

**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 Monday, September 9, 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, Trustee Cavallaro, Trustee Miller and Mayor Jaroszynski were all present.

Visitors

Nina Gustafson	Danielle Marra	Chris Blakeslee- Post Journal	Sue Martorell
Keith Beckerink	Steve Garvey	Joseph Taylor	

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

- There were no visitor comments.

Minutes

Trustee Dunn made a motion, seconded by Trustee Miller to approve the minutes of the August 12, 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 presented business owner Gary Visosky of the Belle-View Restaurant at 7 E. Main Street in Falconer with a certificate for "Outstanding Service and Achievement in the Betterment of our Community" for his 33 years of service in the Village of Falconer. Mr. Visosky thanked the village noting that he has enjoyed serving the village for 33 years.

Fire Chief

The Fire Chief's August report was reviewed and noted that the department responded to 26 EMS calls, 27 cancelled in route, 1 power line down, 1 vehicle fire, 1 cover assignment, 1 motor vehicle accident with no injuries, 1 no incident on arrival, 1 rubbish fire, 1 aircraft fire, 2 alarm system malfunction, 1 alarm system unintentional, 1 smoke detector unintentional, 1 emergency medical service incident, 65 total incidents.

Mutual Aid Breakdown - August 2024

Given: Jamestown-7, Gerry-4, Frewsburg-2, Kennedy-5, Kiatone-1, Fluvanna-1, total 20

Received: Medic 74-4, Alstar-13, Gerry-1, Kennedy-7, total 25

Highlights:

- Awarded 2 grants from FEMA, one to be used for a new fill station compressor and a FEMA SAFER grant to be used for recruitment and retention.
- A list of 5 surplus items was submitted to the board for approval to sell on Auctions Unlimited. Trustee Dunn made a motion, seconded by Trustee Gustafson to deem the items listed on the Fire Chief's Report surplus so that they can be sold on auction. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.
- Trustee Cavallaro made a motion, seconded by Trustee Dunn to open discussion of the FEMA grants.
 - He commended Fire Chief Webster for a job well done obtaining the FEMA grants.
 - The Fire Advisory Board (FAB) was not made aware of the itemized list that the SAFER grant was going to be used for and are not happy with some of the funds being used for a \$24K electronic sign. The sign in front of the Community Building can be used for fire department recruitment and is more visible to the public than a new sign would be in front of the Fire Department.
 - Fire Chief Webster reported that some of the recruitment grant money will be used for advertising via radio/TV, banners, and brochures. The plan is to make a book outlining the FD programs with an application in the back to hand out at various events and at the school to promote enrollment.
 - The board requested Fire Chief Webster to find out if the SAFER grant has to be used specifically for what was requested and if the accepted amount can be modified if we decide not to use the portion requested for an electronic sign.
- Trustee Dunn made a motion, seconded by Trustee Cavallaro to accept the FEMA grant in the amount of \$78,212.38 for the fill station compressor. 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 approve the FEMA SAFER grant in the amount of \$49,780 with the request to Chief Webster to see if the grant can be modified to use the funds for something besides the sign, and if we cannot then the board will need to consult with the FAB and have another discussion at the next board meeting as to what we can do to make the sign effective. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

Code Enforcement

The August code officer report was reviewed. It was noted 7 building permits totaling \$180 were issued this past month, totaling \$2,176.70 year-to-date.

Highlights:

- 8 N. Dow Street – work being done to clean up property
- 85 W. Mosher – fence too close to sidewalk – has to apply for variance
- 109 E. Everett – sent letter for no permit for front porch
- Sent letter to G. Yager for no permit to house chickens
- Sent second letter to J. Higbee for no permits for front porch, shed and patio.

Pro-Housing Community Designation – update

- CEO Capitano continues to work on completing the code information needed for the Village to obtain the Pro-Housing designation

Department of Public Works

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

- The State DOT is requesting a letter for approval from the village to acquire approximately 75 square feet of right-of way from Davis Park to comply with the ADA Act as part of a project to rehabilitate curb ramps, sidewalks and pedestrian signals. Trustee Dunn made a motion, seconded by Trustee Miller to give Deputy Superintendent Faulkner approval to approve the state's request for consuming a small section in Davis Park to make the sidewalk approach ADA compliant. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.
- Discussion on replacement of the 2004 single axle dump/plow truck - Deputy Superintendent Faulkner is recommending to the board that we start the process to replace the 2004 dump/plow truck. There is a 2-year lead time for delivery of the truck with a ballpark cost of \$350K. The board gave their approval to start the process to include: obtain a purchase price, trade-in value and timeline for delivery so that the board can make a financial plan to pay for the vehicle.
- Venable Construction has been contacted to make arrangements to start the library drop box.
- The county has agreed to look at the foot bridge as safety concerns have been voiced to the board.
- Still waiting on information back from Cyncon on the sidewalk plow. They have sent the information and pictures to the manufacturer for review.
- New drainage was installed on known problem areas, Phetteplace in front of the park and on East Falconer Street from Central Ave to the half way point on East Falconer Street.
- The Community Building front doors were sanded and coated for weather protection and the threshold was repaired.
- The board reviewed 3 quotes to replace one of handicap mechanism units that controls 2 inside doors of the Community Building. Deputy Superintendent Faulkner is recommending Plyer as the more responsible quote even though they are slightly more due to the fact that they are local versus being in Buffalo, future service calls would be faster from a local company which may include a travel/service charge, and they are not requesting a 50% deposit at the time of approval. Trustee Dunn made a motion, seconded by Trustee Cavallaro to accept the quote from Plyer Entry Systems for \$5,807 out of the reserve fund to replace one of the automatic door openers in the Community Building. Discussion: Trustee Gustafson personally thought that we should go with the lower cost. Roll: Gustafson: Nay, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: one. Carried.

DPW pole barn addition – update

- Deputy Superintendent Faulkner is recommending a detached pole barn versus adding to the existing building as it would be less expensive due to the added costs to having the building attached. The board was in agreement so he will move forward to send out RFPs for a detached pole barn.

Library

The August 12, 2024 – September 9, 2024 Library report was reviewed.

- **Highlights:**
- The “Adventure Begins at Your Library” Summer Reading Program was a success! There were 111 children, 15 teens and 79 adults signed up for the program with 132 of the 205 that signed up finishing the program! Wendy's, Burger King, Tim Hortons and Tops all donated coupons for our participants. In addition, Brian and Kay Nelson, of the Falconer Vac Shop, sponsored the closing activity. A portion of their generous donation covered the cost of ice cream with the Off the Stick Ice Cream truck visit for those who finished their summer reading goal. There was also continued support and generous donations towards our summer activities from Sue and Doug Seamans.

- The Annual Book Sale was held August 8th-10th. The sale brought in \$4,408.47, the year-long on-going sale \$1,062 for a grand total of \$5,470.47. Many thanks to our library board, staff, volunteers, DPW staff, village board and staff, and community members for their help and support!
- The summer band concerts were well attended: Miranda Wilcox – 92, Pearl City Jazz – 210, New Horizons – 157, Razz and Friends – 108, and Music to Remember – 41.
- Story Hour classes for three-and four-year-old children is scheduled to begin on Wednesday, September 11th. Story Hour Director, Ashley Nelson has 13 children pre-registered so far.
- The next library board meeting is scheduled for October 3, 2024 at 8:00 am in the library.

Committees:

Finance:

• ***Budget Modifications***

Trustee Gustafson made a motion, seconded by Trustee Dunn to approve Resolution 12-2024 Budget Modification to the 2024-25 General Fund Budget:

REVENUES

INCREASE: A1980	Public Work Charges	\$1,1677.03
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APPROPRIATIONS

INCREASE: A5110.4	DPW Contractual Ellicott, Poland and Carroll portion of inspection for bucket truck	\$1,677.03
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Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye, and Jaroszynski: Aye. Nays: none. Carried.

• ***Sales Tax Update***

The board was presented with a 2-year sales tax history to compare to the first quarter of 24/25 sales tax payment. Sales tax revenue was slightly down from previous 1st quarters but over budgeted amount.

Legal:

- Nothing to report.

Public Safety:

- Nothing to report.

Downtown Development:

- A new thrift store, “Falconer Thrift This & That” located in the plaza at 2-14 East Main Street held a grand opening on August 14th and has been very busy so far.
- There will be two public workshops at the Fireman’s Exempt Hall for the NY Forward Grant process. They will be held from 6-7 pm on Tuesday, September 17 and Wednesday, September 18. To encourage local business participation, Dr. Courtney Curatolo, Director of the Small Business Development Center at SUNY JCC, has organized a presentation from 4:30-6 pm on the 18th.
- “Made in Falconer” event will be held on Oct. 5 from 10am – 2pm. Tours will be available at six village manufacturers every half hour. A virtual scavenger hunt will encourage participation at local businesses and tours.

Farmers Market:

- Farmers Market will continue through the end of September.

Parks:

- Thank you to Deputy Superintendent Faulkner for researching getting water to the rec building at the park. Also continuing to look further at converting the tennis courts into pickleball courts.

Pine Hill Cemetery:

- The cemetery has received their new leaf machine and is busy getting 15 headstone foundations ready for concrete pouring.

Planning/Zoning Board

- There will be a meeting coming up soon, but no date has been set.

Old Business:

- Nothing to report.

New Business:

- ***Resolution #10-2024 to support the current Ag. District 8 boundaries in the Village of Falconer***
Trustee Dunn made a motion, seconded by Trustee Gustafson to approve Resolution 10-2024 for the Agricultural District 8 Review and Support. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye and Jaroszynski: Aye. Nays: none, Carried.
- ***Resolution #13-2024 to approve the Chautauqua County Snow Removal and Ice Agreement***
Trustee Dunn made a motion, seconded by Trustee Gustafson to approve Resolution 13-2024 to approve the Chautauqua County Snow Removal and Ice Control Agreement dated August 13,2024. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye and Jaroszynski: Aye. Nays: none, Carried.
- ***Resolution #14-2024 to Authorize Submission of NY Forward Application***
Trustee Gustafson made a motion, seconded by Trustee Miller to approve Resolution 14-2024 authorizing and supporting the submission of a grant application by the Village of Falconer for the 2024 NY Forward Program. Roll: Gustafson: Aye, Dunn: Aye, Cavallaro: Aye, Miller: Aye and Jaroszynski: Aye. Nays: none, Carried.
- ***Reminder: October Regular Board Meeting will be on Tuesday, October 15, 2024 at 6pm in the Fire Exempt Hall.***
- ***Clerk & Treasurer – will be away at NYCOM Training September 16-20***
- ***Code Officer – will be at training at Chautauqua Harbor hotel September 11-13***
- ***DPW Superintendent Retirement***
DPW Superintendent Carl Caprino has retired from the village. Mayor Jaroszynski would like to appoint Avery Faulkner as the new DPW Superintendent
- ***Appointment of new DPW Superintendent***
Trustee Gustafson made a motion, seconded by Trustee Dunn to approve the mayor's appointment of DPW Superintendent to Avery Faulkner. 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 September 9, 2024, which acknowledged his review on September 8-9, 2024 of the unpaid vouchers for Abstract #4 (FY 24/25) and bank reconciliations from M&T Bank, Community Bank and NYCLASS for the month of July 2024 was placed into record.

- **Consideration for Approval of FCS Homecoming Parade & Bonfire to be held on October 10th.** Trustee Gustafson made a motion, seconded by Trustee Dunn to approve the Homecoming Parade. 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 #4, General Fund with the corrected version in the amount of \$87,848.96 be approved for payment. Discussion: Trustee Gustafson was confirming that a prevailing wage statement is received before a check can be sent out to Plyer. Treasurer Spunaugle confirmed that the check will be held until the certified payroll is received. He also questioned the monthly charge from Cintas for eyewash equipment inspections. Superintendent Faulkner stated it is part of the maintenance contract that was set up previously but there may be another option to look in the future. In regards to the sewer project, he questioned the fact that we are paying an employee as a contractor. The mayor had set up to contract the services of Peter Fuller to work with the engineers as needed. 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 Miller that Abstract #4, Cemetery Fund in the amount of \$4,526.96 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 Dunn that Abstract #4 Library Fund in the amount of \$3,628.12 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 Gustafson that Abstract #4, General Fund Hand Items in the amount of \$5,583.17 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 vehicle insurance claim-potential litigation and the employment of a particular person(s) at 7:36 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 Gustafson at 8:13 p.m. Ayes: all. Nays: none. Motion carried.

Trustee Dunn made a motion, seconded by Trustee Miller, to adjourn the regular meeting at 8:14 p.m. Ayes: all. Nays: none. Motion carried.

*Respectfully submitted,
Cindy Capestrani, Village Clerk*