

**REGULAR VILLAGE BOARD MEETING**  
**February 10, 2025**  
**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 Manning, Trustee Lecher, Trustee Elsey, OIC Copp, Fire Chief Button, DPW Superintendent Smith and Clerk Names.

**ABSENT:** Trustee Yama

**MINUTES:** of the January 13, 2025 meetings were approved with a motion made by Trustee Lecher and seconded by Deputy Mayor Manning.

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

Traffic Arrests: Total of 1

0 Radar, 0 Moving Violations, 0 DWI Violations, 0 Suspensions/Revocations, 1 All Other.

Complaints: Total of 67

1 Felony, 1 Misdemeanors, 5 Violations, 10 Vehicle & Traffic, 1 CPPMS, 2 Animal, 3 Domestic, 0 Local Law Violation, 1 Stolen Property Cases, 5 Found Property Cases, 38 Miscellaneous, 0 Syringes and 0 Pause Investigations.

Assistance/Services Rendered: Total of 59

26 Citizen/Motorist, 6 AMR., 6 PP Fire Dept., 1 E.I.D. Alarms, 0 Missing Persons, 1 Open Door, 0 Mental Health Transports, 5 Check the Welfare, 4 Vacation Property Checks, 3 Steuben Co. Sheriff, 3 NY State Police, 0 Corning Police, 0 Other Agencies, 1 DA Office, 0 Dept. of Public/Works, 1 US Government, 2 Other agencies.

Parking Tickets: Total of: 9

9 for 12am to 6am Parking Enforcement, 0 Other.

Cases Adopted/Closed: Total of – 7

1 Felony, 1 Misdemeanors, 0 Drug Interdiction, 5 Violations, 0 Mental Health, 0 Warrant/FOA.

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

Total Calls for Service: 136

5N01 - MILEAGE: 1518 Miles Radar / Tires

5N02 - MILEAGE: 208 Miles Radar Install

Other Items of Note:

**FIRE DEPT.  
REPORT:**

January submitted by Fire Chief Button as follows:

Total number of calls for the month was 26

0 False Alarms, 2 MVA/Rescues, 3 Service Calls, 0 Vehicle Fires, 0 Searches, 0 Chimney Fires, 1 Structure Fires, 0 Grass/Brush/Wood Fires, 0 Hazardous Conditions, 0 Vehicles Leaking Gas, 0 Hazmat, 0 Storm/Flooding, 5 C.O./Fire Alarm Activation, 11 Mutual Aid Fire, 0 Mutual Aid MVA, 4 Mutual Aid AMR

Total in Service Hours: 615.5

Average Fire Fighters Per Call: 14

Training Certifications: 0

In Service Hours to Date: 615.5

Total Number of Calls to date for the Year –26

No major repairs to the Fire equipment

One minor injury/exposure reported.

Chief 2800 –J. Button responded to 85% of the calls for the month.

Chief 2801 –L. Smith responded to 96% of the calls for the month.

Chief 2802 –D. Smith responded to 92% of the calls for the month.

Fuel Usage: Gas – 80.1 gallons Diesel – 147.7 gallons

1. Department monthly training consisted of firefighter skills interior operations.
2. Department performed monthly apparatus and equipment checks.
3. Annual SCBA flow testing completed
4. Several truck replacement committee meeting held (internal)
5. Completed the potential OSHA regulation requirements
6. Attended the Tri-County Environmental Emergency Services (EES) Meeting
7. Attended the Tri-County Local Emergency Planning Committee (LEPC) Meeting
8. Attending a local LODD firefighter funeral Roger Lathrup
9. Attending the Corning area Chiefs Meeting held at FVGM Fire Department
10. Completed a bailout escape and wall breach training prop
11. Started a station organization committee – cleaning out/organizing the equipment and documents
12. Provided a Fire Prevention tour for our sponsored troop
13. Attended a joint Pre-planning drill/walkthrough with the East Campbell and Campbell departments
14. Attended Corning area after action review meeting from the last several mutual aid house fires
15. Several attending winter training conference, State and National training opportunities
16. 2 members are part of the new CCC Directed Studies Fire Science Program
17. Submitted paperwork for a member to receives the State stipend for completed training – total 3 members with 5 additional to process
18. Meetings with Fire Coordinator and Fire Service Aid – on department and area progress and expectation
19. Conducted a smoke detector install and fire safety education moment

DPW REPORT: January 2025 report submitted by Superintendent Smith as follows:

#### **Water Treatment and Distribution System**

Water levels at wells are at: **Well # 2 – 42'**, **Well # 3 – 26.5'** & **Well # 4 – 41'** of water above the pump.

Water service at 340 E. High St and 149 Fairview turned off as requested by owner.

Prepared and submitted Annual NYSDEC Water Withdrawal Report for 2024.

Water service @ 577 W. High turned off. Leak on owner's side.

Crew repair water meters and touch pads throughout the Village of PP & Riverside.

Crew performed water system operations for the Village of Riverside.

#### **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 behind Brainard Street (W. Chemung)

Cummins Northeast completed annual service work on generator @ WWTP

Crew continued sludge pressing operations at the WWTP.

Covid-19 sampling for the state continues at the WWTP.

Construction of the disinfection project at the WWTP continues.

Two employees continue WWTP Operator training under the NYS Rural Water apprenticeship program.

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

Crew picked up leaves and brush as needed.

Crew filled pot holes throughout the Village of Painted Post and Riverside.

Crew sanded streets and parking lots on 6 occasions for the Village of Painted Post and Riverside.

Crew salted walkways throughout the Village of Painted Post and Riverside.

Crew continued picking up Christmas Trees throughout the Village of Painted Post and Riverside.

#### **Buildings and Grounds**

Crew hauled weekly trash from Village facilities.

Crew began repairs and repainting of picnic tables

Crew performed weekly equipment safety checks.

Crew repaired interior lights @ the Village Hall and DPW facilities.

Crew replaced interior water line at the DPW

Crew continued lighting replacement project at Craig Park Pavilion. (Grant Project).

Crew removed the Nativity Scene at the intersection of N. Hamilton and W. Water Street.

#### **Equipment Maintenance**

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

Serviced, repaired and cleaned equipment.

Replaced and adjusted salt spreaders

Replace pickup truck bed on F250 (Unit #12)

Annual SCBA flow testing and inspection completed.

**Village Cemeteries**

No burials for the month.  
Water turned off at both cemeteries.

**Village DPW**

Crew continues additional services for the Village of Riverside.  
Submitted annual NYSDOT Highway work permit application for the Village of Painted Post and Riverside.

**FINANCIAL/**

**BUDGET REPORT:** No Changes

**CLERKS REORT:**

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

The water/sewer bills for the 4<sup>th</sup> quarter were processed and mailed out.

The employee W-2's and the vendor Misc. 1099's/1096 were completed and mailed out.

Retirement paperwork as well as reinstatement documentation as a part-time police officer for Greg Fonseca was completed.

Tier 5 and 6 overtime calculations were completed and submitted to NYS Retirement for the last two years.

Attended the planning board meeting on January 8, 2025.

Several tax searches including final water/sewer bills were generated.

**PLANNING BOARD**

**REPORT:** January 8, 2025 at 5:17pm

Planning Board Members in attendance was: Tom Chapman, Vickie Button, Hannah Waschezyn and Travis Gasa

Public: Christine Adamo, Liv Lovejoy (STC), Anne Name (clerk) and Britany Elsey (Trustee).

Our alternate applicant, Christine Adamo, shared her background with the planning board.

Tom Chapman shared recent planning board business

Britany Elsey spoke about what she does as a Village Trustee.

Motion to recommend to the Village Board for Christine Adamo to be appointed as an Alternate Planning Board Member was made by Vickie Button and seconded by Travis Gasa and vote was carried.

**Old Business:**

None

**New Business**

1. The Village Board approved the "Contractor's Application for Payment #8" to Vacri Construction in the amount of \$185,748.75, Payment #9 for 71,392.50 to Vacri and for

\$24,583.60 to Hunt Engineers for work done on the WWTP Disinfection Improvements project.

Motion approved by: Deputy Mayor Manning, 2<sup>nd</sup> by Trustee Elsey

All in favor 3 Ayes      0 Nayes

2. The Village Board approved Change Order #2 for the WWTP Disinfection Improvements project in the amount of \$57,222.07.

Motion to approve made by: Trustee Elsery 2<sup>nd</sup> by Trustee Lecher

All in favor 3 Ayes      0 Nayes

3. The Village Board approved payment to Hunt Engineers for work done on the Walking Trail Safety Improvements (TAP) project in the amount of 4,246.31.

Motion approved by: Deputy Mayor Manning, 2nd by Trustee Elsey

All in favor 3 Ayes      0 Nayes

4. The Village Board approved the 5-year, 6-month water/sewer contract for the Village of Riverside. The Riverside Village Board approved this new contract at their January 2025 meeting and their attorneys are currently preparing official document for signature.

Motion approved by: Deputy Mayor Manning, 2<sup>nd</sup> by Trustee Lecher

All in favor 3 Ayes      0 Nayes

5. The Village Board to adopt the following BOND.

**BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PAINTED POST, STEUBEN COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING THE ACQUISITION OF ONE FIRE-FIGHTING VEHICLE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$1,518,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$1,518,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE ALL OR A PORTION OF SAID APPROPRIATION**

WHEREAS, the Board of Trustees (the “Board of Trustees”) of the Village of Painted Post, Steuben County, New York (the “Village”), proposes to authorize the issuance of \$1,518,000 in serial bonds of the Village to finance the acquisition of one aerial fire-fighting vehicle, including preliminary and incidental costs related thereto (the “Project”), at an estimated maximum cost of \$1,700,000; and

WHEREAS, the Board of Trustees now wishes to appropriate funds for the Project and to authorize the issuance of the Village's serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Painted Post, Steuben County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Village is hereby authorized to undertake the acquisition of one aerial fire-fighting vehicle, including any preliminary and incidental costs related thereto (the "Project"), and to issue up to \$1,518,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of said specific object or purpose, or bond anticipation notes in anticipation of the such bonds.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$1,700,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$1,518,000 in serial bonds of the Village as authorized herein to be purchased by United States Department of Agriculture, Office of Rural Development ("Rural Development"), (ii) the expenditure of certain other funds of the Village, and (iii) the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 27. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 5. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within

the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Board of Trustees hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA with respect to the Project need be taken by the Board of Trustees as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

SECTION 12. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the

Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

**SECTION 13.** In accordance with Section 9-902 of the Village Law, this resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed with the Village Clerk, a proposition for approval of this resolution shall be submitted at a special or regular election, as applicable, in accordance with Section 9-902 of the Village Law.

**SECTION 14.** The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the constitution.

**SECTION 15.** As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	<u>AYE</u>	<u>NAY</u>
Ralph Foster, Mayor	X	
Robert Manning, Deputy Mayor	X	
Britany Elsey, Trustee	X	
Robert Lecher, Trustee	X	
Venu Yama, Trustee	Absent	

**The resolution was thereupon declared duly adopted by a vote of 4 ayes and 0 nays.**

**SUSPEND ORDER**

OF BUSINESS: Motion made by Trustee Elsey, 2<sup>nd</sup> by Trustee Lecher, and carried by all.

**PUBLIC**

COMMENTS: James Kuhl our Steuben Co Legislator introduced himself.

No other comments from the public.

**RESUME ORDER**

OF BUSINESS: Motion made by Deputy Mayor Manning, 2<sup>nd</sup> Trustee Lecher and carried.

**TRUSTEE**

COMMENTS: Trustee Elsey recognized the fire department for the number of calls they have had for the year and for the average number of firefighters that attend each call.

Deputy Mayor Manning agreed with Trustee Elsey's comments.

Mayor Foster stated how fortunate the village is to have the fire department that we have.

AUTHORIZATION: to pay audited bills for the Village made on a motion made by Trustee Elsey and seconded by Deputy Mayor Manning and passed.

Abstract #11 (Feb.)   Voucher #   Abstract #

General Fund:	\$ 70,542.85	398 - 438
Water Fund:	\$ 28,756.94	171 - 191
Sewer Fund:	<u>\$ 10,997.34</u>	172 - 190
TOTALS:	\$110,297.13	

**GRAND TOTAL: \$ 110,297.13**

A motion to adjourn was made by Trustee Lecher and seconded by Trusted Elsey at 7:27 pm and carried.

Respectfully submitted by Anne Names, Clerk-Treasurer