

MINUTES OF A BOARD MEETING OF THE VILLAGE OF WELLSVILLE BOARD OF TRUSTEES
HELD ON OCTOBER 28, 2019, AT 6:00 PM IN THE MUNICIPAL BUILDING, TRUSTEES BOARD
ROOM, 156 NORTH MAIN STREET, ALLEGANY COUNTY, WELLSVILLE, NEW YORK.

PRESENT: Mayor: Randy Shayler
Deputy Mayor: Jeremy Cole
Trustees: Ed Fahs, Jeff Monroe, Mike Roeske
Dir. DPW: Bill Whitfield
Treasurer: Earl Johnson
Fire Chief: Barney Dillie
Attorney: Rich Buck

ABSENT: Police Chief: Tim O'Grady

VISITORS: Heather Weimer; Dustin Quinn, DOH; AJ Scarpa; Brian Hamlin; Town
Liaison Patty Graves; Chris Potter, Spectator; Michael Baldwin, Regional
News; Jo Fenske, Code Enforcement Officer

The meeting opened at 6:00pm, the pledge to the flag was led by Deputy Mayor Cole.

Mayor Shayler requested acceptance of the minutes from the Unsafe Building Hearing held on October 14, 2019. Trustee Cole made a motion to accept the minutes and Trustee Fahs seconded the motion. Carried.

Mayor Shayler requested acceptance of the minutes from the Regular Meeting held on October 14, 2019. Trustee Cole made a motion to accept the minutes and Trustee Roeske seconded the motion. Carried.

MAYOR'S BUSINESS:

1. Mayor Shayler requested to accept and approve the Special Event Permit for The Salvation Army's Halloween Block Party scheduled for Thursday, October 31, 2019 from 6:00-8:00pm. The location is the same as in previous years, East Pearl Street, blocking off the street between Loder Street and Main Street, as well as a hayride along Loder Street and Railroad Avenue – contingent upon verification of insurance, per Jo Fenske. The motion was seconded by Trustee Fahs. Carried.
2. The next Village Board meeting has been rescheduled to be held on Tuesday, November 12, 2019 at 6:00 pm, instead of Monday, November 11, because that is a holiday – Veteran's Day. Legal notice will be published in local media to announce the change.
3. Mayor Shayler requested executive session for an attorney-client meeting.

TRUSTEES' BUSINESS:

COLE:

1. Trustee Cole made a motion to accept and approve the vouchers as listed in the Abstract of Vouchers dated October 28, 2019. Trustee Roeske seconded the motion. Carried.

2. Trustee Cole made a motion to accept and approve the Treasurer's Report for September 2019. Trustee Roeske seconded the motion. Carried.
3. Trustee Cole made a motion to accept and approve the Financial Report for September 2019. Trustee Roeske seconded the motion. Carried.

MONROE:

1. Trustee Monroe had nothing to discuss.

ROESKE:

1. Trustee Roeske had nothing to discuss.

FAHS:

1. Trustee Fahs noted receipt of a letter of complaint from the law office of Mark C. Butler, PLLC, dated September 27, 2019, against certain actions which arose during a meeting on August 15, 2019. The letter has been forwarded to the Village Attorney for review and possible further action.
2. Trustee Fahs stated receipt of the Fire Board minutes of October 21, 2019.
3. Trustee Fahs made a motion to accept and approve adding new member, Roger Johnson, to Dyke Street Engine Company #2, noting he is an interior firefighter who comes from Alfred Station Fire Department. Trustee Roeske seconded the motion. Carried.
4. Trustee Fahs made a motion to accept and approve a Duke Hose Arts/Crafts Vendor Show to be held all day Saturday, December 2, 2019. Mayor Shayler requested that they do a Special Event Permit Application. Trustee Monroe seconded the motion. Carried.
5. Trustee Fahs made a motion to accept and approve the Emerald & Dukes Golf Ball Drop to be held at the Duke Hose location, 80 Stevens Street, on April 4, 2020. Mayor Shayler requested the Special Event Permit, as a courtesy. Trustee Monroe seconded the motion. Carried.

POLICE DEPT:

1. Chief O'Grady was not present.

DPW:

1. Director Whitfield gave an update on the study done at the Niles Hill substation. The study and testing of the transformers indicate a need to replace both 100 kv switchers. He is working with O'Brien and Gere to

coordinate this required work and will provide further information later.
Looking at late spring, FY2020.

FIRE DEPT:

1. Fire Chief Dillie had nothing to discuss.

TREASURER:

1. Treasurer Johnson had nothing to discuss.

Mayor Shayler returned attention back to the Unsafe Building Hearing from the last meeting, concerning 47-49 Martin Street. Manager AJ Scarpa was in attendance to follow-up on its status. She indicated that the owner does wish to rebuild and has just recently received some quotes (two for demolition and one to rebuild). Code Officer Fenske did not recognize the name of the contractor, but indicated she will require professional plans from the contractor. Ms. Scarpa indicated she will reach out to these people immediately to see if they're legitimate, etc. Attorney Buck suggested giving Ms. Scarpa two weeks for a good faith effort. Trustee Cole made a motion to table this Hearing for two more weeks, to the next meeting on November 12, 2019. Trustee Roeske seconded the motion. Carried.

Mayor Shayler addressed the status of the 86 East Hanover Street residence after being allowed thirty days to remedy the condition of the potentially unsafe building. Code Officer Fenske had been allowed access to view progress throughout the thirty days, who indicated the entryway is still completely full. When asked of her progress made, homeowner Ms. Weimer explained that her daughter had her baby; that Ms. Weimer's ex-boyfriend, who was assisting in the rehab, is currently incarcerated; her father had a seizure so is unable to drive to haul away trash, etc.; and that she hasn't had the money since she's paying to stay elsewhere. Attorney Buck recommended filing action to proceed with actions against Ms. Weimer. He stated she's returned with more excuses, and even though he understands the difficult position she's in, enough is enough. He stated clean-up can certainly continue and the judge can make a determination from there. Trustee Cole made a motion to allow Village Attorney Rich Buck to proceed with legal action on 86 East Hanover Street Unsafe Building; Trustee Fahs seconded the motion. Carried.

Code Officer Fenske presented information on a garage in an unsafe state located at 205 Maple Avenue, requesting to call for an Unsafe Building Hearing. She explained that the garage is about to collapse on itself and/or the railroad tracks behind the property. Since the garage in question abuts the property next door, it is endangering that property as well, and that property just had renovations made in the last year. This garage is open to the elements and there is debris in the driveway. Mayor Shayler suggested having the Hearing on November 12, 2019, but Officer Fenske noted there are two owners involved here, with one being in New York City, so she'll need to do further research and probably more time. Mayor Shayler stated to move forward on November 25, 2019 at 5:30pm with Public Notice stating such.

On a motion made by Trustee Fahs and seconded by Trustee Roeske, the Board moved out of regular session and into executive session at 6:35 pm. Carried.

On a motion made by Trustee Monroe and seconded the Trustee Fahs, the Board moved out of executive session and back into regular session at 7:30 pm. Carried.

On a motion made by Trustee Fahs and seconded by Trustee Cole, the meeting adjourned at 7:30 pm. Carried.

Respectfully submitted,

Wendy Seely
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 website at www.wellsvilleny.com.