

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
WELLSVILLE HELD ON MAY 14, 2012 AT 7:00 PM IN THE TRUSTEES ROOM OF THE
MUNICIPAL BUILDING, 156 NORTH MAIN STREET, ALLEGANY COUNTY, WELLSVILLE
NEW YORK.

PRESENT: Mayor: Judy Lynch
Trustees: Jamie Herman, Tom Hayden, Mike Dunaway, Pete Cook
DPW Dir: Bill Whitfield
Police Chief: Tim Walsh
Village Atty: Dan Synakowski

VISITORS: Bob Sobeck, Ron Taylor, Brian Quinn, Chelsea Wallace, Steve Havey, Dick Golas

The meeting opened with the pledge to the flag led by Mayor Lynch.

Mayor Lynch called the meeting to order and announced the first order of business would be the approval of the minutes of the previous public meeting. On hearing no corrections to the minutes, Trustee Herman made a motion to accept the minutes and Trustee Dunaway second the motion.

Mayor Lynch announced the minutes of the previous regular minutes needed to be accepted and approved. On hearing no corrections to the minutes, Trustee Herman made a motion to accept the minutes and Trustee Dunaway second the motion.

Mayor Lynch opened the floor to visitor, Bob Sobeck. Mr. Sobeck updated the Board on the Seneca and Howard Street Housing Project. Mr. Sobeck indicated a dynamic compaction method was going to be used. Mayor Lynch requested a meeting be held with Bill Whitfield, Billy Braun, Bob Sobeck, Mayor Lynch, and the our engineers.

Bob Sobeck requested executive session for a contractual matter.

MAYOR'S BUSINESS:

1. Requested approval for the Great Wellsville Balloon Rally Parade to be held on Saturday, July 14, 2012, at 11:00 am. Trustee Herman made a motion and Trustee Hayden second the motion.
2. Wellsville Middle School "Jump Club" is having their annual community service on June 1, 2012. A rain date will be set for June 4, 2012.
3. The Presbytertain Church requested two handicap parking spaces and a loading area at the corner of North Main and Fassett Street. Mayor Lynch stated there is already a handicap parking space in front of Richardson & Stouts and one on Fassett Street. Mayor Lynch also stated no loading zone can be granted. Trustee Herman made a motion to keep the parking and loading stay the same. Trustee Dunaway second the motion.
4. The American Legion announced the Memorial Day Parade will be held May 28th at 10:00 am. Trustee Dunaway made a motion and Trustee Herman second the motion. Carried.

5. Requested executive session for contractual matter.

TRUSTEES' BUSINESS:

HERMAN:

1. Received the April Fireboard Minutes.
2. Thanked Bill Whitfield and his crew for a wonderful job done with the brick work done around the village.

HAYDEN:

1. None

DUNAWAY:

1. Made a motion requesting a resolution authorizing the annual renewal of the inter-municipal Mutual Aid Agreement between municipalities of Allegany County. Trustee Herman second the motion.
2. Made a motion requesting approval for William Whitfield to attend the APPA annual meeting in Seattle June 15-20, 2012 as part of his MEUA presidential responsibilities. All cost associated are covered by the MEUA. Trustee Cook second the motion. Carried.
3. Resolution for Emergency Storm Relief on Madison and Pine Street.

RESOLUTION BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF WELLSVILLE
AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE
"MARCHISELLI" PROGRAM- AID ELIGIBLE COSTS, OF A TRANSPORTATION
FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Village of Wellsville, County of Allegany, P.I.N. 6ER1.12 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that call for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds for the Permanent repairs and a ratio of 100% Federal funds and 0% non-federal funds for the Emergency Repairs; and

WHEREAS, the Village of Wellsville desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of the Emergency Storm Relief on Madison Street and Pine Street in the Village of Wellsville, County of Allegany.

NOW, THEREFORE, the Wellsville Village Board, duly convened does hereby

RESOLVE, that the Village of Wellsville Board hereby approves the Village of Wellsville to pay in the first instance 100% of the federal and non-federal share of the cost of Emergency Storm Relief work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$49,524.00 is hereby appropriated from **\$42,347.00** or, appropriated pursuant to and made available to cover the cost of participation in the above phase 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 any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

VOTE: _____ Ayes _____ Nays

I certify that this Resolution was adopted by the Board of Trustees of the Village of Wellsville, New York on the 14th day of May, 2012.

Signature
Village Clerk

4. Resolution to adopt a new refuse and code enforcement fees as discussed during the public hearing.

RESOLUTION

WHEREAS, a public hearing was held on May 14th, 2012 at 6:45 p.m. to hear all interested parties on code enforcement fees; and

WHEREAS, notice of the public hearing was duly advertised on May 8th, 2012 in the Wellsville Daily Reporter; and,

WHEREAS, the Board of Trustees of the Village of Wellsville, after due deliberation, finds it in the best interest of the Village of Wellsville to raise code enforcement fees,

NOW, THEREFORE, BE IT RESOLVED, that hereafter, code enforcement fees shall be as follows and the local laws will be updated accordingly:

Building Permit - \$50.00 per occurrence for the first \$2,000 of local construction factor (\$30 per sq ft of unfinished construction or \$70 per sq ft of finished construction) plus

\$2.00 for each additional \$1,000 or fraction thereof to a value of \$25,000 plus

\$1.00 for each additional \$1,000 or fraction thereof to a value of \$50,000 plus

\$1.00 for each additional \$1,000 or fraction thereof to a value of \$100,000 plus

\$1.00 for each additional \$1,000 or fraction thereof to a value of \$500,000

Swimming Pool Permit - Above-Ground \$75.00

Swimming Pool Permit - In-Ground \$350.00

Zoning Board Application \$25.00

Real Estate Request Letters \$25.00

Real Estate Additional Documentation \$40.00

Commercial Plan Review \$125 initial hour of second review

Commercial Plan Review \$75 each additional hour of second review (excessive changes)

Fire Inspection - Public \$125 (Restaurants, Clubs, Places of Public Assembly)

Fire Inspection - Commercial \$75 (Business)

Fire Inspection - Rental \$25 per apartment or single family home

This resolution shall take effect June 1st, 2012.

The foregoing resolution was adopted by the Board of Trustees of the Village of Wellsville by a roll call vote of 5 Aye and 0 Nay at their regular meeting on May 14th, 2012.

Kathy Kinder

Village Clerk

Village of Wellsville

RESOLUTION

WHEREAS, a public hearing was held on May 14th, 2012 at 6:45 p.m. to hear all interested parties on a proposed resolution to change garbage and solid waste collection and bulky trash collection fees; and

WHEREAS, notice of the public hearing was duly advertised on May 8th, 2012 in the Wellsville Daily Reporter; and,

WHEREAS, user fees for the collection of garbage and solid waste and bulky trash are based on the costs incurred by the Village of Wellsville for providing the services; and,

WHEREAS, the Board of Trustees of the Village of Wellsville, after due deliberation, finds it in the best interest of the Village of Wellsville to raise the garbage and refuse collection fee and the bulky trash collection fee,

NOW, THEREFORE, BE IT RESOLVED, that hereafter, the garbage and solid waste fee and bulky trash collection fee shall be as follows and the local law will be updated accordingly:

Garbage and Solid Waste Collection - \$11.50 monthly per dwelling unit

This resolution shall take effect June 1st, 2012.

The foregoing resolution was adopted by the Board of Trustees of the Village of Wellsville by a roll call vote of 5 Aye and 0 Nay at their regular meeting on May 14th, 2012.

Kathy Kinder

Village Clerk

Village of Wellsville

COOK:

1. None

POLICE DEPT:

1. Chief Walsh requested the east side of Park Avenue have no parking signs posted. Trustee Dunaway made a motion and Trustee Hayden second the motion. Carried.
2. Requested executive session for personnel matter.

FINANCE COMMITTEE:

1. Trustee Herman made a motion for the acceptance and approval of the vouchers as listed in the Abstract of Vouchers dated May 14th, 2012. Trustee Dunaway second the motion. Carried.
2. Trustee Dunaway made a motion for the acceptance and approval of the Treasurer's Report for April 2012. Trustee Cook second the motion. Carried.
3. Trustee Herman made a motion for the acceptance and approval of the Financial Statements for April 2012. Trustee Hayden second the motion. Carried.
4. Trustee Herman made a motion for the acceptance and approval of the Budget Modifications for May 14th, 2012. Trustee Hayden second the motion. Carried.

5. Requested executive session for contractual matter.

On a motion made by Mayor Lynch and second by Trustee Dunaway the Board moved out of regular session and into executive session at 7:19 pm.

On a motion made by Mayor Lynch and second Trustee Hayden moved out of executive session at 9:12 pm.

Trustee Herman made a motion to appoint Tim Walsh as permanent Chief of Police. Trustee Hayden second the motion. Carried.

Trustee Herman made a motion to accept a revolving loan to Chelsea Wallace with the Village attorney's approval. Trustee Dunaway second the motion.

Trustee Herman made a motion to accept the 2 hour unlimited parking for 65 and older for a yearly fee. Trustee Dunaway second the motion.

Trustee Dunaway made a motion to accept full-time status for Jo Fenske which would include issuing parking violations. Trustee Herman asked that a job description be put into place. Trustee Hayden second the motion.

Trustee Hayden made a motion to hire Glen Lowery full time effective June 4, 2012. Trustee Dunaway second the motion.

The meeting was adjourned at 9:15 pm on a motion made by Trustee Herman and second by Trustee Dunaway.

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, is available upon request to the extent practicable as determined by the Village of Wellsville. The Village of Wellsville will post board meeting agendas and minutes on its web site at www.wellsvilleny.com.