

**BOARD OF TRUSTEES  
OF THE VILLAGE OF FREDONIA  
REGULAR MEETING  
9-11 Church Street  
Fredonia, NY 14063  
April 29, 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 29<sup>th</sup> day of April 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 Monday, April 29, 2024 at 7:00 PM

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

**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 approved:

WHEREAS members of this Board have read the Official Minutes of the Board of Trustees Regular Meeting of April 15, 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. Mayor Ferguson suspended the Public Portion of the meeting.

**E. CORRESPONDENCE-**

**Correspondence dated April 22, 2024 was received from Lauren Boyle, President of Embrace Fredonia, requesting the use of the Tourist Information Booth on May 31 through June 2, 2024 for the annual Attic and Seller Days.**

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

BE IT RESOLVED that the request from Lauren Boyle to use the Tourist Information Booth and various streets in a 20-mile radius surrounding the Village from 9:00 AM to 4:00 PM on May 31<sup>st</sup> and June 1<sup>st</sup>, and 9:00 AM to 2PM on June 2, 2024 for the Annual Attic and Seller Days is hereby approved, and

BE IT FURTHER RESOLVED that the Fredonia Police Department reserve the parking spots in from of the visitor's booth for participants.

**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA**  
**REGULAR MEETING**  
**APRIL 29, 2024**  
**CONTINUED**

**F. MAYOR’S REPORT-**

On Wednesday April 17, NYDEC officials toured our WWTP and WTP; met with Festivals Fredonia on 4/18 to discuss this year’s events; he presented a proclamation to Fredonia Isaac Gilbert for Eagle Scout; he presented a proclamation for Relay for Life at SUNY Fredonia in Steele Hall; he met with the Fredonia Planning Board to discuss topics on their agenda; 4/24/24 the DOT met with representatives of the committee on improvements to Rte 20; same day 2 public hearings were held on the Village Tax Cap and the Village budget. 4/26/24 Local Arbor Day celebration; He presented the donations gathered for the Boys and Girls Club gala at Shorewood Country Club; He spoke to reps from the SUNY Fredonia Newspaper, the Leader, in regards to the Rally being held on Campus.

**G. TRUSTEE/COMMITTEE REPORTS-**

**Brauchler** – No Report

**Espersen-** attended the volunteer firefighter Board Meeting and got an update on the merger memorial project, and recruitment ideas; spoke with Scott Marsh to see if placing meters on the DPW and/or the Fire Hall would make an impact on the amount of water unaccounted for.

**Siracuse-** met with the NYS Dot and they will be at the next Board Meeting to discuss their plans for the Main St. corridor; will be meeting with the committee for the crosswalk art project;

**Twichell** – wifi available to the public in Barker Common, should you need it; the library has told her about the hole in the roof that needs repair. She is not in favor of the budget that is up for vote this evening so she will not be voting in favor of it.

**Wandel** – he was also in attendance at the Rte 20 project meeting and said that the state did accept feedback from the Trustees.

**H. TREASURER’S REPORT** – Treasurer met with Tom Becker from USDA to apply for a grant for the new Loader and Plow Truck, which needs to be submitted by the end of this week.

**I. ADDITIONAL REPORTS-**

**J. RESOLUTIONS**

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

Whereas, according to New York State’s Property Tax Cap legislation, if a village government decides to adopt a budget with a property tax levy that exceeds the level set by

the State, the Village government must pass a local law to override that cap, and;

Whereas, adopting said local law is not predictive of the final tax levy but will provide the Village of Fredonia Board flexibility to exceed the Property Tax Cap if it is deemed necessary, and to ensure that any State recalculation of the applicable limit will not make the Village inadvertently out of compliance, and;

Whereas, a public hearing was held before the Village of Fredonia Board on April 24 at 7 PM, to hear all persons interested in proposed Local Law No.2 of 2024, now, therefore;

Be it resolved, that Local Law No. 2 of 2024 Local Law to Override the 2024-2025 Tax Cap Limit is

**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA**  
**REGULAR MEETING**  
**APRIL 29, 2024**  
**CONTINUED**

hereby adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes the Village of Fredonia Board to override the tax levy limit by the adoption of a local law approved by the adoption of a local law approved by vote of sixty percent (60%) of the Village of Fredonia Board.

Be it further resolved, that the Village of Fredonia Clerk shall publish in the official newspaper of the Village a notice of adoption containing a synopsis of said local law and shall **within twenty days** file one certified copy in the Clerk's office and with the Secretary of State.

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 Village previously created a reserve fund policy for its General Fund of 15-25%; and WHEREAS, the upcoming 2024-2025 fiscal year requires that the Village's General Fund reserve balance to go below the policy amount, therefore;

BE IT RESOLVED; the Village Board hereby authorizes to reduce the General Fund balance policy to 10-25% for the upcoming fiscal year. This will be reviewed thereafter on an annual basis.

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

A resolution levying the total taxes and other charges extended and levied against each parcel of real property shown on a roll prepared and verified by the Assessors for the 2024-2025 fiscal year.

BE IT RESOLVED that there be levied and assessed against the real property of the Village of Fredonia the following sums for Village Government and other charges for the fiscal year 2024-2025 at a tax rate of \$39.25 per thousand (\$1,000) assessed valuation,

Total taxes for Current Budget	\$3,151,638.00
Delinquent Water Rents & Charges	\$ 91,701.38
Delinquent Sewer Rents & Charges	<u>\$ 97,297.18</u>
Total Real Property Taxes & Other Charges on the roll	\$3,340,636.56

and

BE IT FURTHER RESOLVED that the Receiver of Taxes be and is hereby directed to levy, assess, and apportion upon the real and personal property liable to taxation in the Village of Fredonia a tax rate of \$39.25 per thousand dollars of valuation upon said assessment roll, and

BE IT FURTHER RESOLVED that the warrant to the Tax Receiver be executed and delivered to the Tax Receiver for the collection of unpaid taxes and assessment, water, and sewer rentals outstanding and unpaid together with interest and penalties as provided by law, and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a warrant to the Receiver of Taxes which warrant shall also be endorsed by the Board of Trustees as required by law, and

BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized to deliver said warrant to the Receiver of Taxes as required by law.

**BOARD OF TRUSTEES-OF THE VILLAGE OF FREDONIA**  
**REGULAR MEETING**  
**APRIL 29, 2024**  
**CONTINUED**

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

A RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING JUNE 1, 2024 AND ENDING MAY 31, 2025, MAKING APPROPRIATIONS FOR THE CONDUCT OF VILLAGE GOVERNMENT AND ESTABLISHING THE RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR SUCH PERIOD.

WHEREAS this Board has met at the time and place specified in the Notice of Public Hearing on the tentative budget and heard all persons desiring to be heard thereon,

NOW, THEREFORE, BE IT RESOLVED that a tentative budget as amended and revised and as attached hereto made a part thereof is hereby adopted and that several amounts stated in the column titled “Adopted” in Schedules 1A, 2A, 2F, 2G and 3C together with the amounts set forth in Schedule C (Debt Schedule) as required for the payment of principal and of interest on indebtedness by and they hereby are appropriated for the objects and the purposes specified, and the salaries and wages stated in Schedule 6 of such budget shall be and are hereby fixed at the amount shown therein effective June 1, 2024.

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

BE IT RESOLVED that upon recommendation of Kayla Sullivan, Director, Fredonia-Pomfret Recreation Department, that Angela Mackowiak, Cushing Street is hereby appointed to a seasonal position for the 2024 Summer Recreation Programs effective immediately at a rate of **Twenty Dollars (\$20.00)** an hour not to exceed 300 hours.

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

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

- \$50,000 from A8029 General Fund Balance to A3410.1 Fire Personnel
- \$50,000 from A8029 General Fund Balance to A4540.1 Ambulance Personnel
- \$10,000 from A8029 General Fund Balance to A3410.11 Fire Personnel Overtime
- \$10,000 from A8029 General Fund Balance to A4540.11 Ambulance Personnel Overtime
- \$2,000 from A4540.44 Ambulance Contractual to A3410.44 Fire Contractual
- \$400 from A3410.47 Fire Gasoline to A3410.44 Fire Contractual
- \$100 from A4540.41 Ambulance Supplies to A3410.44 Fire Contractual
- \$800 from A3410.43 Fire Travel/Training to A3410.42 Fire Utilities
- \$2,400 from A4540.47 Ambulance Gasoline to A3410.42 Fire Utilities
- \$1,000 from A4540.49 Ambulance Maintenance Equipment to A3410.42 Fire Utilities

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

WHEREAS, The Village requires a service maintenance contract for the twenty-six (26) valves at the Filtration Plant; and

WHEREAS, Upstate Valve and Control, Fair Haven, NY has offered to provide a maintenance contract to include inspections, leak detection, O-ring replacement, configuration tests, functional tests, and corrective maintenance for a per visit price of \$8,880.00; and

WHEREAS, this contract is necessary for the Village's purpose to maintain the equipment processing the water for the Village; therefore

BE IT RESOLVED the Village Board hereby authorizes entering into the maintenance agreement for one year with Upstate Valve and Control for \$8,880.00.

**K. EXECUTIVE SESSION-**

**L. MEETING SCHEDULE-** The next Village of Fredonia Workshop will take place on Wednesday May 8, 2024 at 9 AM in the Trustee Room, second floor Village Hall.

The Next Village of Fredonia Board Meeting will take place Monday, May 13, 2024 at 7 PM in the Trustee Room, second floor Village Hall.

ANNEMARIE JOHNSTON

VILLAGE CLERK