**February 7, 2023**

At 7:00 PM, Mayor Stumpf called the meeting to order.

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, Code Enforcement/Zoning Officer Chris Lexer, Fire Department First Assistant Chief Andy Eastman, Rescue Squad Chris Hazeltine.

# MINUTES

Trustee Sherwood, seconded by Trustee Reisdorf, moved suspension of the reading of the Minutes of the previous board meeting January 3, 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.

*Mayor Stumpf opened the Public Hearing on Local Law adopting New York State Uniform Fire Prevention and Building Code standards.*

**#420 NEGATIVE DECLARATION**

Moved by Trustee Stearns, seconded by Trustee Sherwood, a motion to declare Local Law #1 as a negative declaration.

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

5 ayes, 0 nays, 0 absent, Carried.

**#421 LOCAL LAW NO. 1 OF 2023**

A roll call vote was taken to adopt Local Law No. 1 of the year 2023, administration and enforcement of the New York State Uniform Fire Prevention and Building Code in the Village.

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

5 ayes, 0 nays, 0 absent, Carried.

*At 7:05 PM, Mayor Stumpf closed the Public Hearing on adopting Local Law No. 1.*

**#422 EXECUTIVE SESSION**

*At 7:05 PM, it was moved by Mayor Stumpf to move into an Executive Session to discuss a legal issue.*

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

5 ayes, 0 nays, 0 absent, Carried.

**#423 SETTLEMENT AGREEMENT**

Moved by Trustee Reisdorf, seconded by Trustee Dominessy, a motion to allow Mayor Stumpf to sign settlement agreement

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

5 ayes, 0 nays, 0 absent, Carried.

*At 7:10 PM, it was moved by Trustee Sherwood, seconded by Trustee Stearns to close the Executive Session.*

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

5 ayes, 0 nays, 0 absent, Carried.

**#424 SITE PLAN APPROVAL FEE**

Moved by Trustee Stearns, seconded by Trustee Reisdorf, a motion to set the site plan approval fee at $250.00

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

5 ayes, 0 nays, 0 absent, Carried.

**#425 PUBLIC HEARING ON ZONING LAW**

Moved by Trustee Reisdorf, seconded by Trustee Dominessy to hold a Public Hearing on amending the Zoning Law on Friday, February 24th, 2023 at 10:00 AM 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.

Code Enforcement Officer Chris Lexer also reported that he had received price estimates from Bob Herman on the construction of the new building located at the Delevan Village Park. Estimate given for a 20x20 building as $22,000.

# REPORTS

**Fire Department report presented by First Assistant Chief Andy Eastman, there were 27 calls for the month of January:**

**EMS CALLS** **STRUCTURE FIRE**

Village 14 Machias 1

Town of Yorkshire 5

Machias 2

Springville 1 **AUTO ACCIDENT**

Town of Yorkshire 1

Machias 1

**HAZARDOUS CONDITION**

Village 1

**STANDBY**

West Valley 1

Also, in other Department matters, Andy Eastman provided reminders of the upcoming raffles/banquets: Spring Meat Raffle to be held on 3/18. Gun Raffle to be held on 4/15 and Insulation Banquet to be held on 4/29. Rescue Squad Chris Hazeltine reported that they are working on getting an issue fixed that is preventing them from working with Medicaid or the state. He also reported that a salesman from Gorman was at the Fire Hall with a 2023 ambulance.

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

1. Has plowed several times. Had to call the State and complain about one plow driver that was driving too fast. The issue has been addressed.
2. The gas company has two places where they put limestone down and were supposed to fix the sidewalks before it snowed. The repairs were not made, caused issues in both spots. A resident had called to inform that a plow had pushed limestone up onto the sidewalk; went and cleaned it up.
3. Had to purchase a new battery for the John Deere tractor.
4. Sidewalk block that was put in front of a business in the village sunk back down. Was catching the snow blower on it, ground an angle on it and it no longer having issues.
5. Had to patch some areas of the sidewalks due to the weather and certain vehicles that are too large driving on those areas.
6. Nitrate samples have been taken for the year
7. Had to call company about computer issue.
8. Ran into issue with the UV system for the water. Now has to go through Trojan directly to order parts.
9. Attempted to do follow up with Village resident on water leak issue. Water will be turned off tomorrow morning.
10. Currently working on DEC water withdrawal report that has to be done by the end of next month.
11. Low voltage from School Street going north, had to switch to generator manually.
12. Used new plug on the traffic signal Sunday. Had generator on it for 7 ½ hours.

**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. As of 2/7, water bills remaining unpaid $13,428.55
5. Informed First Assistant Chief Andy Eastman of a check donation given by the Delevan Methodist Church to the Fire Department in the amount of $400. Gave him the check.

**COMMUNICATIONS**

1. A deposit was made in the amount of $37,888.15 on 01/23/2023 by Cattaraugus County for Sales Tax Distribution – 4th quarter 2022.
2. New York is currently looking to provide Volunteer Firefighters and Ambulance Workers with a property tax exemption. More details to follow.

**UNFINISHED BUSINESS**

1. Summer recreation program: Mayor Stumpf informed the Board of meeting with three individuals from the recreation program from the Town. An ad was placed in the paper seeking a director; additional ads will be put in the paper for counselors. Interviews for the director position will be taking place on March 2nd.

**NEW BUSINESS**

1. Each board member was provided with a copy of the December 2022 year end budget.
2. Resident Joyce Koch reached out to the Village inquiring on being able to host the Village East Egg hunt this year.

**#426 EASTER EGG HUNT**

Moved by Trustee Stearns, seconded by Trustee Sherwood, to allow Joyce Koch to hold a community Easter egg hunt at the Delevan Village Park on 4/8 at 3:00 PM. The Board also approved the use of the Hall if needed that day.

Trustee Dominessy aye, Trustee Reisdorf 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 January were presented and audited. It was moved by Trustee Sherwood, seconded by Trustee Reisdorf to make payment of $48,172.84 Abstract #9, $37,130.98 in General Fund Claims and $11,041.86 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 7:59 PM it was moved by Trustee Reisdorf, seconded by Trustee Sherwood to adjourn. Carried.

Village Clerk Gina Maltby