

July 10, 2018

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

OTHERS PRESENT: Superintendent of Public Works Daren Smith, Fire Chief Jeff Holmes, First Assistant Fire Chief Jeremy Lavery, Second Assistant to the Chief Bobby Kuhn, Code Enforcement Officer Christopher Lexer, Dan Owens, and Arcade Herald Reporter Tyler VanOcker.

MINUTES

Trustee Hunt seconded by Trustee Sherwood moved suspension of the reading of the Minutes of the previous board meeting June 5, 2018 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.

PUBLIC

Trustee Dominessy discussed problems he was having with his neighbors and 4 wheelers. The constable visited the residence and asked that they try to tone it down. Trustee Dominessy wondered if other villages allow 4-wheelers.

REPORTS

Treasurer Diane Finch reported the following:

The 2017-2018 Annual report has been filed. Treasurer Finch went through the cash account comparisons from 2017-2018 as well as the year end fund balances. CHIPS filing was not done in time for this budget year. After discussion, Yorkshire Highway Supt. Lexer volunteered to help Supt. of Public Works Smith file the necessary paperwork for the Village of Delevan's CHIP reimbursement.

Treasurer Finch reported that the water dropped by \$14,914 which resulted in money having to be taken from the reserves. June water billing reflected a \$5 increase per account to offset some of this in the future.

Budgeted sidewalk money was not used so it went back into fund balance.

#156 FIRE DEPARTMENT EQUIPMENT

It was moved by Trustee Reisdorf seconded by Trustee Dominessy to increase the following line item: Fire Department Equipment A3410.2 by \$8545 and decrease Unappropriated Fund Balance \$8545.

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

#157 FIRE DEPARTMENT RESERVE

It was moved by Trustee Reisdorf, seconded by Trustee Dominessy to roll the following into a reserve for the Fire Department

\$505 that was remaining in the Fire Dept. budget at the end of the 2017/2018 budget and the \$9754 that was remaining in the Rescue Squad budget for a total of \$10259.

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

Fire Chief Holmes reported the following:

For the month of June there were 40 calls.

EMS calls – Village 11, Town of Yorkshire 9, Town of Freedom 1, Machias 2, Yorkshire 2.

Structure Fire – Farmersville 1.

Auto Accident – Village 1.

Medical Alarm – Village 1.

Automatic Fire Alarm – Village 2.

Odor Investigation – Town of Yorkshire 1.

Tree/Wire Down – Village 3, Town of Yorkshire 6.

Chief Holmes also reported that all hoses have been tested. He presented an Application to the Fire Department for Brandon M. Lamm.

#158 APPLICATION TO FIRE DEPARTMENT

It was moved by Trustee Hunt, seconded by Trustee Dominessy to approve the application of Brandon M. Lamm to the DVFD.

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

2nd Assistant to the chief, Robert Kuhn discussed grants and the need for a new tanker truck. (Dan Owens was present from Churchville Fire Equipment.) This particular truck was ordered but then possession was not taken so it is available for purchase immediately. Terms of financing were discussed, but no decision was made on the length of time. Trustee Hunt voiced His opposition to the purchase saying that he just couldn't see it; it was way out of line.

#159 PURCHASE TANKER

It was moved by Trustee Reisdorf, seconded by Trustee Dominessy to authorize Mayor Stumpf to sign the purchase agreement for the tanker for the base amount of \$248,250.

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

#160 DOWN PAYMENT ON TANKER

It was moved by Trustee Reisdorf, seconded by Trustee Sherwood to use the Fire Department Reserve in the amount of \$105,000 for the down payment on the tanker.

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

Supt. of Public Works Daren Smith reported the following:

- 1.) Lime Lake Sewer project is wrapping up; sidewalks have been repaired as well as the village garage parking lot.
- 2.) Assisted the town for 2 days to try and pay back some shared service.
- 3.) Tree down on Delevan Avenue
- 4.) Having problem with kids and signs.
- 5.) Dealing with minor water line breaks
- 6.) Mulch pile rules still not being followed, with people dumping rocks, manure, glass etc.
- 7.) Presented LL Sewer Project Construction Co. with water bill for usage \$1700.
- 8.) Planning on chipping Stranburg, sealing Stevens & Owens.

Clerk Marcia Spencer reported the following:

- 1.) Collected Taxes and Water bills, posted payments to accounts
- 2.) Provided Tax searches to attorneys for sale of houses
- 3.) Issued handicapped parking permits
- 4.) Booked meeting room
- 5.) Routine correspondence
- 6.) Worked with the Mayor and mailed out newsletters
- 7.) Ordered reprinting of trash stickers with edited wording.
- 8.) Typed letters for the Constable
- 9.) Delivered trash stickers to Crosby's.
- 10.) Prepared vouchers/abstract/cash receipts

Clerk Spencer advised the board that there were nine bundles of the old orange/red trash stickers with 500 in each bundle that contained the previous confusing wording on the stickers and inquired as to whether the Board wanted to continue selling them until they ran out and then shift over to the newly worded ones or to have them destroyed.

#161 DESTROY OLD TRASH STICKERS

It was moved by Trustee Reisdorf, seconded by Trustee Hunt to have the clerk destroy the nine bundles of stickers.

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

Code Enforcement Officer Christopher Lexer reported the following:

- 1.) Property that the Village of Delevan sold at 103 S. Main Street is selling lots of sheds currently has a temporary sign which is allowed for a short period of time to announce business.
- 2.) Has been removing off street advertising signs on poles
- 3.) Permanent signs advertising out of the village businesses are not allowed.
- 4.) One sign at the Delevan Plaza is not in compliance. A wall sign on the plaza building is allowed as well as one pylon sign for the business renting the unit. The tenant has been told several times that the sign is not in compliance and they were therefore asked to remove it. After a month, the owner of the plaza has said to remove it – code enforcement has been slammed on Facebook – Mr. Lexer is not singling any group but enforcing the zoning law. Lexer stated the sign will be removed the next day. The Board is in agreement. Four variance requests are going to the Zoning board – of which three are for fences. After discussion with the Board on fences, the Board agreed with CEO Lexer to hold a public hearing to amend Zoning to allow fences without going to the Zoning Board of Appeals.

#162 PUBLIC HEARING TO AMEND ZONING - FENCES

It was moved by Trustee Reisdorf, seconded by Trustee Hunt to hold a Public Hearing to amend the Zoning Law to allow fences at 7 PM on August 14, 2018.

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

RECREATION

Recreation Director Reisdorf said to date 121 children have been signed up for recreation with 5 more applications having been sent home. There were 93 children in attendance on Monday and 98 in attendance on Tuesday. Cattaraugus County Health Dept. Official visited the site on the first day and thought it was a great program and that all staff were doing a great job. The ratio for children to adults is 1 to 12, so therefore would need to hire an additional recreation specialist.

#163 HIRE RECREATION SPECIALIST

It was moved by Mayor Stumpf, seconded by Trustee Hunt to hire Kayla Welch at \$10.40 per hour for the recreation program.

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

COMMUNICATIONS

- 1.) Received an unsigned letter from a resident weighing in on trucks parking on residential streets.

UNFINISHED BUSINESS

- 1.) Received an email from Scott Cornett at the NYS DEC with the results of the title search and Parkland alienation legislation that would be needed in order to sell fishing rights. Given the issues, the DEC no longer found it prudent to proceed, the Board agreed.
- 2.) Handicapped bathroom – received plans from Engineer Dennis Cook for the proposed handicapped bathroom, next step is to secure quotes on it.

NEW BUSINESS

1.) *Adelphia Tax Bill*

#164 NY RPT LAW 626 SPECIAL FRANCHISES

The following resolution was moved by Sherwood, seconded by Trustee Reisdorf

WHEREAS Time Warner Cable franchise fees paid to the Treasurer have exceeded the amount of taxes due under NYS Real Property Law Section 626(2), now therefore be it

RESOLVED that the Clerk will contact the county to have the base tax amount of \$121.34 – Springville 194 bill #000409 (and any penalties due and owing) overrode.

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

2.) *June Water Billing* – March Trial Balance End:

Past due bills \$2553.68, Penalties \$526.96 and other \$671.14

New Current \$26,901.29, new other \$2904.00 and Grove Street \$644.25 for a total trial balance of \$34,201.32

3.) *#165 Tables for Music in the Park*

It was moved by Trustee Sherwood, seconded by Trustee Dominessy to donate three of the old tables to the Boys Scouts for Music in the park.

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

APPROVAL OF BILLS

The bills for the previous month of June were presented and audited. It was moved by Trustee Sherwood, seconded by Trustee Dominessy to make payment of \$42,707.82 Abstract #2 \$37,539.31 in General Fund Claims and \$5,168.51 in payment of Water 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 9:08 PM it was moved by Trustee Reisdorf, seconded by Trustee Sherwood to adjourn.
Carried.

Marcia J. Spencer, Village Clerk