**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**9-11 Church Street**

**Fredonia, NY 14063**

**February 7, 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 7th 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 Wednesday, February 7, 2024 at 7:00 PM

In Attendance: Trustees Brauchler, Espersen, Siracuse, Twichell and Wandel.

**B. PLEDGE OF ALLEGIANCE-**

**C. APPROVAL OF MINUTES-NONE**

**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**. \*Due to an ongoing lawsuit, the mayor asked for a motion to limit discussion to what is included in the meeting. Trustee Twichell made a motion to limit public portion to just what is included in the meeting, no one seconded this motion. Trustee Espersen made a motion to remove public comment from the Board Meeting, Trustee Siracuse seconded the motion. The motion passed by a 4 -1 vote; Trustee Twichell voting Nay.**

**E CORRESPONDENCE-**

**Correspondence dated January 31, 2024 was received from Mayor Michael Ferguson recommending the re-appointment of Larry Barter and Michaeline Comerford to the Fredonia Zoning Board for a Five (5) year terms.**

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

BE IT RESOLVED that the re-appointment of Larry Barter, Pine Drive and Michaline Comerford, Water Street to the Fredonia Zoning Board for a Five (5) Year term, which shall expire in February of 2029, are hereby approved.

**Correspondence dated February 1, 2024 was received from Mayor Michael Ferguson recommending the re-appointment of Phyllis Jones as Chairperson for the Fredonia Zoning Board for a Five (5) year term.**

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

BE IT RESOLVED that the re-appointment of Phyllis Jones, Leverett St. as Chairperson for the Fredonia Zoning Board for a Five (5) Year term, which shall expire in February of 2029, is hereby approved.

**F. MAYOR’S REPORT-** Next meeting moved to February 20th due to a holiday. The Public Hearing will take place at 6:30 PM. same evening. DPW roof and roof to Village Hall had significant damage to them by the wind storm, it is in the hands of the insurance company. Trustee Brauchler and mayor Ferguson were invited to join the IDA team from the Ralph Wilson Foundation for a tour of the White Inn; The sewer contract with the PPD negotiations were opened up again with Trustee Espersen and mayor Ferguson; There was a zoom meeting held on Jan 24th by PJ Wendell for his monthly mayor and supervisor meeting; Mayor Ferguson had his second mayors meeting in his office on Jan 25th; Jan 26th he attended Gov Hochul’s budget presentation at the University of Buffalo; Mayor Ferguson and Trustee Espersen attended the club association dinner on Jan. 27th at the Overseas VFW post in Silver Creek; on Jan 31 he attended his workshop and was invited to take part in a SUNY Chairmans Meeting at the college, where they discussed internships with the Village and area businesses; Feb 1, he attended a IDA mayors and supervisors group meeting; Feb 2nd, took members of the Planning Board and Village Board on a tour of the Wastewater Treatment Plant and the Water Treatment Plant and the Dunkirk Water Treatment Plant; He attended a ribbon cutting of Totopos Restaurant; Feb 3rd he attended the annual Pink the Rink event at Steel Hall where he present a proclamation to the Clerk and all those effected by Cancer. Feb 4 – 6 was the Winter Legislative NYCOM Meeting and Trustees Twichell, Brauchler, Espersen, Wandel and Mayor Ferguson all attended. He attended a restructuring of the Fredonia/Pomfret Chamber of Commerce meeting at JCC North; Safe Streets committee meeting was held, lead by Legislature Susan Parker.

**G. TRUSTEE/COMMITTEE REPORTS-**

Brauchler- met with our treasurer; attended NYCOM and many sessions regarding grants; Federal and state attention will be paid to service lines to our water mains which are lead. Those will have to be replaced.

Espersen- Cannabis conference attendance, state’s regulations are continually being updated; met with Fire Chief and Police chief to address some concerns; met with Labella last to discuss the next steps moving forward; he met with the treasurer and got a breakdown of the costs. Commented on article from the paper.

Siracuse- Safe Streets meeting will have updates on Main Street projects and some ideas from the County.

Twichell- attended NYCOM and an Open Meetings Law and passed in vital information to the clerk and the mayor. She attended the cannabis meeting at NYCOM, no new developments.

Wandel- he attended NYCOM in Feb; he attended 3 meetings: Code Enforcement, Finance, and Insurance with the Treasurer, and he met with the DPW Supervisor Scott Marsh.

**H. TREASURER’S REPORT- No Report**

**I. ADDITIONAL REPORTS – No Reports**

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**J. RESOLUTIONS**

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

* $6,800 from H8330.2 Filtration Capital Floor Resurfacing to H8330.2 Filtration Scatter Meter
* $3,000 from H8330.2 Filtration Capital Floor Resurfacing to F8330.43 Filtration Travel/Training

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

WHEREAS, the Village of Fredonia requires new portable radios for the Fire Department; and

WHEREAS, Freedom Communications, Inc.; Jamestown, NY has supplied a quote for three XL-200 Portable radios as well as the necessary vehicle and battery equipment for **Fourteen Thousand, Eight Hundred Eighty-Five Dollars and Twenty- Two Cents ($14,885.22)**; and

WHEREAS, the portable radios are suitable for the Village’s needs; therefore,

BE IT RESOLVED the Village Board hereby authorizes the purchase of the XL-200 Portable radios and accessories for $14,885.22 from Freedom Communications Inc.

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

WHEREAS, the Village of Fredonia requires a scatter meter to measure NTU’s in the raw water for the Water Treatment Plant; and

WHEREAS, Hach Company; Loveland, CO, has supplied a quote for a Surface Scatter Sensor Assembly in the amount of **Six Thousand, Five Hundred Sixten Dollars and Forty-Six Cents ($6,516.46);** and

WHEREAS, the scatter meter is suitable for the Village’s needs and will allow for monitoring and adjustments of NTU’s in the raw water; therefore,

BE IT RESOLVED the Village Board hereby authorizes the purchase of the Surface Scatter Sensor Assembly for $6,516.46 from Hach Company.

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

WHEREAS pursuant to section 20 of the Municipal Home Rule Law of the State of New York, a public hearing must be held on the adoption of proposed local law 1 of 2024 - “A local law amending Section 287-2A of the Code of the Village of Fredonia to provide a change in Water Rates.”. Notice of such public hearing published in the official newspaper, (Observer), now, therefore,

BE IT RESOLVED that the Village Board of Trustees of the Village of Fredonia hereby schedules a public hearing on the 20th  day of February, 2024 at 6:30 P.M. in Trustees Room, second floor in Village Hall, 9-11 Church Street Fredonia New York, to receive comments on the proposed local laws. and

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to publish notice of said hearing pursuant to Village Law.

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**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.

Upon motion duly made by Trustee Espersen and seconded by Trustee Brauchler the following resolution was adopted by a 4 – 0 vote; Trustee Siracuse recusing herself.

BE IT RESOLVED that the following agreements are hereby approved for the 2024 Summer Band Concerts scheduled to be held in the Gazebo from 6:30 p.m. to 8:30 p.m. in Barker Commons:

July 10, 2024 80’S Night with “That 80’s Hair Band” $800

July 17, “ “Allykat” $600

July 24, “ “Midnight Recovery Band” $600

July 31, “ Country Night with “Hazzard County” $800

August 7, “ “Jess and the Mess” $600

August 14, “ 70’s Disco Night with “Sequins” $600

August 21, “ Party McFly $700

BE IT FURTHER RESOLVED that the amount to be spent for the Band Budget is **Forty-Seven Hundred Dollars ($4,700),** and that the amount to be spent for Southern Tier Promotions Sound 7 Concerts is **One-Thousand Seven Hundred Fifty Dollars ($1,750)** for a total Entertainment Budget of $6,450, and

BE IT FURTHER RESOLVED and the mayor is hereby authorized to sign said agreements on behalf of the Village of Fredonia.

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

WHEREAS, during the storm on January 9, 2024 and then again on January 11, 2024 the Village of Fredonia DPW’s roof sustained damage from high winds; and

WHEREAS, during this storm; large pieces of the roof came down and damaged the vehicle of Kent Christopher; employee at the DPW; and

WHEREAS, Comerford’s Collision, Fredonia, NY has provided a quote for the repairs to Christopher’s vehicle in the amount of **Two Thousand Five Hundred Forty-Four Dollars and Fifty Cents ($2,544.50)**; therefore,

BE IT RESOLVED the Village Board hereby authorizes the repairs to Kent Christopher’s vehicle to be completed at Comerford’s Collision for $2,544.50.

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

WHEREAS, during the storm on January 9, 2024 and then again on January 11, 2024 the Village of Fredonia DPW’s roof sustained damage from high winds; and

WHEREAS, during this storm; large pieces of the roof came down and damaged the vehicle of Kent Christopher; employee at the DPW; and

WHEREAS, Enterprise Rent-A-Car, Dunkirk, NY will provide a rental car during the repairs of Christopher’s vehicle in the amount of up to **Four Hundred Fifty Dollars ($450.00)**; therefore,

BE IT RESOLVED the Village Board hereby authorizes the vehicle rental to Kent Christopher’s during the time his vehicle is being repaired by Enterprise for up to $450.00.

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

WHEREAS, the Village of Fredonia was selected as a recipient of the NY Main Street Grant in the amount of $230,000; and

WHEREAS, a Request for Proposal was issued and due on January 12, 2024 for grant administration services; and

WHEREAS, LaBella PLLC, Rochester, NY, has offered a proposal in the amount of **Fourteen Thousand Four Hundred Seventy-Five Dollars ($14,475)** to administer the NY Main Street Grant; therefore,

BE IT RESOLVED the Village Board hereby authorizes LaBella PLLC to be awarded the grant administrator position for the NY Main Street Grant in the amount of $14,475.00.

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen, the following resolution was passed by a 4 – 0 vote; Trustee Twichell did not vote

WHEREAS, the Village of voted on December 26, 2023 to create and implement a plan that would permanently interconnect the Village water systems to those of the City of Dunkirk, which would include the decommissioning of the Village water treatment plant and drawdown of the reservoir; and

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WHEREAS, the Village’s Engineer of Record, LaBella Associates, has the professional expertise to provide environmental compliance work as required under the State Environmental Quality Review Act (“SEQRA”) and grant preparation services for Water Infrastructure Improvement (WIIA)/ State Revolving Fund (SRF) funding opportunities for the Village; and

WHEREAS, such professional services permit the Village to forego competitive bidding requirements set forth in General Municipal Law § 103; and

WHEREAS, the Village desires to engage LaBella to perform the environmental compliance work and grant preparation services in accordance with the proposal dated January 30, 2024.

NOW THEREFORE, BE IT RESOLVED, the Village hereby approves the environmental compliance work and grant preparation services to be performed by the Village’s Engineer of Record, LaBella Associates, at a cost not to exceed $13,500 in accordance with the proposal dated January 30, 2024.

**K. EXECUTIVE SESSION-**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Brauchler and carried unanimously, the Board entered executive session to discuss the possible removal of a particular village employee.

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen and carried unanimously, the Board exited executive session with no vote taken.

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

In anticipation of a vacancy in the Fire Department, the Village Board authorizes the Fire Chief to entertain letters on interest in a lateral transfer for the position of full-time firefighter paramedic.

**L. MEETING SCHEDULE**- The Next Village of Fredonia Workshop will take place on Wednesday February 14, 2024, 9 AM in the Trustee Room, second floor Village Hall. The next Village Board Meeting will take place Tuesday February 20, 2024 at 7:00 PM in the Trustee Room, second floor Village Hall.

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