A regular meeting was held on February 10, 2021 at 6:00 p.m. at the Village Hall, 8892 South Street Weedsport

Present were: Mayor Winslow

Trustees: Platten, Clark, Sims, Gross

Also present: David James, Fire Chief; Jeannine Powers, Treasurer; Jeff Goodell, Superintendent; Christine Spoor, Village Clerk; Greg Gilfus, Officer in charge, Michael Quill, Attorney; Heather Skiff, Brian Skidmore (exit 7:03), Rick Damico (Exit 6:15)

Mayor Winslow opened the meeting with the pledge to the flag at 6:02 p.m.

**Opened public hearing for at 6:03 PM:**

Local law 1 sidewalks

**2021 Senior Exemptions**

Income Limits and Percentage for the Senior Citizens Town Real Property Tax Exemption per Local Law #3 of 2002. Amounts updated to be consistent with Cayuga County Local Law #1 of 2020**.**

|  |  |
| --- | --- |
| **INCOME RANGE** | **PERCENTAGE OF EXEMPTION** |
| **Up to $29,000** | **50% of assessed value exempt** |
| **$29,000.01 up to $29,999.99** | **45% of assessed value exempt** |
| **$30,000.00 up to $30,999.99** | **40% of assessed value exempt** |
| **$31,000.00 up to $31,999.99** | **35% of assessed value exempt** |
| **$32,000.00 up to $32,899.99** | **30% of assessed value exempt** |
| **$32,900.00 up to $33,799.99** | **25% of assessed value exempt** |
| **$33,800.00 up to $34,699.99** | **20% of assessed value exempt** |
| **$34,700.00 up to $35,599.99** | **15% of assessed value exempt** |
| **$35,600.00 up to $36,499.99** | **10% of assessed value exempt** |
| **$36,500.00 up to $37,399.99** | **5% of assessed value exempt** |

Motion by Trustee Clark to adopt the updated 2021 Senior Exemptions, seconded by Trustee Sims.

**Res#12-21 VOTE: 5 ayes, 0 nays. Carried**

**DOLLAR GENERAL PLANS**

Trustee Gross made a motion, seconded by Trustee Sims, all ayes, for Rick Damico to move forward with his proposed plans for construction of a new Dollar General. He has been working closely with the planning board. Current plans are set to take place in the summer.

**BRIAN SKIDMORE BARTON AND LOGUIDICE**

Brian Skidmore B & L Engineer follow-up discussion from the last meeting regarding the section of water main between DPW garage and Ace Hardware. He shared a scope of services and a flow chart. Would need a permit from DEC. This plan appeared to be very costly. Will research more possibly having a second source of water from the existing county line and discuss at the next meeting.

**MINUTES**

Trustee Clark, made the motion, seconded by Trustee Gross, all ayes, to approve the Regular meeting minutes of December 9, 2020.

**Reso#13-21**

**CORRESPONDENCE**

* Important message from NYCOM (Email)
* NYMIR coverage counter measures (Email)
* NYCOM upcoming webinar and Winter legislative meeting (email)
* NYCOM Village salary survey (email)
* Town of Brutus 1/11/21 minutes (email)
* Comp Alliance safety bulletin and email newsletter (email)
* Charter Communications (email)
* Property maintenance letter
* New York state Climate action council panel meetings (email)
* NYCOM advocacy updates (email)
* Regional water project steering committee minutes (email)
* Corona virus pandemic from FEMA (email)
* NYMIR Hackers FL town (email)
* Comp Alliance Loyalty check (email)
* NY Community Solar (email)
* January financial report (**To be signed**)

**REPORTS:**

**FIRE CHIEF**

Brush truck is repaired. There is no training taking place right now. Physicals are scheduled through a mobile service that Tim Ganey recommended. Would like to utilize the offices and board room area for the physicals. NYFIRS reports have been submitted and accepted by the state.

**BRUTUS FIRE CONTRACT**

Trustee Sims made a motion, seconded by Trustee Clark, all ayes, to allow the Mayor and Fire chief to sign the fire contract.

**Reso#14-21**

**POLICE**

Vests are all in and grant is closed. The use of force policy pursuant to the provisions of section 840 will be posted on the website. There was a school lockdown and Officer Quigley did a really good job with this. The survey that we did for executive order 203, we had over 80 people respond. Some of the comments were: concerning over night police coverage, Confusion on where they should call, and it should be 911 anytime. There is still enough to purchase a speed trailer the November quote $8149.00. It would have alarm, lights, display, data traffic recording, is solar powered, and would put a hitch on the new police car to move it around. Life span is typically 10 plus years with just having to change batteries. Partnering with other agencies regarding current car larcenies they seem to be happening between 2-4 A.M.

**POLICE CAR**

Trustee Platten made a motion, seconded by Trustee Gross, all ayes for the purchase of a new police vehicle not to exceed $40,000.00 for a 2021 Ford Police Interceptor utility marked patrol vehicle and to start running ad with 30-day referendum period.

**Reso#15-21**

**JUDGE**

The monthly Justice Reports for January $4171.00 was submitted.

**BUILDING INSPECTOR**

The board reviewed the monthly reports for January of inspections performed, Violations and Certificates of Compliance, and other correspondence issued for the month.

**SUPERINTENDENT**

Old Erie service where Brewery was has now been turned off. Plow truck was down but was covered under warranty. Wood chips are hard to come by anymore. Town of Sennett used to be our big supplier, but they are now selling back to people. Spoke with Sennett wondering if Village offset price of grinding could we get chips from them. We do not produce enough on our own. Sennett would deliver to us. It would help them and could work together. Brutus would not have the amount that is needed. Sennett Superintendent is going to bring to his board as well. Attorney Quill is going to look over the intermunicipal agreement and we will look at again at next meeting. A list of pipe sizes on the village streets was given to each of the board members. Interviews will take place on February 18th in the evening there are currently two people and the mayor, Superintendent Goodell, and Trustee Sims will conduct interviews.

**CARRY OVER VACATION**

Trustee Gross made the motion, seconded by Trustee Platten, all ayes for Superintendent Goodell to carry over 53 hours and Assistant Superintendent Gilfus to carry over 29 hours.

**Reso#16-21**

**CLERK**

Received an inquiry about a craft show at Trolley park in the summer the board requests they come and share their idea with them. Clerk is going to check into the insurance aspect of it.

**OCCUPANCY TAX**

Trustee Sims made a motion, seconded by Trustee Platten, all ayes, for an occupancy tax of seven percent for 3 years, with Mayor being the overseer.

**Reso#17-21**

**TREASURER**

Treasurer’s report for January has been completed and is ready to be signed. End of year meeting on February 26, 2021 at 4 PM to pay bills and any other business to come before the board. Tax bills will be going out for March 1st billing.

**GASB84**

Reached out to the Auditors to help with the new GASB84 reporting there is a new version of the AUD software that now includes a Custodial fund. Need help to be sure the reporting is done properly there will be an additional fee for this service.

**PAY BILLS**

After a motion by Trustee Gross, seconded by Trustee Clark, all ayes to approve payment of the following bills for 2020-2021 Abstract #12:

2020-2021 Abstract #12

A fund vouchers: 622-674 totaling $29,376.10;

F fund vouchers: 229-254 totaling $22,660.71;

G fund vouchers: 230-254 totaling $7,556.46;

TA fund vouchers: 46-49 totaling $284.48

**Reso#18-21**

**TRANSFERS**

Trustee Platten made a motion, seconded by Trustee Gross, all ayes to approve the following transfers.

Payments from WCS per SPO agreement:

Debit: A231PD Police car Reserve $2,500.00

Credit: A200 Cash $2,500.00

Police items:

Debit: A3120.120 Police-Per.Ser. $14,000.00

Credit: A3120.200 Police-Equipment. $14,000.00

Payroll:

Debit: A1490.400 Public Works-Contractual $135.94

Credit: A1490.100 Public works-Per Ser $135.94

**Reso#19-21**

**CLOSE PUBLIC HEARING**

Trustee Clark made a motion, seconded by Trustee Gross, all ayes to close the public hearing at 8:28 PM there was no public expression.

**Reso#20-21**

**SHORT ENVIROMENTAL ASSESSMENT FORM PART 1**

Trustee Clark made the motion, second by Trustee Sims, all ayes to allow the mayor to sign.

**Reso#21-21**

**LEAD AGENCY**

Trustee Sims made the motion, seconded by Trustee Gross, all ayes, for the Village of Weedsport, Village Board to be lead agency on Local Law No 1 of the year 2021.

**Reso#22-21**

**SHORT ENVIRONMENTAL FORM PART 2**

Trustee Platten made the motion, seconded by Trustee Clark, all ayes to accept as is.

**Reso#23-21**

**NEGATIVE DECLARATION**

Trustee Gross made the motion, seconded by Trustee Platten, all ayes that there is no environmental impact from this local law.

**Reso#24-21**

**LOCAL LAW NO 1 OF THE YEAR 2021**

Trustee Gross made the motion, seconded by Trustee Clark, all ayes to accept Local Law No 1 of 2021.

**Reso#25-21**

**VILLAGE OF WEEDSPORT, NEW YORK**

**LOCAL LAW #1 of 2021**

**Section 1.**

**Statutory Authorization and purpose**

**Section 1.1** Title:

Local Law No. 1 of the year 2021

**Section 1.2** Purpose:

This shall be a Local Law to change a provisions of Section 178 of the Code of The Village of Weedsport.

**Section 1.3** Statutory Authorization:

This Local Law has been adopted pursuant to and in conformity with Municipal Home Rule Law §10 and the New York State Constitution.

**Section 2.**

**Changes**

**Section 2.1**

**Wherefore, Article 178-8 §A (1) of the Code of The Village of Weedsport entitled “Care of sidewalks” currently reads”:**

§ 178-8 Care of sidewalks.

1. Ice and snow.

1. The owner or occupant, tenant, lessee, undertenant, receiver or assignee of premises abutting any street where a sidewalk has been laid shall keep the sidewalk on such premises free and clear from snow and ice at all times. If the owner or occupant above-mentioned shall fail to remove snow or ice within 24 hours after it has fallen or formed on the sidewalk, the Village of Weedsport may provide for the removal thereof at the expense of the owner of such premises; and such charge shall become a lien upon the premises benefitted thereby, added to the next real property tax bill, and shall be collected by the Village Treasurer as provided by law for the collection of real estate taxes.

**And whereas, it is the opinion of the Village Board that such care is necessary for the**

**convenience and safety of all the citizens of the Village of Weedsport;**

**And whereas, it has come to attention of the Village Board that such language has not been effective in controlling the care of sidewalks in certain situations;**

**Now in order to more effectively ensure such care is met article 178-8 § A (1) is hereby changed to read as follows:**

§ 178-8 Care of sidewalks.

1. Ice and snow.

(1) The owner or occupant, tenant, lessee, undertenant, receiver or assignee of premises abutting any street where a sidewalk has been laid shall keep the sidewalk on such premises free and clear from snow and ice at all times. If the owner or occupant above-mentioned shall fail to remove snow or ice within 24 hours after it has fallen or formed on the sidewalk, the Village of Weedsport may provide for the removal thereof at the expense of the owner of such premises; said expense to be enforced pursuant to section 178-16 C (1) of this Article.

In addition, in the event such snow and ice is not removed within 48 hours after it has fallen or formed on the sidewalk The Village of Weedsport may enforce a penalty as set out in section 178-16 C (2) of this Article.

**Section 2.2**

**Wherefore, Article 178-16 of the Code of The Village of Weedsport entitled “Violations; enforcement” currently reads:**

§ 178-16 Violations; enforcement.

1. Notwithstanding any of the provisions and remedies contained elsewhere herein, failure

to comply with any section of this chapter shall be a violation.

1. Each day that a prohibited condition as defined in this chapter shall be allowed to continue to exist shall constitute a separate violation.

C. This chapter may be enforced either by removing the dangerous conditions, obstructions, and ice and snow, as outlined above, and/or by charging the owner or occupant, tenant, lessee, undertenant, receiver, or assignee of premises abutting the sidewalk with a violation.

**And whereas, it is the opinion of the Village Board that such care is necessary for the convenience and efficiency of all the citizens of the Village of Weedsport;**

**And whereas, it has come to attention of the Village Board that such language has not been effective in controlling the care of sidewalks in certain situations**

**Now in order to more effectively ensure such care is met article 178-16 is hereby changed to read as follows and shall now be entitled “Violations; Violations, Penalties and Enforcement”**

§ 178-16

1. Violations and Penalties
2. Notwithstanding any of the provisions and remedies contained elsewhere herein, failure to comply with any section of this chapter shall be a violation.
3. Each day that a prohibited condition as defined in this chapter shall be allowed to continue to exist shall constitute a separate violation.

C. This chapter may be enforced as follows:

1) in the event any violations shall continue for more than 24 hours after snow has fallen or ice has formed, or an obstruction has been created on the sidewalk, than the owner or person responsible shall be guilty of a violation, punishable by a fine equal to the reasonable expense of removing said dangerous conditions, obstructions, or ice and snow, or

2) in the event any violations shall continue for more than 48 hours after snow has fallen or ice has formed on the sidewalk, in addition to the penalty provided in section C (1) above, the owner or person responsible shall also be guilty of a violation, punishable by a fine not exceeding $1,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment.

2. Enforcement

1. This chapter and its provisions shall be enforced by the Village Police Department and/or by Village Code Enforcement responsible for enforcement of the Village Code and/or by any employee of the Village who shall be specifically empowered to do so by resolution of the Village Board.

**Section 2.3**

Wherefore, Article 178-17 of the Code of The Village of Weedsport entitled “Penalties for Offenses” currently reads:

§ 178-17 Penalties for offenses.

A violation of this chapter, or any section thereof, or any part of any section thereof, shall be a violation and shall be punishable as provided in Chapter 1, General Provisions, Article I, General Penalty, of the Code of the Village of Weedsport. Nothing herein contained shall prevent the Board of Trustees of the Village of Weedsport from enforcing obedience of this chapter or any part or section thereof by injunction or other legal proceedings before any court of competent jurisdiction or in any other legal manner.

**And whereas, this section has been re-written and included in section 178-16 it is hereby struck from the Code of the Village of Weedsport and shall read as follows:**

§ 178-17 [Repealed]

**Section 3.**

**Statutory Authorization and purpose**

**Section 3.1.**

Any local law, ordinance, or resolution of the Village of Weedsport in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

**Section 4.**

**Survivability**

**Section 4.1.**

If any clause, sentence, paragraph, section, article, or part of this local law be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 5.**

**Effect**

**Section 5.1.** This local law shall take effect immediately upon its being filed with the Secretary of State

**ENFORCERS**

Trustee Gross made the motion, seconded by Trustee Sims, all ayes to empower the following individuals to enforce Local Law No 1 (reappointments will be made at annual meetings) Paul Casper, Gary Gibson, Jeffrey Goodell, Michael Gilfus, and James La Force, DPW staff. Officer in Charge Gilfus will get some packets together of tickets for use.

**Reso#26-21**

**PARKING**

Erie Drive parking decision is on hold waiting on the surveyor. A lot of parking spots seem to be being utilized by renters which is not leaving room for business patrons. Looking at a couple possible two-hour parking spots behind Heather’s hair salon. Village attorney is going to look at the guidelines closer for this and present in final form at the next meeting.

**BEAUTIFICATION COMMITTEE**

Advertise for members in the months of February and March and plan to begin in April. Clerk will put up a sign at the post office.

**ADJOURNED**

Trustee Platten made the motion, seconded by Trustee Clark, all ayes, to adjourn the meeting

at 9:57 p.m.

Christine Spoor

Village Clerk