**May 7, 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

Mary Farrington 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, Code Enforcement Officer Chris Lexer.

# MINUTES

Trustee Sherwood, seconded by Trustee Stearns, moved suspension of the reading of the Minutes of the previous board meeting April 9, 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.

**REPORTS**

**Fire Department Chief Jeff Holmes reported there were 28 calls for the month of April:**

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

Village 6 Village 1

Town of Yorkshire 8

Yorkshire 2 **STRUCTURE FIRE**

Machias 9 Town of Yorkshire 2

Also, in the other Department matters, Chief Holmes reminded that the Mother’s Day Breakfast will be taking place on Sunday from 8:00 AM to 1:00 PM. Engine 1 is still in Tonawanda for repairs, will hopefully be done and back this week. The gun raffle took place last month; did really well, had a large crowd.

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

1. Been chipping every other week; ended up chipping a couple days one week since assisted cemetery with downed tree removal.
2. Some people are still putting out roots and had someone dump bushes with large roots out back.
3. Has been mowing. Park and gazebo area have been rolled, hasn’t been able to roll field yet.
4. Got all crosswalks painted.
5. Bob has been in Florida.
6. Picked up annual water reports, need to get them passed out.
7. Gas company has been keeping him busy on Cobb; pushed new lines down both sides
8. Part time help:

**#502 HIRE PART-TIME HELP**

Moved by Trustee Sherwood, seconded by Trustee Stearns, to hire Brady Heckathorn as part-time help at a rate of $17.00 per hour.

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

5 ayes, 0 nays, 0 absent. Carried.

**Clerk Gina Maltby reported the following:**

1. Prepared Vouchers and Abstract
2. Cash receipts provided to each board member.
3. Delivered garbage stickers to Crosby’s at the end of April; was asked by employee to wait two months before delivering more to them since they still have so many.
4. Will be mailing water bills out no later than May 31st.
5. Will be picking up Village tax bills from County this month.
6. Currently $11,415.77 in unpaid water.

**COMMUNICATIONS**

1. Cattaraugus County made a direct deposit in the amount of $35,570.82 on April 22nd – Sales tax distribution, 1st Quarter 2024.

**UNFINISHED BUSINESS**

1. Summer recreation: Trustee Stearns updated that a supervisor had been chosen for summer recreation; the next batch of interviews for staff will be taking place on May 22nd. Everything has been going well.

**#503 APPROVAL OF 2024 SUMMER RECREATION SUPERVISOR**

Moved by Trustee Stearns, seconded by Trustee Sherwood, to approve the appointment of Jodie Perrington as the 2024 summer recreation Supervisor.

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

5 ayes, 0 nays, 0 absent. Carried.

1. Music in the Park: Trustee Farrington advised will look into available bands, dates they may be available, how much they would charge, etc.
2. Garbage contract:

**#504 AUTHORIZE MAYOR TO SIGN REFUSE/RECYCLING CONTRACT**

Moved by Trustee Stearns, seconded by Trustee Dominessy, to authorize Mayor Stumpf to sign the Refuse/Recycling Contract with MRC Disposal, Inc. The contract is effective June 1st, 2024 – May 31st, 2027.

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

5 ayes, 0 nays, 0 absent. Carried.

1. Chris Lexer updated the Board that the request for qualifications for sewer project engineer had been put in the Herald Courier and only one was received from MDA Consulting Engineers, PLLC. Went over next steps and that a kickoff meeting will be held.

**#505 AWARD ENGINEERING CONTRACT**

Moved by Trustee Sherwood, seconded by Trustee Stearns, to award the engineering contract for the upcoming sewer project to MDA Consulting Engineers, PLLC.

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

5 ayes, 0 nays, 0 absent. Carried.

**NEW BUSINESS**

1. Clerk Maltby advised the Board the MRC will be doing their appliance pickup within the Village on Wednesday, May 22nd and that ads were sent to the Herald Courier and Pennysaver this week to advertise it.
2. Delinquent water:

**#506 RELEVY OF DELINQUENT WATER ACCOUNTS**

Moved by Trustee Stearns, seconded by Trustee Sherwood, to approve the adding of delinquent water account balances to Village tax bills, a total amount of $9,712.68.

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

5 ayes, 0 nays, 0 absent. Carried.

1. Impose a fee for notice of unpaid taxes:

**#507 IMPOSING A FEE FOR THE NOTICE OF UNPAID TAXES**

The following resolution was moved by Trustee Stearns, seconded by Trustee Dominessy:

WHEREAS: Section 987 of the Real Property Law mandates the annual mailing of a notice of unpaid taxes to each owner of real property upon which taxes remain unpaid; and

WHEREAS: effective January 1, 1995, Section 987 of the Real Property Tax Law authorizes the governing body of a municipal corporation to adopt a resolution to impose a fee of up to $2.00 per parcel to offset the expenses of complying with this mandate,

THEREFORE BE IT RESOLVED: that effective May 7, 2024 the Village of Delevan does hereby provide for the imposition of a fee of an amount of $1.00 chargeable against each parcel for which a notice of unpaid taxes is mailed in compliance with Section 987 of the Real Property Tax Law.

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

5 ayes, 0 nays, 0 absent. Carried.

1. Tax warrant:

**#508 TAX WARRANT RESOLUTION**

It was moved by Trustee Sherwood, seconded by Trustee Stearns to make the following resolution:

RESOLVED: that the tax levies totaling $112,744.00 as extended upon the roll of the Village of Delevan are hereby approved, and be it further

RESOLVED: that the Mayor and Clerk hereby are authorized and directed to sign and attach the warrant with the official Village seal hereto under the day of May 7, 2024.

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

5 ayes, 0 nays, 0 absent. Carried.

# PAY CLAIMS

The bills for the previous month of April were presented and audited. It was moved by Trustee Stearns, seconded by Trustee Dominessy, to make payment of $25,650.46, Abstract #012, $23,761.75 in General Fund Claims and $1,888.71 in payment of Water Fund.

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

**ADJOURNMENT**

At 7:50 PM it was moved by Trustee Dominessy, seconded by Trustee Sherwood to adjourn. Carried.

Village Clerk Gina Maltby