

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 14th day of August 2019.

PRESENT: Shad Alsworth, Supervisor
Michael Miller, Council Member
Jesse Case, Council Member
William Fish, Council Member
Dean Arnold, Highway Superintendent
Mike Finn, Attorney

ABSENT: Patricia Graves, Council Member

OTHERS PRESENT: Chris Potter, WLSV Reporter; Michael T Baldwin, RNN

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

MINUTES: Accepted as presented

FINANCIAL REPORT: Accepted as presented, Alsworth stated that he did not get the account summary report.

DEPARTMENTAL REPORTS: Accepted as presented

HIGHWAY:

2019 Mack Truck:

Motion: A motion was made by William Fish, Council Member to BAN the 2019 Mack Truck in the amount of \$49,598.48 (Principal-\$45,100.92; Interest-\$4,497.59), seconded by Michael Miller, Council Member/carried.

AIRPORT:

Environmental Assessment or Land Acquisition

Motion: A resolution was made by Jesse Case; Council Member who moved its adoption, seconded by William Fish, Council Member

Resolution No 15

Environmental Assessment or Land Acquisition

Whereas, A full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant, and

Whereas, the question of whether an action may be significant is not always easy to answer, and

Whereas, Frequently, there are aspects of a project that are subjective or unmeasurable, and

Whereas, it is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environment analysis, and

Whereas, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance,

Therefore, the full EAF is intended to provide a method whereby applicants and agencies can be assured that the degerminator process has been orderly,

comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action

Be It Resolved That, the Town Supervisor is ordered by this Town Board to sign the Full Environmental Assessment Form.

This resolution shall take effect immediately.

Vote: Shad Alsworth, Supervisor voting aye
Michael Miller, Council Member voting aye
William Fish, Council Member voting aye
Jesse Case, Council Member voting aye

Absent: Patricia Graves, Council Member absent

DBE Program FY 2020-2022

Motion: The following resolution was offered by Jesse Case, Council Member who moved its adoption, seconded by William Fish, Council Member

Resolution No16
DBE PROGRAM
WELLSVILLE MUNICIPAL AIRPORT
FY 2020-2022

OBJECTIVES/POLICY STATEMENT (26.1, 26.23)

The Town of Wellsville has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Town has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Town has signed an assurance that it will comply with 49 CFR Part 26, for FAA projects.

It is the policy of the Town to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also the Town's policy to:

1. Ensure nondiscrimination in the award and administration of DOT assisted contracts;
2. Create a level playing field on which DBEs can compete fairly for DOT assisted contracts;
3. Ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. Help remove barriers to the participation of DBEs in DOT assisted contracts; and
6. Assist the development of firms that can compete successfully in the market place outside the DBE Program;
7. To promote the use of DBEs in all types of federally-assisted contracts and procurement activities;
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

I, Shad Alsworth, Supervisor of the Town of Wellsville, has been delegated as the DBE Liaison Officer (DBELO). In that capacity, the DBELO is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the

same priority as compliance with all other legal obligations incurred by the Town in its financial assistance agreements with the Department of Transportation.

The DBELO has disseminated this policy statement to the staff and management of the Town and all the components of the Town. The Town will distribute this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts through a mailing and it is in the process of being published in the local newspaper.

Vote: Shad Alsworth, Supervisor voting aye
Michael Miller, Council Member voting aye
William Fish, Council Member voting aye
Jesse Case, Council Member voting aye

Absent: Patricia Graves, Council Member absent

SHARED ASSESSMENT AGREEMENT

Alsworth reports that the committee is in the final stages of developing an agreement for shared assessor, he states that the Town of Amity approved the agreement at their last board meeting, as soon as the other towns have signed their agreement the Town of Wellsville pass resolutions to sign theirs.

Assessor Appointment:

**Resolution No 18A
Appointment of Sole Assessor**

Motion: The following resolution was offered by Shad Alsworth, Supervisor who moved its adoption, seconded by Jesse Case, Council Member

Whereas, the Town of Wellsville appoints Timothy J Dannheim as the Sole Assessor for the Town of Wellsville, and

Whereas, the term of appointment is a period of six years in accordance with the Real Property Tax Law 31, and

Whereas, this appointment will begin October 1, 2019 and end on September 31, 2025,

This resolution shall take effect immediately.

Vote: Shad Alsworth, Supervisor voting aye
Michael Miller, Council Member voting aye
William Fish, Council Member voting aye
Jesse Case, Council Member voting aye

Absent: Patricia Graves, Council Member absent

HEALTH INSURANCE:

Motion: The following resolution was offered by Jesse Case, Council Member who moved its adoption, seconded by William Fish, Council Member

**Resolution No 18
Health Reimbursement Account**

Whereas, the Town of Wellsville needs to increase the Employer’s Contribution, therefore

Be it resolved that, the Town of Wellsville effective June 01 2019 will increase the Employer’s Contribution amount to \$6,650.00 for single and \$13,300.00 for family.

This resolution shall take effect immediately.

- Vote:** Shad Alsworth, Supervisor voting aye
Michael Miller, Council Member voting aye
William Fish, Council Member voting aye
Jesse Case, Council Member voting aye
- Absent:** Patricia Graves, Council Member absent

2019 YOUTH PROGRAM AGREEMENT:

Motion: A motion was made by Mike Miller, Council Member for the Supervisor to sign the 2019 Youth Program Agreement: Wellsville Dance/Theatre Program and the Wellsville Recreation Program, seconded by Jesse Case, Council Member/carried

**Youth Program Agreement
Town of Wellsville
Allegany County**

Whereas, the Allegany County Board of Legislators has established two (2) youth programs, the Wellsville Dance/Theatre Program and the Wellsville Recreation Program, and Whereas, said Board desires that such programs be implemented and carried out by the Agency and the Agency desires to perform such service, Now, Therefore, in consideration of the covenants and promises hereinafter set forth, the parties hereto agree as follows:

1. The Agency agrees to implement and carry out the Wellsville Dance/Theater Program and the Wellsville Recreation Program for Allegany County youth.
- 2.a. The Agency agrees to expanded its own fund, up to \$2,658.00, for program items which are approved items for state aid purposes as determined by the New York State Office of Children and Family Services.
- 2.b. After the last date of expenditure of such finds, the Agency shall submit evidence of such expenditures to the Allegany County Youth Bureau in such form and Manner as said Bureau shall determine and direct.
3. After review and approval so such expenditures by said Bureau and after audit of such expenditures by the County board of Legislators, the County agrees to reimburse the Agency up to \$2,658.00; it being understood, however, that in the event any such audited expenditures are subsequently disapproved for state aide reimbursement by the New York State Office of Children and Family Services, the Agency agrees to ;pay back to the County the reimbursed amount paid by the County to the Agency for such disapproved expenditures. The Agency agrees that such pay back amount shall be made to the County within five (5) days of receipt of written notification from the County of the particular expenditure disapproved and the consequent amount to pay back.
4. The Agency agrees that it shall have available for audit and inspection by the County and State all financial and other records which the County of State may require for audit and inspection to determine compliance with the provisions of this Agreement.
5. The agency agrees to comply with all rules and regulations which the County and State may make, from time to time, ad which relate to compliance with the provisions of this Agreement.
6. It is understood and agreed that the relationship of the Agency to the County of Allegany is that of independent contractor, and said Agency, in accordance with its status as such

contractor, covenants and agrees that it will conduct itself out or its officers, employees and agents as nor claim to be an officer or employee of the County by reason hereof, and that it will not, by reason hereof, make a claim, demand or application to or for any right or privilege applicable to an officer or employee of the County, including, but not limited to, worker's compensation coverage, social security coverage, or retirement or credit.

7. To the fullest extent permitted by law, the Agency agrees to indemnify and hold harmless the County of Allegany, its officers, employees and agents, against the risk of loss, damage or liability, including the cost of defense, caused by personal injuries, wrongful death, and loss of, or damage to property resulting from acts or omissions of the Agency arising out of, or in connection with, the Agency's performance or failure to perform the terms of the Agreement.
8. The term of this Agreement shall commence on January 1, 2019, and terminate on December 31, 2019.
9. This Agreement is executed in triplicate, with one copy for each of the parties hereto and one copy for the County treasurer.

Vote: Shad Alsworth, Supervisor voting aye
Michael Miller, Council Member voting aye
William Fish, Council Member voting aye
Jesse Case, Council Member voting aye

Absent: Patricia Graves, Council Member absent

WELLSVILLE MEN'S FLAG FOOTBALL

Agreement:

Motion: A motion was made by Miller to sign the agreement with the Wellsville Men's Football League for the year 2019, seconded by Case/carried.

CHARTER COMMUNICATIONS:

Motion: A motion was made by Fish to allow Charter Communications to bury cable along Wightman Road and Coleman Road to provide service 3456 and 3465 Coleman Road, seconded by Miller/carried.

AUDIT/PAYMENT OF BILLS –

Motion: A motion was made by Miller to accept and pay Abstract #08 of 2019, seconded by Fish/carried

A – General Fund – Vouchers 205-229, \$14,796.11
DA – Highway Town wide – Vouchers 166-189, \$25,849.31
DB – Highway Outside – Vouchers 170-190, \$14,303.83
EA – Airport – Vouchers 114-128, \$2,655.54
MS – Unemployment – Voucher 15, \$854.79
SL – Hillcrest Lighting District – Voucher 19, \$12.37
SS2- - Sinclair Sewer District – Voucher 20, \$53.12
Total: \$193,480.44

ADJOURN: Case/Fish/carried

Respectfully Submitted,

Sylvia LaChance
Town Clerk