

November 5, 2019

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, DVFD President Calvin Pataye, DVFD member Joseph Kozak, Code Enforcement Officer/Yorkshire Highway Superintendent Christopher Lexer, Mr. and Mrs. William Richards, Justin Richards, Chrissi Lukowski and son.

MINUTES

Trustee Hunt seconded by Trustee Sherwood moved suspension of the reading of the Minutes of the previous board meeting October 1, 2019 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

Denise Richards approached the Board about a problem her son Justin was having with property he owns on Palmer Avenue. Fifteen years ago, her father Charles Weidinger installed French drains to alleviate water problems on this same property. At the time he proposed to install the drains, he came to the Village Board with his plans and the Village Board agreed to contribute \$300 toward the cost of pipe. No easements/agreements were made at the time according to the Minutes of August 3, 2004. Piping to drain road water was also hooked into this drain. The drain is no longer working and Mr. Richards' property is water laden. Yorkshire Highway Superintendent Lexer said he would like to address the problem. He proposed since no agreement was made to maintain the pipe that the Village should seek to get an easement from Justin Richards to allow the Village of Delevan to access the property to fix the main pipe with the Yorkshire Highway Department's assistance and at the same time to give the Village an easement where gravel/millings could be placed to create a place for snow since this street is a dead end.

#221 PALMER AVENUE EASEMENT

It was moved by Trustee Hunt, seconded by Trustee Sherwood to have Chris Lexer call the attorney for the Village, Rob Steinhaus, to discuss the matter and draw up an agreement/easement.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. 5 ayes, 0 nays, 0 absent. Carried.

REPORT

DVFD President Calvin Pataye addressed the Board about what in his opinion were misconceptions in regards to suspending a member. Pataye stressed that it was never brought up to kick the member out and that in his opinion the member was a good EMT. He also stated his frustration that the member he was referring to would not attend a meeting to discuss the situation. Board members had differing views; no action taken.

Chief Jeff Holmes reported the following:

For the month of September there were 31 calls:

<u>EMS Calls</u>		<u>Auto Accident</u>	
Village	15	Town of Yorkshire	1
Town of Yorkshire	7		
		Franklinville	1
Yorkshire	1	Chaffee Sardinia	1
<u>Structure Fire</u>		<u>Tractor Fire</u>	
Machias	1	Town of Yorkshire	1
<u>Hazard Call</u>			
Town of Yorkshire	3		

Chief Holmes presented the application to the fire department for Steven Dominessy.

#222 MEMBERSHIP APPLICATION DVFD

It was moved by Trustee Hunt, seconded by Trustee Dominessy to accept the application of Steven Dominessy to the Delevan Volunteer Fire Department.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. 5 ayes, 0 nays, 0 absent. Carried.

Supt. Daren Smith reported the following:

- 1.) Brush has been chipped for the year, still having problems as some residents continue to dump in the wrong spot
- 2.) Equipment is ready for winter.
- 3.) New fuel pump installed in the village truck
- 4.) Skidster plate on – V plow is on it from the International
- 5.) Water line replaced to Beiter residence; shut off and meter pit installed – Zima did the work as they had the lowest price on it.
- 6.) Problems at water – control panel (Plant IQ) can't shut off manually or change any settings – can't shut alarm off – service tech had no idea – thought he had it running but still couldn't do any changes. They are pushing for a new system; suppose to have the answers by Wednesday. Koestner scheduled to work on the UV system – showed how to manually turn the UV system on.
- 7.) Water is running over the overflow.

Clerk Marcia Spencer reported the following:

- 1.) All Board Members supplied with a copy of the cash receipts.
- 2.) Booked meeting room

- 3.) Issued handicapped parking permits
- 4.) Delivered trash stickers to Crosby's
- 5.) Prepared vouchers/abstract
- 6.) Unpaid taxes \$5141.55
- 7.) Unpaid water \$12,904.76

COMMUNICATIONS

- 1.) Cattaraugus County Municipal Association Meeting will be held in Allegany on November 14, 2019. Cattaraugus County DA to speak; four will attend from the Village.
- 2.) BlueCross BlueShield – notice of renewal and 2020 premium rates.

UNFINISHED BUSINESS

- 1.) Water Meter Reading/Attorney update – no action on Master Meter's end. According to attorney next step is to prepare a summons and complaint and file it with the County Clerk.

NEW BUSINESS

#223 TAXES CURRENT TO TAXES OVERDUE

It was moved by Trustee Reisdorf seconded by Trustee Sherwood to adopt the following resolution:

RESOLVED: that the Treasurer be and hereby is authorized to make the following budgetary transfer in the amount of \$5,141.55 (\$4738.47 base, \$24.00 notice fees and \$379.08 penalties) from A250 Taxes Current to Taxes Overdue

Upon roll call vote:

Trustee Dominessy	aye
Trustee Hunt	aye
Trustee Reisdorf	aye
Trustee Sherwood	aye
Mayor Stumpf	aye

The resolution was declared adopted.

#224 WATER SUPPORT

It was moved by Trustee Hunt, seconded by Trustee Sherwood to authorize the clerk to sign the agreement with Williamson Law for water billing support at the cost of \$987.00 for one year.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. 5 ayes, 0 nays, 0 absent. Carried.

#225 AUTHORIZE MAYOR TO SIGN SNOW PLOW CONTRACT

It was moved by Trustee Hunt, seconded by Trustee Sherwood to authorize the Mayor to sign the one year snow plowing contract for \$165.00 per trip with the Town of Yorkshire.

Trustee Dominessy aye, Trustee Hunt aye, Trustee Reisdorf aye, Trustee Sherwood aye, Mayor Stumpf aye. 5 ayes, 0 nays, 0 absent. Carried.

APPROVAL OF BILLS

The bills for the previous month of October were presented and audited. It was moved by Trustee Reisdorf seconded by Trustee Sherwood to make payment of \$16,145.81 Abstract #6, \$9,605.08 in General Fund Claims and \$6,540.7322 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 8:00 PM it was moved by Trustee Hunt seconded by Trustee Sherwood to adjourn. Carried.

Marcia J. Spencer, Village Clerk