

The Regular Meeting of the Town of Wellsville, County of Allegany and the State of New York was held at the Town Hall, 156 N Main Street on the 10<sup>th</sup> day of October 2018.

**PRESENT:** Shad Alsworth, Supervisor  
William Fish, Council Member  
Patricia Graves, Council Member  
Michael Miller, Council Member  
Darwin L Fanton, Council Member  
Dean Arnold, Highway Superintendent  
Mike Finn, Attorney  
Willis Shutt, Airport Manager

Others Present: Joe White, Bill Benz, Chad Green, CJ Rahr

Alsworth opened the meeting at 7:00 pm with the pledge to the Flag.

**MINUTES:** Accepted as presented

**COMMUNITY COMMENT:**

*Wellsville Little League:*

Board Members from the Wellsville Little League thanked the board for the improvements made to field in the Lagoon area of the park, Mr. Rahr states that the backstop on Lagoon 2 needs replacement, with some of the support brackets start to rust away, this field is very important to the Little League during the regular season as we play games there as well as on the Hank Sinkey field. We are asking the Town Board to help us with the repair of the back stop, the Little League in return would help the Town with renovations to Lagoon 4 field to make it an official practice field for the Little League. We realize that the field needs some drainage work, topsoil and dirt cutouts for bases and the pitcher's mound. Arnold states that he endorses the plan for Lagoon 4 to be a practice field for the Little League. The field is very low on the left side of the field, it has been that way ever since it was built, nobody really uses that field. I see no issue in partnering with them and fixing up the field. Arnold has some plans for Lagoon 4 that are already in the works, we did the dugouts on 3, we are in the process of doing the dugouts on 2, I'm going to address the backstop as soon as we get some quotes and figure out where we go from there, I think Lagoon 4 would make a great practice field.

Rahr again thanked the board for the many improvements we've seen on the Lagoon area fields, to the bathrooms, fences and the dugouts, it's a very big improvement to the operation of our league. The Town Board states that they have issues with the improvement to Lagoon 4.

*Trapping Brook Road:*

\_\_\_\_\_ was present to discuss his property on Trapping Brook Road, he needs access to his property, he states that there is one there now that National Grid uses but they are funny about rights-of-way for public use, he would like access from Proctor Road. The board would like Mr. \_\_\_\_\_ to go to Belmont and look up the easement that is on file there and bring it to the Town Clerk so she can copy it so the board can look it over and then they will decide from there.

**FINANCIAL REPORT:** Accepted as presented

**DEPARTMENTAL REPORTS:** Accepted as presented No dog report or assessor report

**HIGHWAY:**

*Hazard Mitigation Plan*

**FEMA:** The following resolution was offered by Shad Alsworth who moved its adoption, seconded by Darwin Fanton

**Resolution No 17**

**2011-2015 Allegany County Multi-Jurisdiction Hazard Mitigation Hazard Mitigation Plan**

**WHEREAS,** The Town of Wellsville, with the assistance from Allegany County, has gathered information and prepared the 2011-2015 Allegany County Multi-Jurisdiction Hazard Mitigation Hazard Mitigation Plan; and

**WHEREAS,** the March 2019 Allegany County Multi-Jurisdiction Hazard Mitigation Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS,** The Town of Wellsville is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

**WHEREAS,** The Town of Wellsville have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

**NOW THEREFORE, BE IT RESOLVED** by the Town Board that the Town of Wellsville adopts the March 2019 Allegany County Multi-Jurisdiction Hazard Mitigation Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the action in the Plan,

This resolution shall take effect immediately.

Vote: Shad Alsworth, Supervisor voting aye  
Michael Miller, Council Member voting aye  
William Fish, Council Member voting aye  
Patricia Graves, Council Member voting aye  
Darwin Fanton, Council Member voting aye

*Truck Repair:*

**Motion:** A motion was made by Alsworth to transfer \$10,00.00 from NY-01-0706-0015 to DA5130.445 for repairs to truck #10, 2005 International plow truck, seconded by Fanton/carried.

*Highway Department Garage:*

Arnold reports that Clark, Patterson and Lee started this project about two to three years ago by having an environmental study done before the old building is to be removed. It is Arnold's recommendation to hire Clark, Patterson and Lee to help start this project. Arnold would like to this fall prepare the building site by leveling the site, putting in drainage and build the gravel pad, he would like to design the pole barn type structure and put it out to bid. Purchase the building

then bid out the assembling the building, bid out concrete pad and bid out the plumbing so we can do the plumbing with the concrete. This would take place next spring. We have \$178,600.00 in the building reserve fund.

**Motion:** A motion was made by Fanton to take \$25,000.00 out of NY-01-0706-007 Building reserve fund and transfer it to A1620.443 for engineering cost of the highway department garage, seconded by Graves/carried

**AIRPORT:**

The following resolution was offered by Darwin Fanton, Council Member who moved its adoption, seconded by William Fish, Council Member

**Resolution No 14  
Aviation Capital Grant  
OSC Contract # K007361**

**WHEREAS,** Section 14-1 of the Transportation Law authorizes the NYSDOT Commissioner to implement the Airport Improvement and Revitalization Program, and

**WHEREAS,** pursuant to authorizations and appropriation therefore, NYSDOT and the Sponsor are desirous of progressing the Project; and

**WHEREAS,** the Sponsor attests that the Project has a useful service life as stated on the Schedule A included herein; and

**WHEREAS,** the Sponsor will administer the Project and submit to NYSDOT for funding of eligible Project costs pursuant to this Agreement; and

**BE IT RESOLVED,** that this resolution shall take effect immediately.

Vote: Shad Alsworth, Supervisor voting aye  
Mike Miller, Council Member voting aye  
William Fish, Council Member voting aye  
Patricia Graves, Council Member voting aye  
Darwin Fanton, Council Member voting aye

The following resolution was offered by Michael Miller, Council Member who moved its adoption, seconded by Patricia Graves, Council Member

**Resolution No 15  
Aviation Capital Grant  
OSC Contract # K007361**

**Whereas,** the Town of Wellsville is lead agency for the purpose of implementing the above referenced project, and

**Whereas,** the Town of Wellsville has considered and reviewed the project, now therefore be it,

**Resolved,** the Town of Wellsville, as the lead agency for purposes of this project, determines that the project is an Unlisted Action for the purposes of SEQR and be it further

**Resolved**, the Town of Wellsville determines that the action will not have a “significant effect” on the environment and, therefore, directs that a negative declaration be prepared, and be it further

**Resolved**, that as a consequence of such finding, the Town of Wellsville hereby directs that the negative declaration be distributed and published in accordance with the requirements of SEQR

**This resolution shall take effect immediately**

**Vote:** Shad Alsworth, Supervisor voting aye  
Michael Miller, Councilmember voting aye  
Patricia Graves, Councilmember voting aye  
William Fish, Councilmember voting aye  
Darwin L Fanton, Council Member voting aye

**HISTORIAN:**

*Resignation:* A motion was made by Fanton to accept the resignation of Mary Rhodes as the Town Historian, seconded by Graves/carried.

**DELINQUENT WATER AND SEWER LEVIES ON TAX ROLLS:**

*Resolution:* the following resolution was offered by Darwin Fanton, Council Member who moved its adoption and was seconded by Patricia Graves, Council Member

**Resolution No 16  
DELINQUENT WATER & SEWER RENTALS**

**WHEREAS**, the Town of Wellsville received from the Village of Wellsville delinquent Water and Sewer Rental in the amount of \$3,760.84 for water and \$725.07 for sewer totaling \$4,485.91, and

**THEREFORE**, the Town Board authorizes levies of \$4,485.91 against property owners on the 2019 Town and County Tax Rolls, be it

**RESOLVED**, that the Town Supervisor submit to the County a list of delinquent owners, and be it

**FURTHER RESOLVED**, that a certified copy of this resolution will be submitted to the Allegany County Board of Legislators, and be it

**RESOLVED**, that this resolution shall take effect immediately

**Vote:** Shad Alsworth, Council Member voting aye  
Mike Miller, Council Member voting aye  
William Fish, Council Member voting aye  
Patricia Graves, Council Member voting aye  
Darwin Fanton, Council Member voting aye

**COUNTY COMPREHENSIVE PLAN:**

Fanton, liaison to the planning board states that the Planning Board has been working on the Comprehensive plan for the county.

**SOLAR FARMS:** Mr. Fanton stated that he would like some direction on whether the Town Board wants the Planning Board to continue with its work on solar farm laws, it was

decided by the whole board that it is important to have some sort of information because solar is getting to be wide spread.

*Motion:* A motion was made by Alsworth for the Planning Board to continue its work on solar lighting and heat and to have a report to the Town Board by the November Board meeting, seconded by Fish/carried.

**AUDIT:**

**Resolution:** the following resolution was offered by Michael Miller, Council Member who moved its adoption and was seconded by William Fish, Council Member

**WHEREAS,** the Town of Wellsville contracted with EFPR Group, 6390 Main Street, Suite 200, Williamsville, NY 14221 to do an internal audit on U.S. Department of Transportation Airport Improvement Program and Independent Auditor’s Report, and

**WHEREAS,** the Town of Wellsville wishes to accept that report as presented to the Board on September 21, 2018.

**RESOLVED,** that this resolution shall take effect immediately

- Vote:** Shad Alsworth, Council Member voting aye
- Mike Miller, Council Member voting aye
- William Fish, Council Member voting aye
- Patricia Graves, Council Member voting aye
- Darwin Fanton, Council Member voting aye

**DEBT OBLIGATION:**

*2015 Mack Truck*

**Resolution:** the following resolution was offered by Darwin Fanton, Council Member who moved its adoption and was seconded by Patricia Graves, Council Member

**RESOLUTION NO 18**

**A RESOLUTION DELEGATING TO THE SUPERVISOR OF THE TOWN OF WELLSVILLE, ALLEGANY COUNTY, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND SALE OF BOND ANTICIPATION NOTES OF SAID TOWN IN AN AGGREGARE SUM NOT EXCEEDING \$41,400.00 TO FINANCE THE COST OF A 2015 MACK TRUCK**

**BE IT RESOLVED,** by the Town Board of the Town of Wellsville, Allegany County, New York, as follows:

- Section 1.** The Town of Wellsville, by resolution dated October 10, 2018 authorized the issuance and sale of bonds of the Town of Wellsville in the total amount of \$41,400.00 to finance the cost of a 2015 Mack Truck.
- Section 2.** In anticipation of the issuance of sale and said bonds of the Town of Wellsville, the power to authorize of and to sell bond anticipation notes of the Town of Wellsville, Allegany County, New York, in an aggregate sum not exceeding \$41,400.00, is hereby delegated to the Supervisor, the chief fiscal officer, Such notes shall be sold in such manner as may be prescribed by said

Supervisor of the town of Wellsville in accordance with the Local finance Law.

**Section 3.** The notes hereby authorized, or any portion thereof, shall not be issued until such Supervisor shall have first filed with the Town Board of said Town a certificate providing for the details of such notes, which certificate shall contain the statements required by Section 30.00 of the Local Finance Law.

**Section 4.** This bond anticipation note totaling \$41,400.00 is the fourth renewal. There are currently no other bond anticipation notes for this project.

**Section 5.** The \$41,400.00 bond anticipation note hereby authorized shall mature on October 11, 2019.

**Section 6.** This resolution shall take effect immediately.

**Vote:** Shad Alsworth, Supervisor voting aye  
Michael Miller, Council Member voting aye  
William Fish, Council Member voting aye  
Patricia Graves, Council Member voting aye  
Darwin Fanton, Council Member voting aye

*Madison Street Sidewalk Repairs:*

**Resolution:** the following resolution was offered by Darwin Fanton, Council Member who moved its adoption and was seconded by Patricia Graves, Council Member

**RESOLUTION NO 19**  
**A RESOLUTION DELEGATING TO THE SUPERVISOR OF THE TOWN OF WELLSVILLE, ALLEGANY COUNTY, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND SALE OF BOND ANTICIPATION NOTES OF SAID TOWN IN AN AGGREGATE SUM NOT EXCEEDING \$17,940.00 TO FINANCE THE COST OF MADISON STREET SIDEWALK REPAIRS**

BE IT RESOLVED, by the Town Board of the Town of Wellsville, Allegany County, New York, as follows:

**Section 1.** The Town of Wellsville, by resolution dated October 10, 2018 authorized the issuance and sale of bonds of the Town of Wellsville in the total amount of \$17,940.00 to finance the cost of Madison Street Sidewalk Repairs.

**Section 2.** In anticipation of the issuance of sale and said bonds of the Town of Wellsville, the power to authorize of and to sell bond anticipation notes of the Town of Wellsville, Allegany County, New York, in an aggregate sum not exceeding \$17,940.00, is hereby delegated to the Supervisor, the chief fiscal officer, Such notes shall be sold in such manner as may be prescribed by said Supervisor of the town of Wellsville in accordance with the Local finance Law.

**Section 3.** The notes hereby authorized, or any portion thereof, shall not be issued until such Supervisor shall have first filed with the Town Board of said Town a certificate providing for the details of such notes, which certificate shall contain the statements required by Section 30.00 of the Local Finance Law.

**Section 4.** This bond anticipation note totaling \$17,940.00 is the third renewal. There are currently no other bond anticipation notes for this project.

**Section 5.** The \$17,940.00 bond anticipation note hereby authorized shall mature on October 11, 2019.

**Section 6.** This resolution shall take effect immediately.

**Vote:** Shad Alsworth, Supervisor voting aye  
Michael Miller, Council Member voting aye  
William Fish, Council Member voting aye  
Patricia Graves, Council Member voting aye  
Darwin Fanton, Council Member voting aye

**SUPERVISOR/COUNCIL MEMBER REPORTS:**

*Fish:*

**Dog Control:** Fish reports that all the materials to fix the dog kennels have been ordered.

*Motion:* A motion was made by Fish to transfer \$2,126.26 out of A872 and transfer to A3510.442 for the repairs and money not used will be returned to the reserve account, seconded by Graves/carried.

*Graves:*

**Website:** Graves reports that the web site is up and running, there are still a few tweaks to be made, the town board would like the town clerk to maintain the site.

*Miller:*

**Budget Session:** Miller suggest that the next budget session be October 17, 2018 at 6:30, all board members agreed to the date.

**AUDIT/PAYMENT OF BILLS –**

*Motion:* A motion was made by Miller to accept and pay Abstract #10 of 2018, seconded by Graves/carried

A – General Fund – Vouchers 289-317, \$22,522.90  
B – Outside Village – Voucher 314 - \$306.09  
DA – Highway Town wide – Vouchers 227-257, \$20,281.81  
DB – Highway Outside – Vouchers 226-258, \$23,130.72  
EA – Airport – Vouchers 141-153, \$10,324.54  
SL – Hillcrest Lighting District – Voucher 20, \$14.08  
SS2- - Sinclair Sewer District – Voucher 21, \$61.21  
Total: \$76,641.35

**EXECUTIVE SESSION:**

**Motion:** A motion was made by Fanton to adjourn into executive session to discuss a contractual issue, seconded by Miller/carried.

**REGULAR SESSION:** Fanton/Graves/carried

**ADJOURN:** Fish/Miller/carried

Respectfully Submitted,

Sylvia LaChance  
Town Clerk