

**VILLAGE OF PAINTED POST
PUBLIC HEARING
December 9, 2019**

Call to Order: at 6:30pm

PRESENT: Deputy Mayor Scheidweiler, Trustee Smith and Clerk Names

PURPOSE: PUBLIC HEARING with regard to the cable franchise between the Village of Painted Post and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc.

Opened for discussion: No one from the public was in attendance.

Public Hearing was closed and adjourned at 6:32 pm

**VILLAGE OF PAINTED POST
REGULAR BOARD MEETING
December 9, 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: Deputy Mayor Scheidweiler, Trustee Smith, Trustee Francis, OIC Copp, Fire Chief Button, DPW Superintendent Smith, Attorney Patrick and Clerk Names

ABSENT: Mayor Foster,

REGULAR BOARD

MINUTES: of November 12 & 13, 2019 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 13
4 Radar, 2 Moving Violations, 0 DWI Violations, 2 Suspensions/Revocations and 5 All other Violations.

Complaints: Total of 25

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

Assistance/Services Rendered: Total of 27
9 Citizen/Motorist, 10 AMR Ambulance Serv., 2 PP Fire Dept., 0 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, 3 NY State Police, 2 Corning Police, 0 Other Agencies, 0 DA Office, 0 Dept. of Public/Works, 0 US Government, 1 Other agencies.

Parking Tickets: 11 - 2A-5A Parking Enforcement, 0 Other.

Cases Adopted/Closed: Total 10
3 Felony, 3 Misdemeanors, 2 Drug Interdictions, 2 Violations, 0 Mental Hygiene, 0 Warrant/FOA.

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

Total Calls for Service: 89

5N01 REPAIRS: Oil Change

5N01 MILEAGE: 626

5N03 REPAIRS: Oil Change

5N03 MILEAGE: 793

The highlights from November 2019 are as follows: Vehicle stolen from a resident, Dropped off old duty pistols, 1 arrest on an assault case from the Middle School, 1 arrest on a juvenile for drug sales, 1 unlicensed hunter turned over to the DEC, Gave warning to local business for parking overtime on North Hamilton Street with multiple cars, Assist to Corning PD with an MHL, Assist NYSP with stolen vehicle from Dollar General, 2 bad checks for water bills, 1 bad check from a contractor to a resident, 1 stolen bicycle, Attended a meeting at 250 N Hamilton, Attended the press conference for opposition of the bail reform and discovery laws, and attended a meeting for upcoming changes to the 911 system and possible county wide data management.

**FIRE DEPT.
REPORT:**

submitted by Fire Chief Button as follows:

Total number of calls for the month were 1

1 MVA/Rescues, 1 Service Call, 0 Vehicle Fire, 0 Searches, 0 Chimney Fire, 1 Structure Fire, 0 Grass/Brush Fires, 3 Hazardous Conditions, 0 Vehicles Leaking Gas, 0 Storm Flooding, 3 C.O./Fire Alarm Activation, 1 Mutual Aid Fires, 0 Mutual Aid MVA, 0 Mutual Aid Medical and 1 Mutual Aid AMR.

Total in Service Hours: 165.5

Average Fire Fighters Per Call: 13

Training Hours – 0

Training Certifications: 15

Total in Service Hours to Date: 1955

Total Number of Calls to date for the Year – 136

Major repairs to the Fire equipment – None Reported

Injuries – No injuries reported

Chief 2800 – Button responded to 36% of the calls for the month.

Chief 2801 – Smith responded to 100% of the calls for the month.

Chief 2802 – McCarthy responded to 66% of the calls for the month.

Three chiefs obtained fuel – 70.6 gallons.

Monthly department training consisted of CPR/AED recertification..

No Town of Erwin Fire Council meeting held.

The department participated in the funeral services for Retired Fire Chief Larry Jenks.

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'** & **Well # 2 – 42'** 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 replaced several water meters in the Village. 162 Hamilton Circle and 421 W. High St.

Crew assisted Village of Riverside with Water System Operations.

Kinsley Power Company completed annual service inspection on generator at WTP

P & J Contracting Service and repaired boiler and unit heaters @ WTP. Crew repaired water leak inside Chlorine Room @ WTP.

Sanitary Sewer Treatment and Collection System

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

Sludge pressing operations continued at the WWTP.

NYSDEC Completed Annual inspection of the WWTP Operations.

Village Streets and Walkways

Crew continued daily pick up of leaves and brush.

Crew swept street on several occasions.

Crew completed hot patching streets throughout the Village.

Crew assisted with milling operation with the NYSDOT on I86 under a Shared Service Agreement.

Crew called in on one occasion to Plow and sands Streets.

Crew called in one occasion to plow and salt walkways.

Buildings and Grounds

Hauled weekly trash from Village facilities.

Crew held weekly safety meetings and equipment checks.

Crew cleaned pavilion on one occasion for rental. Last rental for the year

Kinsley Power Company completed annual service inspection on generator at Village Hall

Crew mowed/plow out Parks and Bike Path.

Crew conducted monthly inspection of Rand Ave and Craig Park playground equipment.

Pushed back Village compost area above the cemetery several times.

Equipment Maintenance

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

Serviced and repaired equipment.

Sewer Truck leaf springs replaced passed NYS Inspection.

NY State Inspections completed on FD pickup and four DPW units. All Passed

Replaced sander chain on 08 Sterling Dump Truck.

Received new 2019 Case Backhoe.

Six month inspection of Fire Suppression system completed at Gas Storage Facility.

Village Cemeteries

Four burials for the month.

Crew continued mowing and leaf pickup in both cemeteries.

Community Service

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

FINANCIAL/BUDGET

REPORT: No changes

CLERKS REORT: submitted by Clerk Names as follows:

All accounting is current and balanced between checkbooks, 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.

I continued to process water and sewer payment as they came in. I also generated the third quarter water/sewer penalty notices which were printed and mailed out.

The process for the upcoming Village elections has begun. We currently will have two positions open for trustees, each for a four-year term. Party caucuses will be held in January between 1/21 and 1/28/2020. As soon as a date is chosen it will be published in the paper and on our web site.

All unpaid taxes were sent to Steuben County Treasurers' office to be re-levied on the Town and County taxes that come out in January. There was a grand total of 23 Village properties that were unpaid. The total outstanding taxes are \$24,545.08 plus \$1,963.61 in penalties for a grand total of \$26,508.69. The total taxes that were collected was \$1,055,551.38.

PLANNING BOARD: Called to order at 5:15 pm on November 6, 2019

Motion: *To approve the minutes from 8/7/2019 as circulated.*

Motion by: Vickie Button, seconded by Moira French and carried.

NYS DEC Urban and Community Forestry Grant Program:

S. Yezzi described a project proposal to the NYSDEC Urban and Community Forestry Grant Program to include a Tree Inventory and Community Forest Management Plan for the Village of Painted Post. It is recommended that the Village be the lead applicant to allow for contracting with both an ISA certified arborist and STC to complete all project components. The project will help the Village meet goals stated in the Comprehensive Plan such as becoming a Tree City USA community, and revitalizing green spaces and green infrastructure.

STC is interested in the project in order to support data collection for the Chesapeake Bay Program and helping to reduce nitrogen, phosphorus and

sedimentation in the watershed. By collecting this data, existing and newly implemented urban trees can be recorded.

The Planning Board collectively showed interest in the project as all members recognize the difficulty in identifying the appropriate trees to be planted in various areas throughout the Village. This will greatly support the work of the Department of Public Works.

At this time, Vickie Button requested a **motion to sign a letter of support for this project** as discussed. The letter was to be signed by V. Krystof, Planning Board Chair.

Motion by: Vickie Button, **seconded by** Martha Tober and carried

OLD BUSINESS:

S. Yezzi will have Chelsea Robertson touch base with Marcia regarding her resignation. The plan will be to have the Board of Trustees appoint Kathleen Scalaro as an official Planning Board Member following any potential resignation. If anyone has recommendations for a new alternate, they are encouraged to let STC and/or the Board of Trustees know of the recommendation.

CORRESPONDENCE:

Post Office Sign:

V. Krystof asked if STC had been in contact with the Post Office regarding their sign. The Post Master has been communicating with Bryan Hallgren, the Village Code Enforcement Officer about this. It is understood that the sign will not need to come before the Planning Board if it meets requirements under the newly adopted Zoning Law.

Krog Building:

V. Krystof stated that he spoke with Mr. Krog regarding his vacant building. Mr. Krog indicated that he *may* be interested in selling to the right buyer.

McDonald's Renovations:

V. Krystof highlighted the one-year time frame for the site plan application for renovations at the McDonald's that had been approved last year. No construction has been started at this point. The applicant stated that renovations would occur in the fall. Mr. Krystof stated that the applicant should be notified of the time frame and that they will need to come before the Planning Board again in order to start any construction.

Design Guidelines:

V. Krystof asked about the design guidelines created as part of the New York Main Street project. He wanted to know if these are regulations a

developer would have to follow if there was interest in buying all of Village Square. At this time, the design guidelines are only guidelines and have not been formally adopted by the Village of Painted Post. If a developer was interested in a full redevelopment of the Square, the Village would recommend a design as stated in that specific document. If individual building owners were looking to renovate, the second set of guidelines would be provided as a strong recommendation. No developer has indicated interest in a full redevelopment of the Square at this time.

First Heritage and M&T Bank Buildings:

V. Krystof stated that First Heritage will still have a presence in the Village of Painted Post. The financial institution only plans to downsize their current presence to a few tellers.

There is a possibility that the M&T Bank has been sold; however, Mr. Krystof was unaware of the buyer or what use would be going into the building. M. French then asked about Mr. Krystof's time and temperature sign that has been approved by the Planning Board. Until it is known who is going in that building or if the one-year time frame for unused signs has passed, a new sign will not be constructed on Mr. Krystof's lot. This will prevent the corner from having two of these large signs.

NEXT MEETING: Wednesday, December 4, 2019

Applications Due: Tuesday, November 19, 2019

NEW BUSINESS: 1. RESOLUTION: Designating that the Village Election Day will be held on Wednesday, March 18, 2020.

I, Trustee Smith adopt the above resolution.

2. In the matter of the Renewal of the Cable Television Franchise Held by SPECTRUM NORTHEAST, LLC, an indirect subsidiary of Charter Communications, Inc. in the Village of Painted Post, Steuben County,

RESOLUTION

An application has been duly made to the Board of the Village of Painted Post, County of Steuben, New York, by SPECTRUM NORTHEAST, LLC, an indirect subsidiary of Charter Communications, a partnership organized under the laws of the State of New York doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, and holder of a cable television franchise in the Village of Painted Post for the approval of an agreement to renew the cable television franchise for an additional fifteen (15) years. The Franchise Renewal Agreement would bring the franchise

into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain rulings.

A public hearing was held in the Village of Painted Post on December 9, 2019 at 6:30pm and notice of the hearing was published in the Leader on 11/26/19 and on 12/3/19.

NOW, THEREFORE, the Board of the Village of Painted Post finds that:

1. Charter Communications has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. The quality of the Charter Communications service, including signal quality, response to customer complaints and billing practices has been in light of community needs; and
3. Charter Communications has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
4. Charter Communications can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Village of Painted Post hereby renews the cable television franchise in the Village of Painted Post for fifteen (15) years commencing on the date of approval by the Public Service Commission.

BE IT FURTHER RESLOVED that the Board of the Village of Painted Post hereby confirms that this Franchise Renewal Agreement replaces the current expired franchise.

The foregoing having received: Yea Vote: 3 Nay Vote: -0-
Absent: 2 was thereby declared adopted.

3. The resignation of Robert Gross as Trustee was delivered to the Village Clerk and addressed on December 9, 2019.

The resignation has been accepted by: Deputy Mayor Scheidweiler.

SUSPEND ORDER OF BUSINESS: Motion by Trustee Smith and seconded by Trustee Francis.

PUBLIC COMMENTS: Emily Northrup 582 W. High St. commented on the great job done cleaning the drains

Wally Marribitt at 440 W High St. commented on how well the Village is being run with regards to the Police Dept. (new uniforms, vehicles, badges, etc.) the new dog park which has brought life back to the park. Thank you to all Village employees.

Kevin Tyler of Lindley asked if there is any verification on dogs being up to date with their shots, etc. and is there any liability for the Village.

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

TRUSTEE COMMENTS: Trustee Francis commented on the dog park stating that they “police” themselves and that a committee has been formed to help with the park.

Trustee Smith thanked the department heads & village clerk for everything done throughout the year.

Deputy Mayor Scheidweiler also thanked the department heads for the great job they do.

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

	<u>Abstract #10 (Dec.)</u>	<u>Vouchers</u>
General Fund:	\$ 119,827.37	329 - 375
Water Fund:	\$ 15,744.31	127 - 149
Sewer Fund:	\$ 20,405.34	127 - 149
TOTALS:	\$ 155,977.02	

MOTION to adjourn meeting was made by Trustee Smith, seconded by Trustee Francis and carried at 7:28 pm.

Respectfully submitted by
Anne Names
Clerk-Treasurer