

**REGULAR VILLAGE BOARD MEETING**  
**August 9, 2021**  
**7:00 PM**

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

**PRESENT:** Mayor Foster, Deputy Mayor Francis, Trustee Ferree, Trustee Kenny, Trustee Manning, OIC Copp, DPW Superintendent Smith, Attorney Patrick and Clerk Names.

**ABSENT:**

**MINUTES:** of the July 12, 2021 meeting were approved with a motion made by Trustee Manning, seconded by Deputy Mayor Francis

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

Traffic Arrests: Total of 30 - 5 Radar, 8 Moving Violations, 1 DWI Violations, 5 Suspensions/Revocations, 11 All Other.

Complaints: Total of 51 - 0 Felony, 9 Misdemeanors, 11 Violations, 4 Vehicle & Traffic, 0 CPPMS, 0 Animal, 1 Domestic, 10 Local Law Violation, 5 Stolen Property Cases, 1 Found Property Cases, 10 Miscellaneous and 0 Pause Investigations.

Assistance/Services Rendered: Total of 67 8 Citizen/Motorist, 14 AMR., 2 PP Fire Dept., 1 E.I.D. Alarms, 0 Missing Persons, 0 Open Door, 0 Mental Health Transports, 15 Check the Welfare, 4 Vacation Property Checks, 6 Steuben Co. Sheriff, 11 NY State Police, 5 Corning Police, 0 Other Agencies, 0 DA Office, 0 Dept. of Public/Works, 0 US Government, 1 Other agencies.

Parking Tickets: Total of 134: 133 for 12am to 6am Parking Enforcement, 1 Other.

Cases Adopted/Closed: Total of 27 – 0 Felony, 9 Misdemeanors, 2 Drug Interdiction, 11 Violations, 0 Mental Health, 5 Warrant/FOA.

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

5N01 REPAIRS: NYS Inspection

N01 MILEAGE: 887 Miles

5N02 REPAIRS: AC/Blower/ NYS Inspection

5N02 MILEAGE: 443 Miles

FIRE DEPT.  
REPORT:

July report submitted by Chief Smith as follows:

Total number of calls for the month was 11 – 2 MVA/Rescues, 3 Service Calls, 1 Vehicle Fires, 0 Searches, 0 Chimney Fires, 0 Structure Fires, 0 Grass/Brush/Wood Fires, 0 Hazardous Conditions, 0 Vehicles Leaking Gas, 3 C.O./Fire Alarm Activation, 0 Mutual Aid Fire and 0 Mutual Aid MVA, 0 Mutual Aid Medical, 0 Mutual Aid AMR

Total in Service Hours:	65
Average Fire Fighters Per Call:	11
Training Hours - In House:	0
Training Certifications:	0
In Service Hours to Date:	613
Total Number of Calls to date for the Year –	71

No major repairs to the Fire equipment and no reported injuries.

Chief 2800 – Button responded to 64% of the calls for the month.

Chief 2801 – Smith responded to 73% of the calls for the month.

Chief 2802 – McCarthy responded to 0% of the calls for the month.

Fuel Usage – 44.6 gallons Diesel – 31.7 gallons

Department Activities/Community Services:

Monthly department training consisted of Landing Zone Operation @ Campbell FD.

Monthly training also included pump operations and driver training.

Monthly equipment operation and safety checks continue.

Annual hose and ladder testing completed.

Crew attended and participated in the funeral services for Savona Fire Chief Steve Beebe.

Department received results of 2021 ISO Inspection. The Fire Department is now a Class 3x Dept.

The Department attended RIT/FAST team committee meeting held at Painted Post FD.

The Department participated in the Pathways Trucks, Trucks, Trucks fund raiser @ CCC

DPW REPORT:

July 2021 report submitted by Superintendent Smith as follows:

**Water Treatment and Distribution System**

Water levels at wells are at: **Well # 4 – 44'**, **Well # 3 – 28'** & **Well # 2 – 45'** of water above the pump.

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

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

Water Service @ 10237 Oak Wood turned off. Leak on Owners side.  
Crew performed water system operations for the Village of Riverside.  
Crew replaced broken water service curb box @ 138 Davis St.  
Crew repaired and replaced water meters throughout the Village.  
Crew flushed water service @ 341 N. Hamilton.  
Kinsley power performed annual service work on the generator at the WTP.

#### **Sanitary Sewer Treatment and Collection System**

Crew completed monthly jet cleaning of problem areas of the sanitary sewer collection system.  
Crew performed sewer system operations for the Village of Riverside.  
Sludge pressing operations at the WWTP continues.  
Covid-19 sampling for the state continues at the WWTP.  
Cummins Northeast performed annual service work on generator unit @ WWTP.  
Monthly Rainfall 8.43"

#### **Village Streets and Walkways**

Crew continued weekly pickup of leaves and brush.  
Crew swept streets throughout the Village on several occasions.  
Crew cleaned out storm catch basins throughout the Village.  
Crew hot patch potholes throughout the Village of Painted Post and Riverside.  
Crew mowed grass shoulders along West Hill Road and Nobriga Lane.  
Crew swept streets for the Village of Riverside.

#### **Buildings and Grounds**

Crew hauled weekly trash from Village facilities.  
Crew performed weekly equipment safety checks.  
Crew cleaned pavilion interior and exterior of 10 occasions for rentals.  
Crew continued mowing and trimming of Village Property throughout the Village.  
Crew cleaned ditches along W. Hill Road.  
Crew resumed work on new volley ball court in new play area at Craig Park.  
P & J Contracting replace condensate pump on AC unit located at the DPW Building.  
Kinsley power performed annual service work on the generator at the WTP.

#### **Equipment Maintenance**

Performed maintenance and repairs on DPW, FD and PD equipment.  
Boom inspection on 1984 bucket truck failed. Rear turntable supports must be replaced.  
Bucket truck out of service. Large branch (18" dia.) fell and broke off the bucket from the truck. Totaled  
New York State inspection failed on Water Department Van. Borrowing pickup from Riverside.  
Replaced rear tires on 2019 backhoe.

#### **Village Cemeteries**

Two burials for the month.  
Crew continued mowing and trimming operations in both Cemeteries.

**FINANCIAL/  
BUDGET REPORT:** No Changes

**CLERKS REORT:** July checkbooks have been reconciled and balance to our accounting program. The bank statements for general fund, water/sewer and trust & agency have also been reconciled to both the checkbook and accounting program.

I have completed the State Annual Financial Report and the “Notes to the Financial Statements” and all have been sent to the State.

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 were sent out. As of August 2, 2021 \$1,115,341.21 of the Village taxes have been collected. The remaining taxes of \$40,642.97 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 22, 2021 and are steadily coming in.

Several village tax searches were completed for properties in the village that have sold or will soon be selling.

**PLANNING BOARD**

**REPORT:** The July 7, 2021 Planning Board meeting was called to order at 5:24pm  
Marcia Weber (chair), Martha Tober, Moira French, Kathleen Scolaro, Vickie  
Button, Art Stilwell (alternate), Travis Ferree (liaison)

**Absent:** None

**Planning Consultant:** Stephanie Yezzi      **Village Clerk:** Anne Names

**Others:** Ralph Foster (Mayor), Ryan Jordaens (Marathon Engineering) & Ken  
Shaw (KBP Investments)

**Approx.** 1 member of the public present

Meeting was called to order at 5:24 PM by Marcia Weber, Planning Board Chair.

**1. APPROVAL OF THE MINUTES FROM APRIL 7, 2021.**

Motion by: Vickie Button, Seconded by: Martha Tober, *Carried*.

**2. OLD BUSINESS: NONE**

**3. NEW BUSINESS:**

Concept Plan Discussion for KFC at 243 North Hamilton Street

Ryan Jordaens (Marathon Engineering) and Ken Shaw (KBP Investments) started the discussion by introducing themselves. Mr. Shaw represents KFC as a business and discussed their interest in the building's existing architecture. Mr. Jordaens distributed plans to the Planning Board and asked if anyone had any questions. M. Weber asked if there was any leniency with the building design and aesthetics, specifically with the color of the building meeting the surrounding character of the business district. Mr. Shaw stated that they are willing to invest more in the building to upgrade the existing architecture than a lesser investment of another location. He stated that he would make any necessary changes to meet Zoning Law regulations.

S. Yezzi reviewed the meeting notes and highlighted areas where the current plan does not meet the Zoning Law. These included the sign regulations as all text is considered signage. The existing large sign cannot be internally lit; however, external lighting can be implemented. Other areas included landscaping requirements as detailed in the Zoning Law. Mr. Jordaens stated that the goal is to include more landscaping than already exists on the property. The final note was to include a Traffic Impact Study (TIS) as the trip generation letter indicated the entrance/exit to Edgar Tillman Dr. would generate more than 100 trips. This exceeds the DOT threshold for requiring a TIS.

S. Yezzi also stated that the application would not require a formal review at the Village; however, it must meet the Zoning Law regulations in place before any building permits could be granted. Formal approval of activities would occur at Steuben County, where SEQR would be completed and all notes would be clearly indicated by the Village. This includes the possibility of the County requiring the TIS as part of their review. It was recommended that the Planning Board make a motion to require a full, detailed plan be submitted to the Village Code Enforcement Officer, Bryan Hallgren, for review against the Zoning Law before approving any building permits.

***Motion to require a full plan be submitted for Village review against the Zoning Law prior to obtaining any building permits from the Code Enforcement Officer.***

***Motion by: Vickie Button, Seconded by: Martha Tober, Carried.***

S. Yezzi restated that all recommendations would be sent to the Village Code Enforcement Officer, Bryan Hallgren, as well as the Steuben County Planning Department for their formal review. No building permits are to be granted until a full, detailed plan is submitted and meets the Zoning Law.

**Zoning Law Schedule of Uses Revision**

S. Yezzi discussed the addition of a “clear vision” section in the Zoning Law to account for building anything close to an intersection including fences or barriers. This recommendation came from a resident interest in building a front yard wall on their property. Another recommendation from STC was made in regards to multiple inquiries about retail businesses in Village Square (Village Center District). Currently, the Zoning Law reads that this use is not allowed in the district; however, many of the small businesses existing in The Square are retail. It is recommended that the Village change the definitions and use chart to accommodate small- and large- scale businesses differently.

Language discussed at the meeting will be distributed to the board. Stephanie described the adoption process in needing a Full EAF review for a SEQR Type I action as well as a public hearing. Following the initial full SEQR review and public hearing, the Board of Trustees can make a decision at a subsequent meeting.

***Motion to approve Zoning Update recommendations to be sent to the Village Board of Trustees for further review and final decision.***

**Motion by:** Moira French, **Seconded by:** Kathleen Scolaro

**NEXT MEETING:** Wednesday, August 4, 2021

**ADJOURNMENT:** **Motion by:** Vickie Button, **Seconded by:** Martha Tober  
**Carried.**

Meeting was adjourned at 6:12 PM by Marcia Weber.

*Minutes taken by Stephanie Yezzi, Planning Consultant.*

**OLD BUSINESS:** None

**NEW BUSINESS:** 1. Resolution from Wayne-Finger Lakes BOCES to participate in the upcoming Cooperative Electric Bid (WFL 2022-12) must be approved, signed and returned along with the participant information form.

Motion to approve the above resolution was made by Trustee Kenny, seconded by Trustee Manning and carried by all.

2. The Village has increased the fee for ZBA applications and any planning board application that requires a public hearing from \$25.00 to \$50.00. The additional \$25.00 is to cover the cost of affidavits. The cost of affidavit went from \$5.00 to \$25.00 in January 2021.

3. Village Board approved the hiring of Bryson N. Bruce as a laborer for the DPW to fill the vacancy of Chad Force.

On a motion made by Deputy Mayor Francis, seconded by Trustee Manning.

4. The fire department would like the village board's approval to make Aiden Roth a senior firefighter. He was previously a junior firefighter.

Approved on a motion made by Trustee Kenny, seconded by Trustee Manning.

**SUSPEND ORDER  
OF BUSINESS:**

Motion made by Trustee Manning and seconded by Trustee Kenny and carried.

**PUBLIC  
COMMENTS:**

Carol Moran of 365 Delaware Ave. commented on the drug trafficking in the area. OIC Copp stated they were doing everything they legally can do. Carol also stated that the traffic on Phelps Lane is way to fast.

Linda Shaddock of 354 Imperial asked if there was anything that could be done with the people that are taking clothing out of the collection box by the church.

Jeff Johnson of 329 Imperial commented that there are still cars blocking the sidewalks.

Frank Lashure of 343 Imperial stated that there was a hole by his house that needed to be filled in.

**RESUME ORDER  
OF BUSINESS:**

Motion made by Trustee Kenny and seconded by Trustee Manning and carried.

**TRUSTEE  
COMMENTS:**

Trustee Kenny asked when the "No Parking" signs would be put up. Superintendent Smith said that they were on order.

Deputy Mayor Francis thanked everyone for attending the meeting and remind everyone of the Craig Park festival on August 21, 2021.

Mayor Foster stated that there is still a traffic issue on W High St with vehicles parking on both sides of the street and that having parking only on one side of the street may have to be revisited.

**AUTHORIZATION:** to pay audited bills for the Village on a motion made by Deputy Mayor Francis and seconded by Trustee Ferree and passed as follows:

	<u>Abstract #4 (June)</u>	<u>Voucher #</u>	<u>Abstract #52 (Aug)</u>	<u>Voucher #</u>
General Fund:	\$ 968.13	73 - 77	\$ 26,276.61	78 - 131
Water:	\$ 112.39	35 - 38	\$ 2,772.35	39 - 57
Sewer:	<u>\$ 89.76</u>	35	<u>\$ 14,076.66</u>	40- 57
<b>Totals:</b>	<b>\$ 1170.28</b>		<b>\$ 43,125.62</b>	

**GRAND TOTAL: \$ 44,295.90**

MOTION TO

ADJOURN: Made by Deputy Mayor Francis and seconded by Trustee Kenny and carried.  
Meeting adjourned at 7:37pm

Respectfully submitted by

Anne Names  
Clerk-Treasurer