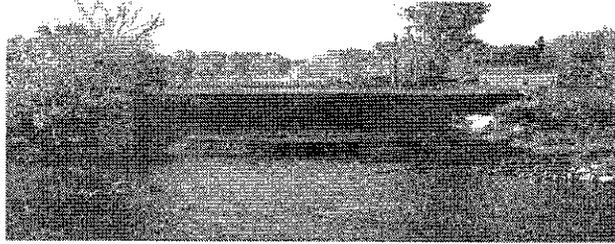


Board of Trustees
Village of Black River, New York



Agenda
Regular Meeting
August 1, 2016

- Call to order.
- Pledge of Allegiance.
- Approval of minutes of the 7/11 regular meeting.
- Public Comment.
- Code Enforcement Report & review of related correspondence.
- Superintendent's Report.
- Clerk-Treasurer's Report.
- Police Department Report.

Correspondence Received:

A) Senator Patty Ritchie

Re: Police car funding

Correspondence Sent:

New Business:

- A) Todd Froyssell- National Grid to discuss LED street lights
- B) Sept. meeting date
- C) Gazebo purchase

Unfinished Business:

- A) Farm animal public hearing
- Reports from Standing Committees.
- Reports from Special Meetings.
- Authorize payment of bills; adjournment.

Village of Black River
Board of Trustees
Regular Meeting
July 11, 2016

Mayor Carpenter called the meeting to order at 6:00 p.m. He led the Pledge of Allegiance and asked for a moment of silence in observance of the police officers that were shot in Dallas, Texas on July 7, 2016.

Present:

Mayor Lee Carpenter
Trustee Gary McCullough
Trustee Randolph Lake
Trustee Corey Decillis
Superintendent Steven Lillie
Police Chief Steven Wood
Clerk-Treasurer Kristin Burroughs

Absent:

Trustee Francis Dishaw

A motion was made by Trustee Lake, seconded by Trustee McCullough to approve the minutes of the June 6, 2016 regular meeting and June 29, 2016 special meeting minutes. The motion was carried.

Police Department Report: Police Chief Wood stated that he had received some written animal complaints and that he and Police Officer Dennis O'Brien had attended training.

Clerk-Treasurer Burroughs stated that the permissive referendum period for the police car purchase has ended and that there were no public comments.

A motion was made by Trustee Decillis, seconded by Trustee McCullough to adopt the following resolution:

Resolved, that a 2017 Ford Utility Police Interceptor with a 3.5 liter V6 engine be purchased from VanBortel Ford in the amount of \$39,661.23. The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee Decillis	Yes
Trustee McCullough	Yes
Trustee Lake	Yes
Trustee Dishaw	Absent

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Decillis, seconded by Trustee McCullough to adopt the following resolution:

Resolved, that the lettering and transfer of the radio to the new police vehicle be approved in an amount not to exceed \$2,000. The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee Decillis	Yes
Trustee McCullough	Yes
Trustee Lake	Yes
Trustee Dishaw	Absent

The motion was carried and the resolution duly adopted.

A motion was made by Trustee McCullough, seconded by Trustee Lake to enter into executive session at 6:19 p.m. to discuss pending litigation.

The Board exited executive session at 6:47 p.m.

Under advisement of the Village Attorney Mark Gebo, Mayor Carpenter abstained from the upcoming discussion and vote.

A motion was made by Trustee Decillis, seconded by Trustee McCullough to adopt the following resolution:

Resolved, that the Village of Black River will proceed with litigation against 119 N. Main St. The motion was put to a vote as follows:

Mayor Carpenter	Abstained
Trustee Decillis	Yes
Trustee McCullough	Yes
Trustee Lake	Yes
Trustee Dishaw	Absent

The motion was carried and the resolution duly adopted.

Superintendents Report: Superintendent Lillie stated that he, MEO Matthew Leary and MEO Joseph Paige obtained their DOT physicals. He stated that they went to the Village of Antwerp to assist with a large water leak.

Clerks Report: Clerk-Treasurer Burroughs stated she emailed some other municipalities regarding charging for interim and final water readings. The Board discussed the extra time and work that goes into obtaining and billing these readings.

A motion was made by Trustee Lake, seconded by Trustee McCullough to adopt the following resolution:

Resolved, that there will be a \$20 charge added to interim and final water bill readings. The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee Lake	Yes
Trustee McCullough	Yes
Trustee Decillis	Yes
Trustee Dishaw	Yes

The motion was carried and the resolution duly adopted.

A motion was made by Mayor Carpenter, seconded by Trustee Decillis to approve William Dixon, Mark Dickey and John Schumaker as members of the Black River Fire Department. The motion was carried. Trustee Lake abstained from the vote.

A motion was made by Trustee Decillis, seconded by Trustee McCullough to approve a facilities use request for the Bethany Masonic Lodge to use the Maple Street Park on July 17, 2016. The motion was carried.

A motion was made by Trustee McCullough, seconded by Trustee Decillis to open the public hearing on farm animals at 7:20 p.m. The motion was carried.

Village Board
July 11, 2016
Page -3-

A motion was made by Trustee Decillis, seconded by Mayor Carpenter to leave the public hearing open until the next meeting so that the Board may further review the proposed law. The motion was carried.

A motion was made by Trustee McCullough, seconded by Mayor Carpenter to adopt the following resolution:

Resolved, that the following abstracts of audited vouchers be approved: interim abstract dated 6/9/16 in the amount of \$23,320.25 (General Fund: \$681.47 Water Fund: \$1,093.95 Sewer Fund: \$20,933.85 Trust & Agency: \$610.98) interim abstract dated 6/23/16 in the amount of

\$9,800.38 (General Fund: \$9593.44 Water Fund: \$68.99 Trust & Agency: \$137.95) and regular monthly abstract dated 7/11/16 in the amount of \$111,666.45 (General Fund: \$9,633.39 Water Fund: \$3,909.24 Sewer Fund: \$97,984.60 Trust & Agency: \$139.22). The motion was put to a vote as follows:

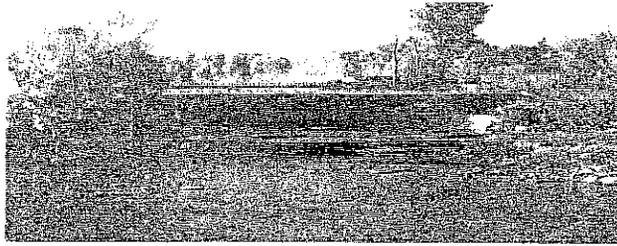
Mayor Carpenter	Yes
Trustee McCullough	Yes
Trustee Lake	Yes
Trustee Decillis	Yes
Trustee Dishaw	Absent

A motion was made by Trustee Lake, seconded by Trustee McCullough to adjourn the meeting at 7:31 p.m. The motion was carried.

Respectfully submitted,

Kristin Burroughs
Clerk-Treasurer

Board of Trustees
Village of Black River, New York



July 18, 2016

Ms. Joy Baker
USA Reality
642 Coffeen Street
Watertown, New York 13601

RE: 168-170 South Main Street, Black River, New York parcel number 15.00-3-7

Dear Ms. Baker:

This letter is in reference to the above referred address and parcel number and a complaint that the Village of Black River has received in regards to the property.

By receipt of this letter I must inform you that the following violations exist at his property and are in need of immediate correction. These are all violations of the Village of Black River Property Maintenance, Code Chapter 128 and the Unsafe Building Code of the Village Chapter 64., as well as the New York State Building and Fire Code and Property Maintenance Code which is the Village's code chapter 85. Each of these codes provide for enforcement of fines of \$250.00 dollars a day for each of the violations.

1. The lawn is in need of cutting is section 128-5 C and section 302.4 of the NYS property Maintenance Code which requires that all lawns to be cut below 9" in height
2. There is areas throughout the property on the porch and in the yard that have junk and garbage and tire in the yard that need to be removed. Sections 128.5 of the property maintenance code. And 307.1 of the NYS Property Maintenance code.
3. The vacant structure also has widows that are open and the vacant building needs to be secured. As this building has been deemed unfit for occupation through previous action this is a violation of the Village' Unsafe Building Code Chapter 64 64-3 and the NYS Property Maintenance Code section 107.1-107.1.4.

You are hereby ordered to make repairs to this property immediately upon receipt of this letter, Failure to take corrective action will result in the Village seeking legal action in a court of competent Jurisdiction.

THE SENATE
STATE OF NEW YORK



DEPUTY MAJORITY LEADER
FOR SENATE/ASSEMBLY RELATIONS

CHAIR
SENATE AGRICULTURE COMMITTEE

CHAIR
LEGISLATIVE COMMISSION ON THE
DEVELOPMENT OF RURAL RESOURCES

COMMITTEES
ALCOHOLISM & DRUG ABUSE
CIVIL SERVICE & PENSIONS
CRIME VICTIMS, CRIME & CORRECTION
CULTURAL AFFAIRS, TOURISM, PARKS &
RECREATION
ENERGY & TELECOMMUNICATIONS
FINANCE
HIGHER EDUCATION
LOCAL GOVERNMENT
TRANSPORTATION

SENATOR PATTY RITCHIE
48TH DISTRICT
OSWEGO, JEFFERSON, ST. LAWRENCE COUNTIES

July 19, 2016

Chief Steven Wood
Black River/Evans Mills Police Dept.
107 Jefferson Place
Black River, NY 13612

Dear Chief Wood:

I'm writing to let you know I recently secured \$20,000 for the Black River/Evans Mills Police Department.

This funding is to be utilized to assist with the purchase of a new vehicle. It is my hope that this assistance will help you to continue your efforts to make our region a safer place for all who live here.

Your organization plays a key role in protecting public safety, and I thank you for the important work you do on a daily basis to serve your community. Should have any questions regarding this funding, please do not hesitate to reach out to my office.

Sincerely,

A handwritten signature in cursive script that reads "Patty".

Patty Ritchie
State Senator

PAR:svc

REPLY TO: ALBANY OFFICE: ROOM 412 LEGISLATIVE OFFICE BUILDING, ALBANY, NEW YORK 12247 (518) 455-3438
 JEFFERSON COUNTY OFFICE: 317 WASHINGTON STREET, ROOM 418, WATERTOWN, NEW YORK 13601 (315) 782-3418
 OSWEGO COUNTY OFFICE: 46 EAST BRIDGE STREET, FIRST FLOOR, OSWEGO, NEW YORK 13126 (315) 342-2057
 ST. LAWRENCE COUNTY OFFICE: 330 FORD STREET, OGDENSBURG, NEW YORK 13669 (315) 393-3024

E-MAIL: RITCHIE@NYSENATE.GOV

WEBSITE: RITCHIE.NYSENATE.GOV



Village of Black River Planning Board
6/1/2016

Proposed Code Addition for Farm Animals and Wild and Exotics

Article VII

General Provisions for All Uses

Section 175-37

A. Farm Animals

- 1) It shall be unlawful for the owner of any farm animal to fail to comply with any of the minimum standards in this article.

- 2) The keeping, maintaining or slaughtering of any farm animal shall be permitted only in Agricultural Zones and on parcels within those zones which are appropriately sized for such purposes. A minimum lot size of 60,000 SF for the first animal and 20,000 SF for each additional animal shall be required. There shall be provided a pen or other enclosure having an area of no less than 1600 SF for the first animal and 400 SF of additional pen or enclosure for every additional animal. Within the pen there shall be a roofed structure no less than 100 SF per animal. Any such pen or enclosure shall be situated no less than 100 ft from any street or adjoining property line.

B. Wild or Exotic Animals

- 1) No person shall possess or keep a wild or exotic animal in the Village of Black River other than a zoological park, veterinarian hospital or clinic, humane society, commercial pet store, circus, amusement show or facility used for educational or scientific purposes, which provided proper cages, fences and other protective devices adequate to prevent such animals from escaping or injuring the public.

Definitions

Farm Animal - Domestic fowl, poultry, domestic hares, rabbits, mink and members of the equine, bovine, ovine and porcine species, or any other animal which may be raised for the purpose of a hobby, or for producing any consumable or marketable product or by-product.

Wild or Exotic Species - Any animal of a species prohibited by Title 50, Code of Federal Regulations, or otherwise controlled or prohibited by the State of New York. This shall include but not be limited to wild and exotic species from the:

Dog family, cat family, bears, weasels, raccoons, porcupine, skunks, snakes (venomous and constricting), lizards, alligators, crocodiles, venomous fish and piranha, venomous invertebrates, and any other non-native exotic species as determined by a qualified expert in the field.

On Monday, February 29, 2016 9:31 AM, Diane Collette <mgebo@gebolaw.com> wrote:

Could you please pass the letter below on to John Cook? I do not seem to find his email address. Thank you.

Diane E. Collette
Legal Assistant
Hrabchak & Gebo, PC
315-788-5900
Re: Farm Animals

Dear John:

Thank you for forwarding to me the proposed Code changes. I have the following comments:

1. Definition of Farm Animals -- I find no problem with the listing of animals, but suspect you may want to make a distinction between poultry and fowl and grazing animals.
2. As a very picayune point, I note that in your definitions, you have spelled "foul". I believe it should be "fowl".
3. I am concerned about the lot sizes you are requiring for animals. Again, there may need to be a distinction between poultry and fowl and grazing animals. The 60,000 square feet for the first chicken to me seems excessive, but it is a decision for you to make as a Board. If I wished to have six chickens as my daughter in Tacoma does, she would need a total of 160,000 square feet. This is well over three acres for six chickens.
4. In addition to that, she would have to have an enclosure for those same six chickens of 3,600 square feet. She would further have to have an enclosed roofed structure of 600 square feet which is a fairly substantial chicken coop for six chickens.
5. If the intent of the law is to make it difficult or impossible for anybody to have any type of farm animals in the Village, why not just prohibit certain things.
6. If the goal, however, to regulate having farm animals in the Village, then the regulations have to have some rational relationship to what it is you are trying to regulate. You should think in terms of how does the 100 square feet per chicken for a coop gear into some element the Village is trying to regulate?
7. I note that while the provisions you have here do provide for setbacks and enclosures, but it does not provide for odor control or waste removal. I am not sure if those are things which you wish to regulate in this law.

For your benefit, I am enclosing a copy of a law we have recently done in Lacona where they had an issue with goats. Frankly, there are many sample laws, especially as it relates to poultry and fowl as it has become somewhat popular to raise chickens for personal use in more urbanized settings. Please advise if you would like to see any provisions of the Lacona Law or any other law for that matter, incorporated into this.

Very truly yours,

HRABCHAK & GEBO, P.C.

Article 1. - Statement of Authority. The Village Board of the Village of Lacona, pursuant to the authority granted it under Article 3 of the Village Law and under Sections 10 and 10 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Village Board of the Village of Lacona finds that that the harboring of farm animals within the Village has created issues involving odor, noise, and waste removal. This is particularly egregious given the small size of the lots and the close proximity with which neighbors live to each other. It is the purpose of this local law to impose regulations on the keeping of farm animals within the Village.

Article 3. - Enactment.

I. The Village Board of the Village of Lacona hereby enacts as follows:

a) Definitions - Large farm animals shall be defined to include, but not be limited to horses, ponies, donkeys, mules, cows, llamas, alpacas, pigs, goats and sheep. **Poultry** shall be defined as geese, ducks, chickens, roosters, turkeys, pigeons, or poultry or any flocks of such. The definition shall not include cats and dogs.

b) Prohibition - No person owning less than two (2) acres continuous land within the Village of Lacona shall keep, harbor or shelter any **large** farm animal within the Village of Lacona. Roosters are not allowed.

c) Property Owners owning more that One (1) Acre of Land shall be allowed to keep farm animals within the Village subject to the following conditions:

1) The maximum number of animals will be limited to no more than six (6) large animals per acre.

2) The land on which such animals are kept must be properly fenced or the animals must be contained in a suitably sized structure.

3) **Poultry or** any flocks of such shall be housed in coops and/or suitably fenced to keep the fowl or poultry on the owner's property.

4) No roosters shall be allowed.

5) Any waste generated from large farm animals and

poultry must be removed from the property by the property owner on a regular basis no less frequently than weekly or sooner if necessary to avoid unnecessary odors to neighbors or the Village. Waste must not be located within 500' of a dwelling, not including the property owner's dwelling.

d) Property owners having large farm animals and poultry pre-existing, the law in the Village of Lacona are not exempt from this law. A homeowner with "farm animals" at the time of adoption of this law must come into compliance with this law within one hundred twenty (120) days of its adoption.

Article 4. - Penalties - any person not conforming to its provisions of this local law shall be guilty of a violation. The Village may seek to prosecute such individual on such violation and in doing so, on a finding of guilt, may seek a fine of up to \$250.00 per violation provided, however, that there shall be a minimum fine of \$50.00. Each week that an offense continues will be considered a separate offense. In appropriate cases, the Village may also seek injunctive relief in a Court of competent jurisdiction.

Article 5. - Severability. If any part of this local law 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 local law.

Article 6. Effective Date. This local law will take effect immediately upon filing with the Secretary of State.