

**BOARD OF TRUSTEES
OF THE VILLAGE OF FREDONIA
REGULAR MEETING
9-11 Church Street
Fredonia, NY 14063
May 28, 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 28th day of May, 2024 at 7:00 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 FERGUSON

I call this meeting to order on Tuesday, May 28, 2024 at 7:00 PM

Roll Call of the Trustees: Trustees present: Brauchler, Espersen, Twichell and Wandel, Mayor Ferguson.
Trustees Absent: Trustee Siracuse

B. PLEDGE OF ALLEGIANCE-

C. APPROVAL OF MINUTES-

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

WHEREAS members of this Board have read the Official Minutes of the Board of Trustees Regular Meeting of May 13, 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. Rob Clark stood to address the Board re an article in the local paper; also, to please spend some money on the water plant improvements. Sam Drayo stood to address the Board regarding some resolutions on the agenda and securing water from Dunkirk; James Linden stood to address the Board regarding our workshops and how the current administration runs the government, and the decision handed down from the State of New York Supreme Court. M. Cummings stood to address the Board regarding the LaBella Water Report and the Chautauqua County presentation at the Opera House in April 2024. Previous engineering reports state things differently. The Labella report also had an omission regarding a drought taking place in the past. The Village was mandated to find a permanent source of water? Is it still a mandate? Mr. Cummings offered to speak to anyone on the Board who would like to see his information. Dade Sedota stood and thanked the Board for taking the time to speak to her student Rae Dai, who is writing an article pertaining to the water situation. She mentioned that the paper is confusing, and it is unfortunate that some Trustees laugh at other Trustees after they speak. She thinks it would be wonderful if we could all be on the same page. It is important that we work together. Rae Dai stood to address the Board regarding his coverage of the water decision to go with Dunkirk. He follows the issue closely and is about to finish his final article regarding the matter.

BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA
REGULAR MEETING
MAY 28, 2024
CONTINUED

Beverly Mosier stood and addressed the Board about being shut down to speak the last time she was at the podium, the mayor insulted her, in her opinion. Ms. Mosier concluded her statement by walking away from the podium and giving Mayor Ferguson a derogatory hand gesture that was witnessed by multiple audience members including Troup 267 of the local scouts.

E. CORRESPONDENCE-

Correspondence dated May 14, 2024 was received from Holly Gates with Cheer Gym, requesting to hold a Chicken BBQ Fundraiser on June 22, 2024 in Barker Common East.

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

BE IT RESOLVED that the request from Holly Gates, requesting to hold a Chicken BBQ on June 22, 2024 from 12 – 5 pm in Barker Common is hereby approved and,

BE IT FURTHER RESLVED that a Certificate of Insurance showing the Village of Fredonia as an additional insured in the amount of 1 million dollars will be provide to the Village Clerk's office at least 2 weeks prior to the event.

F. MAYOR'S REPORT- attended the NYCOM conference and have joined a committee of college communities that work on solutions for financial assistance for municipalities. Attended American Legion Memorial Day events, 5 locations throughout the Village; M & T Regional Management group painted the fountains in Barker Common and the mayor thanked them; FCS Theater Dept won 4 awards at Shea's this year; Fredonia Girls flag football won the championship this year;

G. TRUSTEE/COMMITTEE REPORTS-

Brauchler – attended the Farmers Market opening; Farm Festival committee meeting
Espersen- attended NYCOM and a college round table and found out that there is money available through SUNY Impact that we will apply for; met with legislature Chignon regarding the PPD cost equation, some of the sewer districts are calculating their fees differently; met with Peter ? from the college regarding water pricing for Dunkirk water and its effect on SUNY; planting day for Embrace Fredonia is Sunday morning; nobody said anything about an “umbrella study” it is an umbrella SEQR that was referenced, he reminded people that LaBella has been in business doing water studies and engineering for over 20 years; he spoke with engineers from 2 different companies and they have never experienced

what the VOF is having to do now, because of the decision from the Supreme Court, he also pointed out that after the lawsuit was filed, one of the petitioners appeared on TV and stated that the lawsuit was meant to “slow the project down,” the decision from the Court has now increased the water project budget millions of dollars and has kept the VOF from receiving grants from the State of New York. Albany is aware of our infrastructure issues in Fredonia.

Siracuse- N/R

Twichell attended the Library Museum meeting; plant swap this Saturday from 9 – 12; attended the Farmers Market opening; disappointed in engineers and attorneys; would like to Board to change both; Would like the Chautauqua County dept of health to not insert themselves in our decisions.

BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA
REGULAR MEETING
MAY 28, 2024
CONTINUED

Wandel – attended the Farmers Market on Saturday, spoke to each of the vendors; May 7th he attended a “GO BIKE” meeting for considering doing work in the Village. WWTP have had 2 major repairs completed; working with NYSDOT on the Route 20 revitalization project; there are still grants available from NYS for water infrastructure.

H. TREASURER’S REPORT –

I. ADDITIONAL REPORTS-

1. Fredonia Justice Court Report for the month of May, 2024 was read and ordered filed.
2. Fredonia Police Department Report for the month of April, 2024 was read and ordered filed.

J. RESOLUTIONS-

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

WHEREAS, the Board of Trustees of the Village of Fredonia wishes to assess the advisability of submitting a USDA Grant (“USDA”) application to the USDA Rural Development Community Facilities Program for a grant to support the purchase of miscellaneous street equipment, including but not limited to a dump truck and a loader

WHEREAS, the Village of Fredonia is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the project proposal prior to applying for USDA Grant funding; and

NOW THEREFORE, BE IT RESOLVED, that the Village of Fredonia hereby calls for a Public Hearing where all interested parties shall be heard regarding USDA Rural Development Community Facilities Program Grant; and

BE IT FURTHER RESOLVED, that such Public Hearing shall be held on Monday, June 10, 2024 at 6:30 p.m. at the Village Hall, Trustees Room, 9-11 Church Street, Fredonia New York; and

BE IT FURTHER RESOLVED, that at least eight (8) days’ notice of such hearing shall be given by the Village Clerk by the due posting thereof on the Village’s website, and by publishing such notice at least once in the official newspaper of the Village.

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

BE IT RESOLVED that pursuant to section 5-520 of Village Law, the following attached budget transfers are hereby approved and on file in the Village Clerks’ office, 9-11 Church Street, Fredonia, NY 14063

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

BE IT RESOLVED that the following bids, being the lowest bids submitted for Village fuel is hereby accepted for the prices set forth below for the Village fiscal year commencing June 1, 2024 and ending May 31, 2025:

NOCO Energy, 2440 Sheridan Drive, Tonawanda, NY is hereby awarded the bid for:

Unleaded Gasoline with dealer markup of \$0.2500 plus the current refinery rack price on day of delivery, and Low Sulfur Diesel Fuel with dealer markup of \$0.1800 plus the current refinery rack price on day of delivery,

and
All weather Diesel Fuel with dealer markup of \$0.1800 plus the current refinery rack price on day of delivery.

BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA
REGULAR MEETING
MAY 28, 2024
CONTINUED

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

WHEREAS bids for Water Meters for the Department of Public Works were publicly opened and read on May 06, 2024, now therefore

BE IT RESOLVED after review of bids, Ti Sales, Inc., 36 Hudson Road, Sudbury MA, is hereby awarded the bid for Water Meters for the Village fiscal year commencing June 1, 2024 and ending May 31, 2025, as per attached bid form, a copy of which is attached to and made part of these minutes.

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

WHEREAS bids for Liquefied Gas Chlorine for the Wastewater Treatment Plant were publicly opened and read on May 6, 2024, and

WHEREAS David Felt, Chief Operator of the Waste Water Treatment Plant, has reviewed the bids and have recommended awarding the bid to Jones Chemical, now, therefore,

BE IT RESOLVED that Jones Chemical, 100 Sunny Sol Blvd., Caledonia, NY (JCI), is hereby awarded the bid for Liquefied Gas Chlorine for the Village fiscal year commencing June 1, 2024 and ending May 31, 2025 at \$2,400.00 for 2,000 lb. (ton) containers with no container deposit and no fuel charge for the Waste Water Treatment Plant; Price is subject to change upon 30 day written notice.

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

WHEREAS bids for Synthetic Flocculant for the Waste Water Treatment Plant, were publicly opened and read on May 6, 2024, and

WHEREAS David Felt, Chief Operator of the Waste Water Treatment Plant, has reviewed the bids and has recommended awarding the bid to Polydyne Inc., 1 Chemical Plant Rd, Riceboro, GA., now, therefore

BE IT RESOLVED that Polydyne Inc. is hereby awarded the bid for Synthetic Flocculate NE at \$ 1.70 /LB for the Village fiscal year commencing June 1, 2024 and ending May 31, 2025.

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

WHEREAS bids for Ferric Chloride for the Waste Water Treatment Plant were publicly opened and read on May 6, 2024, and

WHEREAS David Felt, Chief Operator of the Waste Water Treatment Plant, has reviewed the bids and has recommended awarding the bid to Kemira Water Solutions, Inc. 4321 W. 6th St., Lawrence, KS, (ferric chloride supplied out of our terminal in Buffalo, NY) now, therefore

BE IT RESOLVED that Kemira Water Solutions is hereby awarded the bid for Ferric Chloride at a price of \$ 1,325.00 per dry ton delivered (3 days lead time) for the Village fiscal year commencing June 1, 2024 and ending May 31, 2025.

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

WHEREAS bids for Poly Aluminum Chloride for the Water Filtration Plant were publicly opened and read on May 6, 2024, and

BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA
REGULAR MEETING
MAY 28, 2024
CONTINUED

WHEREAS Luis Fred, Chief Operator of the Water Filtration Plant, has reviewed the bids and has recommended awarding the bid to Applied Specialties Inc., 33555 Pin Oak Parkway, Avon Lake, Ohio 44012, now, therefore,

BE IT RESOLVED Applied Specialties Inc.is hereby awarded the bid for Poly Aluminum Chloride for the Village fiscal year commencing June 1, 2024 and ending May 31, 2025 at the bid of \$.716lb delivered (\$393.80) per 55gallon drums.

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

WHEREAS bids for Poly Orthophosphate for the Water Filtration Plant were publicly opened and read on May 6, 2024, and

WHEREAS Luis Fred, Chief Operator of the Water Filtration Plant, has reviewed the bids and has recommended awarding the bid to Applied Specialties Inc., 33555 Pin Oak Parkway, Avon Lake, Ohio 44012, now, therefore,

BE IT RESOLVED that Applied Specialties Inc is hereby awarded the bid for Poly Orthophosphate for the Village fiscal year commencing June 1, 2023 and ending May 31, 2024 at the bid of \$1.74/lb. delivered (\$626.40) per 30gallon drum with no drum deposit.

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

WHEREAS bids for Polycationic Polymer for the Water Filtration Plant were publicly opened and read on May 6, 2024, and

WHEREAS Luis Fred, Chief Operator of the Water Filtration Plant, has reviewed the bids and has recommended awarding the bid to ASI Inc., 33555 Pin Oak Parkway, Avon Lake, Ohio, now, therefore,

BE IT RESOLVED that ASI Inc is hereby awarded the bid for Polycationic Polymer for the Village fiscal year commencing June 1, 2024 and ending May 31, 2025 at the bid price of \$0.96 lb. (\$441.60) for 55gallon drum.

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

BE IT RESOLVED that upon recommendation of Kayla Sullivan, Director, Fredonia-Pomfret Recreation Department, the following individuals are hereby appointed to the seasonal positions for the 2024 Summer Recreation Programs effective immediately:

BE IT FURTHER RESOLVED, these hires will be effective immediately at minimum wage (\$15.00) an hour, unless otherwise noted, and ending August 9, 2024:

- | | | |
|---------------------|-----------------------|--------------|
| 1. Claire Marshall | 20 Bradish Street | Fredonia, NY |
| 2. Clayton Frazier | 25 Chestnut St. | Fredonia NY |
| 3. Jack Fortna | 3478 Stone Quarry Rd. | Fredonia NY |
| 4. Keegan Whitfield | 19 Central Ave. | Fredonia NY |
| 5. Gabriel Hellwig | 1 Andrew Court | Fredonia NY |
| 6. Francesca Pucci | 16 Birchwood | Fredonia NY |
| 7. Rylee Crampton | 30 Birchwood | Fredonia NY |
| 8. Julie LeBaron | 167 Temple St. | Fredonia NY |
| 9. Joe Askar | 14 Beach Place | Fredonia NY |
| 10. Sophia Halas | 113 Gardner Street | Fredonia NY |

**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA
REGULAR MEETING
MAY 28, 2024
CONTINUED**

11. Jon Mann	40 Eagle Street .	Fredonia NY
12. Abigail Joy	187 Liberty Street	Fredonia NY
13. Neil Cosico	10454 Shore Acres	Dunkirk, NY
14. Jaelyn Davis	10703 Newell Road	Dunkirk, NY
15. Rebecca Piede	132 Lambert Street	Fredonia NY
16. Jay Casey	43 Albany Avenue	Dunkirk, NY
17. Brady Crawford (Per Diem)	9 Woodcrest Dr.	Fredonia NY
18. Madeline Saunder (Per Diem)	309 Central Ave	Fredonia NY
19. Margaret Gray	Temple Street	Fredonia, NY \$17 hourly
20. Sydney Bigelow	West Lake Rd	Dunkirk, NY \$17 hourly

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

WHEREAS, the Village operates a sewage treatment plant located in the Town of Dunkirk, New York, which has extra capacity; and

WHEREAS, the Portland Pomfret Dunkirk Sewer District collects sewage from its users, but does not have treatment infrastructure; and

WHEREAS, an agreement to process the sewage of the district would generate revenue for the Village, while providing a much-needed service to the district; and

WHEREAS, the parties are authorized to enter into this Agreement Extension pursuant to General Municipal Law §119-a, County Law §265, and District Resolution; therefore

BE IT RESOLVED the mayor is hereby authorized and directed to sign the Sewage Treatment Services Agreement Extension until December 31, 2024 (12/31/24) with the Portland Pomfret Dunkirk Sewer District.

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

WHEREAS, The Village is required to have policies in place to be in compliance with the New York State Comptroller’s Office; and

WHEREAS, the Board has reviewed the Financial Policy book; therefore

BE IT RESOLVED the Village Board authorizes the financial policy book to be placed into effect as of June 1, 2024.

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

WHEREAS, The Village is required to have policies in place to be in compliance with the New York State Comptroller’s Office; and

WHEREAS, the Board has reviewed and edited the Employee Handbook; therefore

BE IT RESOLVED the Village Board authorizes the Employee Handbook to be placed into effect as of June 1, 2024.

BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA
REGULAR MEETING
MAY 28, 2024
CONTINUED

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

WHEREAS, the Village of Fredonia, NY (hereinafter “local government”) believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State’s economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities

and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that Village of Fredonia, NY to take positive steps to alleviate the housing crisis, adopts the ProHousing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

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

BE IT RESOLVED that Jacob Galas, Briggs Drive, Orchard Park, NY is hereby appointed, provisionally, as full-time Firefighter/Paramedic with the Village of Fredonia Fire Department effective May 29, 2024 at a rate of twenty-dollars and thirty-three cents (\$20.33) per hour.

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

WHEREAS the annual elections of the Volunteer Fire Company occurred on May 6, 2024, now, therefore

BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA
REGULAR MEETING
MAY 28, 2024
CONTINUED

BE IT RESOLVED the following individuals and positions take effect on May 7, 2024, contingent on training being completed by September 7, 2024:

First Assistant Chief: Chuck Ortolano
Second Assistant Chief: Ken Haas
Third Assistant Chief: Adam Ahrens
Lieutenant: Joshua Foster

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

WHEREAS, The Village requires a meter to be purchased to measure the water usage for the Fire Department; and

WHEREAS, TI-Sales, Sudbury, MA has supplied a quote for the meter size necessary for the Fire Department in the amount of **Four-Thousand Sixty-Two Dollars (\$4,062)**; and

WHEREAS, this meter will need to be installed after purchase; therefore

BE IT RESOLVED the Village Board hereby authorizes purchasing the water meter and installation for the Fire Department in the amount not to exceed **Five Thousand Dollars (\$5,000)** after June 1st, 2024.

Upon motion duly made by Trustee Twichell and seconded by Trustee Wandel and carried unanimously, the following resolution as moved to be tabled:

Upon motion duly made by Trustee Espersen and seconded by Trustee Brauchel and carried unanimously, the resolution to table was rescinded:

WHEREAS, The Village is responsible for the building repairs at the library; and

WHEREAS, Farrell Roofing, Dunkirk, NY has offered a quote in the amount of \$2,500 to make the necessary repairs to the roof, and a warranty must be supplied; and

WHEREAS, the roof repairs are necessary for the Village of Fredonia; therefore

BE IT RESOLVED the Village Board hereby authorizes Farrell Roofing to make the necessary roof repairs to the library in the amount of **Two-Thousand Five Hundred Dollars (\$2,500)** after June 1st, 2024.

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

WHEREAS, the Village of Fredonia houses SUNY Fredonia within its Village limits; and

WHEREAS, the Village houses approximately 3,500 students in its 9,500 people population per year resulting in higher police, fire, and zoning costs; and

WHEREAS, the Police Department regularly responds to incidents that are not covered by the University Police; but include students, the Fire Department regularly responds to calls and false alarms involving the college students; therefore,

BE IT RESOLVED the Village Board hereby requests that SUNY Impact Aid for the Village of Fredonia be established in the amount of \$300,000.

**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA
REGULAR MEETING
MAY 28, 2024
CONTINUED**

Upon motion duly made by Trustee Twichell and seconded by Trustee Wandel , and carried unanimously the Board adjourned the regular meeting at 8:10 PM

K. EXECUTIVE SESSION-

L. MEETING SCHEDULE- The next Village of Fredonia Workshop will take place on Wednesday June 5, 2024 at 9 AM in the Trustee Room, second floor Village Hall.

The Next Village of Fredonia Board Meeting will take place Monday June 10, 2024 at 7 PM in the Trustee Room, second floor Village Hall.

ANNEMARIE JOHNSTON
VILLAGE CLERK