**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**9-11 Church Street**

**Fredonia, NY 14063**

**January 22, 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 22nd day of January, at 7:30 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 Monday January 22 2024 at 7:00 PM

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

Mayor Ferguson stated that the public was given incorrect information regarding the televising of the meeting. It was recorded and televised later than usual. He also gave out his cell phone number to the public as 716-724-0607.

**B. PLEDGE OF ALLEGIANCE-**

**C. APPROVAL OF MINUTES-NONE**

**D. DEPARTMENT REPORTS**

Code Enforcement Office- No Report

DPW- fixed some water main breaks.

Fire Department-No Report

Police Department- No Report

Recreation Department-

Wastewater Treatment Plant- Jan 9, plant went onto generator power, belts closed and staff had to manually open the belts; plat returned to grid power and Jeff Telecky of Wendell has been informed.

Water Treatment Plant- Water tank is back up and running.

**E. 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. Andy Ludwig, 30 Ryan Place, stood to address the Board and requested 5 minutes to discuss a resolution to rescind a resolution passed to purchase water from Dunkirk. Jim Sedota stood and addressed the Board regarding the December 26th and numbers quoted by Trustee Espersen. Mr. Sedota provided some numbers. He understands the process of a budget and the complexities. Rob Clark stood to address the Board and how bad the option #3 could go for the Village. He would like the resolution that Trustee Twichell brought forth to being seconded and pass. Shelly York, Ahrens Place stood to address the Board regarding the reservoir and her emotional ties to the water plant and reservoir and the DEC involvement and wildlife at the reservoir. Richard Leone stood to address the Board regarding a list of questions (the clerk passed out to Board) and he would like them answered at some point. Sam Drayo, Birchwood Dr. stood to address the Board and would like 5 minutes, regarding the Observer editorial. He feels the Observer is trying to justify the most recent Board decision.

**7**

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

**REGULAR MEETING**

**JANUARY 22, 2024**

**CONTINUED**

Marcia Johnson stood to address the Board regarding why people are elected and that they are elected to make decisions. Dade Sedota stood to address the Board regarding reading budgets and estimations. Most of the residents wanting the water plant is not sentimental. Athanasia stood to address the Board regarding Trustee Espersen’s comments at the December 22 Public Hearing and the cost of producing water. She claims they are not correct. Water purchase from Dunkirk would cost us 2.8 million dollars (800k more than the entire current water budget) it is her opinion that this current decision would have a very negative effect for the entire area. Susan Parker, 82 Newton St., stood to address the Board regarding of all the work the Board has done so far, and she believes the Board will consider everything in a thorough and cost-effective way. Jim Lynden stood to address the Board re: the audit of the North Chautauqua County Water District and a financial analysis for the district. He believes the Village did not do a financial analysis that support the costs of buying directly from Dunkirk. He would like the Trustees to support the resolution to rescind the water connection to the City of Dunkirk.

**F. CORRESPONDENCE-**

**Correspondence dated January 3, 2024 was received from the secretary of the Fredonia Volunteer Fire Department requesting to remove the name of Amanda Baghet, from the active roll of the Fenner Hose Company.**

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

BE IT RESOLVED that the name Amanda Baghet be transferred from the active roll of the Fenner Hose Company effective immediately.

**Correspondence dated January, 2024 was received from the Concord Grape Belt Heritage Association requesting membership and dues for the 2024 year.**

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

BE IT RESOLVED that the request from the Concord Grape Belt Heritage Association, C/O Grape Discovery Center, 8305 West Main Road, Westfield, NY for membership and dues in the amount of Fifty Dollars ($50) is hereby approved.

**G. MAYOR’S REPORT-** the link has been fixed on our website. January 10 was the first meetingwith the mayor at 9 am. Jan 11th he met with the Fredonia Farm Festival. Jan 15th delivered a proclamation in honor of Martin Luther King Jr. Jan 16th he met with the mayor of Dunkirk to discuss community issues. The first workshop was help on Jan 17th. Jan.19th, he met with the president of Brooks Hospital Board , and CEO Ken Morris to further discuss the direction needed to move the hospital project forward. He met with the LEMC Water commission along with Trustees Twichell and Espersen to gain some insight into the area’s creek and waterways. He will be attending the NYCOM Winter Legislative Meeting from February 4 – 6 in Albany NY.

**8**

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

**REGULAR MEETING**

**JANUARY 22, 2024**

**CONTINUED**

**H. TRUSTEE/COMMITTEE REPORTS-**

Brauchler-toured the public access television station will be meeting with the finance committee this week. He will second the motion to hear Trustee Twichell’s resolution, but will not vote for it.

Espersen- LEMC stated that there were 2 or 3 village owned properties that could have access the creek for fishing. He will be meeting with the PPD to discuss contract negotiations.

Siracuse- stated that the Village’s water rate will not stay the same if we keep the reservoir; option 1 is fiscally irresponsible for the Village; The North County Water District has never been part of the discussion;

Twichell- attended the Lake Erie Management Commission meeting; She will have them come to a meeting to address the Board. She attended the library and museum meeting.

Wandel-he reached out to 3 dept heads to meet with next week.

**I TREASURER’S REPORT**

**J. ADDITIONAL REPORTS**

1. Fredonia Justice Court Report for December 2023 was read and ordered filed.
2. Fredonia Police Department Report for the month of December 2023 was read and ordered filed.

**K. RESOLUTIONS**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen, the following resolution was passed by a 4 -1 vote: Trustee Twichell voting Nay;

WHEREAS the Board of Trustees for the Village of Fredonia are authorized by Chapter 63, Section 1 (D) to determine the rules of the procedures for the conduct of its meetings; and

WHEREAS the Board believes the standardization and adherence to a policy concerning the submission of resolutions will increase discussion and communication while affording the Trustees and the public their right to speak, now, therefore

BE IT RESOLVED that the Village Board of Trustees of the Village of Fredonia hereby adopts the following procedures regarding the submission and creation of all resolutions:

1. Any resolution being submitted for placement on the agenda of a regularly scheduled or Special meeting of the Board shall be submitted to the Village Clerk no later than 1:00 P.M. on the Monday (or week) prior to said meeting.
2. Resolutions sponsored by one or more Trustees shall be submitted by 1:00 P.M. on the Monday (or a week) prior to the regularly scheduled Board meeting to be placed on the agenda.
3. Complete and final agendas shall be placed in Trustee mailboxes and available to the public on both the website and in hard copy no later than 12:00 P.M. on the Thursday (or 4 days) prior to said Board meeting.

**9**

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

**REGULAR MEETING**

**JANUARY 22, 2024**

**CONTINUED**

1. Resolutions placed on the agenda after the deadline shall meet the following criteria in order to be included or considered for action:
2. *The action must have a financial impact on the Village (positive or negative) and require an action that must be taken prior to the next meeting date, OR’*
3. *Have an immediate effect on the health and/or safety of the citizens of the Village.*
4. All resolutions that come before the Village Board shall be written or approved by the Village Attorney when necessary
5. During the workshop, Trustees shall have the opportunity to discuss any proposed resolution along with any other Village business.
6. Members of the public will be afforded the opportunity to speak on any action taken or contemplated by the Board, during the Public Comment portion of the regular meeting, subject to the following rules which shall be read at each meeting, immediately prior to the opportunity for the public comment:
7. “This portion of the meeting is for public comment. Any member of the public wishing to speak, once recognized, shall stand, and state their name and address”
8. Speaker will be allowed (3) minutes if speaking for themselves or (5) minutes if speaking on behalf of a group. The mayor will determine, in his/her discretion, if individuals are speaking for themselves or representing a group”

Upon motion duly made by Trustee Twichell and seconded by Trustee Brauchler, following resolution failed by a 4 – 1 vote: Trustees Espersen, Siracuse, Brauchler and Wandel voting Nay;

A resolution sponsored by Trustee Michelle Twichell to be read at the January 22, 2024 meeting of the Fredonia Board of Trustees in favor of rescinding the resolution of December 26, 2023 calling for termination of Fredonia’s water reservoir and water treatment plant, and which instead favors the necessary upgrades to both the reservoir and the treatment plant.

WHEREAS, the Village Board adopted a resolution at its December 26, 2023 meeting in favor of drawing down the reservoir, decommissioning the water treatment plant and constructing infrastructure to allow the purchasing water from Dunkirk as described in the LaBella Report as Option 3; and

WHEREAS, following the December 26, 2023 Board meeting one or more Trustees have received comments from Fredonia citizens who strongly disagree with the Board’s decision favoring Option 3; and

WHEREAS, such comments include statements that the resolution was adopted hastily before the Village Board had the opportunity for due diligence, and that the Village Board did not answer specific questions which are not addressed in the LaBella Report such as cost analysis specific to the requirements to construct infrastructure allowing for distribution of water from Dunkirk, and why public engagement did not include referral to the Fredonia Planning Board or to NY State environmental law, and what is the plan for the reservoir and its surrounding forest; and

WHEREAS, the January 2024 report by the NY State Comptroller details unintended financial indebtedness incurred by the Northern Chautauqua County Water District in its purchase of water from Dunkirk and its construction of infrastructure for the distribution of water from Dunkirk such that reasonable doubt is raised towards a similar plan of action to be pursued by the Village of Fredonia;

**10**

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

**REGULAR MEETING**

**JANUARY 22, 2024**

**CONTINUED**

NOW THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby rescinds the resolution adopted by the Board on December 26, 2023, a copy of which is included as Attachment A; and

BE IT FURTHER RESOLVED, that the Village Board shall adopt a responsible timeframe for moving forward with Option 1 of the LaBella report described as the necessary upgrades to the reservoir and water treatment plant.

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

BE IT RESOLVED that permission is hereby granted to the Festivals Fredonia Committee for the “EXCLUSIVE” use of Barker Common East and West, various parking spaces and Village Streets for the following “festivals” or events for which they assume responsibility:

Fredonia Easter Festival March 23, 2024

Fredonia Italian Festival June 22, 2024

To Be Determined August 23-25, 2024

Red, White & Blues September 6 – 7, 2024

Harvest Moon Festival & Tours October 18 & 19, 2024

Miracle on Main Street December 2, 2024

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

* $3,000 from H8330.2 Filtration Capital Floor Resurfacing to F8330.43 Filtration Travel/Training
* $5,000 from A1990 Contingency to A1010.43 Trustee’s Travel/Training
* $500 from A1990 Contingency to A1210.43 Mayor Travel/Training

Upon motion duly made by Trustee Siracuse and seconded by Trustee Wandel, the following resolution was passed by a 4 – 1 vote: Trustee Twichell voting nay;

BE IT RESOLVED that the Schedule of Meetings of the Board of Trustees of the Village of Fredonia for the period of January through June 2024(SEE ATTACHED), as set forth and attached to these minutes, as amended, is hereby approved, and

BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized to publish said notice in the and to mail a copy of said schedule to WDOE radio, the Jamestown Post Journal, and the Buffalo News, as amended.

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

BE IT RESOLVED, the Mayor is hereby authorized and directed to execute the Master Professional Services Agreement between the Village and LaBella Associates for Annual assistance with Grant Administration up to **Twenty-Five Thousand Dollars** **($25,000)** and expires December 31, 2024.

**11**

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

**REGULAR MEETING**

**JANUARY 22, 2024**

**CONTINUED**

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

BE IT RESOLVED that the request of Wastewater Treatment Plant Operator Michael Woodward to attend the NYWEA Annual Meeting Technical Conference, from February 5th-7th not to exceed $1,700, is hereby approved.

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

BE IT RESOLVED that the request of Village Trustees, Jon Espersen, Michelle Twichell, Ben Brauchler and Paul Wandel and Mayor Ferguson to attend the NYCOM Winter Legislative Meeting, February 4 – 6, 2024 at the Marriot Albany is hereby approved at a cost not to exceed $6,000, $1500 for the mayor. This conference is sponsored by the New York State Conference of Mayors.

**L. EXECUTIVE SESSION-**

**M. MEETING SCHEDULE**- The Next Village of Fredonia Board Meeting will take place Tuesday February 20, 2024 at 7:00 PM in the Trustee Room, second floor Village Hall. There will be a workshop scheduled for Wednesday January 31, 2024 at 9:00 AM in the second floor Trustee Rm in Village Hall.

ANNEMARIE JOHNSTON

VILLAGE CLERK

**12**