

**VILLAGE OF CATTARAUGUS**

14 Main Street  
Cattaraugus, NY 14719

**REGULAR BOARD MEETING**

July 13, 2009 7:00 p.m.

**PRESIDING:** William Myers, Mayor

**PRESENT:** Trustees: Patrick McGlew, Gayle Patterson; Jason Opferbeck, Department of Public Works Superintendent; Rose LaQuay, Recording Secretary

**ABSENT:** Trustees: John Bronneberg, Angela Hogan; Donald Veith, Police

**VISITORS:** Arvilla Pritchard, Gowanda PennySaver / News; David Rivet, James Ellis, Catt. County Legislator; Rick & Lynn LeFeber, Officer Mike McCarthy

**CALL TO ORDER:**

Mayor Myers called the meeting to order at 7:01 p.m.

**Resolution #30-0910 Minutes**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That the minutes of the June 8, 2009 minutes are accepted with amendments.

**VISITORS:**

1. Rick & Lynn LeFeber - discussed their meeting with Cattaraugus County regarding the Old Elementary School. The CLDC will commit to a 3-4 year timeline, no longer. A Feasability Study is needed to determine if conversion to apartments is possible.
2. Legislator, Jim Ellis - Cattaraugus County had resolution, but was withdrawn for legality reasons, the County cannot give funds to private property owners. Cattaraugus County will not foreclose till they have someone who is interested in developing the property. Could the Village attend the Wednesday, July 15, 2009 Legislative Session to ask the County to give \$6,500 for a Marketing Study on if the Old Elementary School can be converted to apartments? Rick LeFeber and Trustees McGlew and Patterson to attend.

**CORRESPONDENCE:**

1. New York State Office of Parks, Recreation and Historic Preservation - Public Information Meeting on Draft Master Plan / Draft Environmental Impact Statement for Allegany State Park.
2. New York State Industries for the Disabled, Inc. - Introduction of recently appointed President / CEO
3. Time Warner Cable - Expiring agreements, service changes, new services
4. Urban Engineers of New York, P.C. - Informational leaflet
5. Cattaraugus County Real Property Services - Open discussion seminar on Assessment Needs Study by Jerry Bukiewicz
6. New York State Department of Environmental Conservation - Water Quality Improvement Projects Grant Program information, deadline October 16, 2009.
7. United States Environmental Protection Agency - Schedule of activities at Peter Cooper Landfill Superfund Site in Gowanda, New York.
8. Cattaraugus County Real Property Services - Cattaraugus County approval of partial exemption to senior cit-

izens on a sliding scale for the 2010 assessment roll

Clerk to research indicated resolution by Village of Cattaraugus to follow Cattaraugus County's lead and report back to the Village Board.

9. Richard LeFeber - Consultant Agreement between CLDC and Saralinda Hooker, Consultant in Planning, Development, Historic Preservation and Market Analysis
10. NYCOM - Honoring employees with service of 25, 30, 35 years, etc.
11. Eric Massa - Email regarding possible grant opportunities
12. Catt. Ind. Development Agency - revisions to Uniform Tax Exempt Policy
13. Historic Cattaraugus Corp. - Request for contribution for annual community fireworks display.
14. Cattaraugus County Health Dept. - Violation minor deficiencies with November 1, 2009 compliance date.

## **REPORTS:**

### **Department of Public Works:**

1. North Franklin Street Brush Site getting alot of garbage dumped at the site. Requesting a gate to prevent misuse. Mr. Robby Barber will purchase the gate if the Village installs it. DPW would open the site Tuesdays and Thursdays during work hours, with a possible Saturday opening in the Fall. Written permission is required from the adjoining landowners.
2. Cattaraugus - Little Valley School water from hydrants is unmetered. An agreement with the School is needed for the School to pay quarterly billing for water used during the construction project.

### **Resolution #31-0910 CLVCS Construction Water Consumption**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That the Board authorizes Jason Opferbeck, DPW Superintendent to negotiate with Cattaraugus - Little Valley Central School to pay for unmetered water consumption during their construction project.

3. Quotes for redoing Memorial Drive:

Gernatt \$ 12,547.85 Village of Cattaraugus provides labor and traffic control  
Lakeshore Paving \$ 12,942.50 Village provides traffic control

### **Resolution #32-0910 Accept Quote to Re-Blacktop Memorial Drive**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That Lakeshore Paving lay asphalt obtained from Gernatt's to redo Memorial Drive from Route 353 to South Street.

4. Looking for grant monies to pay for a control that slows down power to the well pump, enabling a slow start and lower running speed. Actual electric cost for 2 pumps - \$953.00, Projected Electric Cost with control - \$426.00. Quote of \$7,500.00 includes 2 controls, installation, programming and start-up service.

5. Bev Mercer requests a reduction in her June 2009 water bill due to Northrup hitting her water line during construction.

### **Resolution #33-0910 Reduction in Mercer Water Bill**

On a motion by Trustee Patterson, second by Trustee McGlew, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

Authorizing the Clerk to reduce the current bill to 2 minimum bills and write a letter informing Ms. Bev Mercer and Mr. Larry Ellis, the other homeowner on account, that in the future 2 minimum usage bills will be issued

when usage is 16,000 gallons or under, overages will require the usual overage fees.

6. New Ford F350 truck is having box installed. Waiting for Teitsworth to give guarantee on Chevy before putting out for bid.

7. Quotes for : Route 353 by Chester - Jensen and South Street from Waverly Street down.

Countryside Landscaping \$ 12,000.00 600 linear feet of 4" thick, sidewalk with topsoil and seed  
Steve Buckley / Moore Road Construction and CT Concrete did not submit quotes.

**Resolution #34-0910 Accept Sidewalk Quote**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

To accept the quote from Countryside Landscaping of \$12,000.00 for 600 linear feet of 4" thick sidewalk with topsoil and seed.

**Treasurer:**

1. Fund Balance of \$9,900.00 left in DPW Building, must be used by the September meeting to seal the DPW parking lot or put towards the Bond Principal.

2. The annual report is 75% done, account books will be available at the Village Hall for the Trustees' review.

**Resolution #35-0910 Reserve Funds for Senior Center Repair**

On a motion by Trustee Patterson, second by Trustee McGlew, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That \$18,367.40 be reserved for repairs to the Senior Center.

**Resolution #36-0910 Transfers**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That the following transfers be made: \$175,000.00 from General Checking to Savings, \$35,000.00 from Water Checking to Savings, and \$15,000.00 from Sewer Checking to Savings.

**Clerk:**

The Clerk's Report was distributed to all Board members for their review.

**Police:**

The Police Report was distributed to all Board members for their review.

**Board:**

Trustee McGlew - Cattaraugus Area Youth Council requested \$2,900.00 from the Village for their annual contribution; however, only \$2,000.00 was budgeted due to information at budget time.

**Resolution #37-0910 Youth Council Contribution**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That the Village of Cattaraugus contribute \$2,000.00 as budgeted toward the Cattaraugus Area Youth Council Summer Swim Program.

**Resolution #38-0910 Youth Council Resolution for 2009**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

WHEREAS, it is necessary to make application to the Cattaraugus County Youth Bureau / New York State Office of Children and Family Services.

WHEREAS, it is necessary for the Mayor to sign for the Village of Cattaraugus, now, therefore be it

RESOLVED, the Village Board does hereby authorize the Mayor of the Village of Cattaraugus to enter into agreements with the Cattaraugus County Youth Bureau / New York State Office of Children and Family Services to run youth programs for the 2009 program year ending December 31, 2009.

Approved by Board Resolution this 13th day of July 2009.

**OLD BUSINESS:**

1. Bush Lot - Bill Anderson, Pat, Dave Rivet, Dennis Sibley and respective lawyers attended the preliminary meeting on the sale of the Bush Lot. Mr. Anderson requests we prepare a new proposal to be submitted to our lawyer, then his regarding the purchase price and terms. He is looking at developing the site into a repair or manufacturing facility. Discussion tabled, a special meeting will be called during the week of July 27th to discuss this issue.
  2. Dollar General - Jim Shipley is happy with the progress. Chris from Cocca Development has contacted Supt. Opferbeck regarding the sewer, we are waiting on New York State. Hold Harmless and Certificate of Insurance coming from Olsen for the Dollar General site.
  3. Superintendent Opferbeck to obtain estimates of repairs needed at the Senior Building.
- \*Superintendent Opferbeck departed at 9:16 p.m.

**NEW BUSINESS:**

1. The Bank of Cattaraugus requires resolution by the Board for the new clerk to sign on Signature Cards as Clerk.

**Resolution #39-0910 New Signature Cards Required**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That Rose LaQuay be named as Clerk / Collector / Registrar and authorized to sign on General and Water accounts.

**Resolution #40-0910 Clerk's Pay / Benefit Package**

On a motion by Trustee McGlew, second by Trustee Patterson, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That the Clerk's pay rate and benefits stay same as budgeted and approved at the April 2009 Organizational meeting.

2. Time Warner paid \$2,040.51 in franchise fees, requesting waiving of Village Taxes in the amount of \$1,407.34.

**Resolution #41-0910 Time Warner Village Taxes**

On a motion by Trustee Patterson, second by Trustee McGlew, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That the Village of Cattaraugus accept Franchise Fees paid by Time Warner Cable in lieu of Taxes.

**APPROVAL OF ABSTRACT #2 - July 13, 2009**

Submitted for the following payments:

General	#17127 - 17176	\$269,538.34
Water	#5499 - 5516	\$ 48,152.95
Sewer	#3501 - 3512	\$ 16,452.31
Youth	#181 - 184	\$ 711.97

**Resolution #42-0910 Approval of Abstract #2 - July 13, 2009**

On a motion by Trustee Patterson, second by Trustee McGlew, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That Abstract #2 - July 13, 2009 be paid as presented.

**ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at 9:40 p.m.

**Resolution #43-0910 Motion to Adjourn**

On a motion by Trustee Patterson, second by Trustee McGlew, the following resolution was

**ADOPTED** Aye 2 McGlew, Patterson  
Nay 0

That the July 13, 2009 regular board meeting of the Village of Cattaraugus be adjourned.

Respectfully submitted,

Rose LaQuay  
Recording Secretary  
Village of Cattaraugus  
Board of Trustees

**NEXT MEETING:** August 10, 2009 at 7:00 p.m.