

August 10, 2015

Mayor Bielec opened the meeting 6:32 pm, followed by the Pledge of Allegiance.

Trustees reviewed the bills to be paid.

Members Present: Mayor Bielec. Trustees Graham, McMartin-Eck and Lauer. Also present were Robert Coles, Court Clerk Pam (Yasses) Thurber, Code Enforcement Officer Craig Blake and Police Officer Rich Retzlaff. Trustee Ianni was absent.

Robert Coles spoke to the Board regarding his previous employment with the Village as a Sewer Operator Trainee in 1989, and said at the time he had not been offered Retirement. Clerk informed the Board he had been employed for 10 hours during the week of November 21-17, 1989 then left the job. Mr. Coles explained that after he was hired as a trainee he was informed that when he was qualified he would have to retake the test and score higher than another trained applicant in order to maintain his position with the Village. At that point he left the Village to pursue a more stable position.

Mr. Coles further explained that he is currently seeking to collect retirement from NYS and needs the Village to write a letter to NYS Retirement attesting that at the time he was employed he was not offered the option to participate in Retirement. Mr. Coles said that he was informed that the burden of proof was on the applicant. Clerk Thomas informed the Board that per Section 45 of 1986 Law, employees must be notified in writing of the option to participate in Retirement and the paperwork was to be kept in the personnel file of the employee. She added that Mr. Coles' files were examined and there was no paperwork found in the files that indicated whether he was or was not offered retirement. Brief discussion took place.

Motion was made by Mayor Bielec and seconded by Trustee Graham to have the Clerk provide a letter for Mr. Coles to present to NYS Retirement confirming that no paperwork was found in Mr. Coles' files that indicated that he was or was not offered retirement.

The motion was passed on the following vote:

| VOTE | YES | NO | ABSTAIN | ABSENT |
|----------------------|-------------|----|---------|----------|
| Mayor Dave Bielec | X | | | |
| Trustee Ken Lauer | X | | | |
| Trustee Art Ianni | | | | X |
| Trustee Al Graham | X | | | |
| Trustee McMartin-Eck | X | | | |
| VOTE TOTAL | 4 | | | 1 |
| RESULTS | PASS | | | |

Mr. Coles left the meeting at 6:40 pm.

Court Clerk Pam (Yasses) Thurber presented the Board with a request for approval to attend the Court Clerks & Magistrates Conference in Niagara Falls September 27-30, 2015. She indicated that the cost for the conference is \$648.00 and was budgeted for in the current budget.

Motion was made by Trustee Graham and seconded by Trustee Lauer to approve Court Clerk Pam (Yasses) Thurber to attend the Court Clerks & Magistrates Conference in Niagara Falls September 27-30, 2015 at the cost of \$648.00.

The motion was passed on the following vote:

| VOTE | YES | NO | ABSTAIN | ABSENT |
|----------------------|-------------|----|---------|----------|
| Mayor Dave Bielec | X | | | |
| Trustee Ken Lauer | X | | | |
| Trustee Art Ianni | | | | X |
| Trustee Al Graham | X | | | |
| Trustee McMartin-Eck | X | | | |
| VOTE TOTAL | 4 | | | 1 |
| RESULTS | PASS | | | |

Court Clerk Thurber also informed the Board that one of the interior cameras in the hallway is showing up in black and white instead of color when replayed. She said she had contacted Amherst Alarm and was informed that the cameras were no longer under warranty. They informed her that at minimum it would be \$95.00 for a service call. She requested approval to have Amherst Alarm come out to examine the problem. She informed the Board that it is still recording, but not in color. The Board suggested she check on an extended warranty and then they will determine whether to have Amherst Alarm examine the problem. Court Clerk Thurber said she would check on the warranty and mentioned to the Board that there is still \$1375 left in grant funds that may be able to be used for the camera repairs.

Court Clerk Thurber also explained the procedure for forfeited bail monies and that after a certain period of time, forfeited bail is to be turned over to the Village. She further explained that according to the records there currently should be \$3,150.00 in forfeited bail to be turned over to the Village, dating from 2008 to 2011 from former Judge Robert Alexander's bail account, however there is only \$655.20 in the account, leaving close to \$2,495.00 missing or unaccounted for, which may or may not have been included in the missing funds found during the past audit. It was suggested that the attorney costs to further pursue the status of these particular funds would be too costly.

Ms. Thurber also informed the Board that in 2013 M&T bank had charged service charges for a 3 month period that should not have been charged on Judge O'Connor's accounts. She said that she has attempted to get the bank to reverse the charges, which amount to \$76.58 in the bail account and \$96.00 in the fine account, but the bank would not reverse them. Because the court is not supposed to incur service charges and to balance out the court accounts, Ms. Thurber requested the Village reimburse the Court for the amount of the service fees. The Board suggested that the Village issue a

letter to M&T Bank requesting the reversal of the fees. Court Clerk Thurber said she will again contact M&T in an attempt to get the charges reversed before a letter is sent.

Officer Retzlaff spoke to the Board about the feasibility of getting speed limit signs installed on all of the side streets in the Village. When questioned if there were any specific incidents that have prompted this request, he mentioned a speeder on Longs Lane that, when told he was speeding, said there are no speed zone signs on the street. Officer Retzlaff said it is difficult to enforce the speed without speed zone signs on the streets. It was mentioned that the signs on Routes 33 and 77 all read “Village” speed limit, which would incorporate all Village streets. Officer Retzlaff also mentioned the “Children at Play” signs are in need of replacing.

Officer Retzlaff mentioned the three officers have received their replacement bulletproof vests, but informed the Board that Officer Scanio is still wearing his old Akron vest. Officer Retzlaff indicated Officer Scanio had never been approached about getting a new vest. Officer Retzlaff said he inquired at United Uniform and was informed that they have Officer Scanio’s measurements on file if the Village chooses to supply him with an updated vest. Brief discussion took place as to whether there would be any BVP Grant funds left to help towards the cost. Clerk said she will check on the balance left.

The discussion of the potential of hiring an officer for a full time position was put on hold until notification from Civil Service on the required physical fitness test.

Communications:

- 1) Rec’d layout diagram of Monrian property on Allegheny re: sump pump drainage.
- 2) Rec’d ck#52042 in amt of \$5000 from Yancey’s Fancy for pretreatment program & permit.
- 3) Rec’d WWTP Operation report & DMT for June 2015 from Camden Group.
- 4) Rec’d Chips balance report & instructions from NYS DOT.
- 5) Rec’d notice of Annual Backflow Prevention Device test from MCWA.
- 6) Rec’d Collateral update from BNY Mellon.
- 7) Rec’d ACH Summary from M&T Bank.
- 8) Rec’d letter giving notice of intent to appeal Small Claim court decision from Robert Alexander.
- 9) Rec’d letter from Robert Coles re: former employment & not being offered retirement.
- 10) Rec’d ck#1058 in amt of \$16,351.00 from Judge O’Connor for July 2015 fines.

Motion was made by Trustee Lauer and seconded by Trustee McMartin-Eck to approve minutes of July 27, 2015 Committee meeting.

The motion was passed on the following vote:

| VOTE | YES | NO | ABSTAIN | ABSENT |
|-------------------|-----|----|---------|--------|
| Mayor Dave Bielec | X | | | |
| Trustee Ken Lauer | X | | | |
| Trustee Art Ianni | | | | X |
| Trustee Al Graham | X | | | |

| | | | | |
|----------------------|-------------|--|--|----------|
| Trustee McMartin-Eck | X | | | |
| VOTE TOTAL | 4 | | | 1 |
| RESULTS | PASS | | | |

| | <u>Date</u> | Gen. Fund Ckg | Sew.Fund Ckg | Cap. Proj Fund | True Gen Bal |
|------------------------------|-------------|----------------------|------------------------|------------------------|----------------------|
| Ckg Bal. on hand | 07/13/15 | 208,134.78 | (67,016.78) | 0.00 | |
| Trans.Sewer Relevies/Auditor | | (9,855.27) | 9,855.27 | | |
| Receipts to | 08/10/15 | 47,103.18 | 11,339.82 | | |
| Balance | 08/10/15 | 245,382.69 | (45,821.69) | 0.00 | |
| Disbursements to | 08/10/15 | (20,539.78) | (1,817.25) | | |
| Payroll & Taxes to | 08/10/15 | (16,718.11) | (952.17) | 0.00 | |
| Subtotal | 08/10/15 | 208,124.80 | (48,591.11) | 0.00 | |
| Payables | 08/10/15 | (4,665.84) | (12,411.63) | 0.00 | |
| Ckg Total | 08/10/15 | 203,458.96 | (61,002.74) | 0.00 | 142,456.22 |
| | | | | | |
| Money Market | | General Fund | Capital Reserve | Sew. Repair Res | Total Savings |
| SavingsTotal | 06/30/15 | 178,365.86 | 247,563.27 | 35,835.27 | 461,764.40 |
| Interest Credit | 07/31/15 | 9.09 | 12.61 | 1.83 | 23.53 |
| Balance | OK | 178,374.95 | 247,575.88 | 35,837.10 | 461,787.93 |

Capital Project Money Market Account

| | | |
|-----------------|-----------|------------------|
| Beg, Balance | 6/30/2015 | 69,304.88 |
| Transfer bills | | |
| Interest pymt | 7/31/2015 | 2.94 |
| 6/30/15 Balance | | 69,307.82 |

.05% as of 12/10/14

OK

Vouchers: #217236 thru 217270

General Fund - Total Am't = \$41,923.73
Sewer Fund - Total Am't = \$15,181.05
Capital Project Fund - Total Am't = \$ 0

Motion was made by Trustee McMartin-Eck and seconded by Mayor Bielec to pay general and sewer bills.

The motion was passed on the following vote:

| VOTE | YES | NO | ABSTAIN | ABSENT |
|------|-----|----|---------|--------|
|------|-----|----|---------|--------|

| | | | | |
|----------------------|-------------|--|--|----------|
| Mayor Dave Bielec | X | | | |
| Trustee Ken Lauer | X | | | |
| Trustee Art Ianni | | | | X |
| Trustee Al Graham | X | | | |
| Trustee McMartin-Eck | X | | | |
| VOTE TOTAL | 4 | | | 1 |
| RESULTS | PASS | | | |

Motion was made by Mayor Bielec and seconded by Trustee Lauer to approve Treasurer's Report.

The motion was passed on the following vote:

| VOTE | YES | NO | ABSTAIN | ABSENT |
|----------------------|-------------|----|---------|----------|
| Mayor Dave Bielec | X | | | |
| Trustee Ken Lauer | X | | | |
| Trustee Art Ianni | | | | X |
| Trustee Al Graham | X | | | |
| Trustee McMartin-Eck | X | | | |
| VOTE TOTAL | 4 | | | 1 |
| RESULTS | PASS | | | |

Trustee McMartin-Eck gave a brief maintenance update. She informed the Board that Prospect Avenue paving is completed and Jesse saved about \$2000 off the quoted amount. Trustee Graham informed the Board that accommodations were made for the drainage at the Sarvis house to be diverted to the lawn instead of going down the driveway. The turnaround on the property owned by Mr. Sarvis was discussed and Trustee McMartin-Eck informed the Board that in her conversation with Mr. Sarvis he informed her that he has an agreement with the school for them to use the turnaround. The Board agreed that since it was private property and he has an agreement with the school, that he should contact the school if he wants anything done with the turnaround. The Board requested the clerk to send Mr. Sarvis a letter informing him that the Village is not responsible for the turnaround and that he should contact the school.

Trustee McMartin-Eck also relayed a request from Jesse Stocking for approval to order skid loader tires before the winter. She said he estimated the cost at \$1800. It was mentioned that the tires should be available at State bid price.

Motion was made by Trustee Lauer and seconded by Trustee Graham to approve the order of skid loader tires at an estimated cost of \$1800 on State bid price.

The motion was passed on the following vote:

| VOTE | YES | NO | ABSTAIN | ABSENT |
|-------------------|-----|----|---------|--------|
| Mayor Dave Bielec | X | | | |
| Trustee Ken Lauer | X | | | |

| | | | | |
|----------------------|-------------|--|--|----------|
| Trustee Art Ianni | | | | X |
| Trustee Al Graham | X | | | |
| Trustee McMartin-Eck | X | | | |
| VOTE TOTAL | 4 | | | 1 |
| RESULTS | PASS | | | |

Trustee Graham informed the Board that the Sewer plant parking lot and paved areas need to be sealed. He said it would cost approximately \$2500 for materials to take care of all paved areas. It was mentioned that the cost should be billed at half to the Sewer Department and half to Maintenance.

Motion was made by Trustee Lauer and seconded by Trustee McMartin-Eck to approve having the Sewer plant parking lot and paved areas sealed at an estimated cost of approximately \$2500 for materials.

The motion was passed on the following vote:

| VOTE | YES | NO | ABSTAIN | ABSENT |
|----------------------|-------------|-----------|----------------|---------------|
| Mayor Dave Bielec | X | | | |
| Trustee Ken Lauer | X | | | |
| Trustee Art Ianni | | | | X |
| Trustee Al Graham | X | | | |
| Trustee McMartin-Eck | X | | | |
| VOTE TOTAL | 4 | | | 1 |
| RESULTS | PASS | | | |

Trustee Graham gave a brief Sewer update. He said there has been no further word from the Truck stops, and Tom Carpenter has not received any response from his emails.

Trustee Graham also informed the Board that there have been several conversations between himself, Mike Metzger (the Engineer for Scott Pfeil of Triton Homes), Felipe Oltramarie of Genesee County Planning and Dave Saleh. He explained that Felipe has indicated that the Preliminary plat is not complete as it needs more detail including lights, trees, sidewalks etc. Felipe said that if they get the paperwork in the way it should be, he will still try to get them on the County Planning Board agenda.

Brief discussion took place regarding problems with Triton's past submissions in 1998 and 2000, and making sure things are done properly to avoid issues down the road.

Trustee Graham informed the Board they still have some smoke testing to complete in the Village.

Officer Retzlaff left the meeting at 7:22 pm.

Discussion took place regarding the upcoming services for Dennis Yueckstock.

Trustee Graham informed the Board he had spoken to Dennis’ daughter Jenny, and she agreed she would appreciate an escort from the funeral parlor to the Community Center on Tuesday. Trustee Graham said he has contacted the Park Police where Dennis used to work, as well as other law enforcement agencies. There was also discussion about having an Honor Guard present. Trustee McMartin-Eck said she will also check on the Fire Department’s plans.

Craig Blake requested the Board to consider a stipend in the next year’s budget for Training. He also mentioned if the proposed subdivision is approved and gets underway, he will be putting in a lot more hours and would like the Board to consider an increase in salary in the next budget year to cover the additional work that will be required for the subdivision.

Motion was made by Mayor Bielec and seconded by Trustee McMartin-Eck to adjourn the meeting at 7:33 pm.

The motion was passed on the following vote:

| VOTE | YES | NO | ABSTAIN | ABSENT |
|----------------------|-------------|-----------|----------------|---------------|
| Mayor Dave Bielec | X | | | |
| Trustee Ken Lauer | X | | | |
| Trustee Art Ianni | | | | X |
| Trustee Al Graham | X | | | |
| Trustee McMartin-Eck | X | | | |
| VOTE TOTAL | 4 | | | 1 |
| RESULTS | PASS | | | |

Sandra Thomas
Clerk Treasurer