**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**WORKSHOP**

**9-11 Church Street**

**Fredonia, NY 14063**

**February 14, 2024**

**9:00 A.M.**

**A. RESOLUTIONS**

1. Correspondence from Fredonia Fire Department-

2. Resignation of Laborer

3. Fredonia Farmers Market

4. Opera House Annual 5k

5. Garden Club Approval

6. Approval of Patrolman Hire at Fredonia Police Department

7. Budget Transfer

8. Abstracts 696 - 706

9. Deputy Mayor Appointment

**B. DEPARTMENT REPORTS**

Code Enforcement Office-

DPW-

Fire Department-

Police Department-

Recreation Department-

Wastewater Treatment Plant-

Water Treatment Plant-

**C. NEW BUSINESS**

1. Letter to Inform Businesses of expired Meters and upgrades

2. Letters to College Rentals Properties

3. Library Roof Estimate from Hawk Construction

4. Any other New Business

**D. OLD BUSINESS**

1. Labella Ground Water Exploration Proposal

2. Any other Old Business

**E. EXECUTIVE SESSION**

**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**PUBLIC HEARING**

**9-11 Church Street**

**Fredonia, NY 14063**

**February 20, 2024**

**6:30 P.M.**

THIS BEING THE TIME AND PLACE FOR THE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 1 OF 2024, “A LOCAL LAW AMENDING SECTION 287-2A OF THE CODE OF THE VILLAGE OF FREDONIA TO PROVIDE FOR AN INCREASED WATER RATE FROM $4.95 TO $6.95 PER 1,000 GALLONS”

Clerk shows affidavit of publication.

**LOCAL LAW NO. 1 OF 2024**

This local law shall be entitled “Local Law Amending Section 287-8A of the Code of the Village of Fredonia to Provide for an Increased Water Rate.”

Be it enacted by the Board of Trustees of the Village of Fredonia as follows:

**SECTION 1.** Section 287-8A of the Code of the Village of Fredonia, last amended on June 1, 2023, by Local Law No. 3 of 2023, is hereby amended to read as follows:

Section 287-8A. Rates for metered water service within the Village of Fredonia:

1. For water supplied by the Village of Fredonia from and after February 19, 2024 and for each quarterly period thereafter, the following rates are hereby fixed and shall be collected on all water metered service within the Village of Fredonia: at a rate of $6.95, per 1,000 gallons.

Note: Water Rates to the Town of Pomfret and Town of Dunkirk Water Districts or other outside of Village water customers shall be increased accordingly as provided by the contracts with the Village of Fredonia and such outside water customer.

**SECTION 2.** This local law shall take effect immediately upon filing with the Secretary of State of the State of New York as required by law.

. Andy Ludwig stood and addressed the Board regarding saving the reservoir and having Trustees publicly comment. Nancy Ortolano stood to address the Board about how our water rate is calculated and old meters and determining old meters. Jim Lynden stood to address the Board regarding the water rate increase. He would like the Board to vote no. He does not believe the village’s numbers are factual. Richard Leone stood to address the Board regarding the rate increase option, and statements based on the LaBella report. He claims there were incorrect numbers that the Village is using for their argument. Robert Scott stood to address the Board regarding the water rate increase, and the past 2 attempts to raise water fees in 2022. The .15 cent increase in water did take place during the budget adoption in April of 2023.

**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**9-11 Church Street**

**Fredonia, NY 14063**

**February 20, 2024**

**7:00 P.M.**

At a regular meeting of the Board of Trustees of the Village of Fredonia, duly called and held on the 20th day of February, at 7:00 p.m. in the Trustee Room, second floor, Village Hall in Fredonia, New York and public notice of the time and place of this meeting has been given to the news media and conspicuously posted in one or more designated public locations in accordance with Section 104 of the Open Meetings Law.

**A. CALL TO ORDER-MAYOR FERGUSON**

I call this meeting to order on Tuesday February 20, 2024 at 7:16 PM

Roll Call of the Trustees: Trustees Present: Brauchler, Espersen, Siracuse, Twichell, Wandel.

**B. PLEDGE OF ALLEGIANCE-**

**C. APPROVAL OF MINUTES-**

Upon motion duly made by trustee Siracuse and seconded by Trustee Wandel, 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 7, 2024 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.

**D. 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. Nancy Ortolano stood to address the Board regarding the speed on Central Ave. Can something be done about it? She is concerned about the safety of people walking on the sidewalk. Rob Clark stood to address the Board regarding the Boards decision to connect to Dunkirk and draw down the reservoir. He believes the Village is withholding information and the distribution problems will not change because we go with Dunkirk. Sam Drayo stood to address the Board and his allotted time did not start until after his first comments about the building restoration.

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**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**FEBRUARY 20, 2024**

**CONTINUED**

He stated that there were many redactions made from the LaBella report, and if they don’t involve security, they should be made public. Marcia Johnson stood and addressed the Board regarding the insulting of elected officials is uncalled for. She stated that we have a distribution problem regardless of where we get the water from. She stated that the group that raised their hands at the public hearing might not have been residents of Fredonia. Andy Ludwig stood and addressed the board regarding getting water from Dunkirk: it won’t change the boil water notices, the brown water issues, he agrees. If we buy water from Dunkirk will we be responsible for the water that waters flowers in the park? Water in the fountains? EvaDawn Bashaw and addressed the Board regarding her serving on the Board, how she became familiar with the budget process, she suggested the Board wait until the budget process to raise water rates. She suggested listening to the collective group in the room who have all served the Village. Richard Leone stood to address the Board regarding municipal accounting, and the cost of production. He wanted to know what was redacted in the LaBella report. The Clerk read correspondence from the public (see attached). Mayor Ferguson closed the public portion.

**E. CORRESPONDENCE-**

**Correspondence received on February 10, 2024, from Fredonia Fire Department, Chief Myers requesting the addition of Ronald Chwojdak, Tara Riewaldt, and Justin Powell be added to the rolls of the Fredonia Fire Department as Volunteer Members.**

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

BE IT RESOLVED that the request from the Fredonia Fire Department to add the names Ronald Chwojdak, Tara Riewaldt and Justin Powell to the active roll of the Fredonia Fire Department is hereby approved.

**Correspondence dated February 9, 2024 was received from Ariel Rivera, Laborer at the Department of Public Works, resigning his position.**

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

BE IT RESOLVED that the resignation of Ariel Rivera, Laborer with the DPW is hereby accepted effective March 1, 2024, and the mayor is hereby authorized to send a thank you letter to Mr. Rivera, thanking him for his service to the Village.

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**Correspondence dated February 1, 2024 was received from the Fredonia Farmers Market, requesting use of Church Street and Barker Common from May 18, 2024 through October 26, 2024.**

Upon motion duly made by Trustee Twichell and seconded by Trustee Brauchler and carried unanimously, the following resolution was moved to be tabled.

WHEREAS the Farmer’s Market has requested the exclusive use of 9-11 Church Street as well as East Barker Commons from 7am to 1:30 pm May 18, 2024 through October 26, 2024.

WHEREAS the Farmer’s Market is requesting to close Church Street between Temple and Day Street and between Village Hall and Main Street during these hours.

WHEREAS the Farmer’s Market is requesting the use of the downstairs restrooms and equipment shed during these events, and

WHEREAS the Farmers Market would like to

BE IT RESOLVED that the Farmer’s Market has permission for use of 9-11 Church Street as well as the East Barker Commons for approved market vendors each Saturday Morning beginning May 18, 2024 through October 26, 2024 and is subject to the direction and control of the Fredonia Police Department.

**Correspondence dated January 29, 2024 was received from Rick Davis,**

**Executive Director of the 1891 Fredonia Opera House, Inc., requesting the use of Barker Common and Gazebo, on Sunday, April 28, 2024 from 7 am to 1 pm, for the annual 5k Run/Walk to benefit the 1891 Fredonia Opera House Performing Arts Center.**

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

BE IT RESOLVED that the request from Rick Davis, Executive Director of the 1891 Fredonia Opera House, Inc., to use Barker Common, the Gazebo, and close Church Street between Day and Temple from 7am to 1pm, Sunday, April 28, 2024 is hereby approved with the stipulation that the group will be responsible for cleanup and is subject to the direction of the Police Department and the Village receiving a Certificate of Insurance in the amount of $1 million dollars naming the Village as an additional insured, which has been received.

**Correspondence dated February 2, 2024 was received from Barabara Lehnen of the Fredonia Garden Club requesting permission to use the Park Place side of Barker Common for their 100-year Anniversary Celebration.**

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

BE IT RESOLVED that the request from the Fredonia Garden Club to reserve Barker Common West and Gazebo on Saturday June 15, 2024 from 11 AM to 4 PM for their Centennial Celebration Anniversary with light refreshments and non-alcoholic beverages is hereby approved.

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**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**FEBRUARY 20, 2024**

**CONTINUED**

BE IT FURTHER RESOLVED that the Garden Club is in the process of obtaining the necessary Certificate of Insurance and it will be sent to the Village Clerks office as soon as possible.

**F. MAYOR’S REPORT-** Dunkirk Fredonia Chamber of Commerce meeting happened via Zoom on Feb 7th; On Feb 12th he met with SUNY officials to discuss the “Community Liaison Group” designed to work with the college to strengthen relations between surrounding communities and the college; Feb 13th there was a meeting with County Exec PJ Wendell, mayor Kate from Dunkirk and the Police Chief regarding a new facility for our community; Feb 14th a workshop was held; Feb 15th he met with Trustee Espersen and Jennifer Wilkins from SUNY Fredonia to discuss potential internship opportunities; NCCF meeting was held on Feb 15th to discuss community issues within the village; Feb 16th met with NYMS committee members and a concert promoter; He met with LaBella officials to discuss project deadlines for the Village; met American Legion members on Feb. 17th at a Commanders dinner and met people from all over New York State; Welcome new business “Woodlands Brew” to Fredonia. He thanked the owners and operators of Agri-America who came to the meeting, they have invested in our community many times over and he thanked them for attending.

**G. TRUSTEE/COMMITTEE REPORTS-**

**Brauchler-** he participated in the complete streets meeting via zoom; he agrees that the speed limit should change on Central Ave.

**Espersen-** internship expo in March; County Chamber might have internship possibilities; some attendees at the NCCF meeting had encouraged the Board to stay the course with their decision; he is willing to have a civil conversation with anyone, his number 716-467-8328; leak detection test was done, minor leaks were found and fixed; 75% of commercial meters in the village are old and in need of calibration.

**Siracuse-**

**Twichell**

**Wandel**

**H. TREASURER’S REPORT –** No Report

**I.**  **ADDITIONAL REPORTS-**

**1.** Village of Fredonia Justice Court Report for the month of January 2024 was read and ordered filed.

**J. RESOLUTIONS**

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

BE IT RESOLVED that Travis Hansen, Sinclairville, NY, is hereby appointed to the position of full-time Police Officer with the Village of Fredonia Police Department, as a lateral move, effective March 3, 2024, beginning with Step 1, at a rate of pay of $30.75 per hour, subject to all Civil Service Rules and Regulations.

Upon motion duly made by trustee Brauchler and seconded by Trustee Wandel, 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

* $400 from A1010.43 Trustees Travel to A1010.41 Trustees Supplies
* $200 from A1210.43 Mayor’s Travel to A1210.41 Mayor’s Supplies
* $8,000 from A1990.4 Contingency to A1420.44 Law Negotiator
* $2,400 from A1990.4 Contingency to A1620.44 Building Contractual
* $500 from A1325.1 Treasurer Personnel to A1325.43 Treasurer Travel/Training

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**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

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**CONTINUED**

* $5,000 from A1620.42 Building Utilities to A1620.44 Building Contractual
* $2,500 from A7140.1 Recreation Personnel to A7111.42 Russell Joy Park Utilities
* $3,554.82 from A2680 Insurance Recoveries to A3120.49 Police Maintenance Equipment
* $8,000 from F8320.41 Purification Water Purchase to F8330.44 Purification Contractual
* $20,000 from G8130421 Sewage Treatment Electric to G8130413 Sewage Treatment Chemicals

Upon motion duly made by trustee Wandel and seconded by Trustee Brauchler, the following resolution was unanimously adopted:

BE IT RESOLVED that the regular and overtime payrolls of the various Village Departments and bills approved by the Finance Committee and set forth in Abstract #696 through #706 are hereby approved and directed paid and filed in the Village Clerk’s Office 9-11 Church St. Fredonia NY.

Upon motion duly made by trustee Siracuse and seconded by Trustee Brauchler, the following resolution was carried by a 3 – 0 vote; Trustee Twichell did not vote, and Trustee Espersen abstained.

WHEREAS, the Mayor is empowered by New York State Village Law Section

4-400(h) to “appoint one of the trustees as deputy mayor at the annual meeting, who, during the absence or inability of the mayor, is vested with all the powers and may perform all duties of the mayor”; and

**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**FEBRUARY 20, 2024**

**CONTINUED**

WHEREAS, the Charter of the Village of Fredonia, Section 14(1) empowers the

Board, “to appoint, from time to time, one (1) of their number to preside at any meeting of the electors of said village or of the Trustees thereof when the mayor shall be absent.”

WHEREAS, no such appointment was previously made at the Village’s 2024

annual meeting; and

WHEREAS, the position of deputy mayor is necessary to provide continuity of

leadership in periods of the mayor’s unavailability; now, therefore

BE IT RESOLVED Trustee Jon Espersen is hereby appointed to the position of

Deputy Mayor for the 2024 calendar year.

**K.** EXECUTIVE SESSION-

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen and carried unanimously, the Board entered executive session to discuss personnel/legal advice/contract negotiations.

Upon motion duly made by Trustee Espersen and seconded by Trustee Siracuse and carried unanimously, the Board exited executive session WITH NO VOTE TAKEN.

**L. MEETING SCHEDULE**- The next Village of Fredonia Workshop will take place on Wednesday February 28, 2024 at 9 AM in the Trustee Room, second floor Village Hall.

The Next Village of Fredonia Board Meeting will take place Monday, March 4, 2024 at 7 PM in the Trustee Room, second floor Village Hall.

ANNEMARIE JOHNSTON

VILLAGE CLERK