**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**WORKSHOP**

**9-11 Church Street**

**Fredonia, NY 14063**

**July 24, 2023**

**6:30 P.M.**

**New Notes are italicized.**

Michael Cocquyt with Labella addressed the Board regarding the NYMS Grant and the private business owner’s interest. A County IDA official gave Michael a project that was already designed and he shared it with the Board.

Paul Scheeler from Forest Lodge No. 166 F&AM will speak to the Board regarding Village Hall corner stone.

**A. RESOLUTIONS**

1. Red, White & Blues Festival Approval-*resolution amended*

2. Signs placed at Russell Joy Park Approval

3. Banner Request from SUNY Fredonia

4. Request from Fredonia Beaver Club

5. Volunteer Firemen Active Roll request

6. Code Enforcement late fee approval

7. Bird Scooter Termination Letter

8. Pavilion Fee Refund- *resolution will be amended; Mayor would like a phone number available.*

9. Police Vehicles Purchase Approval

10. Volunteer Firemen Repayment to the Village

11. NYS Career Fire Chief’s Meeting Attendance Approval

12. NYS Fire Academy Approval

**B. NEW BUSINESS**

1. 2023 Sanitary Survey of Village Public Water Supply.

2. Lake Erie Management Commission- *Trustee Twichell and Espersen were invited to attend the meeting regarding property around Canadaway Creek that is owned by the Village to become access points*. *DEC to be involved hopefully.*

3. Any other New Business-Notifying parents of rec program attendees when the air quality is hazardous and parks are being closed. Can they be called? We need a better system of notification.

4. *NYS Dept of Health ltr regarding the Fredonia Reservoir erosion. Prof Lanning secured a grant to study sediment from reservoir, as well as changes in algae populations. No cost to the Village.*

*5. Trustee Twichell spoke about a raised sidewalk behind the businesses on Main St.*

**C. OLD BUSINESS**

1. Opera House railing/landing repair- *Rick Davis addressed the Board regarding repairs and auto-renew Lease. Attorney Beardsley will follow up.*

2. Water damage in Russo Building Basement- *Jeff Lesch Wragge addressed the Board regarding water leaking into the basement of the Russo building; Scott Marsh addressed it through Zoom.*

3. *Cost of resurfacing parking lots. We will have to patch lots until next year’s budget.*

*4. Trustee Lynden addressed the Board regarding the Observer and recent articles.*

**D. DEPARTMENT REPORTS**

Code Enforcement Office- No Report

DPW-*Paving complete; will begin oil and stoning*

Fire Department-No Report

Police Department-*Aug. 1st is National Night out at RJP; meters replaced about 120 .*

Recreation Department-No Report

Wastewater Treatment Plant-*masonry repair being worked on; lab sufficiency results reported*.

Water Treatment Plant-No Report

**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**9-11 Church Street**

**Fredonia, NY 14063**

**July 24 2023**

**7:30 P.M.**

**A. CALL TO ORDER-MAYOR ESSEK**

I call this meeting to order on Monday July 24, 2023 at 7:30 PM

Roll Call of the Trustees: Trustees present: Lynden, Bird, Espersen, Siracuse and Twichell

**B. PLEDGE OF ALLEGIANCE-**

**C. APPROVAL OF MINUTES-**

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

WHEREAS members of this Board have read the Official Minutes of the Board of Trustees Regular Meeting of July 10, 2023 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. Gus Potkovick stood and addressed the Board regarding his FOIL request and appeal.

**E. CORRESPONDENCE-**

**Correspondence dated June 29, 2023 was received from Larry Fiorella, Chairperson for the Red, White and Blues Festival, requesting the following uses of village property for the annual Red, White and Blues (RWB) festival on September 8th and 9th, 2023.**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Bird, the following resolution was unanimously passed.

BE IT RESOLVED that the request from Festivals Fredonia to use the Gazebo and Barker Common Friday September 8th & Saturday, September 9, 2023 for the “Red, White and Blues Festival and 9/11 motorcycle memorial run is hereby approved as set forth below:

On Friday, September 8th, activities will take place first at American Legion Post 59, starting at 6:00 PM, then move to Prospect Street. There will be a band performing at 8:00 PM at The Fredonia Beaver Club. The Beaver Club will also have food and activities at their pavilion throughout the evening. We respectfully request the following for Friday: please place trash receptacles/barrels in front of 64 on the Rocks and at the end of the driveways at the American Legion, and The Beaver Club, and at the front of each establishment. This will serve as virtual boundaries for alcohol, if allowed and approved, as well as keep littering to a minimum. No glass containers will be permitted outside the doors of any establishment.

On Saturday, September 9th, activities around the park will include music in the Gazebo, Fredonia Farmers Market and many craft vendors, wineries, and food vendors. We respectfully request the following for Saturday:

1. Use of West Barker Common and Gazebo from 8:00 AM to 8:00 PM.

**80**

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

**REGULAR MEETING**

**JULY 24, 2023**

**CONTINUED**

1. Parking meters bagged as “No Parking” around the perimeter of West Barker Common, including both sides on Park Street and Church Street (in between Temple Street and Center Street) and the north side of Main Street, starting at 8:00 AM. Musicians/vendors will use this space for loading and unloading.
2. Request to suspend the open container local law (81-4) within West Barker Common, and throughout the village in front of establishments participating in the festival, to allow wineries to operate near the park from noon until midnight and festival participants to be outside on the sidewalks in front of participating establishments. The list of participating establishments is attached for your information. Committee will provide clean-up assistance in the park after the festival.
3. Picnic tables (as many as possible) placed in the Gazebo side of Barker Common, closer to Park Street.
4. Close Water Street between Main and Canadaway streets from noon to midnight.
5. Close Church Street from Temple to Center, the Churches will be formally notified.
6. If necessary, “frame” tents will be set up in front of the Gazebo, in the middle of Church Street, in the event of inclement weather.
7. “Frame “tents will not require any pounding of stakes into Church Street.
8. Trash receptacles throughout the park, and in front of taverns on Water and Main Streets which will also serve as practical boundaries for alcohol. No glass containers will be permitted outside the doors of any establishment.
9. New This Year: We will be hosting a VIP only tent for corporate and community sponsors in Barker Common on the Gazebo side of the park near Temple Street. We will be requiring private ticket attendees only and **will not** be selling any food or drinks in the tent; all will be complimentary for the attendees. You will receive copies of the event permit, if necessary, prior to the event. This will be secured by volunteers at the entrance to the tent throughout the event.
10. In addition to the street closures above, please allow for additional closure of the alley/way parking lot driveway between DeJohn’s and Ellicottville Brew Company, and from Fred’s to Eagle Street. Pedestrians have tended to remain in the way of traffic and closing these alleyways will improve safety in this area. The western parking lot is still accessible from the main entrance near Lena’s Pizza via Canadaway Street. The entrance to the alleyway between Fred’s and Eagle Street will have limited access from Eagle Street.
11. Lastly, we request a police escort out of the village and the start of the annual 9/11 Motorcycle Run and a police escort back into the village as the motorcycles return. Although the route has not yet been finalized, the plan for escorting out would be at 11:00 AM from the American Legion to routes 60 & 20 and return from the top of Main Street at Houghton Park back to the American Legion parking lot by 2:00 PM. A Certificate of Insurance will be provided listing the Village as additionally insured in the amount of One Million Dollars (1,000,000,00)

The Farmers Market will set up in the park and street as usual, in front of Village Hall and will extend its hours until 5 PM on Saturday if they choose to. This will allow for participating wineries the ability to sample and sell their wine in accordance with NYS agricultural laws. Each winery will provide their certificate of insurance, including Liquor Legal Liability rider, naming the Village as covered under their liability policy.

We respectfully request that the Fredonia Police Department set up their lighted sign to warn of pedestrian traffic on Main Street near Prospect Street on Friday and Main Street near Water Street on Saturday.

BE IT FURTHER RESOLVED that the activities taking place on Village property is subject to the direction and control of the Fredonia Police Department.

**81**

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

**REGULAR MEETING**

**JULY 24, 2023**

**CONTINUED**

**Correspondence dated July 14, 2023 was received from Amy Piper, Administrator of the Fredonia Wheelock Early Childhood Center requesting to place two-yard signs at the entrance to Russell Joy Park. A sign encouraging parents to register their child for pre-K and Kindergarten; and a sign inviting families to the first Early Childhood Jamboree in August.**

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

BE IT RESOLVED that the request from Amy Piper to place 2 signs at the entrance of Russell Joy Park from July 25th to August 25th 2023, is hereby approved.

**Correspondence dated June 28, 2023 was received from Stephen H. Kolison, President of SUNY Fredonia, requesting to hang 2 banners, one on Temple Street and one on Central Ave by D & F Plaza welcoming the students and families to the forthcoming academic year.**

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

BE IT RESOLVED that the request from the President of SUNY Fredonia to hang 2 banners from August 15th to the 31st, 2023 is hereby approved.

**Correspondence dated July 8, 2023 was received from David George, President of the Fredonia Beaver Club, requesting a street closure for their annual car show.**

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

BE IT RESOLVED that the request from David George to close Link Street to the top of Orchard Street hill (attached drawing) from 3:00 PM to 10:00PM on August 2, 2023 for the Fredonia Beaver Club Car Show is hereby approved.

**Correspondence dated July 5 was received from the secretary of the Fredonia Volunteer Fire Department requesting to add the name Ron Hagberg to the active list.**

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

BE IT RESOLVED that the request from the Fredonia Volunteer Fire Department to add Ron Hagberg, Fredonia NY to the active roll of the Hook & Ladder Company is hereby approved

**F. MAYOR’S REPORT- Mayor reported he attended the Rotary Club “Fly-In” breakfast. Annual PBA Stag lunch held last week. Fredonia Police National Night out will be held Tuesday August 1st at Russell Joy Park. Music in the park will be held Wednesday night. He helped kick off the Chautauqua County Fair last week. He thanked the DPW for their clean-up after the sever storm and the paving projects.**

**G. TRUSTEE/COMMITTEE REPORTS-**

Lynden-No Report

Bird- Alley Cat will be playing in the park on Wednesday from 6:30 – 8:30.

Espersen-he met with Scott Marsh and Luis Fred to discuss the Chaut. County Health Dept. list of violations and remedies. A letter addressing how those violations will be repaired is due by August 15th, 2023.

Siracuse-No Report

Twichell-No Report

**82**

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

**REGULAR MEETING**

**JULY 24, 2023**

**CONTINUED**

**H. TREASURER’S REPORT- The end of year 2022-23 fiscal report (see attached)**

**I. ADDITIONAL REPORTS-**

1. Code Enforcement Report for the month of June 2023 was read and ordered filed.

**J. RESOLUTIONS**

Upon motion duly made by Trustee Bird and seconded by Trustee Lynden the following resolution was unanimously adopted:

WHEREAS, the Village of Fredonia’s Code, Chapter A312 “Fees” contains the Standard Schedule of Fees of the Village of Fredonia; and

WHEREAS, §A312-5 of the Code states that the Board of Trustees may periodically review the fee schedule set forth in §A312-4 and may, by resolution, amend the fees set forth therein; and

WHEREAS, the Code Enforcement Office has reported difficulties in seeking and receiving payment for fees owed and recommends that the Board amend the Chapter A312 to include a late fee for any payments owed to the Code Enforcement Office; and

WHEREAS, the Board of Trustees agrees with such recommendation; now, therefore

BE IT RESOLVED, that the Board of Trustees hereby amends §A312-4 to include the following: Code Enforcement Late Fee: Any payments owed to the Code Enforcement Office shall include an additional $10 late fee for payment not made within ten (10) days of the payment due date. An additional $10 late fee will accrue for every additional ten (10) days the payment is not made (i.e., a payment that is 30 days late will be subject to a $30 late fee), and

BE IT FURTHER RESOLVED, that this resolution and amendment of §A312-4 shall be effective immediately.

Upon motion duly made by Trustee Lynden and seconded by Trustee Twichell, the following resolution was passed by a 4 – 1 vote:

WHEREAS, the Village of Fredonia and Bird Rides, Inc. are parties to a Contract, which was effective July 1, 2022; and

WHEREAS, the Contract allows the Village to terminate the Contract upon thirty (30) days’ notice if deemed reasonably necessary for public health and safety reasons or if the services or operations become operationally impracticable; and

WHEREAS, a Code violation was issued relating to the storage of the scooters provided by Bird Rides, Inc.; and

WHEREAS, scooters have been found in various locations after using including but not limited to sidewalks, right of ways, residential driveways, and yards; and

WHEREAS, scooters are not permitted to be utilized on sidewalks but users have been observed utilizing scooters on the sidewalks; and

WHEREAS, the Board of Trustees has determined that Bird Rides, Inc. has functioned in a way that raises several public health and safety concerns including but not limited to the above-described incidents and observations; and

WHEREAS, the Board of Trustees has determined that such actions warrant the termination of the Contract between the Village and Bird Rides, Inc., now, therefore

BE IT RESOLVED, that the Village of Fredonia hereby terminates the Contract with Bird Rides, Inc. and authorizes the Mayor and Village Clerk to provide written notice of such termination in accordance with the terms of the Contract, including but not limited to Paragraph 14.

Upon roll call the following votes were cast to wit:

TRUSTEE LYNDEN VOTED AYE

TRUSTEE BIRD VOTED NAY

TRUSTEE ESPERSEN VOTED AYE

**83**

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

**REGULAR MEETING**

**JULY 24, 2023**

**CONTINUED**

TRUSTEE SIRACUSE VOTED AYE

TRUSTEE TWICHELL VOTED AYE

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

BE IT RESOLVED that the request of Pam Alessi, Fredonia NY , to refund the cost of the porta-potty needed due to lack of usable restroom facilities her pavilion rental fee not to exceed **One Hundred and Sixty Dollars ($160)** is hereby approved.

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

WHEREAS, the Village of Fredonia approved the purchase of 2 vehicles for the Police Department; and

WHEREAS, Basil Chevrolet Inc., has supplied a proposal for a 2024 White Chevy Trax for **Twenty-Three Thousand Dollars ($23,000),** minus a **Two Hundred Dollar ($200**) rebate and a **Ten Thousand Dollar ($10,000)** trade in on the Dodge Durango, and

WHEREAS, Basil Chevrolet Inc., has supplied a proposal for a 2024 Blue Chevy Trax for **Twenty-Four Thousand Dollars ($24,000),** minus a **Two Hundred Dollar ($200**), now, therefore

BE IT RESOLVED the Village Board hereby authorizes the purchase of two (2) 2024 Chevy Trax Mini SUVs from Basil Chevrolet, Inc. for the total amount of **Thirty-Six Thousand Eight Hundred Dollars** **($36,800.00)** plus any applicable tax and fees.

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

WHEREAS the Village of Fredonia paid **Two Hundred and Fifty Thousand Dollars** **($250,000.00)** for the downpayment for the Arial Truck for the Fire Department, and

WHEREAS the Volunteer Fire Department agreed to reimburse the Village, now, therefore

BE IT RESOLVED that the Fredonia Volunteer Fire Company to pay **Two Hundred Fifty Thousand Dollars ($250,000.00)** from the Capital Reserve Equipment fund to the Village of Fredonia is hereby approved.

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

BE IT RESOLVED that the request from Fire Chief Myers to attend the NYS Career Fire Chief’s Meeting at the City of Peekskill Fire Headquarters September 19 - 22, 2023, at a cost to not exceed **Three Hundred Fifty Dollars ($350.00)** is hereby approved.

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

BE IT RESOLVED that the request from Captain Dan Aldrich to attend the Fire Service Instructor II at the NYS Fire Academy in Montour Falls, NY December 3 -8, 2023 at a cost not to exceed **Two Hundred Sixteen Dollars ($216.00)** is hereby approved

**K. EXECUTIVE SESSION-**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Espersen and carried unanimously, the Board entered Executive Session to discuss employees at the Water Filtration Plant at 8:50 PM.

Upon motion duly made by Trustee Siracuse to include employees across all departments, the Board entered Executive Session at 8:50 PM

**84**

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

**REGULAR MEETING**

**JULY 24, 2023**

**CONTINUED**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Lynden and carried unanimously, the Board exited Executive Session with no vote taken at 9:28PM**.**

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

WHEREAS, the Board of Trustees of the Village of Fredonia is in receipt of a recommendation to terminate a permanent employee within the Department of Public Works; and

WHEREAS, the Board agrees with the recommendation; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby terminates the permanent appointment of the employee referenced in confidential Schedule A effective immediately pursuant to the terms of the agreement between the employee, CSEA, and Village.

Upon motion duly made by Trustee Bird and seconded by Trustee Siracuse and carried unanimously, the Board adjourned the regular meeting at 9:29 PM

**L. MEETING SCHEDULE**- The Next Village of Fredonia Workshop and Board Meeting will take place Monday August 7, 2023, 6:30 PM in the Trustee Room, second floor Village Hall.

ANNEMARIE JOHNSTON

VILLAGE CLERK

**85**