

April 6, 2021

At 7:00 PM, Mayor Stumpf called the meeting to order and led the Pledge to the Flag. Due to Covide-19, the Board is meeting in the room next to the Board room so that all can social distance and Public can attend if they so desire.

The following were present:

John Stumpf	Mayor
Patricia Sherwood	Trustee
Darwin Dominessy	Trustee

Marcia Spencer	Clerk
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Trista Reisdorf	Absent from meeting
Richard Hunt	Absent from meeting

**OTHERS PRESENT:** Superintendent of Public Works Daren Smith, Residents: Doug and Sue Heckathorn, Jackie Cornwall, Brandon Stearns and DVFD Chief Jeremy Lavery.

### **MINUTES**

Trustee Sherwood seconded by Trustee Dominessy moved suspension of the reading of the Minutes of the previous board meetings of March 2, 2021 and March 16, 2021 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.

### **#299 RESIGNATION**

Accepted with regret, Mayor Stumpf read a letter of resignation from Deputy Mayor/Trustee Richard Hunt.

### **#300 APPOINTMENT**

It was moved by Trustee Sherwood, seconded by Trustee Dominessy to appoint Brandon Stearns to the position of Trustee.

Trustee Dominessy aye, Trustee Reisdorf absent, Trustee Sherwood aye, Mayor Stumpf aye. 3 ayes, 0 nays, 1 absent. Carried.

Clerk Spencer swore in Brandon Stearns as Trustee.

### **#301 BID OPENING**

At 7:05 PM Mayor Stumpf opened the bids received for the Trash Collection Bid. A Legal was placed in the Arcade Herald and though other companies picked up bid specs, only one bid was received and that was from MRC.

Mayor Stumpf read the bid:

Total bid for June 1, 2021 to May 31, 2024 \$141,718.65

\$46,078.00 year 1

\$47,229.95 year 2

\$48,410.70 year 3

### **#302 PUBLIC HEARING ON BUDGET**

Mayor Stumpf opened the Public Hearing on the Budget. With no one wishing to speak Mayor Stumpf left the hearing open and went on to other business in case someone showed up wishing to speak.

### **PUBLIC**

Doug and Suzanne Heckathorn informed the Board of problems that they were experiencing with their property being eroded by the creek behind them. Photos of the erosion were presented to the Board.

Mayor Stumpf said that he would attempt to call Soil and Water to see if anything could be done.

Jackie Cornwall, resident of Delevan Avenue attended the meeting to tell the Board that she was dismayed over the profanity sign on Delevan Avenue. Mayor Stumpf related that the sheriff had been there but to no avail.

*At 7:13 PM Mayor Stumpf closed the Public Hearing on the Budget with no one in attendance wishing to speak for or against.*

### **#303 PUBLIC HEARING ON OVERRIDING THE TAX CAP**

At 7:15 PM Mayor Stumpf opened the Public Hearing on Overriding the Tax Cap.

### **#304 ORGANIZATION OF THE BOARD**

It was moved by Trustee Sherwood, seconded by Trustee Dominessy to approve Mayor Stumpfs appointments, and pass the following resolutions:

### **#305 APPOINTMENTS**

Deputy Mayor	Patricia Sherwood
Village Clerk	Marcia Spencer
Treasurer	Diane Finch
Village Attorney	Peter Sorgi
Constable	Joseph Neamon
Dog Control Officer	Joseph Neamon
Registrar	Donna Sherwood

Building Inspector  
Zoning Officer  
Historian  
Keeper of the Clock  
Official Depository  
Official Newspaper  
Crossing Guard  
Crossing Guard

Christopher Lexer  
Christopher Lexer  
Jacqueline Cornwall  
Brandon Stearns  
Five Star Bank  
Arcade Herald, Inc.  
John Perrington  
Kathy Norton

## RECREATION COMMITTEE

Jack Stumpf    Brandon Stearns

## COMMITTEES

Fire Department  
Legal  
Parks  
Refuse Disposal  
Street Lights  
Trees  
Water Department  
Youth Recreation  
Building Inspector  
Zoning Officer  
Streets & Sidewalks  
Constable

Trustees Sherwood & Stearns  
Mayor Stumpf  
Trustees Reisdorf & Sherwood  
Trustees Stearns & Dominessy  
Trustees Sherwood & Reisdorf  
Trustees Stearns & Dominessy  
Trustees Sherwood & Stearns  
Mayor Stumpf & Trustee Stearns  
Mayor  
Mayor  
Trustees Dominessy & Reisdorf  
Mayor

## 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.

## 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 2021-2022 fiscal year is hereby established at \$12.98 per hour for a part-time laborer and \$12.50 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 Dominessy that the policy should remain the same.

Trustee Dominessy aye, Trustee Reisdorf absent, Trustee Sherwood aye, Mayor Stumpf aye. 3 ayes, 0 nays, 1 absent. Carried.

### Fire Chief Jeremy Lavery reported the following:

For the month of March there were 35 calls:

<u>EMS Calls</u>		<u>Structure Fire</u>	
Village	12	West Valley	1
Town of Yorkshire	8	Franklinville	1
Machias	3		
<u>Vehicle Fire</u>		<u>Harzardous Condition</u>	
Town of Yorkshire	1	Town of Yorkshire	2
Town of Freedom	1		
<u>Auto Accident</u>		<u>Automatic Fire Alarm</u>	
Village	1	Yorkshire	1
Town of Yorkshire	2	West Valley	1
<u>Odor Investigation</u>			
Village	1		

Chief Lavery stated that the tanker had been delivered to the Town; and also informed the Board that there would be a fund raiser meat raffle during the month of June.

### **#306 DVFD ELECTION BALLOT**

Chief Lavery presented the Board with an updated Election Ballot for the Delevan Fire Company 2021-2022 which is included at the end of the Minutes.

It was moved by Trustee Sherwood, second by Trustee Stearns to approve the amended ballot for the 2021-2022 election.

Trustee Dominessy aye, Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns and Mayor Stumpf aye. 3 ayes, 0 nays, 1 absent. Carried.

### **Superintendent of Public Works Daren Smith reported the following:**

- 1.) Talked to Ray from the Health Dept on the Park – people would have to separate
- 2.) Quotes on window that was broke by falling ice are as follows Springville Door and Window \$774 with a 50% deposit, Bob Herman \$1688 but he would dress up the inside
- 3.) Water test voucher from Analytical, this quarter the Village has to pay it but next quarter the NYDOH will provide the monitoring
- 4.) Read in the NYCOM magazine, that the County must provide reimbursement for mowing
- 5.) Brush chipping will be twice a month

### **#307 APPROVE SPRINGVILLE DOOR AND WINDOW**

It was moved by Trustee Sherwood, seconded by Trustee Dominessy to approve Springville Door and Window to replace the meeting room window that was broken by ice off the roof and provide a 50% deposit.

Trustee Dominessy aye, Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns and Mayor Stumpf aye. 3 ayes, 0 nays, 1 absent. Carried.

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

- 1.) All Board Members supplied with a copy of the cash receipts.
- 2.) Issued handicapped parking permits
- 3.) Delivered trash stickers to Crosby's
- 4.) Prepared vouchers/abstract

### **COMMUNICATIONS**

- 1.) National Grid Rates – notice to visit national grid website to see outdoor rates.
- 2.) NYCOM – State Budget Priorities
- 3.) NY Public Service Commission – letter on stray voltage

### **UNFINISHED BUSINESS**

- 1.) Cattaraugus County Treasurer – returned Village taxes of \$7,333.90

## **NEW BUSINESS**

- 1.) Water billing for March as is as follows: New current \$32,933.18, past due \$11,260.93, penalties \$1,388.88, final \$28.39, total other \$4,178.73, Grove Street \$562.80 for a total trial balance of \$50,352.91.

*Mayor Stumpf closed the Public Hearing on the Tax Cap at 8:06 PM*

- 2.) Override the Tax Cap

### **#308 RESOLUTION TO ADOPT LOCAL LAW 1 OF THE YEAR 2021 TO OVERRIDE THE TAX CAP**

With no one in attendance wishing to speak for or against, it was moved by Trustee Sherwood, seconded by Trustee Dominessy to approve Local Law 1 of the Year 2021 to override the tax cap. (A legal advertising the Public Hearing on the Law was placed in the Arcade Herald.)

Trustee Dominessy aye, Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns and Mayor Stumpf aye. 3 ayes, 0 nays, 1 absent. Carried.

- 3.) Budget Resolution 2021-2022

### **#309 RESOLUTION TO ADOPT THE 2021-2022 BUDGET**

With no one in attendance wishing to speak for or against on the 2021-2022 Budget, it was moved by Trustee Sherwood, seconded by Trustee Dominessy to approve the 2021-2022 budget for the Village of Delevan.

Trustee Dominessy aye, Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns and Mayor Stumpf aye. 3 ayes, 0 nays, 1 absent. Carried.

- 4.) Authorize the Mayor to sign Shared Service Agreement

### **#310 APPROVE SHARED SERVICE AGREEMENT**

It was moved by Trustee Sherwood, seconded by Trustee Stearns to approve the Shared Service Contract with Cattaraugus County and authorize the Mayor to sign.

Trustee Dominessy aye, Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns and Mayor Stumpf aye. 3 ayes, 0 nays, 1 absent. Carried.

## **PAY CLAIMS**

The bills for the previous month of March were presented and audited. It was moved by Trustee Sherwood seconded by Trustee Stearns make payment of \$17,121.65 Abstract #11, \$14,855.73 in General Fund Claims and \$2,265.92 in payment of Water Fund Claims.

Trustee Dominessy aye, Trustee Reisdorf absent, Trustee Sherwood aye, Trustee Stearns and Mayor Stumpf aye. 3 ayes, 0 nays, 1 absent. Carried.

## **ADJOURNMENT**

At 8:11 PM it was moved by Trustee Dominessy seconded by Trustee Sherwood to adjourn.  
Carried.

**Marcia J. Spencer, Village Clerk**