

**BOARD OF TRUSTEES
OF THE VILLAGE OF FREDONIA
REGULAR MEETING
9-11 Church Street
Fredonia, NY 14063
July 22, 2024
7:00 P.M.**

At a regular meeting of the Board of Trustees of the Village of Fredonia, duly called and held on the 22nd day of July 2024 at 7:00 PM. in the Trustee Room, second floor, Village Hall in Fredonia, New York and public notice of the time and place of this meeting has been given to the news media and conspicuously posted in one or more designated public locations in accordance with Section 104 of the Open Meetings Law.

A. CALL TO ORDER-MAYOR FERGUSON

I call this meeting to order on Monday, July 22, 2024 at 7:00 PM

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

B. PLEDGE OF ALLEGIANCE-

Mayor Ferguson announced that the Gardner Street playground will no longer have summer recreation counselors in attendance.

C. APPROVAL OF MINUTES-

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

WHEREAS members of this Board have read the Official Minutes of the Board of Trustees Regular Meeting of July 8, 2024 now, therefore

BE IT RESOLVED that the Board hereby approves the minutes as entered into the Official Minutes, and
BE IT FURTHER RESOLVED that the reading of the minutes be dispensed with.

D. PUBLIC PORTION-

This portion of the meeting is for public comment. Any member of the public wishing to speak, once recognized, shall stand at the microphone, and state their name and address. Speakers will be allowed three (3) minutes if speaking for themselves or five (5) minutes if speaking on behalf of a group. I will ask the speakers to refrain from remarks that are in poor taste, slanderous, or not germane to any action taken or contemplated by the Board. No one from the public stood to speak so the mayor closed the Public Portion.

E. CORRESPONDENCE-

Correspondence dated July 10, 2024 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 6th and 7th, 2024.

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

BE IT RESOLVED that the request from Festivals Fredonia to use the Gazebo and Barker Common Friday September 6th & Saturday, September 7, 2024 for the "Red, White and Blues Festival and 9/11 motorcycle memorial run is hereby approved as set forth and attached to these minutes and available in the Village Clerks Office, 9-11 Church Street, Fredonia, NY 14063.

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Correspondence dated July 12, 2024 was received from Karl Boelter, President of the Fredonia Jazz Society, requesting permission to hang a banner across Temple Street starting September 9, 2024, to be taken down after September 21st.

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

BE IT RESOLVED that Fredonia Jazz Society has permission to hang a banner across the telephone wires located between the Family Church Fredonia and the Fredonia Village Hall starting on September 9th and ending September 21, 2023, and

BE IT FURTHER RESOLVED, the DFT Communications and National Grid will be notified of the Boards approval, and be provided with the required Certificates of Insurance, and Fredonia Radio Systems will provide a Certificate of Insurance naming the Village of Fredonia as additionally insured.

Correspondence dated July 10, 2024 was received from the secretary of the Fredonia Volunteer Fire Department requesting the name Christa Hagberg be added to the active roll.

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

BE IT RESOLVED that the request to move Christa Hagberg, 1 Birchwood Dr., Fredonia to the active roll of the Fredonia Volunteer Department, Inc. is hereby approved.

Correspondence dated July 10, 2024 was received from the secretary of the Fredonia Volunteer Fire Department requesting the following names be removed from the active roll, Kevin Pimentel, Richard Le and Ronald Chwojdak.

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

BE IT RESOLVED that the request to remove the following individuals, Kevin Pimentel, Richard Le, and Ronald Chwojdak, from the active roll of the Fredonia Volunteer Fire Department is hereby approved.

Correspondence dated July 10, 2024, was received from the secretary of the Fredonia Volunteer Fire Department requesting the names Thomas Fisher and Robert Fadale be removed from the active roll and transferred to the Honor Roll.

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

BE IT RESOLVED that the request to transfer the following names, Thomas Fisher and Robert Fadale, from the active roll to the honor roll is hereby approved.

Trustee Espersen noted that Tomas Fisher served for 50 years and Robert Fadale served for 32 years, he was grateful for their service.

Correspondence dated July 15, 2024 was received from Lauren Boyle and Greg Krauza, Co-Chairs of the Fredonia Farm Festival, requesting to schedule the 56th annual Fredonia Farm Festival for the weekend of August 24-25, 2024.

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

BE IT RESOLVED that the request from Fredonia Farm Festival to hold the 56th Annual Farm Festival the weekend of August 24-25, 2024 is hereby approved as set forth and attached to these minutes and available in the Village Clerks Office, 9-11 Church Street, Fredonia, NY 14063.

F. MAYOR'S REPORT- Attended a picnic on July 9th in Russell Joy Park; attended the New York Commission of Mayors conference in Oswego, NY; met with police chief David Price on July 12th to discuss the new evidence room, also met with LEMG to discuss grants opportunities for Canadaway Creek bank; attended the Brooks hospital company picnic; attended the Fredonia American Legion first annual pup crawl, which raises money for therapy dogs for veterans; took part in Tim Hortons celebrity pool on July 17th; attended the annual PBA picnic at the Beaver Club; he attended the promotion of Lieutenant Colonel Robert T. Moore; will be attending the expansion of Wells ice cream in Dunkirk on July 23rd; read a letter from the Fredonia Planning Board in support of GOBIKE's project for bike lanes in Fredonia.

G. TRUSTEE/COMMITTEE REPORTS-

Brauchler-N/A

Espersen- attended the PBA picnic, heard from police officers; concert in the park Wednesday ; spoke with Erylyssa about an emergency spending plan; spoke with Luis and Scott re a drought plan;

Siracuse- N/A

Twichell- thanked Jim Joy for his help with Canadaway Creek; attended the Library Museum and reported that wifi is available in the park; she read a statement.

Wandel- GOBIKE initiative is going smoothly, should be a resolution at the next Board meeting.

H. TREASURER'S REPORT – received the \$6500 check from Spectrum.

I. ADDITIONAL REPORTS-

1. Code Enforcement Report for the month of June 2024 was read and ordered.
2. Fredonia Justice Court Report for the month of June 2024 was read and ordered.

J. RESOLUTIONS-

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

BE IT RESOLVED that the resolution adopted by the Board of Trustees of the Village of Fredonia on July 8, 2024, authorizing the purchase of two single-stage pumps from Moley Industries, Inc. is hereby rescinded.

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

BE IT RESOLVED that the resolution adopted by the Board of Trustees of the Village of Fredonia on July 8, 2024, authorizing Lakeshore Paving to be paid \$3,762.00 for one day of two laborer's is hereby rescinded.

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

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

- \$10,000 from H8120.2 Capital Pump Station Upgrades to G8120.49 Sanitary Sewer Maintenance Equipment.

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

WHEREAS, The Village requires the pumps to be replaced at the Webster Road pump station; and

WHEREAS, Siewert Equipment, Rochester, NY placed a bid to provide two Pentair Horizontal single-stage split case pumps and installation for the price of **Fifty-Nine Thousand, Seven-Hundred Nine Dollars (\$59,709.00)**; and

WHEREAS, the replacement of these pumps is necessary for the Village's purpose to maintain the equipment to move the water for the Village; therefore

BE IT RESOLVED the Village Board hereby authorizes the purchasing of the two Pentair Horizontal single-stage pumps from Siewert Equipment for **\$59,709.00**.

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

WHEREAS, The Village requires the replacement of sanitary sewer pipe on Central Avenue in front of SUNY Fredonia for the Department of Public Works; and

WHEREAS, Lakeshore Paving, Jamestown, NY provided a quote for the excavator to dig to reach the lines as well as two laborers for a per day rate of **Three Thousand Seven-Hundred Sixty-Two Dollars (\$3,762.00)**; and

WHEREAS, the replacement of these pipes is necessary for the Village's purpose and the digging is necessary to reach the sanitary pipes; therefore

BE IT RESOLVED the Village Board hereby authorizes Lakeshore Paving to be paid at the per day rate of **\$3,762.00**; not to exceed **\$10,000**.

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

BE IT RESOLVED that Thomas Kowski is hereby promoted to the position of Assistant Inspection Officer at a rate of pay of **Twenty-Five Dollars and Forty-Four cents (\$25.44)** per hour, effective July 23, 2024 subject to probationary period of 6 months and all Civil Services Rules and Regulations.

Upon motion duly made by Trustee Brauchler and seconded by Trustee Wandel and carried unanimously, the following resolution was moved to be tabled.

WHEREAS the Village of Fredonia Board did pass a resolution at the June 13, 2024 Special Meeting, allowing Twinstar Business Solutions to offer voluntary supplemental insurance and a participatory wellness plan to employees, now, therefore

BE IT RESOLVED, that the Village Board of Trustees hereby rescinds the resolution adopted by the Board on June 13, 2024 a copy of which is on file in the Village Clerk's Office, 9-11 Church Street, Fredonia, NY

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

WHEREAS, the Village of Fredonia (“Village”) and CSEA, Inc. Local 1000 AFSCME AFL-CIO Village of Fredonia Unit 6313 of Local 807 (“CSEA”), are parties to a collective bargaining agreement (“Contract”), which is current and in effect; and

WHEREAS, the CSEA filed a grievance regarding overtime assignments at the Department of Public Works; and

WHEREAS, the parties are desirous of resolving this matter without proceeding to arbitration and to acknowledge the practice previously permitted by the Village; and

NOW THEREFORE, the Village and CSEA agree to the following:

1. Section 10.02 provides that all permanent employees will have an equal opportunity for overtime and that if an employee in line refuses overtime, then the refusal will be counted as his/her turn for overtime.
2. When there are overtime opportunities at the Department of Public Works, the Supervisor will offer overtime to all permanent employees on a rotating basis to ensure that they have an equal opportunity for overtime.
3. If all operators refuse the available overtime, the Supervisor may perform the operator work that is the exclusive bargaining work of CSEA. CSEA waives any claim that such work is exclusive when all operators have refused the overtime work and the Supervisor is performing such work.
4. The Village agrees to remit payment for the six hours of missed overtime as requested in the next payroll run for Joshua Cybart.
5. The parties agree that the grievance is hereby resolved in full.

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

WHEREAS, the Village of Fredonia (“Village”) and CSEA, Inc. Local 1000 AFSCME AFL-CIO Village of Fredonia Unit 6313 of Local 807 (“CSEA”), are parties to a collective bargaining agreement (“Contract”), which is current and in effect; and

WHEREAS, the CSEA filed a grievance regarding overtime assignments at the Department of Public Works; and

WHEREAS, the parties are desirous of resolving this matter without proceeding to arbitration and to acknowledge the practice previously permitted by the Village; and

NOW THEREFORE, the Village and CSEA agree to the following:

6. Section 10.02 provides that all permanent employees will have an equal opportunity for overtime and that if an employee in line refuses overtime, then the refusal will be counted as his/her turn for overtime.
7. When there are overtime opportunities at the Department of Public Works, the Supervisor will offer overtime to all permanent employees on a rotating basis to ensure that they have an equal opportunity for overtime.
8. If all operators refuse the available overtime, the Supervisor may perform the operator work that is the exclusive bargaining work of CSEA. CSEA waives any claim that such work is exclusive when all operators have refused the overtime work and the Supervisor is performing such work.
9. The Village agrees to remit payment for the two hours of missed overtime as requested in the next payroll run for Kent Christopher

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10. The parties agree that the grievance is hereby resolved in full.

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

BE IT RESOLVED that the request from Luis Fred to attend the NYS Office of Emergency Management Training on 8/5 – 8/8, 2024 in Oriskany, NY, at a cost not to exceed \$720.00, is hereby approved.

BRAUCHLER/WANDEL

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

- \$5,000 from A3410.43 Fire Protection Training to A4540.43 Ambulance Service Training

Upon motion duly made by Trustee Wandel and seconded by Trustee Twichell, the following resolution was voted down by a 4 – 0 vote:

WHEREAS the Village has identified a need for a Firefighter/Paramedic due to a projected retirement, and WHEREAS Firefighter/EMT Pieszak has expressed interest in advancing his education, now, therefore

BE IT RESOLVED Firefighter/EMT Pieszak will be compensated for all classroom time associated with this program, at the hourly rates identified in the current collective bargaining agreement. All clinical time will be performed on Firefighter /EMT Pieszak’s own time, and not compensated for such, and

BE IT FURTHER RESOLVED that the request of Brenden Pieszak to attend New York State Paramedic Program at Erie County Community College beginning August 27, 2024 and concluding August 21, 2025 at a cost not to exceed **Ten Thousand Dollars (\$10,000)** is hereby approved.

K. EXECUTIVE SESSION-

L. MEETING SCHEDULE-

The next Village of Fredonia Workshop will take place Wednesday July 31, 2024 at 9:00 AM in the Trustee Room, second floor Village Hall.

The next Village of Fredonia Board Meeting will take place Monday August 5, 2024 at 7 PM in the Trustee Room, second floor Village Hall.

Upon motion duly made by Trustee Espersen and seconded by Trustee Brauchler and carried unanimously, the Board adjourned the meeting at 7:30 PM.

ANNEMARIE JOHNSTON
VILLAGE CLERK