

**VILLAGE OF PAINTED POST
REGULAR BOARD MEETING
September 14, 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, DPW Superintendent Smith, Attorney Patrick and Clerk Names

ABSENT: Fire Chief Button

REGULAR BOARD

MINUTES: of August 10, 2020 were approved on a motion made by Trustee Francis, seconded by Deputy Mayor Scheidweiler and carried.

POLICE REPORT: August report submitted by OIC Copp as follows:

Traffic Arrests: Total of 15
3 Radar, Moving Violations, 1 DWI Violations, 3 Suspensions/Revocations and 4 All other Violations.

Complaints: Total of 49
0 Felony, 5 Misdemeanors, 12 Violations, 0 Vehicle & Traffic, 0 CPPMS, 1 Animal, 9 Domestic, 1 Local Law Violation, 5 Stolen Property Cases, 3 Found Property Case and 13 Miscellaneous.

Assistance/Services Rendered: Total of 22
4 Citizen/Motorist, 1 AMR Ambulance Serv., 0 PP Fire Dept., 1 E.I.D. Alarms, 0 VPP Justice Court, 0 Open Door, 1 Mental Health Transports, 0 Escorts/Jail Run, 4 Vacation Property Checks, 4 Steuben Co. Sheriff, 6 NY State Police, 1 Corning Police, 0 Other Agencies, 0 DA Office, 0 Dept. of Public/Works, 0 US Government, 0 Other agencies.

Parking Tickets: Total of 0: 13 -2A-5A Parking Enforcement, 0 Other.

Cases Adopted/Closed: Total of 20
0 Felony, 5 Misdemeanors, 2 Drug Interdictions, 12 Violations, 1 Mental Hygiene, 0 Warrant/FOA.

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

Total Calls for Service: 107

5N01 REPAIRS: Taken out of service for fuel pump issue, waiting on new pump

5N01 MILEAGE: 291

5N03 REPAIRS: None

5N03 MILEAGE: 817

The highlights for August 2020 are as follows: OIC Copp completed Firearms Instructor School, OIC Copp has attended meetings and participated in information gathering for the Steuben County Collaborative on Police Reform, All Officers have completed the annual Sexual Harassment Training, there have been 3 trespass complaints called in by Dresser Rand, 1 Domestic arrest, 2 different sets of license plates stolen, 1 death at 250 N Hamilton complex, 1 slow speed pursuit that ended with traffic tickets being issued.

**FIRE DEPT.
REPORT:**

submitted by Fire Chief Button as follows:

Total number of calls for the month were 12

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

Total in Service Hours: 127

Average Fire Fighters Per Call: 11

Training Hours – 0

Training Course Hours - 0

Training Certifications: 0

Total in Service Hours to Date: 1308

Total Number of Calls to date for the Year – 85

Major repairs to the Fire equipment – None Reported

Injuries – No injuries reported

Chief 2800 – Button responded to 83% of the calls for the month.

Chief 2801 – Smith responded to 92% of the calls for the month.

Chief 2802 – McCarthy responded to 50% of the calls for the month.

Three chiefs obtained fuel – 94.5 gallons.

All Non-emergency activities have been postponed due to the COVID-19 Executive Order.

Annual hose and ladder testing completed.
Quarterly truck maintenance and service completed.
The Department will resume non-emergency activities on September 8, 2020

DPW REPORT: submitted by Superintendent Smith as follows:
Water Treatment and Distribution System

Water levels at wells are at: **Well # 4 – 40', Well # 3 –24' & Well # 2 – 42'** of water above the pump.
Trans-loading Facility operations. Hauled ZERO Gallons for the month.
Water service @ 349 N. Hamilton & 213 W. Chemung turned off.
Service leaks on owner's side of valve.
Water service to 340 E. High St turned off as requested by owner.
Crew performed water system operations for the Village of Riverside.
Crew replaced steel water service @ 332 Delaware.
Aqualogic competed installation and startup of SCADA replacement equipment for the distribution system.
Annual water system leak survey completed.

Sanitary Sewer Treatment and Collection System
Crew completed monthly jet cleaning of problem areas of the sanitary sewer collection system.
Crew replaced level pump float & exchanged raw pump motors @ WWTP. Entire plant down for several hours.
Crew performed sewer system operations for the Village of Riverside.
Sludge pressing operations at the WWTP continues.

Village Streets and Walkways
Crew continued weekly picked up leaves & brush throughout the Village.
Crew swept streets throughout the Village on several occasions.
Crew hot patched potholes throughout the Village.
Crew hot patched utility repair trenches throughout the Village.

Buildings and Grounds
Crew hauled weekly trash from Village facilities.
Crew continued cleaning/sanitation operations at Village Hall & DPW to address COVID 19 Virus.
Crew performed weekly equipment safety checks.
Crew assisted Clearview Tree Service with several tree removals throughout the Village.
Crew brush hogged W. Water Street property.
Pushed back Village compost area above the cemetery on several occasions.

Crew continued mowing operations of all Village owned properties. Hartman Electric and Village Crew repaired Village street lights along Hamilton and W. Water Streets.

P & J Contracting replaced AC unit in meeting/training room @ the village hall.

Crew cleaned interior and exterior of pavilion facility for rental on one occasions.

Crew assisted Boy Scouts with concrete pour for park bench pads along the bike path.

Equipment Maintenance

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

Continued electrical repairs to 02 Sterling dump truck.

Completed service and modifications work to FD UTV trailer.

Village Cemeteries

Three burials for the month.

Crew continued mowing and trimming operations at both Cemeteries.

DPW

Crew attended mandatory Sexual Harassment and Work Place Violence Training

FINANCIAL/BUDGET

REPORT: No changes

CLERKS REORT: submitted by Clerk Names as follows:

All checkbooks have been reconciled and balance to our accounting program and bank statements. Monthly reports have been provided to the mayor, board members and department heads.

Late notices for taxes were sent out and as of 09/01/20 we have collected \$1,052,785.45 in taxes and penalties. We currently have 33 properties that remain outstanding which total \$41,194.27.

Late notices for over 100 water/sewer bills were sent out.

I attended the Planning Board ZOOM meeting that was held on 8/5/2020.

I again worked with Dell Support and an on-site technician threw out the month with regards to my computer and it is finally operational.

Payroll exceptions for Civil Service have been addressed in order for our yearly “payroll certification” to be finalized. I also completed and submitted 1 RPC (Report of Personnel Change) form.

I responded and completed 3 FOIL requests.

PLANNING BOARD: Marcia Weber (chair), Martha Tober, Moira French, Vickie Button, Art Stilwell (alternate), Bill Scheidweiler (Village Board Liaison)
Absent: Kathleen Scolaro

Planning Consultant: Stephanie Yezzi & Chelsea Robertson

Village Clerk: Anne Names

Others: Larry Foor (Foor & Associates), Jill Staats (Steuben IDA),
Amanda Ratchford (Larson Design)

Approx. 10 members of the public present

Meeting of 8/12/20 was called to order at 5:35 PM by Marcia Weber, Planning Board Chair.

Approval Of The Minutes From July 2020.

Motion by: Art Stillwell, Seconded by: Vickie Button *Carried.*

New Business:

Special Use Permit application for an on-site home occupation at 440 Pine Street

S. Yezzi outlined the application for one hair station and sink in the front room of the residence at 440 Pine Street. The applicant will only allow one client at a time, with a total of 6-8 clients per day. Operations will only occur 5 days a week with no additional traffic generated. The use requires a special use permit, including a public hearing and SEQR consideration. As this is a Type II action, no further SEQR is required. All other documentation required by the Zoning Law has been submitted.

M. Weber then asked for a *motion to open the public hearing.*

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

Bob Lecher asked if the consultant had any information on child care facilities. C. Robertson told Mr. Lecher to contact her outside of the meeting to discuss the topic. She stated that a municipality typically cannot deny a child care facility as they are regulated by the State. There were no other members of the public requesting comment on the application.

M. Weber then asked for a *motion to close the public hearing.*

Motion by: Art Stilwell, **Seconded by:** Vickie Button ***Carried.***

The Planning Board had no further questions or comments. With all requirements met, M. Weber asked for a *motion to approve the Special Use Permit for an on-site home occupation at 440 Pine Street.*

Motion by: Art Stilwell, **Seconded by:** Martha Tober ***Carried.***

Discussion of application for shed to be placed at 128 W. Chemung Street

S. Yezzi stated that an application for a shed at 128 W. Chemung Street has been submitted to the Village; however, the application materials were submitted past the application deadline. That being said, the question for the Planning Board was whether or not to postpone the application for discussion at the September meeting, or discuss where, if at all, the shed should be placed on the property and make a recommendation to the Zoning Board of Appeals. The application would need an area variance as the Code Enforcement Officer, Bryan Hallgren, stated that a shed would not fit on the property.

S. Yezzi highlighted that this is the same property sharing the shed from the church building purchased by D & R Cleaning. The existing shed has been torn down by D & R Cleaning. M. Tober asked if the property was for sale as she had seen a “for sale” sign out front. S. Yezzi indicated that it is believed to be for sale though this has no impact on the application. A. Stilwell asked if the application could be held until the September meeting as it was submitted late. M. Weber asked if anyone wanted to make a *motion to postpone the application.*

Motion by: Art Stilwell, **Seconded by:** Vickie Button ***Carried.***

OLD BUSINESS/CORRESPONDENCE:

S. Yezzi provided an update on the Tyoga Container project. The update included that the Village has requested the Traffic Study be reviewed by a third-party engineer. This is being completed by Fagan Engineers, who will provide a letter to include recommended conditions for the Planning Board to add to the application. S. Yezzi reminded the Planning Board that, if they choose to approve the application, a set of conditions should be added to the approval.

Due to the noise and vibrations concerns, the Village has also required a noise and vibration study be completed. This will be generated by the end of the month by Vibrant Tech Inc. and will study existing ambient noise and vibration and compare levels to that of the proposed activities and building. S. Yezzi highlighted that all costs associated with both third-party requests will be provided by the applicant.

Tyoga Container has provided STC and the Village with a letter regarding the relationship between Tyoga and STL and use of the building. The letter contains a commitment of \$15,000 by Tyoga to pay for lighted pedestrian crossings. The amount would cover at least one or two crossings depending on the quote. The Village has requested an additional letter of intent from STL regarding a 15-year lease agreement. The letter of intent should be expected by the end of the month.

STC has asked the Planning Board to review the SEQR to determine if all questions have been answered with appropriate mitigation detailed in the application. The Planning Board shall consider the conditions to be added should they approve the application. S. Yezzi stated that the next meeting will be on Wednesday, September 2; however, the final application review will occur when all updated materials have been submitted by the application deadline.

M. Weber asked if anyone had any further questions or comments. V. Button stated her concern that the original intent was to use box trucks and that the use of semis may be an issue. She stated that the applicant and tenant have updated a lot during the project and does not want to feel as though any information is being left out of the application.

No other comments were made at this time.

No other correspondence was discussed.

NEXT MEETING: Wednesday, September 2, 2020

Applications Due: Tuesday, August 18, 2020

ADJOURNMENT: Motion: *To adjourn the meeting*

Motion by: Art Stilwell, **Seconded by:** Martha Tober **Carried.**

Meeting was adjourned at 6:03 PM by Marcia Weber.

Minutes taken by Stephanie Yezzi, Planning Consultant.

NEW BUSINESS: 1. Melissa Grinnell requested a “Peddlers Permit” to sell her homemade products near the current site of the Painted Post Farmers Market. After hearing her comments the Village Board has decided to hold a special board meeting to discuss her request and will try to have an answer for her with a week.

2. Village Board approved the Fire Dept. Election of Officers as follows:

Chief	Joe Button
1 st Assistant Chief	Larry Smith
2 nd Assistant Chief	Brian McCarthy
Engine Captain	Dan E. Smith
Engine Lieut.	Marshall Franklin
Rescue Captain	Cal Hodge
Rescue Lieut.	Brandon Smith
Ladder Captain	Mitchell Stull
Ladder Lieut.	Vacant

Business Officers

President	Edward Franklin, Jr.
Vice President	Alyssa Sebastian
Treasurer	William Scheidweiler
Secretary	Chris Olander

Approved on a motion by Deputy Mayor Scheidweiler, seconded by Trustee Smith and carried.

3. The Village Board Approved the Resolution with reference to the new State “Retention and Disposition Schedule to take effect January 1, 2021:

RESOLVED, By the Village of Painted Post of the Village of Painted Post that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein effective January 1, 2021.

FURTHER RESOLVED, that in accordance with Article 57-A:
(a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;
(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Introduced by: Trustee Smith
Seconded by: Trustee Francis

Vote: Aye – 4 Nay – 0 – and Carried

4. Matthew Towner the new owner of the old Town of Erwin building at 117 W Water Street asked if the Village would consider adopting tax law NY-444a that would allow for temporary tax relief on assessment increases for historic renovation over a ten year period.

Mayor Foster will look into this request further to make sure that it would qualify as a “Building of Historic Value”.

5. Remind the public of the Village election to be held Tuesday, 9/15/20 (tomorrow) from 12:00 noon to 9:00pm.

**SUSPEND ORDER
OF BUSINESS:**

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

**PUBLIC
COMMENTS:**

Emily Northrup 582 W. High asked if W High St. is still scheduled to be repaved this year. Superintendent Smith responded yes, but that we are still waiting on one more bid to come in. Emily also asked if Cathy Halm was in charge of the Farmers Market.

**RESUME ORDER
OF BUSINESS:**

Motion made by Deputy Mayor Scheidweiler, 2nd by Trustee Smith and carried.

**TRUSTEE
COMMENTS:**

Trustee Francis stated that all ZOOM meeting information will be posted on our website and that the link for the Police survey is also there.

Trustee Smith thanked everyone for what they do here in the Village.

Deputy Mayor Scheidweiler stated that has been a pleasure serving on the board over the last several years and that the time he served was enjoyed.

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

	<u>Abstract #06 (Aug)</u>	<u>Vouchers</u>	<u>Abstract #07 (Sept.)</u>	<u>Vouchers</u>
General Fund:	\$ 155.42	129 – 130	\$ 32,493.76	131-181
Water Fund:	\$ 79.99	59	\$ 18,751.86	61- 79
Sewer Fund:	<u>\$ 14,335.41</u>	58 – 60	<u>\$ 5,117.67</u>	62 - 79
Total:	\$ 14,335.41		\$ 56,363.29	
GRAND TOTAL: \$70,698.70				

MOTION to adjourn meeting was made by Trustee Smith, seconded by Trustee Francis and carried at 7:40pm.

Respectfully submitted by: Anne Names, Clerk-Treasurer