

VILLAGE BOARD OF TRUSTEES
JULY 20, 2015 MINUTES

Mayor Mike VandeVelde presiding

MEMBERS: Rob Cochran, Mike Catalano, Dave Brooker, Al Holbrook

OTHERS: Vince Luce, Becky Jackson, Ed LeBarron, Becki Paternosh, Rob Genthner, Jim Pacanowski, Andrew Thompson, Debra Puckhaber, Andrew Webster, Mercy Warren, Antoinette Sherman, David Haskin, Bill Christ, Steve Sandle, Ann Kneer, Tom Tarpley, Everett Reardon, Virginia Buffa, George Kolibar, Jeff Kelwaski, Ed Tkach

MAYOR/BOARD

LOCAL LAW #3-2015 AFFECTING ELIGIBILITY FOR APPOINTMENT AS FIRE COUNCIL

The Mayor opened up the Public Hearing for Local Law #3-2015 for public comment to run consecutively with the remainder of the board meeting.

MINUTES

The board made a motion to approve the minutes of 6/15/15 & 6/29/15 by Trustee Cochran, seconded by Trustee Catalano and was carried unanimously.

PROCLAMATION FOR DAR

The Mayor read a Proclamation for the Daughters of the American Revolution. Following which the request for use of the Park for a Picnic for this event for August 2, 2015 was rescinded due to lack of support for attendance.

ZUMBA REQUEST

The board denied the request from the ZUMBA Class to lower their fee from \$25 to \$20 per session. It was felt this may set a precedent.

MEUA RESOLUTION #13-2015

The board approved the following on a motion by Trustee Holbrook, seconded by Trustee Brooker and was carried unanimously.

ACCREDITED DELEGATE TO M.E.U.A.

Whereas, the Board of Public Works of the Village of Westfield, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

Whereas, the Annual meeting of the Municipal Electric Utilities Association of New York State has been called on September 15, 16, 17 AND 18, 2015 to be held at The Crowne Plaza, Lake Placid, New York, and, Whereas, in accordance with the by-laws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting, NOW THEREFORE BE IT RESOLVED, that Andrew W. Thompson be and is hereby designated as the accredited delegate of the Village of Westfield, New York.

RESOLUTION #14-2015 AUTHORIZING LICENSE FOR IMPROVEMENTS AT 47 E. MAIN ST.

The board made a motion to approve the following Resolution by Trustee Cochran, seconded by Trustee Brooker and was carried unanimously.

WHEREAS, Thomas W. Habig, the owner of 47 East Main Street, has requested that the Village permit him to encroach upon the Village's alleyway at the rear of the building by constructing and maintaining an awning or awnings projecting no more than four feet from the face of the building over the alleyway, and

WHEREAS, the Trustees have no objections to permitting such use by way of a license agreement, provided the owner meets certain conditions NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees hereby authorizes the Mayor to enter into a license agreement with Thomas W. Habig for the said encroachment, which shall be in substantially the same form and with the same conditions as the proposed license agreement attached hereto and made a part hereof.

RESOLUTION 15-2015 RELATING TO THE DEMOLITION OF THE PORTAGE INN

The board made a motion to approve the following Resolution by Trustee Holbrook, seconded by Trustee Catalano and was carried unanimously.

RESOLUTION RELATING TO THE DEMOLITION OF THE PORTAGE INN

WHEREAS, the Portage Inn building at 18-28 North Portage Street has deteriorated beyond repair, has been condemned, and must be demolished; and

WHEREAS, once the building is demolished, the parcel offers several potential public uses, including access to the proposed Welch Trail, access to Chautauqua Creek, parking for the Main Street business district, and enhanced tourism development; and

WHEREAS, the Chautauqua County Land Bank Corporation (CCLBC) has obtained grant monies from the Office of the Attorney General (OAG) for the demolition of dilapidated mixed-use structures within Chautauqua County, and has agreed to dedicate a portion of those funds to the demolition of the Portage Inn if the Village agrees to take title to the parcel prior to demolition and to provide matching in-kind services for the construction of a road thereon; and

WHEREAS, this funding commitment gives the Village an opportunity to demolish the Portage Inn with minimal cash outlay;

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees of the Village of Westfield hereby agrees and resolves to:

1. Take title to the Portage Inn property from the County of Chautauqua prior to demolition and authorizes the Mayor to execute all documents necessary and related to the transfer of title;
2. Assist the CCLBC and Town of Westfield in a cooperative effort to demolish the Portage Inn and prepare the site for road construction;
3. Apply the landfill credits available to the Village through the "Construction & Demolition Waste Addendum" to the Chautauqua County Shared Highway Services Agreement to the demolition of the Portage Inn, and to borrow more credits from other cooperating municipalities as needed; and
4. Support the Welch Trail project, including the conveyance of an easement, if necessary, over the Portage Inn parcel to allow the construction of an access road; and
5. If funding through the Consolidated Funding Application for the Welch Trail project is received as anticipated, contribute non-cash, in-kind services to the construction of the access road to the greatest extent possible given available manpower, equipment, and expertise; and
6. Maintain the access road once constructed.

RESOLUTION #16-2015 SUPPORTING THE WELCH TRAIL PROJECT
The board made the motion to approve the following Resolution by Trustee Holbrook, seconded by Trustee Catalano and was carried unanimously.

SUPPORTING THE WELCH TRAIL PROJECT

WHEREAS, the Town of Westfield will apply for a grant from the Recreational Trails Program to construct a shared-use, recreational trail on the former Welch Building property;

WHEREAS, the Welch Trail project would benefit the Village and its residents by creating a new recreational opportunity within walking distance of the Village core, providing public access to Chautauqua Creek, and expanding parking for the Main Street business district and other downtown events, and

WHEREAS, the Chautauqua County Planning Board has pledged its full support to the Welch Trail project, including the use of \$50,000 of Chautauqua County's 3% Occupancy Tax funding as a cash match for any grant monies the Town receives, and

WHEREAS, the Village desires to express its full support for the Welch Trail project and for the Town of Westfield's grant application,

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees of the Village of Westfield hereby:

1. Adopts and re-affirms its support for the Westfield Connections plan, many parts of which the Village has already implemented;
2. Adopts the Barcelona to Chautauqua Institution Trail Feasibility Study and Implementation Plan, of which the Welch Trail is a segment;

3. Agrees to convey of easements, if necessary, over the Portage Inn parcel to allow the construction of an access road and over the Lincoln-Bedell Park to allow the construction of a new stairway; and
4. Adopts and pledges its support for the Welch Trail project as proposed.

RESIGNATION OF PLANNING BOARD MEMBER

The board made a motion to accept with regret, the resignation of John Paul Wolfe from the Planning Board by Trustee Brooker, seconded by Trustee Holbrook and was carried unanimously.

APPOINT ZBA MEMBER

The board made a motion to approve Ron Catalano, Jr. as board member for the Zoning Board of Appeals by Trustee Cochran, seconded by Trustee Holbrook with Trustee Catalano abstaining, the motion was carried.

APPOINT PLANNING BOARD MEMBER

The board made a motion to approve Tracy Bennett as Planning Board member by Trustee Cochran, seconded by Trustee Brooker and was carried unanimously.

REQUEST EXECUTIVE SESSION TO DISCUSS VILLAGE COURT PERSONNEL

POLICE DEPARTMENT

MONTHLY OVERTIME REPORT

The report was approved on a motion made by Trustee Brooker, seconded by Trustee Cochran and was carried unanimously.

RESIGNATION LETTERS

The board made a motion to approve resignation letters from Police Officers Joseph Carruth and James Muscato by Trustee Brooker, seconded by Trustee Catalano and was carried unanimously.

REQUEST EXECUTIVE SESSION TO DISCUSS PERSONNEL

FIRE DEPARTMENT

MONTHLY REPORT

The Mayor read the Fire Department report which was approved on a motion made by Trustee Catalano, seconded by Trustee Cochran and was carried unanimously.

RECREATION DEPARTMENT

MONTHLY/OVERTIME REPORT

The board made a motion to approve the Program report as given by Andrew Webster on a motion made by Trustee Holbrook, seconded by Trustee Brooker and was carried unanimously.

HISTORIAN

MONTHLY REPORT

The board made a motion to approve the Historian report as submitted by Trustee Brooker, seconded by Trustee Catalano and was carried unanimously.

CODE ENFORCEMENT

MONTHLY REPORT

There was no written report given due to the recent flooding but Code Officer Pacanowski gave a brief overview for the board.

The board approved the report on a motion made by Trustee Cochran, seconded by Trustee Catalano and was carried unanimously.

Code Officer Pacanowski reported that he had attended 6 hour seminar on Flood Plain Management, 3 hour seminar on Coastal Erosion Hazards Training and a 1 hour seminar on Gray Water Systems. He commended the Fire Department for the job well done during and following the flood that happened on July 14th here in Westfield.

SURPLUS

The previously approved vehicle rotation from the Electric Department will go to the Recreation Department, the Rec. Dept. vehicle goes to the Code Officer and the Code Officer vehicle will go for surplus.

The board made a motion by Trustee Holbrook, seconded by Trustee Catalano and was carried unanimously to declare the Code Enforcement 2000 Ford Explorer vehicle as surplus and that it be sent to Auction.

PUBLIC WORKS

MONTHLY/OVERTIME REPORT

The board made a motion to approve the Monthly/Overtime report by Trustee Cochran, seconded by Trustee Catalano and was carried unanimously.

FLOOD DAMAGE OVERVIEW

Ed reported that several storm sewer systems were compromised from the flood and will need replacement. Ed reported that the main storm sewer line at Welch Field had collapsed and will need replacing. Doty Creek had flooded at Route 20 for a short period of time. It is roughly 25-30' deep. The Town had more culvert damage than the Village and we lost a bank at the end of Campbell St. Also, the access road down to the water intake had a landslide of about 100'. A rough estimate in the Village was done for utilities, road repairs, storm and sanitary sewers which amounted to

\$315,000. Ed expects it to be more like \$350,000 by the time the calculations are completed. He noted there will be forms available at the Village office for personal property damage amounts as the County is tracking damages. We need over \$20 million throughout all of Chautauqua, Cattaraugus, Allegheny and Tompkins Counties affected by the flood to get FEMA to declare it a Federal Disaster.

Village Clerk Luce commended the response and all the efforts put forth by everyone involved. The Mayor noted how well coordinated all the assistance efforts were.

WATER DEPARTMENT
MONTHLY OVERTIME REPORT

The board made a motion to approve the Monthly/Overtime report by Trustee Catalano, seconded by Trustee Cochran and was carried unanimously.

SEWER DEPARTMENT
MONTHLY OVERTIME REPORT

The board made a motion to approve the Monthly/Overtime Report by Trustee Brooker, seconded by Trustee Holbrook and was carried unanimously.

FLOODING ISSUE

Andrew noted there could possibly be some violation fees to pay due to the flooding. It was the highest single day flow he has seen. We are permitted 2.6 million gallons a day and between 7 a.m. Tuesday and 7 a.m. Wednesday we had just under 5.7 million gallons, Thursday was 3.8 and next day was 3.1 million gallons.

BREWERY WASTE CONTRACT DISCUSSION

Andrew noted they have been attempting a different way to collect brewery waste. Chad Schofield got a 6,000 gallon tank that was placed at the Plant. It meters the waste in and came up with a flow rate of 2 gallons per minute which seems to be working well. It was felt they could just continue on for another month to make sure it was working before a new resolution gets done.

ELECTRIC DEPARTMENT
MONTHLY OVERTIME REPORT

The board made a motion to approve the Monthly/Overtime Report by Trustee Cochran, seconded by Trustee Brooker and was carried unanimously.

AWARD TRANSMISSION LINE

The board made a motion to approve hiring Corbin Meleen as Full Time Police Officer contingent upon his passing the Civil Service requirements by Trustee Cochran, seconded by Trustee Catalano and was carried unanimously.

The board made a motion by Trustee Holbrook, seconded by Trustee Brooker and was carried unanimously to approve the Village Court Clerk's salary of \$18,000 based on a 15 hour week with vacation time to be discussed.

The board made a motion to amend Rich Koerner's Contract up to \$4,800 by Trustee Holbrook, seconded by Trustee Catalano and was carried unanimously.

There being no further business to come before the board the meeting was adjourned on a motion made by Trustee Holbrook, seconded by Trustee Catalano and was carried unanimously.

Respectfully Submitted by:

Vincent E. Luce
Administrator/Clerk