**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**WORKSHOP**

# **9-11 Church Street**

**Fredonia, NY 14063**

**March 6, 2023**

**6:30 P.M.**

**Michael Cocquyt with LaBella to address the Board regarding what he provides as a grant writer and the possibilities for grants from across the State.**

1. **RESOLUTIONS**

1. Comprehensive Plan

2. DPW Supervisor Increase

3. Literacy Volunteers

4. Social Media Authorization

5. Budget Transfer

6. New SCADA System Approval

7. Budget Transfer

8. Chris Surma Consultant Approval

9. American with Disabilities Coordinator

1. **NEW BUSINESS**

1 ADA Coordinator

2.Chautauqua County Fair donation request

3.Climate Smart Communities Program (CSC)

4. Sale of Ambulance to Chautauqua County

5. Fire Department Health Inspection on March 1, 2023

6. Attendance to Getzville Rapid Intervention Training

1. **OLD BUSINESS**

1. Recreation Director

1. **EXECUTIVE SESSION**

**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**9-11 Church Street**

**Fredonia, NY 14063 March 6, 2023**

**7:30 P.M.**

**A CALL TO ORDER- MAYOR ESSEK**

I call this meeting to order on Monday, March 6, 2023 at 7:45 PM.

Roll Call of the Trustees: Trustees in attendance, Lynden, Bird, Espersen, Siracuse and Twichell attended by ZOOM.

1. **PLEDGE OF ALLEGIANCE-**

1. **APPROVAL OF MINUTES**

Upon motion duly made by Trustee Lynden and seconded by Trustee Twichell, the following resolution was unanimously adopted:

WHEREAS members of this Board have read the Official Minutes of the Board of Trustees Regular Meeting of February 21, 2023 now, therefore

BE IT RESOLVED that the Board hereby approves the minutes as entered into the Official Minutes, and

BE IT FURTHER RESOLVED that the reading of the minutes be dispensed with.

1. **PUBLIC PORTION**-

This portion of the meeting is for public comment. Any member of the public wishing to speak, once recognized, shall stand at the microphone and state their name and address. Speakers will be allowed three (3) minutes if speaking for themselves or five (5) minutes if speaking on behalf of a group. I will ask the speakers to refrain from remarks that are in poor taste, slanderous, or not germane to any action taken or contemplated by the Board. Bob Scudder stood to address the Board regarding a water bill for a residence that is uninhabited. The owner of 20 Woodward Drive has been living in a nursing home for the past year. Mr. Dave Notarro stood to address the Board regarding our water treatment plant, leak detection, the 2021 Canadaway Creek study done regarding the center span on the Water street bridge. Susan Parker stood to address the Board regarding the creation of a public forum on water issues, a task force to get an outside firm to review and provide an analysis of the various water systems that impact the residents of the Village. She also would like the Village to send a letter to the County regarding applying for County ARPA funds. The Clerk read correspondence from a resident, attached to these minutes.

1. **CORRESPONDENCE-**

**Correspondence dated February 27, 2023 was received from Mayor Doug Essek recommending Brian Luce be appointed to the Fredonia Planning Board.**

Upon motion duly made by Trustee Lynden and seconded by Trustee Bird, the following resolution was unanimously adopted:

BE IT RESOLVED that Brian Luce is hereby appointed as alternate member to the Fredonia Planning Board for a term of two (2) years which will expire in March of 2025.

**Correspondence dated February 20, 2023 was received from Festivals Fredonia requesting use of Barker Common Park during the festival known as Fredonia Easter Festival, Saturday April 1, 2023.**

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**BOARD OF TRUSTEES-REGULAR MEETING**

**MARCH 6, 2023**

**CONTINUED**

Upon motion duly made by Trustee Bird and seconded by Trustee Twichell, the following resolution was unanimously adopted:

BE IT RESOLVED that the request of Festivals Fredonia, for exclusive use of Barker Common Park, the Grange and the Gazebo from 8 AM to 2 PM on Saturday April 1, 2023 for the Fredonia Easter Festival is hereby approved, and

BE IT FURTHER RESOLVED that extra trash receptacles throughout the West side of Barker Common be added to accommodate potential trash. A Certificate of Insurance naming the Village as additionally insured in the amount of One Million Dollars be provided to the Village Clerk at least 2 weeks prior to the event, and

BE IT FURTHER RESOLVED that this event is subject to the direction and control of the Fredonia Police Department.

**Correspondence dated February 21, 2023 was received from Larry Fiorella requesting that Trustee Siracuse be added as a liaison to the Festivals Fredonia Committee.**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Bird, the following resolution was unanimously adopted:

BE IT RESOLVED that Trustee Siracuse is hereby added as a liaison to the Festivals Fredonia Committee effective immediately

**MAYOR’S REPORT**- Mayor Essek congratulated the Fredonia High School basketball team for defeating the Salamanca Warriors last Saturday and winning the section 6 game. They advance to class B crossover game on Tuesday.

1. **TRUSTEE/COMMITTEE REPORTS**-
   1. Trustee Lynden- spoke with John Partsch with Seimens re the solar project they are working on for us. They will have a report very soon.
   2. Trustee Bird-interviews were held for Recreation Director and we decided on one candidate even though each person interviewed was qualified.
   3. Trustee Espersen- attended a Fire Board meeting and discussed a tax exemption for volunteer firemen, more information is needed. The Cannabis meeting was cancelled due to weather. He held an event on Wednesday for residents who wanted to voice their concerns over the past water boil.
   4. Trustee Siracuse- No report
   5. Trustee Twichell- No report

1. **TREASURER’S REPORT-**

**I. ADDITIONAL REPORTS**

**J. RESOLUTIONS**-

Upon motion duly made by Trustee Bird and seconded by Trustee Lynden and carried unanimously, the following resolution was moved to be tabled:

WHEREAS the Village of Fredonia Planning Board (Planning Board) has reviewed the proposed Joint Comprehensive Plan between the Village of Fredonia and the Town of Pomfret and

WHEREAS the Board of Trustees of the Village of Fredonia duly called and held a public hearing on October 17, 2022, with public advertisement as required by law, regarding the new proposed Comprehensive Plan at the Village Hall Trustees’ Room, Fredonia, New York, and

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**BOARD OF TRUSTEES-REGULAR MEETING**

**MARCH 6, 2023**

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WHEREAS an Environmental Assessment form has been completed and reviewed by the Board of Trustees of the Village of Fredonia, and

WHEREAS the proposed Comprehensive Plan was also referred to the Chautauqua County Department of Planning as required by law and the County has determined that the new proposed Comprehensive Plan is a matter of local concern as stated in its letter to the Village dated December 19, 2022,

NOW, THEREFORE, be it resolved that this Board of Trustees determines that the proposed Comprehensive Plan will not have any significant impact on the environment, and

BE IT FURTHER RESOLVED that said proposed Joint Comprehensive Plan is hereby approved for the Village of Fredonia.

Upon motion duly made by Trustee Espersen and seconded by Trustee Bird, the following resolution was passed by a 3 – 2 vote: Trustees Lynden and Twichell voting nay

WHEREAS, the Board of Trustees of the Village of Fredonia has analyzed the current salaries for all Department Heads employed by the Village; and

WHEREAS, the Board has determined that the Department of Public Works Supervisor is paid significantly less than other similar Department Heads within the Village; and

WHEREAS, the Board has also determined that the Department of Public Works Supervisor is paid significantly less than other similar Department of Public Works Supervisors within New York State; and

WHEREAS, the Board of Trustees of the Village of Fredonia wishes amend the compensation for the Department of Public Works Supervisor, now, therefore

BE IT RESOLVED, that effective immediately, the compensation for the Department of Public Works Supervisor shall be increased by eleven thousand five hundred dollars ($11,500.00).

Upon roll call, the following votes were cast to wit:

Trustee Lynden voted Nay

Trustee Bird voted Aye

Trustee Espersen voted Aye

Trustee Siracuse voted Aye

Trustee Twichell voted Nay

Upon motion duly made by Trustee Siracuse and seconded by Trustee Bird, the following resolution was unanimously adopted:

BE IT RESOLVED that permission is hereby granted to the Literacy Volunteers of Chautauqua County for the use of the sidewalk and parking spaces in front of 10-12 Park Place for the following dates:

April 29th – National Independent Bookstore Day June 3rd – Attic & Seller Days

August 26th – Fredonia Farm Festival in addition, use of the sidewalk area adjacent to 10-12 Park Place for sales throughout the calendar year as weather permits, and

BE IT FURTHER RESOLVED that a sidewalk permit and a Certificate of Insurance naming the Village as additionally insured in the amount of 1 million dollars will need to be filed in the Clerk’s office at least 2 weeks prior to April 30, 2023, and the event is subject to the direction of the Fredonia Police Department.

Upon motion duly made by Trustee Espersen and seconded by Trustee Bird, the following resolution was unanimously adopted:

WHEREAS, the Board of Trustees of the Village of Fredonia recognizes that the Village does not have any social media presence other than the social media account administered by the Village’s Recreation Department; and

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**BOARD OF TRUSTEES-REGULAR MEETING**

**MARCH 6, 2023**

**CONTINUED**

WHEREAS, the Board has determined that many community members seek and receive information via social media; and

WHEREAS, the Board has also determined that it is in the best interest of the Village to establish a social media presence; now, therefore

BE IT RESOLVED, that the Board of Trustees of the Village of Fredonia hereby agrees to establish a social media presence via various platforms including but not limited to Facebook, Instagram, and Twitter, and shall be overseen by the Treasurer and/or his designee.

Upon motion duly made by Trustee Espersen and seconded by Trustee Siracuse, the following resolution was unanimously adopted:

BE IT RESOLVED that pursuant to section 5-520 of Village Law, the following budget transfers are hereby approved

* $30,000 from H8330.2 Capital Water Treatment Plant Rehab 24” @ Clear Well to H8330.4 Capital Water Treatment Plant SCADA system
* $15,000 from H330.2 Capital Water Treatment Plant Sludge Well Cleanout to H8330.4 Capital Water Treatment Plant SCADA system

Upon motion duly made by Trustee Twichell and seconded by Trustee Espersen, the following resolution was unanimously adopted:

WHEREAS, The Village requires the purchase and installation of a new SCADA (Supervisory Control and Data Acquisition) system for use at the Water Treatment Plant and Webster Road tank; and

WHEREAS, Siemens Industry, Amherst, NY has provided a quote for a new SCADA system as well as the programming and database to provide communication with the Water Treatment Plant and the Webster Road tank for $44,724.00; and

WHEREAS, the SCADA system is suitable and essential for the Village’s needs; therefore

BE IT RESOLVED the Village Board hereby authorizes the purchase of the SCADA system for $44,724.00.

Upon motion duly made by Trustee Espersen and seconded by Trustee Siracuse, the following resolution was unanimously adopted:

BE IT RESOLVED that pursuant to section 5-520 of Village Law, the following budget transfers are hereby approved

* $300 from A1010.41 Trustee Supplies to A1010.43 Trustees Travel/Training
* $1,500 from A1930.45 Judgments/Claims to A1010.43 Trustees Travel/Training
* $5,000 from A9060.8 Employee Benefits Health Insurance to A1620.44 Building Contractual
* $23,000 from A5110.1 Street Personnel to A5110.47 Street Gasoline
* $5,000 from A5110.11 Street Personnel Overtime to A5110.47 Street Gasoline
* $3,000 from A7110.1 Parks Personnel to A5110.47 Street Gasoline
* $3,000 from A4540.41 Ambulance Supplies to A3410.44 Fire Contractual
* $3,000 from A4540.49 Ambulance Maintenance Equipment to A3410.44 Fire Contractual
* $6,000 from A3410.49 Fire Maintenance to A3410.44 Fire Contractual
* $2,000 from Fire Safety Equipment to A3410.44 Fire Contractual
* $1,000 from A3410.41 Fire Safety Supplies to A3410.44 Fire Contractual
* $15,000 from A9060.8 Employee Benefits Health Insurance to A3410.47 Fire Gasoline
* $2,000 from A9060.8 Employee Benefits Health Insurance to A4540.47 Ambulance Gasoline
* $3,500 from F8340.1 Water Distribution Personnel to F8340.47 Water Distribution Gasoline
* $3,500 from G8120.1 Sanitary Sewer Personnel to G8120.47 Sanitary Sewer Gasoline
* $600 from G8120.1 Sanitary Sewer Personnel to G8120.49 Sanitary Sewer Equipment

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**BOARD OF TRUSTEES-REGULAR MEETING**

**MARCH 6, 2023**

**CONTINUED**

Upon motion duly made by Trustee Lynden and seconded by Trustee Bird, the following resolution was unanimously adopted:

WHEREAS, the Village of Fredonia requires a consultant for Water Treatment Plant; and,

WHEREAS, Christopher Surma was the previous Chief Operator of the Plant and knows the operations thoroughly; and

WHEREAS, Christopher Surma is willing and able to continue to provide consulting at a rate of $35/hr. to assist Luis Fred; current Water Treatment Plant Chief Operator, on an as needed basis, not to exceed $5,000; therefore,

BE IT RESOLVED, the Mayor is hereby authorized and directed to retain the services of Christopher Surma.

Upon motion duly made by Trustee Siracuse and seconded by Trustee Lynden, the following resolution was unanimously adopted:

BE IT RESOLVED, that the Village Board of the Village of Fredonia confirms that the Village Clerk will act as the Americans with Disabilities Act Coordinator for the Village of Fredonia; and

BE IT FURTHER RESOLVED, that this Board approves the following Notice under the Americans with Disabilities Act:

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Village of Fredonia will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Village of Fredonia does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The Village of Fredonia will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Village of Fredonia programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Village of Fredonia will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the Village of Fredonia offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Village of Fredonia, should contact the office of the ADA Coordinator, **Annemarie Johnston** at 9-11 Church Street, Fredonia, New York 14063,at (716) ­­­­­679-2302 or e-mail at **fredoniavillageclerk@gmail.com** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Village of Fredonia to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the Village of Fredonia is not accessible to persons with disabilities should be directed to ADA Coordinator, **Annemarie Johnston**, at 9-11 Church Street, Fredonia, New York 14063,at (716)679-2302 or e-mail at **fredoniavillageclerk@gmail.com**

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**BOARD OF TRUSTEES-REGULAR MEETING**

**MARCH 6, 2023**

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The Village of Fredonia will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs, and

BE IT FURTHER RESOLVED, that this Village Board approves the following Grievance Procedure under the Americans with Disabilities Act:

**GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Village of Fredonia. Employment-related complaints of disability discrimination are covered elsewhere, in policies available from the human resources office of the Village of Fredonia.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Annemarie Johnston

ADA Coordinator

9-11 Church Street

Fredonia, NY 14063

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Village of Fredonia and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.

Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency’s final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. If further response is indicated, the complainant will be contacted within 15 calendar days.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by the Village of Fredonia for at least three (3) years.

Upon motion duly made by Trustee Bird and seconded by Trustee Twichell, the following resolution was unanimously adopted:

BE IT RESOLVED that Francesca Sysol of 21 Cleveland Avenue, Fredonia, NY is hereby appointed to the Part Time Position of Recreation Director at a salary of $14, 500 a year beginning  March 13, 2023.

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**BOARD OF TRUSTEES-REGULAR MEETING**

**MARCH 6, 2023**

**CONTINUED**

Upon motion duly made by Trustee Espersen and seconded by Trustee Twichell, the following resolution was unanimously adopted:

            WHEREAS the Village of Fredonia Fire Department has a fitness/workout room, and

            WHEREAS the Village of Fredonia has deemed the fitness/workout room available for Fire Department personnel and their families, and

            WHEREAS the fitness/workout room administrative policy and waiver release form are attached to these minutes and are necessary to be completed before use of the room, now, therefore

            BE IT RESOLVED that the Board of Trustees of the Village of Fredonia hereby authorizes the use of the fitness/workout room located in the sublevel of the Fredonia Fire Department.

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen, the following resolution was adopted by a 4 – 1 vote; Trustee Lynden voting Nay

WHEREAS, the Village issues water/sewer bills once a quarter per location; and

WHEREAS, Samuel Maggio, 20 Woodward Drive, Fredonia. has received a $767.49 bill for water/sewer while not residing in the home;

WHEREAS, the Power of Attorney for the home is requesting a reduction in the bill for 20 Woodward Drive since no one lives there and should not have had a bill of that size.

BE IT RESOLVED the 20 Woodward Drive, Fredonia is hereby authorized to receive an adjusted bill in the amount of $71; the average bill for the property.

1. **EXECUTIVE SESSION-**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen and carried unanimously, the Board adjourned the regular meeting at 8:25 PM.

1. **MEETING SCHEDULE**- Next Village of Fredonia Workshop and Board Meeting will take place Monday March 20, 2023, 6:30 PM in the Trustee Room, second floor Village Hall.

ANNEMARIE JOHNSTON

VILLAGE CLERK

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