

# VILLAGE OF BENTLEYVILLE

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## COUNCIL MEETING MINUTES JULY 10, 2024 7:00 P.M.

### CALL TO ORDER BY MAYOR:

**ALLEGIANCE TO THE FLAG: 0:02:51**

**ROLL CALL: 0:04:34**

<input checked="" type="checkbox"/> Kathleen Hale, Mayor	<input checked="" type="checkbox"/> Lisa Whitmyer	<input checked="" type="checkbox"/> Alex Goetsch
<input checked="" type="checkbox"/> Robert Chalfant	<input checked="" type="checkbox"/> Terry Hemmelgarn	<input checked="" type="checkbox"/> Ken Kvacek
<input checked="" type="checkbox"/> Ryan Rubin		
<input checked="" type="checkbox"/> Charles Nemer, Law Director	<input checked="" type="checkbox"/> Jeff Filarski, Engineer & Building Official arrived at 7:37pm	
<input checked="" type="checkbox"/> Gabe Barone, Police Chief	<input checked="" type="checkbox"/> Matt Maistros, Service Director	

**CLERK:** A Motion to accept prior written minutes and audio recording of the June 12, 2024, Council meeting.

Motion to approve by Ryan Rubin, second Alex Goetsch

Mr. Kvacek wanted to correct the minutes to reflect that from Parks and Rec there will be 3 trees purchased of the Adirondack Crabapple variety not "some variety" as indicated in the minutes. Additionally, a correction to the statement about the hydrant color to reflect more accurately what was said.

Roll call: Chalfant: yes; Goetsch: yes; Hemmelgarn: yes; Kvacek: yes; Rubin: yes; Whitmyer: yes

### **MAYOR'S REPORT: 0:03:04**

Mayor Hale wanted to thank everyone for agreeing to meet a week earlier this month. The planning and zoning items will be on the agenda for next month's meeting due to lack of time to advertise.

### **FISCAL OFFICER: 0:07:13**

Mayor Hale thanked Ms. Most for the information provided about the levies. Mr. Rubin pointed out the report for RITA revenue seemed to have a formula error where the YTD historical numbers were not updated to include income from July. Mr. Kvacek asked if the corrected report may be sent to Council. Ms. Most agreed to email the report.

### **LAW DIRECTOR'S REPORT: 0:10:26**

Mr. Kvacek asked about the Zupan case. Mr. Nemer said the Village has been dismissed from the case.

### **BUILDING INSPECTOR'S REPORT: 0:**

### **ENGINEER'S REPORT: 0:44:06**

Next streets and safety meeting Mr. Filarski will have some road project recommendations for 2025. Mr. Goetsch asked when the Deer Lick Creek bridge will be done. Mr. Filarski said it will be done by October with the traffic signal being temporary until spring.

**CHIEF'S REPORT: 0:11:42**

The Chief asked if any Council members had any comments about the fireworks over the 4<sup>th</sup> of July holiday. Discussion concluded that there are ordinances and State laws in place but they are difficult to enforce. The two new part time officers have proven to be helpful in filling in the gaps as well as some of the promotional type of activities, website and/or social media for the department. There have been conversations about updating the website. Ms. Whitmyer has experience in this area and she suggested adding a CMS, Content Management Service, which allows the maintenance of the website content by the owner to avoid added expenses. Mayor Hale asked if she would be willing to head up a committee to explore options. Ms. Whitmyer agreed.

**SERVICE DEPARTMENT REPORT: 0:29:28**

Fire hydrant flushing has been going on and is almost complete. There will be a couple of vehicle expenses including tires, coming up. The expenses should fall within the amount budgeted for vehicle repair and maintenance. Inspection of sprinkler system will be coming up.

**COMMITTEE REPORTS: 0:35:35**

- **Streets and Safety Committee Report**
- **Finance, Grants, Insurance Committee Report**
- **Planning and Zoning Commission Report**
- **Park, Facilities, Beautification Committee Report** Discussion arose around the paving project at Riverview Park. The project is completed and was performed as to specs per Mr. Filarski. There is a bio retention basin that according to Mr. Filarski was in the plans that were originally presented to Council. The bid was awarded to the lowest bidder. The parking spaces were laid out to maximize safety. The bio retention basin will begin to look better as the plantings mature.
- **Utilities Committee Report**

**PUBLIC COMMENTS (May be limited to no more than 5 minutes)**

**OLD BUSINESS:**

**NEW BUSINESS: 0:52:25**

**2024-30 An Ordinance for the payment of bills in the month of July 2024 in the amount of \$51,819.29 and declaring an emergency.**

Motion to adopt by Rubin, second Chalfant.

Roll call: Chalfant: Yes; Goetsch: no; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Rubin, second Chalfant.

Roll call: Chalfant: yes; Goetsch: yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

**2024-31 Resolution authorizing and directing the mayor to enter into Amendment No.1 to the Capital Improvement Community Park, Recreation/Conservation Project Pass-Through Grant Agreement for the Riverview Community Park and declaring an emergency.**

Motion to adopt by Rubin, second Goetsch.

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Rubin, second Goetsch.

Roll call: Chalfant: yes; Goetsch: yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

**2024-32      A Resolution authorizing the mayor to enter into a contract with National First Equipment LLC in an amount not to exceed \$32,500.00 for a tractor and declaring an emergency.**

Motion to adopt by Rubin, second Chalfant.

Roll call: Chalfant: Yes; Goetsch: Yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Rubin, second Chalfant.

Roll call: Chalfant: yes; Goetsch: yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

**2024-33      A Resolution authorizing the mayor to enter into a contract with Enterprise Door & Supply Company for repairs to the basement emergency door to village hall and declaring an emergency.**

Motion to adopt by Rubin, second Whitmyer.

Roll call: Chalfant: Yes; Goetsch: No; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Rubin, second Whitmyer.

Roll call: Chalfant: yes; Goetsch: yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

**2024-34      A Resolution authorizing the mayor to enter into a contract with Action Door for replacement of the garage door to village hall and declaring an emergency.**

Motion to adopt by Rubin, second Chalfant.

Roll call: Chalfant: Yes; Goetsch: No; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

Motion to suspend the three-reading rule by Goetsch, second Rubin.

Roll call: Chalfant: yes; Goetsch: yes; Hemmelgarn: Yes; Kvacek: Yes; Rubin: Yes; Whitmyer: yes

**MOTIONS:**

**COMMENTS FROM THE FLOOR:**

**MOTION TO ADJOURN: 1:09:54**

Voice vote: Unanimous

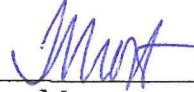
Meeting was adjourned at 8:10 pm.

Respectfully submitted,



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Ryan Rubin  
President of Council



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Tammy Most  
Fiscal Officer