**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**WORKSHOP**

**9-11 Church Street**

**Fredonia, NY 14063**

**July 10, 2023**

**6:30 P.M.**

**A. RESOLUTIONS**

1. Festivals Fredonia Red, White & Blues Fest- *discussion held pertaining to suspension of NYS Liquor Law, which we may not be able to do as a Village.*

2. Banner Request-

2. Dog Control Officer Appointment- *Town of Pomfret Clerks will be notified.*

3. Promotion of Police Officer

**B. NEW BUSINESS**

1. Any New Business- *Trustee Twichell mentioned the clock in Barker Common. It is supposed to play music. Verdin Clock Co. will be out to address the issue.*

. 2. *Mayor Essek reviewed the walk on resolutions. ( Attached to minutes)*

**C. OLD BUSINESS**

1. Russell Joy Park restroom/ resolution?

2. *ATV use on Village property- ATV’s being used on Village property, Sheriff’s office should be called.*

3. *Water Street improvements and/or bump outs. Brief discussion about which bump outs will work and which will not work. County may be doing the work regardless of what we say. Trustee Siracuse will contact Legislator Parker to discuss.*

4.*Trustee Lynden would like the tank on Webster Rd. used, even if we had to manually do it. Luis Fred explained that that is not possible.* *Luis is waiting to hear back from the company who makes the part we need.*

**D. DEPARTMENT REPORTS**

Code Enforcement Office-*Chuck received some plans for repair on Heenans building.*

*DPW-Milling will continue to take place next week and hopefully be finished by the end of July. Resolution to go out to bid for DPW project.*

Fire Department-*EMS Billing Company is current and running. Training will take place Sept 2nd and 3rd out at Taylor Training grounds. Trustees and Mayor are invited to attend.*

Police Department-*He completed the first phase of the Criminal Justice Certitfication, comes from police reform. Our police department is not accredited. Chief Price stated that there are roadblocks withing the dept for accreditation.*

Recreation Department-*Discussion of heat index for the remainder of summer rec program. 201 – 300 range will shut down the park for the day.*

Wastewater Treatment Plant-*He is waiting on 2 components for the power panel pump installation. Lab proficiencies are being done this week.*

Water Treatment Plant-*No Report.*

**E. EXECUTIVE SESSION**

Upon motion duly made by Trustee Siracuse and seconded by Trustee Twichell, and carried unanimously, the Board entered into Executive Session for legal counsel and contract issues at 7:45 PM.

Upon motion duly made by Trustee Siracuse and seconded by Trustee Twichell, and carried unanimously, the Board exited Executive Session with no vote taken at 8:08 PM.

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**BOARD OF TRUSTEES**

**OF THE VILLAGE OF FREDONIA**

**REGULAR MEETING**

**9-11 Church Street**

**Fredonia, NY 14063**

**July 10 2023**

**7:30 P.M.**

At a regular meeting of the Board of Trustees of the Village of Fredonia, duly called and held on the 10th day of July 2023 at 7:30 PM. in the Trustee Room, second floor, Village Hall in Fredonia, New York and public notice of the time and place of this meeting has been given to the news media and conspicuously posted in one or more designated public locations in accordance with Section 104 of the Open Meetings Law.

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

I call this meeting to order on Monday July 10, 2023 at 8:11 PM

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

WHEREAS members of this Board have read the Official Minutes of the Board of Trustees Regular Meeting of June 26, 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 a FOIL request, answer, and the appeal that he brought to the Village of Fredonia.

**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 Bird and seconded by Trustee Siracuse and carried unanimously, the following resolution was moved to be tabled:

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.

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

**REGULAR MEETING**

**JULY 10, 2023**

**CONTINUED**

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.
2. 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.
3. *Request to suspend the open container law 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.*
4. Picnic tables (as many as possible) placed in the Gazebo side of Barker Common, closer to Park Street.
5. *Close Water Street between Main and Canadaway streets from noon to midnight.*
6. Close Church Street from Temple to Center, the Churches will be formally notified.
7. 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.
8. “Frame “tents will not require any pounding of stakes into Church Street.
9. 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.
10. 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.
11. 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.
12. 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.

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.

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

**REGULAR MEETING**

**JULY 10, 2023**

**CONTINUED**

**Correspondence dated June 28, 2023 was received from Jennifer Askar of the Board of Trustees for Northern Chautauqua Catholic School requesting to hang a banner across Temple Street for two (2) weeks.**

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 NCCS to hang a banner across Temple Street from July 10th to July 24th is hereby approved. DFT has already been notified by the Code Enforcement office and the Village has received the Certificate of Liability.

**F. MAYOR’S REPORT-**

**G. TRUSTEE/COMMITTEE REPORTS-**

Lynden

Bird

Espersen

Siracuse

Twichell

**H. TREASURER’S REPORT-**

**I. ADDITIONAL REPORTS-**

1. Fredonia Justice Court Report for the month of June 2023 was read and ordered filed.

2. Fredonia Police Report for the month of June 2023 was read and ordered filed.

**J. RESOLUTIONS-**

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

WHEREAS The Village requires the services of a Dog Control Officer as defined by New York Agriculture and Markets Law 5 108, and

WHEREAS Jasmine Griffith has the knowledge required to perform and provide the services of a Dog Control Officer and is ready willing and able to provide such services on an independent contractor basis in a professional manner, now therefore

BE IT RESOLVED the Independent Contractor Agreement-Dog Control Services between the Village of Fredonia and Jasmine Griffith dated August 1, 2023 at a billable monthly rate of **Three Hundred Thirty-Three Dollars ($333.00)** and,

BE IT FURTHER RESOLVED that Mayor Essek is hereby authorized to execute the agreement on behalf of the Village of Fredonia.

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

WHEREAS there is a vacancy for Sergeant in the Village of Fredonia Police Department,

WHEREAS Chief Price would like to appoint Zachary Hand provisionally, to the position of Sergeant, now therefore

BE IT RESOLVED that Officer Zachary Hand is hereby provisionally appointed to Police Sergeant at a rate of **Forty Dollars and Sixty-Four cents ($40.64)** per hour, effective immediately.

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

**REGULAR MEETING**

**JULY 10, 2023**

**CONTINUED**

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

 WHEREAS, the Village of Fredonia does not appear to have a current policy related to the Freedom of Information Law, also known as New York State Public Officer’s Law Section 87; and

             WHEREAS, the Village of Fredonia wishes to designate an individual to make determinations regarding appeals pending the completion and adoption of a FOIL policy, now, therefore

            BE IT RESOLVED, that the Board of Trustees hereby designates Mayor Essek to issue determinations regarding appeals under FOIL pending the completion and adoption of a FOIL policy.

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

BE IT RESOLVED that the request to attend the pre-construction conference for the new ladder truck and pumper build in Wyoming MN from July 24th through July 27th for Chuck Ortolano, Dan Aldrich and Chief Meyers is hereby approved;

BE IT FURTHER RESOLVED that the trip will not exceed **Six Hundred Fifty Dollars ($650)** for all three attendees.

**Correspondence dated July 5, 2023 was received from the secretary of the Fredonia Volunteer Fire Department requesting Leo Waller be added to the active roll.**

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

BE IT RESOLVED that the request of the Fredonia Volunteer Fire Department to add Leo Waller, of Dunkirk NY, to the active roll of the Hook & Ladder Hose Company is hereby approved.

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

WHEREAS the Village of Fredonia currently allows individuals to reserve pavilions in its parks; and

WHEREAS the restroom facilities at such parks have been subjected to continuing vandalism and left in unacceptable conditions when such facilities remain open to the public; and

WHEREAS the Village has decided to no longer keep the restroom facilities open to the public; and

WHEREAS the Village is required to dispose of garbage when it is left in the park; and

WHEREAS the Board of Trustees has determined that providing access to individuals and groups who reserve the pavilions is important and promotes the use of the parks, now therefore

BE IT RESOLVED hereby approves of a key and garbage disposal to be implemented as follows:

1. Any individual or group reserving a pavilion in the park must provide a **twenty-five-dollar ($25)** garbage deposit. The deposit shall be returned to the individual or group unless garbage is not removed and disposed of properly by the individual or group following the rental period.

2. Any individual or group reserving a pavilion must provide a **twenty-five-dollar ($25)** key deposit, if the individual or group wishes to have access to the restroom facilities. The deposit shall be returned to the individual or group unless the restroom facilities are vandalized, defaced, or left in an unsanitary condition following the rental period.

3. Such determinations regarding the return of the garbage or key deposit shall be in the discretion of the Recreation Director or her designee. All determinations regarding the return of the garbage or key deposit are final**. 76**

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

**REGULAR MEETING**

**JULY 10, 2023**

**CONTINUED**

**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 specific personnel in each department and employment of a specific person at 8:34 PM.

Upon motion duly made by Trustee Lynden and seconded by Trustee Twichell and carried unanimously, the Board exited Executive Session at 9:24 PM with no vote taken.

Upon motion duly made by Trustee Espersen and seconded by Trustee Bird and carried unanimously, the Board adjourned the regular meeting at 9:25 PM.

**L. MEETING SCHEDULE**- The Next Village of Fredonia Workshop and Board Meeting will take place Monday July 24, 2023, 6:30 PM in the Trustee Room, second floor Village Hall.

**ANNEMARIE JOHNSTON**

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