

**MAYOR JAMES M. JAROSZYNSKI-absent**  
**TRUSTEE ANTHONY CAVALLARO**  
**TRUSTEE TIMOTHY DUNN**  
**TRUSTEE ALAN GUSTAFSON JR.**  
**TRUSTEE NIKKI PIERCE**

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

The regular meeting of the Village of Falconer Mayor and Board of Trustees was held on Monday, November 10, 2025 at 6:00 pm in the Firemen's Exempt Hall with Deputy Mayor Anthony Cavallaro presiding.

**Pledge of Allegiance & Roll:**

Trustee Gustafson, Trustee Dunn, Trustee Pierce and Deputy Mayor Cavallaro were all present.  
Mayor Jaroszynski was absent.

**Visitors**

Nina Gustafson      Owen Reed-Post Journal

**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 Dunn made a motion, seconded by Trustee Pierce to approve the minutes of the October 14, 2025 Regular Board of Trustee Meeting. Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye and Cavallaro: Aye, Nays: none. Carried.

**Mayors Remarks**

- There were no mayor remarks.

**Fire Chief**

The Fire Chief's October report was reviewed and reported that the department responded to 39 EMS calls, 21 cancelled in route, 1 public service, 5 cover assignment, 3 motor vehicle with injuries, 1 garbage dump fire, 1 outside trash fire, 1 power line down, 1 gas leak, 1 medical assist, 1 brush fire, 1 trash fire contained, 1 steam mistaken for smoke, 1 assist invalid, 1 carbon monoxide incident, 1 alarm activation unintentional, 80 total incidents.

**Mutual Aid Breakdown – October 2025**

**Given:** Frewburg-1, Kennedy-3, Frewburg-2, Jamestown-1, Alstar-1, Gerry-1, total 9

**Received:** Medic 74-15, A-74-1, Kiantone-1, Kennedy-6, Alstar-7, Gerry-1, Jamestown-1, total 32

- ***Review/Approval of 2 Membership Applications***

- Trustee Dunn made a motion, seconded by Trustee Gustafson to approve Paul R. Taber into the Falconer Hook and Ladder Company for firefighter and EMS. Roll: Gustafson: Aye, Dunn: Aye Pierce: Aye and Cavallaro: Aye. Nays: none. Carried.
- Trustee Dunn made a motion, seconded by Trustee Gustafson to approve Alexander Carl Sealy into the Falconer Jr. Company. Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye and Cavallaro: Aye. Nays: none. Carried.

Deputy Mayor Cavallaro thanked Fire Chief Babcock and his crew for a job well done, 80 calls for the month is a lot of activity.

### **Code Enforcement**

The code officer report for October was reviewed. There were 4 building permits issued this past month totaling \$152.00 for a year-to-date total of \$4,219.50.

#### **Highlights:**

- Dunkin to start work soon.
- 235 Carter Street (Master Machine) – condemned, roof deterioration and possible structural concerns.
- Will be setting up Fire Inspection for the Budget Inn
- Glass America has moved into Falconer at 56 E. Main Street.

### **Department of Public Works**

The DPW report was submitted for the month of October 2025.

#### **Highlights:**

- Planted 25 new trees throughout the village.
- Tied up loose ends from the summer, working on leaf pick-up and getting ready for snow removal.

Deputy Mayor Cavallaro noted that the DPW trucks were out early this morning clearing snow and he thanked them for a great job keeping the village streets and sidewalks clear.

### **Library**

The October 14, 2025 – November 10, 2025 Library report was reviewed.

#### **Highlights:**

- “Turkey Fun Day” will be held on November 26<sup>th</sup> from 10am-11:30am. There will be turkey themed games, activities and an indoor story walk and snacks for all participants.
- Non-Perishable food items are being collected this month to be donated to the Falconer Food Pantry. For each item brought in, the donor will be entered into a drawing to be held on Friday, November 21<sup>st</sup> to win a frozen turkey.
- The Knitting/Crochet Group will be meeting on November 6<sup>th</sup> and 20<sup>th</sup>, at 1:30pm, the Craft Club on November 10<sup>th</sup> at 10am and the Book Club on November 18<sup>th</sup> at 1:30pm.
- Three older model computers were replaced, purchased in part from the Chautauqua Region Community Foundation Geographic Fund Grant.
- The next library board meeting will be on Thursday, November 13<sup>th</sup> at 8:00 am.
- Library Surplus Inventory for disposal: broken wooden chair, HP Laser Jet 4M printer (no longer used), Dell small computer monitors, keyboard tray, random cords, old Sylvania TV. Surplus to share with Chautauqua Cattaraugus Library System (CCLS): 5 Dell Window 7 computers with monitor and keyboard (all have been replaced) and extra monitors and cords.

Trustee Dunn made a motion, seconded by Trustee Pierce to accept the list of surplus library inventory and mark it for disposal so that it can be shared with the CCLS system or disposed of because it is not usable. Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye and Cavallaro: Aye. Nays: none. Carried.

**Finance:**

- ***Budget Modification***

Trustee Dunn made a motion, seconded by Trustee Gustafson to approve Resolution #26-2025 Budget Modifications to the 2025-2026 General Fund Budget as listed:

**REVENUES**

INCREASE: A2705	Gifts & Donations (received from County for NY Forward Grant application)	\$1,500
A2680	Insurance Recoveries	\$834.74
A3501	State Aid, Consolidated Highway - CHIPS	\$79,415.31
A1710	Public Works-received from Town of Poland & Ellicott (Stumper Repairs)	\$114.16

**APPROPRIATIONS**

INCREASE: 8020.4	Planning	\$1,500
5110.4	DPW Contractual	\$834.74
5112.2	CHIPS	\$79,415.31
5110.4	DPW Contractual	\$114.16

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

**Legal:**

- There will be something to discuss in executive session concerning real estate.

**Committees:****Public Safety:**

- ***Dog Control Officer Report***

- The Dog Control Officer Report for October was submitted as well as a calendar year summary regarding calls and his responsibility as the village DCO. According to the NYS Inspector, since the Town of Ellicott handles all the dog licenses, they are the municipality that is legally responsible for picking up any loose dogs in the village. The town does not have to enforce any village dog laws, only NYS Article 7 dog law. The village DCO is responsible to enforce the village law, handle dog complaints and pick up dogs, when able, as long as there is space in the contracted holding facility. Deputy Mayor Cavallaro commented that this issue will be discussed further during the budget process and review of the village dog control law.

- ***Special Dog Permit Request***

- The board reviewed a request from 17 Mason Street to house 4 dogs, 3 being less than 12 lbs. and a 70 lb. golden retriever. The board discussed the village law which states “*An owner shall board no more than two dogs and two cats at one time without a special permit issued by the Village at a charge per additional dog or cat. Any dog or cat litter will be allowed 10 weeks from birth before they must be removed from the owner’s premises or a special permit shall be obtained from the Clerk approved by the animal control officer.*”

Some comments from the board during the discussion:

- If we allow 4 dogs, then will someone want 5, what if the dogs are all small and kept inside, what is the board’s authority as it pertains to the specific wording of the law.
- Attorney Peterson stated the board would be granting a variance to the law. This is a specific variance request and does not mean the dog limit becomes 4 dogs.

Trustee Pierce made a motion, seconded by Trustee Gustafson to approve the variance request.

Discussion: Trustee Dunn would like to amend the motion adding a requirement to the variance

that in the event one of the dogs passes, they will not replace the dog and will trend to getting down to 2 dogs. There was no second to the amendment, so the vote will be on initial motion. Roll: Gustafson: Aye, Dunn: Nay, Pierce: Aye, and Cavallaro: Nay. Nays: two, Ayes: two. Motion: Denied. Three votes are required for approval on a five-member board, the request can be re-submitted for vote by a full board at the next meeting.

### **Downtown Development:**

- The past month has been very busy getting the NY Forward/DRI application ready and submitted on Friday, November 7<sup>th</sup>. Thank you to everyone involved including the businesses that submitted projects and residents that participated in the public meeting.

### **Farmers Market:**

- Nothing to report.

### **Parks:**

- The board was presented with the 2025 pavilion rental figures and current rental rates so that a decision could be made on fees for 2026. Trustee Pierce made a motion, seconded by Trustee Dunn to keep the pavilion fees the same for 2026 as they were for 2025. Discussion: the board still needs to set a fee to rent the park for a profit event, such as a disc golf tournament held in the past. Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye and Cavallaro: Aye, Nays: none. Carried.

### **Pine Hill Cemetery:**

- Flags will be taken down after Veteran's Day.

### **Planning/Zoning Board**

- The Planning Board met on November 6th and continues to work on updating the village's current sign law.

### **Historian News**

- Village Historian Brenda Cavallaro noted that the village is very fortunate to have such a generous community that continue to donate historical findings. At tonight's meeting, she shared two photos donated by a local resident. Her father and grandfather were both members of the Falconer Fire Department. Even though there were no dates on the photos, after some investigation, Brenda believes the photos date back to the 1920's.
- The first photo shows two fire engines parked in the Fire Department truck bay on Davis Street with the folding bay doors open. There is a gentleman sitting on each side of the truck bays. Based on the time period, she believes the one gentleman is Ollie Olson, who was the Fire Chief at the time. The other gentleman is believed to be Wes Patton who was the Police Chief back then.
- The second photo was also taken on the Davis Street side of the Community Building, showing a walkway with plantings going up to the entrance of the Fire Department, which was housed in what is now the board room and the clerk & treasurer offices. The Community Building was built in 1921 and Ollie Olson (in the photo) was Fire Chief from 1900 to 1935 (the longest serving Fire Chief in the village). Based on that fact, the size of the plants along the sidewalk and ivy growing up the wall, Brenda estimates that this photo would have been taken no later than 1935.
- Brenda has been asked to form and chair a committee to start work on the 2026 Time Capsule Project. The Lions Club Bicentennial Project placed a time capsule vault in Davis Park in July of 1976 to be retrieved in 2026. More information will follow in the upcoming meetings.

**Old Business:**

- ***Tax Collection Agreement with Town of Ellicott***
- The board tabled a decision at the last board meeting, regarding continuing to pay the Town of Ellicott to provide tax collection services for the village or collecting the village taxes in the village office. The current tax collection services agreement with the Town of Ellicott expires on December 31, 2025. The village already pays the county to print the tax bills; the Town of Ellicott currently mails and collects the taxes for the village.
- There are some logistical issues that would need to be worked out prior to the start of tax collection, such as dual controls, a drop box, setting specific days/hours for collection to name a few.
- The board felt that by bringing the residents to the village offices to pay their taxes it gives them the opportunity to offer feedback/concerns that they may have but do not feel comfortable voicing at a board meeting.
- Attorney Peterson noted that if the board decided not to move forward with the renewal on the tax agreement, they would just have to do a budget modification next month to reallocate the funds that were originally budgeted for the tax collection services.
- ***Chautauqua County 3% Occupancy Tax Grant Application – Notification***  
The village was notified that they were not awarded a grant for the proposed “Davis Park Live” funding request. There were an unprecedented number of applications this year with funding requests exceeding available funds by a factor of eight.

**New Business:**

- ***Kiwanis Bike Rodeo Request at Fire Hall – May 9, 2026***  
Trustee Pierce made a motion, seconded by Trustee Dunn to approve the request for the Falconer Kiwanis Club Bike Rodeo on May 9<sup>th</sup>, 2026. Discussion: It was noted that this is the same weekend that the village held Beautification Day this year. Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye, and Cavallaro: Aye. Nays: none. Carried.
- ***CDBG Housing Rehab Grant #387HR305-24 Conflict of Interest Disclosure***  
There is a resident that was awarded the grant that the board needs to be made aware of the following:
  - The housing rehab grant continues to receive applications for assistance.
  - One of the potential clients of the program is a second cousin of the mayor. The village and its subrecipient, CHRIC, did not in any way provide any preferential treatment. The potential client did not jump ahead of anyone in line, and fully disclosed the relationship on the application to CHRIC.
  - The only way a client can proceed is if a full application has been submitted, verified, and income documentation has been vetted to ensure that all clients meet the requirements of the program.
  - The applicant, Alicia Ross, has met all of the requirements for the program and is eligible to receive assistance., The Village of Falconer wanted to ensure that this information was fully disclosed so that they can be open and transparent about the grant process.
  - If there are any questions about this disclosure, you are welcome to reach out to CHRIC or the village to discuss the matter further.
  - There were no questions or concerns from the board after this information was disclosed.

**Correspondence:**

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

Trustee Gustafson's letter, dated November 10, 2025, which acknowledged his review on November 10, 2025 of the unpaid vouchers for Abstract #6 (FY 25/26) and bank reconciliations from M&T Bank, Community Bank and NYCLASS for the month of September 2025 was placed into record.

**Abstracts**

**Motion:** It is moved by Trustee Dunn and seconded by Trustee Pierce that Abstract #6, General Fund in the amount of \$54,013.36 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye, and Cavallaro: Aye. Nays: none. Carried.

**Motion:** It is moved by Trustee Gustafson and seconded by Trustee Dunn that Abstract #6, Cemetery Fund in the amount of \$31.18 be approved for payment. Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye, and Cavallaro: Aye. Nays: none. Carried.

**Motion:** It is moved by Trustee Dunn, and seconded by Trustee Gustafson that Abstract #6, Library Fund in the amount of \$4,059.11 be approved for payment Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye, and Cavallaro: Abstain. Nays: none. Carried.

**Motion:** It is moved by Trustee Pierce and seconded by Trustee Gustafson that Abstract #6, General Fund Hand Items in the amount of \$5,174.19 be approved for payment Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye, and Cavallaro: Aye. Nays: none. Carried.

Trustee Gustafson made a motion, seconded by Trustee Dunn to enter into executive session to discuss the sale of real property at 6:58 p.m. Roll: Gustafson: Aye, Dunn: Aye, Pierce: Aye, and Cavallaro: Aye. Nays: none. Carried.

There was no action taken during the executive session.

A motion to end the executive session was made at 7:09 p.m. by Trustee Dunn and seconded by Trustee Pierce. Ayes-all. Motion carried.

A motion to close the regular meeting was made at 7:09 p.m. by Trustee Dunn and seconded by Trustee Gustafson. Ayes-all. Motion carried.

*Respectfully submitted,  
Cindy Capestrani, Village Clerk*