**March 5, 2024**

At 7:00 PM, Mayor Stumpf called the meeting to order, followed by the Pledge of Allegiance.

The following were present:

John Stumpf Mayor

Trista Reisdorf Trustee

Brandon Stearns Trustee

Darwin Dominessy Trustee

Patricia Sherwood Trustee

Clerk Gina Maltby

**OTHERS PRESENT:** Superintendent of Public Works Daren Smith, Fire Department Chief Jeff Holmes, Rescue Squad Chris Hazeltine, Derek Rule and Caleb Henning with MDA Consulting Engineers, Wade Adsitt, residents Loni Owens, Steve Burch and reporter Brenda Hanson.

# MINUTES

Trustee Sherwood, seconded by Trustee Stearns, moved suspension of the reading of the Minutes of the previous board meeting February 6, 2024 as Board members had been supplied copies. Carried. Mayor Stumpf announced that corrections and alterations would then be heard, and concluding there were none, the minutes stand approved. Carried.

# PUBLIC

1. Constable:

**#486 APPOINT CONSTABLE**

Moved by Trustee Reisdorf, seconded by Trustee Sherwood, to appoint Wade Adsitt as Constable for the Village effective 3/5/2024, with pay being $1,926 per year.

Trustee Dominessy aye, Trustee Reisdorf aye, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

5 ayes, 0 nays, 0 absent. Carried.

1. Sewer project:

**#487 AUTHORIZE MAYOR TO SIGN GRANT AGREEMENT**

Moved by Trustee Sherwood, seconded by Trustee Stearns, that Mayor Stumpf is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village Of Delevan’s obligation under the Engineering Planning Grant Agreement

Trustee Dominessy aye, Trustee Reisdorf aye, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

5 ayes, 0 nays, 0 absent. Carried.

**#488 AUTHORIZATION & APPROPRIATION OF LOCAL MATCH**

Moved by Trustee Sherwood, seconded by Trustee Reisdorf, for the Village of Delevan to authorize and appropriate a minimum of 20% local match as required by the Engineering Planning Grant Program for the Village of Delevan’s Engineering Study for Phase 9. Under the Engineering Planning Grant program, the local match must be at least 20% of the EPG award of $50,000.00. The source of the local match, and any amount in excess of the required match, shall be paid using available Village funds. The maximum local match appropriated, subject to any changes agreed to by the Mayor, shall not exceed $12,500.00 based upon a total estimated maximum project cost of $62,500.00. The Mayor may increase this local match through the use in kind services without further approval from the Village of Delevan.

Trustee Dominessy aye, Trustee Reisdorf aye, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

5 ayes, 0 nays, 0 absent. Carried.

**#489 REQUEST FOR PROPOSALS**

Moved by Trustee Reisdorf, seconded by Trustee Sherwood, for the Village to advertise a Request for Proposals and Qualifications for the sewer project.

Trustee Dominessy aye, Trustee Reisdorf aye, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

5 ayes, 0 nays, 0 absent. Carried.

**REPORTS**

**Fire Department Chief Jeff Holmes reported there were 30 calls for the month of February:**

**EMS CALLS** **HAZARDOUS CONDITION**

Village 9 Village 1

Town of Yorkshire 5 Town of Yorkshire 1

Town of Freedom 2

Yorkshire 2 **AUTO ACCIDENT**

Machias 6 Town of Yorkshire 2

**VEHICLE FIRE AUTOMATIC FIRE ALARM**

Machias 1 Village 1

Also, in the other Department matters, Chief Holmes advised that the spring meat raffle will be taking place on Saturday, March 9th with doors opening at 6 PM and first spin at 7 PM. Gun raffle will be held on April 20th, currently have 145 tickets left to sell. The Fire Department’s Installation Banquet will be held on April 27th, drinks at 5 PM and dinner at 6 PM. Chris Hazeltine provided an update on the billing for ambulance services: they have applied for Medicare and will be applying for the Medicaid portion. The Department will be going through HIIPA and privacy practices training and they are hoping to go live with billing in June or July. Working on planning and scheduling an informational seminar for the public.

**#490 DVFD NOMINATION OF OFFICERS**

Chief Holmes presented a list with names and positions for nominations for offices within the Fire Department for 2024-2025. The Fire Department election is to take place on . The installation banquet will be held on April 27th.

Moved by Trustee Sherwood, seconded by Trustee Reisdorf, to approve the Nomination of Officers received by the Fire Department.

Trustee Dominessy aye, Trustee Reisdorf aye, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

5 ayes, 0 nays, 0 absent. Carried.

**#491 AUTHORIZE BILLING FOR AMBULANCE SERVICES**

Moved by Trustee Reisdorf, seconded by Trustee Stearns, to authorize billing for ambulance services and to approve the following:

**Whereas,** General Municipal Law § 209-b permits the Delevan Volunteer Fire Company, Inc. to bill users of ambulance services for ambulance transportation;

**Whereas,** the Village finds it to be in the interest of public safety and in the interest of the taxpayers to commence an ambulance billing program;

**Whereas,** the Village is the authority having jurisdiction over the ambulance service;

**Whereas,** in 2008, the legislature required insurance companies and Health Maintenance Organizations to cover emergency ambulance transportation services;

**Now therefore,** the Village resolves as follows:

1. Upon issuance of appropriate billing numbers and certain prerequisites, the Delevan Volunteer Fire Company, Inc. is hereby authorized to commence billing pursuant to its rules.
2. The Delevan Volunteer Fire Company, Inc. shall only work with a billing company which provides flat fees per bill for government payors, and shall not work on a percentage billing payment arrangement for such payors.
3. The rules shall, at a minimum and in accordance with the General Municipal Law, be as follows:
   1. Persons without insurance shall not be issued bills, but bills may be issued unless and until it is confirmed that the patient has no insurance.
   2. Residents shall not be charged a copayment, and the taxes collected by the Company shall be utilized as against such copayment obligation.
   3. Non-residents shall be billed the full amount of the bill.
   4. In all cases, the Delevan Volunteer Fire Company, Inc. may bill for services rendered in the territory listed in its Ambulance Service Certificate. Services provided for ambulance services outside the area contained in the Ambulance Service Certificate shall not be billed by the Fire Company. However, should the Fire Company be operating under permission of another entity’s ambulance service certificate, then that entity may bill for this Company’s services and remit payment hereto.
   5. ALS intercept services, if available and rendered to the Fire Company by another ALS-intercept service, shall be paid by the Fire Company to the ALS-Intercept service at a negotiated rate by the Fire Company.
   6. The Village adopt a schedule of fees which is, at least, usual and customary in this area and will issue bills for the following:
      1. BLS : $1000
      2. ALS 1: $1300
      3. ALS 2: $1600
      4. Mileage: $38/Mile
      5. Refusals: $500
   7. Balance billing between the amount billed and the amount authorized by insurance shall not occur and is prohibited by law.
   8. Firefighters of the Delevan Volunteer Fire Company Inc., and their families will not be billed, except as such service is covered by VFBL for line of duty injuries.
   9. Billing revenues are the property of the Fire Company and will be deposited in an account specifically designated for such purpose. No other funds shall be deposited in the account. Transfers will be made from the account to other budget lines, in such amounts as the Fire Company resolves either annually or on a month to month basis.
   10. Each quarter, the treasurer shall provide a report to the Village Board on the:
       1. Amount billed
       2. Amount received
       3. Amount to be transferred from the account
       4. Amount past due (30, 60, 90)
       5. Amount recommended to be “written off” and forgiven
       6. Total amount received for the month and year
       7. Total amount billed for the month and year.
4. The Fire Company will adopt a charity care policy.

**Superintendent of Public Works Daren Smith reported the following:**

1. Has been tracking down water leaks; door hangers left for some residents and did receive call back from some. Met with some residents and some leaks have been resolved. Other residents have not called back. Two leaks were located at unbilled facilities; the ones at the Municipal building were fixed but have started leaking again.
2. Had water issues around the Village (drains) due to sod, plowing, etc.
3. Sign issues have occurred – one sign was backed into, one fell over from wind, and one from snowplowing.
4. Water meters were read

**Clerk Gina Maltby reported the following:**

1. Prepared Vouchers and Abstract
2. Provided Board members with the January 2024 balance sheet & packet supplied by Treasurer Diane Finch
3. Cash receipts provided to each board member
4. Delivered garbage stickers to Crosby’s
5. One parking tag issued in the month of February
6. March water bills were mailed out on February 29th
7. Order of garbage stickers were delivered

**COMMUNICATIONS**

1. Mayor Stumpf read a letter that was received regarding a previous Village employee; also read a letter received from a Church located in the Village. They will be unable to continue tending to a garden area. Trustee Reisdorf will ask Girl Scouts if they may be able to.

**UNFINISHED BUSINESS**

1. Clerk Maltby reported that the USDA inspection took place on 2/12 and all went well.
2. Trustee Stearns and Mayor Stumpf updated the Board on summer recreation: ads will be going in the paper soon and another meeting is coming up. All children will have to reapply and recreation will continue to have a limit of 50 children. The cost is staying the same as last year.
3. The demolition of the St. Pius building will be taking place soon
4. A legal was placed in the Herald Courier for garbage bids
5. Trustee Reisdorf advised she spoke with Ms. Jones in Arcade about the Hometown Hero banners. Provided a packet to the Board with information. Superintendent Smith will look into info on who to contact about using electric poles and Trustee Reisdorf will continue to look into and follow up.

**NEW BUSINESS**

1. Schedule budget work session:

**#492 WORK SESSION ON BUDGET**

Moved by Trustee Reisdorf, seconded by Trustee Sherwood, to hold a work session on the 2024-2025 budget on Thursday, March 21st, 2024 at 6:00 PM at the Delevan Village Hall located at 85 South Main Street, Delevan, NY 14042.

Trustee Dominessy aye, Trustee Reisdorf aye, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

5 ayes, 0 nays, 0 absent. Carried.

1. Water billing for March is as follows: Past due trial balance of $9,192.03, new current water billing of $31,192.53, other new charges of $2,824.00 and Grove Street of $541.60. Total March trial balance $43,750.16. Clerk Maltby advised the Board that with payments that have been made so far, currently at $38,752.72 in unpaid water.

# PAY CLAIMS

The bills for the previous month of February were presented and audited. It was moved by Trustee Dominessy, seconded by Trustee Stearns, to make payment of $77,102.60, Abstract #010, $75,511.25 in General Fund Claims and $1,591.35 in payment of Water Fund.

Trustee Dominessy aye, Trustee Reisdorf aye, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye. 5 ayes, 0 nays, 0 absent, Carried.

**ADJOURNMENT**

At 8:08 PM it was moved by Trustee Reisdorf, seconded by Trustee Sherwood to adjourn. Carried.

Village Clerk Gina Maltby