**VILLAGE BOARD OF TRUSTEES**

**JULY 20, 2020 MINUTES**

**TELECONFERENCE MEETING**

Mayor Michael VandeVelde presiding

MEMBERS: Dennis Lutes, Al Holbrook, Mike Catalano

ABSENT: Rob Cochran

OTHERS: Becky Jackson, Becki Betts-Paternosh, Ed LeBarron, Andrew Thompson, Andrew Webster, Don McCord, Marsha Holland, Ann Kneer, Chris Reese, Mark Dougherty

**MAYOR/BOARD**

MINUTES

**The board made a motion to approve the minutes of 6/15/20 by Trustee Holbrook, seconded by Trustee Lutes and was carried unanimously.**

CLINTON-MARKET ST. PARKING LOT DISCUSSION

Prior to the meeting, Ed LeBarron had presented the board with copies of the plans showing an additional outside dining area which was highlighted in yellow requested by the business owner of Annex 25. At this time the Mayor introduced Don McCord as the new Executive Director of the WDC noting he had asked him to attend this meeting for his input. Ed stated that area had been scheduled to be a no parking, for loading and unloading area anyway, plus that alleyway will be all blocked off and will be all concrete.

It is believed that the liquor authority would have to allow for there to be alcohol out there.

Some questions were raised as to the possibility of people walking from the other establishments and utilizing that area to drink. Any of the businesses would have to procure their own alcohol permission from the liquor authority.

Chief Genthner inquired if that would mean the board would lift the open container law for that period of time? To which the Mayor replied he believes the liquor authority had already said that municipalities are allowed to let the bars and restaurants use the outdoor space but they would have to get their own approval through the liquor authority, the end date is not known at this time and of course, would be on a temporary basis.

Trustee Catalano stated he had no problem making the space available but anticipates issues with one place or another trying to claim ownership and trying to kick others out of the area.

Further it was mentioned that if specific dates are requested, the board could approve those specific dates as we do for the Tap Room.

MCCLURG USE OF ADDITIONAL FUNDS FOR REPAIRS

**The motion was made by Trustee Holbrook, seconded by Trustee Catalano and was carried unanimously to allow McClurg to use the additional insurance money for repairs.**

REQUEST EXECUTIVE SESSION

**POLICE DEPARTMENT**

MONTHLY OVERTIME REPORT/UPDATE ONGOING PROJECTS

**The board made a motion to approve the monthly report and the overtime report of 39.5 hours by Trustee Lutes, seconded by Trustee Catalano and was carried unanimously.**

POLICE OFFICER RESIGNATION

**The board made a motion by Trustee Catalano, seconded by Trustee Holbrook and was carried unanimously to approve the immediate resignation of Officer Mark Samonia.**

The Chief also noted the department is acting on the graffiti issue involving all juveniles and family court appearance tickets will be issued.

**FIRE DEPARTMENT**

ELECTIONS

The Mayor noted that he had spoken with NYCOM in regard to the Fire Department elections and to FASNY who both recommend September 15th as the date for the elections to be held so that will remain as it was previously decided for that date.

SURPLUS PROPERTY

**The board made a motion by Trustee Catalano, seconded by Trustee Holbrook and was carried unanimously to approve to declare surplus of some 6” hose, some 2½” hose and some 1½” hose that failed he pressure test.**

**RECREATION DEPARTMENT**

MONTHLY REPORT

**The board made a motion to approve the monthly report by Trustee Lutes, seconded by Trustee Holbrook and was carried unanimously.**

PERMISSIVE REFERENDUM

**The board made a motion by Trustee Catalano, seconded by Trustee Lutes and was carried unanimously to approve going to Permissive Referendum for the purchase of a Dolphin C-6 Plus Commercial Robotic in the amount of $4,850.95 from our capital reserve.**

**CODE ENFORCEMENT**

MONTHLY REPORT

**The board made a motion by Trustee Catalano, seconded by Trustee Lutes and was carried unanimously to approve the monthly report for Code Enforcement.**

**PUBLIC WORKS**

SURPLUS SALE

It was reported that the M-291 Chevy Step Van had sold at auction for $4,175 and will be picked up following the receipt of a duplicate title.

UPDATES

Ed noted that they would be repaving Bourne Street tomorrow. And there was also a 12” water main break late this afternoon which stirred up the entire system in the village so water will be very dirty and dark colored.

REQUEST EXECUTIVE SESSION

**WATER & SEWER DEPARTMENT**

REQUEST FOR EMERGENCY PURCHASE

Andrew reported that both controls have failed on the pump houses in the gorge which may have been caused by lightning fusing them together. Service First Electric, (Steve Fowler formerly co-owner) had done much of the electrical work previously.

**The board made a motion by Trustee Holbrook, seconded by Trustee Lutes and was carried unanimously to approve for the emergency purchase of the repairs by A.R. Fowler Controls in the amount of $10,860.**

**ELECTRIC DEPARTMENT**

REQUEST TO HIRE TRC

**The board made a motion by Trustee Catalano, seconded by Trustee Lutes and was carried unanimously to hire TRC for the civil structural designs, replacement of the 115-80 tap switch that would be interconnected with the international grid on Finley Road in the amount of $80,000.**

**TREASURER**

APPROVAL OF 2019-2020 BUDGET TRANSFERS

**The board made a motion to approve the budget transfers for 2019-2020 by Trustee Lutes, seconded by Trustee Holbrook and was carried unanimously.**

BUDGET DETAILS

**The board made a motion by Trustee Catalano, seconded by Trustee Holbrook and was carried unanimously to approve the budget details.**

The Treasurer noted that the audit had been completed and was done online.

**CLERK**

WARRANTS

**The following warrants were approved on a motion by Trustee Holbrook, seconded by Trustee Lutes and was carried unanimously.**

**Capital Proj. W#3 $10,405.70**

**Water W#8 30,252.34**

**General W#8 66,838.86**

**Electric W#8 152,716.65**

**Sewer W#8 25,809.84**

**General W#6 855.00**

**Electric W#6 2,305.00**

**Electric W#10 202,448.70**

**Sewer W#10 30,995.92**

**Capital Proj. W#4 5,391.50**

**General W#10 42,057.31**

**Water W#10 16,069.66**

EXECUTIVE SESSION

**The board made a motion to go into Executive Session to discuss the sale of property, Union Contract, and a Personnel issue by Trustee Holbrook, seconded by Trustee Lutes and was carried unanimously.**

**Following the Executive Session, the board made a motion to re-enter regular session on a motion made by Trustee Catalano, seconded by Trustee Lutes and was carried unanimously.**

ACTION

Action taken as a result of the Executive Session is as follows:

**The board made a motion by Trustee Catalano, seconded by Trustee Lutes and was carried unanimously to hire Joseph Chimera as Utility Worker at $17.00/Hr. in the Public Works Department beginning August 3rd, 2020.**

**The board made a motion by Trustee Catalano, seconded by Trustee Holbrook and was carried unanimously to approve the following**

**Resolution #8-2020/Authorizing the Sale of three Pearl Street Parcels:**

**WHEREAS**, the Village of Westfield, New York desires to sell three parcels of real property on East Pearl Street and West Pearl Street, which are identified on the Chautauqua County tax map as Section 192.16, Block 2, Lots 5, 10, and 37; and

**WHEREAS**, two of the three lots are substandard for zoning purposes and the third is located within the Service Industrial (SI-1) District; and

**WHEREAS**, pursuant to Village Law §1-102 a village board of trustees may, by resolution, sell real property; and

**WHEREAS**, the Village Board has received an offer from Evelyn Quagliana to purchase said parcels; and

**WHEREAS**, the potential purchaser has maintained the parcels over the years providing substantial value to Village taxpayers; and

**WHEREAS**, the Village Board, after due deliberation, finds it in the best interests of the Village to accept the offer for the sale of said property to Evelyn Quagliana ($300 plus all legal fees and closing costs associated);

**NOW, THEREFORE, BE IT**

**RESOLVED**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that sale of said property is a Type II action as defined under the SEQRA regulation, and no further action is needed; and further

**RESOLVED**, that the Village Board hereby declares said parcels to be surplus property and no longer needed for municipal purposes; and further

**RESOLVED**, that the Village Board hereby determines that the above-referenced parcels shall be sold; and that the consideration to be received, including maintenance costs provided by the purchaser over the years, is fair market value; and further

**RESOLVED**, that the Village Board hereby authorizes the Mayor to execute any and all documents that are necessary and proper to finalize the real property transaction; and further

**RESOLVED**, that the sale of such parcels shall be “as is, where is” and the buyer shall pay all closing, legal, and recording costs associated with the transaction, including any costs related to a title search and survey; and further

**RESOLVED** that this Resolution shall take effect immediately

**There being no further business to come before the board, the meeting was adjourned on a motion made by Trustee Holbrook, seconded by Trustee Lutes and was carried unanimously.**