

**VILLAGE OF PAINTED POST  
REGULAR BOARD MEETING  
August 10, 2020**

**The Regular Meeting of the Board of Trustees for the Village of Painted Post was called to order with the Pledge of Allegiance by Mayor Foster at 7:00PM.**

**PRESENT:** Mayor Foster, Deputy Mayor Scheidweiler, Trustee Smith, Trustee Francis, DPW Superintendent Smith, Attorney Patrick and Clerk Names

**ABSENT:** Fire Chief Button and OIC Copp Attorney Patrick

**REGULAR BOARD**

**MINUTES:** of July 13, 2020 were approved on a motion made by Deputy Mayor Scheidweiler, seconded by Trustee Francis and carried.

**POLICE REPORT:** submitted by OIC Copp as follows:

Traffic Arrests: Total of 11  
0 Radar, 4 Moving Violations, 0 DWI Violations, 1  
Suspensions/Revocations and 6 All other Violations.

Complaints: Total of 37  
2 Felony, 5 Misdemeanors, 2 Violations, 5 Vehicle & Traffic, 0 CPPMS,  
0 Animal, 1 Domestic, 1 Local Law Violation, 4 Stolen Property Cases, 5  
Found Property Case and 11 Miscellaneous.

Assistance/Services Rendered: Total of 25  
2 Citizen/Motorist, 5 AMR Ambulance Serv., 2 PP Fire Dept., 0 E.I.D.  
Alarms, 0 VPP Justice Court, 0 Open Door, 2 Mental Health Transports,  
0 Escorts/Jail Run, 4 Vacation Property Checks, 2 Steuben Co. Sheriff, 6  
NY State Police, 0 Corning Police, 0 Other Agencies, 0 DA Office,  
1 Dept. of Pubic/Works, 0 US Government, 0 Other agencies.

Parking Tickets: Total of 0: 13 -2A-5A Parking Enforcement, 0 Other.

Cases Adopted/Closed: Total of 12  
2 Felony, 6 Misdemeanors, 1 Drug Interdictions, 2 Violations, 0 Mental  
Hygiene, 1 Warrant/FOA.

Accidents: Total of 1- 0 Personal Injury, 1 Property Damage, 0 Other.

Total Calls for Service: 86

5N01 REPAIRS: Front end alignment / NYS Inspection

5N01 MILEAGE: 404

5N03 REPAIRS: Both batteries/ Alternator/ Linkage (shifter broke)/  
replace 1 of the new batteries

5N03 MILEAGE: 402

The highlights for the Month of July 2020 are as follows:  
Stolen trailer (unfounded), Vehicle in prohibited area in  
river bed, 2 - fireworks complaints for the month, Stolen  
trailer plate, report of juvenile stuck in infant swing in  
Hodgman Park, Put out a mulch fire, found license plate  
on N Hamilton St, Report of burned food on Steuben St,  
Motorcycle failed to stop, Report of people camping in  
Hodgman Park, Report of issue during Zoom meeting,  
Suspicious person on porch, Warrant/drug arrest, Report  
of alleged stabbing, Illegal dumping at yard waste site, 2  
stolen bicycles E High St.

**FIRE DEPT.  
REPORT:**

submitted by Fire Chief Button as follows:

Total number of calls for the month were 7

1 MVA/Rescues, 1 Service Call, 0 Vehicle Fire, 0 Searches, 0 Chimney  
Fire, 1 Structure Fire, 1 Grass/Brush Fires, 0 Hazardous Conditions, 0  
Vehicles Leaking Gas, 0 Storm Flooding, 13 C.O./Fire Alarm Activation,  
2 Mutual Aid Fires, 0 Mutual Aid MVA, 0 Searches, 0 Mutual Aid  
Medical and 0 Mutual Aid AMR.

Total in Service Hours: 118

Average Fire Fighters Per Call: 13

Training Hours – 0

Training Course Hours - 0

Training Certifications: 0

Total in Service Hours to Date: 1181

Total Number of Calls to date for the Year – 73

Major repairs to the Fire equipment – None Reported

Injuries – No injuries reported

Chief 2800 – Button responded to 71% of the calls for the month.

Chief 2801 – Smith responded to 57% of the calls for the month.

Chief 2802 – McCarthy responded to 51% of the calls for the month.

Three chiefs obtained fuel – Gas 71.8 gallons.

Diesel: 86.6 gallons

All non-emergency activities have been postponed due to the COVID 19 Executive Order.

**DPW REPORT:** July report submitted by Superintendent Smith as follows:

**Water Treatment and Distribution System**

Water levels at wells are at: **Well # 4 – 42’, Well # 3 –25’ & Well # 2 – 42’** of water above the pump.

Trans-loading Facility operations. Hauled ZERO Gallons for the month.

Water service to 349 N. Hamilton turned off. Service leaks on owner’s side of the shutoff valve.

Water service to 340 E. High St turned off as requested by owner.

Crew performed water system operations for the Village of Riverside.

Kinsley Power Company completed annual service inspection of generator unit @ WTP.

Crew repaired 1.5” water service leak to Hodgeman Park.

Crew replaced broken fire hydrant near 106 Parkview Drive.

**Sanitary Sewer Treatment and Collection System**

Crew completed monthly jet cleaning of problem areas of the sanitary sewer collection system.

Crew jet cleaned sanitary sewer mains along Imperial Ave.

Crew performed sewer system operations for the Village of Riverside.

Crew jet cleaned sanitary sewers throughout the Village of Riverside

Sludge pressing operations at the WWTP continues.

**Village Streets and Walkways**

Crew continued weekly picked up leaves & brush throughout the Village.

Crew completed repairs to Storm Sewer Catch Basin at the intersection of Oak & Delaware.

Crew swept streets throughout the village on several occasions.

Crew filled potholes throughout the Village.

Crew removed and poured sidewalks at several locations within the Village. 8 CY’s.

**Buildings and Grounds**

Crew hauled weekly trash from Village facilities.

Crew continued cleaning/sanitation operations at Village Hall & DPW to address COVID 19 Virus.

Crew performed weekly equipment safety checks.

Crew trimmed and removed trees throughout the Village

Pushed back Village compost area above the cemetery on several occasions.  
Crew continued mowing operations of all Village owned properties.  
Crew replaced several interior lights in women's bathroom @ Pavilion.  
Kinsley Power Company completed annual service inspection of generator unit @ Village Hall.  
Crew began relocating DPW materials at foundry site.  
Crew cleaned interior and exterior of pavilion facility for rental on four occasions.

#### **Equipment Maintenance**

Performed maintenance and repairs on DPW, FD and PD equipment.  
Completed repairs to Bobcat Skid Steer.  
Began electrical repairs to 02 Sterling dump truck.

#### **Village Cemeteries**

Three burials for the month.  
Crew continued mowing and trimming operations at both Cemeteries.

#### **FINANCIAL/BUDGET**

**REPORT:** No changes

**CLERKS REORT:** July report submitted by Clerk Names as follows:

All checkbooks have been reconciled and balance to our accounting program and bank statements. Monthly reports have been provided to the mayor, board members and department heads.

I have not yet completed the State Annual Financial Report or the "Notes to the Financial Statements" due to my computer being down for over 3 weeks. I was; however, granted an extension due to this issue.

The State and Federal quarterly tax reports for the 2<sup>nd</sup> quarter were completed, the quarterly report for workers comp was sent to PERMA along with the "Quarterly Survey of Property Tax Collections" for the US Department of Commerce.

Late notices for 57 properties were sent out. As of August 1, 2020 \$1,045,669.63 of the Village taxes have been collected. The remaining taxes of \$47,907.30 if paid by August 31, 2020, will have a six percent (6%) penalty added to the original amount.

The second quarter water and sewer bills were processed and mailed on July 25, 2020 and are steadily coming in.

I responded to a FOIL request from Empire Center with regards to our current DPW contract and to a information subpoena on one of our employees. I also completed a retirement report for an ex-employee who worked here as a life guard in 2007 and 2008.

**PLANNING  
BOARD:**

July 1, 2020 meeting was called to order at 5:45 PM by Marcia Weber, Planning Board Chair.

Marcia Weber (chair), Martha Tober, Moira French, Vickie Button, Kathleen Scalaro, Art Stilwell (alternate)

**Absent:** Bill Scheidweiler (Village Board Liaison)

**Planning Consultant:** Stephanie Yezzi & Chelsea Robertson

**Village Clerk:** Anne Names

**Others:** Ralph Foster (Mayor), Larry Foor (Foor & Associates), Jill Staats & Jamie Johnson (Steuben IDA), Mike O'Connell & Amanda Ratchford (Larson Design), Charlie, Chris & Randy (Tyoga Container)

Approx. 67 members of the public present

**CALL TO ORDER:** Meeting was called to order at 5:45 PM by Marcia Weber, Planning Board Chair.

**APPROVAL OF THE MINUTES FROM JUNE, 2020 WILL BE COMPLETED AT NEXT MEETING.**

**NEW BUSINESS:** Tyoga Container presentation of materials for proposed project at West Water Street Site:

- S. Yezzi made statement regarding Planning Board processes for Special Use Permit applications. She stated that the project website has all materials included in the document library and will be updated with new materials following the meeting. She also encouraged residents to review the Village of Painted Post Zoning Law as adopted in 2019. The Planning Board has been meeting all requirements and completing all processes as indicated in the Law.
- M. O'Connell then reviewed the EIS Overview, as included in the full application materials submitted to the Planning Board prior to the meeting. Following the presentation, C. Morral highlighted that Tyoga has been working with the Village in regards to the concerns raised during the public hearing. Tyoga has heard the comments and would like to help meet the needs of the Village residents.
- S. Yezzi opened the floor to the Planning Board for comments and/or questions

- M. Weber asked for more detail on how trucks will be scheduled around peak hours and how the applicant will specifically address the concerns raised by the public. C. Frysinger outlined “a day in the life” of the company. He stated that Tyoga was required to give maximums for the study, so they could determine the impact from the highest volume possible in a day. Mr. Frysinger stated that the majority of outbound truck traffic would occur during the hour of 6-7 AM prior to the 7-8 AM peak hour. R. Cleveland discussed the processes of the other company occupying the site. This entity would only utilize 10-12 of the total trucks per day.
- M. Weber asked for clarification on the number of trucks, as the EIS stated a total of 50. The applicant response included 5-7 trucks for Tyoga Container and 10-12 for the other occupant. Marcia asked how Tyoga will help to implement the recommended mitigation strategies. The applicant stated that they will support the Village in implementation, which prompted the question of who will fund the crosswalk. Tyoga stated that they are open to discussing a shared cost with the Village but would need to understand the cost of implementation. Marcia asked what the crosswalk would look like as it needs to be more than just a standard painted mechanism. The applicant stated that they understand it would need to include a light system for crossing.
- V. Button asked if all trucks would be 18-wheelers or box trucks. The applicant responded that while the other occupant may have a portion of box trucks, the majority would be 18-wheelers.
- M. Tober expressed that she had been living in the Village since the Foundry inhabited the site. She supports the project.
- M. French asked if Tyoga has explored the possibility of implementing a new ramp directly exiting 86. C. Robertson stated that the strategy would be costly, timely, and would not be the most practical as it would require a greater traffic impact. STC has been exploring this option for years; however, this is an expensive route with many hurdles.
- M. Weber asked if the building becoming a barrier for highway traffic is the only noise consideration (i.e. is there any indoor noise that must be evaluated?) C. Frysinger stated that majority of the work being done inside the building is completed by using forklifts to move product.
- S. Yezzi asked if it can be understood that the 6-foot fence includes barbed wire around the entire property. The applicant stated that there are outdoor cameras with minimal lighting; however, the barbed wire is needed around the building for added security. The other option would be for an 8-foot fence without barbed wire. This is open for discussion.
- S. Yezzi asked if the vegetated berm can include vegetation. The concern is that the application highlights the berm as a barrier between the

residences and the site on the north side of the property. The applicant stated that this is also up for discussion as some trees can be planted.

- S. Yezzi stated that the website will be updated following the meeting. There has also been another public hearing scheduled for Wednesday, July 22 at 5:30 PM.
- The next Planning Board meeting following the public hearing is set for Wednesday, August 5 at the regularly scheduled time.

NEXT MEETING: Wednesday, August 5, 2020

Applications Due: Tuesday, July 21, 2020

Motion to adjourn the meeting made by Vickie Button, seconded by Martha Tober and carried.

Meeting was adjourned at 6:38 PM by Marcia Weber.

#### **NEW BUSINESS:**

1. Staci Johnson who is a teacher at Carter School and a village resident gave a short presentation on the "Little Free Library". This is a non-profit organization promoting community book exchange. Staci would like permission to set up this unit over by the Depot and asked if the Village would donate/install a concrete pad for the structure to set on. Once in place, the village would have no responsibility for the small book structure. Anyone wanting more information is asked to visit the website: <https://littlefreelibrary.org>.

2. Two Resolutions for the new changes to Craig Park

A. Resolution to allow the use of Craig Park Lands of removed Tennis courts and small parcel, to operate a Dog Park in accordance with the attached Rules and Guidelines. Established under Community Foundation of Elmira-Corning & Finger Lakes 501c3. Not to burden the tax payers of cost of operations.

#### DETAILED DOG PARK RULES

These rules are very common nationwide,

1. Dogs must be current with all vaccinations
2. Must have current license
3. Must have on leash entering and exiting, (Park is located on a common Access walking path safety to residents walking is priority)
4. No Puppies under 4 months

5. NO children 12 yrs and under, reasons are many dogs that visit here DO NOT like kids. When a dog owner pulls up to visit and sees a kid they leave.  
also, for safety of children. IT'S A DOG PARK NOT a playground (many dog parks actually require no one under 16, some no one under 18yr)
6. Aggressive dogs are not permitted
7. Owners MUST be in the park within view of their dog
8. NO dog food or people food
9. Must pickup and dispose of in bin outside of gated area (This is convenient for DPW to pick up on their weekly trash pickups)
10. NO choke collars, reason being when dogs get playing and their collars could become entangled causing vicious fighting
11. ALL pets must be fixed, reason, they become aggrieve and also create a hostile environment
12. NO roller blades or boards of any type. (I actually saw this really!!)
13. Absolutely NO strollers, (when dogs go into their puppy runs, they can hit the stroller and become injured) IT'S A DOG PARK
14. NO EXCESSIVE BARKING, (This gets other dogs going, also not good for the neighborhood)
15. Wheel chairs are permitted, the fiber on Large side is designed for wheel chairs, small side is compacted for wheel chairs. Both sides Large and Small are (Handicap assessable)
16. Entering Dog Park is a NO PEE Zone, (Residents Shouldn't have to smell urine while walking by)
17. No more than three dogs per handler

#### OTHER SPECIAL NOTES

When entering QUICKLY move away from entrance area. Stay away from the entrance area, walk around!! That will help disperse the group at entrance. Keep your dog away from entrance when other dogs entering. Most fights happen getting overwhelmed entering gates.

Don't leave dog on leash once inside. Leash dogs tend to be defensive, other dogs get confused

PAY ATTENTION know where your dog is and what your dog is up to. TEXING is not paying attention. Leads to unsafe conditions, attacks, annoying to people, missed poops

Do not brush or otherwise groom pets inside park

Each handler is LEGALLY responsible for his or her dog. The COMMUNITY will assume no responsibility of any injuries to humans or animals. ALL handlers MUST remain in the park at all times.

To maintain a safe and fun environment for all breeds, temperaments, and sizes, most parks have a basic set of rules. "Dog Park Etiquette" is advisable to follow. Be sure to check out the rules typically posted at every Dog Park entrance in the country.

#### FINAL NOTE

Craig Park Dog Park is an additional amenity to the Village of Painted Post reutilizing abandon tennis courts and small parcel of unused land, designed and built by a Village Trustee, incorporation with the Village Board. The Village DOES NOT FUND any portion of the Dog Park. It runs on donations ONLY. If people miss use or do not comply with RULES, you will be told to leave. No niceties, your disrespecting all that has been accomplished. We lose control of the park will result in closing. The Dog Park is 100% complete, no additions or alterations will be needed. Extra amenity's such as water system, Electrical and trash pickup can be removed at any time when abuse has been noted. Only assistance from the Village DPW will be grass cutting as applicable, trimming will be done by Dog Park staff.

For social network you can visit Craig Park Dog Park on Facebook, there is a playmate site also,

Painted Post has web site as well [villageofpaintedpost.com](http://villageofpaintedpost.com) (Under Parks see WEBCAM) Cam shows the entire Park

B. Resolution to allow Craig Park lands to be redeveloped also per State Guide Lines of pool area for recreational facilities such as two Pickle ball courts, Volleyball court, two corn hole courts, two horseshoe pits and a bocce ball court. And the conversion of small pool as a water fountain. The following rules implemented;

#### Game Courts

Use of the Courts at Own Risk, Painted Post is not Responsible for lost or stolen property

No Glass Containers

No Profanity

No Loud Music

Be Respectful of others playing on courts

No Screaming

Please remove your trash

Water Area

Fountain uses Recirculated Water, Maybe Harmful  
NO Pets, Subject to \$250 fine  
If you're on your phone you're not watching your child  
No Running  
No Screaming  
No Loud Music

The above resolution was approved by Deputy Mayor Scheidweiler and carried: 4 Ayes and 0 Nay.

**3. RESOLUTION TO ALLOW NON-VILLAGE RESIDENTS  
TO SIT ON THE PLANNING AND ZONING BOARDS**

**WHEREAS**, pursuant to section 3-300 (2) and section 7-718 (6) of the Village Law of the State of New York, the board of trustees of any village by resolution provide that appointive officers of planning and zoning boards may reside outside the village but in the town in which the village is located.

**WHEREAS**, the Board of Trustees has investigated the necessity to appoint town residents to fill openings on the planning and zoning boards.

**WHEREAS**, the Board of Trustees finds that the needs of the Village to maintain the maximum members of each board at (5) regular members and (2) alternate members, requires it to look for potential help from town residents in which the village is located.

**NOW, THEREFORE, BE IT RESOLVED** that persons appointed to the planning and zoning boards may reside in the Town of Erwin in which the village is located.

**BE IT FURTHER RESOLVED** that this resolution will be effective upon the date of August 10, 2020.

<u>Upon Roll Call Vote:</u>	<u>YEA</u>	<u>NAY</u>
Mayor Foster	X	
Deputy Mayor Scheidweiler	X	
Trustee Smith	X	
Trustee Francis	X	

4. The Village Elections are scheduled to take place next month, 9/15/2020.

5. Natasha Gee is requesting permission to have their food truck stationed over on the side parking lot of the Central Restaurant. The Village Board, has approved this request. The fee set forth by the Village Board of Trustees will be \$25.00 per week paid to the village of Painted Post.

I, Deputy Mayor Scheidweiler, approve by resolution to allow the “Road Grillin” food truck to operate in the village from August 13, 2020 thru November 30, 2020 from 10:00 am to 3:00 pm Tuesday – Friday with occasional Saturday service at a cost of \$25.00 per week.

**SUSPEND ORDER  
OF BUSINESS:**

Motion made by Trustee Smith seconded by Trustee Francis and carried.

**PUBLIC  
COMMENTS:**

Emily Northrup of 582 W. High asked if the village planned to honor Tom Pierri in any way for the years of service that he gave the village and also asked if her road was still scheduled to be redone this year.

Danielle Kenny on 515 Park Place asked who cleans up the dog park. Trustee Francis stated that it is all done with volunteers. She also asked who would enforce the rules. Trustee Francis state that with the passing of the “Dog Park Rules” by resolution the police can now enforce those rules.

Bob Lecher of 114 Parkview Dr. also asked who would be enforcing the rules for the dog park and who has access to the camera in Craig Park. It was stated that the camera are webcams that do not show much of any detail. Attorney Patrick said he would look in to the rules for municipalities using camera in their parks.

Robert Manning of 444 W. High St. stated who ever patrols the dog park needs to be able to speak to children, women and men in a manner that they can relate to.

**RESUME ORDER  
OF BUSINESS:**

Motion made by Trustee Smith, seconded by Deputy Mayor Scheidweiler and carried.

**TRUSTEE  
COMMENTS:**

None

**AUTHORIZATION:** to pay audited bills for the Village on a motion made by Trustee Francis, 2nd by Deputy Mayor Scheidweiler and carried.

	<u>Abstract #4</u>	<u>Vouchers</u>	<u>Abstract #5</u>	<u>Vouchers</u>
General Fund:	\$ 289.65	78 - 79	\$ 59,587.04	80 - 128
Water Fund:	\$ 87.52	33 - 34	\$ 14,535.07	35 - 56
Sewer Fund:	<u>\$ 86.80</u>	33	<u>\$ 20,644.62</u>	37 - 57
<b>Total:</b>	\$ 463.97		\$ 94,766.73	
<b>GRAND TOTAL:</b>	<b>\$ 95,230.70</b>			

**MOTION** to adjourn meeting was made by Trustee Smith, seconded by Trustee Francis and carried at 7:40pm.

Respectfully submitted by  
Anne Names  
Clerk-Treasurer