

FEBRUARY 9, 2025

PRESENT – Peter E. Wrona Supervisor, David Shinnars Councilman, Holly Urbanski Councilwoman, Phillip Gross Councilman, Terry Rosell Superintendent, Megan Morgenstern Town Clerk,, Jeff Holler CEO

ABSENT: Timothy Zimbardi Councilman

GUESTS – Susan Koch

PUBLIC HEARING – The public hearing for the LOCAL LAW 1-2026 AMENDING RESIDENCY REQUIREMENTS FOR TOWN HIGHWAY SUPERINTENDENT was brought to order at 4:45 PM by Supervisor Wrona

Discussion took place on the amendments presented.

As no one attended for or against the LOCAL LAW 1- LOCAL LAW 1-2026 AMENDING RESIDENCY REQUIREMENTS FOR TOWN HIGHWAY SUPERINTENDENT Supervisor Wrona Gross closed the hearing at 4:55 PM

MEETING - A regular meeting was brought to order by Councilman Gross at 4:55 p.m.

PRESENT - Those listed above for the Public Hearing attended the meeting.

**TOWN OF LITTLE VALLEY
LOCAL LAW NO. 1 OF 2026**

**A LOCAL LAW AMENDING RESIDENCY REQUIREMENTS FOR HIGHWAY
SUPERINTENDANT OF THE TOWN OF LITTLE VALLEY**
BE IT ENACTED by the Town Board of the Town of Little Valley, in the County of Cattaraugus, as follows:

Section 1. Purpose and Supersession.

Local Law # 1 of 2026 is a local law to supersede certain requirements of the Public Officers Law § 3, Town Law § 23(1), and other laws of the State of New York as respects residency requirements of the Highway Superintendent of the Town of Little Valley.

Section 2. Authority.

This local law is adopted pursuant to Home Rule Law ("MHRL") §10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this local law recognizes that the State Legislature amended Public Officers Law, §3 converting the same from a general to a special law, thereby allowing towns to set reasonable residence qualifications for public officers, in accordance with the requirements of the MHRL.

Section 3. Residency Requirements for Town of Little Valley Highway Superintendent.

The Highway Superintendent, whether elected or appointed, need not be a resident or elector of the Town of Little Valley provided, however, that such person (or candidate), if not a resident of the Town of Little Valley, shall reside within an adjoining municipality.

Section 4. Inconsistency.

All other local laws and ordinances of the Town of Little Valley that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency, and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section 5. Savings.

If any clause, sentence, paragraph, word, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal, or invalid, such judgment shall not affect, impair, or invalidate the remainder, thereof, but shall be confined in its operation to the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

FEBRUARY 9, 2025

MOTION #16 - LOCAL LAW 1-2026 A LOCAL LAW AMENDING RESIDENCY REQUIREMENTS FOR HIGH SUPERINTENDANT OF THE TOWN OF LITTLE VALLEY

On motion by Councilwoman Urbanski, seconded by Councilman Gross - LOCAL LAW 1-2026 A LOCAL LAW AMENDING RESIDENCY REQUIREMENTS FOR HIGH SUPERINTENDANT OF THE TOWN OF LITTLE VALLEY” is adopted. Ayes 4 Nays 0

ROLL CALL VOTE: Peter Wrona – Aye
Phillip Gross – Aye
David Shinnars - Aye
Holly Urbanski - Aye Carried.

MOTION #17 – MINUTES

On motion by Councilman Shinnars, seconded by Councilman Gross that the minutes of January 12, 2026, be approved as submitted

Ayes 4 Wrona, Gross, Shinnars, Urbanski,
Nays 0 Carried.

CEO REPORT

CEO Holler reported the he had 9 Phone calls and 2 Inspections.

MOTION # 18 – CEO Report

On motion by Councilman Gross, seconded by Councilman Shinnars, that the February 2026 CEO report be approved as submitted

Ayes 4 Wrona, Gross, Shinnars, Urbanski,
Nays 0 Carried.

MOTION # 19 - JUSTICE REPORT

On motion by Councilwoman Urbanski, seconded by Councilman Gross the January 2026 Justice report in the amount of \$225.00 is approved as submitted

Ayes 4 Wrona, Gross, Shinnars, Urbanski,
Nays 0 Carried.

SUPERINTENDENT REPORT

ROADS – We’ve just been plowing a lot and pushing back snowbanks. We did replace a stop ahead sign on Whig St.

EQUIPMENT – We installed a new react cutting edge on the 22’ Western star, it’s very similar to the last blade we had on it, and that blade lasted over two years. We sent some of the graders hydraulic cylinders to the Amish to get rebuilt, they were leaking badly. We had to install new brake pads all the way around on the pickup truck. We’ve also started to service equipment. I called about the new Western Star and it has been delivered to ValleyFab, I am working on an appointment to inspect it.

BUILDING – We installed a new LED light over our oil storage area.

EMPLOYEE- Dan Lee started three weeks ago and is doing well.

MOTION # 20 – SUPERINTENDENT REPORT

On motion by Councilman Gross, seconded by Councilwoman Urbanski that the Superintendent’s February 9, 2026 report be approved as submitted

Ayes 4 Wrona, Gross, Shinnars, Urbanski,
Nays 0 Carried.

MOTION # 21 – CLERK REPORT

On motion by Councilman Shinnars, seconded by Councilman Gross, that the Town Clerk Report for January 2026 in the amount of \$701,195.78 be approved as submitted.

Ayes 4 Wrona, Gross, Shinnars, Urbanski,
Nays 0 Carried.

MOTION # 22 – SUPERVISOR’S REPORT

On motion by Councilwoman Urbanski, seconded by Councilman Gross the Supervisor’s January 2026 financial report with the following account balances:

General Fund \$ 533,821.45
Highway Fund \$ 782,136.00 is approved as submitted
Ayes 4 Wrona, Gross, Shinnars, Urbanski,
Nays 0 Carried.

OLD BUSINESS:

Discussion took place in regard to the new truck and warranty on it. Superintendent Rosell spoke with Tracey Road and they said that the manufacturer warranty would kick once they submitted the paperwork to Westernstar, which would be after we take possession, once equipment is installed by ValleyFab. The concern is if something happens to the truck while we wait for equipment to be installed. Superintendent Rosell will be going to ValleyFab as soon as he can get an appointment to go over the truck to make sure it is to specs of

FEBRUARY 9, 2025

what we ordered. Some discussion took place as to payment. We agreed last year to pay for the truck out of fund balance and to bond for the equipment.

MOTION # 23 – TRUCK PAYMENT

On motion by Councilman Shinnars, seconded by Councilwoman Urbanski that the payment for the truck be paid out of DB fund balance once invoice is received.

Ayes 4 Wrona, Gross, Shinnars, Urbanski,

Nays 0 Carried.

NEW BUSINESS:

Terry Rosell has asked that his sick/vacation time that was earned though 12/31/25 be froze until after the election. This is so that if he does not become the elected Superintendent, he can start back at hourly with his time earned and not have to start over. If he were to become the elected Superintendent, he would take the lump sum of his earned time.

MOTION # 24 – TERRY ROSELL SICK/VACATION TIME

On motion by Councilwoman Urbanski, seconded by Councilman Shinnars that Terry Rosell's earned sick/vacation time that was earned though 12/31/25 be froze until after the election.

Ayes 4 Wrona, Gross, Shinnars, Urbanski,

Nays 0 Carried.

MOTION # 25 – RECIND 2025 MOTION #67

On motion by Councilwoman Urbanski, seconded by Councilman Shinnars that 2025 motion #67 appointing Dennis Viereck as Fire Commissioner be rescinded

Ayes 3 Wrona, Shinnars, Urbanski

Nays 1 Gross

MOTION 26 - APPOINTMENT LITTLE VALLEY JOINT FIRE DISTRICT COMMISSIONER

On motion by Councilwoman Urbanski, seconded by Councilman Shinnars that Dennis Koch be appointed to the Little Valley Joint Fire District as Commissioners to fill rescinded Dennis Viereck term will expire December 31, 2028, now be approved as submitted

Ayes 3 Wrona, Shinnars, Urbanski

Nays 1 Gross

A workplace Violence & Harassment & Discrimination Webinar will be on in the clerk's office February 25, 2026 at 9am & 10am. Also, a Cybersecurity Webinar will be on in the clerk's office February 18, 2026 at 9am. These are mandatory trainings and all are encouraged to attend.

4th quarter sales tax was received in the amount of \$47,131.36.

Notice was received that Little Valley Sand & Gravel would like to open a new gravel pit located at 4801 Route 353 (63.004-2-7.2). They have requested that NYDEC be the lead agency for the SEQR. CEO Holler & Planning Board Chairman Ormond agree that they are the best to take lead. They would still need to apply for a special use permit and go through the whole process with the Town.

MOTION # 27 – PAYMENT OF CLAIMS – ABSTRACT 001

On motion by Councilman Gross, seconded by Councilman Shinnars the following be approved as submitted.

Ayes 4 Gross, Shinnars, Urbanski, Zimbardi

Nays 0 Carried

General Fund Vouchers #15 to # 35 \$ 38,855.60

Highway Fund Vouchers #7 to # 19 \$ 34,500.78

MOTION #28 – ADJOURNED

On motion by Councilman Shinnars, seconded by Councilwoman Urbanski that the meeting be adjourned at 5:20 pm

Ayes 4 Gross, Shinnars, Urbanski, Zimbardi

Nays 0 Carried.

Respectfully submitted,

Megan L. Morgenstern
Town Clerk RMC