Mayor Talerico called the meeting to order at 7:00 PM followed by the pledge of allegiance and roll call.

**Present:** Mayor Ernie Talerico, Trustee Edwards, Trustee Chamberlain, Trustee Copperwheat, Trustee Kulpa

**Also, Present**: Village Attorney Kathryn Festine, Chief Rick Ulinski, Chief Robert Frankland, Highway Foreman Sean Brady, Budget Officer Brenda Mitchell, Village Engineer Al Swierczek, Code Enforcement Officer John Constas

**Open Forum**:

Anatoliy Terebey – 38 Chestnut Street advised the Board that he is having trouble with deer in his yard. There seems to be an influx of them and they are destroying his landscaping. Attorney Festine advised Mr. Terebey to contact the local division of the DEC and see if they can offer any advice.

**Regular Business**

A motion was made by Trustee Copperwheat, seconded by Trustee Kulpa to approve the Treasurers Report for November 2023. All in favor, motion passed.

A motion was made by Trustee Edwards, seconded by Trustee Chamberlain to approve Abstract #78 General Fund Amount of $117,918.05 Library Fund $2,211.22 with a total of $120,129.27. Voucher numbers #365-424. All in favor, motion passed.

A motion was made by Trustee Edwards seconded by Trustee Copperwheat to accept the minutes from the November 14, 2023 Board Meeting. All in favor, motion passed. (Meeting minutes are on file in the Clerk’s Office).

**DEPARTMENTS**

**Fire Department**– written report is on file in the Clerk’s Office for November 2023.

**Resolution 62-2023:** A motion was made by Trustee Copperwheat, seconded by Trustee Edwards to accept the list of Elected Officers from the New York Mills Fire Department. All in favor, motion passed.

A motion was made by Trustee Edwards, seconded by Trustee Copperwheat to accept the Fire Department report for November 2023. All in favor, motion passed.

**Highway** – written report on file in Clerk’s Office for November 2023.

Trustee Edwards made a motion, seconded by Trustee Kulpa to accept the Highway Report for November 2023. All in favor, motion passed.

**Police** – written report on file in Clerk’s Office for November 2023.

**Resolution 63-2023:** Trustee Kulpa made a motion, seconded by Trustee Copperwheat to accept the resignation of Police Officer Michael Firley. All in favor, motion passed.

**Resolution 64-2023:** Trustee Kulpa made a motion seconded by Trustee Copperwheat pending Civil Service Approval to hire Jeffrey Chase as a Patrol Officer Part-Time Competitive. All in favor, motion passed.

A motion was made by Trustee Copperwheat, seconded by Trustee Edwards to approve the Police Report for November 2023. All in favor, motion passed.

**Code Enforcement** – written report is on file in the Clerk’s Office for November 2023.

A motion was made by Trustee Edwards seconded by Trustee Copperwheat to approve the Codes report for November 2023. All in favor, motion passed.

**Attorney’s Report** – Attorney Festine addressed the Board with the recommendation of passing Local Law #5 of 2023 as follows:

# Local Law No. 5 of 2023

# A LOCAL LAW TO ENHANCE ENFORCEMENT OF PARKING VIOLATIONS IN THE VILLAGE OF NEW YORK MILLS

**BE IT ENACTED** by the Village Board of Trustees for the Village of New York Mills as follows:

Section 1. Legislative findings; purpose.

A. The Village Board finds that significant numbers of vehicle owners fail to respond to parking summonses issued for violations of parking orders, rules, regulations, and local laws; that a significant number of such owners are persistent violators; and that, by reason of out-of-state registration of vehicles, transfer of ownership, reregistration of vehicles, and other circumstances, violators frequently are able to evade existing enforcement measures.

B. By reason of the foregoing, the Village Board finds that the health, welfare and safety of the Village will be served by adoption of a Village local law providing additional means of enforcing parking orders, rules, regulations, and local laws in the case of vehicle owners who fail to timely respond to summonses issued for Village parking violations.

Section 2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PARKING VIOLATION DEFAULT

A parking violation default is incurred when an unpaid parking summons has not been answered by the required appearance date.

VEHICLE

Includes a motor vehicle as defined in § 125 of the Vehicle and Traffic Law, a tractor as defined in § 151-a of such law; or a trailer as defined in § 156 of such law, as such sections may be amended from time to time.

VEHICLE IMMOBILIZATION

The clamping, affixing, or locking of a booting device onto the wheel of a parked vehicle to prevent the wheel from rotating, thereby immobilizing the vehicle.

VEHICLE IMMOBILIZATION DEVICE

A device that is clamped, affixed, or locked onto the wheel of a parked vehicle to prevent the wheel from rotating, thereby immobilizing the vehicle until it is unlocked and removed.

Section 3. Vehicle immobilization.

A. Authorization. The Chief of Police is hereby authorized to provide for vehicle immobilization with respect to vehicles which have two or more outstanding Village parking violation defaults against them.

B. Notice. When a vehicle immobilization device is used, the Police Department shall attach or cause to be attached to the vehicle, in a conspicuous manner, in such form as may be directed by the Chief of Police, a notice in substantially the following form:

NOTICE

THIS VEHICLE HAS BEEN IMMOBILIZED BY THE NEW YORK MILLS POLICE DEPARTMENT FOR DELINQUENT PARKING VIOLATION TICKETS. DO NOT ATTEMPT TO REMOVE OR TAMPER WITH. 'I'HE BOOT. THIS MAY CAUSE DAMAGE: TO THE BOOT AND/OR THE VEHICLE. TAMPERING WITH THE BOOT IS AN OFFENSE PUNISHABLE BY A FINE OF $300 PLUS THE COST OF FIXING OR REPLACING THE BOOT AND/OR DAMAGE TO THE STREET.

TO HAVE THE BOOT REMOVED, CONTACT THE NEW YORK MILLS POLICE DEPARTMENT TO MAKE ARRANGEMENTS TO PAY ALL DELINQUENT PARKING VIOLATION TICKETS AND AN ADMINISTRATIVE FEE OF $50 TO THE NEW YORK MILLS VILLAGE OFFICE DURING NORMAL BUSINESS HOURS. THE BOOT WILL BE REMOVED BY THE POLICE UPON PRESENTATION OF THE CERTIFICATE OF PROOF OF PAYMENT ISSUED BY THE VILLAGE CLERK. IF THE DELINQUENT TICKETS ARE NOT PAID WITHIN 48 HOURS OF APPLICATION OF THE BOOT, THE VEHICLE MAY BE TOWED AS AN ABANDONED VEHICLE IN VIOLATION OF THE NEW YORK STATE VEHICLE AND TRAFFIC LAW AND AT YOUR EXPENSE.

Section 4. Release of vehicle to owner.

A. Generally. The individual attempting to redeem a vehicle that has been immobilized must demonstrate to the satisfaction of the Village Clerk that he or she is the owner of said vehicle or is authorized to act on behalf of such owner.

B. Release of Immobilized vehicles.

(1) To obtain the release of an immobilized vehicle, the owner or authorized representative of the owner of said vehicle shall first contact the New York Mills Police Department to make arrangements to be accompanied by a police officer to visit the Village Office during normal business hours and provide the Clerk with payment in full of all outstanding Village parking violations relating to the vehicle. Upon receiving payment for all outstanding Village parking violations, together with an administrative fee of $50 to cover the cost of engaging and removing the vehicle immobilization device, the Clerk shall provide the owner with a certificate as proof of payment.

(2) After obtaining the certificate described above in Section B (2), the owner of an immobilized vehicle shall visit the office of the Police Department during normal business hours and present said certificate. Thereafter, the Chief of Police or his duly designated agent shall remove the vehicle immobilization device in a reasonably prompt manner.

(3) New parking summonses may be issued to a vehicle that has been fitted with a vehicle immobilization device, and penalties will continue to accrue until payment is made.

Section 5. Tampering with or attempted removal of a vehicle immobilization device.

Any person who attempts to remove, deface, or destroy a vehicle immobilization device, having no lawful right to do so, shall be in violation of this Village law. Notwithstanding any other provision of this chapter, the fine for such violation shall be $300, plus all actual expenses for replacement and/or repair of the vehicle immobilization device.

Section 6. Severability.

Each separate provision of this chapter shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 7. Repealed.

This chapter shall supersede all prior local laws, ordinances, rules and regulations which may be inconsistent with the provisions of this chapter.

Section 8. When effective.

This chapter shall take effect immediately upon filing with the Secretary of State.

Section 9. Numerical/lettering designations.

The chapter designations and numerical/lettering designations of the sections included in this chapter shall be delegated to the discretion of General Code, which may renumber the chapter and sections included in this chapter as necessary to accommodate incorporation of this chapter in the Code of the Village of New York Mills.

This local law shall take effect immediately upon filing with the Secretary of State.

**Resolution 65:2023: A motion was made by Trustee Copp**erwheat, seconded by Trustee Edwards to introduce Local Law #5. All in favor motion passed.

**Resolution 66:2023:** A motion was made by Trustee Copperwheat, seconded by Trustee Edwards to schedule a Public Hearing for Local Law #5 on January 9, 2024 at 7PM. All in favor, motion passed.

Attorney Festine addressed the Board with the recommendation of passing Local Law #6 of 2023 as follows:

Introductory Local Law No.6 of 2023

A Local Law to Amend Section 196-1 of the Village Code

Be it Enacted by the Board of Trustees of the Village of New York Mills:

Authority

This Local Law is enacted pursuant to the Authority granted pursuant to Article 10 of the Municipal Home Rule Law.

Amendment to Section 196-1 of the Code of the village of New York Mills

Chapter 196 ("Vehicle Towing and Storage") § 196-1 (B) ("Removal of abandoned or illegally parked vehicles; storage; charges.") is hereby amended to read as follows:

§ 196-1

B. Storage and charges. After removal of any vehicle as provided in this chapter, the vehicle will be stored pursuant to the rules and regulations of this chapter by a designated and duly licensed business or in a suitable location designated by the Chief of Police. Towing and storage charges will be at the expense of the owner. Such person in charge of said vehicle may redeem same upon payment to the tow service of the amount of all expenses actually and necessarily incurred. In effecting such tow and storage, the standard tow charge shall not exceed $150. If a flatbed tow is required, the tow charge shall not exceed $175. Storage charges shall not exceed $45 per day, and the first 12 hours of storage shall be at no charge. There shall be an inside storage fee of $65 per day if the police authorize it or the owner requests it. If required, an additional Off-Road Winch fee may be applied and will not exceed $125. A non-hazardous debris cleans up fee shall not exceed $75. If additional towing personnel are required an additional fee may be applied.

Severability.

If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

**Resolution 67:2023: A motion was made by Trustee Kulpa**, seconded by Trustee Copperwheat to introduce Local Law #6. All in favor motion passed.

**Resolution 68:2023:** A motion was made by Trustee Kulpa, seconded by Trustee Copperwheat to schedule a Public Hearing for Local Law #6 on January 9, 2024 at 7PM. All in favor, motion passed.

**Engineer Report**: - Village Engineer Al Swierczek advised the Board that he has not heard back from the companies hired to perform the sewer updates. Due to the inclement weather the project has been tabled until the Spring of 2024.

A motion was made by Trustee Chamberlain, seconded by Trustee Copperwheat to approve the Engineer Report for November 2023. All in favor, motion passed.

**Budget Director Report**: Budget Director report is on file for the month of November 2023.

A motion was made by Trustee Edwards, seconded by Trustee Kulpa to approve the November 2023 Budget Officer Report. All in favor, motion passed.

**Recreation Report**:

Trustee Edwards wanted to take this time to thank everyone for their help with Christmas on Main Street. Once again this was a great success.

**NEW BUSINESS:**

**Resolution 69-2023**: A motion was made by Trustee Copperwheat, seconded by Trustee Kulpa to give Mayor Talerico permission to enter in a Brine Agreement with the Town of New Hartford. All in favor, motion passed.

**Resolution 70-2023: A** motion was made by Trustee Edwards, seconded by Trustee Kulpa to allow Chief Frankland to put the 2018 Ford Explorer Police Vehicle up on Auctions International. All in favor, motion passed.

**Resolution 71-2023:** A motion was made by Trustee Kulap, seconded by Trustee Copperwheat for the following wage increases January 1, 2024:

|  |  |
| --- | --- |
| Tracy Maycock | $17.00 |
| Susan Vincent | $17.00 |
| Mihee Joe | $17.00 |
| Miriam Mancuso | $17.00 |
| Chelsey Plows | $15.00 |
| Jordan Roback | $15.00 |
| Bob Glenn | $15.00 |
| John Meagher | $16.00 |
| Brenda Mitchel | $20.00 |

Village Clerk Treasurer Amy Topor will receive an additional $2400 annually. All in favor, motion passed.

**Resolution 72-2023:** A motion was made by Trustee Kulpa, seconded by Trustee Copperwheat to hire Chris O’Neal as a Motor Equipment Operator for the DPW at $24.45 per hour. All in favor, motion passed.

**Resolution 73-2023:** A motion was made by Trustee Kulpa, seconded by Trustee Copperwheat pending the DPW Members approval to hire Jeremy Brady as a full time Laborer at $19.00 per hour. All in favor, motion passed.

**Resolution 74-2023** A motion was made by Trustee Copperwheat, seconded by Trustee Edwards to approve of the following Tow Rotation beginning January 2024.

Elite

Advanced

Upstate

Norm’s

Burkhart

All in favor motion passed.

**Old Business:**

With no further business a motion was made by Trustee Kulpa, seconded by Trustee Copperwheat adjourn the meeting. All in favor, motion passed. 7:54PM.

Amy A Topor

Village Clerk/Treasurer