

**MAYOR JAMES M. JAROSZYNSKI-absent**  
**TRUSTEE ANTHONY CAVALLARO**  
**TRUSTEE TIMOTHY DUNN**  
**TRUSTEE ALAN GUSTAFSON JR.**  
**TRUSTEE ANNETTE MILLER-absent**

**GREGORY PETERSON, ATTORNEY**  
**CINDY CAPESTRANI, VILLAGE CLERK**  
**PAULA SPUNAUGLE, TREASURER**  
**BRYCE WEBSTER, FIRE CHIEF**  
**PAUL CAPITANO, CODE ENFORCEMENT OFFICER**  
**CARL CAPRINO, DPW SUPERINTENDENT**  
**LAURIE BECKER, LIBRARY DIRECTOR-absent**

The regular meeting of the Village of Falconer Mayor and Board of Trustees was held on Monday, July 8, 2024 at 6:00 P.M. in the Firemen's Exempt Hall with Deputy Mayor Anthony Cavallaro presiding.

**Pledge of Allegiance & Roll:**

Trustee Gustafson, Trustee Dunn, and Deputy Mayor Cavallaro, were all present.

**Public Hearing**

Trustee Dunn made a motion, seconded by Trustee Gustafson to open the public hearing for the Community Development Block Grant application. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye. Nays: none. Carried.

Hanna Crosley, grant writer and administer from CHRIC (Chautauqua Home Rehabilitation & Improvement Corporation) presented the following:

**2024 OFFICE OF COMMUNITY RENEWAL  
COMMUNITY DEVELOPMENT BLOCK GRANT  
ANNUAL COMPETITIVE ROUND**

***What Is It?***

*The New York State Office of Community Renewal Community Development Block Grant Program (CDBG) is a federally funded program authorized by Title I of the Housing and Community Development Act of 1974 that is administered by the Office for Community Renewal (OCR).*

- The CDBG Program provides funding to eligible communities for the development of **projects that provide** (1) decent and hazard-free affordable **housing**, (2) access to safe **drinking water**, (3) proper **disposal of household wastewater**, (4) **access to community-needed services** in local facilities, (5) foster **microenterprise activities** and economic opportunities through the support of projects that create and/or retain permanent employment opportunities that principally benefit low-and moderate-income persons.*
- In New York State, the application process is separated by the type of activity, with requests for grants to assist with Community Planning, Microenterprise, Public Facilities, and Public Infrastructure proposals falling under the Consolidated Funding Application that is awarded through the Western New York Regional Economic Development Council. Economic Development and Small Business Assistance applications are accepted year-round. Funding Opportunities for Housing activities for the state's 2024 funding allocation were announced May 13, 2024, with applications due July 31, 2024. Activities funded under the CDBG Program must meet the **National Objectives** of (1) benefit low-and moderate- income*

persons, (2) aid in the prevention or elimination of slums or blight or (3) meet community development needs having a particular urgency.

**2024 Income limits are:**

Household Size	1 Person	2 People	3 People	4 People	5 People	6 People	7 People	8 People
<b>Maximum Income</b>	<b>\$46,800</b>	<b>\$53,450</b>	<b>\$60,150</b>	<b>\$66,800</b>	<b>\$72,150</b>	<b>\$77,500</b>	<b>\$82,850</b>	<b>\$88,200</b>

**Who can apply?**

Cities/towns/villages with a population under 50,000 and counties with populations under 200,000 are eligible to apply

**How much is available?**

The total available for 2024 is approximately \$100 million for all eligible types of activities, including housing. The maximum funding limits are as follows:

Towns, Cities and Villages: \$750,000

Counties: \$1,500,000

**What is the process?**

The Village is seeking public input, especially from low-income residents, on whether to apply for CDBG funding under the 2024 funding allocation and, if so, what type of program to pursue. Again, eligible uses of CDBG funding include (1) decent and hazard-free affordable **housing**, (2) access to safe **drinking water**, (3) proper **disposal of household wastewater**, (4) **access to community-needed services** in local facilities, (5) foster **microenterprise activities** and economic opportunities through the support of projects that create and/or retain permanent employment opportunities that principally benefit low-and moderate-income persons. CHRIC focuses on (1) decent and hazard-free affordable housing.

Citizen participation in the planning and implementation process is critical. There must be public interest in seeking funds and agreement on the proposed use of those funds.

The applications are extremely competitive and there is no guarantee that we will be successful, although we will prepare and submit the strongest proposal possible. Awards will probably be announced sometime in August or September and, if Falconer is awarded money, we would begin the program in late winter/early spring. Most construction would occur from Spring 2025 through the Fall 2026.

At this time, I'd like to open up for questions/comments/input/discussion.

Clarification was made to the household size as it does include children. Also, the village of Falconer's responsibility for the program was to hold the public hearing, the application and all of the processing of the applications from residents is handled by CHRIC.

Trustee Dunn made a motion, seconded by Trustee Gustafson to close the public hearing. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye. Nays: none. Carried.

**Visitors**

Nina Gustafson     Becky Dewey     Chris Blakeslee- Post Journal

**PRIVILEGE OF THE FLOOR**

VISITORS ARE ALLOWED A MAXIMUM OF THREE (3) MINUTES TO ADDRESS THE BOARD. THIS IS NOT THE TIME OR PLACE FOR A DEBATE. IT IS A MEETING FOR THE BOARD TO CONDUCT VILLAGE BUSINESS. ALL COMPLAINTS/REQUESTS WILL BE CONSIDERED AND REVIEWED AT A LATER TIME.

**Visitor Comments**

- No visitor comments

**Minutes**

Trustee Dunn made a motion, seconded by Trustee Gustafson, to approve the minutes of the June 10, 2024 Regular Board of Trustees Meeting. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye, Nays: none. Carried.

Trustee Gustafson made a motion, seconded by Trustee Dunn, to approve the minutes of the June 20, 2024 Special Board of Trustees Meeting. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye, Nays: none. Carried.

**Mayors Remarks**

- There were no mayor remarks in his absence.

**Fire Chief**

The Fire Chief's June report was reviewed and noted that the department responded to 24 EMS incidents, 30 cancelled in route, 3 medical assists, 2 smoke scare, 2 building fires, 1 standby, 1 alarm unintentional, 2 motor vehicle accident with no injuries, 1 motor vehicle accident with injuries, 1 outside rubbish fire, 1 false alarm, 1 alarm system malfunction, 69 total incidents.

**Mutual Aid Breakdown - June 2024**

**Given:** Jamestown-1, Gerry-2, Frewsburg-3, Kennedy-4, total 10

**Received:** Medic 74-6, Alstar-23, Kennedy-3, Coroner-1, total 33

**Highlights:**

- The ambulance will be out of service for about a week to have the roof replaced.
- Mutual aid received is high this time of year due to the fact that manpower is limited in the summer with school out and vacations planned.
- Waiting for a call back from Plyler on when the garage door will be replaced.
- No updates on any of the grants submitted.

**Code Enforcement**

The June code officer report was reviewed. It was noted 6 building permits totaling \$169.20 were issued this past month, totaling \$1,561.70 year-to-date.

**Highlights:**

- Sent out 6 grass cutting violations.
- 14 Mosher Street – bank took over – locks were changed.
- 323 W. Main Street (former Hultman's) – owner gave eviction notice to tenant
- 400 W. Main – total remodel is ready to rent.
- 329 W. Main Street – L.J. Rentals to remodel for clothing boutique

CEO Capitano will follow up on a camper that is parked on village property behind the houses on Elmwood Avenue.

**Department of Public Works**

The DPW report was submitted for the period June 10, 2024 – July 3, 2024.

- Deputy Mayor Cavallaro asked why the handicap approach on the corner of Mosher and Homestead was not replaced with the sidewalk replacement. Superintendent Caprino stated that the approaches are done when they replace the road, not the sidewalk.
- Trustee Gustafson asked if there were any updates on running the water line to the recreation building at Falconer Park. There is ARPA funding available that needs to be allocated by the end of 2024. Superintendent Caprino noted that there was a leak in the old line and since the line was not used for several years, the meter was removed by the Jamestown BPU. The existing water line from Mosher Street to the rec building is still in the ground. There was a discussion that instead of looking for the break in the old line, which is either steel or cast iron, we should replace the line with new updated materials. The board has had previous discussions regarding the broken water line to the recreation building, but there has been no resolution.
- Superintendent Caprino was asked to get a ballpark cost for running a new water line for the next board meeting so that the board can make a decision.

**Library**

The June 11, 2024 – July 8, 2024 Library report was reviewed.

**Highlights:**

- The library board met on June 13<sup>th</sup> and recommended to move forward with the front door construction, using El Greco for the front door wood replacement, D&S Glass for the door and handicap mechanics, and Venable Concrete to put in the book drop. Grants were received from Anderson Rosch, United Arts Appeal, Chautauqua Region Community Foundation, and Chautauqua Cattaraugus Library System.
- The kick-off for the Summer Reading Program “Adventure Begins at Your Library” was held on July 1<sup>st</sup> with over 100 people attending. The program will run for 5 weeks through August 3<sup>rd</sup>. Thank you to Tops Friendly Markets, Wendy’s, Burger King, Tim Hortons, Elevation Jump Park and Brian and Kay Nelson for the reading prize donations.
- Summer band concerts will take place in Davis Park from 6:30 – 8:30 pm on July 11, 18, 25 and August 1<sup>st</sup>. Thank you in advance goes out to the DPW for their help with providing chairs and blocking off traffic for these events and to Falconer Fire Department for providing a place in their truck bay if there is inclement weather for any of the concerts.
- The next library board meeting is scheduled for August 1, 2024 at 8:00 am in the library.

**Committees:**

**Finance:**

- Budget Modifications

Trustee Gustafson made a motion, seconded by Trustee Dunn to approve the village treasurer to be authorized to make the following amendments to the 2023-24 General Fund Budget as written on Resolution #2024-8.

**REVENUES**

INCREASE: A917	Unassigned Fund Balance	\$251,077.45
A2770	Misc Income- Volunteer Fire Dept Reimbursement	\$12,134.54
A1710	Public Works Services-Reimbursed for shared services	\$909.72
A2680	Insurance Recoveries	\$4,935.32
A917	Unassigned Fund Balance	\$9,374.00
A917	Unassigned Fund Balance	\$414.91

**APPROPRIATIONS**

INCREASE: 5110.2	Equipment – Stephenson Equip-Leaf Machine	\$79,018.45
5110.2	Equipment – Cyncon Equip-Sidewalk Tractor	\$172,059.00
3410.4	Fire Department Contractual	\$12,134.54
5110.4	DPW Contractual	\$909.72
3410.4	Fire Department Contractual	\$4,707.22
5110.4	Street Contractual	\$228.10
1620.2	B&G Equipment – Chimney Repair	\$9,374.00
3420.4	Fire Station – Generator work	\$414.91

Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye, Nays: none. Carried.

**Legal:**

- A draft copy of a purchase and sale agreement from Peak Development is being reviewed. This is a follow up from the executed letter of intent that was presented at the special board meeting held on June 20, 2024.
- Tarp Skunk Falconer Night at the Park, Honoring the Legacy of Falconer Softball, July 17<sup>th</sup> at 5:00 pm.
- First Responders Night at the Tarp Skunk Game will be held on Thursday, July 11<sup>th</sup>.

**Public Safety:**

- The Municipal Shelter Inspection Report was reported as “satisfactory” as reported by the NYS Animal Health Inspector.

**Downtown Development:**

- There will be a Falconer Chamber meeting on July 11<sup>th</sup>, location to be determined.
- The Village, Peak Development, Western NY Empire State Development and the IDA are planning a meeting to plan for the NY Forward grant.

**Farmers Market:**

- Nothing to report.

**Parks:**

- Nothing to report.

**Pine Hill Cemetery:**

- The summer season has been busy with mowing and a number of cremains burial and plot purchases.

**Planning/Zoning Board**

- There was a recent Zoning Board meeting on Wednesday, June 19<sup>th</sup> in which a variance was granted for an addition to an existing home. There was also a request for a business sign to be placed perpendicular on the front of the building. The sign regulations are in the Village Code book, not the Zoning Code book. CEO Gustafson was going to check if the Zoning Board has the authority to grant this request or if it has to go before the board of trustees. The request was tabled for additional information to be gathered.

**Old Business:**

- ***Merriam Street Parking- update***

Superintendent Caprino reported that the new signs were ordered for the northeast side of Merriam Street after he spoke with Jim Roach from Falconer Printing and the resident that parks on Merriam. The signs will read “No Parking from 7 am to 5 pm”.

Attorney Peterson noted that the next step is for the Planning Board to amend the parking law but that can be done with other upcoming local law updates as one master local law update. A resolution was adopted for the parking change and is good until the local law gets updated.

- ***Pro-Housing Community Designation – Next Step***

The village’s pro-housing letter of intent, as the first step in the process, was accepted. The Pro-Housing Communities Program provides a certification program for local governments that are taking action to support housing growth to address the housing shortage throughout the state. Obtaining certification is now required to be eligible for specific discretionary NYS funding grants.

- ***DPW Pole Barn addition – update***

The Community Building Garage Door Repair Committee, comprised of CEO Capitano, Superintendent Caprino, Trustee Cavallaro, Trustee Gustafson Jr. and Deputy Superintendent Faulkner, met on June 26, 2024 to explore alternatives to repairing the garage door lentils on the Community Building addition.

- The committee looked at the site behind the DPW building for a potential pole barn to be built as an addition to the existing pole barn behind the DPW building. The Community Building currently has a code office in the basement and historian display upstairs that are not handicap accessible. The DPW equipment that is stored in the Community building bays could be moved to this addition. This would free up space for the future to be able to move these offices so that they are more accessible to the public and add a larger meeting room to accommodate village meetings.
- Trustee Dunn is concerned that we need to create a list of projects that need to be done, such as the repair to the parapet, and then prioritize them with a time line so that we can plan for the expense.
- The concern is do we want to spend \$31K to fix the lentils or can we enclose bays and put this area it to better use once the DPW equipment is moved.
- The board decided to have the committee develop detailed specifications to send out for a sealed bid so that we can see what type of funds will be needed for the addition. If a sealed bid request is sent out, the bids can tabled or rejected if we do not want to move forward with the project.

- ***Resolution to authorize going out to bid for DPW addition***

Attorney Peterson suggested that we prepare the specifications for the addition for the August board meeting for review, then once the board reviews the specifications, they can authorize that we can go out for bid.

**New Business:**

- ***Resolution to adopt Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan***

The Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan (shared services) has been approved by the NYS Department of Homeland Security and Emergency Services and by the Federal Emergency Management Agency (FEMA) pending adoptions by the jurisdictions within Chautauqua County.

July 8, 2024

7

Trustee Dunn made a motion, seconded by Trustee Gustafson to approve Resolution #7-2024 Adopting the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye, Nays: none. Carried.

**Correspondence:**

- ***Abstract Audit – Trustee Gustafson***

Trustee Gustafson’s letter, date July 8, 2024, which acknowledged his review on July 7-8, 2024 of the unpaid vouchers for Abstract #2 (FY 24/25) and bank reconciliations from M&T Bank, Community Bank and NYCLASS for the month of May 2024 was placed into record.

- ***Thank You Note – Doug & Sue Seamans***

Thank you to the DPW crew for the new sidewalks in their neighborhood.

**Abstracts**

**Motion:** It is moved by Trustee Gustafson and seconded by Trustee Dunn that Abstract #2, General Fund in the adjusted amount of \$154,420.93 be approved for payment. After a brief discussion it was determined that the monthly Casella contract in the amount of \$7,750 was listed twice in error. The JMI charge was clarified as being for 1.5 yards of topsoil, the Rauh paving charges are off of the county bid, the Amherst Exterminator exterior maintenance application in the amount of \$100 was not approved to be applied by anyone from the village. The payment to Lewis Contracting will be held until we receive the form stating prevailing wage was used. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye. Nays: none. Carried.

**Motion:** It is moved by Trustee Dunn and seconded by Trustee Gustafson that Abstract #2, Cemetery Fund in the amount of \$1,049.86 be approved for payment. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye. Nays: none. Carried

**Motion:** It is moved by Trustee Dunn, and seconded by Trustee Gustafson that we table Abstract #2 Library Fund in the amount of \$1,767.48 for next month’s meeting. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye. Nays: none. Carried

**Motion:** It is moved by Trustee Dunn and seconded by Trustee Gustafson that Abstract #2, General Fund Hand Items in the amount of \$5,595.55 be approved for payment. Roll: Dunn: Aye, Gustafson: Aye, Deputy Mayor Cavallaro: Aye. Nays: none. Carried

Trustee Gustafson made a motion, seconded by Trustee Dunn, to adjourn the regular meeting at 7:19 p.m. Ayes: all. Nays: none. Motion carried.

*Respectfully submitted,  
Cindy Capestrani, Village Clerk*