will be set off at the Madison Street Bridge area. Trustee Herman made a motion to allow the firework displays and Trustee Cole seconded the motion. Carried.
6. Mayor Shayler announced the Finance Committee recommended returning the necessary forms to participate in the 2020 Census Local Update of Census Addresses Operation (LUCA) which can help ensure as accurate county for our jurisdiction and requests a board motion. Trustee Herman made a motion to accept the recommendation and Trustee Ketchner seconded the motion. Carried.
7. Mayor Shayler asked the Board for their recommendations as to whom the meter coins collected during the holidays should be donated to. The Board agreed to contribute the dollars collected go the Wellsville Development Corp. Trustee Ketchner made a motion to accept the Wellsville Development Corp as the designated choice and Trustee Cole seconded the motion. Carried.

TRUSTEES' BUSINESS:

COLE:

1. Trustee Cole made a motion to accept and approve the vouchers as listed in the Abstract of Vouchers dated November 27, 2017. Trustee Herman seconded the motion. Carried.
2. Trustee Cole made a motion to accept and approve the Treasure's Report for October 2017. Trustee Herman seconded the motion. Carried.
3. Trustee Cole made a motion to accept and approve the Financial Report of October 2017. Trustee Herman seconded the motion. Carried.
4. Trustee Cole made a motion to accept Allegany County Tax Exemption for Persons over 65 Years of Age with Limited Incomes of \$16,000. Trustee Fahs seconded the motion. Carried.
5. Trustee Cole made a motion approving the Memo and Notification regarding the Village electing not to opt into the MYS Paid Family Leave Program on January 1, 2018. Trustee Ketchner seconded the motion. Carried.

HERMAN:

1. No update on the WWTP Project.
2. Trustee Herman made a motion to accept and approve Resolution #17/18-14 to Affirmatively Further Fair Housing.

## **RESOLUTION NO 17/18-14 OF THE VILLAGE BOARD OF TRUSTEES**

### **RESOLUTION TO AFFIRMATIVELY FURTHER FAIR HOUSING**

At a regular meeting of the Board of Trustee of the Village of Wellsville, New York held on November 27, 2017, the following resolution was adopted:

**WHEREAS**, the Village of Wellsville Village Board of Trustees (hereinafter referred to as Village Board) is familiar with Title VIII, Civil Rights Act of 1968, the Fair Housing Amendment Act (FHAA), commonly referred to as the Fair Housing Act, and the NYS Human Rights Law; and

**WHEREAS**, the Village Board reaffirms its support for fair housing opportunities for all persons which prohibits discrimination in the sale, rental and financing of dwellings and other housing-related transactions based on race, color, national origin, religion, sex, familial status, disability, creed, age, sexual orientation, marital status or military status; and

**WHEREAS**, the Village Board will administer programs and activities related to housing and urban development in a manner to affirmatively further fair housing including making complaint forms available upon request and designating December as Fair Housing Month to raise awareness.

**NOW THEREFORE BE IT RESOLVED**, that the Village Board agrees to commit to fair housing within its jurisdiction causing residents, owners of real estate, builders, developers and mortgage lenders to become aware of their respective responsibilities and rights under Fair Housing Legislation and other applicable laws or ordinance and the Village Board will substantially comply with all applicable Federal, State and Local Laws

in their efforts to further fair housing and hereby designates December as Fair Housing Month in the Village of Wellsville.

Dated: November 27, 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 #17/18-14 was passed at a meeting of the Board of Trustees of the Village of Wellsville, New York held on November 27, 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

3. Trustee Herman made a motion for the Mayor to sign the Contract Amendment #1 with Municipal Solutions as distributed dated November 8<sup>th</sup>, 2017. Trustee Cole seconded the motion. Carried.
4. Trustee Herman thanked everyone for his time on the Board for this past year. Trustee Herman shared his appreciation for all employees and colleagues working with the village and the residents he served.

KETCHNER:

1. Trustee Ketchner made a motion to approve Resolution No. 17/18-11 to Accept Lakewood Development II Option Agreement:

**RESOLUTION NO 17/18-11  
OF THE VILLAGE BOARD OF TRUSTEES**

**TO ACCEPT LAKEWOOD DEVELOPMENT II OPTION AGREEMENT**

**WHEREAS**, the Village owns certain real property and improvements located at 23, 25-33 North Main Street, Wellsville, New York (Tax Map Nos. 239.45-1-9 and 239.45-1-10) and Lakewood Development II, LLC (“Purchaser”) has presented the Village of Wellsville with an option agreement, and

**WHEREAS**, a public informational meeting and public hearing, duly advertised the Wellsville Daily Reporter of Wellsville NY, on October 26, 27 and 29, 2017, and

**WHEREAS**, said public informational meeting and public hearing was duly held on November 8th, 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**, Purchaser desires to obtain an option and the Village of Wellsville has agreed to grant the Purchaser an option to purchase the Property pursuant to the terms and conditions set forth in the Option Agreement

**NOW, THEREFORE, BE IT RESOLVED**, in consideration of the sum of \$1,000.00 (the Initial Option Consideration”) that the Board of Trustees of the Village of Wellsville agrees to the covenants and agreements of the option agreement and approves the execution of said option agreement.

Dated: November 13, 2017; this resolution shall take effect immediately with the law in effect upon filing.

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	<u>Aye</u>		

I, Kathy Kinder, do hereby certify that Resolution #17/18-11 was passed at a meeting of the Board of Trustees of the Village of Wellsville, NY held on November 13, 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

- Trustee Ketchner made a motion to accept and approve Resolution #17/18-12 Designating Lead Agency on the Madison Creek Concrete Box Culvert Design:

**RESOLUTION NO 17/18-12  
OF THE VILLAGE BOARD OF TRUSTEES**

**SEQR RESOLUTION DESIGNATING LEAD AGENCY ON THE MADISON CREEK  
CONCRETE BOX CULVERT DESIGN PROJECT**

**WHEREAS**, the Village of Wellsville Village Board of Trustees (hereinafter referred to as Village Board) on Monday, November 27, 2017 declared its intent to be designated the Lead Agency for the Village of Wellsville Madison Creek Culvert Replacement Project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board has provided written notices to this effect to the involved and interested agencies; and

**WHEREAS**, the Village Board has not received any written objections from the involved agencies to the Board’s being designated as the lead agency under the SEQR Regulations; and

**WHEREAS**, the Village Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Village Board does hereby designate itself as the lead agency for the Action identified above herein.

Dated: November 27, 2017; this resolution shall take effect immediately.

Moved by Trustee Ketchner, 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>Aye</u>
Mayor Shayler	<u>Aye</u>		

I, Kathy Kinder, do hereby certify that resolution #17/18-12 was passed at a meeting of the Board of Trustees of the Village of Wellsville, New York held on November 27, 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

- Trustee Ketchner made a motion to accept and approve Resolution #17/18-13 Making a Determination of Environmental Significance on the Madison Creek Concrete Culvert Design Project:

### **RESOLUTION NO 17/18-13 OF THE VILLAGE BOARD OF TRUSTEES**

#### **SEQR RESOLUTION MAKING A DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE ON THE MADISON CREEK CONCRETE BOX CULVERT DESIGN PROJECT**

At a regular meeting of the Board of Trustee of the Village of Wellsville, New York held on November 27, 2017, the following resolution was adopted:

**WHEREAS**, the Village of Wellsville Village Board of Trustees (hereinafter referred to as Village Board) has determined the above referenced Action to be an Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 on the Action prepared by the MRB Group; and

**WHEREAS**, the Village Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

**WHEREAS**, the Village Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

**WHEREAS**, the Village Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

**NOW THEREFORE BE IT RESOLVED**, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

**BE IT FINALLY RESOLVED** that the Village Board does hereby make a Determination of Non-Significance on said Action, and the Mayor is hereby directed issue the Negative Declaration as evidence of the Village Board determination of environmental non-significance.

Dated: November 27, 2017; this resolution shall take effect immediately.

Moved by Trustee Ketchner, 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>Aye</u>
Mayor Shayler	<u>Aye</u>		

I, Kathy Kinder, do hereby certify that resolution #17/18-13 was passed at a meeting of the Board of Trustees of the Village of Wellsville, New York held on November 27, 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 made a motion requesting Mayor Shayler to sign the SEQR Full Assessment Form Part 3. Trustee Herman seconded the motion. Carried.

FAHS:

1. No update WPD Labor Agreement (Executive Session).
2. Trustee Fahs acknowledged the receipt of the Fire Board Minutes taken November 20, 2017.
3. Trustee Fahs thanked outgoing Trustee Herman for his services.

POLICE DEPT:

1. Chief O'Grady requested the possibility of creating a policy regarding impound vehicles. Chief O'Grady suggested perhaps a policy could be adopted to dispose of vehicles that have been in impound more than 9 months. Village Attorney, Dan Synakowski will look into the legalities the policy.
2. Chief O'Grady requested approval to dispose of three vehicles immediately. Trustee Herman made a motion to allow disposing of the three vehicles. Trustee Ketchner seconded the motion. Carried.

DPW:

1. Bill Whitfield stated the Salt Barn was completed today.
2. Bill Whitfield stated leaf pickup in the Village is progressing smoothly.
3. Bill Whitfield mentioned the Memorial Day Parade will be taking place during the Gateway construction. At that time, a decision will be made to halt construction or make sure safety factors are in place for all pedestrians if needed.
4. Bill Whitfield requested to have the Village Christmas Party at the Water and Light Department on December 15<sup>th</sup> from 11:00 am to 1:00 pm. Trustee Herman made a motion to accept the request and Trustee Ketchner seconded the motion. Carried. All employees are encouraged to attend!

ATTY:

1. None to report.

TREASURER:

1. None to report.

Tim Joyce, Electric Dist Technician for the Village of Wellsville, demonstrated a software program for Asset Management.

On a motion made by Trustee Herman and seconded by Trustee Ketchner the meeting was adjourned at 8:24 pm. Carried.

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).