

**VILLAGE OF CATTARAUGUS  
REGULAR BOARD MEETING**

Village Hall  
14 Main Street  
Cattaraugus, NY 14719  
April 13, 2009

**PRESIDING:** William Myers, Mayor

**PRESENT:** Trustees: Gayle Patterson, Angela Hogan, John Bronneberg, Eugene Doucette, Treasurer, Jason Opferbeck, DPW Supt, Don Veith, Jodi Miller, Recording Secretary.  
Trustee: Patrick McGlew (7:10 PM)

**VISITORS:** Arvilla Pritchard, Ron Abbatoy, Joan Cullen

**CALL TO ORDER**

Mayor Myers called the meeting to order at 7:00 PM. A quorum was present.

Mayor Myers opened the Budget Hearing at 7:03 PM to hear any questions or comments regarding the 2009-2010 Budget and the Public Hearing regarding Local Law #1-2009 *Repeal of Local Law #1-2004 and the Establishment of Traffic Regulations*". Trustee Bronneberg requested that the Local Law be amended to include all of North Franklin Street under "School Zone". Hearing tabled, corrections will be made and distributed to Board members.

**MINUTES**

**Resolution #7-0910**                      **Approval of Minutes**

- On a motion of Trustee Patterson, seconded by Trustee Bronneberg, the following resolution was

**ADOPTED**    Aye                      3                      Patterson, Hogan, Bronneberg  
                  Nays                      0

That the minutes of the March 9, 2009, March 30, 2009 and bid opening notes of April 9, 2009 were accepted as presented.

**VISITORS**

**Historic Cattaraugus Corporation** - Joan Cullen presented an update on the Historic Cattaraugus Corporation project at 12 Main Street. She thanked the Village Board for their support. Mrs. Cullen reported that the purpose of the Historic Cattaraugus Corporation was to promote the restoration of Historic Buildings, Neighborhoods and Artifacts. She noted the following projects which the group has supported since 1991; restoration of bricks on Main Street, Historic Lighting on Main Street, stabilization of the Crawford Hotel, Bandstand in the Park, AMCUT Museum, preservation of the bell tower at St. Mary's Church, Theatre Façade, and restoration of 12 Main Street. Mrs. Cullen also noted that the space over Heavenly Treasures is being used by the School and the County Arts Council for community use and there is now a museum office on South Street which is in the process of building a workshop to do displays. Mrs. Cullen invited the Village Board to take a tour of the 12 Main Street apartments on April 27<sup>th</sup> at 6:00 PM.

**CORRESPONDENCE/CONCERNS**

1. Letter from Bouvier Partnership regarding the American Reinvestment & Recovery Act and changes to COBRA regulations.
2. Letter from Tetratex, responding to Village Board's request for more information regarding the storm water discharge from the school on Carter Street. After discussion, the Board will send another letter requesting a diagram.
3. Letter from Mark Burr, Cattaraugus County DPW re: FEMA-1827-DR-NY "New York Severe Winter Storm". Letter of Intent to apply must be received by May 1, 2009. The Clerk will contact Mr. Burr regarding funding.
4. Copy of executed Amendment #2 (State Assistance Contract No. C302749) from NYSDEC.
  
5. Copies of Letters sent from Cocca Development to New York State regarding Village's Intent to Apply for Restore NY Funding. Clerk Miller explained that the State had requested additional information regarding the construction of Dollar General and the funding request which Cocca Development was providing.
6. Notice from Time Warner Cable that late fees would increase to \$7.00.
7. Letter from Cattaraugus Local Development Corporation confirming payment in full of CLDC Loan.
8. Letter from Selective Insurance regarding claim submitted for exhaust fan at the Senior Building.
9. Packet from New York Dig Safely.

**REPORTS**

**DPW** – Supt. Opferbeck distributed the following information to the Board:

1. Jason reported on the bid information opened on April 9<sup>th</sup>.

**Five Star Equipment**  
**Route 240, PO Box 985**  
**Orchard Park, NY 14127**

**310SJ Backhoe/Loader**

Price: \$68,707.00 without Trade  
\$55,207.00 with Trade (\$13,500.00)

**\$15,103.23 Annual Payment (Lease)**

**Milton CAT 416E Loader**

4610 E. Saile Drive  
Batavia, NY 14020

Price: \$64,356.00 without Trade  
57,356.00 With Trade (\$7,000.00)

**\$15,550.71 Annual Payment (Lease)**

**Milton CAT 420E Loader**

\$70,878.00 without Trade  
\$63,878.00 with Trade (\$7,000.00)

**\$17,405.08 Annual Payment (Lease)**

**Resolution #8-0910 Backhoe**

- On a motion of Trustee McGlew, seconded by Bronneberg, the following resolution was  
**ADOPTED** Aye 4 McGlew, Bronneberg, Hogan, McGlew  
Nays 0

To accept the bid of Five Star Equipment.

2. Jason distributed information from Fairport Ford regarding purchase of a new 2009 Ford F350.

**Resolution #9-0910 Plow/Flatbed**

- On a motion of Trustee Bronneberg, seconded by Trustee Hogan, the following resolution was  
**ADOPTED** Aye 4 Bronneberg, Hogan, Patterson, McGlew  
Nays 0  
Authorizing the DPW Supt. to accept the quotes for a plow (\$4,202.00) and flatbed (\$5,295.00) from Unicell.

1. Jason reported that new telemetry equipment was being installed on Thursday. Insurance claim was submitted and money received. Jason requested approval for a phone line installation. New equipment will give Jason the ability to remotely monitor the chlorine at the wells. Jason also copied the electric bill for the month when wells shut down. Total cost was \$891.48. Jason also requested the purchase of a Blackberry so he could receive reports via the phone.

**Resolution #10-0910 Phone line/Blackberry/**

- On a motion of Trustee McGlew, seconded by Trustee Bronneberg, the following resolution was  
**ADOPTED** Aye 4 McGlew, Bronneberg, Hogan, Patterson  
Nays 0  
Authorizing the DPW Supt. to have the wiring done at the tank. Purchase of phone was tabled.

**Mayor Myers closed the Budget Hearing at 7:41 PM. No one was present for or against the proposed budget**

**TREASURER**

**Resolution #11-0910 Adoption of 2009-2010 Village Budget**

- On a motion of Trustee McGlew, seconded by Trustee Patterson, the following resolution was  
**ADOPTED** Aye 4 McGlew, Patterson, Bronneberg, Hogan  
Nays 0  
To adopt the 2009-2010 Village budget as presented.

General Property Tax:	\$338,613.00	Tax Rate:	\$16.035455	Percent Increase:	3.50%
Water:	\$250,500.00				
Sewer:	\$151,190.00				

**CLERK**

- 1. Submitted monthly report for March.
- 2. Submitted abstract #11 for the following payments to be made.

General Fund	17015-17057	\$27,224.80
Water Fund	5443-5458	\$3279.12
Sewer Fund	3471-3479	\$3,920.71

Trustee Hogan questioned the following purchases on the abstract.

- a.) Long Distance charges for Police Department.
- b.) Itemized detail of cell phones.
- c.) Number of safety glasses purchased.
- d.) Late charges on utility bills.

**Resolution #12-0910                      Abstract #11**

- On a motion of Trustee Hogan, seconded by Trustee Patterson, the following resolution was  
**ADOPTED**    Aye                      4                      McGlew, Patterson, Bronneberg, Hogan  
                      Nays                                0

That abstract #11 be paid as presented by the Clerk.

- 3. Clerk Miller suggested that NYCOM and the County Civil Service Office be contacted regarding hiring police personnel. She stated that previous Boards preferred that candidates were already screened by the County.

**POLICE**

- 1. March Report was distributed.
- 2. Don reported that Officer Parsons resigned and Officer McCarthy is on vacation.
- 3. Don Veith introduced Rob Abbatoy as a candidate to replace Officer Amy Parsons, who resigned from the Police Department. Don stated that he is currently the sole officer on patrol. Officer Veith noted that Mr. Abbatoy had come highly recommended from Lee County Florida. Clerk Miller questioned why position was not being posted and questioned why officers were not being hired from the eligible list at the County. Trustee Bronneberg asked if Mr. Abbatoy had attended the NYS Police Academy. Mr. Abbatoy responded that he had not. Tabled.

**BOARD**

- 1. Trustee Bronneberg reported that he attended the Ambulance Board meeting. He reported that new members had been added to the Board and that the old Wesleyan Church would be coming down this week. Trustee Bronneberg also reported that he had attended the Firemen’s installation dinner which went very well.
- 2. Mayor Myers reported that he had spoken with Denny Baker who has accepted reappointment to the Zoning Board. He has been unable to speak with Rick Luce or Jim Perkins. Mayor Myers also reported that Lynn LeFeber has agreed to stay on the Planning Board.
- 3. Trustee Patterson reported that although the Yard Sales were not really up to the Board, that it was the understanding that a Village-wide yard sale would occur on May 30<sup>th</sup>. There will be no maps distributed.

**OLD BUSINESS**

- 1. Dollar General – The Clerk reported that Elliott Ellis had been in contact with the Development Company re: the sign. A permit is being filed. Mayor Myers reported that Zoning Board would have to review permit if it did not conform to zoning law.
- 2. 1 North Main Street – Message was distributed to Board that Mr. Anderson was still interested in the lot. The Mayor will contact Mr. Sibley. Board discussed agreed upon price and possible incentives to build. The Clerk stated that she could distribute a copy of the Towns Local Law granting tax incentives for new builds.

With no further business to discuss the meeting was adjourned at 9:20 PM.

Respectfully Submitted,

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