

REGULAR MEETING  
WEDNESDAY, JULY 8, 2015  
7:00 P.M.

PRESENT: Mayor Kerr, Trustees Griffin, Stoltenberg, Rupp and Strickland, Clerk/Treasurer Stockman and SPW Steve Smuda.

CALL TO ORDER: Mayor Kerr called the meeting to order at 7:00 P.M. and led in reciting the Pledge of Allegiance.

MINUTES: Copies of the minutes from the last meeting (6/10/15) were given to the Board. Trustee Strickland moved to approve the minutes as presented. Trustee Griffin seconded the motion. Carried.

TREASURER'S REPORT: There was no official Treasurer's Report for this meeting as the bank statements haven't come. Clerk/Treasurer Stockman read the unofficial checkbook balances as of 6/30/15 to the Board. Copies of the reconciled report will be given to the Board as soon as possible.

ABSTRACTS OF AUDITED VOUCHERS #2: Copies of the Abstracts of Audited Vouchers #2 were given to the Board. Bills presented for payment authorization included:

GENERAL FUND:	\$ 4,825.22
SOLID WASTE:	\$ 61.65
WATER FUND:	\$ 2,246.64
SEWER FUND:	\$ 604.01

Clerk/Treasurer Stockman noted that the Chautauqua County Landfill invoice has not yet come, but is expected at any time. She asked for authorization to pay the bill when it comes. Trustee Strickland moved to authorize the Treasurer to pay the garbage tipping fees bill to Chautauqua County DPF as soon as the bill gets here. Trustee Stoltenberg seconded the motion. Carried. Mrs. Stockman also noted that she has ordered some bookkeeping documents from Williamson Law Book Company and that invoice will also be coming shortly. Trustee Rupp moved to authorize the Treasurer to pay the Williamson Law Book Company invoice as soon as it comes. Trustee Griffin seconded the motion. Carried.

Trustee Stoltenberg then moved to authorize the Treasurer to pay the bills presented on the Abstracts of Audited Vouchers #2, including the additions. Trustee Rupp seconded the motion. Carried.

PUBLIC WORKS: Well #5 – the Village is having some problems with this well. It is only able to produce 60 gallons of water per minute, which is down from 160 gpm. We are not yet in a state of emergency, but something needs to be done. We need to have an engineer do a preliminary study on drilling a new well. SPW Smuda has already talked to Eric Wohlers at the Cattaraugus County Health Department and to Mark Alianello, an Engineer. There are some options to explore. One company cautions against trying to rehab the existing well without having another one for backup. SPW Smuda will have some better guidance and more recommendations to discuss at the August meeting.

PUBLIC WORKS  
CONT'D:

Energy Audit – NYRWA (New York Rural Water Association) has chosen South Dayton for a free energy audit. We have supplied them with copies of all our NYSEG bills and our water and sewer monthly reports for a two-year period (2013-2015). When they are finished, they will give us a report. This will put us first in line for any grant funding that becomes available.

WWTP – someone from the Darlington Company is coming to install a new panel on one of the RBCs at the wastewater treatment plant.

Sidewalks – has finally talked to Dave Dawley. The plan is to do the sidewalk work in August.

Drains Cleaned – the jet-vac truck from Gowanda cleaned the drainage system all the way up Main Street (Tank Hill).

Driveway repairs – will fix the end of the driveways at the properties owned by Kevin Corkwell and Tracy Pillard. Poor drainage and prior road work have created problems for these residents.

Auctions International – there are several items that SPW Smuda would like to list on the website. Municipalities usually get a decent price for items listed on this site. Trustee Strickland moved to authorize SPW Smuda to list surplus Village items on the Auctions international website. Trustee Stoltenberg seconded the motion. Carried.

Street sweeper – needs parts at an estimated cost of \$3,500.00. Trustee Rupp moved to authorize SPW Smuda to purchase the parts and to pay for them from the equipment fund savings account. He further moved that the proceeds from the Auctions International sale be deposited back to the equipment fund savings account. Trustee Stoltenberg seconded the motion. Carried.

Celebration weekend – on Saturday, July 12<sup>th</sup> and Sunday, 13<sup>th</sup> when the Village will be having many events, the DPW will keep the trash barrels empty.

AC in office – the air conditioning in the office is not working. We need to get someone to look at it. At the same time we can see if anything can be done about the climate control unit in the vault.

Application to do work on Pine Street – Pine Street in the Village of South Dayton is owned by NYS and any work that might be done requires a permit issued by NYSDOT. Jeff Stoltenberg is in the process of turning the old meat market into a garage and would like a permit from the DOT to remove the bricks from the sidewalk in front of his building and to cut the curbing to create a driveway access to the building. The Village can apply for a permit at no cost, but a private individual would have to pay an application fee. All construction costs are at the expense of the individual.

Trustee Rupp moved to authorize the Village of South Dayton to apply for the work permit from NYSDOT on behalf of Jeff Stoltenberg. Trustee Strickland seconded the motion. A roll call vote was taken as follows:

Trustee Strickland	aye
Trustee Rupp	aye
Trustee Griffin	aye
Trustee Stoltenberg	abstained

The motion carried.

Vacation – SPW Smuda will be on vacation from July 18<sup>th</sup>-25<sup>th</sup>

SUMMARY  
OF A  
RESOLUTION  
ALLOWING  
OTHER  
MUNICIPALITIES  
TO DO WORK ON  
NYS ROADS:

The following is a summary of a Resolution submitted to the Board of Trustees of the Village of South Dayton, called an UNDERTAKING for the benefit of The New York State Department of Transportation, in connection with work affecting state highways and for use by New York municipalities and federal agencies:

WHEREAS, the undersigned Village of South Dayton (herein after called the “permittee”) from time to time receives permits from the New York State Department of Transportation (herein after referred to as the “NYSDOT”) and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee’s access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and /or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

Permit Applications  
Applicable Rules, Regulations & Conditions  
Site Restoration  
Payments & Release of Liens  
Indemnity

Trustee Stoltenberg moved to authorize Mayor Scott Kerr to execute this Undertaking with the NYSDOT. Trustee Strickland seconded the motion. Carried.

CLERK’S  
REPORT:

There wasn’t a quorum at the time of the Clerk’s report during the June 2015 regular meeting. The June report was reviewed at this meeting as follows:

Items for discussion/follow-up:

Emergency Response Plan  
Purchase Agreement for Old DPW building  
No payment received from Seneca Resources in fiscal year 2014-15.

Gave Board copies:

Letter from NYSEG – change in rate classification at new DPW building  
Letter from Selective Insurance about recent changes in coverage  
New building/demolition application form and thank-you to Ruth Bennett, Town Clerk for customizing the form.  
Copy of an immediate resolution passed by Catt. Co. Legislature on 6/10/15, authorizing and directing the County Treasurer to convey both parcels currently owned by Eagle Forest Products to the Village of South Dayton.  
Justice Court report for May

CLERK'S  
REPORT  
CONT'D:

Other Items:

The Government Efficiency Plan was submitted on 5/26/15.

Complaint about the unsightly condition of several properties on Mill St.

Request for permission for St. Mary's Episcopal Church in Gowanda to purchase one (not more than two) Village bags per week. This would only be if the Church can't come up with an alternate solution.

Treasurer work – Lena and Paul Ruper are helping with the payroll process at no cost to the Village. The Village is now set up to do all tax filing and payroll reporting online.

Village books – we are behind in the books, but work continues to get us caught up.

The summer brochure for Music in the Park and other events is available.

New for July:

E-mail from the County attorney's office advising the Village that we should send Eagle Forest Products a letter stating that the Village now owns the property and we are giving notice that they must vacate the property. The Clerk will seek guidance from the County Attorney's office in drafting this notice and the Mayor will sign it. The notice will be sent by certified mail.

Gave Board copies:

Written complaint from Rhea Clark about the condition of the sidewalk on the First Street side of her house.

Letter from Sadie Jay-Edwards, Developmental Disabilities Outreach and Information Coordinator at Directions for Independent Living. The letter is meant to inform people about programs for people with developmental disabilities.

E-mail from Kathleen Wishart, Territory Manager for a company called Cardiac Life that sells life saving equipment. They would like us to have it available at the Village office.

Justice Court report for June.

BUILDING  
PERMIT FEES:

Now that we have a new building/demolition permit application, the Board needs to adopt fees according to the type of permit that's requested. Mayor Kerr worked with Code Enforcement Officer Gary Brecker to establish the fee schedule as follows:

\$10.00 - Porches, wood stoves, coal stoves, pellet stoves, gas stoves (heating), furnaces, storage sheds (over 144 square feet), plumbing, electrical, signs and above ground pools

\$20.00 – Garages, barns, central heating and air conditioning, permanent generators.

\$25.00 – In ground pools, billboards

\$30.00 – Hazard material storage, i.e. but not limited to chemical, dynamite, fireworks, gun powder, explosives

Limits to amounts that can be stored will be left up to the Code Enforcement officer by considering location, handling, storage facility, and safety of residents.

\$50.00 – Operating without a permit

FEES CONT'D: Trustee Strickland moved to adopt the fee schedule of fees for building/demolition permits as presented. Trustee Rupp seconded the motion. Carried.  
A copy of the fee schedule will be filed with the blank applications.

TRUSTEE  
REPORTS:

Trustee Rupp

Paper Recycling Bins – the Board had discussed moving them, but decided to leave them in their current location.

Trustee Strickland

Gas Lines – talked to Black Rock Energy and tried to find out about the status of the gas line to the old Nestle Facility.

Verizon Tower – Verizon said they are behind because of the weather.

Pyramid Brokerage – haven't heard anything from them about their offer to purchase the vacant Pine Street property.

Trustee Griffin

Emergency Response Plan – has reviewed the plan and revised it with updated contact names.

Farmer's Market – hasn't been able attend, but asked how things are going. Trustee Strickland reported that things are going well.

Trustee Stoltenberg – is all set for Saturday's celebration.

MAYOR'S  
REPORT:

Purchase Agreement for Old DPW Building  
The Village Attorney has reviewed it and added an "as is" statement. All Board members signed the agreement and initialed the changes. Trustee Griffin works for Mr. Astry's Attorney and was advised not to sign the purchase agreement. That could be considered a conflict of interest. Trustee Stoltenberg called Mr. Astry and he came to the meeting and signed all the papers as well. Clerk Stockman and Mr. Astry will call NYSEG to see about transferring the electric service to Mr. Astry without terminating the service.

NEXT  
MEETING:

The next meeting of the Board of Trustees will be Wednesday, August 12, 2015 at 7:00 P.M. in the Village Office.

ADJOURNMENT:

Trustee Stoltenberg moved to adjourn this meeting. Trustee Strickland seconded the motion. Carried. The meeting adjourned at 9:25 P.M.

Respectfully submitted,

Paula J. Stockman  
Clerk of the Board

