

**BOARD OF TRUSTEES
OF THE VILLAGE OF FREDONIA
WORKSHOP MINUTES
9-11 Church Street
Fredonia, NY 14063
July 13, 2026
12:00 P.M.**

Mayor Michael Ferguson-First we will go through resolutions.

A. RESOLUTIONS

1. SEQR Resolution WWTP

Erlyssa LeBeau-So, the first two actually go together, the one paper that was passed out today at the start is showing the information pertaining to these resolutions. This is so we can apply for the grant that would go with this. It is not a promise to spend that kind of money, just out of our budget.

Trustee LeeAnn Lazarony-So this is just proper procedure together to apply for the grant because we have to have a plan. We have to have the numbers. We have to have all of the things, right?

2. Bond Resolution WWTP

3. Makayla Yacklon, Account Clerk

Lazarony-I just want to make sure there is a correction on his name on the agenda.

4. Timothy Mulholland Jr, Village Trustee

5. Jennifer Marx-Mikula, Operations Assistant

Mayor- So, Jennifer, does anybody want to discuss that?

Lazarony-Well we did.

Mayor-Jennifer and I discussed it earlier in the year last year as well. With the exception of Jen, she basically runs the operation over there. I think she's been requesting to be paid a little bit more. She's scheduled to take her test that she needs to take, correct?

Lazarony-No, she doesn't need to take the test.

Mayor-She's eligible under civil service for the number of years of service, correct?

Lazarony-So all of her qualifications make her qualified and she's already taken the test, but didn't think it was still a valid test. Civil service deemed her eligible to take that position. We thought when we first discussed it, when I came on board, that we were going to have to wait until she took the test and she didn't want to be appointed provisionally because she was afraid, she wouldn't pass the test, which we all know she probably would. But now we found out this information, she doesn't have to.

Mayor-Feel free to share that with me next time.

Lazarony-I thought you already knew that, so sorry. Well, I guess that is why we are discussing it, right?

Mayor-Is that a definite, you're absolutely sure about that?

LeBeau-I actually spoke to civil service this morning.

Mayor-So, excellent, it's confirmed. She's more than qualified and does a great job. She holds the whole place together. Guys pay attention and work well with her and the number of things she has accomplished since Trustee Lazarony and I had the chance to meet with her about a month and a half ago have been pretty amazing.

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Lazarony-So right now, she puts in for the premium rate and she won't have to do that once we complete this. And it was already put in the budget for her to take this position and we are not adding anything new to the budget.

6. Siemens Agreement WTP

Luis Fred-This is just our yearly agreement so they can maintain our SCADA system.

Lazarony-What is that exactly?

Fred-That is the brain of the plant that opens valves and controls all the little, everything communication wise between the plant and everything.

Lazarony-So, this is already budgeted in our contractual for the year.

Fred-Yes.

Lazarony-Okay, that is all I want.

Mayor-I find it interesting that we've got a two- year agreement, annual agreement for the wastewater treatment plant and a 20-year agreement street plans for the same company. I hope we don't make the mistake of going into anymore 20-year agreements anytime soon.

7. WWTP Training

Mayor-Kind of self-explanatory. That's an annual thing, right?

David Felt-Yeah, there's different classes that we have to take to renew our license and it would be Kenny Porter and myself going to the training. It is local and no cost associated with it.

8. Police Car Lease

Mayor-I talked to Erlyssa and she did a great job of a comparison analysis on this. I think it is the way to go and thanks Chief for doing the work on that as well. Any questions on the police car lease? I think it's a good move.

Lazarony-I think it makes sense for us as well. Our equipment will be turned in and leasing new equipment. I think it makes perfect sense. Can I ask is the maintenance of the car part of the contract as well?

Greg Myers-It is not part of the contract, but there's a maintenance portion to it where they will tell us when the maintenance is due.

Lazarony-Okay

Myers-I'm also hoping that since they're all three hybrids, they are not plug in hybrids, but they're regenerative hybrids, I'm hoping it cuts down on idle time. The modems in the car, the car needs to be on for the modems to be connected. If the car shuts off or I have timers on the battery buddy that's on there is set for an hour. So after an hour, if a car isn't being used for that shift, the modem shuts down. It takes 5-10 minutes for that modem to hop back on to connect with the county. This will hopefully give us some time, you come in to make an arrest or do paperwork or something, it may take longer than an hour. That's why you see them idling sometimes for extended periods. The batteries in these will allow the vehicle, the engine, the gas engine to shut off and those batteries will allow the vehicle to still maintain connection and have the things that are important to stay on until it needs to be driven again.

Mayor-Can we improve that connectivity in the parking area?

Myers-For the cars?

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Mayor-For the modems.

Lazarony-No, no. These modems connect to the county, right?

Myers-Yeah right to the county.

Mayor-I do know that we have connectivity issues in the parking lot in general because of the building. So, these are separate. And thank you, Erlyssa. She did the analysis on that and I trust her on that; she does a great job.

9. Abstracts #815-818

10. Public Hearing LL #5 2026

Mayor-The public hearing, that will be next Monday? What time did we say?

LeBeau-5pm

Mayor-5:00 prior to our regular board meeting? No other resolution questions, we'll go onto department reports.

B. DEPARTMENT REPORTS

Code Enforcement Office-

Charles LaBarbera-Another really good month last month, over a million dollars in construction. We are still getting a little bit of push back from the farmers market and stuff. We're still finding vendors in the Wednesday events that are not licensed. We've got a couple of food trucks that were placed, which is causing a lot of issues and a lot of overtime for Tom and stuff because he's got to come out. That's been going on long enough the permits for those things have been the same year after year.

Mayor-Sorry for the inconvenience of both your team and the police team.

LaBarbera-The cannabis law, I asked for that to be held back because the attorney has to change the violation section, which deals with us taking someone to court. They had the penal law and it can't be a penal violation. So, when Melanie fixes that, it will be back on.

Lazarony-So, I have a couple of questions for you. I don't know, I just saw on Chestnut Street where they cut the road. Somebody cut, did we cut the road?

Jenness Merrill-Contractor

Lazarony-A contractor cut the road? Did they have to put the road back the way that it was?

LaBarbera-Yeah

Lazarony-Okay, I was just wondering because I drive that all the time and take my son to school, grandson to school. So, I was like what? Why did we cut this road?

LaBarbera-Yeah, Jen just emailed me on a couple of roads that the contractor didn't do properly or something.

Lazarony-All right. And how about the situation behind West Main with the rodent problem?

LaBarbera-We're trying to find somebody to come and bait them. One of the restaurants, I think that was causing the problem, was shut down for a while by the county. So the county might be taking the lead on that now.

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Lazarony-Has there been any effort to clean that up, you know, where the boardwalk is?

LaBarbera-Um, no.

Mayor-But, I understand that building might be sold. All right. So hopefully we will get somebody in there.

Lazarony-Do you know who you talked to at the county?

LaBarbera-I did not. I think the mayor is the one that actually called about it while he was in my office.

Mayor-I have just set up a meeting with the IDA and we are watching this. Another thing, no plastic bags behind the buildings. Either have a dumpster, a professional dumpster, share the cost of the dumpster with the building next door to you, but no more plastic bags. No more open garbage cans. We have never ever had a problem in the village with rats. It comes down to a couple of irresponsible owners and it's not going to be tolerated. It's not necessary. We haven't had it before. It's scary for people to park back there.

Ladies going to get their hair cut and to have that run across the road. It's being taken care of by code enforcement and they have spoken to the individuals. They know who they are and if we have any way of shutting down their business because they don't take care of it, I will do so. We haven't had a problem in this community and we are not going to have a problem in this community.

Lazarony-My question is if somebody has a zoning violation, do they or can they get fined for it?

LaBarbera-We would be better off to shut them down rather than filing the court stuff and hoping the judge would fine them.

Lazarony-Well, I don't know. Under the zoning law, can you shut somebody down for having an open garbage can behind their business?

LaBarbera-Well it's a violation. Yeah.

Lazarony-So what I'm saying, what's the punitive of writing up a violation to somebody? Is there anything punitive about that?

LaBarbera-Well, we can take them to court, absolutely.

Lazarony-Well that's what I'm saying is that maybe unfortunately, maybe we need to start enforcing some of these and taking people to court and make it really inconvenient for them to violate the zoning laws.

Ben Brauchler-Yeah. Right. Makes sense.

Lazarony-Like if there's no, if you're just going to write it up and say I'm in violation and then you're going to leave, okay.

Mayor-But here's one of the problems. If we do not put regulations in place for handling of garbage to local businesses, then we are just as much at fault.

Lazarony-We have to do that.

LaBarbera-The other problem is that if the building owner is out of town, I can't do anything. The only thing that I can do is post the building and that's what we've been starting to do on some issues. I can only write appearance tickets for one county over. If someone is in Rochester, my hands are tied.

Mayor-Yeah, well the building owner owns property here, right?

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Lazarony-Well, I'm just saying that I know it's inconvenient for the zoning to have to go to court over these things, but if people are going to be in violation of our zoning laws or any of our laws, and there's no punitive issue to that, then people are just going to keep doing it.

Lazarony-Well it's also inconvenient for the businesses that are leasing the property in those buildings. Listen, if I was a building owner next to a building that wasn't compliant with the zoning law or the health department or any of those things, I would be in here complaining every single day to say "What are you doing about that?" So, in fairness to the rest of the business owners in this village, I think we have a duty and obligation to enforce those zoning laws.

Mayor-Yes, and yeah we do. But here's the deal, if you want him to write tickets then you have to set what the price of those tickets are. Everything has right cause and effect, but if there's no rules to the cause, the effect violations in place and there's fines in place, but it's certainly up to the judge to issue the fines.

Lazarony-I understand that, but I am just saying if I am in violation of the zoning law and you're not going to do anything to me, but tell me I am in violation, why would I want to fix it?

Mayor-Oh yeah, absolutely. Do you have anything else at this point?

LaBarbera-I just want to mention I noticed that the building over there that has the problem with the roof appears to be on the county foreclosure list for taxes.

Mayor-I have a meeting with them this week that I will inform you about. I believe that building is still open.

Paul Wandel-Good. Mayor, I'd also like to go back to something that Chuck had mentioned about Festivals Fredonia and the lack of permitting from some of the vendors. I am suggesting that we have a meeting with their leadership. I can initiate that and we do that this week. I think it's imperative that we do it and do it now.

Mayor-That would be the fourth meeting we have had about that very subject in the last month and a half.

Wandel-Maybe we just need to have another one.

Mayor-Now, I respectfully agree and disagree with you on both ends of it. If a member of your family wasn't behaving, you take away the Xbox and quite frankly, as I said in the past, this is my third year now, and there's two events that are always on the annual docket. And that's why they're called a law, right? As for speeding laws, somebody flies down the road at 50 miles per hour, the police are going to stop and give them a ticket because they broke the law. Whether we like the law or not, the law is the law. The law was written and the law was agreed upon. The law was passed and the laws are not being followed.

Lazarony-Okay, so with that being said, let's go back to that. What's the punishment if you're violating? What are we doing about people who are violating the vendor law?

Right? We have given them the opportune time and I will just say it because it's the dark horse in the room, the farmers market, right? Farmers market, have they complied?

LaBarbera-Slowly.

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Lazarony-We gave them a date, correct?

LaBarbera-We removed some of them last weekend.

Lazarony-Listen, I love the farmers market, I want them to be here. All we're asking them to do is comply with the vendor law. Correct. So, I just think that, you know, they're great. They're our friends, our neighbors. We all want to support each other or whatever. But if we have laws and we don't enforce them have we made it as easy as possible for them. The laws are as good as the enforcement of them and they need to be equally applied, Fredonia farmers market or whatever vendor. It's a village law and I am not trying to put the farmers market in the spotlight, I'm not trying to do that, it was just an example I came up with because I just heard a couple issues with Festivals Fredonia today. I just think that just like our zoning laws, if our vendor law isn't being followed, what are we doing to enforce it? So, it sounds like we are telling people they can't be set up.

Brauchler-Well, that's appropriate.

Mayor-It's being handled. I want to thank the police who were there this weekend. Tom was out there this weekend and it's being handled, but it's gone on far too long. So uh, fire department, what do you have for us?

Fire Department-

Joshua Myers-I don't have anything

Mayor- Well, thank you. That's good.

Lazarony-Do you want to meet over the email that you sent me the other day?

J Myers-Yes

Lazarony-I am available tomorrow if that works for you? I can come at a little after 9, if that's okay for you? Are you available?

J Myers-Um, let me circle back with you.

Lazarony-Okay, yes, we can identify a time.

Police Department-

G Myers-Yes, I just emailed Makayla the June report. But going back to events and vendors, I just need to understand what the board understands is what are the allowable items to be sold in the parks? We have lifted the open container law in the past for a few different events, but if memory serves me right, there was an event where alcohol was being sold and it needed to be set up in a manner where individuals that had the ability to purchase alcohol that were 21 years or older, it was in a specific area and people that were under the age of 21 didn't have access to that area. I think setting up tents and just making the sale of alcohol available, I don't know if that's something that the board agrees with. I know there's certain laws on the books in effect as far as the state is concerned about having to have a liquor license and then a permit for the event. You know, if a brick-and-mortar bar wants to participate, I think there's like a 24-hour permit that you need to get in order to be valid, in order to do things, the right way. Another example would be the Farmers Market. If someone is selling glass bottles of wine, it is a farmer's market and there are some things that you can do under the law. But the business selling the alcohol still needs to have a liquor license. The liquor license has to

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be readily available to be seen. You know, if someone walks up to the tent, law enforcement or a representative from the village, they should be able to produce their license. It's just gotten to the point where I was told there were four different vendors at the concert last Wednesday in the park. There was a new vendor that wasn't registered at the farmers market on Saturday. It's just these things are popping up and we don't know that they're popping up. No one is registering, no one is letting us know.

Mayor-I believe that they should. Maybe they should, but they're in the regulations. This is the problem. Again, we go back to now you're talking to somebody who's run events as an event promoter as the event board president whatever you want it to be. It's your job. I had an envelope for every single vendor; I had a copy for myself. One copy went to the village, the town, county fair, Hamburg fairgrounds, Erie County fairgrounds, wherever I was. Part of my job was also to have all of my information, my insurance information anything that I had, licensing that I had prior to an event. This is what's been going on and it continues to go on. We have to fight, pull, and call meeting after meeting ignoring these things and they're typical for many events. I feel bad for the companies because the companies are used to doing all these things, but if they're not made to do those things, they're not going to go out of their way to do it.

Lazarony-I do have a question. Our resolution that we passed was to let them have open container during that period. Did the resolution state that we would sell alcohol in the park?

No.

Lazarony-Do we need a resolution to sell alcohol?

Mayor-Yes, you do and here's the reason why. The parks are technically owned by the Town of Pomfret and in the Town of Pomfret law, it goes back to the family that gave the parks to the community that no alcohol could be sold in the park.

Lazarony-Well, given that plus it's in our charter, I believe.

G Myers-It's in the charter. So, which I means there's a lot of things in the charter, like we've discussed before, but I mean it comes down to I believe notification and doing things properly.

Lazarony-Listen, I am not against festivals, I love the festivals. I'm so glad that Festivals Fredonia is starting lots of stuff, but is the village held harmless in the event something happens because we are allowing things to happen in those parks? Listen if you or I have an event at our house, I call my insurance agent and say "I need a million-dollar rider on my property for 24 hours because I'm having this event on my property, and if someone gets hurt, I don't want to get sued." Right? It's the same thing. So, I don't know how did we have alcohol in the park on Wednesday if we didn't pass a resolution? They weren't vetted.

Wandel-We didn't.

Lazarony-I just know you probably don't know the answer, right?

Wandel-I don't, but this is why; I am not blaming you; I will have a meeting with these people. It can't go the way it is.

Lazarony-No, well you have to talk to them.

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Wandel-So, we'll have to come together immediately.

Brauchler-Unless we pass a resolution permitting it, I think we have to say no alcohol sales. You know, that's part of the thing of the park. If it's part of the farmers market, I know there's some regulation for locally produced wine, but I would think they would have to set up in the street, not the park because the park is supposed to be alcohol free and it can't be for at the moment consumption. It is buying the bottle and take it home.

Mayor-I don't think they are selling it at the farmer's market; I know who you're talking about and it is not for consumption. They do a sample, that big, which is tasting, which is allowed in New York State as long as you have your license.

Brauchler-Yeah

Mayor-But I'll tell you, we're still selling alcohol.

Brauchler-If we have a regulation that says not in the park, then it's not in the park.

Fredonia has a long history of being a dry town to a certain extent, even though we've got a ton of bars. If you go back to the 1800s when a lot of these regulations were set up, we were very much opposed to alcohol here. So, if our rules still say that, that's how it is, unless we change it.

Lazarony-So, not getting off this topic, but the same topic as events and festivals, farmers market, whatever. I am just having a problem with the rope closure thing and I just want to vent a little bit about it and see how we can resolve this. So, the police chief sent me an email asking me to have the DPW, telling me that the DPW needed to do the road closures, right? Or just the barricades, supply the barricades for them. But this is my question, if the farmers market, just using the farmers market as an example, if they are not setting up their tents in the road, why are we closing the road? It's in the park, but it's not just the farmer's market; automobile shows, they're not in the road. I don't know that every single event we do, we have to close the roads for. I think that's why we vet them. That's why it goes to the police and fire and zoning before it comes to us.

Mayor-If they turn around and approve it, then what are we arguing about?

Lazarony-I'm not arguing to approve the closure of the road.

Mayor-The problem is we as a village also don't have the ability to close roads off properly and we're working on that.

Lazarony-That's why I'm saying do we necessarily have to approve the road closure for every single event even if they're not using the road?

G Myers- Should we have the ability to revisit the same event?

Lazarony-Should we have the ability to revisit that request and say, "Listen, if the road isn't being utilized, why are we closing it in the first place?" That's all I am saying. Otherwise, part of the event, part of your vendor fee should be what it's going to cost to have to call in a part-time or a full-time DPW worker to come in and close the road with a barricade or truck or whatever. We're still going to have to pay them overtime to a certain amount. I don't know if it's four hours or three hours, whatever the contract says and then they have to come back in and take it back down. I would think this is not supposed to be any incurred cost to the village and it is incurring costs to us.

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Brauchler- If an organization wants to close the road and the organization is willing to park their own vehicles to make that road closure.

Mayor- I think that's a road I don't even want to go down.

Lazarony-I think it needs to be revisited on when we approve the permit how they're going to use the road if it's going to be closed.

G Myers-I'm willing to, if it's going to be scheduled, if they want a road closed and it's far enough out, I can schedule a police officer to stand there to make sure that the road is closed and we can call it closed. That barrier is going to say "Fredonia Police" on it. If it's just going to be a wooden barrier saying Fredonia Police, everyone assumes that the police department closed down the road, when in essence we didn't close the road. It's just one of our barricades. If there's rules, we follow that the fire chief follows for events and for hard closures, I would rather have it done correctly and not trust the promoter or the person hosting the event to get your barricades, put them up, and have them follow the rules that we're trying to put in place. I think we have tried it, it hasn't worked out really well. I think that maybe there's some confusion and again, we can adapt. We're noticing some things that might not be occurring correctly, the way that we anticipated them to. It is ok to kind of pull back, look at what's going on, and maybe adjust. That's all, I just want the ability to reevaluate the situation.

Mayor-The other thing we need to be able to do, is the village needs to buy the equipment that we need so that we do close off the street, it's our equipment. It is not two 2x4's stuck between two rusted pieces of metal. It's time to act like we are actually in 2027.

G Myers-Before Wednesday's concert, the day before, we had a seizure victim on Route 20, jump the curb, take out a few gas pumps and total two vehicles. This stuff isn't dreamed up. It's not doomsday type hypotheticals that he talks about, that I talk about. These are things that happen here and we're just preparing as best we can. No one was seriously injured that day on Route 20 and we can chalk it up to luck, right? We got lucky that no one got hurt. So, if we're going to close a roadway and the people behind the barricade think they have some position of safety because the road is closed, it should be closed to vehicular traffic. That means that something should be there closing that road that allows people, children to be on that roadway behind it and have some sense of safety behind that closure.

Mayor-So, and in fairness to the farmers market, there's two or three that have their trucks there. That's how they display their signs. Although they are, you need to close the road, right? So, the point is there's an application process that these gentlemen agreed to. They're trying to follow that through dotting their eyes, crossing their tees. The bottom line is what are the ramifications of not following the guidelines that they set. That's the next step. So now you know that's what we're going to have to work on.

Lazarony-And then we're going to have to work on whether we're going to have the DPW bring something to do a hard closure or not. Like and that's up to you guys.

G Myers-I don't see some of from what I am seeing on walks after I get out of work and walking through town and seeing some of the events. There's going to be a car show. The road needs to be closed for a car show. There's going to be cars parked in the roadway

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blocking the road. It should be, it should be closed. The last event that I saw, the food trucks basically barricaded anyone's access to Park Street, which was closed. You couldn't walk through there. There was nobody gathered in the road. A very, very well attended concert in the park last Wednesday. It was awesome to see. It's great to see there was nobody in the street. Everyone was collected in the park where they should be enjoying a great night. So having this road closed as small of a road that it is, it does turn into kind of a liability type of thing I believe for the village if we're just closing it just to close it for no good reason.

Mayor-Essentially the service of the food truck has a park side, so nobody's going behind the trucks to they're using the parking spots on the park side.

Lazarony-So, I am just thinking, you know, just because somebody requests a road closed, maybe it doesn't need to be closed. Maybe we need to just take a better and harder look at it. That's all I have.

Christine Cruz-Keefe-The other thing is I feel like perhaps on the application, we need like a menu if we are going to need village employees to come and do something for you, the cost is going to go up.

Mayor-That is what the original \$150 was for because we've had events and we all love the events. Nobody's complaining about events, but we've had chicken grease that takes a week to get up off the ground that DPW has to clean up. We've had garbage that gets overflowed. Many of the places clean up their own garbage. So, you know all the event vendors are not bad people. They work hard; they do. But the point of the matter is we also need the DPW to come out and pick up the garbage, clean up the streets, and do all of the other things. There are costs associated which have not been applied before. Now we are trying to apply it and now people are not happy with it. We've had meetings in the middle of the event and meetings that never happened before. We are going to sit down with more event holders and show how the rules were written. The rules were passed. What are the ramifications? Now we write them down and attach it, it's a work in progress. We have formed the group of DPW, fire and police to kind of take that off our hands. They're the safety measure. I am glad you said what you said because we got accused a lot in this room of being doomsdayers. That's not being doomsday, it's our responsibility to keep the public safe. When you see things happening around the country that are happening in other places, we'll be damned if you sit here and say it's never going to happen here. Well guess what? We had it happen the other day. Thankfully, nobody, including the driver was seriously injured. But you can't sit here and just think it's never going to happen here. So, they are doing a great job. You just need to dot I's and cross t's.

Lazarony-That's all I was saying, Mayor, that we need to tweak this a little more, this is a work in progress. The more often that we know the events are happening the more we're seeing the things that we need to tweak a little better.

Cruz-Keefe-That's all under recreation. So now when we have ongoing events like the farmers market, the festival; at the conclusion of it, we should get together again and think and say what went well, what didn't go well, we can tweak for the next year to make

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it better than that. I mean I don't know if we need to be in person. We could do like a zoom style meeting.

Lazarony-I wasn't suggesting that anyone is at fault here. I'm suggesting that things are being brought to me and I am asking, how do we fix this? This is our law, our vendor law, these are the things that are happening. How do we prepare so that it doesn't continue to happen and it won't happen next year. And I am not suggesting any one here or any department is lacking or is insufficient in any way. I am saying as a board we need to talk about these things and think about how we're going to resolve them, that's all. Absolutely what Christine said, its lessons learned so we get together and we just discuss the what happened, how can we improve, and then other things continue. Work in progress. I think the principles are great.

Mayor-Let's move on to recreation department.

Recreation Department-

Mayor-I want to congratulate them; they're doing a fantastic job all the way around. One suggestion I have gotten from multiple people, especially people who work, is we've been under some what they call heat domes a couple of times during the course of the week. Parents are taking their kids there and then all of the sudden at 12, 12:30 we tell them to come pick up their kids. When you know that there's going to be, like tomorrow is supposed to be a bad day. Today the advisory is already out there. It hasn't reached the point, but when we know that there's going to be a possibility of canceling that part of it before parents go. I mean we kind of know the night before what the weather forecast is going to be and then this way they can get babysitters or whatever they have to do. My phone kind of rang off the hook for me the other day about nobody could have made this call sooner. You know, now I am at work, I have to leave work and then I get in trouble because I got to come pick up my kids.

Cruz-Keefe-Well, when people sign up their kids, is there information that shows the threshold, the temperature threshold or the heat index?

Mayor-There is, yeah. I think there is for when it can be canceled, but we've done it around noonish. Just a suggestion again, we are here for our residents and it was enough people saying you guys knew it was going to be hot and could have canceled it in the morning as opposed to waiting until 12:30. Now, there's also a day when it could be predicted that it was going to be a hot day and it doesn't quite get there either.

G Myers-So, I understand that there in years past, there was always some sort of plan with the families in place. You know, if there's a severe storm that comes through, there's a cell. I mean, that's unpredictable. So, there has to be something in place that allows people to, you know, if someone's at work, there's a buddy system, right? You know who goes where with what. You know in the event that something happens. But that has to come up in the past for having to close because of severe storms.

Cruz-Keefe-So, the complaints were that it was not called early enough.

Mayor-Yeah, they had already dropped the kids off. They were already at work and then all of the sudden at 12-12:30 it was they were canceling the rest of the afternoon. So

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again, you're damned if you do and if you don't in some cases just passing it down the road when we don't need to.

J Myers-Is the rec director coming to the department head meeting that you called?

Mayor-There is a conflict, she has an appointment that day. So, she's not.

Wastewater Treatment Plant-

David Felt-We have been working on the cleaning and maintenance of the aeration tank number four and everything is going well with that project. I would like to go into executive session to talk about a legal matter regarding a security tower at the plant.

And, that's all I have.

Mayor-Okay, we are going to be going to the executive session in just a couple of minutes, if you can hang out.

Felt-Yeah, okay.

Water Treatment Plant-

Luis Fred-Over Fourth of July weekend, someone trespassed onto the reservoir and stole our little john boat that we check the levels with for a draught and whatnot. They were able to get a hold of the shaft; the boat was recovered. I just wanted to remind the public that even though it's village property, it is posted and restricted.

Mayor-It is also under the law of homeland security. Drones can't be taking photos of it; people can't be taking photos of it. And quite frankly, if you're taking photos of it, you're way too close to it. You're on property that you're not supposed to be on. It would cost us millions of dollars to put fences around it. But I have seen the burn pits and I have seen the tire swing. So, somebody is getting out there, but it's not only private property, it is our source of drinking water and is under the guidance of homeland security. Anything else?

Fred-Oh, uh, just the training. It is the same one that David Felt is going to, it will be for myself and Matthew Edwards by Koester. It doesn't have to be approved today.

Mayor-They can wait.

DPW-

Jenness Merrill-The last time, we talked about Risley and Chestnut Street intersection water leak. We have been watching it and now it is, I didn't go today, but as of Friday, it appears that the leak is coming more out of Risley Street side and is down to a miniscule amount. So, I am not saying it sealed itself, but it could have been a pool of water.

Mayor-I did notice that there's less because I drive it a few times.

Merrill-So, we are keeping an eye on it and once we get a better idea where it might be and then we can attack it. Along those lines, on Wednesday, we are going to dig on Water Street, AgriAmerica side to try to eliminate what appears to be an old service line.

Everything up there between what Doug had found out and what I found out, it's not affecting any of their production capabilities or anything. Although in the main building, they do have a constant stream of water running through the basement. It is very similar to the constant stream of water that's running out of the back of the hill and bothering residents on Liberty Street. So, that being said, I think the line probably let loose. It was pinned over or something. Just an old main that was left, probably an old service line for

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whatever was there before the factory. So, we're going to track down that line and try to address that.

Mayor-Thank you.

Merrill-The mechanic is working to get the last couple of vehicles repaired so that they'll pass inspection. I think we are pretty much down to one. We're just waiting on parts now and he's busy working on the other one. So, it should be maybe by the end of the week.

Mayor-Jen, if you could do me a favor? If you and the other Jen can pick three late August dates that we can do that auction and get it out of the way? So, just give me three suggestions and I will match up with Mike Petersen.

Merrill-Okay

Mayor-Good, thank you.

Merrill-Next we are going to be getting ready for the leaf collection because that will be here before we know it. He is going to go over the truck and equipment. I am told that we have a tow behind that works and when they all said how it works, so I don't know what that entails, but we'll try to get both of these. And if we do hire somebody, I should have enough to run two trucks to do that.

Lazarony-So, we are looking for a laborer? Is that what you're looking for?

Merrill-We will need to replace the position vacated by Doug. So through a promotion and then another promotion, then that will end up a laborer's position that will be needed.

Lazarony-So we need to, can we post that?

LeBeau-Yes, we'll have to post it internally first and then.

Lazarony-Right, It has to be posted internally, but promotions need to be approved, right? That's why I wanted to see how we start the process then. So, if you could put it up.

LeBeau-Yep

Lazarony-Okay

Merrill-Where was I, still waiting on the status for the repair on Forest Place and still waiting on the status of the insurance company and the roofing contractor about getting the roof repaired because some of these rainstorms we have had, I'm half tempted to build an indoor roof to protect the mechanic's equipment that he just purchased. So, it needs to get done.

Mayor-Know how to flex seal?

Merrill-Any of those or the rubber tarps, I don't care. Today, we did the banners. Well, hopefully we got that done. I also brought the one quote from BECC, it expires next Wednesday about doing the light poles or replacing all of the lights at Russell Joy Park. This would be for the Pickleball, basketball courts and the parking lot or just putting the one light back up.

Lazarony-Is this the one with the bathroom or not? You can get back to me with that.

That's \$41,000 to put up new lights in Russell Joy Park. That was not budgeted for.

Mayor-As a pickleball player, most of the pickleball players are playing mornings or early evenings. So by the time it gets dark out, which is closer to 9:30, it will be closer to

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fall that they will need lights. Now, I was there Tuesday night, I am not ready to play yet, but I was there watching and there wasn't a parking space to be had. It was absolutely packed. But then the sun was out, so they do play in the mornings and early evenings. So, I am sure they are going to shoot me for this, 100% sure just the light needs to be replaced for now.

Merrill-The only thing is, we may end up having to take the other ones down because they have made the inference to me that none of the light poles and bases are safe.

Mayor-Poles are.

Merrill-Yeah, it looks like they kind of wiggle.

Mayor-They do wave, but you want them to wave a little bit for that kind of thing.

Merrill-But they're constantly aiming and there's issues with the timing, to turn them on and off.

Mayor-the last I knew, the timing was handled. The timers are in the concession building.

Lazarony-They are old timers, maybe they can be updated. But, we kind of need to look at that like do we really want to spend \$41,000 to put new lights up in Russell Joy Park at this point? I mean, we can budget for it next year.

Brauchler-Yes.

Lazarony-Then we can see if we can do four instead of eight, but get a grant.

Wandel-Yeah, I was going to say are there any grant opportunities?

Lazarony-There's always local grants we could apply for, there's the community foundation and those kinds of grants.

Mayor-There are also USDA grants, block grants, community grants and all sorts of stuff.

Lazarony-Maybe we should get a grant writer. Maybe the county recreation department has some grants. I just don't really think we should do that right now. We should do some grants.

Merrill-The other thing though is because we asked BECC for a lot of quotes on things like electricity up there at the water plant. We also got a quote that Paul and I talked about. Doug got it to convert the, I can't even think of the switches, manual cut off switches, transfer switches on the lift station so that if the power is out for an extended time, it could be run by a generator.

Lazarony-That's more important than the \$41,000 lights.

Merrill-I think the more we ask them to get quotes and not get any results back to them in a timely fashion, the less likely they are to give them to us.

Wandel-So, just to expand on that a little bit, I don't have the answer for you yet on that generator, but so everybody understands; we have five transfer stations, lift stations in the village for sewage. So, their operation is critical and during a weather event, a lot of rain, you can have issues if those lift stations are not functioning properly. So, what we are talking about is alarming a backup generator if required. Right now, we do have a backup generator for the single phase. There are three single phase and there are two three phase lift stations, but that is the pumps. So, we're looking right now at just trying to understand what we have and what we don't have, so that if an emergency were to

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arise, we're going to be prepared. So, I am coordinating with Jen and we're going to hopefully have some answers on that very soon. You know, that's important, right? We have already had an event on Chautauqua Road. It is mission critical.

J Myers-If you want to loop me on that conversation and that's something the fire department can and will support. I mean that's an infrastructure situation.

Wandel-Sure

Lazarony-Jen, can you send me a copy of that quote for the light so I can look for some grants?

Mayor-The last one that we have, is uh do you have anything else?

Merrill-No

Mayor-Thank you, good reports. BECC underground wiring and workshops on camera. Maybe we can go into executive session?

Lazarony-So, that was one of my questions, did we budget for this underground wire? Was that in the budget? Did we budget that as with the help of DPW during the trenching?

LeBeau-Yeah

Lazarony-So now if we pay the additional \$10,000, that's the sticking point. We don't know whether or not the DPW can perform that. Wasn't sure if that was something they could or wanted to do.

Merrill-The way that BECC explained it, they didn't want us in the roadway because they said they're going to mess the roadway up, but it's not that wide of a road anyways.

Lazarony-I have had conversations about the wire. Like, would it benefit us to put it underground? But if the whole point is that we're not going to be using the reservoir and the water treatment plant

Fred-You are still going to be responsible for the reservoir regardless of the plant or not. I mean, it's an emergency light so you can see the cliff edge as you're driving up there at night, if there was something going on.

Lazarony-Was there an electric pole up there?

Fred-There is a hole from the bottom all the way to the top. There are outlets and everything that is our responsibility.

Lazarony-So, you're saying put the wire underground?

Fred-The problem is that we get a lot of snow and the snow will take down a tree and the tree will take down lines and poles and BECC has been up there redoing the work three or four times throughout the winter. Three or four poles or whatnot. This past winter, the whole pole actually went down and the pole needs to be replaced. But they have done numerous repairs on the lines. BECC suggested to just run the wire underground. It would stop them from coming up there and doing the same repairs.

Lazarony-So the cost of running the wire, doing the work is what we budgeted for. We just didn't budget for the trenching part of that.

LeBeau-Correct

Wandel-What are the electrical loads? Is it just the lighting?

Fred-Yes, that's it

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Wandel-And how many poles?

Fredl-I will have to count them, I don't know.

Wandel-Are there a number of them? Quite a few?

Fred-There is, yeah. I think they are like every 50 feet. Maybe six or eight, I assume.

Lazarony-I was just contemplating whether it was worth it to go to that expense if this was mission critical as Paul would say.

Wandel-I mean, an idea, would solar activated light be conceivable?

Fred-The problem is that you still have wire and the trees that come down are going to take out anything that's going to connect them aboveground.

Wandel-I am just wondering if we could have a power source that is local to where the light plane is right now instead of drawing from the road.

Fred-Right now it is coming from the right.

Wandel-Is that where the service entrance is considered to be? Is that Fredonia-Stockton Road from the grid?

Fred-That's Spoden Road

Wandel-So, it's on the other road, okay, Spoden Road.

Lazarony-I just wonder if there's an alternate way to consider. That is my question, right? So, if we are still going to do it and we all decide that we are going to do it. We need to come up with the \$10,000 that BECC wants to do it. I am also curious as to why did we think that our DPW was going to be able to do it and now we're not?

Merrill-Because when Scott was here, he was confident that they'd be able to do it. So, he told BECC in the original quote that DPW was going to do it.

Mayor-He runs those kinds of machines.

Merrill-When I came out, I was talking to people about where they wanted to dig. He said "Well, stay out of your roadway." He says, "Go up the side." Well, the one side is a mound, I won't call it a hill or anything, but it's cut into a hill. So, your back hoe is going to be tied. Your trench is going to be everything. If you use the excavator, the trench is going to be a lot wider than what it needs to be by the time you dig. And they said, "Well, you really don't need that. Just run a trencher." Well then, I called around for trenchers.

Lazarony-Can't borrow one from any municipality?

Merrill-You know, only one suggestion was from the town of Ripley and they said that if you get a hold of them and they don't have plans for it, you can use it. Then you have to replace the teeth. That's standard procedure.

Lazarony-What about the county?

Merrill-Even the guys from the town didn't think that the county had one. I asked if anybody knew of any and they said no.

Mayor-Do you know Tim up there?

Merrill-I don't.

Mayor-Let me give Tim a call.

Merrill-You could. Everybody suggested to just get a hold of a dealer and rent one. So, I checked with a couple places about renting them and it's not even a driving one. If it's an attachment for a backhoe or something okay or even a tractor. We could probably figure

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out how to do it. As we said, BECC has one and they can do it and they're used to doing it.

Lazarony-So, if we are going to continue with the project, then we should try to find the money to have BECC do it. If we don't have the money for BECC to do it, then I guess we have to come up with an alternative plan. But we need to resolve it one way or another, right? Are we going to do it or are we not going to do it?

Mayor-But it goes back to also what he's saying, we can't keep asking people for quotes and not using the business. I am not saying BECC said that, I am just saying we have had a habit in the past of getting quotes from people and they're not using them and pretty soon you do need them.

Merrill-I am not trying to put words in BECC's mouth.

Mayor- No, no, no. They're good people and they do a lot.

Lazarony-I appreciate that they gave us quotes for the lights in the park. It wasn't budgeted as a capital project for us right now, so I am not sure. I don't know the process of how it got quoted. I don't know how that happened. But this is a really tight fiscal year, right? We got to pull it together and that's what we're doing and we're all doing a great job of that.

Mayor-Let's talk about that and get an answer to that. Old business, workshops off camera.

J Myers-I'll talk about that.

Mayor-Did you give a report?

J Myers-Yeah, I'll give a report.

Mayor-That was all you had?

J Myers-So, I remember we talked about the workshops not being on camera, and I thought to my memory; which is pretty bad these days, but I thought it was decided that this is the way forward. We are not longer doing workshops on camera. All of the department heads spoke our peace. I am not going to speak for any of them, but we all had an opportunity to speak on why. I am pretty sure there was no opposition. Everyone was in favor and it never happened. So, I am not sure why.

Mayor-Just to rewind on that a little bit, I think the reasoning for the concerns for having it on camera was there was some sensitive areas of information that we didn't want to have publicized. Is that right?

J Myers-So, I guess the elevator pitch answer to that is yes. It's easier to have free dialogue as a department head. I'll speak for myself, free dialogue on why I want to do something or a pattern or problem that I am working through. It is more comfortable to have that conversation in a workshop setting where we're just talking and spitting ideas. If the police chief brings something up, I might say, you know what, I have this idea. That's just more of an environment for a workshop. Whereas the meeting is the more formal part, right? You know, there's votes, there are resolutions and it is recorded. You know the public comes and speaks. We are understanding and sensitive to a workshop still is a public meeting and if the public wants to come, they may do so. But I speak for myself as a department head, it's a little more comfortable if I can look around the room

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and say "Okay, two people from the public are here" I might not expand on this problem as much because I know there's two people here versus, does that make sense to answer your question?

Mayor-Yeah. So, a motion to answer the question.

Lazarony-I don't know the answer to the question.

Cruz-Keefe-It does not matter to me either way, cameras on or off.

Brauchler-I mean, we really can't do what we are doing here with all of us without bringing the public meetings, right? So, that's the kind of thing we could have meetings with committees and kick stuff around at committee level and then the department head meetings with the mayor. But if we are going to have the trustees here and the mayor and the department heads, then it is a public meeting and we have to be open to the fact that if somebody wants to show up, they can record it. We've recorded this and it's just how it has to be, right?

J Myers-What we're saying is if somebody shows up and wants to record it, that's fine. But, do we actually have to record it? Does it have to go into while New York state says you have to hold a meeting that the public can come and watch the inner workings of the government?

Mayor-You do not have to allow speaking and your do not have to broadcast it. We have done both. Nobody is trying to end that right; we are trying to get everything settled down.

LaBarbera-We agreed on that, I thought this board was all intact when we voted on, when they voted on that; except for Trustee Espersen was here too. I thought that it was agreed and we weren't going to do that anymore and it's all the same board. But nothing every happened. It's still being broadcast.

Brauchler-We could discuss with our public access people about removing that from the schedule of official things, but if they still want to do it, we can't stop them from doing it. So, I don't mind saying officially that we're not going to broadcast it, but it can still be broadcast, be recorded by a private citizen or you know, somebody from the public access could record it.

Mayor-Public access, we decide. That's funded by the taxpayer.

Brauchler-Oh, okay, so we can tell them not to, but anybody could show up with a camera.

Mayor-That's fine, yeah. Okay, I make a motion to end this meeting so we can go into executive session to discuss.

Brauchler-Well, we had some resolutions that we were talking about approving today. Do we want to do those? I believe we had one, two, three, four, five that we need to approve today, six.

Mayor-Should we do those before going into executive session?

C. NEW BUSINESS

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1. New Hires at DPW

D. OLD BUSINESS

1. BECC Underground Wiring
2. Workshops off Camera

E. EXECUTIVE SESSION

CORRESPONDENCE-

Correspondence dated July 10, 2026 was received from Makayla Yacklon, Part-Time Village Clerk resigning from that position effective immediately.

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

BE IT RESOLVED that Makayla Yacklon's resignation from the position of Part-Time Village Clerk is hereby approved effective immediately.

I. RESOLUTIONS-

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

WHEREAS the Village of Fredonia (Village) is considering various improvements to their wastewater treatment plant to improve aging equipment and infrastructure and to prevent failure; and

WHEREAS the Village has had an engineering planning grant study conducted to investigate the most appropriate alternative to implement these proposed improvements to the wastewater treatment plant; and

WHEREAS pursuant to sections 617.5(c)(1), 617.5(c)(2) and 617.5(c)(6) under SEQR, this project is consistent with a Type 2 Action as it involves the maintenance, repair, and replacement in kind of existing wastewater treatment infrastructure with no substantial change to the treatment system.

NOW, THEREFORE BE IT RESOLVED that as a Type 2 action under SEQR, the project has been found categorically to not have significant adverse impacts on the environment and no further review under SEQR is required.

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

WHEREAS, the Village of Fredonia developed the May 2026 Engineering Evaluation of the Village of Fredonia Public Wastewater Treatment Plant using the Environmental Funding

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Corporation's Engineering Planning Grant that identified systems/processes that are underperforming according to their design standards, and

WHEREAS, the Village has been reviewing and investigating improvements, herein the "Project" to include the following processes needing rehabilitation or replacement: Influent Screw Pumps, Ferric Chloride Feed System, Air Supply System, Sludge Recirculation Pumping System, Final Clarifiers, Aeration Tank to Final Clarifier Effluent Channel, Grit Cyclone and Pumping Systems, Backup Generators, Main Control Panel/SCADA, Filter Building Roofing System, East Anaerobic Digester Building, Aeration Tank West Staircase, and Headworks Building, and

WHEREAS, the Village acting as Lead Agency for the Project has determined that the Project is Type II Activity and has completed coordinated review with involved and interested agencies and after review, the project has been found categorically to not have significant adverse impacts on the environment and no further review under SEQRA is required, and

WHEREAS, the proposed Project will be completed in two separate phases, and

WHEREAS, NYS Environmental Facilities Corporation is offering grants for Water Infrastructure Improvement and Intermunicipal Water Infrastructure during the 2026-2027 state fiscal year to selected municipalities with infrastructure projects that protect public health and/or improve water quality, and

WHEREAS, the Village of Fredonia, acting as lead applicant is seeking funding through the NYS Water Infrastructure Improvement (WIIA) Grant;

WHEREAS, NYS Environmental Facilities Corporation requires a resolution authorizing the undertaking of the project and the total funding appropriated for the project. The resolution must also designate a representative of the applicant who is authorized to sign the funding agreement with EFC and any associated documents.

NOW THEREFORE, IT IS RESOLVED, that the Village authorizes the undertaking and approval of the Project as outlined above and as further detailed in the Engineering Evaluation and prior Resolutions of this Board, and the estimated project cost is four million five hundred thousand dollars (\$4,500,000); and it is

FURTHER RESOLVED that the Mayor of the Village of Fredonia, Michael J. Ferguson, and his designees and assigns, is authorized to investigate, negotiate and enter into further agreements as may be necessary to undertake the Project in accordance with all laws and regulations; and it is

FURTHER RESOLVED, that the Village of Fredonia as lead applicant authorizes and empowers Mayor Michael J. Ferguson to sign and submit a grant application and sign the funding agreement with Environmental Facilities Corporation and any associated documents; and it is

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

BE IT RESOLVED that Makayla Yacklon, Dunkirk, NY is hereby provisionally appointed as Account Clerk at a rate of eighteen dollars and thirty-two cents (**\$18.32**) per hour, effective immediately; all civil service rules and regulations will apply.

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

BE IT RESOLVED, that after interviewing candidates for the vacant trustee position, the board hereby appoints Timothy Mulholland Jr, Fredonia, NY to the vacant trustee position effective immediately.

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

BE IT RESOLVED that Jennifer Marx-Mikula is hereby appointed to the civil service position of Operations Assistant effective immediately at a rate of twenty-six dollars and thirty-two cents (\$26.32) pursuant to all civil service rules and regulations.

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

WHEREAS, the Village of Fredonia has amended its metered parking regulations within the Village of Fredonia, and

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 No 5 of 2026 "A Local Law Amending Chapter 208 of the Code of the Village of Fredonia Relative to Metered Parking Regulations." 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 July, 2026 at 5:00pm in the Trustees Room, second floor in Village Hall, 9-11 Church Street, Fredonia, New York to receive comments on the proposed local law; and

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to publish notice of said hearing pursuant to Village Law. PROPOSED LOCAL LAW NO. 5 OF 2026 OF THE VILLAGE OF FREDONIA entitled "A Local Law Amending Chapter 208 of the Code of the Village of Fredonia Relative to Metered Parking Regulations."

LOCAL LAW NO. 5 OF 2026

This local law shall be entitled "A Local Law Amending Chapter 208 of the Code of the Village of Fredonia Relative to Metered Parking Regulations."

Be it enacted by the Board of Trustees of the Village of Fredonia as follows:

SECTION 1. Article VI of Chapter 208 of the Code of the Village of Fredonia is hereby amended to read as follows:

**ARTICLE VI
Metered Parking**

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§ 208-30. Definitions.

The following words and phrases, which are not defined by Article 1 of the Vehicle and Traffic Laws of the State of New York, shall have the meanings respectively ascribed to them in this section for purposes of this article:

MOBILE PARKING METER APPLICATION – Any application notated on on-street parking area signage and off-street parking lot signage for parking meter payments, placed or erected for the regulation of parking by authority of this article, that permits users to pay for parking electronically.

PARKING METER SPACE — Any space within a parking meter zone which is located in an area controlled by a mobile parking meter application and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street or lot adjacent to or adjoining mobile parking meter application signage.

PARKING METER ZONE — Any restricted on-street parking area or off-street parking lot set aside under the provisions of this article for the installation and operation of parking meters and upon which mobile parking meter application signage have been installed and are in operation.

PARKING SESSION – The period of time for which payment has been made through the mobile parking meter application for a designated parking meter space.

§ 208-31. Designation of parking spaces.

The Fredonia Streets Department is hereby directed and authorized to provide for the marking off of individual parking **meter** spaces in the parking meter zones designated and described in Schedule XX (§ 208-59), said parking **meter** spaces to be designated by lines painted or marked on the curbing or surface of the street or lot. At each space so marked off, it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

§ 208-32. Parking meter zones and parking meter spaces.

- A. The Board of Trustees of the Village of Fredonia finds that regulation of parking in designated areas of the Village of Fredonia is necessary to promote traffic safety, ensure turnover of parking spaces, and provide convenient access to businesses and public facilities. Although the Village of Fredonia previously regulated certain parking spaces through traditional parking meters, the Board of Trustees of the Village of Fredonia now determines that payment for parking in designated spaces shall be made through a mobile parking meter application system in lieu of physical parking meters.
- B. The Board of Trustees of the Village of Fredonia shall have the authority, by resolution, to

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designate public streets and/or municipal parking lots, or portions thereof, as parking meter zones which require payment for parking through a mobile parking meter application and shall, from time to time, by resolution, establish the rules, requirements, and fees for parking in parking meter zones and parking meter spaces.

- C. In said parking meter zones, the Fredonia Streets Department shall cause signage to be installed or erected upon the curb, sidewalk or area immediately adjacent to the parking meter spaces provided in this article. For off-street parking lots designated parking meter zones, the Fredonia Streets Department shall cause signage to be installed or erected in or around said parking lot. All designated parking meter spaces and parking meter zones shall be clearly marked by signage indicating that payment is required and providing instructions for payment through the mobile parking meter application, including display of a quick-response (“QR”) code or other identifying information necessary to initiate payment.
- D. Fees applicable to parking in parking meter zones and parking meter spaces may be communicated through the mobile parking meter application and are listed in Schedule XX (§ 208-59). The Board of Trustees of the Village of Fredonia will set the amount from time to time by adopting a resolution setting the fee in Schedule XX (§ 208-59).
- E. In the East Parking Lot and West Parking Lot, designated parking meter zones by Schedule XX (§ 208-59), parking shall be limited to only those in possession of a permit to allow a vehicle to be parked in said lots. The permit shall be displayed on each vehicle in a manner such that it is clearly visible from the outside of the vehicle. The initial fee applicable to parking in the East Parking Lot and West Parking Lot shall be \$25 per month. The Board of Trustees of the Village of Fredonia will set the amount from time to time by adopting a resolution setting the fee for permits in Schedule XX (§ 208-59).

§ 208-33. Operation of parking meter zones and parking meter spaces.

- A. No person shall park a vehicle in a parking meter zone or parking meter space unless a valid parking session has been initiated through the mobile parking meter application.
- B. Except in a period of emergency determined by an officer of the Fire or Police Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking meter zone or parking meter space, the operator of such vehicle shall, upon entering said parking meter zone or parking meter space, immediately initiate a valid parking session through the mobile parking meter application.
- C. Failure to make proper payment in accordance with the instructions on the mobile parking meter application shall constitute a violation of this article. Proof of payment shall be established through the mobile parking meter application utilized by the Village of Fredonia.
- D. The initiation of a valid parking session through the mobile parking meter application shall constitute payment for the lawful occupancy of the applicable parking meter zone or parking meter space in the same manner and with the same effect as the deposit of lawful coin of the United States of America in a parking meter under prior provisions of this

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article.

- E. Upon the initiation of a valid parking session, the parking meter zone or parking meter space may be lawfully occupied by such vehicle:
 - (1) During the days and hours for which parking payment is required for that parking meter zone or parking meter space;
 - (2) For the period of time which has been prescribed in Schedule XX (§ 208-59) for the part of the parking meter zone in which said parking meter space is located; and
 - (3) For the duration of time for which payment has been duly made through the mobile parking meter application.
- F. Payment for parking through the mobile parking meter application shall be required in designated parking meter zones and parking meter spaces Monday through Friday from 9:00 a.m. to 5:00 p.m. Excepted from this section shall be:
 - (1) Public holidays which shall be defined as set forth in § 24 of the General Construction Law of the State of New York;
 - (2) Those times and places as may be authorized by resolution of the Board of Trustees of the Village of Fredonia for Village elections; and
 - (3) The Christmas shopping period, if authorized by resolution of the Board of Trustees of the Village of Fredonia, provided that such shopping period shall not exceed 14 days prior to Christmas.
- G. No vehicle shall remain parked in any parking meter zone or parking meter space after the expiration of the time for which payment has been made through the mobile parking meter application, nor beyond the maximum time limit established for such parking meter zone or parking meter space, whichever occurs first.
- H. If said vehicle shall remain parked in any parking meter zone or parking meter space after the expiration of the time for which payment has been made through the mobile parking meter application or beyond the maximum time limit established for such parking meter zone or parking meter space, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be a violation of this article.
- I. The absence of a physical parking meter or the failure of a user's personal mobile device shall not relieve any person from the obligation to initiate and maintain a valid parking session as required by this article.

§ 208-34. Manner of parking.

When a parking meter space is parallel with the adjacent curb or sidewalk, no person shall park or permit the parking of any vehicle in such parking space in any other position than with the foremost part of such vehicle nearest to the **mobile parking meter application signage**; when a parking meter space is diagonal to the curb or sidewalk, no person shall park or permit the parking of any vehicle in such parking space in any other position than with the foremost part of such vehicle nearest to the **mobile parking meter application signage**; when a **mobile parking meter application signage** shall have been installed at the head of and immediately adjacent to any parking space on a municipal off-street parking lot, no person shall park or permit the parking of any vehicle in such

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parking space in any other position than with the foremost part of such vehicle nearest to the **mobile parking meter application signage**; provided, however, that in municipal off-street parking lots, signs shall be erected indicating that head-on parking only is permitted. In any event, a vehicle shall be parked within the lines marked on the pavement measuring such parking space.

§ 208-35. Violations.

It shall be unlawful and a violation of the provisions of this article for any person to:

- A. Cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone **or parking meter space** as herein described, or to **initiate a parking session** for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone **or parking meter space**.
- B. Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.
- C. Deface, injure, tamper with, or willfully break, destroy or impair the usefulness of any **mobile parking meter application signage** installed under the provisions of this article.
- D. Park or permit the parking of any vehicle in any parking meter space where the **mobile parking meter application** does not register lawful parking.

§ 208-36. Reports of violations; citations. [Amended 11-13-2001; 11-10-2009 by L.L. No. 7-2009; 04-01-2025 by L.L. No. 3-2025]

- A. The Village of Fredonia shall maintain or cause to be maintained an electronic record of active parking sessions initiated through the mobile parking meter application for each designated parking meter zone or parking meter space.
- B. It shall be prima facie evidence of a violation of this article if, at any time during the days and hours for which payment is required:
 - (1) A vehicle is parked in a parking meter zone or parking meter space and no active parking session is reflected in the mobile parking meter application for the applicable parking meter zone or parking meter space;
 - (2) The time reflected in the mobile parking meter application for such vehicle has expired; or
 - (3) The vehicle has remained parked beyond the maximum time limit established for the applicable parking meter zone or parking meter space.
- C. It shall be the duty of the police officers, acting in accordance with instructions issued by the Chief of Police, to report:
 - (1) The location of each vehicle occupying the parking meter zone or parking meter space which is or has been parked in violation of any of the provisions of this article;
 - (2) The state license number of such vehicle;
 - (3) That such vehicle is parked in violation of any of the provisions of this chapter; and
 - (4) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances in attending such violation.

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D. The police officer shall also attach to said vehicle a tag or notice to the owner thereof that a provision of said chapter or amendment hereto has been violated and instructing the owner, operator or chauffeur thereof to report to the Village Clerk's office or Police Department and pay a traffic recording fee in the following amounts:

- (1) For a violation involving a **parking meter zone or parking meter space**, the sum of \$25; provided, however, that whenever there is any meter violation in excess of two hours, the sum of \$15 shall also be paid, and a \$15 tag or notice shall also be attached to said vehicle.
- (2) For unauthorized use of a handicapped parking space, the sum of \$75, plus any additional state surcharge.
- (3) For violation of any of the following:

Violation	Fee
Overnight parking during time prohibited by this chapter	\$40
Parking within 10 feet of a fire hydrant	\$40
Parking within a zone or space or side of street designated as prohibited or a no-parking zone	\$40
Vehicle facing wrong way	\$40
Parking on a crosswalk	\$45
Parking in or in any manner obstructing a driveway, alley or entranceway	\$45
Parking on sidewalk	\$45
Double parking	\$45
Unauthorized parking in fire-hall parking lot	\$50
Parking more than 24 hours in a designated twenty-four-hour parking space or more than two hours in a two-hour designated parking space (This applies to Village parking lots)	\$40
Parking in violation of designated one-half-hour or ten-minute parking space on Village streets	\$35
Parking in a non-metered handicapped zone for more than two hours	\$40
For violation of any other provisions of this chapter or any amendment thereto, unless otherwise specified	\$35
Too far from curb	\$25
Ten-minute parking zone	\$25
Parking a vehicle in violation of § 297-19.3B of the Code of the Village of Fredonia (front yard parking prohibited), except for temporary loading and unloading.	\$40
Unauthorized parking on private property (§ 208-25.1)	\$60

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- (4) In the event that any of the above penalties is not paid within 14 days of the date of violation, an additional sum of \$15 shall be paid per violation, and if not paid within 28 days of the date of violation, an additional sum of \$30 shall be paid per violation. The Village Clerk's office or Police Department shall issue a receipt for the payment of such recording fee whenever requested.
- (5) If any of the fines set forth above are not paid after 30 days from the date of violation, any police officer of the Village of Fredonia is authorized to issue an appearance ticket as authorized under Article 150 of the Code of Criminal Procedure of the State of New York for failure to pay the fines set forth above.

§ 208-37. Impounding of vehicles.

Any vehicle left parked for a period exceeding 24 hours succeeding expiration of the maximum parking time indicated during the hours of operation specified in the space in which the vehicle is parked shall be towed, under the direction of the Police Department, to the Police Impound Garage or any other place designated by the Chief of Police for impoundment, subject to redemption by the owner upon payment of the reasonable cost of towing and a storage charge of \$5 for each day or portion thereof during which it remains in said garage or other place.

§ 208-38. Purpose of mobile parking meter application payments.

The payments required for parking in parking meter zones or parking meter spaces as provided herein are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created thereby, and to cover the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking control systems and devices described herein.

§ 208-39. Collection of parking payments; disposition thereof.

It shall be the duty of the Board of Trustees of the Village of Fredonia to designate some proper person or persons to keep a record of the collection of fees from parking in parking meter zones and parking meter spaces and to deposit such funds in the usual manner provided by law.

SECTION 2. Section 208-59 of Article VII of Chapter 208 of the Code of the Village of Fredonia is hereby amended to read as follows:

§ 208-59. Schedule XX: Parking Meter Zones.

- A. On-street parking meter zones. Parking or standing a vehicle in a parking meter space in the on-street parking meter zones described below shall be lawful during the hours specified only upon the payment, through the mobile parking meter application, of such amount and for such time limit as set forth hereafter. The time limits on all on-street parking

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meter zones shall be two hours and the fees to be paid through the mobile parking meter application shall be \$0.50 per 60 minutes. [Amended 7-24-2000; 7-14-2003]

Name of Street	Side	Hours/Days	Location
Center Street	East	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Main Street to Church Street
Church Street	Both	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Day Street to Center Street
Eagle Street	West	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From East Main Street to East Parking Lot
East Main Street	Both	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Water Street to 53 East Main Street
Park Place	Both	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Main Street to Church Street
Temple Street	East	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Church Street to 57 Temple Street
Temple Street	West	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Church Street to Barker Street
Water Street	Both	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Main Street to bridge
West Main Street	Both	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Water Street to bridge
White Street	East	9:00 a.m. to 5:00 p.m./All, except Saturdays, Sundays and holidays	From Main Street to a point 100 feet north of Main Street

- B. Off-street parking meter zones. Parking or standing a vehicle in a parking meter space in the off-street parking meter zones described below shall be lawful only when not in excess of the maximum parking time indicated during the hours of operation specified, on all days except Sundays and holidays, and only upon the payment, through the mobile parking meter application, of such amount as set forth hereafter:

Name of Lot (Location)	Hours/Days	Time Limit/Rate
East Parking Lot	9:00 a.m. to 5:00 p.m./All, except Sundays and holidays	\$25/month
West Parking Lot	9:00 a.m. to 5:00 p.m./All,	\$25/month

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and holidays**

SECTION 3. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York as required by law.

J. EXECUTIVE SESSION-

Upon motion duly made by Trustee Lazarony and seconded by Trustee Wandel and carried unanimously, the Board entered Executive Session to discuss legal contracts at the wastewater treatment plant at 1:13pm.

Upon motion duly made by Trustee Lazarony and seconded by Trustee Brauchler and carried unanimously, the Board exited Executive Session with no vote taken at 1:55pm.