

Regular Board Meeting

June 6, 2019

7:00 p.m.

Present – Mayor John King, Trustees Steven Lawton, Vincent Chicone, James Ryan

Absent – Trustee Philip Smith

Also Present – Alyssa Hammond, Clerk-Treasurer; Dean Hillyard, DPW Superintendent; Troy Taylor, Tina Forney, Michael O’Connell, Katherine Herleman, Chris Skawski, Phil Cherry, Katie Sirrine

Mayor King called the meeting to order at 7:00 p.m. and asked for the pledge of allegiance.

Troy Taylor was present as the owner of TJ’s Bar & Grill on West Main Street. He would like to hold a benefit ride on September 7, 2019 at the Main Street Park. He would like to sell alcohol and have some food available. The board agreed to allow use of the park, contingent upon the receipt of an operating permit application, insurance information, and a copy of his liquor license. The board added that he must have licensed security at the event and that the park must be roped off to deter alcohol from being taken off the property. Mr. Taylor agreed to follow up with the Village Clerk with that information.

Michael O’Connell was present on behalf of Larson Design Group to give an update to the board on the various projects going on.

Trustee Ryan offered a resolution, seconded by Trustee Chicone approving Change Order #3 for the Water Improvement Project, resulting in an increase of \$22,360.00 for the project. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Ryan offered a resolution, seconded by Trustee Lawton approving Payment Application #6 for John F. & John P. Wenzel Contractors, Inc. for the Water Improvement Project. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Katherine Herlemen, Chris Skawski, and Phil Cherry were all present to give updates on the energy grant. They presented the board with proposed changes to the Code of the Village of Montour Falls Chapters 62 and 75 regarding demolition permits.

Phil Cherry presented information about his upcoming Energy Reduction Campaign, including goals, methods, and potential kick-off event ideas. Phil was contacted following the May 19 Board Resolution authorizing the creation of a campaign and is the regional CEEP Contractor. He is providing this service at no cost to the Village.

Trustee Ryan offered the following resolution, seconded by Trustee Lawton:

**Whereas** the Village of Montour Falls seeks to promote the responsible disposal of construction and demolition waste products created as a result of projects within the Village, and;

**Whereas** the recycling and reuse of ‘waste’ products from construction and demolition projects within the Village are in line with the Village’s stated goals to reduce waste and promote sustainability, as affirmed in the Climate Smart Communities Pledge Resolution, passed by the Village Board on June 21, 2018, and;

The Village hereby votes to adopt the following resolution in order to reduce waste from construction and demolition projects and promote the reuse and recycling of such waste products within the Village:

#### Definitions

Building Permit and Building Permit Application shall herein refer to a permit issued for construction projects within the Village, and the application for same, as defined in Chapter 62, Sections 2-4 of the Code of the Village of Montour Falls.

Construction Projects shall herein mean any construction or building project for which a building permit may be issued, pursuant to Chapter 62, Section 4 of the Code of the Village of Montour Falls.

Demolition Projects shall refer to any demolition or deconstruction project for which a demolition permit may be issued, pursuant to Chapter 75, Section 3 of the Code of the Village of Montour Falls.

Demolition Permit and Demolition Permit Application shall refer to a permit filled out specifically for a demolition project, and the application for same, as delineated in Chapter 75, Section 4 of the Code of the Village of Montour Falls.

“Waste Products” or “Waste Materials” shall refer to byproducts or other refuse materials created as a result of construction or demolition processes, such as brick, stone, wood, metal scraps including screws or other fasteners, electrical components, glass, building components including doors and other whole elements, porcelain elements, pipes and plumbing, or other such materials; “waste materials” shall NOT refer to hazardous materials, such as lead, asbestos, or other materials, the disposal provisions for which are separately delineated in relevant State and Local Codes.

“Hazardous Materials” shall refer to the specific subclass of construction and demolition project byproduct, such as lead and asbestos, the disposal provisions for which are separately delineated in various local and state codes.

“Recycling” or “Recycling Center” shall refer to the process of making waste materials available for the creation of future materials; or a relevant center, agency, or other organization that is concerned with the process of recycling defined herein.

“Reuse” or “Reuse Center” shall refer to the process or processes of using a whole element or fixing a partially whole element, created by or salvaged from one construction or demolition project, and used in another; or a relevant center, agency, or other organization that is concerned with the reuse of such materials defined herein.

Fee Schedule shall refer to the appropriate fees levied by the Village on those applying for building and/or demolition permits, pursuant to the relevant sections of the Village Code.

#### Specific Actions

- i. The Village hereby amends the existing Building Permit to add the following provision:
  - a. On the page bearing the heading “Additional Requirements,” adding a requirement for the filer to outline the processes by which construction waste will be disposed of. See attached permit application.
  - b. References to ‘Demolition’ are hereby stricken to reflect the creation of the Demolition Permit.
- ii. The Village hereby adopts the newly created Demolition Permit, which is attached to this resolution, which requires filers to provide information as delineated in Chapter 75, Section 4 of the Code of Montour Falls.
  - a. The Demolition Permit Application and Demolition Permit will have the fee schedule as adopted by the Village of Montour Falls.
- iii. The Village will amend the Building and Demolition Permit Fee Schedule in the following ways:
  - a. All applicants will be eligible for a 50% reduction in their permit fee if they submit an additional plan detailing their plans to recycle and/or reuse 50% of the waste materials from the construction and/or demolition project for which they are applying for a permit.
  - b. Pursuant to their responsibilities as described in Chapter 62, Section 3, and Chapter 75, Section 4, of the Village Code, the Code Officer will be responsible for reviewing submitted recycling and/or reuse plans to assess their feasibility, completeness, and responsible for their ultimate approval; the Code Officer is also responsible for ensuring compliance with the submitted permit.
  - c. Once approved, the fee reduction will be applied by the relevant Village staff who are normally tasked with handling such fees.
  - d. The Fee Schedule for the Village of Montour Falls will be edited where necessary to reflect these changes.
- iv. The Village adopts the following internal policies regarding construction and demolition project waste materials from projects carried out by the Village Department of Public Works.

- a. Where applicable, the Village DPW will seek to recycle and/or reuse as much construction, demolition, or other project waste as is feasible given project budgets, staff time, and estimated project completion time.
- b. The Village DPW will explore strategies to reduce construction and demolition waste where possible, as well as possible strategies for waste material recycling and reuse; such strategies may involve partnership with an outside organization for the removal, recycling, and/or reuse of waste materials. The Village DPW shall have the authority to explore such options, and the final authority for granting such partnerships shall lie with the Village Board.
- c. The Superintendent of the Village DPW, or their appropriately designated foreman, shall have final say in assessing whether, and to what extent, the recycling and reuse is feasible for a given project.

The foregoing resolution was put to vote and resulted in the following: AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Ryan offered a resolution, seconded by Trustee Lawton to schedule a Public Hearing for June 20, 2019 at 7:30 p.m. for the purpose of hearing comments on Local Law #2-2019 amending the Code of the Village of Montour Falls, Chapter 62 – Building Construction and Fire Prevention, and Chapter 75 – Demolition Permits. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Ryan offered the following resolution, seconded by Trustee Chicone:

**Whereas** the Village of Montour Falls seeks to create a sustainable, accessible streetscape that promotes multiple modes of transportation, and;

**Whereas** “Complete Streets” are streets that are planned, designed, operated, and maintained to enable safe access to all users, and;

**Whereas** the Village seeks to promote multimodal transportation as a means of reducing emissions related to vehicle use, which in turn creates greater air quality, and;

**Whereas** intentional and sustainable design of Village infrastructure projects promote a healthier environment and is in line with the Village’s commitment to promote sustainability as outlined in the Climate Smart Communities Pledge Resolution, passed by the Village Board on June 21<sup>st</sup>, 2018;

The Village of Montour Falls hereby votes to adopt the following Complete Streets Policy as a guiding principle for the improvement of our transportation infrastructure and recommends the policy’s adoption into the forthcoming Comprehensive Plan as a means of ensuring its effects in future projects.

Complete Streets Policy Provisions

“Complete Streets” refers to streets that are intentionally designed for the purpose of promoting equal access to the Village’s network of streets across all modes of transportation. Most often, this takes the following forms, which the Village hereby adopts as project guidelines:

- i. The Village will strive to create an interconnected network of streets that are accessible by pedestrians, bicyclists, motorists, and bus riders of all ages and abilities. This includes the safe passage along and across Village streets.
  - a. To achieve these goals, the Village will undertake to identify potential grant or other funding options in order to more fully realize the Complete Streets goals.
- ii. The Village will seek to realize its Complete Streets vision and develop its street projects in ways that are responsible, affordable, balanced and equitable way by considering the needs of all travelers.
- iii. The Village recognizes that not every design element or feature will be needed or feasible for every street project but commits to the goal of accommodating everyone.
- iv. The Village will incorporate Complete Streets goals into all new construction, reconstruction, and maintenance road projects.

- a. Complete Streets projects undertaken by the Village may include the following: improved bus or public transit access, special bus lanes, special bike lanes, sidewalk and curb upgrades, crosswalk upgrades, streetscape and lighting design audits, shade and infrastructure studies, and more.
- v. The Department of Public Works is hereby designated as the lead department in implementing the Complete Streets policy and shall consult with the Village Board on matters relating to implementing the Complete Streets Policy. The Village Board retains the right of final say on projects within the Village.
- vi. The Village will, to the extent feasible, incorporate the Complete Streets Policy while taking the following into account:
  - a. The additional cost to the Village to incorporate Complete Streets goals and whether that would be excessive or disproportionate to the larger street project.
    - i. For example, whether Complete Streets goals would be too expensive to implement while conducting routine spot pavement repairs or isolated curb or sidewalk maintenance.
  - b. The possibility of creating a public safety risk by the incorporation of Complete Street ideals into a given street project.
  - c. The current and future population of the street or road.
    - i. For instance, that a road is so sparsely populated that it is unlikely to see a rise in pedestrian traffic in the future, even with a sidewalk.
  - d. The current and future economic and sustainable development goals of the Village and whether incorporating Complete Streets goals can be done while maintaining those economic and sustainable development goals.
  - e. The current state of utilities, both Village and those belonging to a utility company, and their placement in a given street, and how Complete Streets goals can be implemented around or incorporating those utilities.
  - f. The built and natural environment, and how implementing Complete Streets Policy goals will impede or strengthen the local character and systems.
  - g. Future physical climate risk due to flooding and extreme heat have been considered, and that the Village consider incorporating these factors into street infrastructure design, as per NYSDEC Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act and NYSDEC Guidance for Smart Growth Public Infrastructure Assessment.

The foregoing resolution was put to vote and resulted in the following: AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Fire Chief Burns reported:

- Used the new ATV for the WNYOA race. It was absolutely necessary and was a great asset to have.
- Need to get the new ATV lettered.
- Carnival is coming up this weekend, will have Beaver Dams and Watkins Glen on standby.
- Would like to start looking into getting bullet proof vests to have in the trucks.

Regional Wastewater Treatment Plant Update from Mayor King:

- Administration building will arrive in 2 weeks.
- Currently working on the SBR tanks and doing rebar work.

Trustee Lawton offered a resolution, seconded by Trustee Ryan authorizing the Montour Falls Library to use the Main Street Park on August 16, 2019 from 2:00-6:00 p.m. for their Summer Learning Celebration. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Ryan authorizing a refund of the \$200.00 to Shane and Lisa Austin for their deposit on Dock #42S, therefore making that dock available for rent. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Lawton offered a resolution, seconded by Trustee Chicone approving the Worksite Agreement with the Schuyler County Youth Bureau for the year 2019. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Ryan approving an Intermunicipal Agreement with Schuyler County regarding a grant on the Bridge/Trail Connector Project, further authorizing Mayor King to sign the agreement. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Lawton offered a resolution, seconded by Trustee Chicone to make an informal offer of no more than \$68,000.00 to the Appel family for the Appel Property on N. Seneca Street to be used for the Wellhead Protection Program. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Ryan to make an informal offer of no more than \$25,000.00 to Ruth Hayes for her property that borders the Montour Marina to be used for an expansion of the Montour Falls Municipal Marina & Campground. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Ryan authorizing Eric Thorpe to hold a Chicken BBQ at the pavilion at the Montour Marina. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Lawton offered a resolution, seconded by Trustee Ryan approving a Pump Maintenance Agreement with Lana Mathers for a new water service connection and water pump to be installed at a new home that will be going in at 3680 County Rd. 16, Montour Falls. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Mayor King reported:

- Attended 2 DOT meetings regarding the Route 14 project.
- Attended the groundbreaking for the new Habitat for Humanity house.
- Spoke to the women's league of voter's and did a presentation on the current happenings in the Village.

Dean reported that the DPW has been busy at working trying to get the Marina back in good order after last year's floods.

Trustee Chicone offered a resolution, seconded by Trustee Lawton authorizing the payment of bills on General Abstract #020 for \$97,027.73, Water Abstract #020 for \$5,010.15, Sewer Abstract #020 for \$4,907.46, Trust & Agency Abstract #020 for \$3,162.25. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Lawton authorizing the payment of bills on General Abstract #001 for \$9,527.11, Sewer Abstract #001 for \$53.08, Trust & Agency Abstract #001 for \$168.00. AYES: Trustee Lawton, Trustee Chicone, Trustee Ryan. NOES: None. Resolution carried.

Trustee Lawton offered a resolution, seconded by Trustee Chicone to adjourn the meeting at 9:30 p.m. Resolution carried.

Respectfully submitted,

Alyssa Hammond, Clerk-Treasurer