

September 5th, 2012: Regular Meeting

There was a regular meeting of the Board of Trustees of the Village of Tully on Wednesday, September 5th, 2012 at 7:00pm in the Municipal Building.

Present: Elizabeth Greenwood, Mayor
Theresa Flaherty, Deputy Mayor
Charles Yonko, Jr., Trustee
Daniel Poellot, Trustee
William Coffin, Trustee
Steve Primo, Counsel
Ken Teter, Engineer
Ruth Van Buskirk, Clerk/Treasurer
Thomas Chartrand, Accountant
Ralph Lamson, Codes
Harold Kiehl, DPW

Absent: none

Visitors: Tim Chatfield
Mike Hoke

Pledge of Allegiance/Call to Order

Mayor Greenwood led the Pledge of Allegiance and called the meeting to order at 7:00pm. Motion was made by Trustee Poellot, 2nd by Trustee Flaherty to approve the minutes for the August 1st, 2012 meeting. Ayes carried.

Public Comment

DPW

Tully won the County water taste contest. We have entered the regional and state but do not have the results yet.

DPW will go ahead and purchase the digester diffuser, once the quote has been confirmed.

Monies have already been set aside in the budget for the \$4000.00 diffuser.

Child @ Play signs are no longer required by State law. Therefore we will not replace or put up new child @ play signs.

A red oak on RR street has some dead branches. Due to the size of the branches we will leave them for now.

There were no major maintenance issues this month.

Training Report: Crew has been working on DMRs. The crew observed work by LRS.

A Grove Street resident is still using plastic bags for garbage. At this time the crows are leaving the bags alone.

There is a tree in the right of way at St Leo's. Dale Wilson has scheduled it for removal.

The new sidewalks on State Street are 5 feet wide except in front of the school where they are 6 feet wide.

COUNSEL:

Time Warner is not responding. Counsel will keep trying to make contact.

Upon motion by Trustee Poellot, 2nd by Trustee Yonko it was unanimous to approve the Waste Water Agreement with McNerney and authorize the Mayor to sign it on condition of type II action under SEQR.

CODES:

First Niagara will need to submit a variance request to the Village Zoning Board.

Mary Fisher has official resigned from the ZBA. The Mayor appointed Timothy Chatfield to the Zoning Board. Upon motion by Trustee Coffin, 2nd by Trustee Flaherty it was unanimous to approve the Mayors appointment for zoning board.

New Business:

According to NYS law no Village official can waive penalty charges on Village Property taxes for any reason. The Governor is the only person who is able to make a ruling on penalty charges.

The Freiburger property is changing from a multi residence to a single family home. The water and sewer rate will reflect this in the next billing cycle.

The Village will be appointing a new fire commissioner in the next couple of months. Anyone interested should contact the Village.

Engineer:

Upon motion by Trustee Coffin, 2nd by Trustee Poellot it was unanimous to approve change order #1 for Grove Street.

Upon motion by Trustee Coffin, 2nd by Trustee Flaherty it was unanimous to approve Pay Request #2 for Grove Street in the amount of \$8,538.30.

Upon motion by Trustee Poellot, 2nd by Trustee Coffin it was unanimous to approve change order # 1 for State Street.

Upon motion by Trustee Coffin, 2nd by Trustee Yonko it was unanimous to approve Pay Request #2 for State Street in the amount of \$68,178.80. 5% would be held back.

The engineer has some issues with the compaction percentage. He is planning on requesting a 2 year warranty on the sidewalks.

Paperwork has been submitted to Rural Development we are awaiting their official response.

Upon motion by Trustee Flaherty, 2nd by Trustee Yonko it was unanimous to accept the Treasurer's report subject to audit.

The Mayor presented Harold Kiehl with an award for 35 years of service to the Village.

Public Comment

Audit Bills

Upon motion by Trustee Flaherty, 2nd by Trustee Coffin it was unanimous to review and authorize the accountant to pay the bills.

Upon motion of Trustee Flaherty, 2nd by Trustee Coffin it was unanimous to adjourn at 8:04pm.

Respectfully Submitted

Ruth C. Van Buskirk
Clerk/Treasurer