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 on zoom call

**Also, Present**: Fire Chief Rick Ulinski and Chief Robert Frankland

**Public Hearing for Local Law #1**

A motion was made by Trustee Edwards, second by Trustee Copperwheat to open the Public Hearing for Local Law #1. Public Hearing was open at 7:02PM. With no correspondence or public comments, a motion was made by Trustee Edwards, seconded by Trustee Chamberlain to close the Public Hearing. Public Hearing was closed at 7:03PM.

**Resolution 01-2024**: A motion was made by Trustee Copperwheat, second by Trustee Edwards to adopt Local Law #1 for 2024. All in favor, motion passed.

Introductory Local Law No.1 of 2024

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.

**Local Law #1 was adopted for 2024.**

**Public Hearing for Local Law #2**

A motion was made by Trustee Copperwheat second by Trustee Edwards to open the Public Hearing for Local Law #2. Public Hearing was open at 7:04PM. With no correspondence or public comments, a motion was made by Trustee Edwards, seconded by Trustee Chamberlain to close the Public Hearing. Public Hearing was closed at 7:05PM.

**Resolution 02-2024**: A motion was made by Trustee Copperwheat, second by Trustee Edwards to adopt Local Law #2 for 2024. All in favor, motion passed.

# Local Law No. 2 of 2024

# 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.

Attorney Festine addressed the Board with the recommendation of passing Local Law #2 of 2024 as follows:

Introductory Local Law No.2 of 2024

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.

**Open Forum**:

None

**Regular Business**

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

A motion was made by Trustee Edwards, seconded by Trustee Chamberlain to approve Abstract #8 General Fund Amount of $103,176.10 Library Fund $10,464.76 with a total of $113,822.86. Voucher numbers #426-478. All in favor, motion passed.

A motion was made by Trustee Chamberlain seconded by Trustee Copperwheat to accept the minutes from the December 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 December 2023.

**Resolution 03-2024:** A motion was made by Trustee Copperwheat, seconded by Trustee Edwards to accept Ashlyn Morrisey as an Age Restricted Member of the New York Mills Fire Department. All in favor, motion passed.

**Resolution 04-2024:** A motion was made by Trustee Edwards, seconded by Trustee Copperwheat to accept Mason Palmer, Adam Krzyzanowski and Gaetano Moreale as full members of the New York Mills Fire Department. All in favor, motion passed.

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

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

**Resolution 05-2024:** A motion was made by Trustee Edwards, seconded by Trustee Copperwheat to purchase a 2022 International Swap Loader and Dump Box for $217,628.00 with financing to be determined. All in favor, motion passed.

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

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

**Resolution 06-2024:** Trustee Chamberlain made a motion, seconded by Trustee Copperwheat to accept the bid of $9,350.00 for the sale of the 2018 Ford Explorer. All in favor, motion passed.

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

**Code Enforcement** – written report is on file in the Clerk’s Office for December2023.

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

**Attorney’s Report** – Nothing to Report

**Engineer Report**: - Nothing to Report

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

2024-2025 Budget Hearing have been scheduled as follows:

**Tuesday February 20th**

6:30 PM – 7:00 PM – Library

7:00 PM – 7:30 PM – Codes

7:30 PM – 8:00 PM – Court

8:00 PM – 8:30 PM – Parks & Recreation

**Monday February 26th**

6:30 PM – 7:00 PM – Clerk

7:00 PM – 8:00 PM – Highway Department

8:00 PM – 9:00 PM – Police Department

**Tuesday March 5th**

6:30 PM – 7:30 PM – Fire Department

7:30 PM – 8:00 PM – Village Engineer

8:00 PM - 8:30 PM – Mayor/Trustees/Revenues

A motion was made by Trustee Copperwheat, seconded by Trustee Chamberlain to approve the December 2023 Budget Officer Report. All in favor, motion passed.

**Recreation Report**: Nothing to Report

**NEW BUSINESS:**

**A motion** was made by Trustee Chamberlain, seconded by Trustee Edwards to hire an outside Engineer to assess the flooding issues in the Elm/Main/Meadow Street areas. All in favor, motion passed.

**Resolution 07-2024**: A motion was made by Trustee Copperwheat seconded by Trustee Kulpa to enter into an agreement with New York Class:

Municipal Cooperation Resolution WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

WHEREAS the Village of New York Mills wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS the Village of New York Mills wishes to satisfy the safety and liquidity needs of their funds;

Now, therefore, it is hereby resolved as follows: That Village of New York Mills is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

All in favor, motion passed.

**Resolution 08-2024: A** motion was made by Trustee Copperwheat, seconded by Trustee Chamberlain to schedule Grievance Day on February 20, 2024 from 6-8PM. 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. 7:34PM.

Amy A Topor

Village Clerk/Treasurer