

## **VILLAGE OF PAINTED POST REGULAR BOARD MEETING July 8, 2019**

**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, and Clerk Names

**ABSENT:** Attorney Patrick

### **REGULAR BOARD**

**MINUTES:** of June 10, 2019 and the yearend board meeting were approved on a motion made by Deputy Mayor Scheidweiler, seconded by Trustee Smith and carried.

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

Traffic Arrests: Total of 56  
5 Radar, 18 Moving Violations, 0 DWI Violations, 5  
Suspensions/Revocations and 28 All other Violations.

Complaints: Total of 28  
1 Felony, 1 Misdemeanors, 2 Violations, 0 Vehicle & Traffic, 2 CPPMS,  
0 Animal, 2 Domestic, 1 Local Law Violation, 0 Stolen Property Cases, 8  
Found Property Case and 11 Miscellaneous.

Assistance/Services Rendered: Total of 16  
4 Citizen/Motorist, 8 AMR Ambulance Serv., 0 PP Fire Dept., 0 E.I.D.  
Alarms, 0 VPP Justice Court, 0 Open Door, 0 Mental Health Transports,  
0 Escorts/Jail Run, 4 Vacation Property Checks, 1 Steuben Co. Sheriff, 7  
NY State Police, 1 Corning Police, 0 Other Agencies, 0 DA Office, 1  
Dept. of Pubic/Works, 0 US Government, 1 Other agencies.

Parking Tickets: Total of 18: 17 -2A-5A Parking Enforcement, 1 Other.

Cases Adopted/Closed: Total of 5  
1 Felony, 1 Misdemeanors, 0 Drug Interdictions, 2 Violations, 0 Mental  
Hygiene, 1 Warrant/FOA.

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

Total Calls for Service: 125

5N01 REPAIRS: Rear shocks replaced under warranty

5N01 MILEAGE: 550

5N03 REPAIRS: Oil change and NYS Inspection

5N03 MILEAGE: 899

June highlights are as follows: Assisted DPW providing traffic control on N. Hamilton St for painting, Assisted NYSP at Fastrac with a combative subject resisting arrest, Armed Robbery/Burglary on N. Hamilton St, Report of missing juvenile that was located on Steuben St, Colonial Days Parade traffic control as well Fair Grounds Bike Patrol, Report of missing adult and child, Possible Meth Lab remnants on Bike Path in Riverside, Hypodermic Needles found on sidewalk near the Middle School, Weird call at the First Heritage call center, One of the loose chickens captured and given to a new home, and another NYSP assist where a subject running from Wal-Mart after a larceny went into the river and apprehended by PPPD.

**FIRE DEPT.  
REPORT:**

submitted by Fire Chief Button as follows:

Total number of calls for the month were 10

1 MVA/Rescues, 2 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, 4 C.O./Fire Alarm Activation, 3 Mutual Aid Fires, 0 Mutual Aid MVA, 0 Searches, 0 Mutual Aid Medical and 0 Mutual Aid AMR.

Total in Service Hours: 78.5

Average Fire Fighters Per Call: 10

Training Hours – 0

Training Course Hours - 0

Training Certifications: 5

Total in Service Hours to Date: 1078.5

Total Number of Calls to date for the Year – 64

Major repairs to the Fire equipment – None Reported

Injuries – No injuries reported

Chief 2800 – Button responded to 50% of the calls for the month.

Chief 2801 – Smith responded to 90% of the calls for the month.

Chief 2802 – McCarthy responded to 40% of the calls for the month.

Two chiefs obtained fuel – 69.8 gallons.

Monthly department training consisted of simulated structure company and officer operations.

Two new fire fighters were approved for membership into the department.

No Town of Erwin Fire Council meeting held.

The department attended several appreciation banquets.

The department participated in the annual Colonial Days Fire Department Parade. (2 Trophies.)

The department provided stand-by services during the Colonial Days Parade.

The department held our annual fire department picnic.

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

**Water Treatment and Distribution System**

- Water levels at wells are good: **Well # 4 – 43’, 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.
- Replaced old steel water service @ 440 Pine Street.
- Crew completed quarterly meter readings
- Crew replaced leaking water service Curb Stop at 415 Brainard St.
- Repaired two broken fire hydrants (Grace & Fairview, Hart & Bryan Ave).

**Sanitary Sewer Treatment and Collection System**

- Crew completed monthly jet cleaning of problem areas of the sanitary sewer collection system.
- Sludge pressing operations continued @ the WWTP.
- Crew jet cleaned sanitary sewers throughout the entire Village.
- One raw influent pump out of service for repairs.
- Crew assisted Village of Riverside with emergency sanitary sewer jet cleaning on Buffalo St.

**Village Streets and Walkways**

- Crew continued weekly picked up of leaves and brush.
- Crew swept street on several occasions.
- Crew hot patched streets for the colonial day’s celebration.
- Crew began stripping roadway parking and crosswalks.
- Crew picked up trash and swept street before and after Colonial Days celebration.

- Crew repaired collapsed storm sewer main in front of 149 Platt St.

#### **Buildings and Grounds**

- Hauled weekly trash from Village facilities.
- Crew held weekly safety meetings and equipment checks.
- Crew cleaned Pavilion on four occasions for rentals.
- Crew assisted Hartman Electric with electrical installation for Village Hall Wi-Fi system.
- Crew repaired lighting in front of Indian of Water Street.
- Crew continued mowing and trimming of Village property.
- Crew conducted monthly inspection of Rand Ave and Craig Park playground equipment.
- Pushed back Village compost area above the cemetery several times.
- Crew began brush hog mowing of Village property.
- Crew patched leaking roof at DPW Garage.

#### **Equipment Maintenance**

- Performed maintenance and repairs on DPW, FD and PD equipment.
- Repairs to Bobcat (skid steer) loader completed.
- Serviced and repaired equipment.

#### **Village Cemeteries**

- Two burials for the month.
- Crew top soiled and seeded graves and lawn areas.
- Crew continued mowing and trimming of both cemeteries.

#### **Community Service**

- Received 8 hours of community service for the month.

### **FINANCIAL/BUDGET**

**REPORT:** No changes

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

All 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.

As of June 30, 2019, taxes have been paid on all but 74 properties. The Village taxes that have been paid total \$967,570.01. The remaining taxes of \$ 108,835.66, if paid by July 31, 2017 will have a five percent (5%) penalty added to the original amount.

On June 07, I contacted Williamson Law Book Co. and worked with Ted Jones to close out our accounting for the 2018-2019 fiscal year. I am currently working on the AUD for the State Comptroller's Office. Once it is complete I will electronically transmit it to them.

The second quarter water and sewer readings have been completed and are in the process of being reviewed. Once the necessary adjustments have been completed the bills will be run and mailed out.

I responded to an "Information Subpoena" on one of our employees. All payroll increases were entered into our payroll program.

I also pulled additional information that for the Teamsters Health & Hospital audit that will be held on July 11<sup>th</sup>.

**PLANNING  
BOARD:**

No meeting was held in June, 2019

**NEW BUSINESS:**

1. Stephanie Yezzi of STC spoke on new Zoning Laws and SEQR for the Village and stated that a public hearing would need to be held in August before final approval of the zoning laws can be approved.

2. Annette Viselli Thorne spoke on the Justice Court and why the Village should not abolish it.

3. Resolution by the Village Board to approve to the selling of the W Water St. parking lot. This is adjacent to the old Town of Erwin building and contingent on the sale of their building.

Introduced by: Trustee Gross

**VILLAGE OF PAINTED POST  
RESOLUTION SALE OF VILLAGE  
PARKING LOT**

**WHEREAS**, pursuant to section 4-412 (112) of the Village Law of the State of New York, the board of trustees of any Village by resolution may sell a village owned parking lot when it has ceased to be so used and not required for any other public purpose, and.

**WHEREAS**, the sale thereof may be authorized by resolution and such conveyance is not subject to either a mandatory or permissive referendum, and

**WHEREAS**, the Erwin Town Court located at 117 W. Water Street has relocated to the Town of Erwin, and

**WHEREAS**, the parking lot adjacent to 117 W. Water Street, tax ID# 299.13-01-007-000 is no longer needed for court parking.

**NOW, THEREFORE, BE IT RESOLVED** that the parking lot on W. Water Street be sold in conjunction with the redevelopment of the building at 117 W. Water Street.

Upon Roll Call Vote:	<u>YEA / NAY</u>
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Mayor Ralph Foster	X
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Trustee William Scheidweiler	X
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Trustee David Smith	X
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Trustee Brian Francis	X
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Trustee Robert Gross	X
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Vote: Resolution carried by a vote of 5 to 0.

4. Motion to accept the purchase offer of \$30,000 for the sale of W Water St. parking lot was made by Trustee Smith and seconded by Trustee Francis and carried by all.

5. Resolution to approve moving forward with the dissolution of the Village Justice Court effective April 1, 2020.

**VILLAGE OF PAINTED POST**

**RESOLUTION ABOLISHING THE OFFICE OF  
VILLAGE JUSTICE**

Introduced by: Trustee Smith  
Seconded by: Deputy Mayor Scheidweiler  
Dated: July 8, 2019

**WHEREAS**, pursuant to section 3-301(2)(a) of the Village Law of the State of New York, the board of trustees of any village by resolution subject to a permissive referendum may abolish the office of Village Justice to take effect upon the expiration of the current term of such office, and

**WHEREAS**, the Board of Trustees has investigated the effectiveness and has considered the financial prudence of abolishing said office and those resultant from the town justices assuming the functions previously performed by the village justice: and

**WHEREAS**, the Board of Trustees finds that the needs of the Village for the prosecution of its small caseload under the Village Code can be handled effectively, in a more secure environment by the Town Court.

**NOW, THEREFORE, BE IT RESOLVED** that Office of Village Justice and Court Clerks be, and the same hereby is, abolished upon the expiration of the Village Justice's current term ending on March 31, 2020 and that any court matters pending before the Village of Painted Post will be heard in Erwin Town Court.

**BE IT FURTHER RESOLVED** that this resolution is adopted subject to permissive referendum, and the Village Clerk is hereby authorized and directed to publish and post notice of such adoption in accordance with the law: and

**BE IT FURTHER RESOLVED** This resolution will be effective upon the date of the expiration of the period for referendum, or upon a referendum vote supporting the abolition of the office of the Village Justice.

<u>Upon Roll Call Vote:</u>	<u>YEA</u>	<u>NAY</u>
Mayor Ralph Foster	X	
Trustee William Scheidweiler	X	
Trustee David Smith	X	

Trustee Brian Francis X

Trustee Robert Gross X

Vote: Resolution carried by a vote of 5 YEA to 0 NAY.

STATE OF NEW YORK  
COUNTY OF STEUBEN

I, Ann Names, Village Clerk/Treasurer of the Village of Painted Post, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Village Board of the Village of Painted Post at a meeting of said Board held July 8, 2019.

Anne Names – Village Clerk/Treasurer

6. Resolution from Wayne-Finger Lakes BOCES to participate in the upcoming Cooperative Electricity Bid (WFL 2020-12) must be approved, signed and returned once approved by the Village Board.

**Cooperative Electricity Bid WF: 2020-12**

WHEREAS, The Village of Painted Post of New York State desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase for supply of electricity. And...

WHEREAS, The Village of Painted Post of New York State is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o... And...

WHEREAS, The Village of Painted Post of New York State has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Village of Painted Post of New York State and making recommendations thereon...

THEREFORE...



BE IT RESOLVED, That The Village of Painted Post of New York State and The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties to represent it in all matters related above... And...

BE IT FURTHER RESOLVED, That The Village of Painted Post of New York State authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services... And...

BE IT FURTHER RESOLVED, That The Village of Painted Post of New York State agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding... And...

NOW, THEREFORE, BE IT RESOLVED, That the Board of Trustees on behalf of the Village of Painted Post of New York State hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties for supply of electricity and if requested to furnish The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Steuben, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

Motion to approve: Trustee Francis, seconded by Trustee Gross and carried by all.

**SUSPEND ORDER  
OF BUSINESS:**

Motion made by Trustee Gross, seconded by Trustee Francis and carried.

**PUBLIC**

**COMMENTS:** Rick Thorne 352 Brewster St explained the difference between public and permissive referendum.

Emily Northrup of 582 W. High stated that Annette has done a very good job with the court.

Glenn Rose 11216 River Rd., Corning, NY stated that the board should think twice before closing the court.

Julie Jerlue 352 Steuben St. asked why the court was being abolished.

Martha Tober 351 Imperial Ave. stated that she felt it was a good thing for the village and why would we want to give it back to the Town of Erwin.

Tom Pierre, Central Restaurant asked why are we closing the court now.

Mayor Foster commented that the courts expenses exceed the income. He also stated that if Judge Thorne collected approximately 220 signatures then it would go to a public vote otherwise the village court would be abolished as of April 1, 2020.

**RESUME ORDER**

**OF BUSINESS:** Motion made by Deputy Mayor Scheidweiler, 2nd by Trustee Gross and carried.

**TRUSTEE  
COMMENTS:**

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

	<u>Abstract #02</u>	<u>Vouchers</u>
General Fund:	\$ 41,593.28	30 – 78
Water Fund:	\$ 2,331.21	11 – 23
Sewer Fund:	<u>\$ 9,357.95</u>	16 – 28
<b>Total:</b>	\$ 53,282.44	

**MOTION** to adjourn meeting was made by Trustee Smith, seconded by Trustee Gross and carried at 8:10 pm.

Respectfully submitted by

July 8, 2019

Anne Names  
Clerk-Treasurer