

Village of South Dayton Board Meeting
March 13, 2024
7:00 pm

CALL TO ORDER

Mayor Killock called the meeting to order at 7:02 pm. The Pledge of Allegiance was recited.

ROLL CALL

Mayor Robert Killock	Present
Trustee Kevin Butcher	Present
Trustee Melinda Frederickson	Present
Trustee Jonathan Mosher	Absent
Trustee Lynn Rupp	Present
Clerk/Treasurer Barbara Scott	Present

Guests

Diana Butcher, Chris Claiborne, Nina Claiborne, Marily Giannini, Lynn Harris, Sally Harris, Joseph Kortz, Dane Scott, Karen Senn, Gretchen Snyder, Lori Petersen, Karen Strickland, Ellsworth Textor, Larry Zollinger, Melanie Zollinger

MEETING MINUTES

Board members reviewed the Board Meeting Minutes from February 14, 2024. Mayor Killock asked for a motion to approve the minutes. Trustee Rupp made a motion to approve the Board Meeting Minutes. Trustee Frederickson seconded the motion. AYE 4. NAY 0. Carried.

OLD BUSINESS

Mayor Killock reported:

- We talked about the water filter at length at the last meeting. Procore is the lead contractor, but we have begun direct payment to the sub-contractor, Ahart. The project is on schedule and hope to have the filter online within 3 weeks.
- Thank you to Joe Kortz who is working with Spectrum on behalf of the Village to coordinate phone and internet upgrades. Many issues. Kortz reported the internet is working and Spectrum will come back to finish installing the phones at the Village Hall. Phones will have a menu for people to select from. It will be about a month until phones are installed at the Village Hall and DPW.
- A tentative 2024-2025 Budget was distributed to Trustees previously for review. Budget increase will be under 2%.
- Found some issues with Playground AED's. Not supposed to use adult AED for child under 8. If baseball or football was 501C3 there could be a grant available for funding. We should talk to an Attorney about becoming 501C3. Larry Zollinger asked if one 501C3 could include all ball teams, and Killock replied that would be an option. Possibly a youth sports charter. Lori Petersen asked if AED's are available for children under 8, and Killock replied they were available. Killock stated the Village should purchase AED's for public common areas. About \$1,000 each plus annual contract \$300+ for replacement pads. Petersen asked if the Village will purchase AED's for the Playground, and Killock replied the Village would purchase because the Playground is a Village entity. AED's would be hard wired. Portable AED's are \$2,000+. AED's should be within 3 minutes of a location and there should be multiple units if there are multiple events. The Fire Hall has an AED but it's not outside. Village will have to start looking and purchasing. Karen Strickland asked if the Cattaraugus County Youth Bureau could help, and Killock replied it was possible they could help.

PUBLIC COMMENTS

Mayor Killock asked if there were any Public Comments.

- Karen Senn stated she is a huge supporter of agriculture. Senn inquired about farmers who spread liquid manure, and if they are following protocols, because manure adds magnesium to the soil? Killock replied it's up to the DEC and EPA to monitor. Kevin Butcher stated they are monitored to use so many gallons per acre per year. Killock stated an annual water quality report is mailed to all residents and the Village is legally required to provide that information. Chris Claiborne asked if residents should contact the DEC with concerns? Killock replied that was an option. Killock stated the Village can only control what is in our water shed. Butcher stated there are test wells that are monitored regularly. Killock added a hydrologic survey was performed before the last well was dug, and tests were passed by the DEC and EPA.

DEPOT REPORT

Karen Strickland reported:

- Planning a fashion show fund raiser at South Dayton Hotel on April 21st. Working with Karen Meyers. Looking for models.
- Disappointed Bob Dingman is not present because he said he would attend the Board Meeting. It is troubling that someone who would leave the Depot in disrepair years ago, and would want it after renovations have been done. Mayor Killock stated Dingman would like to lease the Depot from the Village. Diana Butcher stated the grant Dingman received had enough to purchase property.

DEPOT REPORT (continued)

Killock read a section from the NYCOM (New York Council of Mayor's) Handbook on the Lease of Real Property.

- Villages are authorized to lease available space in a public building to private organization under Village Law § 1-102(1). There are two requirements for leasing municipal real property:
 - The space must not currently be needed for municipal purposes; and
 - The rent received by the municipality must be fair and adequate.

Killock stated the Village uses the Depot for Music in the Park and for holiday and special events. The Village has to supply water, electricity and insurance, and he does not agree to leasing it out. The Village does not get anything from the train rides. Village should receive something from every train. Port admission fee. Melanie Zollinger stated she feels very strongly about the Depot, and doesn't feel it should be leased to anyone. People who donated blocks did it out of love for the Village and the history. Zollinger said she has donated things to the Depot and has more things she intends to donate. Concerned about items that have been donated and what would happen to them. Killock stated we can keep better control if we don't lease it out to others. Killock said he is not against tourism, and we can let people use the Depot, but control should remain with the Village. Killock stated last year, train staff sold hot dogs in the Gazebo for train excursions. They did not pay the Village to use the Gazebo and the Village received no benefit from it. Village should charge \$50.00 to use the Gazebo. Linda Frederickson commented that train schedules should be reviewed by the Village before dates and events are planned by the railroad. Larry Zollinger asked why the Easter Egg Hunt was being held at the Playground, and Frederickson replied the train's Easter schedules didn't leave any times or dates open for the Village to use the Park. Zollinger stated the Park, the street and the Depot belong to the Village and the Village should have first choice, and train dates and events should be approved by the Village. Lori Petersen said the Village should contact Dingman and tell him the dates the train cannot use the Park next year. Chris Claiborne commented the boundary needs to be made and enforced. Lynn Rupp asked if we could charge a fee and how we could do it, and Killock replied there could be a fee for every passenger. Will review the IDA agreement. It would be nice if the train donated something to the community, but they don't do that. Rupp commented the Village Board is in agreement that the Depot should not be leased to anyone. Killock stated there may be a resolution presented at the next Board Meeting about this issue.

Mayor Killock asked for a motion to accept the Depot report. Trustee Frederickson made a motion to accept the report. Trustee Butcher seconded the motion. AYE 4. NAY 0. Carried.

PLAYGROUND REPORT

Lori Petersen reported:

- Time to do cleanup. Gretchen Snyder stated the DPW will be cleaning up tomorrow.
- Easter Egg Hunt will be 3/23/24. Killock stated the DPW will turn on water and check bathrooms before the event.
- Killock suggested Petersen talk to baseball team leaders to keep an eye on the bathrooms to help avoid problems.

Mayor Killock asked for a motion to accept the Playground report. Trustee Frederickson made a motion to accept the report. Trustee Butcher seconded the motion. AYE 4. NAY 0. Carried.

LIBRARY REPORT

Joseph Kortz reported:

- Kristy Kohler is recovering from surgery and she will back in 5 to 6 weeks.
- Marcia Zollinger and Kortz are covering Kristy's Library hours.
- Library bought a new laptop, printer and scanner with grant funds. Will use the scanner to scan books that are checked out and in.
- Working on a Paint Night for adults.

Mayor Killock asked for a motion to accept the Library report. Trustee Frederickson made a motion to accept the report. Trustee Butcher seconded the motion. AYE 4. NAY 0. Carried.

CODE ENFORCEMENT

Mayor Killock read a Code Enforcement Report submitted by David Heckman.

- February 2024 – Visits to Village Office. Out of town for family funeral.

Mayor Killock asked for a motion to accept the Code Enforcement report. Trustee Rupp made a motion to accept the report. Trustee Butcher seconded the motion. AYE 4. NAY 0. Carried.

DPW

Gretchen Snyder reported:

- Evening appointments to install meters.
- Continue pulling grape vines at the Milk Plant. Looks much better.
- Cold patching and doing shoulders.
- Peeling sod by the Playground – using millings.

DPW (continued)

Mayor Killock reported:

- Sterling is back. Fan clutch was bad. Replaced.
- After snow and slush, DPW should put the sweeper on and go through the streets.
- Snyder commented she would like someone to do a mural on the Milk Plant. Larry Zollinger said some Pine Valley Art students may be interested for community service credits.
- Master Meter Training was held in February to learn how to do automated readings with new system. Snyder stated DPW could read meters for 47 residents standing in one place. Will probably take about an hour to read meters for the whole Village.
- Next water billing may be estimated, or it will be a combination of old and new readings. The billing due in August will be actual. Some residents will be surprised at their actual usage.

Mayor Killock asked for a motion to accept the DPW report. Trustee Frederickson made a motion to accept the report. Trustee Butcher the motion. AYE 4. NAY 0. Carried.

CLERK/TREASURER

Clerk/Treasurer Scott reported:

- Spectrum reps have been on site. Several emails and conversations regarding the upgrade.
- Office, Court and Library Inventory are underway. DPW working on theirs.
- Village Elections 3/19/24 – Equipment will be delivered by 3/15/24. Supplies will be picked up on 3/18/24.
- Construction project accounting continues to take much time.
- Village should receive payment from Cattaraugus County later in March for unpaid 2023 property taxes. Payment will include delinquent 2022 water/sewer bills.

Mayor Killock reported Sally Harris has been working in the Village Office each week to assist the Clerk/Treasurer.

Mayor Killock asked for a motion to accept the Clerk/Treasurer's report. Trustee Rupp made a motion to accept the report. Trustee Butcher seconded the motion. AYE 4. NAY 0. Carried.

NEW BUSINESS & MAYOR'S REPORT

Mayor Killock reported:

- Procure Pay Application 5 for the Water Project is being presented to the Board in the amount of \$76,000.00. Ahart is doing the work and Procure will have to do a lien release before Ahart can be paid by the Village. Killock asked for a motion to approve Procure Pay Application 5. Trustee Rupp made a motion to approve Procure Pay Application 5. Trustee Butcher seconded the motion. AYE 4. NAY 0. Carried.
- DEC has granted funding for the EV charging stations. Charging station will service the Depot, South Dayton Hotel, Chiropractor. Killock stated Larry Zollinger has expressed his disapproval.
- Matt Zarbo from eb2 (e&b squared) (formerly Barton & Loguidice) submitted a Proposal for Consulting Services for the EV Charging Station Project for \$15,000.
 - \$10,000.00 Contract Documents and Bid
 - \$3,500.00 Construction Administration
 - \$1,500.00 Grant Assistance

Killock asked for a motion to accept the eb2 proposal for consulting services for the EV Charging Station Project. Trustee Frederickson made a motion to accept the proposal. Trustee Butcher seconded the motion. Roll call vote. AYE 4. NAY 0. Carried.

- Dawn Meacham submitted a letter to the Board to request reimbursement for a load of laundry that was damaged on 2/11/24 due to rust in the water. Meacham explained 4 work shirts and 4 work pants were ruined because of rust stains, and the cost would be \$300.00 to replace the items. Killock commented a recent garage fire and water main break caused excess rust in the water lines, so Meacham's laundry was stained. Killock stated it was an unfortunate situation. After discussion among the Board, Trustee Rupp made a motion to deny Meacham's request for reimbursement. Trustee Frederickson seconded the motion. AYE 4. NAY 0. Carried. Killock will send a letter to Meacham informing her of the Board's decision.
- Water Project wrapping up. Still have to flush lines and clean the tank.
- Sewer Project continues.
- Cattaraugus County Hazardous Mitigation – Steve Pollock and Killock attended a webinar about developing a disaster plan for the municipality. FEMA requiring every school district, fire district and municipality to have a plan in place.
- Schumer and Langworthy – Village received a \$500,000 federal grant for storm water system improvements. Will be used to improve drainage in the Village. Need to meet with engineers to get water flowing out of the Village (Pine St, Maple St, Cherry St, hotel, train tracks, culverts). Need to meet EPA standards.
- Applied for another \$100,000 grant from the EFC for Sewer Project.
- Tentative budget will be available for public review on 3/20/24. There will be a Public Hearing on 4/10/24 to accept the 2024-2025 budget, with the Board Meeting to follow at 7:30.
- CHIPS funding. Road repairs and equipment. Funding will be reimbursed in March.
- Cement mixer – table until next meeting.
- NYSEG going to install smart meters on all houses. RFI meters. Trim trees around electric lines.

NEW BUSINESS & MAYOR'S REPORT (continued)

- USDA and Cornell will be placing traps for the European Cherry Fruit Fly and Box Tree Moth in South Dayton and Dayton. They have permission to place traps in Village areas. Residents can provide or deny permission to place traps on their property.
- Town of Dayton has some issues. After the election, talked with Supervisor Aaron Huber and there will be a workshop meeting with the Town and Village in April. Will discuss combined service agreements, and working together more. Town of Dayton Highway has helped immensely. Trying to find common goals. Have to create a planning board for the Town and Village for the future. Zoning.

TRUSTEE BUTCHER

Trustee Butcher reported:

- Scott Moynihan asked about tree replacement for his property. Would like two red maples. Killock stated the Village will purchase and plant the trees.

TRUSTEE FREDERICKSON

Trustee Frederickson reported:

- Cattaraugus County Bank - America's Promise – is donating \$50 toward the Easter Egg Hunt.
- Concessions for Music in the Park. Asking if anyone interested. Mayor Killock stated anyone can sell as long as they are documented. After discussion, no others wanted to do concessions, so Frederickson will continue doing concessions for concerts.
- Killock stated there is \$3,000 in the budget for concerts, but those funds are usually not touched because Frederickson has such success with 50/50 ticket sales.
- Music in the Park concerts will start June 12th for 8 weeks. There may be a bonus week.

TRUSTEE MOSHER

- Absent

TRUSTEE RUPP

Trustee Rupp reported:

- Board is in agreement that the Depot should not be leased to Dingman.
- Thanks to Mayor Killock and Barb Scott for their work on the budget, grants, and the water and sewer projects.

NEXT MEETING

There will be a Public Hearing to accept the 2024 – 2025 Budget on Wednesday, April 10, 2024 at 7:00 pm in the Village Library. The regular monthly Board Meeting will follow at 7:30 pm.

MEETING ADJOURNMENT

Mayor Killock asked for a motion to adjourn the meeting. Trustee Frederickson made a motion to adjourn the meeting. Trustee Butcher seconded the motion. AYE 4. NAY 0. Carried.

The meeting adjourned at 8:57 pm.

Barbara L. Scott
Clerk of Board