**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**WORKSHOP**

**9-11 Church Street**

**Fredonia, NY 14063**

**December 26, 2023**

**6:00 P.M.**

**New Notes are Italicized**

**A. RESOLUTIONS**

1. Approval of Gazebo Reservation

2. Budget Transfer

3. Approval of Drum Scale for Water Treatment Plant

4. Water Treatment Plant Trainee Promotion

5. Resolution Rescindment

**B. NEW BUSINESS**

1. Workshop Schedule

2. Russell Joy Park reservations

3. Winter Legislative Meeting

4. Any other New Business

**C. OLD BUSINESS**

1. The Board presented the mayor with a gift for his 4 years of service as Mayor.

**D. DEPARTMENT REPORTS**

Code Enforcement Office- *No Report*

DPW- *No Report*

Fire Department-*Two career members successfully completed probation, Firefighters Pieszak and Essek, congratulations; Advanced intercept life support agreement that is required by Medicaid is complete and will be sent to our attorneys for review.*

Police Department- *No Report*

Recreation Department- *RJP Reservations can be made by calling 716-679-2311 and it will be on a first come, first serve basis. Thank you to the post office for helping with letters to Santa. Winter basketball program will take place Jan. 6th through February 10, 2024 on Saturdays from 1 to 2 PM, grades 1 thru 4 will be at the Wheelock gym ad 5 thru 8 at the high school.*

Wastewater Treatment Plant- *grit team motors needs repair, we have a vendor working on it.*

Water Treatment Plant-

**E. EXECUTIVE SESSION**

**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**9-11 Church Street**

**Fredonia, NY 14063**

**December 26, 2023**

**7:30 P.M.**

At a regular meeting of the Board of Trustees of the Village of Fredonia, duly called and held on the 26h day of December at 7:30 PM. 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.

PUBLIC HEARING ON VOLUNTEER FIRE COMPANIES MERGER

THIS BEING THE TIME AND PLACE FOR THE PUBLIC HEARING TO RECEIVE COMMENTS FROM THE PUBLIC TO CONSIDER A REQUEST FOR A MERGER OF THE FREDONIA VOLUNTEER FIRE DEPARTMENT, INC. THE M. M. FENNER HOSE COMPANY NO 2 INC., THE J. S. LAMBERT HOOK AND LADDER CO., INC, AND THE FREDONIA FIRE POLICE INC., INTO THE FREDONIA VOLUNTEER FIRE DEPRTMENT INC., PROOF OF PUBLICATION SHOWN, I CALL THIS HEARING TO ORDER.

Julius Leone stood to address the Board on the Public Hearing.

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

I call this meeting to order on Monday December 26, 2023 at 7:30 PM

Roll Call of the Trustees: Trustees present: Lynden, Bird, Espersen, Siracuse and Twichell

**B. PLEDGE OF ALLEGIANCE-**

**C. APPROVAL OF MINUTES-**

LYNDEN/TWICHELL- **NOT READ**

WHEREAS members of this Board have read the Official Minutes of the Board of Trustees Special Meeting of December 22, 2023, and the Official Minutes of the Regular Meeting December 26, 2023 meeting, 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. Richard Leone, 4 Lowell Place stood and addressed the Board regarding the direction of the water options presented to us by the LaBella report. Robert Clark stood to address the Board regarding the community preference to keep the reservoir is statistically relevant. He listed some different reasons for keeping the reservoir. He would a community advisory board as well. Athanasia Landis stood and addressed the Board regarding hidden costs in the LaBella study. The reservoir option is the least expensive, even with costs analysis. She believes it will be 3x more expensive to decommission the reservoir.

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**DECEMBER 26, 2023**

**CONTINUED**

Bob Scott stood to address the Board regarding LaBella’s staff and the County’s experts in well water. Richard Ketchum stood to address the Board re: the analogy of a mortgage and the water treatment plant expense. He believes the best way to get significant money is to go directly with Dunkirk. Sam Drayo stood the address the Board re: the Board due diligence in making this decision. Mayor Essek closed the public portion at 7:50 PM.

**E. CORRESPONDENCE-**

**Correspondence dated October 12, 2023 was received from Kelley Walter requesting** **to reserve the Barker Common Gazebo on Saturday September 21, 2024 from 3 – 4:30 P, for the purpose of wedding photos.**

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

BE IT RESOLVED that the request from Kelly Walter, Castile Drive, Fredonia, to reserve the Barker Common Gazebo on Saturday September 21, 2024 from 3 – 4:30 P, for the purpose of wedding photos is hereby approved.

BE IT FURTHER RESOLVED that Ms. Walter will provide the Village with a Certificate of Insurance showing the Village as additionally insured in the amount of One Million Dollars at least 2 weeks prior to September 21, 2024.

**F. MAYOR’S REPORT**- Reported that this is last meeting to preside at as Mayor of Fredonia. He thanked the staff for all the hard work. He appreciates the relationship with the college and the businesses currently in the Village.

**G. TRUSTEE/COMMITTEE REPORTS-**

Lynden- stated that it has been an honor to serve the 8 years to the Village. This is his last Village Board meeting.

Bird- he stated that this is his last meeting, he thanked the department heads and staff. He is happy with what has happened over the last 2 years.

Espersen- He attended Festivals Fredonia meeting last week. A cannabis committee meeting is planned. The gazebo is completely repaired. He thanked the Dept. of Health for their assistance and help to the Village.

Siracuse- thanked the mayor and trustees that are leaving office. The decision being made tonight is not one being made lightly.

Twichell- she thanked Trustees leaving office. She will be voting to preserve the Village reservoir.

**H. TREASURER’S REPORT**

No Report

**I. ADDITIONAL REPORTS**

1. Code Enforcement Report for the month of November 2023 was read and ordered filed.

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

**REGULAR MEETING**

**DECEMBER 26, 2023**

**CONTINUED**

**J. RESOLUTIONS**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen, 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

* $6,500 from H8330.2 Filtration Capital Floor Resurfacing to H8330.2 Filtration Capital Drum Scale

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

WHEREAS, the Village of Fredonia requires a way to measure the chemical usage at the Water Treatment Plant; and

WHEREAS, TI Sales; Sudbury, Maryland has supplied a proposal for the purchase of a Scaletron Model 4021 Ultra Low-Profile Drum Scale Base with Load Cell and 2-Channel Controller for $6,422.60; and

WHEREAS, the Drum Scale and 2-Channel Controller is suitable for the Village’s needs; therefore,

BE IT RESOLVED the Village Board hereby authorizes the purchase of the Scaletron Ultra Low-Profile Drum Sale and 2-Channel Controller for $6,422.60 from TI Sales.

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

WHEREAS Water Operator Trainee, Corbin Dissell, Plover Street, Dunkirk NY, successfully passed the Chautauqua County Health Department On-Site Assessment Test, now, therefore,

BE IT RESOLVED that Corbin Dissell is hereby promoted to Water Treatment Plant Operator, effective retroactively to 11/30/23 at a rate of $21.92 per hour.

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

BE IT RESOLVED that the resolution approved on December 11, 2023 to hire Kristen Seastedt, as full-time Police Department Dispatcher is hereby rescinded

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

WHEREAS, Mayville Tremaine Insurance will provide the insurance coverage for the Village of Fredonia effective January 1, 2024 thru January 1, 2025 at an annual premium of $355,970 as set forth in the Mayville Tremaine proposal dated December 14, 2023 and that the insurance carrier will be New York Municipal Insurance Reciprocal, now, therefore

BE IT RESOLVED that the Village Treasurer is hereby authorized to accept the Mayville Tremaine Insurance proposal for insurance renewal.

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

**REGULAR MEETING**

**DECEMBER 26, 2023**

**CONTINUED**

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

WHEREAS, members of the Fredonia Volunteer Fire Department, Inc., the M. M. Fenner Hose Company No. 2, Inc., the J. S. Lambert Hook & Ladder Company, Inc. and the Fredonia Fire Police, Inc. which jointly seek to be merged into a single entity, the Fredonia Volunteer Fire Department, Inc. and seek to obtain the consent of the Board of Trustees of the Village of Fredonia; and

WHEREAS, Not-for-Profit Corporation Law sections 909(a) requires the approval or consent of the Village of Fredonia to such merger and that the Certificate of Merger therefor shall have endorsed thereon or annexed thereto such approval or consent of the Board of Trustees as the authority of such Village of Fredonia; and

WHEREAS, the Board of Trustees (“Board”) has received a proposed Certificate of Merger for the merger of the Fredonia Volunteer Fire Department, Inc., the M. M. Fenner Hose Company No. 2, Inc., the J. S. Lambert Hook & Ladder Company, Inc. and the Fredonia Fire Police, Inc. into the Fredonia Volunteer Fire Department, Inc.; and

WHEREAS, the Board has considered such proposed Certificate of Merger; and

WHEREAS, the Board after due deliberation, finds it in the best interest of the Village of Fredonia, and the residents and taxpayers of the Village of Fredonia to approve and consent to the merger, as authorized by law and these Resolutions;

NOW THEREFORE, it is hereby

RESOLVED, that the Board of Trustees of the Village of Fredonia hereby approves and consents to the merger of the Fredonia Volunteer Fire Department, Inc., the M. M. Fenner Hose Company No. 2, Inc., the J. S. Lambert Hook & Ladder Company, Inc. and the Fredonia Fire Police, Inc. into the Fredonia Volunteer Fire Department, Inc.; and it is further

RESOLVED, that the Board of Trustees of the Village of Fredonia hereby approves and consents to the Certificate of Merger attached to these Resolutions; and it is further

RESOLVED, that majority of the Trustees of the Board are hereby authorized and directed to execute the “Approval and Consent by Village Board” also attached to these

Upon motion duly made by Trustee Siracuse and seconded by Trustee Bird, the following resolution was adopted by a 3 – 2 vote; Trustees Lynden and Twichell voting Nay.

WHEREAS, the Village has undertaken extensive review and assessment of its current water systems including meetings with the County Department of Health, review of a Preliminary Engineering Report prepared by LaBella Associates (“LaBella”), and a Public Hearing on the issues; and

WHEREAS, LaBella included an option for the Village to pursue groundwater well supplies with anticipated cost of the various phases of approximately $100,000.00 to $200,000.00; and

WHEREAS, the Village believes that pursing groundwater well supplies is in the best interest of the Village and its residents. Now therefore

BE IT RESOLVED, the Village of Fredonia shall proceed with determining the possibility to develop a well supply in accordance with the plan and recommendations set forth in LaBella’s Preliminary Engineering Report.

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

**REGULAR MEETING**

**DECEMBER 26, 2023**

**CONTINUED**

Upon motion duly made by Trustee Lynden and seconded by Trustee Twichell, the following resolution failed by a 3 -2 vote; Trustees Espersen, Siracuse and Bird voting Nay;

WHEREAS, the Village has undertaken extensive review and assessment of its current water systems including meetings with the County Department of Health, review of a Preliminary Engineering Report prepared by LaBella Associates, and a Public Hearing on the issues; and

WHEREAS, the Chautauqua County Department of Health has directed that the Village make a determination of a plan to correct deficiencies and violations occurring in its water system; and Now therefore

BE IT RESOLVED, the Village of Fredonia shall upgrade and maintain its existing dam, reservoir, water treatment plant and other water system components to provide high quality drinking water to the Village; and

BE IT FURTHER RESOLVED, that the Mayor is directed to notify the Chautauqua County Health Department (“Department”) in writing of its decision no later than December 29, 2023 as required by the Department.

Upon motion duly made by Trustee Espersen and seconded by Trustee Siracuse, the following resolution was adopted by a 3-2 vote; Trustees Lynden and Twichell voting Nay.

WHEREAS, the Village has undertaken extensive review and assessment of its current water systems including meetings with the County Department of Health, review of a Preliminary Engineering Report prepared by LaBella Associates, and a Public Hearing on the issues; and

WHEREAS, the Chautauqua County Department of Health has directed that the Village make a determination of a plan to correct deficiencies and violations occurring in its water system; and Now therefore

BE IT RESOLVED, the Village of Fredonia create and implement a plan to permanently interconnect Village water systems to those of the City of Dunkirk, which would include the decommission of the Village water treatment plant and drawdown of the reservoir; and

BE IT FURTHER RESOLVED, that the Mayor is directed to notify the Chautauqua County Health Department (“Department”) in writing of its decision no later than December 29, 2023 as required by the Department.

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

WHEREAS, the Village has undertaken extensive review and assessment of its current water systems including meetings with the County Department of Health, review of a Preliminary Engineering Report prepared by LaBella Associates, and a Public Hearing on the issues; and

WHEREAS, the Chautauqua County Department of Health has directed that the Village make a determination of a plan to correct deficiencies and violations occurring in its water system; and Now therefore

BE IT RESOLVED, the Village of Fredonia shall upgrade and maintain its existing dam, reservoir, water treatment plant and other water system components to provide high quality drinking water to the Village and create and implement a plan to permanently interconnect Village water systems to those of the City of Dunkirk; and

BE IT FURTHER RESOLVED, that the Mayor is directed to notify the Chautauqua County Health Department (“Department”) in writing of its decision no later than December 29, 2023 as required by the Department.

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

**REGULAR MEETING**

**DECEMBER 26, 2023**

**CONTINUED**

**K. EXECUTIVE SESSION-**

**L. MEETING SCHEDULE**- The Next Village of Fredonia Workshop and Board Meeting will take place Monday, January 8, 2024, 6:30 PM in the Trustee Room, second floor Village Hall.

ANNEMARIE JOHNSTON

VILLAGE CLERK

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