**April 4, 2023**

At 6:45 PM, Mayor Stumpf called the meeting to order.

The following were present:

John Stumpf Mayor

Patricia Sherwood Trustee

Brandon Stearns Trustee

Darwin Dominessy Trustee

Clerk Gina Maltby

Absent from meeting Trustee Trista Reisdorf

**OTHERS PRESENT:** Superintendent of Public Works Daren Smith, Village Attorney Peter Sorgi, Code Enforcement Chris Lexer, Fire Department Chief Jeff Holmes, Denna with Broadway Group, Village residents Scott and Mary Farrington.

# MINUTES

Trustee Stearns seconded by Trustee Sherwood, moved suspension of the reading of the Minutes of the previous board meeting March 7, 2023 inasmuch 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.

# #434 PUBLIC HEARING

At 6:45 PM, Mayor Stumpf opened the Public Hearing on the Budget. No one was in attendance from the Village requesting to speak for or against.

At 6:59 PM, it was moved by Trustee Stearns, seconded by Trustee Dominessy to close the Public Hearing on the budget.

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

Four ayes, 0 nays, 1 absent. Carried.

**#435 RESOLUTION TO ADOPT THE 2023-2024 BUDGET**

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

WHEREAS: The Tentative Budget for the year 2023-2024 has been presented to the Board and an advertised Public Hearing was held.

NOW THEREFORE BE IT RESOLVED: that the said tentative budget be and hereby is adopted as the budget of the Village of Delevan for the year 2023-2024 with a tax rate of 19.296182 mils per thousand.

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

Four ayes, 0 nays, 1 absent. Carried.

# #436 ORGANIZATION OF THE BOARD

It was moved by Trustee Sherwood, seconded by Trustee Stearns to approve Mayor Stumpf’s appointments, and pass the following resolutions:

## APPOINTMENTS

Deputy Mayor Brandon Stearns

Village Clerk Gina Maltby

Deputy Clerk Marcia Lexer

Treasurer Diane Finch

Village Attorney Peter Sorgi

Constable Joseph Neamon

Dog Control Officer Joseph Neamon

Registrar Donna Lavery

Building Inspector Christopher Lexer

Zoning Officer Christopher Lexer

Historian Jacqueline Cornwall

Keeper of the Clock Brandon Stearns

Official Depository Five Star Bank

Official Newspaper Arcade Herald, Inc.

Crossing Guard Joan Moore

Crossing Guard Kathy Norton

## RECREATION COMMITTEE

Jack Stumpf Brandon Stearns

# COMMITTEES

Fire Department Trustees Sherwood & Stearns

Legal Mayor Stumpf

Parks Trustees Reisdorf & Sherwood

Refuse Disposal Trustees Stearns & Dominessy

Street Lights Trustees Sherwood & Reisdorf

Trees Trustees Stearns & Dominessy

Hunt & Harrison

Water Department Trustees Sherwood & Stearns

Youth Recreation Mayor Stumpf & Trustee Stearns

Building Inspector Mayor

Zoning Officer Mayor

Streets & Sidewalks Trustees Dominessy & Reisdorf

Constable Mayor

## ORGANIZATION MEETING RESOLUTIONS

The Board of Trustees shall meet the **first Tuesday of each month at 7:00 PM** in the Delevan Municipal Building for the purpose of conducting official business. Work Sessions to be scheduled as needed.

Trustee Dominessy absent (left early), Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

Three ayes, 0 nays, 2 absent. Carried.

## INVESTMENT POLICY

The Board of Trustees of the Village of Delevan adopt the investment policy, which was passed on April 6, 1993.

## ADVANCE APPROVAL OF CLAIMS

*RESOLVED:* that the Board of Trustees of the Village of Delevan adopt the claim policy which was passed on April 3, 2001, including attendance at municipal meetings and training.

## CLAIMANTS CERTIFICATION

The Village Board will not require claimants certification signatures if there is a bill of sale or invoice (statement) for merchandise delivered to the Village.

## MILEAGE ALLOWANCE

*WHEREAS:* the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village.

*NOW THEREFORE BE IT RESOLVED*: that the Board of Trustees shall approve reimbursement to such officers and employees at the rate of 40 cents per mile.

## ESTABLISHING HOURLY RATE

The hourly rate during the 2023-2024 fiscal year is hereby established at $15.00 per hour for a part-time laborer and $15.00 for the cleaning person.

Trustee Dominessy absent (left early), Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

Three ayes, 0 nays, 2 absent. Carried.

## ANNUAL REVIEW OF PURCHASING POLICY

RESOLVED: that the Board of Trustees of the Village of Delevan adopt the purchasing policy which was passed on April 2, 2002 and amended on February 16, 2010 to include small, minority or women-owned businesses.

## ATTENDANCE AT ASSOCIATION MEETINGS

After review of the Association Meetings Policy adopted in 2001, it was moved by Trustee Sherwood, seconded by Trustee Hunt that the policy should remain the same.

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

Four ayes, 0 nays, 1 absent. Carried.

**UPDATE ON NEW CONSTRUCTION**

*During this presentation, Trustee Dominessy needed to leave early.*

Deanna with Broadway Group provided a presentation with information on the new business coming to the Village. Permitting a 10,640 square foot facility. Asbestos abatement will be done, then will demo the two existing buildings. Deanna provided information including a rendering of what the facility will look like and that they try hard to ensure local hiring to keep the opportunity of benefit local. Code Enforcement Chris Lexer stated that he has reached out to local contractors and provided them with the Project Manager’s phone number to try to keep as much work local as possible.

First proposals have been sent to the county planning board and were approved. Asbestos abatement and air quality testing will need to be done. Deanna stated hoping for construction to begin no later than the 1st of June. She stated this type of construction typically takes 120 days.

**UPDATE ON ZONING**

Code Enforcement Chris Lexer provided a copy of the proposed amended zoning law to board members. It has been updated to be easier to read and follow. Also had an updated zoning map; only a few alterations were made to the map, such as eliminating the agricultural residential district. Cleaned up the table of contents.

# REPORTS

**Fire Department report presented by Fire Chief Jeff Holmes, there were 24 calls for the month of March:**

**EMS CALLS** **EMS STANDBY**

Village 7 Village 1

Town of Yorkshire 11

Town of Freedom 1 **VEHICLE FIRE**

Town of Yorkshire 1

**HAZARDOUS CONDITION ODOR INVESTIGATION**

Town of Yorkshire 2 Town of Yorkshire 1

Fire Chief Jeff Holmes also reported that the Fire Department’s annual elections will be held on Thursday, April 6th at 7:00 PM. The gun raffle is scheduled for next Saturday, April 15th, with doors opening at 5:00. 966 tickets have been sold and there are 34 left. The annual banquet is on the 29th. Mother’s Day breakfast will be held on Mother’s Day, May 14th and is the last fundraiser until fall. Currently waiting on a few things from the forestry grant. Two Fire Department applications were received for Joni Ensell and Scott Osborne. Fire Chief Holmes stated that Joni Ensell will be a support member for things such as working fundraisers, but will not be doing firematics.

**#437 FIRE DEPARTMENT APPLICATION FOR JONI ENSELL**

Moved by Sherwood, seconded by Trustee Stearns, to approve the application for Joni Ensell to the Delevan Volunteer Fire Company.

Trustee Dominessy absent (left early), Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

Three ayes, 0 nays, 2 absent. Carried.

**#438 FIRE DEPARTMENT APPLICATION FOR SCOTT OSBORNE**

Moved by Sherwood, seconded by Trustee Stearns, to approve the application for Scott Osborne to the Delevan Volunteer Fire Company.

Trustee Dominessy absent (left early), Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

Three ayes, 0 nays, 2 absent. Carried.

**#439 Fire Department Certificate of Amendment**

Moved by Stearns, seconded by Trustee Sherwood, to approve the Village Board to sign the Certificate of Amendment of Delevan Volunteer Fire Company that Chief Jeff Holmes provided. The amendment would open the Fire Department up to more grant opportunities, donations and help with an ambulance.

Trustee Dominessy absent (left early), Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

Three ayes, 0 nays, 2 absent. Carried.

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

1. Still working with residents on water leaks, tried some stuff on a trailer. Pine tree came down over the weekend, missed both trailers but hit electrical line and a car. Shut the water off inside, meter was still turning. Must be small leak.
2. Has not had to do much plowing.
3. Scheduled to chip Monday; Town was using the chipper today. Going to try to start chipping tomorrow.
4. Superintendent Smith to follow up with resident regarding repairs being done to correct water leak.

**#440 NATIONAL GRID CHANGE STREET LIGHTS**

Moved by Stearns, seconded by Trustee Sherwood, to approve having National Grid change street lights within the Village for $2.65 each ($317.98). Superintendent Smith unsure when the would begin installing; time limit on when he needs to get back to them.

Trustee Dominessy absent (left early), Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye.

Three ayes, 0 nays, 2 absent. Carried.

**Clerk Gina Maltby reported the following:**

1. Prepared Vouchers and Abstract
2. Cash receipts provided to each board member
3. Delivered trash stickers to Crosby’s
4. Handicap parking permits issued
5. New water billing was completed; current bills remaining unpaid: $22,817.80

**COMMUNICATIONS**

1. Returned taxes received from Cattaraugus County in the amount of $6,761.03
2. Clerk Gina Maltby informed the Board that a letter was received at the Village office from Kathy Perkins to inform the Village that they will no longer be hosting Music in the Park. This change is happening due to lack of boys enrolled in Boy Scouts; Boy Scouts of America is not allowing them to re-charter BSA Troop 627.

**NEW BUSINESS**

1. Two residents submitted letters to the Village Office requesting a reduction on their high water bills. After board discussion, one resident’s request was denied. Superintendent Smith is to follow up with the other resident.

# PAY CLAIMS

The bills for the previous month of March were presented and audited. It was moved by Trustee Stearns, seconded by Trustee Sherwood to make payment of $14,234.46 Abstract #011, $12,910.22 in General Fund Claims and $1,324.24 in payment of Water Fund.

Trustee Dominessy absent, Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns aye, Mayor Stumpf aye. 3 ayes, 0 nays, 2 absent. Carried.

**#441 MOTION FOR PUBLIC HEARING**

Moved by Stearns, seconded by Trustee Sherwood, to hold a public hearing on May 2nd, 2023 at 6:45 PM at the Delevan Village Hall at 85 South Main Street, Delevan, NY 14042 regarding a Petition by the Delevan Village Board of Trustees to enact a Local Law amending the Village of Delevan Zoning Law and Village of Delevan Zoning Map.

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

Three ayes, 0 nays, 2 absent. Carried.

**ADJOURNMENT**

At 8:42 PM PM it was moved by Trustee Stearns, seconded by Trustee Sherwood to adjourn. Carried.

Village Clerk Gina Maltby