

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

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

The regular meeting of the Village of Falconer Mayor and Board of Trustees was held on Tuesday, October 15, 2024 at 6:00 P.M. in the Firemen's Exempt Hall with Mayor James Jaroszynski presiding.

Pledge of Allegiance & Roll:

Trustee Gustafson, Trustee Dunn, Trustee Cavallaro, Trustee Miller and Mayor Jaroszynski were all present.

Visitors

Tracy Schrader Nina Gustafson Karleigh Mattison Sue Martorell
Abigail Rexroad Elizabeth Sandy

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. ALLCOMPLAINTS/REQUESTS WILL BE CONSIDERED AND REVIEWED AT A LATER TIME.

Visitor Comments

- Tracy Schrader, Falconer resident, addressed the board regarding an accident that occurred on May 22, 2024 between her husband, Chris Schrader, and a village employee operating a village hazard vehicle. The insurance company denied the claim stating that the village vehicle involved is a "hazard vehicle" under the Vehicle and Traffic Law of the State of New York and is exempt from the "rules of the road". The total repairs to her vehicle were \$3,469 which was covered under her personal insurance less the \$500 deductible. She is asking the board to review the details of the accident in the letter that was sent to all board members and reconsider reimbursing her family the \$500 deductible. This will demonstrate the village taking some responsibility and accountability in this incident.
- Mayor Jaroszynski stated that the board will review the details again in executive session as it was previously denied on the advice of the village's insurance company.

Minutes

Trustee Dunn made a motion, seconded by Trustee Miller to approve the minutes of the September 9, 2024 Regular Board of Trustees Meeting with a spelling correction to "Kiantone" in the Fire Chief Report and in the Finance budget modification there was an extra digit in the public works charge figure. Corrections have been made. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

It was also noted that there was a correction made to the August 12, 2024 meeting minutes where it was listed as Deputy Mayor Cavallaro presiding the meeting when it should have been Mayor Jaroszynski.

Mayors Remarks

- The “Made in Falconer” event that was held on October 5th presented by the Chautauqua Chamber was very well attended. The Chautauqua Trolley provided rides between the participating six village manufacturers.
- Attended the Chamber Annual Award Banquet at SUNY Fredonia on October 10th. Falconer business, PersNikkity Pies, was awarded 2024 Business of the Year.

Fire Chief

The Fire Chief’s September report was reviewed and noted that the department responded to 28 EMS calls, 25 cancelled in route, 2 power line down, 6 cover assignment, 4 motor vehicle accident with injuries, 1 steam thought to be smoke, 1 rubbish fire, 1 smoke or odor removal, 2 alarm system malfunction, 3 alarm system unintentional, 1 motor vehicle/pedestrian accident, 1 building fire, 1 carbon monoxide incident, 76 total incidents.

Mutual Aid Breakdown - September 2024

Given: Jamestown-7, Gerry-2, Frewsburg-1, Kennedy-1, total 11

Received: Medic 74-9, Alstar-12, Gerry-2, Kennedy-3, Mercy-1, Kiantone-1, Stat Helicopter-1, total 29

Highlights:

- Recent ISO review – still waiting for the report.
- Ladder truck is in for yearly service, others will follow when the prior truck is complete.
- Chief Webster will follow up with the Jamestown Fire Department regarding their commitment to purchase the old digital alarm system. If they no longer wish to purchase the unit, he will list the system on Auctions International.
- FEMA Safer grant update – an amendment can be sent requesting not to use the funds for the electronic sign or to request using the funds in a different way under the grant regulations. It would be up to FEMA to make that decision and the possibility of losing the grant is something to think about. Trustee Cavallaro asked about getting a portable electronic sign that could be moved around the village versus a permanent sign that would have limited visibility at the fire hall. Chief Webster agreed that would be a great option and will follow up on the idea.
- **Review/Approval of 1 Membership Application**
Trustee Cavallaro made a motion, seconded by Trustee Gustafson to approve Wiebke Behrens into the Falconer Hose Company. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: None. Carried

Code Enforcement

The September code officer report was reviewed. It was noted 11 building permits totaling \$750 were issued this past month, totaling \$2,926.70 year-to-date.

Highlights:

- 85 W. Mosher – fence discrepancy variance closed
- 336 E. Main Street – sent letter for unregistered vehicles in driveway
- 212 E. Mosher Street – sent letter for unregistered vehicle
- 264 Lister Avenue- sent letter for unregistered vehicle
- 209 East Avenue - sent letter for unregistered vehicle

Pro-Housing Community Designation – update

- Working on Pro-Housing Community Program application

Trustee Gustafson noted letters are to be sent out to surrounding neighbors before chicken permits can be issued and wanted to make sure the procedure was followed as chicken permit are not requested frequently.

Department of Public Works

The DPW report was submitted for the month of September 2024.

Highlights:

- ***Approval of Eric Kanouff to DPW Deputy Superintendent***

Trustee Cavallaro made a motion, seconded by Trustee Dunn to approve Eric Kanouff as Deputy Superintendent. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: None. Carried

- ***Approval of Jacob Galati – DPW Motor Vehicle Operator***

Trustee Dunn made a motion, seconded by Trustee Miller to approve hiring Jacob Galati to the position of DPW Motor Vehicle Operator. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: None. Carried

- The curfew horn has been worked on, but the parts that were received from other municipalities are not compatible. A new alarm system was requested as part of the NYS infrastructure grant. No additional time will be spent on the repair for now until the grant is awarded.
- The library TV was installed and the cement pad poured for the book drop area.
- Power washed and sealed the entrance sidewalk to the Community building and repaired 2 front lights on the building that have not worked in several years.
- Leaf pick-up will begin this week.
- ***DPW pole barn addition – bid results***

The bid results that were opened on October 4, 2024 at 1:30 pm were presented to the board.

After reviewing to make sure all specifications were met, Superintendent Faulkner is recommending Pavlock & Sons Construction. All contractors were made aware that prevailing wage applies to all subcontractors they may use. Trustee Cavallaro made a motion, seconded by Trustee Miller to accept the bid from Pavlock & Sons Construction for \$40,240 using the ARPA funds for the DPW pole barn. Discussion: Trustee Gustafson noted that he would like a commitment to develop plans for the space once the DPW equipment is moved out. Trustee Cavallaro recommends that we conduct a feasibility study for the community building as to how to best utilize the space. Trustee Dunn noted that we need to take care of any repairs needed to the building first. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: None. Carried

Library

The September 9, 2024 – October 15, 2024 Library report was reviewed.

Highlights:

- The Library Board has approved filling a vacant trustee position with Jennifer Janocha and are asking for the village board's approval. Trustee Gustafson made a motion, seconded by Trustee Dunn to approve Jennifer Janocha to the Library Board. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: None. Carried
- Laz Theofilactidis from El Greco Woodworking provided the matching replacement wood for the entryway and several book cases for the library. The board and staff are beyond thankful for their support on the project. The board thanked Laurie and her staff for all their work on the door project.
- Superintendent Faulker installed the TV above the entryway. This will be used as a messaging area as well as being available for meetings and presentations.
- The new handicapped accessible door is expected to be installed at the end of November by D&S Glass. Thank you goes out to Superintendent Faulkner and the DPW crew for removing some bushes from the front of the library and pouring the cement pad that was needed in front of the new book drop that will be added later this fall by Venable Concrete Construction.
- The Chautauqua-Cattaraugus Library System Workshop and 2024 Annual Meeting was held on

October 9th and was attended by Laurie Becker, Sandy Thies, Pam Vanstrom, FPL Board Vice-President and Lisa Conti, FPL Board Trustee.

- The next library board meeting is scheduled for December 5, 2024 at 8:00 am in the library.

Committees:

Finance:

- ***Budget Modification***

Trustee Dunn made a motion, seconded by Trustee Cavallaro to approve Resolution #15-2024 Budget Modification to the 2024-25 General Fund Budget:

REVENUES

INCREASE: A2770	Misc Income	\$10,000
	Monies Received from BPU for Capital Improvement	
INCREASE: A3051	State Aid (CHIPS) Increase Budget	\$11,653

APPROPRIATIONS

INCREASE: A820.4	Sanitary	\$10,000
INCREASE: 5112.2	CHIPS	\$11,653

Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Legal:

- Nothing to report.

Public Safety:

- The Dog Control Officer Report was reviewed by the board.
- The Fire Advisory Board (FAB) will be meeting to work on the EMS contract as well as long range planning. New truck orders currently have a 42-to-48-month timeline for delivery. The FAB will be meeting with a representative to go over details on the pricing options. They are also looking to consolidate some of the equipment to streamline the operation and continue to provide a good service to the public. Trustee Cavallaro thanked the FAB and Fire Chief Webster for all the work they do to guide us in the right direction.

Downtown Development:

- “Made in Falconer” event was held on Oct. 5. Trustee Gustafson will put together a summary once all the feedback is received by the businesses that participated. The steering committee has been working on finalizing the NY Forward application so that it can be submitted by October 18.

Farmers Market:

- Nothing to report.

Parks:

- Nothing to report.

Pine Hill Cemetery:

- The cemetery has been busy pouring 14 foundations for headstones. Getting ready to start picking up leaves with the new leaf machine.

Planning/Zoning Board

- There was a Planning Board meeting this past month to review final draft of the food truck code. It should be ready to be presented to the village board at an upcoming meeting for approval.

Old Business:

• ***Resolution #16-2024 Pro-Housing Community Pledge***

The resolution will be submitted with the NY Forward application. Trustee Gustafson made a motion, seconded by Trustee Cavallaro to pass Resolution #16-2024 to adopt the Pro-Housing Communities Pledge. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: None. Carried

• ***Wastewater Project Update – Peter Fuller***

- Approximately 300 manholes have been inspected with Square Engineering so far.
- The largest problem is the Elmwood Avenue area. The slip lining was done in the late 1980's and is still there, but the grouting is gone so the water follows the slip line.
- Televising the problem areas will start next week. There is 8,000 feet of sewer lines that they want to inspect via the camera. The sewer truck will clean & flush the lines, followed by the camera.
- The village has approximately 66,000 linear feet of sewer lines and the recommendation is to slip line the entire system, which is over 100 years old and not slip lined. This will stabilize the lines so that they last another 30-50 years. The alternative is digging up and replacing the old lines which is very expensive.
- The projected cost for the sewer line project is approximately \$8.6M.
- The sewer pump station recommendation is to put in dry pumps in the bottom level and take the shafts out. The projected cost for the pump station project is \$1.7M.
- Square Engineering will assist with obtaining a bond resolution for \$10M in case we need it. The hope is to repay the bond using the sewer fees that we are collecting now. Square Engineering will assist to apply for any infrastructure grants to help pay for the project.

New Business:

• ***Resolution #17-2024 Authorization for Fire Advisory Board to prepare agreement with Chautauqua County Emergency Services***

Trustee Dunn made a motion, seconded by Trustee Gustafson for Resolution 17-2024 to authorize the Fire Advisory Board to meet with Chautauqua County Emergency medical services to prepare an agreement for joint provision and billing of basic and advanced life support services. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

• ***Set Halloween Hours for Thursday, October 31 - Last year 5:00 – 7:00 pm***

Trustee Gustafson made a motion, seconded by Trustee Dunn to set the Halloween hours for Thursday, October 31 from 5:00 – 7:00 pm. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

• ***Santa Parade Permission – Falconer Rotary***

The Santa Parade will start at Falconer High School parking lot on East Avenue this year. From East Avenue, the parade will proceed west on Main Street and end at Davis Street. There will be a petting zoo, 3C's Catering food truck and a Christmas tree lighting in front of the Santa House. The Ladies Auxiliary will hold their annual Craft Show from 9am – 4 pm at the Fire Hall. Trustee Dunn made a motion, seconded by Trustee Miller for permission for the Santa Parade to be held on Saturday, November 23rd starting at 5 pm. Roll: Gustafson: Abstain, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

• ***Reminder: November Regular Board Meeting - Tuesday, November 12, 2024 at 6pm in the Fire Exempt Hall with a work session preceding the meeting at 5:30 pm.***

• ***Resolution to dispose of village outdated computer equipment (see list)***

Trustee Dunn made a motion, seconded by Trustee Miller to dispose of village outdated computer equipment as per list provided. Roll: Gustafson: Abstain, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

- It was decided at tonight's work session to expend money from the ARPA funds to replace the broken playground equipment at Falconer Park. Trustee Miller made a motion, seconded by Trustee Dunn to approve \$3,717.44 for the playground equipment from the ARPA fund. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.
- Trustee Gustafson noted that after expending the money for the playground equipment, the ARPA fund balance is \$24,395.29.
- Trustee Dunn made a motion, seconded by Trustee Miller to pay for the boiler repair out of the reserve fund in the amount not to exceed \$8,379. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Correspondence:

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

Trustee Gustafson's letter, dated October 15, 2024, which acknowledged his review on October 14-15, 2024 of the unpaid vouchers for Abstract #5 (FY 24/25) and bank reconciliations from M&T Bank, Community Bank and NYCLASS for the month of August 2024 was placed into record.

Abstracts

Motion: It is moved by Trustee Dunn and seconded by Trustee Miller that Abstract #5, General Fund with the corrected version in the amount of \$109,673.22 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Motion: It is moved by Trustee Gustafson and seconded by Trustee Dunn that Abstract #5, Cemetery Fund in the amount of \$2,019.14 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Motion: It is moved by Trustee Miller, and seconded by Trustee Gustafson that Abstract #5 Library Fund in the amount of \$3,865.27 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Abstain, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Motion: It is moved by Trustee Cavallaro and seconded by Trustee Dunn that Abstract #5, General Fund Hand Items in the amount of \$2,758.98 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Trustee Dunn made a motion, seconded by Trustee Cavallaro to move into executive session to discuss potential vehicle insurance claim against the village at 7:21 p.m. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried

There was no action taken during the executive session.

A motion to exit the executive session was made by Trustee Dunn and seconded by Trustee Cavallaro at 7:45 p.m. Ayes: all. Nays: none. Motion carried.

Trustee Dunn made a motion, seconded by Trustee Miller, to adjourn the regular meeting at 7:46 p.m. Ayes: all. Nays: none. Motion carried.

*Respectfully submitted,
Cindy Capestrani, Village Clerk*