

The Regular Meeting of the Town of Wellsville, County of Allegany and the State of New York was held at the Village Meeting Room, 23 N Main Street on the 8th day of January 2020.

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

ABSENT: William Fish, Council Member

OTHERS PRESENT: Mike Roeske, Village Trustee; Chris Martelle; Chris Potter

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

MINUTES: Accepted as presented

FINANCIAL REPORT: Accepted as presented

DEPARTMENTAL REPORTS: Accepted as presented

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS:

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

Resolution #1

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute and Official Undertaking; and

WHEREAS, we, the Town Board of the Town of Wellsville hereby require the Supervisor, Town Clerk, Tax Collector, Town Justice, Code Enforcement Officer, Bookkeeper to the Supervisor and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Wellsville approve the document entitled “Town of Wellsville Official Undertaking of Municipal Officers” as to its form and manner of execution and the sufficiency of the insurance, and

BE IT FURTHER RESOLVED that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

TOWN OF WELLSVILLE

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, Shad Alsworth, of the Town of Wellsville, County of Allegany, New York, has been elected to the Office of Supervisor of the Town of Wellsville, and

WHEREAS, Danielle Osgood, of the Town of Wellsville, County of Allegany, New York, has been elected to the Office of Town Clerk of the Town of Wellsville, and

WHEREAS, Joann Green, of the Town of Wellsville, County of Allegany, New York, has been elected to the Office of Town Tax Collector of the Town of Wellsville, and

WHEREAS, Shaun Walsh, of the Town of Wellsville, County of Allegany, New York, has been elected to the Office of Town Justice of the Town of Wellsville, and

WHEREAS, Dean Arnold, of the Town of Wellsville, County of Allegany, New York, has been elected to the Office of Highway Supervisor of the Town of Wellsville, and

WHEREAS, Robert Marsh, of the Town of Wellsville, County of Allegany, New York, has been appointed to the Code Enforcement Officer of the Town of Wellsville, and

WHEREAS, Michelle Dunbar, of the Town of Wellsville, County of Allegany, New York, has been appointed to the Office of Bookkeeper to the Supervisor of the Town of Wellsville, and

NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Wellsville that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the *Town Supervisor* is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of the *Town Clerk* is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

This undertaking of the *Tax Collector* is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and

This undertaking of the *Town Justice* is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Town Justice; and

This undertaking of the *Bookkeeper to the Supervisor* is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Bookkeeper to the Supervisor; and

This undertaking of the *Superintendent of Highways* is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Supervisor; and

This undertaking of the *Code Enforcement Officer* is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Officer; and

The Town does and shall maintain insurance coverage, presently with ENB Insurance, in the sum of \$1,000,000.00 for the Tax Collector, Supervisor and Town Clerk to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

This resolution shall take effect immediately

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

FAIR HOUSING POLICY

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

**Resolution #2
FAIR HOUSING POLICY
TOWN OF WELLSVILLE**

Whereas, the Town Board of Wellsville, New York, desires to give meaning to the guarantees of equal rights contained in the Constitution and laws of this State and the United States, and to encourage and bring mutual self-respect and understanding among all citizens and groups in the Town; and

Whereas, under the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968. It is illegal to deny housing to any person because of race, color, religion, sex, or national origin; and,

Whereas, under the New York State Fair Housing Law, it is illegal to deny housing to any person because of race, sex, religion, color, age, familial status, disability or national origin;

Therefore, be it known that the Town of Wellsville makes a firm commitment to do all within its power to eliminate prejudice, intolerance, disorder and discrimination in housing.

Therefore, be it also resolved that a Fair Housing Law poster, which has the “Equal Housing Opportunity” logo, will be displayed at the Town of Wellsville.

Therefore, be it also resolved that the following procedures will be used to accomplish the purposed of the aforementioned resolution:

1. The Town Board of Wellsville shall inform all town employees and contractors doing work for the Town of commitment to fair housing.

2. The Town Board of Wellsville shall post this policy in Town buildings and other public places and publicize it.
3. The Town Board of Wellsville shall direct all recipients/applicants to forward immediately to the Town Supervisor, Fair Housing Officer, any reports they receive of housing discrimination.
4. The Fair Housing Officer will conduct an investigation and will forward all complaints and findings to: New York State Homes & Community Renewal, Office of Community Renewal, 38-40 State Street, Albany, NY 12207, within ten (10) days of receipt of said complaint.

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

PROCUREMENT POLICY:

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

**Resolution #3
 Procurement Policy**

WHEREAS, Section 104—b of the General Municipal Law requires that all Towns adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of Section 103 of the General Municipal Law or any other law, and

WHEREAS, comments have been solicited from those officers of the Town of Wellsville involved with procurement, now therefore be it

RESOLVED, this 11th day of May, 1994, by the Town Board of the Town of Wellsville, Allegany County, New York, as follows:

1. All purchase contracts which will exceed \$10,000 in the fiscal year and public work contracts over \$20,000 shall be formerly bid pursuant to Section 103 of the General Municipal Law.
2. Every prospective purchase of goods or services shall be analyzed to determine whether the bidding requirements of Section 102 of the General Municipal Law apply. Any legal question regarding the application of such Section 103 bidding requirements shall be referred to the Town Attorney. Every Town officer, board, department head, or personnel with the requisite purchasing authority (herein Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.
3. Subject to the provisions of Section 7 of this resolution, the following sub sections a. and h. shall be complied with:
 - a. All estimated purchase of goods:
 - (1) Less than \$10,000 but greater than \$3,000 require a written quote, facsimile quotes are acceptable, from three vendors.

- (2) Less than \$3,000, but greater than \$1,000 requires oral quotes from two (2) vendors. The name, address, and phone number of each vendor shall be kept on file by the Purchaser.
 - (3) Less than 1,000 is left to the discretion of the Purchaser.
- b. All estimated public work contracts of:
 - (1) Less than \$20,000 but greater than \$10,000 requires a written request for proposals and written proposals from three (3) contractors, facsimile proposals will be acceptable.
 - (2) Less than \$10,000 but greater than \$3,000 requires a written request for proposals and written proposals from two (2) contractors, facsimile proposals will be acceptable.
 - (3) Less than \$3,000 is left to the discretion of the Purchaser.
4. Any written request for a proposal shall describe the desired public work or goods. The Purchaser shall compile a list of all contractors or vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered. All information gathered in complying with the procedures of this resolution shall be preserved and filed with the documentation supporting the subsequent purchase of public work contract.
5. The lowest responsible proposal or quote shall be awarded the purchase or public work contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.
6. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.
7. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required for the following types of procurement or under the following circumstances:
 - a. Acquisition of professional services.
 - b. Emergencies where time is a crucial factor.
 - c. Sole source situations.
 - d. Goods purchased from agencies for the blind or severely handicapped.
 - e. Goods purchased from correctional facilities.
 - f. Goods purchased from another governmental agency.
 - g. Goods purchased at auction.
 - h. Goods purchased for less than \$1,000.
 - i. Public works contracts for less than \$3,000.
8. Town Credit Card Usage

All credit card requests for use by a Town Employee or Town Board Member shall be reviewed and approved by the Town Board. It is understood that only materials or services that are required for the day to day activities of the official town business. The use of a credit card does not revive purchases from following other guide line included with this Procurement Policy. The Town Clerk shall

maintain a list of credit cards issued in the name of the town and what department they were issued to.

9. The provisions of this resolution shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as it is reasonably practicable.
10. This resolution, in written form, shall be sent to all Purchasers on an annual basis.
11. This resolution shall take effect immediately.

The resolution was adopted by unanimous vote:

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

Audits: Supervisor has assigned

Highway: *Intermunicipal Agreement:*

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

Resolution No 4
Resolution Approving the Mutual Aid Agreement Between the Municipalities of Allegany County, New York

Whereas, the Board of the Town of Wellsville hereby agrees to allow Dean Arnold, Highway Superintendent to extend Mutual Aid assistance to another participating municipality within the County of Allegany when requested to do so by such municipality in time of abnormal snow or work conditions.

This agreement is subject to the conditions listed in the written agreement.

This resolution shall take effect immediately.

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

Park:

A.) **Motion:** was made by Case; Seconded by Graves to transfer \$15,000 from unallocated general funds to A7110.475 Park Renovations to finish projects.

Discussion: Alsworth stated end of year budget transfers have not been completed yet and would like to hold off on this.

Motion: was made by Alsworth; seconded by Miller to table this motion/carried

B.) Park Rates: Table till February meeting

Discussion: Rates; Big Events and keeping monies in park.

Airport: Alsworth stated the importance of getting the old phone systems updated due to the age of them and getting the new VOIP system installation.

- A.) **Motion:** A Motion was made by Miller; Seconded by Graves to transfer monies from Allegany County to a new account called "Allegany County Airport Reserve Account. Carried.
- B.) **Motion:** A motion was made by Graves; seconded by Miller to enter an extended contract with Wellsville Technologies LLC for the new VOIP System with a down payment of \$11,500. Carried.
- C.) **Motion:** A motion was made by Graves; seconded by Miller to transfer monies from the Airport Capitol Reserve to pay Wellsville Technologies LLC in the amount of \$11,500 to get this project underway. Carried
- D.) **Motion:** A motion was made by Case; Seconded by Graves to transfer \$11,500 from New Allegany County Airport Reserve Account (GEN) to Airport Capitol Project (EA). Carried.
- E.) **Motion:** A Motion was made by Miller; seconded by Graves for Airport Manager Willis Shutt to get quotes for new Fuel Monitoring System/Carried.

Assessor: Grievance Day Schedule

- A.) **Motion:** A motion was made by Miller; seconded by Graves to accept the grievance day schedule for the following towns for the Shared Assessor. Carried

Alma- May 26, 2020
Amity- May 27, 2020
Andover- May 28, 2020
Friendship- May 29, 2020
Wellsville- June 1, 2020
Willing- June 2, 2020

YMCA: Motion: A motion was made by Case; Seconded by Graves to extend a 2 year contract with the YMCA for \$25,000.00 per year/carried

SUPERVISOR/COUNCIL MEMBER REPORTS:

Graves:

Employee Handbook

Graves stated the employee handbook has not been updated since 2009 and her thoughts were that it needs to be done.

Motion: A motion was made by Graves; seconded by Case for the planning board to review and make updates as needed to the employee handbook/ carried

Sexual Harassment Policy

Graves stated this policy needed a couple changes and would be sent out for all employees to sign.

Motion: A motion was made by Case; Seconded by Graves make the modifications to this policy / carried

Alsworth:

Water Relevy:

Alsworth stated we received a water relevy bill from the county for the property purchased on Madison Street for \$172.80.

Motion: A motion was made by Case; Seconded by Miller to pay the bill for \$172.80 from A1990.400 contingent account/ carried.

November Meeting:

November board meeting falls on Veterans Day. After further discussion, the board decided to have the meeting the following Thursday November 12, 2020.

AUDIT/PAYMENT OF BILLS –

Motion: A motion was made by Case to accept and pay Abstract #01 of 2020, seconded by Graves/carried

A – General Fund – Vouchers 1-18, \$86,496.00

B – Outside Village – Vouchers 7, 14-15, \$3,044.01

DA – Highway Town wide – Vouchers 1-6,9, \$12,976.05

DB – Highway Outside – Vouchers 1,3,5,7 \$65,375.53

EA – Airport – Vouchers 1-7 \$14,094.55

ESA – Assessor – Vouchers 1-2 \$12,351.02

SL – Hillcrest Lighting District – Voucher 1 \$17.11

Total: \$195,334.27

Executive Session: A motion was made by Graves; seconded by Case to enter executive session to discuss employment history of a particular person. Carried

REGULAR SESSION: A motion to return at 8:50 pm to regular session was made by Grave seconded by Case/carried

ADJOURN: Graves/Miller/Carried

Respectfully Submitted,

Danielle Osgood
Town Clerk