

May 9, 2022

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

**GREGORY PETERSON, VILLAGE ATTORNEY  
CARL CAPRINO, DPW SUPERINTENDENT  
LAURIE BECKER, LIBRARY DIRECTOR  
BRYCE WEBSTER, FIRE CHIEF  
ALAN GUSTAFSON, CODE ENFORCEMENT OFFICER  
ANNA L. FALES, VILLAGE CLERK**

The regular meeting of the Village of Falconer Mayor and Board of Trustees was called to order on Monday, May 9, 2022 at 6:00 P.M. at the Firemen's' Exempt Hall with Mayor James Jaroszynski presiding.

**Pledge of Allegiance & Roll**

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

**Visitors**

Mrs. Rhonda Brown, 31 Cherry Avenue spoke briefly on her thoughts, concerns and upgrade ideas for Falconer Park. She noted that she is in support of a dog park but not at Falconer Park. Nina Gustafson- Falconer Rotary Club President was present to observe the proceedings.

**Parliamentary Procedure**

SOCIAL DISTANCING PRACTICES WILL BE STRICTLY FOLLOWED AND MASKS ARE REQUIRED. VISITORS ARE ALLOWED A MAXIMUM OF THREE (3) MINUTES TO ADDRESS THE CHAIR. THIS IS NOT THE PLACE OR TIME TO CONDUCT A DEBATE WITH ANYONE. IT IS A MEETING TO DELIBERATE AS THE MAYOR AND BOARD OF TRUSTEES TO TRANSACT THE BUSINESS OF THE VILLAGE. ALL REPORTS, REQUESTS, IF NECESSARY, WILL BE SUBMITTED TO THE RESPECTIVE COMMITTEE OR COMMISSION FOR FURTHER STUDY, INFORMATION GATHERING AND RECOMMENDATIONS. ALL CORRESPONDENCE RECEIVED HAS BEEN PLACED WITH THE TRUSTEES AND IS ON FILE.

**Minutes**

Trustee Dunn made a motion, seconded by Trustee Cavallaro, to approve the work session minutes of the April 11, 2022, as written. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye and Jaroszynski: Aye. Nays: none. Carried.

Trustee Gustafson made a motion, seconded by Trustee Miller, to approve the minutes of the April 11, 2022 regular meeting of the Mayor and Board of Trustees, as written. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye and Jaroszynski: Aye. Nays: none. Carried.

## **Fire Chief**

The chief's April report was reviewed and noted that the department responded to 48-EMS, 2-outside rubbish fires, 0-medical assist, 1-combustible spills/leaks, 0-structure fire, 1-electrical wiring problem, 0-water problem, 2-public service assistance, 1-standby, 7-dispatched/cancelled, 0-malicious, mischievous false alarm, 1-system or detector malfunction and 4-unintentional system/de-operation- 67 total calls in April (281 calls-YTD).

### **Mutual Aid Breakdown- April**

Given: Jamestown-4, Frewsburg-9, Kennedy-1, Kiantone-0, Fluvanna-0, Alstar-0, 0-assist to A-71 (driver), Gerry-1. Total-15.

Received: Medic 74-10, Kennedy-2, Frewsburg-0, Fluvanna-0, Gerry-0, Coroner-0, Kiantone-2 Alstar-1, Wet team-0 and Jamestown-0. Total-15.

Chief Webster and Mayor Jaroszynski commended the hard work of all the volunteers who worked to extinguish the multi-unit fire in Frewsburg this morning.

Chief Webster reported that he is working with Rand Machine on a possible donation. Rand Community Philanthropic Foundation will be hosting a 1<sup>st</sup> Annual PO-FI-VE golf tournament on June 18<sup>th</sup> at Chautauqua Golf Club. Proceeds will be used to support local police, fire and veterans' organizations. Chief Webster had been invited to do a presentation for the foundation committee regarding a proposed purchase by the department if granted a donation.

The Chautauqua Region Community Foundation awarded the department with \$2400 to purchase battery operated tools. Old tools will be inventoried and put out to auction at a later date. Engine 402 is getting a much-needed facelift, replacing rear doors and some gauges. Funds from both FY 21/22 and FY 22/23 will be used to fund this project. The department is hosting the annual Kiwanis Club Bike Rodeo on May 21<sup>st</sup>.

Mayor Jaroszynski commended all who worked on the annual inspection dinner. State Senator George Borrello honored Don Armstrong and Dan Lathrop with 50-year membership recognition awards.

Chief Webster requested approval by the board to repair the black top by the drain and seal the front apron and side parking lot at the fire hall. Suit-Kote Corporation has identified the need to seal the front of the hall with 2 layers and the side with just 1 layer of coating. The cost using the county bid is \$13,500 which does not include re-stripping of the lot. Fire Advisory Chairman Vanstrom has been contacted and agreed the work needs to be done. Chief Webster noted that the re-stripping will be paid out of the fire department budget. Trustee Dunn made a motion, seconded by Trustee Cavallaro to approve sealing and repair the fire department parking lot as described by Chief Webster, at a cost of \$13,500 to be paid from the fire department maintenance account. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye and Jaroszynski: Aye. Nays: none. Carried.

## **Code Enforcement**

Code Officer Gustafson noted that the county's foreclosure list has been posted. The deadline for municipal action is June 16<sup>th</sup>.

The April code enforcement report was reviewed.

	<b>THIS MONTH</b>	<b>YEAR TO DATE</b>
Building Permits Issued	6	7
Building Permit Fees Collected	\$215	\$240
Building Inspections Performed	1	4
Certificates of Occupancy	0	0
Certificates of Compliance	0	0
Phone calls/Personal Contacts/Emails	4	10
Complaints Received/Actions Taken	3	5

- 344 W. Main-performed building and fire inspection
- 235 W. Main St.-address garbage issue outside
- 2-4 E. Main St.-Accompanied County Health Department on inspection. Mr. Andalora will provide owner with list of items to be corrected.
- CEO Andalora has scheduled remaining 2 CEO courses. Should be fully certified in August 2022.

### **Department of Public Works**

The DPW report was reviewed for the period April 11, 2022 to May 5, 2022. Superintendent Caprino informed the board that the traffic light unit in front of the high school and at Elmwood and Work Streets have been repaired. Clerk Fales was asked by the mayor to send a follow-up letter to county Executive Wendell regarding the county taking over responsibility for the Elmwood Avenue traffic light.

The board agreed to open Falconer Park gate and restrooms, May 23<sup>rd</sup> -May 27<sup>th</sup> during the daytime hours. Everything should be locked at 4:30 pm.

#### **2022 Village Landscaping Quotes:**

Klice Lawn and Landscape	Self-owned/operated	\$5,100.00
Brotherhood Property Maintenance	No	\$5,304.30
Bloomquist Landscaping, Inc.	No	\$5,250.00

Trustee Cavallaro made a motion, seconded by Trustee Miller, to hire Klice Lawn and Landscape and approve quote of \$5100 for 2022 Village Landscaping. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye and Jaroszynski: Aye. Nays: none. Carried.

Superintendent Caprino is seeking quotes for the reconstruction of the library entrance to include prevailing wage.

Prior to the board vote to approve the DPW Roof Replacement bids which were opened on April 21, 2022, Trustee Gustafson stated that he had contacted NYCOM and spoke to David Bessemer, Legal and Research Analyst for NYCOM. Mr. Bessemer stated that it is now NYCOM's opinion that prevailing wage should be paid on ARPA funded projects, even if this is a federally funded program and prevailing wage is not required in the US Treasury's Final Rule.

Out of abundance of caution, the board instructed Clerk Fales to rebid the project with the prevailing wage requirement.

Attorney Peterson updated the board regarding the legality of a \$8900 price increase presented by Henderson for the dump box bid awarded via the Sourcewell contract in April of 2021 for the new International truck. Mr. Peterson stated that he had spoken to Dale Neighbor, VP of national customer relations at Navistar. Mr. Neighbor stated that it is not the intention of Navistar to change the bid price and that he would work with Henderson to resolve the issue. It may be necessary for another dump box manufacturer to fill the order. Mr. Peterson will follow up as the situation progresses.

Trustee Gustafson noted that the woodchips in the Falconer Park playground need to be patched.

### **Library**

The April 11-May 9, 2022 library report was reviewed. This month the library received \$82.00 (copies/fax), \$5.00 (fines), \$53.00 (Book Sales), \$550.00 (gifts & donations), and \$934.67 (other).

Beginning May 14<sup>th</sup>, young patrons can enjoy a new “Story Play Saturday” program. Stations and books will be provided that are based on a monthly theme. There will be dramatic play, Lego activities, arts and crafts, science experiments and more.

The library received a grant made possible by the Falconer Region Community Fund at the Chautauqua Region Community Foundation. The grant will cover licensing for two movie events for the village to be held at the Falconer Central School football field. The first movie will be on Friday, July 22, 2022 with a Christmas themed movie to go with the village Christmas in July celebration.

The FPL Board will meet on Thursday, May 26, 2022 at 8:00 am in the library.

### **Legal**

Mr. Peterson invited village staff and officials to join him for a night of Tarp Skunks baseball on July 13<sup>th</sup> starting at 5:00 pm. Clerk Fales will put together and invitation with details.

### **Committees:**

#### **Public Safety:**

The most recent Shelter Report for NYS Agriculture Department, dated 4/28/22, was reviewed and entered into record. The shelter was asked to review charges for reoccurring at-large dog redemptions.

#### **Parks:**

Trustee Miller reviewed some of the results from the Falconer Park survey:

- Public Safety was the number one concern. Respondents requested an increase police presence, restroom access, more handicapped accessible amenities, improved walking path and picnic tables updates.
- Some of the ideas for repurposing the tennis courts were pickleball courts, a splash pad, volleyball court and skate park.
- In regards to a village dog park, 51% responded they are in favor of a dog park, 20% were not in favor, 9% were uncertain, 20% do not own dogs. 52% of respondents were in favor of dog park in Falconer Park while 29% preferred it be in a different location.
- Several respondents wanted to see the basketball courts updated.

Mayor Jaroszynski stated that he would like the village to hold a public hearing to review the results and comments of the survey. Trustee Dunn said that the village needs to narrow down the thoughts and items to target. He also noted that the village should now see what kids want in the park.

Clerk Fales was asked to contact the Sheriff unit to see if any of their officers would be interested in working part-time security duty at the park

Trustee Dunn made a motion, seconded by Trustee Miller, to empower the mayor to sign a letter supporting the Falconer Rotary Club's application for funding \$2000 towards a village dog park. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye and Jaroszynski: Aye. Nays: none. Carried.

It was noted that funding through the Ralph Wilson Foundation may be available for park updates such as a splash pad.

**Pine Hill Cemetery:**

Staff is planting new trees.

**New Business:**

Trustee Gustafson made a motion, seconded by Trustee Dunn, to approve updates to the village Procurement Policy to include Section 3 Business Participation in Procurement and Contracting and Minority-and Women-Owned Business Enterprise (M/WBE) Business participation in Procurement and Contracting, as required for the NYS CDBG grant. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye and Jaroszynski: Aye. Nays: none. Carried.

**Finance:**

The board reviewed Treasurer Trask's FY 21/22 sales Tax Receipt Analysis, noting FY 21/22 Sales Tax Revenue A1120 exceeded the original budget by \$92,300. There is currently \$33,800 remaining over the Modified FY 21/22 Budget. Mr. Trask suggested the board consider using these funds to pay for a survey of Falconer Park Land or to add the funds to the Community Building Reserve Fund.

**Correspondence:**

An email was received on May 2, 2022 from Melanie Smith regarding the village's Leash Law and several dogs running at large. She requested "a reminder be sent to the community that dogs need to be leashed at all times for the safety of the residents and dogs alike"

Trustee Gustafson's letter, dated May 9, 2022, which acknowledged his review of the April 2022 unpaid vouchers on April 10, 2022 and bank reconciliations for M&T Bank and Community Bank on May 9, 2022, was placed into record.

**Abstracts:**

Motion: It is moved by Trustee Dunn and seconded by Trustee Cavallaro that Abstract #12, General Fund in the amount of \$ 64,094.20 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Motion: It is moved by Trustee Gustafson and seconded by Trustee Dunn that Abstract #12, Cemetery Fund in the amount of \$ 373.05 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Motion: It is moved by Trustee Miller and seconded by Trustee Gustafson that Abstract #12, Library Fund in the amount of \$ 958.02 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Abstain, and Jaroszynski: Aye. Nays: none. Carried.

Motion: It is moved by Trustee Cavallaro and seconded Trustee Miller that Abstract #12, General Fund Hand Items in the amount of \$ 36,494.62 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Miller: Aye, Cavallaro: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Trustee Gustafson made a motion, seconded by Trustee Miller to adjourn the meeting 8:15 pm. Vote was approved unanimously. Carried.

*Respectfully submitted,  
Anna Fales, Village Clerk*