

Village of Portville Board Meeting April 18, 2022

Present: Anthony Evans, Mayor
Joseph McLarney, Deputy Mayor
Vincent Pascucci, Trustee
Michael DeBarbieri, Trustee
Thomas A. Crosson, Treasurer
Oriana Osgood, Clerk
Benjamin Smith, Village Attorney

Excused: Francisco Morales, Trustee
Mark Crosson, Police Chief

Attendees: Syd Evans
Cindy Wagner
Bob Fischer
Holly Fischer
Chad Caldwell
Becky Johnstone
Bob Johnstone
Todd Shaw
Sherri Shaw

Meeting opened with the pledge to the flag at 6:05 p.m.

MOTION: was made to approve the minutes of the Board Meeting of March 21, 2022.

Motion: Vincent Pascucci

2nd: Joseph McLarney

ALL AYES

MOTION: to approve Abstract #011 Vouchers #2, #227, #454-#488 in the amount of \$67,470.11

Motion: Michael DeBarbieri

2nd: Vincent Pascucci

ALL AYES

Mayor's Report

- Mayor Evans expressed a sincere thanks to both the Treasurer and Clerk for their hard work. A huge thank you also to Town Highway Superintendent, Todd Shaw for stepping in and helping the Village of Portville after the recent resignation of the DPW Supervisor.
- Regarding the DPW Supervisor search for the Village an ad was placed in Olean Times Herald and on Indeed. Approximately 28 resumes were received and reviewed independently by each Board Member. There are four (4) candidates, three (3) of the candidates have been interviewed and one (1) of the candidates will be interviewed soon. Through the Shared Services Agreement with the Town of Portville, Todd Shaw will fill the DPW position until further notice.
- Mayor Evans also mentioned the search for a part-time Code Enforcement Officer for the Village of Portville. Mayor Evans announced that Ed Jennings from Olean, NY agreed to fill the part-time Code Enforcement Officer position for the Village. The annual salary of this position is \$3,000.00.
- Prototype of the GOACC Santa Claus Lane ornament featuring Pioneer Park in Portville was passed around for everyone to view and hold.
- Continued work on the Sewer Project with USDA Rural Development on grants and funds. Discussed renewal of the 700,000 BAN (Bond Anticipation Note) for another year at low interest will be submitted soon.
- Working on getting water and sewer licenses for DPW Employees.
- Mayor Evans mentioned the Olean Times Herald photo of Chuck Lucas and Cindy Keely presenting funds to Mayor Evans where money was raised for the Covered Bridge Project that will now go to the Portville Historical and Preservation Society to augment the Park Development and Repair fund. Requesting an RFP (Request for Proposals) will be further discussed.

Justice Report - Full report placed on file.

Code Enforcement Report

- Ed Jennings will fill the part-time Code Enforcement Officer

DPW Report

- Continued to work on sewer and water.
- Worked on removing fallen tree near the Baseball Field.
- Hiring of a couple of part-time high school kids during Spring Break was granted. Both Lucas Woodring and Evan Wenke have been working on welding and cleaning up of parks.
- Mentioned grants from the Cattaraugus County Programs for high school kids for summer part-time work.

General Committee Codes

- Chair Bob Fischer continued progress at meetings.
- Discussions of Land Use Ordinance Laws including reviewing Farm animal laws, chicken laws and possible guidelines of these various laws in the Village of Portville.

Comment: Mayor Evans received and read a complaint letter from Courtney Sprout regarding having problems with chickens in the Village of Portville. Discussion followed.

Old & New Business – The 2022-2023 Budget and Local Law #1-2022 were discussed in the Public Hearing Meeting today at 5:00 p.m. There were no changes made in the 2022-2023 Budget. Public comments regarding the Local Law #1-2022 prohibiting the use of tobacco, tobacco products etc. was requested by Mayor Evans. Bob Fischer spoke and wanted to know if “All Real Property Owned” in the Local Law #1-2022 included sidewalks. Mayor Evans does not believe that sidewalks were mentioned; no further comments were made. The Village Board adopted the 2022-2023 Budget and Local Law #1-2022 and the necessary paperwork for the Local Law will be filed with the Secretary of New York State.

- Because of the projected deficit, there was a discussion and the Board voted to raise the water/sewer rates by 5% starting July 1, 2022.

Moved by: Michael DeBarbieri **2nd:** Joseph McLarney **ALL AYES**
Unanimously voted with all four (4) votes and passed by the Village Board.

RESOLUTION #003-22, BE IT RESOLVED, that the Village Board of Trustees does hereby adopt the Village of Portville 2022-2023 budget as presented.

Resolved: Michael DeBarbieri **2nd:** Joseph McLarney **ALL AYES**
Unanimously voted with all four (4) votes and passed by the Village Board.
The Resolution is carried.

RESOLUTION #004-22 Adoption of Local Law #1-2022 A LOCAL LAW PROHIBITING THE USE OF TOBACCO, TOBACCO PRODUCTS, ELECTRONIC CIGARETTES, CANNABIS, HERBAL CIGARETTES AND ALCOHOL ON ALL REAL PROPERTY OWNED OR LEASED BY THE VILLAGE OF PORTVILLE.

I, Oriana Osgood, Village Clerk of the Village of Portville do hereby certify that the Village Board of the Village of Portville adopted the aforementioned resolution on April 18, 2022 by the following vote:

| | Aye | Nay |
|-------------------------------|----------------|---------------|
| Anthony Evans, Mayor | <u> √ </u> | <u> </u> |
| Joseph McLarney, Deputy Mayor | <u> √ </u> | <u> </u> |
| Vincent Pascucci, Trustee | <u> √ </u> | <u> </u> |
| Francisco Morales, Trustee | <u>Excused</u> | <u> </u> |
| Michael DeBarbieri, Trustee | <u> √ </u> | <u> </u> |

Dated: April 18, 2022

Oriana Osgood, Village Clerk

BE IT RESOLVED, that this Board does hereby adopt Local Law #1-2022 A Local Law Prohibiting The Use Of Tobacco, Tobacco Products, Electronic Cigarettes, Cannabis, Herbal Cigarettes and Alcohol On All Real Property Owned Or Leased By The Village Of Portville, as written; and

BE IT FURTHER RESOLVED, that this local law shall become effective immediately as the Mayor has declared a “message of necessity”, thus dispensing with the aging requirement.

| | | |
|--------------------------------|---|-----------------|
| Motion: Joseph McLarney | 2nd: Michael DeBarbieri | ALL AYES |
| Moved by: Anthony Evans | 2nd: Joseph McLarney | ALL AYES |

Unanimously voted with all four (4) votes and passed by the Village Board. The Resolution is carried.

RESOLUTION #005-22 Resolution Recognizing Teamsters Local 264 as the Exclusive Bargaining Representative of All Employees in the Agreed Upon Bargaining Unit

WHEREAS, on January 13, 2022, Teamsters Local 264 filed a Petition for Certification with the New York State Public Employment Relations Board (PERB) seeking to represent certain employees in the Village of Portville Department of Public Works; and

WHEREAS, during the course of the March 29, 2022 conference, the Village and Teamsters Local 264 agreed to the following unit definition:

Included: All full-time Laborers and Deputy Superintendents employed in the Village’s Department of Public Work,

Excluded: Superintendent and all other employees,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board has considered the forgoing and agrees to voluntarily recognize Teamsters Local 264 as the exclusive bargaining representative of all employees in the agreed upon bargaining as defined above.

I, Oriana Osgood, Village Clerk of the Village of Portville do hereby certify that the Village Board of the Village of Portville adopted the aforementioned resolution on April 18, 2022 by the following vote:

| | Aye | Nay |
|-------------------------------|----------------|---------------|
| Anthony Evans, Mayor | <u> √ </u> | <u> </u> |
| Joseph McLarney, Deputy Mayor | <u> √ </u> | <u> </u> |
| Vincent Pascucci, Trustee | <u> √ </u> | <u> </u> |
| Francisco Morales, Trustee | <u>Excused</u> | <u> </u> |
| Michael DeBarbieri, Trustee | <u> √ </u> | <u> </u> |

Dated: April 18, 2022

Oriana Osgood, Village Clerk

Resolved: Vincent Pascucci **2nd:** Michael DeBarbieri **ALL AYES**

Motion to Enter Executive Session:

Motion to Enter into Executive Session at 7:12 p.m.

Motion: Joseph McLarney **2nd:** Michael DeBarbieri **ALL AYES**

Meeting Adjourned at 7:30 p.m.

Motion: Joseph McLarney **2nd:** Michael DeBarbieri **ALL AYES**

Next Board Meeting will be held on: Monday, May 16, 2022 at 6:00 p.m.

Respectfully Submitted,
Oriana Osgood, Clerk