**VILLAGE BOARD OF TRUSTEES**

**MEETING**

**FEBRUARY 21, 2023**

Mayor Michael VandeVelde presiding

MEMBERS: Dennis Lutes, Judy Einach, Josh Freifeld, Blake Maras

OTHERS: Vince Luce, Becki Betts-Paternosh, Erin Schuster, Bonnie Rae Strickland, Andrew Webster, Ed LeBarron, Rob Genthner, David Haskin, William H. Bills, Charles Mutch, Ed & Ann Kneer, Ryan Norton, John Hanmann, Jamie Johnson, Sarah Kelley, Dan Heitzenrater, Staunzie Grady, Corry Fleck, Heather Fleck

 **MAYOR/BOARD**

7:00 P.M. PUBLIC HEARING LOCAL LAW #1-2023/MORATORIUM ON CRYPTOCURRENCY MINING BUSINESS & OPERATIONS IN VILLAGE OF WESTFIELD

The public hearing was opened for the purpose of discussion from all attendees at the meeting.

ACTION ON LOCAL LAW #1-2023/MORATORIUM ON CRYPTOCURRENCY MINING BUSINESS & OPERATIONS IN VILLAGE OF WESTFIELD

**The board made a motion by Trustee Einach, seconded by Trustee Freifeld and was carried unanimously to approve Local Law #1/Moratorium on Cryptocurrency.**

7:15 P.M. PUBLIC HEARING LOCAL LAW #2-2023/AUTHORIZING VOLUNTEER FIREFIGHTER & AMBULANCE WORKER PROPERTY TAX EXEMPTION

The public hearing was opened for the purpose of discussion from all attendees at the meeting.

MINUTES

**The board made a motion to approve the minutes of January 17, 2023, by Trustee Freifeld, seconded by Trustee Maras and was carried unanimously.**

RESOLUTION #2-2023/ENGINEERING PLANNING GRANT (EPG) PROGRAM

**The board made a motion to approve the following on a motion made by Trustee Lutes, seconded by Trustee Einach and was carried unanimously.**

AUTHORIZATION AND

 PROJECT COSTS FOR AWARD ALLOCATIONS

WHEREAS, that the Village of Westfield submitted and was awarded an Engineering Planning Grant (EPG) under the Consolidated Funding Application (CFA) process on behalf of the Village, for an Inflow & Infiltration Study; and

WHEREAS, that the Village of Westfield Board of Trustees, accepts the EPG program grant award on behalf of the Village for an Inflow & Infiltration Study; and

NOW THEREFORE BE IT RESOLVED, that the Village Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the Village of Westfield obligations under the Grant Agreement; and

BE IT FURTHER RESOLVED, that the Village of Westfield authorizes and appropriates a minimum 20% local match as required by the Engineering Planning Grant Program for the Inflow & Infiltration Study. Under the EPG program, this local match must be at least 20% of the EPG Grant Award of up to $40,000. The source of the local match, and any amount in excess of the required match, shall be ­­­­­­­­­­­­­­­­­­­­­­­­­­provided by the Village of Westfield. The maximum local match shall not exceed $8,000 based upon a total estimated maximum project cost of $48,000. The Mayor may increase this local match through the use of in-kind services without further approval from the Village Board of Trustees.

RESOLUTION #3-2023/AUTHORIZING ACCEPTANCE OF PROPERTY & PARKING EASEMENT AGREEMENT FOR 2-4 S. PORTAGE STREET

**The board made a motion to approve the following resolution by Trustee Freifeld, seconded by Trustee Einach and was carried unanimously.**

WHEREAS, the Town of Westfield desires to (a) sell the Welch Building, 2-4 South Portage Street, to 2 Portage LLC and (b) convey to the Welch Building parking lot to the Village of Westfield for use as a municipal parking lot; and

WHEREAS, 2 Portage LLC has proposed to the Village a Parking Easement Agreement by which the Village would grant 2 Portage LLC an easement over 46 parking spots in the lot for use by residents of the Welch Building, the Village would maintain the lot, and 2 Portage LLC would pay the Village a monthly fee of $250.00 with a 2% annual escalator: and

WHEREAS, the Village Board of Trustees, after due deliberation, finds it in the best interests of the Village to accept the conveyance of the parking lot from the Town of Westfield and to enter the Parking Easement Agreement with 2 Portage LLC:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign any and all documents necessary to (a) complete the conveyance of the Welch Building parking lot to the Village of Westfield and (b) enter into the proposed Parking Easement Agreement with 2 Portage LLC.

EARTH DAY CLEANUP FOR APRIL 22, 2023

Sarah Kelley, (Girl Scouts); explained that the Girl Scouts would like to do an Earth Day Cleanup and gave a brief overview of what that would entail.

**The board made a motion by Trustee Einach, seconded b Trustee Freifeld and was carried unanimously to approve for the Girl Scouts to go forward with the Cleanup for April 22nd.**

CLOSING MAIN ST. DURING FIRST FRIDAYS

**The board made a motion by Trustee Freifeld, seconded by Trustee Maras and was carried unanimously to approve the closing of Main Street during First Friday events in 2023.** Ed will apply to the Department of Transportation to permit this.

REQUEST EXECUTIVE SESSION – REAL ESTATE

**POLICE DEPARTMENT**

**The board made a motion to approve the Monthly Report by Trustee Einach, seconded by Trustee Lutes, and was carried unanimously.**

**FIRE DEPARTMENT**

**The board made a motion to approve the monthly report by Trustee Maras, seconded by Trustee Freifeld and was carried unanimously**

DISCUSS QUOTE FOR WHELEN FH2 SIREN SYSTEM

The Mayor noted he had researched various methods for the siren system that would have a lesser decibel level for the Siren System as there have been numerous complaints over the years he has been serving as Mayor. He recommended a method of “ramping up” of the siren rather than going directly to a screeching type of sound.

There was much discussion which included members of the Fire Department present at the meeting.

The Mayor closed the Public Hearing on Local Law #2-2023

ACTION ON LOCAL LAW #2-2023/AUTHORIZING VOLUNTEER FIREFIGHTER & AMBULANCE WORKER PROPERTY TAX EXEMPTION

**The board made a motion by Trustee Freifeld, seconded by Trustee Maras, and was carried unanimously to approve Local Law #2/Authorizing Property Tax Exemption.**

NEW MEMBERS

**Two new members; Tyler Crumb in the Hook & Ladder Co., and Valerie Houser in the Cascade Hose Co., were approved on a motion made by Trustee Maras, seconded by Trustee Freifeld and was carried unanimously.**

PESH

Fire Chief Reese noted that the PESH Violations Investigation has been closed but will not be having a “Closing” conference as they usually do.

**RECREATION DEPARTMENT**

**The Recreation Department program report was approved on a motion made by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously.**

Recreation Director Andrew Webster thanked Ed LeBarron and the Street Department for the work they had accomplished up at the Welch Field and at Smith Field.

**HISTORIAN**

**The Historian Report was approved on a motion made by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously.**

**CODE ENFORCEMENT**

**The Code Enforcement report was approved on a motion made by Trustee Einach, seconded by Trustee Freifeld and was carried unanimously.**

**PUBLIC WORKS DEPARTMENT**

REVIEW REQUEST FOR RECYCLABLE CONTAINER IN DUMPSTER CORRAL ON CLINTON ST.

Ed LeBarron noted he had received a request to install a recycling container into the Dumpster Corral. He voiced his concerns as there would not be enough room to add this. He noted that anything that contains food items, i.e., pizza boxes, etc. the company will not pick up, it’s difficult to control what gets put into those containers.

He stated he could pull one of the refuse containers out and turn into a recycling container but then during the summer months when it’s busier, he might have to have the refuse container dumped twice in a week as opposed to once. That would raise the costs to all the businesses. Westfield is currently one of the biggest municipalities that does recycling. They haul more recycling out of Westfield than some of the other communities. Some do not even do recycling.

Jamie Johnson, from Full Strength Coffee, spoke to this issue as she has noticed when taking the refuse from there to the dumpster corral that a lot of recycling items are just mixed in with the regular trash. They do recycle at the Coffee Shop which they must store for pickup every other week. She feels there should be more discussion and perhaps educate the businesses regarding recycling.

PERMISSION TO PURCHASE GAS POWERED SIGNPOST POUNDER

**The board made a motion by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously to approve for the purchase of a gas-powered signpost pounder in the amount of $3,040 using funds from the sale of surplus equipment and scrap metal disposal.**

WELCH BUILDING SIDEWALK DISCUSSION

Ed noted in regarding to the sidewalk that goes down along the Welch’s property and the new sidewalk that will be put in. They are going to extend the steps section of it around and into the parking lot, so it will be a raised sidewalk. There will still be a 14’ for a driving lane.

There is a question of who would maintain the sidewalks. The Village Code maintains that the property owner must maintain the sidewalks. When Welch’s was there, they used to take care of the walks. The Village does not maintain the steps. The suggestion was made to install a heating system into the walkway.

REQUEST EXECUTIVE SESSION - PERSONNEL

2 YEAR BID EXTENSION APPROVAL FOR REFUSE COLLECTION

**The board. made a motion by Trustee Lutes, seconded by Trustee Maras and was carried unanimously to approve the 2-year extension for the Refuse Collection Contract, which will increase 3% each year.**

**WATER & SEWER DEPARTMENT**

PROCEED WITH WATER SYSTEM MASTER PLAN WITH MRB GROUP

**The board made a motion by Trustee Freifeld, seconded by Trustee Maras and was carried unanimously to proceed with the Water System Master Plan with MRB Group in the amount of $38,500.**

This would include both the Distribution System and the Water Plant. Would identify deficiencies in our water system and list themin a prioritized list for future projects.

**ELECTRIC DEPARTMENT**

PADMOUNT TRANSFORMER BID

**The board made a motion by Trustee Einach, seconded by Trustee Freifeld and was carried unanimously to approve the Padmount Transformer Bid at the Welch building to T&R in the amount of $46,773.**

Other bids received were as follows:

Muck Electric $119,975

 Irby 60,728

 69,300

 91,889

 98,954

EV LOAD STUDY ON ELECTRIC SYSTEM W/POWER SYSTEMS ENGINEERING

**The board made a motion by Trustee Einach, seconded by Trustee Lutes and was carried unanimously to approve the EV/Load Study in the amount of $30,185.**

This study will be a working model of our entire system going forward.

**TREASURER**

APPROVAL OF REVENUE & EXPENSE REPORTS

**The board made a motion to approve the Revenue and Expense Reports by Trustee Einach, seconded by Trustee Lutes and was carried unanimously.**

APPROVAL OF BUDGET TRANSFERS

**The board made a motion by Trustee Freifeld, seconded by Trustee Maras and was carried unanimously to approve the Budget Transfers. (See Attached)**

REVIEW OF JOURNAL ENTRY POLICY & BANK RECONCILIATION POLICY

**The board made a motion by Trustee Einach, seconded by Trustee Lutes and was carried unanimously to approve the following Journal Entry Policy & Bank Reconciliation Policy.**

**Journal Entry Policy**

**Purpose**

To define procedures for the Village of Westfieldfor posting transactions to the general ledger through the journal entry process.

The Village of Westfield recognizes that manual entries are needed and made for various reasons including but not limited to: record revenues and expenditures, to transfer funds, or to record balance sheet accruals. These procedures are being established in order to create proper segregation of duties. (i.e. there should always be an approval by a person other than the preparer of the journal entry.)

**Policy**

Based on the need for manual journal entries, the following policy is being established to document procedures on how journal entries are expected to be processed:

* Journal entries for all funds/departments will be entered by the Treasurer.
* Appropriate documentation/support shall be included with the journal entry.
* The Treasurer will present a listing of journal entries by fund per month within 20 business days of the end of the month. The Mayorwill review the journal entries.
* Both the Treasurer and the Mayor will date and sign the entries upon completion. The signatures on the list of entries will confirm that current procedures were followed and that the entries are correct.

**Bank Reconciliation Policy**

**Purpose**

It is the policy of the Village of Westfield that all incoming or outgoing funds to the Village’sbank accounts be recorded in the general ledger on a timely basis. Frequent bank reconciliation is essential to prevent fraud and to ensure the Village’sfunds are handled with fiscal and fiduciary responsibility.

Bank account reconciliation is a key component of internal control over cash and should be done in a timely manner. Reconciling the bank statement balance with the general ledger balance is necessary to ensure that (1) all receipts and disbursements are recorded; (2) checks are clearing the bank in a reasonable time; (3) reconciling items are appropriate and are being recorded accurately; and (4) the reconciled cash balance agrees to the general ledger cash balance.

**Policy**

* Each bank account will be reconciled on a monthly basis and within 20 business days of the end of the month.
* Bank discrepancies will be communicated by the Treasurer to thebank for resolution within 20 business days of reconciliation.
* Bank account reconciliations will be prepared by the Treasurer and Deputy Treasurer and reviewed by the Mayor. Both the preparer and reviewer will date and sign the reconciliation upon completion. The signatures on the reconciliation will confirm that current procedures were followed and that the reconciliation accurately presents the status of the account at the bank as well as on the books.
* The original bank account reconciliation summary will be filed in the safe in the Treasurer’soffice. Files will be maintained in accordance with the Village’s record retention guidelines.

**Outstanding Checks**

In addition to reconciling the bank accounts, outstanding checks should be reviewed on a monthly basis. The Treasurer’s Office should contact the vendor or payee for all checks which have been outstanding for at least 90 days. At that point the follow-up effort should begin using the following guidelines:

|  |  |
| --- | --- |
| ***Amount of Check*** | ***Effort to Contact Payee/Vendor*** |
| *$4.99 and under* | *No effort will be made. Check will not be reissued unless otherwise required by law, with the exception of a payroll check.* |
| *$5 and over* | *Moderate effort, one attempt should be made to contact the payee/vendor by first class mail at least 90 days prior to being sent to the state unless the owners address is unknown.* |
| *$1,000 and over* | *Maximum effort. One first class mailing at least 90 days prior to being sent to the state as well as at least 60 days prior to being sent to the state send a certified mailing, return receipt requested unless a claim was initiated since the first class mailing was sent or, the first class mailing was returned as undeliverable.* |

Note: the cost of the certified mailing may be charged against the check’s value.

Once first-class mailing has gone out the payee or vendor will have 90 days to respond requesting a reissued check. If there is no response the check will be voided and held as unclaimed funds to go to the state. Any check under $5.00 shall be voided.

Checks that remain unclaimed/uncashed and are considered abandoned property as so defined by New York State. The Village of Westfield shall comply with the requirements of Abandoned Property Law and the guidelines of the New York State Comptroller's Office and the checks will be paid to the State Comptroller for deposit in the abandoned property fund within the time frames set forth in New York State Abandoned Property Law and the guidelines of the New York State Comptroller's Office.

Notification must be given to the payee/vendor of such funds no less than 90 days before reporting such amounts as abandoned property to the Office of State Comptroller. Once abandoned funds are transferred to the Office of the State Comptroller, claims with respect to such abandoned funds must be directed to the New York State Comptroller.

 WARRANTS

**The following warrants were approved on a motion made by Trustee Freifeld, seconded by Trustee Maras and was carried unanimously:**

 **Electric W#39 $389,463.49**

 **General W#40 60,980.09**

 **Sewer W#43 15,350.11**

 **Water W#52 6,176.06**

 **General W#42 22,869.99**

 **Electric W#41 325,245.38**

 **Water W#54 11,440.00**

 **Sewer W#45 24,794.78**

**The board made a motion by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously to enter into Executive Session to discuss Real Estate and Personnel.**

EXECUTIVE SESSION

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

ACTION

Action taken resulting from the Executive Session is as follows:

**The board made a motion by Trustee Freifeld, seconded by Trustee Einach and was carried unanimously to approve for Ed to hire a Utility Worker.**

**The board made a motion by Trustee Freifeld, seconded by Trustee Lutes and was carried unanimously to have our Attorney proceed with drawing up an Agreement incorporating the appropriate language, for Wades’ Station for $15,000 sale price; with the new owner to invest $175,000 for 2 storefronts which shall be determined**.

**There being no further business to come before the board the motion was made to adjourn the meeting by Trustee Freifeld, seconded by Trustee Maras and was carried unanimously.**