

May 1, 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 and Waste Management Acct. Manager. Chris Balbierz

### MINUTES

Trustee Hunt seconded by Trustee Sherwood moved suspension of the reading of the Minutes of the previous board meeting April 3, 2018 and Special Board meeting April 17, 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.

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

### PUBLIC

#### #147 BID OPENING

A legal was published in the Arcade Herald soliciting bids for the three year Garbage Contract. Three bids were received from the following:

**Casella** First Year \$40,900, Second Year \$41,922, Third Year \$42,970

**Waste Management** First Year \$43,250, Second Year \$45,850, Third Year \$48,600

**MRC** First Year \$40,263, Second Year \$41,068, Third Year \$41,889

It was moved by Trustee Reisdorf, seconded by Trustee Hunt to accept MRC's bid for the three year refuse contract.

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:**

There were 31 calls for the month of April 2018. **EMS** – Village 7, Town of Yorkshire 7, Town of Freedom 1 and Machias 3. **Auto Accident** – Village 2, Town of Yorkshire 2. **Tree Down** – Village 1, Town of Yorkshire 3 and Town of Freedom 1. **Automatic Alarm** – Village 1. **Structure Fire** – Village 1, Machias 1.

Mother's Day breakfast will be May 13, 2018.  
Hose inspection 06/04/2018 at Training Center.

### **Supt. of Public Works Daren Smith reported the following:**

- 1.) Spent a lot of time with contractors; on April 11, 2018 LL Sewer Project Contractor broke asbestos water line; without water for 2 ½ hours – notified health department, did not put water line back in service. Ran temporary lines until service restored, boil water notices given.
- 2.) Three holes in garage driveway from LL Sewer project machinery parked there.
- 3.) April 25, 2018 Mill St – new water service line installed.
- 4.) Brush pile opened up on 04/27/2018.
- 5.) Going to chip tomorrow night.
- 6.) Attended Machias Town Board meeting – nothing was mentioned about the contractor breaking the water line.

### **Clerk Marcia Spencer reported the following:**

- 1.) Typed letters for Constable
- 2.) Prepared necessary paperwork for taxes
- 3.) Routine correspondence and phone calls
- 4.) Booked meeting room
- 5.) Issued handicapped parking permits
- 6.) Prepared vouchers/abstract

## **COMMITTEES**

Trustee Reisdorf reported that interviews had been completed. Several recreation workers from previous year would be returning. Signups will be held May 24, June 2 and June 9. Children between the ages of 5 (attending Kindergarten) and 16 are eligible to attend.

## **COMMUNICATIONS**

- 1.) **#148 Boy Scout Troup 627** request for donation for Music in the Park

### **Music in the Park**

It was moved by Trustee Dominessy, seconded by Trustee Hunt to provide Boy Scout Troup 627, \$300 for the 2018 Music in the Park Series.

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

- 2.) Waste Management Quarter Refuse report received.
- 3.) Cattaraugus County Household Waste Day to be held June 9, 2018, must pre-register.
- 4.) Cattaraugus County Municipal Officials Meeting will be held at the Century Manor in Olean, Portville hosting. Chris Baker will be the speaker and will continue on the school safety issue. Deputy Mayor Hunt, Trustee Reisdorf, Clerk Spencer, and Code Enforcement Lexer will attend.

### **UNFINISHED BUSINESS**

- 1.) **USDA Compliance** – Engineer Dennis Cook is in the process of drawing up a plan for compliance.
- 2.) **Contract with Evolution for cell tower.** Attorney Rob Steinhaus still has some concerns with the current proposed lease. Mayor Stumpf will not be available until mid May, so he requested that Code Enforcement Officer Lexer and Clerk Spencer call the attorney in an attempt to get a lease agreement worked out.

### **#149 Authorize Deputy Mayor to Sign Lease**

It was moved by Trustee Reisdorf, seconded by Trustee Sherwood to authorize Deputy Mayor Hunt to sign the lease agreement with Evolution after review by Attorney Steinhaus.

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.) **Cancer coverage for Fire Department Members** – Treasurer Diane Finch requested the Board be advised on the New State-Mandated Cancer Benefit for Volunteer Firefighters. Discussion ensued with Chiefs, but at this time no insurance companies are offering such coverage in NYS.
- 2.) **#150 Water Bill increase.**

It was moved by Trustee Sherwood, seconded by Trustee Dominessy to raise every water consumer's flat rate portion of their water bill by \$5.00 to cover the increased costs in maintaining and administering the water system.

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

- 3.) **Impose a fee for notice of unpaid taxes**

### **#151 IMPOSING A FEE FOR THE NOTICE OF UNPAID TAXES RESOLUTION**

It was moved by Trustee Hunt, seconded by Trustee Sherwood to make the following resolution:

WHEREAS: Section 987 of the Real Property Law mandates the annual mailing of a notice of unpaid taxes to each owner of real property upon which taxes remain unpaid; and

WHEREAS: effective January 1, 1995, Section 987 of the Real Property Tax Law authorizes the governing body of a municipal corporation to adopt a resolution to impose a fee of up to \$2.00 per parcel to offset the expenses of complying with this mandate,

THEREFORE BE IT RESOLVED that effective May 1, 2018 the Village of Delevan does hereby provide for the imposition of a fee of an amount of \$1.00 chargeable against each parcel for which a notice of unpaid taxes is mailed in compliance with Section 987 of the Real Property Tax Law.

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

#### **4.) Tax Warrant Resolution**

##### **#152 TAX WARRANT RESOLUTION**

It was moved by Trustee Sherwood seconded by Trustee Hunt to make the following resolution:

RESOLVED: that the tax levies totaling \$91,847 as extended upon the roll of the Village of Delevan are hereby approved, and be it further

RESOLVED: that the mayor and clerk hereby are authorized and directed to sign and attach the warrant with the official Village seal hereto under the day of June 1, 2018.

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

- 5.) **Tour of Fire Hall** for Village Board members – after the meeting is adjourned, Board Members will tour the fire hall with the Fire Chiefs.

##### **APPROVAL OF BILLS**

The bills for the previous month of April were presented and audited. It was moved by Trustee Hunt, seconded by Trustee Reisdorf to make payment of \$15,319.63 Abstract #12, \$13,944.53 in General Fund Claims and \$1,375.10 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 8:15 PM it was moved by Trustee Dominessy, seconded by Trustee Sherwood to adjourn.  
Carried.

**Marcia J. Spencer, Village Clerk**