

## **VILLAGE OF PAINTED POST REGULAR BOARD MEETING February 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, OIC Copp, Fire Chief Button, DPW Superintendent Smith, Attorney Patrick and Clerk Names

**ABSENT:**

### **REGULAR BOARD**

**MINUTES:** of January 13, 2020 approved on a motion made by Trustee Smith, seconded by Trustee Francis and carried.

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

Traffic Arrests: Total of 9

5 Radar, 2 Moving Violations, 0 DWI Violations, 0 Suspensions/Revocations and 2 All other Violations.

Complaints: Total of 25

0 Felony, 7 Misdemeanors, 1 Violations, 1 Vehicle & Traffic, 7 CPPMS, 1 Animal, 0 Domestic, 0 Local Law Violation, 0 Stolen Property Cases, 1 Found Property Case and 7 Miscellaneous.

Assistance/Services Rendered: Total 30

10 Citizen/Motorist, 12 AMR Ambulance Serv., 1 PP Fire Dept., 1 E.I.D. Alarms, 0 VPP Justice Court, 0 Open Door, 2 Mental Health Transports, 0 Escorts/Jail Run, 4 Vacation Property Checks, 0 Steuben Co. Sheriff, 1 NY State Police, 0 Corning Police, 0 Other Agencies, 0 DA Office, 0 Dept. of Pubic/Works, 0 US Government, 1 Other agencies.

Parking Tickets: 58 = 52- 2A-5A Parking Enforcement, 6 Other.

Cases Adopted/Closed: Total 8

0 Felony, 7 Misdemeanors, 0 Drug Interdiction, 1 Violations, 0 Mental Hygiene, 0 Warrant/FOA.

Accidents: Total of 3- 0 Personal Injury, 3 Property Damage, 0 Other.

Total Calls for Service:

5N01 REPAIRS: Oil Change

5N01 MILEAGE: 817

5N02REPAIRS: Rack & Pinion/Tie Rod

ends/Alignment/Engine Pulleys/Spare Tire/Rifle Rack

5N02MILEAGE: 453

The highlights from January 2020 are as follows: 2 - Assists to the State Police for subject on a dirt bike ( 2 nights in a row), 3 - Contact DPW for snow/icy roads, 1 - Fire Alarm at the Middle School (Faulty sensor), 1- Report of Threats at the Middel School (Unfounded), 1- Report of a missing child at the Middle School, 1- Started an investigation at the request of the Board of Education Building, 1 - Neighbor Issue on Charles Street, 1 - Bad Check for Water Bill (resolved), 1 - Hit And Run MVA solved with video from a local business, 1 - DWI crash on W High near Steuben St, 1 - Report of wires down on E High St (TV Cable), 1 - Light malfunction on N Hamilton at W Chemung St, 1 - Report of Criminal Mischief at 250 N Hamilton St, 1 - Report of a suspicious subject at a local business, 1 - Report of a Homeless subject (Aid rendered), Following junk/abandoned vehicles were reported in the Village - 1 Abandoned car at a local business removed by vehicle owner, 2 - Abandoned cars in the Village Square Business Lot (1 removed by owner and 1 towed for not being removed), 1 - unregistered car between sidewalk and curb on Steuben St (removed by owner).

**FIRE DEPT.  
REPORT:**

submitted by Fire Chief Button as follows:

Total number of calls for the month were 9

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

Total in Service Hours: 111  
Average Fire Fighters Per Call: 11  
Training Hours – 0  
Training Certifications: 9  
Total in Service Hours to Date:  
Total Number of Calls to date for the Year –

Major repairs to the Fire equipment – None Reported  
Injuries – No injuries reported

Chief 2800 – Button responded to 78% of the calls for the month.  
Chief 2801 – Smith responded to 100% of the calls for the month.  
Chief 2802 – McCarthy responded to 45% of the calls for the month.

Three chiefs obtained fuel – 73.5 gallons.

Monthly department training consisted of SCBA usage and rescue tool operations.

No Town of Erwin Fire Council meeting held.

The department participated in the funeral services for retired Firefighter Donald Yost.

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

**Water Treatment and Distribution System**

Water levels at wells are good: **Well # 4 – 44’, Well # 3 – 27’ & Well # 2 – 43’** 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.

Crew assisted Village of Riverside with Water System Operations.

NYSDEC conduction inspection of underground diesel storage tank system. Several items must be addressed.

Kinsley Power Company completed annual service work on generator unit @ WTP.

Annual water meter calibrations completed at the WTP.

Prepared and submitted the Annual NYSDEC Water Withdrawal Report.

Crew repaired and replaced water meters throughout the village.

**Sanitary Sewer Treatment and Collection System**

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

Crew assisted Village of Riverside with Water System Operations.  
Sludge pressing operations at the WWTP completed until spring 2020.  
Annual sewer meter calibrations completed at the WWTP.

### **Village Streets and Walkways**

Crew picked up leaves & brush throughout the Village.  
Crew assisted Clearview Tree Service with tree removals throughout the Village and Fairview Cemetery.  
Crew assisted NYSDOT with tree removals on Platt St. under a shared service agreement.  
Crew trimmed and removed trees throughout the village.  
Crew plowed and/or sanded streets and parking lots on six occasions.  
Crew plowed and walkways on five occasions  
Crew repaired Village Street Lights along Hamilton Road on several occasions.  
Crew installed handi-cap ramp pads for sidewalks within the CHIP's street paving project.

### **Buildings and Grounds**

Hauled weekly trash from Village facilities.  
Crew held weekly safety meetings and equipment checks.  
Pushed back Village compost area above the cemetery several times  
Crew resumed repairs and repainting of picnic tables from Craig Park Pavilion.  
Crew completed repairs to Shoreline (air-lines) for Fire Department apparatus.  
Crew rebuilt trash container at DPW Garage.  
Crew steam cleaned carpet runners at Village Hall.  
P & J performed repairs to unit heater located at the DPW Garage.

### **Equipment Maintenance**

Performed maintenance and repairs on DPW, FD and PD equipment.  
Serviced and repaired equipment.  
Replaced tires on F550 dump truck.  
Crew cleaned and waxed equipment.

### **Village Cemeteries**

One burial for the month.

### **Community Service**

Received 5 hours of community service from the Painted Post Court for the month

**PLANNING BOARD:** No meeting was held in January 2020

**NEW BUSINESS:** 1. Village Board to accept a quote of \$20,000 for the proposal from Carr's Trucking & Snow Removal to drill holes in pool, jack hammer pool deck, remove all apparatus around pool and fill in Craig Park pool.

Motion to approve proposal made by Trustee Francis, 2nd by Deputy Mayor Scheidweiler and carried.

2. NYCOM has asked for our support in passing the following resolution with regards to the Amendments to New York State's Criminal Justice Reforms:

WHEREAS while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the Village of Painted Post supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the Village of Painted Post be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Thomas O'Mara and Assembly Member Philip Palmesano, the New York State Conference of Mayors, and local media outlets.

I, Trustee Francis, do hereby approve the above resolution.

3. Village Board approved the withdrawal of an additional \$17,000 from the Fire Department Vehicle Reserve fund A233 for the additional cost of the multiuse vehicle. The additional cost is due to an increase in steel cost for vehicle.

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

**SUSPEND ORDER OF BUSINESS:** Motion by Trustee Smith and seconded by Deputy Mayor Scheidweiler

**PUBLIC COMMENTS:** Wally Marribitt of 440 W High St. extended his thanks to the board members that will be leaving in April for their leadership and all that they have done for the Village over the past several years.

**RESUME ORDER**

**OF BUSINESS:** Motion made by Trustee Francis, 2nd by Trustee Smith and carried.

**TRUSTEE**

**COMMENTS:** Trustee Smith stated that he appreciated the confidence the village residents have had in him. He thanked the DPW for their snow removal job stating that the DPW is the right size for the village and the jobs they do as well as the first responders.

Deputy Mayor Scheidweiler thanked the DPW for their snow removal job and passed on a compliment from a non-village resident on how well the streets were maintained in the Village.

Mayor Foster reminded everyone to submit their preliminary budget by 02/21/2020. He commented on the 30+ parking tickets that were paid in January and also stated that the Town of Erwin has plans to remove 9 diseased trees in Hodgeman Park.

**AUTHORIZATION:** to pay audited bills for the Village on a motion made by Trustee Francis, seconded by Trustee Smith and carried.

	<u>Abstract #13 (Jan)</u>	<u>Vouchers</u>	<u>Abstract #14 (Feb)</u>	<u>Vouchers</u>
General Fund:	\$ 8,055.79	435 – 438	\$ 41,134.93	439 - 487
Water Fund:	\$ 80.00	175	\$ 4,156.90	176 - 191
Sewer Fund:	\$ <u>      .00</u>		\$ 8,690.59	178 - 194

**TOTALS: \$ 62,118.21**

Attorney Patrick asked for a motion to adjourn into an executive session to review a possible litigation issue. Motion was made by Mayor Foster.

February 10, 2020

**MOTION** to adjourn was made by Deputy Mayor Scheidweiler, seconded by Trustee Francis and carried at 7:50pm.

Respectfully submitted by  
Anne Names, Clerk-Treasurer