

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

**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**

The regular meeting of the Village of Falconer Mayor and Board of Trustees was held on Monday, March 11, 2024 at 6:03 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

Nina Gustafson Peter Fuller Ron Dewey Becky Dewey Brenda Weiler

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 Gustafson made a motion, seconded by Trustee Dunn, to approve the minutes of the February 12, 2024 Regular Board of Trustees Meeting. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Mayors Remarks

- Nothing new to report

Fire Chief

The Fire Chief's February report was reviewed and noted that the department responded to 24 EMS incidents, 19 cancelled in route, 1 assist police, 1 smoke detector malfunction, 1 medical assist, 1 gas leak, 1 building fire, 1 alarm system unintentional, 1 alarm system malfunction, 1 shorted electrical equipment, 1 lock-out, 52 calls.

Mutual Aid Breakdown - February 2024

Given: Jamestown-7, Alstar-1, Kennedy-4, Celeron-1, EDD-1, total 14

Received: Medic 74 -9, Alstar-9, Kennedy-4, total 22

Highlights:

- Trustee Cavallaro thanked Fire Chief Webster for the update on the grants that he is working as well as those that have been awarded. After a brief discussion, it was decided to wait until the new budget to purchase a new computer requested for the EMS/Fire reporting.
- ***Review/Approval of 1 Membership Application***
Trustee Cavallaro made a motion, seconded by Trustee Dunn to approve Emily Spitz into the Falconer Hose Company. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: None. Carried.
- Fire Department plans for Solar Eclipse – crews will be working 8-hour shifts starting on Saturday night. Working on staffing a full ambulance and engine crew that would be within 3 minutes of the station if they do not want to stay at the fire hall. If have enough staff, will man another engine or ladder truck.

Code Enforcement

The February code officer report was reviewed. It was noted 5 building permits totaling \$525.

Highlights:

- Paul Capitano has completed his Code Enforcement Training and is now a certified NYS CEO. Code officer hours are Tuesday – Thursday, 8am – 5:30pm and Friday, 8am – 4:30pm.
- A code violation door hanger was placed at 301-303 W. Main Street for mattress and box spring at curb. Problem has been resolved.
- Letter sent to Richard Streeter regarding 19 N. Phetteplace being vacant and not taken care of.
- Will be setting up a meeting with Alan Gustafson to meet with Derrick Kight to review blueprints for a house to be built on E. Elmwood Avenue.

Department of Public Works

The DPW report was submitted for the period February 8, 2024 – March 7, 2024.

- The DPW equipment/vehicle list with projected replacement years was reviewed. Trustee Dunn asked to have estimated replacement costs added to be able to project the long-term yearly budget needs. This will allow us to know what funds need to be budgeted each year so that we have the money set aside to stay on schedule and avoid high repair bills.
- The 2013 Chevy Truck was due to be replaced in 2023 was not purchased as there was no availability. Trustee Cavallaro noted that since this truck has low mileage, should we consider just replacing the box to save money.
- The board is requesting Superintendent Caprino give his recommendation as to what the immediate equipment needs are, with the costs and estimated delivery time frame before any decisions can be made. The 24/25 proposed budget currently does not include any equipment purchases, but can be modified at the budget workshop if the board has the information to make a decision.
- A quote was reviewed to replace the CPU board on the traffic signal at the corner of North Work Street and Elmwood Avenue. The light was not working properly so the Jamestown BPU worked on the light to get it functioning and but recommends replacing the CPU board. The quote for the CPU board replacement is \$4,686 plus installation. To replace the entire signal unit, the approximate cost would be \$15K. Superintendent Caprino needs to find out the exact cost for the replacement to and how long the CPU board replacement is guaranteed before the board makes a decision. CHIPS money can be used for either repair option.
- Superintendent Caprino provided pricing from Super Seal, a sport surfacing company, to resurface the existing tennis courts in Falconer Park for pickleball courts. Trustee Miller will add the quote to the project file with the other quotes for future discussions.

- Ellison Bronze recently contacted Superintendent Caprino regarding the portion of E. Everett Street that runs behind their facility which they have marked as a private driveway entrance. The property was sold to Ellison Bronze many years ago, the village does not maintain the road and only has a sewer line easement through the property. Semi-trucks cannot get through to make deliveries to their facility due to cars parking along the street. It is listed as a street and not part of their property on the county parcel map. Attorney Peterson suggested for Ellison Bronze to have a title search done.

Library

The February 13, 2024 – March 11, 2024 Library report was reviewed.

Highlights:

- The library will be open limited hours from 4/1 – 4/6. Hours will be posted in advance.
- The annual library report was submitted on February 16th. The excellent record keeping by Senior Library Clerk Sandy Thies and financial information from Village Treasurer Paula Spunaugle were very beneficial in completing the report.
- The National Library Lovers Month celebration with a “Blind Date with a Book” was a huge success with 105 “rate the date” forms returned. Delores Belin was the winner of a gift card to PersNikkity Pies.
- The Book Club will be meeting on Tuesday, March 19th at 1:30 pm
- The library is very thankful for the support of the craft club. They recently made book markers to share with our patrons at their March 5th meeting.
- Two new quotes have been submitted for the entryway construction project. Thank you to Attorney Peterson for his assistance in getting unused funds returned from the original contractor.
- Solar eclipse glasses are being handed out to our patrons in preparation for the April 8th event.
- The Library Board will meet on Thursday, March 21st at 8:00 am in the library.

Committees:

Finance:

- ***FY 24/25 Proposed Budget Presentation***

The proposed 2024-2025 budget reflects a real property tax rate of \$8.58/\$1000 of assessment, which is a proposed tax increase of \$0.106. This proposed increase is within the limits of the NYS Property Tax Cap Law.

Proposed Budget 2024-2025 as presented

<i>Appropriations</i>	<i>\$1,650,543</i>
<i>Revenues</i>	<i>\$1,650,543</i>
<i>Balanced Budget</i>	<i>(\$ 0)</i>

Trustee Gustafson made a motion, seconded by Trustee Dunn to table the villages 2024-2025 fiscal year budget for 30 days as written. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

The board scheduled a budget workshop for Monday, April 1 at 5:30 pm in the Falconer Library.

Trustee Dunne made a motion, seconded by Trustee Cavallaro to hold a Public Hearing for the proposed budget on Monday, April 8th at 6 pm. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Legal:

- Issue with contractor Nate Goot was reconciled resulting in a refund of the prepayment for the work not completed.

- Falconer native, Elizabeth Hirz, the first female District Attorney in Erie County recently spoke at the Jackson Center, which can be viewed on YouTube.
- Falconer Night at the park will be held on Wednesday, July 17th at 5pm honoring the legacy of Falconer softball.

Public Safety:

- Nothing new to report.

Downtown Development:

- Nothing new to report

Farmers Market:

- Nothing new to report

Parks:

- The board discussed the letter from Andrew Meyers, proprietor of Hallux Disc Golf, LLC requesting the use of Falconer Park for the first annual “Hallux Disc Golf Huckaway” tournament on Saturday, May 18.
Attorney Peterson noted that the village should develop a park permit for the use of the park for future for-profit organization events, but for the time being use the current park pavilion rental application and request an insurance certificate.

Pine Hill Cemetery:

- Cemetery Superintendent Peter Fuller gave an update on the cemetery finances. In 1993, a fund was set up at the Community Foundation with approximately \$70K. The cemetery receives around \$6K annually from the interest earned on the account and grants requested for specific needs. Since 1993, minimum wage has gone from \$6/hour to \$15/hour. The projected budget for wages for the upcoming fiscal year is \$23K. The current fiscal budget is \$11K short and after meeting with the Community Foundation they instructed us to submit a one-time grant request for the shortfall.
- The cemetery is funded solely from the sale of the plots, burials (half of that fee goes to the digger) and from interest earned on the fund. The Community Foundation suggested having the local newspaper do an article about how the cemetery is funded and the struggles they are facing to make people aware of the issue. The Town of Ellicott was also contacted to see what help they will be able to offer.

Planning/Zoning Board:

- The Planning Board recently met and approved the recommended zoning changes. A municipal zoning referral form will now need to be sent to the county planning department for approval and the board needs to designate a lead agency. Once approved by the county, a public hearing will need to be scheduled for the zoning changes.
Trustee Gustafson made a motion, seconded by Trustee Cavallaro designate the village Planning Board as the lead agency for the proposed zoning changes. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.
- The next Planning Board meeting is scheduled for April 2nd to continue the discussion about the proposed changes to the Peddler, Vending and Soliciting Law to include food trucks.

Old Business:

- ***Chadakoin – Discussion***

Attorney Peterson’s recommendation is to seek out a consortium with the Towns of Ellicott and Poland for a “strength in numbers” approach. For the meeting, have a draft resolution prepared showing a letter of intent to support the concept by all three parties to use to apply for state grants. Twan Leenders is willing to coordinate the meeting and will contact Janet Bowman, Town of Ellicott Supervisor and Kelly Snow, Town of Poland Supervisor. Also include Trustee Dunn in the meeting, or an alternate if he is not available.

- ***Village Easter Egg Hunt***

Easter Egg Hunt will be held on Saturday, March 23rd at Falconer Park. Superintendent Caprino will order a porta-john for the event.

- ***Eclipse – April 8, 2024***

Eclipse preparations was discussed earlier under the Fire Chief’s report.

- ***211 E. James Street property – discussion***

The contract with the realtor has expired for the village owned property at 211 E. James Street. The board decided not to renew the contract to sell the property.

- ***Falconer Local Development Corporation – update***

Nina Gustafson has spoken with several individuals who have set up previous local development corporations and they are willing to assist in the set up. Janet Bowman, Town of Ellicott Supervisor, is open to partnering with the village on the project and will give the information to one of their board members. The driving force for the project is to have a non-profit vehicle to assist businesses and home owners with grants for improvement projects.

New Business:

- ***Windsong Mobile Unit***

The Windsong Mobile Unit will be at 115 Davis Street from 9am – 3pm on Friday, March 22nd.

- ***Code Officer Hours***

The code enforcement office is open Tuesday – Thursday from 8am to 5:30pm and on Friday from 8am to 4:30 pm. The office is closed on Monday and for lunch from 12-12:30pm.

- ***Hallux Disc Golf Tournament request for Falconer Park***

This was discussed under Parks.

- ***Resolution #1-2024: Authorization for Mayor to Execute NYS Environmental Facilities Corporation (EFC) Engineering Planning Grant***

- ***Resolution #2-2024: Authorization and Appropriation of Local Match for EFC Engineering Planning Grant***

- ***Resolution #3-2024: Authorization of a Request for Qualifications for Engineers Process***

Three resolutions listed above are the next steps for the NYS Environmental Facilities Corporation (EFC) Engineering Planning Grant that the village was awarded for the Sanitary Sewer and Infiltration Engineering Study.

Trustee Dunn made a motion, seconded by Trustee Cavallaro to approve Resolution #1-2024, #2-2024 and #3-2024. Discussion: the 10K local match will come out of the sewer fund balance. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Peter Fuller, former DPW Superintendent who is assisting the village in the sewer project, noted that the village owes the City of Jamestown approximately 74K for the repair to our sewer pump station. The village general fund account cannot be used for the repairs, only user

fee money can be used. The village has not collected any user fees in the past to maintain the pump station. The current sewer rate is 225% of the city rate, 25% goes to a fund to repair our sewer lines. We are considering adding another 5% to the sewer fee to start a pump station maintenance fund that would be used for any future repairs or updates. Another option would be to split the 25% fee, 20% for sewer line repair and 5% towards the pump station. On a normal day, our pump station pumps 300K gallons of sewage, but on a rainy day we pump 2.2 million. The engineering study is the first step to fixing the infiltration into our lines.

- ***Key Club Bunny Hop 5K***

The Falconer Key Club is requesting permission to run the annual Bunny Hop 5K on Saturday, April 13th at 9am. The route starts and ends at Falconer School and is the same as in previous years.

Trustee Gustafson made a motion, seconded by Trustee Dunn to approve the Bunny Hop 5K to be held on April 13th. 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 March 11, 2024, which acknowledged his review on March 10, 2024 of the unpaid vouchers for Abstract #10 (FY 23/24) and bank reconciliations from M&T Bank, Community Bank and NYCLASS for the month of January 2024 was placed into record.

Abstracts

Motion: It is moved by Trustee Dunn and seconded by Trustee Miller that Abstract #10, General Fund in the amount of \$43,377.82 be approved for payment. Discussion: Fire Department budget remains tight yet there were purchases for gas detectors and tables that did not get prior approval. The current procurement policy requires approval for any purchase over \$125. The department heads were reminded that this policy needs to be adhered to. 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 #10, Cemetery Fund in the amount of \$423.12 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 #10 Library Fund in the amount of \$995.37 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 #10, General Fund Hand Items in the amount of \$5,595.55 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 Miller to adjourn the regular meeting at 8:09 p.m. Ayes-all. Motion carried.

*Respectfully submitted,
Cindy Capestrani, Village Clerk*