

**VILLAGE OF PAINTED POST
REGULAR BOARD MEETING
December 12, 2016**

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 Lewis, Trustee Smith, Trustee Francis, Fire Chief Button, DPW Superintendent Smith, Chief Mullen, Attorney Sauro and Clerk Names

ABSENT: None

REGULAR BOARD MINUTES:

November 14, 2016 were approved with a motion made by Trustee Lewis, seconded by Deputy Mayor Scheidweiler and carried.

POLICE REPORT: submitted by Police Chief Mullen as follows:

Traffic Arrests: Total of 121 - 39 Radar, 41 Moving Violations, 2 DWI Violations and 39 All other Violations.

Complaints: Total of 64 - 3 Felony, 22 Misdemeanors, 10 Violations, 9 Vehicle & Traffic, 2 CPPMS, 1 Animal, 6 Domestic, 3 Local Law Violation, 5 Stolen Property Cases, 1 Found Property Case and 2 Miscellaneous.

Assistance/Services Rendered: Total of 71 - 10 Citizen/Motorist, 10 Rural-Metro Amb., 1 PP Fire Dept., 0 E.I.D. Alarms, 15 VPP Justice Court, 0 Open Door, 3 Mental Health Transports, 3 Escorts/Jail Run, 20 Vacation Property Checks, 3 Steuben Co. Sheriff, 2 NY State Police, 1 Corning Police, 0 Other Agencies, 1 DA Office, 0 Dept. of Public/Works, 0 US Government, 2 Other agencies.

Parking Tickets: Total of 20: 0 - 2A-5A Parking Enforcement, 0 Other.

Cases Adopted/Closed: Total of 43 - 3 Felony, 21 Misdemeanors, 4 Drug Interdictions, 19 Violations, 3 Mental Health, 3 Warrant/FOA.

Accidents: Total of 2 - 0 Personal Injury, 2 Property Damage, 0 Other.

5N01 REPAIRS: oil change

5N01 MILEAGE: 91,523

5N02 REPAIRS: Placed back in service after crim mischief repairs
5N02 MILEAGE: 103,495

5N03 REPAIRS: None
5N03 MILEAGE: 117,333

During the Month of November 2016, the Village of Painted Post Police Department had several noteworthy cases that were investigated by the Village's Police officers.

The Police Department arrested a local resident for one count of Harassment 1st degree and one count of Menacing in the 3rd degree, for his aggressive behavior towards one of the local code enforcement officers. The Suspect has in the past been the subject of several Officer Safety Notifications initiated by the Police Department. This subject has been the suspect in two recent criminal complaints about his threatening and aggressive behavior. In both incidents the victims declined to have the suspect arrested. The Suspect has made threats to shoot any Police officer who attempts to arrest him. During the investigation information was developed that the suspect keeps a loaded 12 gauge shotgun by his door to kill any Police Officer who comes to his residence. Further it was revealed that the suspect also had threatening hand written signs on both his front and back door stating "***** *** Cops Go Away." A Warrant was obtained from the Village of Painted Post Justice Court for the arrest of the Suspect. A plan for the arrest of the Suspect was coordinated with the NYSP Painted Post Patrols. The Suspect's residence was put under surveillance while several attempts to contact the Suspect telephonically were unsuccessful. After several attempts to contact the Suspect he answered his phone. The Suspect agreed to respond to the Police Department due to the Warrant having been issued. The Suspect was arrested outside of the police department by Officers Hardy and Hoffman without any further incident. The Suspect was arraigned in front of Village Justice Annette Thorne, due to the evidence obtained Justice Thorne issued a weapons seizure order requiring the Suspect to turn over any and all fire arms in his possession. The Suspect was escorted to his residence by Chief Mullen and Officer Hoffman. Upon arrival at the Suspects residence the threatening signs to police officers were observed, and a fully loaded 12 gauge shotgun was seized at the residence. The shotgun was right where our informant said it would be. It was through a professional, detailed investigation, along with effective coordination with other local Police Agencies that this highly volatile subject was apprehended without any injury or loss of life. Further, the Suspect has been ordered by Justice Thorne to have a mental health evaluation done as part of the Criminal Case's adjudication. Hopefully the Suspect will receive the help he needs. All the Police Officers of the Painted Post Police Department, and the Troopers, Sergeants, and B.C.I. personnel of the NYSP Painted post Barracks should be applauded for bringing this potentially tragic situation to a peaceful resolution.

The Painted Post Police Department handled 301 Calls for Service in November. The Police Department issued 121 traffic tickets, to include two more DWI arrest. From these traffic stops the Police Department located one wanted person, and made four arrest for the possession of illicit drugs. The Police Department Cleared nine (9) cases from our evidence locker through adjudication. The Police Department investigated six Domestic Disputes that resulted in two arrest of separate subjects on multiple misdemeanor charges. Officer Kimmey made two misdemeanor arrest of juvenile subjects who had committed offenses that would have been a crime if they had been adults. Both Juvenile Arrest were the result of rendering assistance at the Corning Painted Post Middle School.

1FIRE DEPT. REPORT: submitted by Fire Chief Button as follows:

Total number of calls for the month - 14 – 0 False Alarms, 4 MVA/Rescues, 1 Service Call, 0 Vehicle Fire, 0 Chimney Fire, 1 Structure Fire, 0 Grass/Brush Fires, 1 Hazardous Conditions, 0 Vehicles Leaking Gas, 0 Storm Flooding, 4 C.O./Fire Alarm Activation, 3 Mutual Aid Fires, 0 Mutual Aid MVA, 0 Searches, 0 Mutual Aid Medical and 0 Mutual Aid Rural Metro.

Total in Service Hours: 193

Average Fire Fighters Per Call: 12

Training Hours – 30 est.

Training Course Hours - 0

Training Certifications: 4

Total in Service Hours to Date: 1467

Total Number of Calls to date for the Year – 156

No Major Repairs to Fire Equipment

Injuries – No incidents reported

Fire Chiefs

Chief 2800 – Button - Responded to 79% of the calls for the month

Chief 2801 – Smith - Responded to 93% of the calls for the month

Chief 2802 – McCarthy - Responded to 79% of the calls for the month

Three chiefs obtained fuel – 78.2 gallons.

Fire Department Activities/Community Services

1. Monthly training consisted fire apparatus and equipment service and inspection requirements
2. The Department attended the monthly Town of Erwin Fire Council meeting.
3. The Department attended the Corning Area Chief Meeting held at FVGM FD
4. The Department held its annual fire prevention program and breakfast.

5. The Department provided several fire prevention tours and programs. Mandatory annual testing of the departments' fire hose and ground ladders was completed.

DPW REPORT: submitted by Superintendent Smith as follows:

Water Treatment and Distribution System

Water levels at wells are good: **Well # 4 – 42'**, **Well # 3 – 25.5'& Well # 2 – 42'** of water above the pump.

Trans-loading Facility operations. Hauled ZERO Gallons for the month. Crew flushed water services at 294/296 West High St. and 375 Imperial Ave.

Received notification of award of a \$35,000 grant to replace fluoridation equipment at the WTP.

Received reimbursement from insurance company for water main leak at Reservoir Site.

Replaced and repaired water meters within the distribution system.

Annual water distribution system leak survey completed. One water main leak located during the survey.

Sanitary Sewer Treatment and Collection System

Completed sludge pressing operations @ the WWTP until spring 2017.

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

Crew Installed new eye wash station in the WWTP Press Building and ordered by PESH/DOL.

Crew completed recommended improvements to Boiler at the WWTP.

Village Streets and Walkways

Crew continued daily pick up of leaves and brush.

Crew swept streets throughout the Village on several occasions.

Crew sanded streets and salted walkways on one occasion.

Buildings and Grounds

Hauled weekly trash from Village facilities.

Crew continued mowing and trimming operations.

Crew held weekly safety meetings and equipment checks.

Crew cleaned Pavilion of one occasion for rental.

Crew installed dead bolt lock and mowed lawn@ 142 West Water Street as requested by PPPD.

Received 369 tons of sand for winter snow and ice operations.

Six month inspection of fire suppression system completed at gasoline storage facility.

Crew cleaned gutters at the Village Hall Facility.

Equipment Maintenance

Performed maintenance and repairs on DPW, FD and PD equipment.

Annual vehicle NYS inspections completed on 8 Village pieces of equipment.
Placed order for new backhoe and tractor under the USDA Grant/Loan project.
Service plows and snow removal equipment.

Village Cemeteries

No burials for the month.
Steuben County mobile work crew cleaned Fairview Cemetery.
Approximately 70 hours of service.

Community Service

Received 30 hours of Painted Post Court ordered community service was received for the month.
10 hours of Corning Court ordered community service was received for the month.

Superintendent Smith stated that we received reimbursement from our insurance for the water main break in the amount of \$11,573.
As for their new equipment, we should be receiving the backhoe within 60 to 90 days and the tractor should arrive within the next 1 to 2 weeks.

FINANCIAL/BUDGET

REPORT: All checkbooks are balanced with our accounting.

CLERKS REORT: submitted by Clerk Names as follows:

All accounting is current and balanced between checkbooks, our accounting software and have been reconciled with our bank statements. Monthly reports for November have been provided to the mayor, board members and department heads.

We continued to process water and sewer payment as they came in. And our third quarter water/sewer penalty notices were processed and mailed out.

The monthly planning board meeting was held on November 2, 2016 which I attended.

A legal notice was placed in the Leader on 11/21/16 with regards to the upcoming Village election to be held Tuesday, March 21, 2017. This special election is for one (1) Trustee for a one (1) year term. The position is currently held by Brian Francis, who was appointed last year for a one (1) year term.

All unpaid taxes were sent to Steuben County Treasurers' office to be reviewed on the Town and County taxes that come out in January. There

were a total of 19 Village properties that were unpaid. The total taxes were \$18,163.48 plus \$1,453.07 in penalties for a grand total of \$19,616.55.

Lori and I researched the property now owned by Dr. Marzo to see if a Special Use permit was ever issued to Dr. Staggs when he opened his dental practice back in 1976. We were able to locate the original documentation for that permit.

**PLANNING
BOARD:**

The November 2, 2016 meeting was call to order by Vincent Krystof at 5:18PM and the minutes from October 11, 2016 were approved on a motion by Vickie Button, seconded by Martha Tober and carried.

Old Business:

Public Hearing on the application for the Beauty Salon home business located at 125 Steuben St. opened at 5:22 pm and with no comments or objections from the public, the hearing closed at 5:23 pm.

SEQR action is a Type II action so no further review is needed.

Motion to approve application was made by Vickie Button, seconded by Meg Scheidweiler and carried.

Public Hearing on the application for the structural expansion of Dr. Maria Marzo's existing dental practice at 326 N. Hamilton St opened at 5:24 pm. There were no comments or objections from the public, the hearing closed at 5:25 pm.

SEQR action is a Type II action so no further review is needed.

Motion to approve the application for the structural expansion was made by Vickie Button seconded by Martha Tober and carried.

New Business:

Vincent Krystof was appointed by the Village Board of Trustees as a permanent member of the Planning Board for the next five years.

Vinnie Krystof asked if anyone knew what the status of the vacant building on N. Hamilton St. that is owned by Peter Krog was. The property is prime real estate which has been vacant for over 10 years. Chelsea stated that she would speak to Marcia with regards to Mr. Krog.

Next Meeting will be held on 12/7/2016 @ 5:15 PM and applications are due by 11/23/2016.

The meeting was adjourned on a motion by Vickie Button, 2nd by Meg Scheidweiler at 6:00 pm.

OLD BUSINESS: None

NEW BUSINESS: 1. The Resolution for SEQR with regards to the Village's Well #2 Improvements and Chlorine Contact Piping is as follows:

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
RESOLUTION REGARDING**

**VILLAGE OF PAINTED POST
WELL 2 IMPROVEMENTS & CHLORINE CONTACT PIPING**

WHEREAS, the Village of Painted Post maintains three existing groundwater wells in the Village including; Well No. 2, Well No. 3 and Well No. 4. Well Nos. 3 and 4 discharge directly to the Village's water treatment plant for fluoridation, sequestration and disinfection while Well No. 2 discharges directly to the water distribution system; and

WHEREAS the NYSDOH department of Health has indicated that Well No. 2 discharge and treated effluent from the Village's Treatment Plant do not have adequate chlorine contact time to meet the Groundwater Rule; and

WHEREAS the Village of Painted Post is, therefore, proposing to convey discharge from Well No. 2 to the Treatment Plant through the installation of new water main between Well No. 2 and the Treatment Plant and install larger diameter piping between the Treatment Plant and the distribution system to provide adequate chlorine contact (collectively, the "Project"); and

WHEREAS, the Village of Painted Post is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

WHEREAS, the Village of Painted Post is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

WHEREAS, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the Village of Painted Post classified the Project as a Type I Action given §617.4(b)(9) "occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the National Register of Historic Places."

WHEREAS, A Full Environmental Assessment Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b)(3),

coordinated review was undertaken by the Village of Painted Post and no objections were received regarding the Village serving as lead agency.

NOW, THEREFORE, BE IT:

RESOLVED, that the Village Board hereby makes the following findings:

The Project includes improvements to convey discharge from Well No. 2 to the Treatment Plant through the installation of new water main between Well No. 2 and the Treatment Plant and install larger diameter piping between the Treatment Plant and the distribution system to provide adequate chlorine contact

IT IS FURTHER RESOLVED, that:

The Village Board hereby designates itself lead agency pursuant to 6 NYCRR
§ 617.6(b) (2) and § 617.6(b) (3) with respect to the Project.

IT IS FURTHER RESOLVED, that:

Based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the Village, the Village Board, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

- A. The Project constitutes a “Type I Action.”
- B. The only potential adverse impacts to the environment noted in the Full Environmental Assessment Form or otherwise known to the Village, and the Village’s evaluation of the potential significance of the same, are as follows:
 - 1. Impacts from construction activities to existing air quality or noise levels are expected to be minimal and temporary, and consistent with typical site work. Mitigation measures such as wetting to suppress dust and limited work hours will be employed to minimize any temporary impacts.
- C. Based upon review by the Village Board of the Full Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the Village Board hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental

impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.

D. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the Village Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Motion was made by Deputy Mayor Scheidweiler, seconded by Trustee Lewis and carried by all.

2. The members of the Planning Board asked that Mayor Foster appoint Vincent Krystof as the new “chairperson” for the Planning Board upon the approval of the Village Board of Trustees.

Motion for the approval of the appointment was made by Trustee Lewis, seconded by Trustee Smith and carried by all.

A motion was made by Trustee Lewis and seconded by Trustee Smith to enter into executive session at 7:15 pm to discuss a Civil Service/ personnel matter regarding Officer Hardy and Officer Kimmey.

The Board of Trustee returned to regular session at 7:35pm on a motion made by Trustee Smith and seconded by Trustee Lewis. No action was taken during the executive session.

SUSPEND ORDER

OF BUSINESS: Motion made Trustee Lewis, seconded by Trustee Smith and carried.

PUBLIC

COMMENTS: Wally Marribitt of 440 W High St. commended Office Wenzel for the great job she did on a case she was handling and for going above and yond her normal job duties. Wally also wished everyone a Happy Holiday!

RESUME ORDER

OF BUSINESS: Motion made by Trustee Lewis, seconded by Trustee Smith and carried.

**TRUSTEE
COMMENTS:**

Attorney Sauro apologized for missing our November board meeting.

Trustee Smith commended the DPW for the great job on the snow removal and for the Fire Departments great job extinguishing the Bronson Street fire. He also stated that for anyone wishing to view the statistics report that was presented at the Comprehensive Plan meeting a copy would be available in the clerk's office.

Deputy Mayor Scheidweiler stated that the public hearing that was held on the Comprehensive Plan did have some very interesting statistics.

AUTHORIZATION: to pay audited bills for the Village on a motion made by Deputy Mayor Scheidweiler, seconded by Trustee Lewis and carried.

| | <u>Abstract #11 (Oct)</u> | <u>Voucher No.</u> | <u>Abstract #12</u> | <u>Voucher No.</u> |
|---------------|---------------------------|--------------------|----------------------|--------------------|
| General Fund: | \$ 13,225.82 | 261-267 | \$ 126,163.89 | 368 - 317 |
| Water: | \$ 406.93 | 113 | \$ 17,677.37 | 114 - 140 |
| Sewer: | \$ 103.29 | 113 | \$ 18,787.60 | 114 - 139 |
| TOTAL: | \$ 13,736.04 | | \$ 162,628.86 | |

MOTION to adjourn: was made by Trustee Lewis, seconded by Deputy Mayor Scheidweiler and carried. Meeting adjourned at 7:45 pm.

Respectfully submitted by
Anne Names
Clerk-Treasurer