



May 5, 2015

At 7:00 PM, Mayor Stumpf called the meeting to order and led the Pledge to the Flag.

The following were present:

| | |
|-------------------|---------|
| John Stumpf | Mayor |
| Richard Hunt | Trustee |
| Patricia Sherwood | Trustee |
| Darwin Dominessy | Trustee |

| | |
|----------------|-------|
| Marcia Spencer | Clerk |
|----------------|-------|

| | |
|----------------------|----------------|
| Absent from Meeting: | Trustee McAfee |
|----------------------|----------------|

OTHERS PRESENT: Superintendent of Public Works Daren Smith, Fire Chief Jeff Holmes, Code Enforcement Joseph Boberg, Arcade Herald reporter Leslie Lange and property owner Robert Mamon.

MINUTES

Trustee Hunt seconded by Trustee Sherwood moved suspension of the reading of the Minutes of the previous board meeting of April 7, 2015 inasmuch as Board members had been supplied copies. Carried. Mayor Stumpf announced that corrections and alterations would then be heard, and concluding there were none, the minutes stand approved. Carried.

REPORTS

Fire Chief Holmes reported the following 18 calls:

| | | | |
|-------------------|----|------------------------|----|
| EMS: | | | |
| Village | 05 | STRUCTURE FIRE: | |
| Town of Yorkshire | 03 | Village | 01 |
| Yorkshire | 03 | West Valley | 01 |

AUTO ACCIDENT:

| | |
|-------------------|----|
| Town of Yorkshire | 02 |
| Town of Freedom | 03 |

One ambulance out of service, blown head gasket – estimate \$3500 - \$4000.
Took delivery of air packs on grant, 14 new packs, 28 bottles, still need to do training.
Treasurer received grant money..
The following members requested their Exemption Papers – Joni Ensell, Matt Ensell.

EXEMPTION PAPERS

It was moved by Trustee Sherwood, seconded by Mayor Stumpf to approve the Exemption papers of both Joni Ensell and Matt Ensell.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4 ayes, 0 nays, 1 absent. Carried.

Superintendent of Public Works Smith reported the following:

- 1.) Last month – water leaks – Jamie Herman from NY Rural water came out at ten at night, finished 3:30 AM. The new circuit rider came in the afternoon to check for water leaks – Delevan Avenue leak located and hydrant on Prospect out of service.
- 2.) Leak on Cobb Avenue – the Town assisted, ran two water lines, will bill residents for materials.
- 3.) Fixed three sections on School Street. The night it snowed, called Chris Lexer and the Town assisted.
- 4.) Problem finding lab classes for water license when available. License will expire and Village will get fined unless there is a IIA water operator to oversee. Dave Spencer, in the Village has a IIA license good until February 2016, the Board asked Supt. Smith to contact Spencer for particulars.
- 5.) Ball Diamond rolled.
- 6.) Unplugged septic.
- 7.) Problems with mulch pile – people dumping building materials, etc. – will have to shut down mulch pile if rules are not followed. Will place an ad in the newspaper.

Code Enforcement Officer Joseph Boberg reported the following.

- 1.) 107 S. Main Street in bad shape, possibly demolish per village law. Clerk reported the taxes have not been paid; county could possibly foreclose on it at the end of this year and have it in their name by early next year. Tabled.
- 2.) 10 Grove – roof started
- 3.) 23 Grove – slow progress
- 4.) 34 Church – four vehicles – court date.
- 5.) No action on 77 S. Main Street.
- 6.) 15 Smith Street addition

Clerk Marcia Spencer reported the following:

- 1.) All Board members supplied with copy of cash receipts.
- 2.) Scheduling of meeting room
- 3.) Garbage stickers delivery to Yellow Goose has been going well
- 4.) Update on delinquent water accounts – thirty water bills were re-levied on Village 2015-2016 taxes in the amount of \$5594.58
- 5.) Current Trial balance lists \$7326.47 as outstanding, once re-levied water bills are removed from accounts, it will leave \$1731.89 to be collected.

COMMUNICATIONS

- 1.) Catt. County Public Works – tire disposal date 09/12/2015
- 2.) Catt. County Public Works – hazardous waste disposal date 10/03/2015, must pre-register.
- 3.) WM – confirming annual increase in garbage contract. Effective June 1, 2015 per agreement, the annual rate will be \$38614.70.
- 4.) Time Warner Cable – Comcast terminated, TWC will continue as operator.
- 5.) Waste Management quarterly report received.
- 6.) Cattaraugus County Municipal Association Dinner will be held at the airport on May 14, 2015 –speaker will be on the history of the Olean airport. Mayor Stumpf and Trustee Hunt will attend.

UNFINISHED BUSINESS

- 1.) Governor's Efficiency Program – Town of Yorkshire inquired as to whether the Village would be willing to have Superintendent Daren Smith flush the Town's hydrants twice a year in an effort to save money under the Governor's Efficiency Plan.

It was moved by Trustee Hunt, seconded by Trustee Sherwood to provide the manpower for the flushing of hydrants in the Town of Yorkshire's Water District 1, as a shared service. Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4 ayes, 0 nays, 1 absent. Carried.

NEW BUSINESS

- 1.) Imposing a fee for unpaid taxes

IMPOSING A FEE FOR THE NOTICE OF UNPAID TAXES RESOLUTION

It was moved by Trustee Hunt, seconded by Trustee Sherwood to make the following resolution:

WHEREAS: Section 987 of the Real Property Law mandates the annual mailing of a notice of unpaid taxes to each owner of real property upon which taxes remain unpaid; and

WHEREAS: effective January 1, 1995, Section 987 of the Real Property Tax Law authorizes the governing body of a municipal corporation to adopt a resolution to impose a fee of up to \$2.00 per parcel to offset the expenses of complying with this mandate,

THEREFORE BE IT RESOLVED that effective May 5, 2015 the Village of Delevan does hereby provide for the imposition of a fee of an amount of \$1.00 chargeable against each parcel for which a notice of unpaid taxes is mailed in compliance with Section 987 of the Real Property Tax Law.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4 ayes, 0 nays, 1 absent. Carried.

- 2.) Tax Warrant Resolution

TAX WARRANT RESOLUTION

It was moved by Trustee Sherwood, seconded by Trustee Hunt to make the following resolution:

RESOLVED: that the tax levies totaling 88,915 as extended upon the roll of the Village of Delevan are hereby approved, and be it further

RESOLVED: that the mayor and clerk hereby are authorized and directed to sign and attach the warrant with the official Village seal hereto under the day of May 1, 2015.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4ayes, 0 nays, 1 absent. Carried.

3.) Budgetary Amendments

Village of Delevan
 Year end May 31, 2014
 Budget line item adjustments

GENERAL FUND

| Transfer From: | Amount | Transfer To: | Amount |
|-----------------------------|---------------|-------------------------------|---------------|
| Central Garage - Equipment | \$200.00 | Central Garage- Contractual | \$200.00 |
| Fire Department-Equip | \$4,000.00 | Fire Department - Contract | \$4,000.00 |
| Unallocated Insurance | \$350.00 | Safety Insp-Contractual | \$350.00 |
| Street Maint.-Contractual | \$5,500.00 | Snow Removal - Contractual | \$5,500.00 |
| State Retirement | \$770.00 | Refuse & Garbage-Stickers | \$770.00 |
| Revenues: Increase | | | |
| Federal Aid - Grants | \$23,300.00 | Expenditure: Increase | |
| Federal Aid - Grants | \$78,464.00 | Fire Department - Equip. | \$23,300.00 |
| Insurance Recoveries | \$3,766.00 | Fire Department - Equip. | \$78,464.00 |
| Fire Services - Other Govts | \$2,000.00 | Buildings Contractual | \$3,766.00 |
| | | Fire Department - Contractual | 2,000.00 |

WATER FUND

| Transfer From: | Amount | Transfer To: | Amount |
|------------------------------|-------------------|---------------------------|---------------|
| Purification-Equipment | \$5,000.00 | | |
| NYS Retirement | \$1,400.00 | | |
| Hospital & Medical Insurance | \$1,700.00 | | |
| Water Admin-Contractual | \$1,000.00 | | |
| | <u>\$9,100.00</u> | Purification-Contractual | 9,100.00 |
| Trans/Distrib-Equip | \$6,000.00 | Trans/Distrib-Contractual | 6,000.00 |
| Trans/Distrib-Labor | \$2,100.00 | | |
| Workers Compensation | \$500.00 | | |
| | <u>\$2,600.00</u> | Trans/Distrib-Pers. Serv | 2,600.00 |

Workers Compensation \$1,186.00 Debt Serv Serial - Interest 1,186.00

It was moved by Trustee Hunt, seconded by Trustee Sherwood to make the above necessary budget transfers.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4ayes, 0 nays, 1 absent. Carried.

4.) Clerk Spencer notified the Board that the Grove Street Water Contract expires 12/31/2015.

5.) **Purchasing flags/flag poles** for Main Street was discussed. Superintendent Smith apprised the Board that the poles had not held up well and replacements were necessary.

It was moved by Trustee Hunt, seconded by Trustee Sherwood to have Superintendent Smith purchase replacement poles and flags for Main Street.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4ayes, 0 nays, 1 absent. Carried.

6.) **Chatfield Engineers Proposal** – School Street. Chatfield Engineers provided an engineering proposal for the School Street Water System Improvement project. John Paul Schepp, P.E. proposed a lump sum amount of \$9229.00 to complete the tasks listed in the proposal.

After discussion, it was moved by Trustee Hunt, seconded by Trustee Sherwood to accept Chatfield Engineers proposal no. 15-464.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4ayes, 0 nays, 1 absent. Carried.

7.) Flower Barrels on Main Street – Clerk Spencer mentioned purchasing flowers for Main Street, the Board agreed.

EXECUTIVE SESSION

At 7:52 PM, It was moved by Trustee Hunt, seconded by Trustee Sherwood to go into Executive Session to discuss possible litigation.

Mayor Stumpf closed the Executive Session at 8:12 PM.

APPROVAL OF BILLS

The bills for the previous month of April were presented and audited. It was moved by Trustee Hunt, seconded by Trustee Sherwood to make payment of Vouchers #322 – 354 in payment of General Fund Claims \$7755.96, Water Fund Claims \$8802.22, Abstract 12.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4ayes, 0 nays, 1 absent. Carried.

ADJOURNMENT

At 8:25 PM it was moved by Trustee Hunt, seconded by Trustee Sherwood to adjourn. Carried.

Marcia J. Spencer, Village Clerk

PUBLIC WORKS CONTRACT

It was moved by Trustee Hunt, seconded by Trustee Sherwood to amend the Public Works Contract amount to go out to bid for any project \$35,000 and over.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf aye. 4ayes, 0 nays, 1 absent. Carried.