

May 28, 2015

Members Present: Mayor Bielec, Trustees Graham, Ianni, McMartin-Eck and Lauer. Also present were Village Attorney Charles Grieco and Code Enforcement Officer Craig Blake.

Mayor Bielec opened the meeting 6:30 pm, followed by the Pledge of Allegiance.

Attorney Grieco started with an update on the Small Claim Suit of Robert Alexander. He informed the Board that at the May Court date, Mr. Alexander claimed there had been a resolution passed and in effect about the time he first became the Village Justice, to indemnify elected officials for criminal matters. Based on that, the case was adjourned until July. Mr. Alexander has submitted a FOIL request for a copy of the resolution. His request was answered by return receipt certified mail as well as regular mail letter informing him he could make an appointment to come in and research the minutes at the Village offices. Clerk informed Mr. Grieco that the return receipt has not been received as yet by the Village office.

Attorney Grieco said the time period would likely be between 1981, when the Public Officers Law took effect, and 1988 when Robert Alexander took office as the Village Justice. Attorney Grieco suggested that the Village could review the minutes and submit a sworn affidavit regarding the existence or non-existence of the resolution Mr. Alexander is referring to. Trustee Ianni volunteered to review the Minutes in question. There was brief further discussion regarding the issue.

Attorney Grieco informed the Board he had reviewed the New Wave Energy Agreement and said it is fairly straightforward. He said there was one provision he was uncomfortable with, but said it would be unenforceable. Trustee Lauer said the Village is looking into other sources as well.

Regarding the CSX Agreement for the potential painting of the viaduct, Attorney Grieco mentioned he is familiar with dealing with CSX and feels they won't budge off from any of what is in the agreement. Some further discussion took place regarding the viaduct.

Motion was made by Trustee Lauer and seconded by Trustee Graham to approve the following Resolution:  
RESOLVED that the Village of Corfu Board of Trustees hereby approves Mayor David Bielec to sign the CSX Agreement for Right of Entry and Indemnity for Bridge Painting for the viaduct located on Route 77 in the Village of Corfu, pending confirmation of coverage of Insurance requirements through NYMIR and obtaining an Agreement specific to the Village of Corfu.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			

Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Clerk was requested to forward insurance requirements to Lawley Insurance to check on coverage and to contact Lori Oltramari regarding an Agreement specific to the Village of Corfu.

There was some discussion regarding the status of the American Family Market. It was mentioned that it appears a Restaurant may be going in next to the Laundromat. Craig Blake said he went to the County Health Department and they informed him that if a restaurant were to open there, they would need to get permits from the County. The current condition of the other businesses in the building was also discussed. A second recent fire in the Laundromat was mentioned and the possibility of getting a Fire Marshall to inspect was talked about.

Attorney Grieco informed the Board of their options regarding taking businesses or individuals to court for violations that are not taken care of after having issued an order to remedy. The potential of the Village cleaning up a property and billing the owner was discussed. Attorney Grieco advised the Board that the burden of proof is on the Village should they decide to have an appearance ticket issued to take an individual to court on Code violations. More discussion took place regarding potential procedure for follow-up on Code violators and having fire inspections conducted on Local businesses.

It was discussed that the Village pursue adoption of a Local Law for self-help which would open up the avenue of being able to clean up properties of non-compliant owners and bill the costs to the owner. With the Local Law, if the owner were to default on paying for the cleanup, the costs could be levied to their property taxes.

Motion was made by Trustee Ianni and seconded by Mayor Bielec to authorize Attorney Grieco to draw up a Local Law for self-help as discussed, to be presented for Public hearing when completed.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Trustee Lauer informed Attorney Grieco about the Joint Grant to tie the Town Sewer Districts into the Village Sewer Plant. He explained that the Village portion of the

grant was for the upgrade of the plant to capacity to accommodate the additional flow and that the Town's portion was to put the lines in for the two Town Districts. He mentioned that informally the Town was offered to take over the Sewer, but did not want to. The Village takes care of all administration, billing and oversight on the Town Districts which includes approximately 40 users.

Trustee Lauer further explained that the Town wants more capacity which means a further upgrade to the current plant or adding a package plant. He said the Truck Stops want to tie in and that the Village currently has capacity and wants them to tie in.

Attorney Grieco said that the Village can form a District at its own initiative as it is allowed to provide service to users outside the Village. Trustee Lauer said he feels that the issue is becoming convoluted.

Attorney Grieco said that if the Truck Stops are willing to foot the costs, he doesn't know why the Village can't accommodate them. He indicated that the Town may have no say, but he would like to check further if there is a way they can tap in without Town involvement.

It was mentioned that the Town has said they have to approve it as a Town District, and that the Town is proposing to build a plant on our property to cover the hamlet of Pembroke as well. Trustee Lauer said the Village wants to check on the easiest way to get the Truck Stops into our system. Attorney Grieco said he would like to get a copy of the current Sewer Law.

Trustee Graham gave a brief update on the smoke testing. He said that portion is now done and they have found several sump pumps that are illegally hooked up. He said it may come down to possible fines on some. It was mentioned the Village needs to enforce permanent repairs and institute a daily fine for those that do not comply.

The Board was reminded that Monday night there is a meeting scheduled at 6:30 to sit down with the Truck Stops to try to get committals from them. Trustee Graham mentioned that Flying J may be holding out until TA runs the line and then Flying J expects to tap in. It was mentioned that if they tap in after the fact they should be charged a large hook-in fee.

Attorney Grieco left the meeting at 7:53 pm.

Code Enforcement Officer Craig Blake brought up a couple of issues to the Board. He requested getting business cards made up and a photo ID. It was discussed that Jesse Stocking and the Camden employees should also have photo ID's made up. It was mentioned that they may be able to get them at Genesee County Emergency Services.

Motion was made by Mayor Bielec and seconded by Trustee McMartin-Eck to approve having the aforementioned employees get photo ID's made.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
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Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Mr. Blake also questioned if there would be a problem for him to assist the Town of Alabama with Code work while working for the Village. It was mentioned that the Village currently has Intermunicipal Agreements with the Town of Pembroke and Town of Batavia for Code assistance if needed. Mr. Blake said he will get more details on potential fee structure and check with the Town of Alabama on their needs.

Mr. Blake also questioned the Board on how they would like him to handle anonymous complaints. It was agreed he should at least check out the complaint in case it is a hazardous situation, but if it is inside a residence he would have no recourse to enter the premises, especially based on an anonymous complaint.

Mr. Blake informed the Board that he went to the Board of Health for some information on a couple of the violations that has been reported and is researching options for follow up on them.

Mr. Blake left the meeting at 8:10 pm.

Trustee Ianni gave a brief Police department update. He informed the Board that he has tires coming from Delacy very soon for the unmarked car. He added that the fuse problem has been taken care of by Jesse and that all the fire extinguishers have been serviced.

Some discussion took place regarding Union negotiations and any potential and procedure for a full-time officer. Trustee Lauer said a package needs to be put together to send to the Union Attorney regarding proposed pay, benefits, etc. if a full-time officer were to be considered.

Trustee Ianni said the June schedule is pretty much complete. He said he will have to pull some of the proposed hours for Officer Petritz.

Motion was made by Trustee McMartin-Eck and seconded by Trustee Ianni to approve having Mayor Bielec sign the Town of Pembroke Lease Agreement.

The motion was passed on the following vote:

<b>VOTE</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			

Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Communications:

- 1) Rec'd copy of suggested letter to Robert Alexander re: FOIL request from Attorney Grieco.
- 2) Rec'd ck#51215 in amt of \$3000.00 from Yancey's Fancy for Sewer Permit.
- 3) Rec'd Certificate of Eligibles for Officer Petritz from Genesee County Personnel.
- 4) Rec'd signed Maintenance addendum from Camden Group.
- 5) Rec'd Buyer Card for an account with Home Depot.
- 6) Rec'd Lab report from PE Environmental.
- 7) Rec'd \$25.00 cash from Nicholas Fullenweider for Certificate of Occupancy for 13 East Main St.
- 8) Rec'd 3 copies of Short Circuit Elec. Study from Chatfield Engineers.
- 9) Rec'd notification of potential health ins. increase from BlueCross BlueShield.

Clerk questioned Board regarding the Home Depot credit line, and if they would prefer it be reduced to \$1000.00 credit limit. The Board agreed to the reduction.

Motion was made by Trustee McMartin-Eck and seconded by Trustee Ianni to approve April 27, 2015 Committee meeting minutes.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Motion was made by Trustee McMartin-Eck and seconded by Trustee Ianni to approve May 11, 2015 Regular meeting minutes.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			

Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Motion made by Trustee McMartin-Eck and seconded by Trustee Ianni to approve the transfer of \$7,977.81 in the form of a loan from General Fund 9901.9 to Sewer Interfund Revenue account 2801.13.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Motion made by Trustee McMartin-Eck and seconded by Mayor Bielec to move the following Resolution:

WHEREAS the Village of Corfu Clerk Treasurer did present transfers to be recommended in the 2014-15 Village Budget to cover end of year Expenditures in several Village Departments, and

WHEREAS the Board of Trustees did review this request and does recommend that the transfers be made at this time, now therefore be it

RESOLVED that the Village Clerk Treasurer is hereby authorized and directed to make the following 2014-15 budget transfers:

In General Account:

Dr 1990.4	Trustee Contr	\$7,290.36	
Cr 1010.1	Trustee PS		\$ .06
Cr 1110.2	Court Equipment		\$ 4,638.88
Cr 7550.4	Celebrations		\$ 660.71
Cr 8160.4	Refuse Contractual		\$ 690.50
Cr 9060.8	Medical Insurance		\$ 1,300.21
Dr 1325.4	Clerk Contr.	\$ 10.25	
Cr 1362.4	Clerk Tax Exp.		\$ 10.25
Dr 1989.4	Gen Gov Support	\$ 9,767.26	

Cr 3620.1	Elec/Safety PS		\$ 3,823.78
Cr 8760.1	Storm-PS		\$ 1,217.87
Cr 8760.4	Storm Contractual		\$ 4,725.61
Dr 3120.1	Police PS	\$14,276.77	
Cr 3120.2	Police Equip.		\$ 188.67
Cr 3120.4	Police Contractual		\$14,088.10
Dr 5110.1	Maint PS	\$ 125.80	
Cr 5110.2	Maint Equ		\$ 125.80
Dr 9050.8	Unempl. Ins.	\$ 1,015.67	
Cr 9040.8	Workmens Comp		\$ 1,015.67

In Sewer Account:

Dr 8110.2	Admin Equip.	\$ 250.00	
Dr 8110.4	Admin. Contract.	\$ 583.53	
Cr 8120.4	Sanit.Sew.Contract		\$ 833.53
Dr 8120.2	Sanit.Sew.Equip.	\$ 348.69	
Cr 8130.2	Plant Equipment		\$ 348.69
Dr 1990.4	Contingency	\$10,000.00	
Dr 8110.4	Admin Contr	\$ 235.32	
Dr 8120.2	Sanit.Sew-Equ.	\$ 96.13	
Dr 8130.1	Plant PS	\$ 4,585.39	
Dr 9030.8	Social Sec	\$ 350.79	
Dr 9562.0	Repair Res Tran	\$ 500.00	
Dr 2801	Interfund Trans	\$ 7,977.81	
Cr 8130.4	Plant Contractual		\$23,745.44

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

	<u>Date</u>	Gen. Fund Ckg	Sew.Fund Ckg	Cap. Proj Fund	True Gen Bal
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Ckg Bal. on hand	05/12/15	149,904.10	(63,006.29)	(98.57)	
Transfer		(7,977.81)	7,977.81	98.57	
Postmaster ck correction			(267.75)		
Receipts to	05/28/15	25.00	16,726.67		
Balance	05/28/15	141,951.29	(38,569.56)	0.00	
Direct ded Deluxe		(57.44)			
Disbursements to	05/28/15	(9,494.06)	0.00		
Payroll & Taxes to	05/28/15	(9,478.45)	0.00	0.00	
Subtotal	05/28/15	122,921.34	(38,569.56)	0.00	
Payables	05/28/15	(10,477.47)	(7,873.73)	0.00	
Ckg Total	05/28/15	<b>112,443.87</b>	<b>(46,443.29)</b>	<b>0.00</b>	<b>66,000.58</b>
<b>Money Market</b>		<b>General Fund</b>	<b>Capital Reserve</b>	<b>Sew. Repair Res</b>	<b>Total Savings</b>
SavingsTotal	03/31/15	178,339.19	247,526.23	35,829.91	461,695.33
Interest Credit	04/30/15	8.79	12.21	1.77	22.77
Balance	OK	<b>178,347.98</b>	<b>247,538.44</b>	<b>35,831.68</b>	<b>461,718.10</b>

NOTE: May Money Market statements not rec'd by 5/28/15 meeting

**Capital Project Money Market Account**

Beg, Balance	1/30/2015	72,387.57	
Transfer 3/9 bills	03/11/15	(2,070.75)	
Interest pymt	03/31/15	3.02	.05% as of 12/10
3/31/15 Balance		<b>70,319.84</b>	OK
Transfer 4/13 bills	4/20/2015	(925.06)	
Interest pymt	4/30/2015	2.87	.05% as of 12/10
		<b>69,397.65</b>	OK

Vouchers: #217144 thru 217163

General Fund - Total Am't = \$29,449.98  
Sewer Fund - Total Am't = \$ 7,873.73  
Capital Project Fund - Total Am't = \$ .00

Motion was made by Trustee McMartin-Eck and seconded by Mayor Bielec to pay general and sewer bills.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Motion was made by Trustee McMartin-Eck and seconded by Trustee Graham to approve Treasurer's Report.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Clerk presented the following revised Resolution regarding acceptance of NYS DOT Release of Owner for permanent easement on the small Village owned parcel of land on Allegheny.

Motion was made by Trustee Graham and seconded by Trustee Ianni to approve the following Resolution:

RESOLVED; that the Village of Corfu Board of Trustees affirms and ratifies the Agreement of Adjustment and Release of Owner for Village of Corfu 0.029+- acre parcel, known as Map 21, Parcel 21 along NYS RTE 77, to be acquired by New York State Department of Transportation as a permanent easement for stream channel. It is further RESOLVED; that Mayor David Bielec is the designated official to execute all legal documents necessary for closing.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			

<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Motion was made by Trustee Graham and seconded by Trustee Ianni to approve having Mayor Bielec sign the DOT Easement Paperwork.

The motion was passed on the following vote:

<b>VOTE</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Trustee Ianni mentioned the Bulletproof vest grant and checking which Officers are in need of a vest.

It was mentioned that an interview needs to be set up for the Officer that Civil Service had inadvertently left off the eligible list.

There was no Maintenance update.

Trustee Graham said now that the smoke testing is done, the Village needs to send notification that sump pump inspections will begin. He informed the Board that during the smoke testing of the Car Wash the lines were full of sludge and that the owner needs to have it pumped out. Trustee Graham is also going to check to see where the water from the Laundromat is going.

Trustee Graham also mentioned that Village Electrician Norm Waff reviewed the new Electrical Study from Chatfield and has found several issues in the report such as incorrect breakers on the Main panel box and certain things not being up to spec, creating potential hazards in other areas. He indicated that Norm and Village Engineer Paul Chatfield will be sitting down to go over the issues. It was mentioned that it should be the responsibility of the Electrical Engineer that designed it.

Trustee Graham updated the Board on the ammonia situation at the plant and said he has spoken to Mike Nuwer at the school and they will be changing cleaning products at both schools.

Motion was made by Trustee Ianni and seconded by Trustee McMartin-Eck to adjourn the meeting at 9:05 pm.

The motion was passed on the following vote:

<b>VOTE</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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Mayor Dave Bielec	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
Trustee Al Graham	X			
Trustee McMartin-Eck	X			
<b>VOTE TOTAL</b>	<b>5</b>			
<b>RESULTS</b>	<b>PASS</b>			

Sandra Thomas  
Clerk Treasurer