**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**WORKSHOP**

**9-11 Church Street**

**Fredonia, NY 14063**

**March 20, 2023**

**6:30 P.M.**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Bird and carried unanimously, the agenda was amended to include the Mayor’s proposed 2023 budget.

Mayor Essek presented his tentative budget.

1. **RESOLUTIONS**

1. Comprehensive Plan

2. Firefighter Training Approval

3. Annual Assistance with Grant Administration

4. Fair Housing Plan in Connection with CDBG Funding

5. Abstracts 653-664

6. Brooks Hospital Appropriated Grant Funds Request

7. Budget Transfer

8. New Holland Skid Loader Engine Rebuild Approval

9. Emergency Medical Billing Provider

10. Sale of Ambulance Authorization

11. Training Request, Erlyssa LeBeau

12. WWTP New Doors Installation

13. Training Request of Jeff Lascola

14. Training Request Everett Reardon

1. **NEW BUSINESS**

1. Proposed Venders Law

2. Section 103-a of Open Meetings Law Amendment

3. Request from Officer Michael Hodkin on behalf of the Fredonia Police Benevolent Association.

4. Vineyard Pump Station

5. Industrial Appraisal Report

1. **OLD BUSINESS**

1. Russell Joy Park Website

1. **EXECUTIVE SESSION**

**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**9-11 Church Street**

**Fredonia, NY 14063 March 20, 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 20th day of March 2023 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.

**A CALL TO ORDER- MAYOR ESSEK**

I call this meeting to order on Monday, March 20, 2023 at 7:34 PM.

Roll Call of the Trustees: Trustees present: Lynden, Bird, Siracuse, Espersen. Twichell attended via 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 March 6, 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.Mary Jane Wagner stood to address the Board on behalf of the green sanctuary team of the Unitarian Universalist Congregation of Northern Chautauqua. She states that her group supports Governor Kathy Hochuls stance on natural gas. Bill Matteson stood to address the Board regarding a letter he wrote the Board of Trustees. Marcia Johnson stood to address the Board regarding the water issues in the Village. Mary Croxton stood to address the Board regarding the joint comprehensive plan. She also addressed the Board regarding climate change. Judy Lutz Woods stood to address the mayors comments regarding the Boards prioritizing issues within the Village. She believes climate change is the most critical issue facing the Village. Michael Woods stood to address the Board regarding a proposed letter from the mayor to Governor Hochul regarding natural gas and the dangers of its omissions. The mayor closed the public portion.

1. **CORRESPONDENCE-**

**Correspondence dated February 27, 2023 was received from Mayor Doug Essek recommending Brian Luce be re-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 the resolution passed on March 6, 2023 appointing Brian Luce as Planning Board Member alternate is hereby rescinded.

**25**

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

**REGULAR MEETING**

**MARCH 20, 2023**

**CONTINUED**

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

BE IT FURTHER RESOLVED that Brian Luce is hereby re-appointed as a member to the Fredonia Planning Board for a term of five (5) years which will expire in March of 2028.

**Correspondence dated March 16, 2023 was received from Mayor Doug Essek recommending Ron Johnson be appointed to the Fredonia Planning Board as an alternate member.**

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

BE IT RESOLVED that Ron Johnson is hereby appointed the Fredonia Planning Board as an alternate member to the Fredonia Planning Board for a term of Five years (5) which expire in March of 2028.

**Correspondence was received from Larry Fiorella, requesting that Trustee Nicole Siracuse be the liaison for the Chamber of Commerce committee.**

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

BE IT RESOLVED that the Board of Trustees of the Village of Fredonia hereby establishes a Chamber of Commerce Committee, and

BE IT FURTHER RESOLVED Trustee Siracuse is appointed liaison to the Chamber of Commerce committee effective immediately.

**MAYOR’S REPORT**- Structure fire on Woodcrest Avenue last Thursday evening, we received mutual aid from the city of Dunkirk among other municipalities. He attended a 104th American Legion Post 59 104th birthday party. He attended a memorial bowling tournament at Lucky Lanes honoring Ricky Burgstrom. He encouraged the Board to look for different opportunities to fix the water issues.

1. **TRUSTEE/COMMITTEE REPORTS**-
   1. Trustee Lynden- No report
   2. Trustee Bird- He had an email conference with Susan Parker regarding the county planning meeting and suggested a cross walk across from the college on Temple Street. Another at Brigham Rd. apartments.
   3. Trustee Espersen- Reported on a special meeting held to discuss water situation in the Village with no consensus as to how to move forward. At this time, the Village does not have adequate emergency water supply. He urges the Board to consider adopting a resolution instructing Labella Associates to complete a comprehensive water study.
   4. Trustee Siracuse- She attended a rotary luncheon with the CEO of the hospital and it was a positive and optimistic meeting.
   5. Trustee Twichell - She attended a county planning meeting to discuss Water street improvements.

1. **TREASURER’S REPORT-** Please see attached.

**I. ADDITIONAL REPORTS**

1. Fredonia Justice Court Report for the month of February 2023 was read and ordered filed.

2. Police Department Report for the month of February 2023 was read and ordered filed.

**26**

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

**REGULAR MEETING**

**MARCH 20, 2023**

**CONTINUED**

**J. RESOLUTIONS**-

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

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

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 and is available on record in the Clerk’s office.

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

WHEREAS Rapid Intervention Training is being offered at the Getzville, N.Y. Fire Department, 630 Dodge Road, Getzville, N.Y. for employees in the Fire Department, and

WHEREAS the Fredonia Volunteer Fire Department has offered to pay for fifty-percent of the cost ($300) for each attendee for a total of $1200, now therefore

BE IT RESOLVED that the Training request of Firefighters Ken Haas, Adam Ahrens, Mike Gustafson and Levi Wright to travel outside of Chautauqua County for the purpose of attending the Rapid Intervention Training, 630 Dodge Road, Getzville, NY April 15th and 16th 2023 is hereby authorized, and

BE IT FURTHER RESOLVED that the Village of Fredonia is responsible for $600, half of the $1200 cost of attending the training.

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

WHEREAS Labella Associates is our Engineer of Record, and

WHEREAS Labella Associates also offer grant administration services, and

WHEREAS the Village of Fredonia is in need of some assistance with grant applications and other funding opportunities, and\

WHEREAS Michael Cocquyt with LaBella Associates has offered to perform said services for the 2023 calendar year at **One Hundred Ten Dollars ($110) an hour** with a not-to-exceed fee of **Twenty-Five Thousand Dollars ($25,000),** now, therefore

BE IT RESOLVED that the mayor is hereby authorized and directed to enter into an agreement with Michael Cocquyt of Labella Associates, 300 State Street, Rochester, NY.

BE IT FURTHER RESOLVED if the fee amount is approached prior to the end of the term (end of 2023), LaBella can submit a proposal for additional hours.

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

WHEREAS The Village of Fredonia (the Village) is applying for a grant from the New York State Housing Trust Fund Corporation (hereinafter the HTFC) represented by the New York State Office of Community Renewal (hereinafter OCR)

**27**

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

**REGULAR MEETING**

**MARCH 20, 2023**

**CONTINUED**

through the Community Development Block Grant (hereinafter CDBG) Program for the purpose of assisting The White Inn and/or its affiliate in the development and equipping of an inn within the Village (the Project), and

WHEREAS OCR requires that a municipality receiving a grant of CDBG adopt a Fair Housing Plan and appoint a Fair Housing Officer, and

WHEREAS the Village wished to adopt a Fair Housing Plan in order to meet OCR requirements and permit the application for funding for the Project to go forward, now, therefore

BE IT RESOLVED that the Village of Fredonia Board hereby adopts the Fair Housing Plan, as presented to the Board, and

BE IT FURTHER RESOLVED that the Treasurer, Erlyssa LeBeau, is appointed as the Village’s Fair Housing Officer.

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

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 #653 through #664 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 Lynden and seconded by Trustee Bird, the following resolution was passed unanimously:

WHEREAS, the Village of Fredonia is the home of SUNY Fredonia, which typically has several thousand students and staff during the year, and

WHEREAS, both local residents and visiting students need and deserve high quality health care in a state-of-the-art hospital and related medical complex, and

WHEREAS, the 2016 State budget included an allocation of $57 Million Essential Health Care Provider Support grant for a new medical complex for Brooks Hospital to serve northern Chautauqua County, and the 2017 budget included another $17 Million Statewide Health Care Facility Transformation Program grant for Kaleida in support of Brooks, and

WHEREAS, Brooks Hospital has submitted a proposal to the New York State Health Department for a new state-of-the-art hospital building and adjoining medical complex, which would improve health care services for northern Chautauqua County while dramatically reducing operating losses and saving taxpayers an estimated $1 Million a month, and

WHEREAS, a blue-ribbon task force consisting of local health care experts was formed by Dunkirk Mayor Wilfred Rosas, County Executive P.J. Wendel, Assemblyman Andrew Goodell, and Senator George Borrello to examine the proposal from Brooks Hospital with respect to the reasonableness of the services planned and the financial feasibility and advisability of a new hospital complex, and

WHEREAS, the task force consisted of Richard Ketcham, former CEO of Brooks Hospital and St. Elizabeth Medical Center; Dr. Robert Berke, former Chautauqua County Health Commissioner and primary care physician; Charles Nazzaro, CPA and formed CFO of UPMC Chautauqua; and Anthony Cooper, former CEO of Corning Hospital and Arnot Health System., and

WHEREAS, after meeting extensively with Brooks Hospital CEO Ken Morris, health care experts from Freed Maxick, and executives from Kaleida Health, and reviewing and evaluating a tremendous amount of health care and financial data and other relevant information, the task force unanimously recommended proceeding with the proposed new hospital building and adjoining medical office complex, and

WHEREAS, On January 23, 2023, Governor Kathy Hochul stated that a new hospital complex “is very important to our health team. … It’s important. It’s a job creator. …You need a place to get care when you are sick…” now, therefore

**28**

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

**REGULAR MEETING**

**MARCH 20, 2023**

**CONTINUED**

BE IT RESOLVED the Fredonia Board of Trustees, and mayor Doug Essek hereby urges Governor Kathy Hochul and the New York State Health Department to approve the proposed new hospital, and medical complex for Brooks Hospital and release the previously appropriated grant funds, and

BE IT FURTHER RESOLVED, that Governor Kathy Hochul, with the support and cooperation from Senator George Borrello and Assemblyman Andrew Goodell, include additional funding in the 2023-2024 State Budget to fully fund any inflationary increases in construction costs since 2017, and it is

FURTHER RESOLVED, that copies of this motion be sent to Governor Kathy Hochul, Senator George Borrello, and Assemblyman Andrew Goodell.

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

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

* $710.37 from A2680 Insurance Recoveries to A3120.49 Police Maintenance Equipment
* $1,550 from A9051 Unemployment Insurance to A7111.42 Parks Russell Joy Utilities
* $2,000 from to 5142.49 Snow Removal to 7110.44 Parks Contractual

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

WHEREAS, The Village requires the New Holland Skid Loader’s engine to be rebuilt for use by the Street Department; and

WHEREAS, Fisher’s Tired Iron, LLC, Fredonia, NY has offered to rebuild and reinstall the engine for **Thirteen Thousand Dollars** (**$13,000)**; and

WHEREAS, this skid loader being repairs are necessary for the Village’s purpose; therefore

BE IT RESOLVED the Village Board hereby authorizes the engine to be rebuilt and installed for **$13,000**.

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

WHEREAS Request for Proposals for Ambulance billing were received on March 15, 2023, and

WHEREAS Joshua Myers, Fredonia Fire Chief has reviewed the proposal(s) and has determined that Professional Ambulance Billing LLC, 8610 Main Street, Williamsville, NY has met the request and is in the best interest of the Village of Fredonia, now, therefore

BE IT RESOLVED that Professional Ambulance Billing LLC, 8610 Main Street, Williamsville, NY is hereby retained at a cost of a flat fee of **Thirty-Five Dollars ($35.00)** per patient care report submitted, and

BE IT FURTHER RESOLVED that the mayor is hereby authorized to sign said agreement per their proposal received on March 15, 2023.

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

WHEREAS the Village of Fredonia Fire Department is in possession of a reserve 2005 Freightliner Ambulance that is no longer needed for village purposes, and

WHEREAS the Village Board of Trustees supports the sale of this ambulance to Chautauqua County for **Seventeen-Thousand Dollars ($17,000)** as is, and

WHEREAS the county has agreed to the sale price of **$17,000** as is, now therefore

BE IT RESOLVED that the sale of the 2005 Freightliner Ambulance between the Village of Fredonia and Chautauqua County is hereby approved.

**29**

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

**REGULAR MEETING**

**MARCH 20, 2023**

**CONTINUED**

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

BE IT RESOLVED that the training request of Erlyssa LeBeau, to attend the New York Government Finance Officers Association Annual Conference, March 29 – 31, 2023 is hereby approved at a cost not to exceed **Three Hundred Dollars ($300)**

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

WHEREAS, The Village requires new doors throughout the Waste Water Treatment Plant; and

WHEREAS, Plyler Entry Systems, Jamestown, NY has offered to provide and install four galvanized doors and accessories for **Fourteen Thousand Six-Hundred and Ninety-Eight Dollars ($14,698.26)** **and Twenty-Six cents**; and

WHEREAS, these doors are in need of being replaced and are suitable for the Village’s purpose; therefore

BE IT RESOLVED the Village Board hereby authorizes the purchase and installation of four galvanized doors and accessories for **$14,698.26.**

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

BE IT RESOLVED that the training request of Jeff Lascola, Operator at the Water Filtration Plant to attend the Treatment Plant Distribution Workers Protection training in Springville, N.Y. on March 28, 2023 is hereby approved at a cost not to exceed **Two-Hundred Thirty Dollars ($230).**

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

BE IT RESOLVED that the training request of Jeff Lascola, Operator, Water Filtration Plant, to attend Basic Laboratory Skills training in Williamsville, N.Y. March 29, 2023 is hereby approved at a cost not to exceed **One Hundred Sixty One Dollars ($161).**

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

BE IT RESOLVED that the training request of Everett Reardon, Operator Trainee, Wastewater Treatment Plant, to attend Basic Wastewater Operations training at JCC North Campus, Dunkirk NY October 16 – 27, 2023 is hereby approved at a cost of **One Thousand, Eight Hundred Seventeen Dollars and Thirty cents ($1817.30)**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen and carried unanimously, the Board adjourned the meeting at 8:32 PM

1. **EXECUTIVE SESSION-**

Upon motion duly made by Trustee Bird and seconded by Trustee Siracuse and carried unanimously, the Board entered into Executive Session to discuss a water treatment plant employee at 9:10 PM.

Upon motion duly made by Trustee Lynden and seconded by Trustee Espersen and carried unanimously, the Board exited the Executive Session at 9:15 PM, with no vote taken, and adjourned the Board Meeting at 9:15 PM

1. **MEETING SCHEDULE**- Next Village of Fredonia Workshop and Board Meeting will take place Monday April 3, 2023, 6:30 PM in the Trustee Room, second floor Village Hall.

ANNEMARIE JOHNSTON

VILLAGE CLERK

**30**