

**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- excused  
BRYCE WEBSTER, FIRE CHIEF  
PAUL CAPITANO, CODE ENFORCEMENT OFFICER- excused  
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, May 13, 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**

Nina Gustafson    Rich Bianco    Ray Lindquist    Chris Blakeslee- Post Journal    Dan Nelson  
Vicki Kanouff    Eric Kanouff    Avery Faulkner

**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**

- Rich Bianco – Director of the Diamond Dawgs Travel Baseball program. The program currently has over 30 kids from the Falconer School District participating in extra baseball. The group is seeking permission to modify the Little League field at Lions Memorial Park instead of the Babe Ruth Field at Falconer Park as originally requested in their email. The group will do all of the work with no expense to the village. The teams that would be using the modified field would not interfere with the Little League program.
- Ray Lindquist - Falconer Little League – feels that the Little League field at Lions Memorial Park would be an easier retro fit. There are concession stands there that would bring in money to the Little League. He appreciates the relationship that the Falconer Little League organization has had with the village over the years. They are looking to do the work on the field in August after the season is over.
- Dan Nelson – his 11- & 12-year-old Diamond Dog teams have used the field for the past few years. They have brought in a lot of business to the area playing teams from the Buffalo area. The concession stand is open for the travel games and all that money goes back into the Falconer Little League program.

**Minutes**

Trustee Dunn made a motion, seconded by Trustee Cavallaro, to approve the minutes of the April 1, 2024 Budget Workshop Board of Trustees Meeting. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

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Trustee Dunn made a motion, seconded by Trustee Miller, to approve the minutes of the April 9, 2024 Regular Board of Trustees Meeting. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

### **Mayors Remarks**

- Mayor Jaroszynski asked for a moment of reflection for Dr. Pat Fales of Falconer Veterinary Clinic who recently passed away. He considered Dr. Fales an institution here in the village of Falconer. She was the past member and Chairperson of the Beautification Committee and past president of the Falconer Library Board.
- Thank you to the Falconer Rotary and all participants that helped out at the village clean-up days held on May 4<sup>th</sup>. Also, to Ellison Bronze that participated in a clean-up day 2 weeks ago.
- Will be attending a NYCOM conference May 15 – 17.

### **Fire Chief**

The Fire Chief's April report was reviewed and noted that the department responded to 27 EMS incidents, 20 cancelled in route, 3 medical assists, 2 building fires, 2 alarm unintentional, 2 cover assignment, 1 passenger vehicle fire, 1 motor vehicle accident-no injuries, 1 gas leak, 1 water evacuation, 1 alarm system malfunction, 1 assist police, 1 lock-out, 63 total incidents.

Mutual Aid Breakdown - April 2024

**Given:** Jamestown-7, Gerry-1, Bemus Point-1, Kennedy-4, Kiantone-1, total 14

**Received:** Medic 74-5, Alstar-12, Frewsburg-1, Kiantone-1, Kennedy-2, total 21

### **Highlights:**

- The Fire Advisory Board is currently reviewing a contract that was presented by the county for the EMS system regarding the ALS intercepts.
- The fire horn replacement was included in the V-fire grant in the event that the parts that we have currently to repair the fire horn do not work. If awarded, the plan would be to replace the old system with a new updated air horn, compressor, tank and tower.
- Trustee Cavallaro thanked Fire Chief Webster and the Fire Advisory Board for the time they have put forth submitting the various grants.

### **Code Enforcement**

The April code officer report was reviewed. It was noted 12 building permits totaling \$360 were issued this past month, totaling \$1220 year-to-date.

Highlights:

- 11 North Dow Street – condemned - sent out 3<sup>rd</sup> and final violation letter.
- 235 W. Main Street - condemned – owner was contacted of violation.
- 19 N. Phetteplace – 2<sup>nd</sup> violation letter sent regarding abandoned home.
- 321 W. Everett – 2<sup>nd</sup> violation letter sent for unlicensed vehicles
- 318 West Avenue – door hanger note handed out for unlicensed motor vehicles.

### **Department of Public Works**

The DPW report was submitted for the period April 5, 2024 – May 9, 2024.

### **Sidewalk Bid Opening Results**

The sidewalk replacement bid results were reviewed. Lewis Contracting was the lowest bidder at \$81,913.50. Trustee Dunn made a motion, seconded by Trustee Gustafson to accept Lewis Contracting quote for \$81,913.50 for the sidewalk replacement project. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

### **Traffic Light Repair Quote – Corner of Elmwood and South Work Street**

- At the April board meeting, the board reviewed a signal replacement quote from Northeast Signal for \$12,911, a CPU board replacement only quote from New England Traffic Solutions for \$4,686, plus labor cost to install at \$100/hour. Superintendent Caprino contacted Kristopher Brown from the Jamestown DPW Traffic Division for clarification on the quotes. If we only replace the CPU board, we may still have issues with the traffic light versus replacing the signal and the CPU board.  
Trustee Dunn made a motion, seconded by Trustee Cavallaro to approve replacing the signal box, the CPU board and the hours to accomplish the task according to the quote provided by Superintendent Caprino not to exceed \$20K to be paid using the CHIPS fund. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.
- Mayor Jaroszynski reminded Superintendent Caprino to have the rec building at Falconer Park power washed for the Rotary Club. They would like to work on it before the end of May.
- Trustee Dunn, along with Trustee Gustafson, recently met with Southern Tier Graphics to work on getting all three buildings networked together so that we could have one internet bill versus 4 separate bills (DPW, Fire Dept, Community Building and Library). He would like Superintendent Caprino to find out from STG what the cost would be run a cable through the existing conduit between the Community Building and the Fire Hall. Clerk Capestrani is to ask STG how much it would cost to run a wireless connection between the DPW to the Fire Hall and what their cost for network maintenance would be.

### **Library**

The April 9, 2024 – May 13, 2024 Library report was reviewed.

#### **Highlights:**

- On April 10<sup>th</sup>, a reception was held for the students in Aleida Foulk’s Advanced Artists classes from Falconer Central School with 56 visitors attending.
- The Book Club met on April 16<sup>th</sup> and will be meeting again on May 21<sup>st</sup>.
- The FPL Craft Club met on April 30<sup>th</sup> and made over 30 cards for the library. They focused on Thinking of You, Get Well and Sympathy cards.
- The library is enjoying an art display for the month of May by the elementary students in Lauren Kimball’s art classes at Fenner Elementary School. There was a reception on May 8<sup>th</sup> with more than 100 people visiting.

### **Committees:**

#### **Finance:**

- Nothing to report

#### **Legal:**

- The passing of Dr. Pat Fales brings to mind that the Robert H. Jackson Center YouTube site has an interview with Pat when she a 13-year-old member of the band that played for the Robert H. Jackson funeral in Frewsburg.

#### **Public Safety:**

- The Dog Control Report for April was reviewed.
- There were 2 incidents reported involving barking dogs at 132 E. James Street reported by Mary Ahrens at 115 Central Avenue. The resident at 132 E. James Street has an approved variance for 4 dogs. Mary did not understand why the village would allow someone to have more than 2 dogs and invited the mayor over to take photos of the size of the yard that houses the 4 dogs. Pictures were provided to the board to review. DCO Matt Abbey issued a warning to the owner at 132 E. James of the barking complaint. A citation would be the next step if the excessive barking continues followed by revoking the special permit if a violation occurs.

There was a discussion by the board to possibly change the village special permit code to add limitations on the length of the permit.

- A letter was shared with the board from Falconer School Safety Advisor Todd Beckerink regarding student safety concerns crossing the foot bridge. The bridge is appealing to drug activity, predators, fights, homeless people and negative youth activity. Ellicott Police have been notified and do check the area on a regular basis, but possibly adding security cameras would deter this type of activity. Mayor Jaroszynski has contacted the county regarding the homeless situation that has been reported in that area to offer assistance to those individuals as it is county owned property.

### **Downtown Development:**

- Representatives from Peak Development Partners are very interested in developing Falconer Square, the village-owned lots on W. Main Street. According to Paula Blanchard, Hanna Commercial Reality, Peak Development will be submitting an offer for the site in the near future. Once the property is locked in, the process will start conducting a market study and getting village and public input for the potential project.
- The Falconer Chamber committee met on May 2. Discussions continued regarding a “Made in Falconer” event to be held later this year. The idea is to get local manufacturers to offer tours to get people into the village for a village-wide event to include local businesses.
- Dunkin’ Donuts has been confirmed to have purchased the former M&T Bank building at 20 West Main Street.

### **Farmers Market:**

- The Farmers Market application has been updated for the upcoming season. The Farmers Market will be held every Friday, June 14<sup>th</sup> through September 27, 2024, 12:00 pm – 6:00 pm in Davis Park. Vendors interested in participating should contact the village office.

### **Parks:**

- Starting to look into developing a permit for the use of the park for future profit organization events and the fees for that use. A new park entrance sign, similar to the old sign that was damaged, will be finalized and ordered. A Park Rule sign is needed and a draft copy will be brought to the next board meeting for review.
- Wayfinding signage was discussed as part of the NY Forward grant process and would be a great addition to direct visitors to the park areas within the village.

### **Pine Hill Cemetery:**

- Peter Fuller and Treasurer Spunaugle gave a presentation to the Community Foundation committee regarding the operational need grant that was recently submitted for the cemetery.

### **Planning/Zoning Board:**

- The changes to the zoning map were submitted to the county for approval. Once they are approved a Zoning Board meeting will be scheduled.

### **Old Business:**

#### ***Resolution – Annexation Settlement***

Attorney Peterson’s explained: The Annexation Settlement is a standstill agreement, in which all parties have agreed that the action is discontinued, and the parties have agreed not to reinstitute it for a period of 10 years. There is an agreed upon assessment reduction. After 10

years, the standstill is over and either party can increase the assessment, leave it as it, or commence the action.

Mayor Jaroszynski noted that this agreement was passed at the recent Falconer Central School Board meeting, will be voted on tonight (May 13) at the Town of Ellicott Board meeting and at the next City of Jamestown Council meeting.

Trustee Gustafson made a motion, seconded by Trustee Miller to adopt the resolution regarding the settlement of a petition of the City of Jamestown for the proposed annexation of territory from the Town of Ellicott and Village of Falconer to the City of Jamestown, in Chautauqua County, New York. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

- ***Memorial Day Parade***

The Memorial Day Parade will be held on Monday, May 27, 2024. The parade will start at 10:15 am and travel down W. Main Street to N. Work Street, continuing to Pine Hill Cemetery. Superintendent Caprino will follow up to make sure all of the flags are up on Main Street. Trustee Gustafson made a motion, seconded by Trustee Dunn to approve the Memorial Day Parade to be held on Monday, May 27<sup>th</sup>, 2024 at 10:15am. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

- ***Merriam Street Parking***

Jim Roach from Falconer Printing has requested the board designate no parking on the east side of Merriam Street 165 feet south from East Main Street. Parking on Merriam Street is causing issues with trucks backing into their loading dock on Merriam Street. Letters were sent to the surrounding residents presenting 2 options being considered: “No Parking from 7am to 5pm” on the northeast side of Merriam or moving the existing No Parking to Corner” sign 165 feet back from the corner. A voice mail was received from the tenant residing at 101 E. Main Street stating that he was against eliminating parking on Merriam Street, which was an option not being considered. The board tabled the decision and will revisit at the next board meeting. They asked Superintendent Caprino to contact the resident to explain parking is not being eliminated and present the 2 options being considered.

- ***Clerk/Treasurer Summer Hours***

Starting May 13 – August 30 the Clerk/Treasurer office hours will be: Monday – Thursday, 7:30am – 4:30pm, Friday 8:30am – 11:30am.

### **New Business:**

- ***National Night Out***

The Falconer Neighborhood Watch Committee have requested to hold a National Night Out Event on August 6<sup>th</sup>, 2024 from 5-7:30pm. The event is in the early planning stages with more information to follow once approved.

Trustee Dunn made a motion, seconded by Trustee Cavallaro to allow the Falconer Neighborhood Watch Committee to organize and hold a National Night Out on August 6<sup>th</sup>, 2024 from 5-7:30pm. The question came up regarding insurance for the event. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

- ***Der Kobbler's Car Club Auto Show – Davis Park Memorial Day Weekend – Permission***

- Trustee Dunn made a motion, seconded by Trustee Miller to allow Der Kobbler's to have a car show in Davis Park Memorial Day weekend. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

- ***Resignation – Part-Time Code Officer***

Trustee Dunn made a motion, seconded by Trustee Cavallaro to accept the resignation, with regret, of part-time code officer Paul Andalora. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

- ***Standard Work Day Resolution – Trustee Alan Gustafson Jr.***

Trustee Dunn made a motion, seconded by Trustee Miller that we approve the standard work day resolution # 4-2024 setting the standard workday at 5.0 days for Trustee Gustafson. Roll: Gustafson: Abstain, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

- ***Approval of Kristy Carlson – Seasonal Cemetery Worker***

Trustee Gustafson made a motion, seconded by Trustee Dunn to approve Kristy Carlson as a seasonal cemetery worker. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

- ***Approval of Bradyn Fuller – Seasonal Cemetery Worker***

Trustee Dunn made a motion, seconded by Trustee Cavallaro to approve Bradyn Fuller as a seasonal cemetery worker. 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 May 13, 2024, which acknowledged his review on May 13, 2024 of the unpaid vouchers for Abstract #12 (FY 23/24) and bank reconciliations from M&T Bank, Community Bank and NYCLASS for the month of March 2024 was placed into record.

- ***Usage of Babe Ruth Field – Falconer Park***

The request was changed to the baseball field at Lions Memorial Park closest to the road, currently used for 9–12-year-old baseball. Sharing the field with the Diamond Dawgs will benefit both leagues. The Diamond Dawgs will have a field to use and Falconer Little League can showcase their field and raise funds from the concession stand during tournaments hosted by the Diamond Dawgs.

Trustee Dunn made a motion, seconded by Trustee Cavallaro to allow Diamon Dawgs and Falconer Little League to retrofit one field (closes to the concession stand) at Lions Memorial Park for use by Diamond Dawgs. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried

- ***DPW Appreciation – Corn hole Pads***

Falconer resident, Ro Woodard, sent an email passing along appreciation to the Falconer DPW crew for their great work pouring the corn hole pads in Falconer Park. Mayor Jaroszynski commended both Eric Kanouff and Avery Faulkner for their work on the project.

- ***Falconer School Correspondence*** – addressed in Public Safety

- ***Thank You – Fire Department Memorial Donation in memory of Alberta Webster***

- ***Village Yard Sale Days – to be held May 31<sup>st</sup> – June 1<sup>st</sup>, 2024.***

- ***National Knit in Public Day***

Trustee Dunn made a motion, seconded by Trustee Gustafson we allow National Knit in Public Day to be held in Davis Park on June 8, 2024 from 10am to 2pm. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried

**Abstracts**

**Motion:** It is moved by Trustee Dunn and seconded by Trustee Cavallaro that Abstract #12, General Fund in the amount of \$101,055.15 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 #12, Cemetery Fund in the amount of \$818.38 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 #12 Library Fund in the amount of \$1,994.57 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 #12, 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.

Mayor Jaroszynski noted that the Village of Falconer was featured last week in the local Jamestown Gazette.

Trustee Dunn made a motion, seconded by Trustee Miller to move into executive session to discuss the Falconer Street Department Association contract and a Personnel Matter regarding the employment of a particular person. 7:40 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 Miller at 8:24 p.m. Ayes: all. Nays: none. Motion carried.

A motion was made by Trustee Dunn and seconded by Trustee Gustafson to approve the 2024-2027 collective bargaining agreement with the Falconer Street Department Employees' Association with the following adjustment to Appendix A:

- New employees will serve a twelve-month probation period
- 70% of scheduled DPW Labor pay rate 12 months on anniversary date
- 80% of scheduled DPW Labor pay rate 12 months on anniversary date
- 90% of scheduled DPW Labor pay rate 12 months on anniversary date
- 100% of scheduled DPW Labor pay rate 12 months on anniversary date

Ayes: all. Nays: none. Motion carried.

Trustee Dunn made a motion, seconded by Trustee Miller, to adjourn the regular meeting at 8:26 p.m. Ayes: all. Nays: none. Motion carried.

*Respectfully submitted,  
Cindy Capestrani, Village Clerk*