

**April 5, 2016**

*Clerk Spencer administered the Oath of Office to Mayor John Stumpf, Trustees Richard Hunt and Trista Reisdorf.*

At 7:00 PM, Mayor Stumpf called the meeting to order and led the Pledge to the Flag.

The following were present:

John Stumpf	Mayor
Richard Hunt	Trustee
Patricia Sherwood	Trustee
Darwin Dominessy	Trustee
Trista Reisdorf	Trustee

Marcia Spencer	Clerk
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**OTHERS PRESENT:** Superintendent of Public Works Daren Smith, Fire Chief Jeff Holmes, Second Assistant Fire Chief Jeremy Lavery, Code Enforcement Officer Christopher Lexer, Constable/Dog Control Officer Richard Swift, Arcade Herald reporter Leslie Lange, and property owner Robert Mamon.

## **MINUTES**

Trustee Sherwood seconded by Trustee Dominessy moved suspension of the reading of the Minutes of the previous board meeting March 1, 2016 and Special Board meeting March 29, 2016 inasmuch as Board members had been supplied copies. Carried. Mayor Stumpf announced that corrections and alterations would then be heard, and concluding there were none, the minutes stand approved. Carried.

## **#21** **PUBLIC HEARING**

At 7:01 PM Mayor Stumpf opened the Public Hearing on the Budget. At 7:07 PM with no one wishing to speak for or against, it was moved by Trustee Sherwood, seconded by Trustee Hunt to close the public hearing.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

## **#22** **ORGANIZATION OF THE BOARD**

It was moved by Trustee Sherwood, seconded by Trustee Hunt to approve the following appointments and resolutions.

## APPOINTMENTS

Deputy Mayor	Richard Hunt
Village Clerk	Marcia Spencer
Treasurer	Diane Finch
Village Attorney	Rob Steinhaus
Constable	Richard Swift
Dog Control Officer	Richard Swift
Registrar	M. Fred Clark
Building Inspector	Christopher Lexer
Zoning Officer	Christopher Lexer
Historian	Jacqueline Cornwall
Keeper of the Clock	Eric McAfee
Official Depository	M&T Bank & Bank of Castile
Official Newspaper	Arcade Herald, Inc.
Crossing Guard	John Perrington
Crossing Guard	Kathy Norton
Water Engineer	Chatfield Engineering

## RECREATION COMMITTEE

Jack Stumpf Richard Hunt

## COMMITTEES

Fire Department	Trustees Sherwood & Hunt
Legal	Mayor Stumpf
Parks	Trustees Reisdorf & Sherwood
Refuse Disposal	Trustees Hunt & Dominessy
Street Lights	Trustees Sherwood & Reisdorf
Trees	Trustees Hunt & Dominessy
Water Department	Trustees Sherwood & Hunt
Youth Recreation	Mayor Stumpf & Trustee Hunt
Building Inspector	Mayor
Zoning Officer	Mayor
Streets & Sidewalks	Trustees Dominessy & Reisdorf

## **ORGANIZATION MEETING RESOLUTIONS**

The Board of Trustees shall meet the **first Tuesday of each month at 7:00 PM** in the Delevan Municipal Building for the purpose of conducting official business. Work Sessions to be scheduled as needed.

### **INVESTMENT POLICY**

The Board of Trustees of the Village of Delevan adopt the investment policy, which was passed on April 6, 1993 with the following amendment: add to Designation of Depositories: Bank of Castile.

### **ADVANCE APPROVAL OF CLAIMS**

*RESOLVED:* that the Board of Trustees of the Village of Delevan adopt the claim policy which was passed on April 3, 2001, including attendance at municipal meetings and training.

### **CLAIMANTS CERTIFICATION**

The Village Board will not require claimants certification signatures if there is a bill of sale or invoice (statement) for merchandise delivered to the Village.

### **MILEAGE ALLOWANCE**

*WHEREAS:* the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village.

*NOW THEREFORE BE IT RESOLVED:* that the Board of Trustees shall approve reimbursement to such officers and employees at the rate of 40 cents per mile.

### **ESTABLISHING HOURLY RATE**

The hourly rate during the 2016-2017 fiscal year is hereby established at \$12.00 per hour for a part-time laborer and \$10.15 for the cleaning person.

### **ANNUAL REVIEW OF PURCHASING POLICY**

*RESOLVED:* that the Board of Trustees of the Village of Delevan adopt the purchasing policy which was passed on April 2, 2002 and amended on February 16, 2010 to include small, minority or women-owned businesses.

### **ATTENDANCE AT ASSOCIATION MEETINGS**

After review of the Association Meetings Policy adopted in 2001, it was moved by Trustee Sherwood, seconded by Trustee Hunt that the policy should remain the same.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

## REPORTS

**Fire Chief Jeff Holmes reported the following 35 calls:**

**EMS:**

Village	15
Town of Yorkshire	04
Town of Freedom	01
Yorkshire	03
Machias	02
Chaffee Sardinia	01

**HAZARD CALL:**

Village	02
Town of Yorkshire	02

**AUTO ACCIDENT:**

Village	02
Town of Freedom	01
Chaffee-Sardinia	01

**GRASS FIRE**

Town of Yorkshire	01
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Chief Holmes reported that it had been a busy month. Holmes presented the resignation of Isabelle Wagner and her request for Exemption Papers.

### #23

#### Exemption Papers

It was moved by Trustee Sherwood, seconded by Trustee Reisdorf to approve Isabelle Wagner's Exemption papers.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

### #24

#### Approve Application

Chief Holmes presented the application of David Perrington. It was moved by Trustee Dominessy, seconded by Trustee Sherwood to approve the application to the fire department of David Perrington.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

### #25

#### Approve Fire Dept Ballot

Chief (vote for 1)  
Jeffrey Holmes

1<sup>st</sup> Assistant Chief (vote for 1)  
Robert Kuhn

Trustee 3 Yr Term (4/16 – 4/17) (vote for 1)  
John Perrington  
Caleb Washburn  
Secretary (vote for 1)  
Kaitlin Myers

2<sup>nd</sup> Assistant Chief (vote for 1)

Andrew Eastman  
Jeremy Lavery  
Daren Smith

Vice President (vote for 1)

William Clester

President (vote for 1)

Calvin Pataye

It was moved by Trustee Hunt, seconded by Trustee Dominessy to approve the ballot for the Delevan Volunteer Fire Dept. elections.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

**Constable Richard Swift reported the following:**

Six abandoned/unlicensed vehicles, 1 removed, 2 licensed, 3 remain under 30 day notice. Saturday had 2 unlicensed vehicles towed. There were 2 notices of junk/debris – notices were sent out to 79 S. Main Street and 52 N. Main Street.

**Dog Control Officer Richard Swift reported the following:**

There were 4 instances of dog complaints, 1 wandering, 2 loose dogs, and 1 inadequate shelter. There also was 1 dog bite at 53 N. Main Street.

**Newly Appointed Code Enforcement Officer Christopher Lexer** stated that he would have a report for the Board next month.

**Superintendent Daren Smith reported the following:**

- 1.) Village lawns have been raked.
- 2.) Picnic tables repaired.
- 3.) Potholes patched.
- 4.) Had a complaint of holes on Church Street and N. Main, apprised the caller that it was NYS right of way.
- 5.) Water – lightning has messed up some of the calibrations.
- 6.) Flushing hydrants later in the month of April.
- 7.) Last snowstorm did not have the snow blower on plus the blade on the tractor is broken.
- 8.) Brush pile, opened up but still need to do something as rules are not being followed.

**#26**

**HIGHWAY WORK PERMIT**

It was moved by Trustee Hunt, seconded by Trustee Sherwood to authorize Superintendent Daren Smith to sign the NYSDOT Perm 1 for working in the State's right of way.

Whereas, the Village of Delevan from time to time receives permits from NYSDOT and otherwise conducts activities and operations upon highways or right of ways controlled by the State of NY for such purposes as the obstruction, installation, construction maintenance and/or operation of facilities: and

Whereas, Permittee's access and operation upon state right of way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and /or 234, including the conditions that Permittee assume all responsibility for the (a) the temporary control of all modes of traffic

affected by Permittee's operations (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

**Clerk Marcia Spencer reported the following:**

- 1.) All board members supplied with copy of cash receipts for month.
- 2.) Spencer provided a list of open water accounts for the Board's review.
- 3.) Getting documents ready for taxes.
- 4.) Meeting Room scheduling.

**#27**  
**DELINQUENT WATER**

It was moved by Trustee Sherwood, seconded by Trustee Dominessy to authorize Clerk Spencer to add the delinquent water bills to the taxes. Spencer will provide an updated list to the Board at the next meeting.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

**COMMUNICATIONS**

- 1.) Notice from County that the Rabies Clinic will be held May 7, 2016.
- 2.) CCMOA meeting will be held at Chanderson's on April 14, 2016 - speaker Crystal Abers; six will attend.
- 3.) Town of Machias – received letter on proposed easement/assessment for sewer district.

**UNFINISHED BUSINESS**

**1.) Zoning Board members**

**#28**  
**ZBA APPOINTMENT**

It was moved by Trustee Hunt, seconded by Trustee Sherwood to appoint Eric McAfee to the Zoning Board of Appeals. His term will expire 12/31/2020.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

**2.) Budget Amendments –**

**#29**  
**FIREMAN'S GRANT**

It was moved by Trustee Reisdorf, seconded by Trustee Sherwood to

Increase revenue line Federal Aid Fireman's Grant A4089.10 \$19,538.00  
Increase Contractual Fire department Contractual A3410.46 \$19,538.00

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

## **NEW BUSINESS**

### **1.) Approve Budget**

**#30**

### **ADOPT THE 2015-2016 BUDGET**

The following resolution was moved by Trustee Sherwood, seconded by Trustee Hunt:

WHEREAS: the Tentative Budget for the year 2016-2017 has been presented to the Board and an advertised Public Hearing was held,

NOW THEREFORE BE IT RESOLVED: that the said tentative budget be and hereby is adopted as the budget of the Village of Delevan for the year 2016-2017 with a tax rate of 14.373263 mils per thousand.

Trustee Dominessy aye, Trustee Hunt aye, Trustee McAfee absent, Trustee Sherwood aye, Mayor Stumpf. Ayes 4, Nays 0, Absent 1. Carried.

- 2.) **Received check** for returned village taxes from Cattaraugus County \$8705.68.
- 3.) **Received phone call** from Brett Morgan on possible Verizon Communications tower on Village water property. The Board agreed to have the Superintendent research it further.
- 4.) **Garage door on shed** – Trustee Hunt discussed replacing the garage door on the shed where recreation stores equipment during the program.
- 5.) **Water rates** – after previous discussion where the Treasurer noted that the water revenues were falling short, the Board agreed to raise the water rates.

**#31**

### **CHANGE IN WATER RATES**

It was moved by Trustee Hunt, seconded by Mayor Stumpf to raise the water rates as follows:

The base rate for water usage inside the Village for ¾ " meter or smaller will be \$30.00 per billing quarter; 1" water meters inside the village will be billed at \$40.00 per quarter; 2" meters inside the village will be billed at \$50.00 per quarter; 4" water meters inside the village will be \$90.00 per quarter; and the water rate for usage for ¾" meters outside the village will be \$40.00 per quarter in addition to the \$2.75 per 1000 gallons effective on the June 1, 2016 water billing.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

- 6.) **Bear Communications** – Mayor Stumpf supplied an estimate from Bear Communications LLC for \$1567.02 on outdoor cameras for surveillance. Supt. Smith will also check into it to satisfy our purchasing policy.

**#32**

- 7.) **Recreation** – It was moved by Trustee Sherwood, seconded by Mayor Stumpf to approve Trista Reisdorf as Recreation Director \$17.00 per hour, Rob Hirsch as Water Safety Instructor at a fee \$200 for the program and Jessica Franklin as Aquatics Director at \$11.75 per hour.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 4 Nays 0, Absent 0. Trustee Trista Reisdorf abstained. Carried.

**APPROVAL OF BILLS**

The bills for the previous month of March were presented and audited. It was moved by Trustee Sherwood, seconded by Mayor Stumpf to make payment of \$20,552.95 Abstract #11, \$19,154.61 in General Fund Claims and \$1,398.34 in payment of General Fund Claims.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. Ayes 5, Nays 0, Absent 0. Carried.

**ADJOURNMENT**

At 8:12 PM it was moved by Trustee Hunt, seconded by Trustee Sherwood to adjourn. Carried.

**Marcia J. Spencer, Village Clerk**