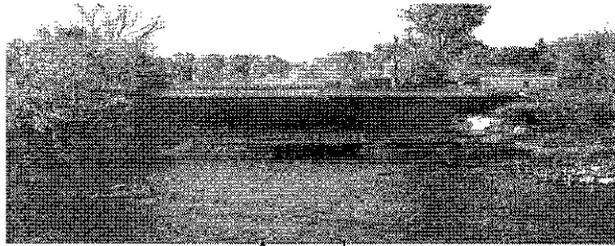


Board of Trustees
Village of Black River, New York



Agenda

Regular Meeting

March 5, 2018

- Call to order.
- Pledge of Allegiance.
- Approval of minutes of the 2/5/18 regular meeting & 2/15/18 special meeting.
- Public Comment.
- Code Enforcement Report & review of related correspondence.
- Superintendent's Report.
- Clerk-Treasurer's Report.
- Police Department Report.

Correspondence Received:

- | | |
|------------------------------|----------------------------|
| A) Black River Fire Dept. | Re: Annual report & budget |
| B) Joseph Russell | Re: Proposal follow up |
| C) NYCOM | Re: Annual membership dues |
| D) NYS Dept. of Health | Re: Water testing results |
| E) RACOG | Re: Membership info. |
| F) Black River Fire Dept. | Re: Airpac purchase |
| G) Jefferson County Planning | Re: Stewart's Shop |

Correspondence Sent:

- | | |
|----------------|-------------------------------------|
| A) Mark Bonner | Re: Garbage & recycling receptacles |
|----------------|-------------------------------------|

New Business:

- A) Tax cap public hearing.
- B) Set zone change public hearing Stewart's Shop (Tues. March 20)
- C) Tentative budget meeting date.

Unfinished Business:

- A) Property maintenance.
 - Reports from Standing Committees.
 - Reports from Special Meetings.
 - Authorize payment of bills; adjournment.

Village of Black River
Board of Trustees
Regular Meeting
February 5, 2018

DRAFT

Mayor Carpenter called the regular meeting to order and led the Pledge of Allegiance at 6:00 p.m.

Present:
Mayor Leland Carpenter
Trustee Francis Dishaw
Trustee Michael Caldwell
Trustee Gary McCullough
Superintendent Steven Lillie
Clerk-Treasurer Kristin Williams
Police Chief Steven Wood

Excused:
Trustee Corey Decillis

A motion was made by Trustee Dishaw, seconded by Trustee McCullough to approve the minutes of the January 8, 2018 meeting. The motion was carried.

Public Comments: Village Historian William Reichard was present to request that he be informed before sale of property in the village so that he may collect artifacts or take photographs.

New Business: Chuck Marshall from Stewart's Shops was present to discuss a zone change in order to build a new store. He stated that the new store will be 3700 square feet and will have three gas pumps as well as diesel and kerosene. Mr. Marshall stated that it will be a 1.5 million dollar project that would start in June and would take approximately 14 weeks to complete.

Trustee Decillis entered the meeting at 6:42 p.m.

Superintendent's Report: Superintendent Lillie stated that they have removed Christmas lights and updated wiring at the Rt. 3 well. He stated that there was some high water usage during the extremely cold weather and it was discovered that there were three abandoned homes in the Town of Rutland with broken pipes.

Clerk-Treasurer's Report: Clerk-Treasurer Williams stated that she would be viewing a demo of an accounting and water/sewer billing program. She stated that she would like to hold a budget meeting on Thursday, February 15th to discuss salaries and department requests. The board agreed.

Police Report: The board reviewed the written report.

Correspondence Received: The board reviewed letters from Conboy Law Firm, Attorney Mark Gebo regarding Stewart's Shop and Jefferson Street, Jefferson County Industrial Development Agency and Stewart's Shop.

Correspondence Sent: The board reviewed a letter sent to the owner of 106-108 LeRay St. regarding garbage collection.

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

Resolved, that a public hearing be held on March 5, 2018 at 6:00 p.m. in order to hear public comment on the property tax cap override. The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee McCullough	Yes
Trustee Decillis	Yes

Trustee Dishaw Yes
Trustee Caldwell Yes

The motion was carried and the resolution duly adopted.

The board agreed to move the April regular meeting to Monday the 9th due to the observance of the Easter holiday on Monday the 2nd.

A motion was made by Trustee Decillis, seconded by Trustee Dishaw to approve a facilities use request for March 3, 2018 for the Sally Ploof Hunter Memorial Library. The motion was carried.

A motion was made by Trustee McCullough, seconded by Trustee Decillis to approve Randolph Lake as an alternate member of the Zoning Board of Appeals. The motion was carried.

The board reviewed and completed the Full Environmental Assessment Form (EAF) for the Stewart's Shop Project.

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

Resolved, that based on the review of part 2 of the EAF for the proposed Stewart's Shop zone change it is determined that this project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Therefore, a negative declaration is issued. The motion was put to a vote as follows:

Mayor Carpenter Abstained
Trustee Decillis Yes
Trustee Caldwell Yes
Trustee Dishaw Yes
Trustee McCullough Abstained

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Decillis, seconded by Trustee Dishaw to send the proposed zone change to Jefferson County Planning for 239M review. The motion was carried.

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

Resolved, that the following abstracts of vouchers be approved: interim abstract dated 1/19/18 in the amount of \$7,830.32 (General Fund: \$7,450.07 Water Fund: \$101.13 Trust & Agency: \$279.12) interim abstract dated 2/1/18 in the amount of \$341.29 (General Fund: \$121.97 Trust & Agency: \$219.32) and regular monthly abstract dated 2/5/18 in the amount of \$37,171.51 (General Fund: \$23,238.29 Water Fund: \$13,933.22). The motion was put to a vote as follows:

Mayor Carpenter Yes
Trustee Dishaw Yes
Trustee Decillis Yes
Trustee McCullough Yes
Trustee Caldwell Yes

The motion was carried and the resolution duly adopted.

Respectfully submitted,

Kristin Williams
Clerk-Treasurer

Village of Black River
Board of Trustees
Special Meeting
February 15, 2018

DRAFT

Mayor Carpenter called the meeting to order at 6:10 p.m.

Present:

Mayor Leland Carpenter
Trustee Francis Dishaw
Trustee Michael Caldwell
Trustee Gary McCullough
Trustee Corey Decillis
Superintendent Steven Lillie
Clerk-Treasurer Kristin Williams

The board discussed salaries for the employees. Trustee McCullough stated that he would like to implement a policy for raises and that he would like to begin discussing it early in the year so that it can be in place before budget discussions.

Superintendent Lillie stated that he would like to replace the 2010 Ford F350 at a cost of approximately \$38,000. He stated that he would like to replace the laptop that is used for reading meters with a tablet because the laptop outdated and cannot be updated. The board agreed.

Clerk-Treasurer Williams stated that she and Deputy Clerk-Treasurer Wonderly participated in a demo of an accounting and water/sewer billing software program. She stated that they were both impressed with the program and that the programs are integrated. She stated that the new program will allow residents to set up email billing for water/sewer, pay online with credit/ debit or check and that they will be able to view their current water bill amount due as well as a chart of the past years usage. She stated that the initial cost would be about \$20,000 which includes the software, training and annual maintenance charges. The board felt that the maintenance charges were high and Clerk-Treasurer Williams agreed to contact the representative to see if the fees could be lowered.

Clerk-Treasurer Williams stated that she would like to bill Evans Mills at the IRS standard mileage rate instead of separating fuel, insurance and maintenance on the police department reimbursement. She stated that based on the past year's mileage it would amount to Evans Mills paying approximately \$1,000 more a year. She stated that this would help offset some of the cost of the new vehicle which was purchased by the Village of Black River.

Mayor Carpenter asked the board members if they had any budget requests. Mayor Carpenter stated that he would like to see a concrete wall with some plantings behind the municipal building. Trustee Decillis said that the bottom of some of the fencing at the baseball fields is in need of repair. Superintendent Lillie stated that he would get some quotes. Trustee McCullough stated that he would like to explore the possibility of putting solar panels on the roof of the municipal building in the future.

The board agreed to hold a meeting on Monday March 19th at 6 p.m. to review the tentative budget.

A motion was made by Trustee Dishaw, seconded by Trustee Decillis to adjourn the meeting at 8:30 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams
Clerk-Treasurer

**BLACK RIVER/EVANS MILLS POLICE DEPARTMENT
MONTHLY REPORT
FEB 1 - 28 2018**

	B/R	E/M	TOTAL	JAN	DEC
ARRESTS -	1	1	2	1	0
COMPLAINTS -	16	15	31	38	28
VEHICLE STOPS -	6	7	13	30	32
TICKETS ISSUED -	4	6	10	6	3
ACCIDENT REPORTS -	0	1	1	1	1
PARKING VIOLATIONS -	7	4	11	3	5
MOTORIST ASSISTS -	1	0	1	4	5
ASSIST OTHER AGENCY -	6	5	11	9	7
ESCORTS -	1	0	1	1	0
VEHICLES TOWED -	0	3	3	2	1
PROPERTY CHECKS -	12	15	27	55	24
INCIDENT REPORTS -	3	1	4	9	3
DOMESTIC REPORTS -	0	0	0	1	0
OFFENSE REPORTS -	0	0	0	1	0
FOLLOW UP REPORTS -	0	3	3	3	2
CRIMES REPORTED -	0	0	0	1	0

DAYS WORKED PER MONTH - 20/28

GAS USED - 56.8 GALLONS

HOURS WORKED - 118.5

MILES DRIVEN - 634 MILES

EXTRA DETAILS - N/A

**POLICE CHIEF, STEVEN C WOOD #2701
POLICE DEPARTMENT
VILLAGE OF BLACK RIVER/EVANS MILLS NY**

Steven C Wood #2701

UTT Report by Date

From 02/01/2018 to 02/28/2018

Date	Officer Name	Badge	Case Number	Section And Offense	Status	Location	Local Code
02/24/2018	WOOD S	01	C3217ZMNUZ	1180D SPEED IN ZONE	7	SR 3 AT HUNTINGTON ST B/R	18BR00101
02/23/2018	WOOD S	01	C3217ZK48X	1110A DISOBEYED TRAFFIC CONTROL DEVICE	7	S MAIN ST E/M	18BR00094
02/15/2018	WOOD S	01	C3217XNTDV	37522 VISIBILITY DISTORTED BROKEN GLASS	7	NOBLE ST E/M	18BR00083
02/15/2018	WOOD S	01	C3217XNSZK	5112A4 AGGRAVATED UNLICENSED OPERATION - 2ND DEG	7	NOBLE ST E/M	18BR00083
02/15/2018	WOOD S	01	C3217XNSTX	37540B INADEQUATE OR NO STOP LAMPS	7	NOBLE ST E/M	18BR00083
02/15/2018	WOOD S	01	C3217XNQWV	306B UNINSPECTED MOTOR VEHICLE	7	NOBLE ST E/M	18BR00083
02/09/2018	WOOD S	01	C3217X12HH	5111A AGGRAVATED UNLIC OP 3RD (MISD)	7	SR 3 @ STAFFORD DR	18BR00079
02/09/2018	WOOD S	01	C3217X122D	1180D SPEED IN ZONE	7	SR 3 @ STAFFORD DR	18BR00079
02/01/2018	WOOD S	01	C3217W6D60	1180D SPEED IN ZONE	7	SR 3 B/R	18BR00062
02/01/2018	WOOD S	01	C3217W5TQS	4021 NO DISTINCTIVE PLATE/INSECURE/DIRTY	7	LERAY ST E/M	18BR00061

Summary

Query returned 10 records.

1

BLACK RIVER FIRE DEPARTMENT

2017 REPORT

For the year 2017 the Black River fire department responded to a total of 107 calls for service that required 869.91 man hours. Of these calls for service 48 calls were in the Town of LeRay, 39 calls were in the village of Black River. We responded mutual aid to the following departments: Adams Center, Calcium, Carthage, Deferiet, Felts Mills, Fort Drum, Great Bend, Henderson, Pamela, Rutland and West Carthage.

In 2018 we will be replacing 7 more sets of turnout gear for our interior firefighters. The gear they are currently wearing will be 10 years old this year and NFPA states that all interior firefighters will not wear turnout gear that is older than 10 years. By doing this all of our current interior firefighters will comply with this regulation. Also we are currently in the process of purchasing 20 new MSA G1 SCBA's (air packs) that will replace our current ones which are now 15 years old and 3 NFPA updates behind. These new air packs bring the latest technology to our members who will wear them inside a structure fire. They will now have Bluetooth voice amplifiers which will aid in communication while inside amongst themselves as well as communicating over a portable radio. The air pack will also monitor a firefighters breathing rate and give them an earlier warning of when they are low on air.

Once again we would like to thank the Town of LeRay and the village of Black River for their continuing support.

Sincerely,



Matthew Carpenter

Fire Chief

Black River Fire Department, Inc.

Fire and EMS Combined List by Incident Number

Alarm Date Between {01/01/2017} And {12/31/2017}

Incident	Type	Date	Location	Description
17-0000001-0	FIRE	01/02/2017	NYS Rte 3 HWY & W Riverbend DR	322 Motor vehicle accident
17-0000002-0	FIRE	01/07/2017	15789 Odell RD	111 Building fire
17-0000003-0	FIRE	01/09/2017	27882 NYS Rte 342 RT	700 False alarm or false
17-0000004-0	FIRE	01/19/2017	28525 NYS Rte 3 HWY	324 Motor Vehicle Accident
17-0000005-0	FIRE	01/26/2017	118 Union ST	114 Chimney or flue fire,
17-0000006-0	FIRE	01/27/2017	818 Parham ST	111 Building fire
17-0000007-0	FIRE	01/28/2017	27600 Lafave RD	322 Motor vehicle accident
17-0000008-0	FIRE	01/29/2017	27673 NYS Rte 11 RT	611 Dispatched & cancelled
17-0000009-0	FIRE	01/29/2017	32720 NYS Rte 3 HWY	611 Dispatched & cancelled
17-0000010-0	FIRE	01/30/2017	Interstate 81 HWY & County Route 53	551 Assist police or other
17-0000011-0	FIRE	01/31/2017	22825 County Road 67	571 Cover assignment,
17-0000012-0	FIRE	02/09/2017	NYS Rte 342 RT & Five Corners RD	322 Motor vehicle accident
17-0000013-0	FIRE	02/09/2017	104 Stone DR	412 Gas leak (natural gas or
17-0000014-0	FIRE	02/12/2017	200 W Remington ST	550 Public service
17-0000015-0	FIRE	02/16/2017	NYS Rte 342 RT & NYS Rte 283 RT	611 Dispatched & cancelled
17-0000016-0	FIRE	02/18/2017	23151 Mehaffy LN	322 Motor vehicle accident
17-0000017-0	FIRE	02/25/2017	123 W Remington ST	444 Power line down
17-0000018-0	FIRE	02/25/2017	110 Huntington ST	800 Severe weather or
17-0000019-0	FIRE	02/25/2017	173 W Remington ST	444 Power line down
17-0000020-0	FIRE	02/25/2017	218 LeRay ST	815 Severe weather or
17-0000021-0	FIRE	02/25/2017	22063 W Riverbend DR	800 Severe weather or
17-0000022-0	FIRE	02/28/2017	123 N School ST	111 Building fire
17-0000023-0	FIRE	03/01/2017	29561 Maple ST	444 Power line down
17-0000024-0	FIRE	03/05/2017	26495 NYS Rte 3 HWY	522 Water or steam leak
17-0000025-0	FIRE	03/06/2017	27232 NYS Rte 342 RT	311 Medical assist, assist
17-0000026-0	FIRE	03/16/2017	NYS Rte 3 HWY & Olympic Trails TRL	322 Motor vehicle accident
17-0000027-0	FIRE	03/19/2017	10711 S Riva Ridge LOOP	571 Cover assignment,
17-0000028-0	FIRE	03/30/2017	29814 NYS Rte 971V RT	444 Power line down
17-0000029-0	FIRE	03/31/2017	24428 NYS Rte 11 RT	311 Medical assist, assist
17-0000030-0	FIRE	04/02/2017	NYS Rte 283 RT & NYS Rte 342 RT	322 Motor vehicle accident
17-0000031-0	FIRE	04/03/2017	27057 NYS Rte 3 HWY	322 Motor vehicle accident
17-0000032-0	FIRE	04/14/2017	129 Howe ST	561 Unauthorized burning
17-0000033-0	FIRE	04/30/2017	26271 Lanner LN	551 Assist police or other
17-0000034-0	FIRE	05/01/2017	121 LeRay ST	611 Dispatched & cancelled
17-0000035-0	FIRE	05/14/2017	Poors Island IS	561 Unauthorized burning
17-0000036-0	FIRE	05/20/2017	26692 NYS Rte 3 HWY	324 Motor Vehicle Accident
17-0000037-0	FIRE	05/24/2017	NYS Rte 342 RT & Five Corners RD	322 Motor vehicle accident
17-0000038-0	FIRE	05/26/2017	224 LeRay ST	311 Medical assist, assist
17-0000039-0	FIRE	06/03/2017	28499 NYS Rte 3 HWY	322 Motor vehicle accident

Black River Fire Department, Inc.

Fire and EMS Combined List by Incident Number

Alarm Date Between {01/01/2017} And {12/31/2017}

Incident	Type	Date	Location	Description
17-0000040-0	FIRE	06/12/2017	224 LeRay ST /110	311 Medical assist, assist
17-0000041-0	FIRE	06/13/2017	160 LeRay ST	444 Power line down
17-0000042-0	FIRE	06/16/2017	28722 NYS Rte 37 RT	571 Cover assignment,
17-0000043-0	FIRE	06/25/2017	14336 Wehle RD	342 Search for person in
17-0000044-0	FIRE	06/30/2017	NYS Rte 342 RT & NYS Rte 283 RT	322 Motor vehicle accident
17-0000045-0	FIRE	07/02/2017	22741 Duffy RD	733 Smoke detector
17-0000046-0	FIRE	07/04/2017	521 Francis ST	111 Building fire
17-0000047-0	FIRE	07/07/2017	125 Union ST	311 Medical assist, assist
17-0000048-0	FIRE	07/09/2017	61 High ST	571 Cover assignment,
17-0000049-0	FIRE	07/17/2017	27613 NYS Rte 3 HWY	111 Building fire
17-0000050-0	FIRE	07/18/2017	166 S Main ST	424 Carbon monoxide incident
17-0000051-0	FIRE	07/23/2017	27058 NYS Rte 3 HWY	444 Power line down
17-0000052-0	FIRE	07/24/2017	28715 NYS Rte 3 HWY	322 Motor vehicle accident
17-0000053-0	FIRE	08/08/2017	25856 NYS Rte 3 HWY	521 Water evacuation
17-0000054-0	FIRE	08/08/2017	8208 N Lewis AVE	611 Dispatched & cancelled
17-0000055-0	FIRE	08/10/2017	NYS Rte 342 RT & NYS Rte 283 RT	322 Motor vehicle accident
17-0000056-0	FIRE	08/10/2017	NYS Rte 342 RT & Howe ST	322 Motor vehicle accident
17-0000057-0	FIRE	08/13/2017	218 LeRay ST	745 Alarm system activation,
17-0000058-0	FIRE	08/14/2017	NYS Rte 283 RT & Lafave RD	611 Dispatched & cancelled
17-0000059-0	FIRE	08/18/2017	26534 NYS Rte 3 HWY	611 Dispatched & cancelled
17-0000060-0	FIRE	08/30/2017	136 Maple ST	341 Search for person on
17-0000061-0	FIRE	09/02/2017	NYS Rte 3 HWY & Huntington ST	445 Arcing, shorted
17-0000062-0	FIRE	09/08/2017	22925 Duffy RD	736 CO detector activation
17-0000063-0	FIRE	09/10/2017	28525 NYS Rte 3 HWY	322 Motor vehicle accident
17-0000064-0	FIRE	09/15/2017	NYS Rte 342 RT & Five Corners RD	323 Motor vehicle/pedestrian
17-0000065-0	FIRE	09/24/2017	224 LeRay ST	743 Smoke detector
17-0000066-0	FIRE	10/01/2017	N Main ST & NYS Rte 971V RT	324 Motor Vehicle Accident
17-0000067-0	FIRE	10/03/2017	NYS Rte 283 RT & NYS Rte 342 RT	322 Motor vehicle accident
17-0000068-0	FIRE	10/18/2017	100 Wendell LN	412 Gas leak (natural gas or
17-0000069-0	FIRE	10/20/2017	61 High ST	571 Cover assignment,
17-0000070-0	FIRE	10/30/2017	105 Howe ST	520 Water problem, Other
17-0000071-0	FIRE	10/30/2017	162 Howe ST	520 Water problem, Other
17-0000072-0	FIRE	10/30/2017	26158 Cottontail DR	520 Water problem, Other
17-0000073-0	FIRE	10/30/2017	25062 Plank RD	520 Water problem, Other
17-0000074-0	FIRE	10/30/2017	26600 NYS Rte 3 HWY	520 Water problem, Other
17-0000075-0	FIRE	10/31/2017	26158 Cottontail DR	520 Water problem, Other
17-0000076-0	FIRE	10/31/2017	110 Maple ST	520 Water problem, Other
17-0000077-0	FIRE	10/31/2017	107 E Dexter ST	520 Water problem, Other
17-0000078-0	FIRE	11/01/2017	22279 Patricia DR	444 Power line down

Black River Fire Department, Inc.

Fire and EMS Combined List by Incident Number

Alarm Date Between {01/01/2017} And {12/31/2017}

Incident	Type	Date	Location	Description
17-0000079-0	FIRE	11/02/2017	20560 Miser RD	111 Building fire
17-0000080-0	FIRE	11/02/2017	26816 NYS Rte 342 RT	740 Unintentional
17-0000081-0	FIRE	11/02/2017	26989 NYS Rte 3 HWY	322 Motor vehicle accident
17-0000082-0	FIRE	11/03/2017	30090 Burnup RD	520 Water problem, Other
17-0000083-0	FIRE	11/04/2017	133 Stafford DR	521 Water evacuation
17-0000084-0	FIRE	11/05/2017	133 Stafford DR	521 Water evacuation
17-0000085-0	FIRE	11/06/2017	35880 NYS Rte 3 HWY	111 Building fire
17-0000086-0	FIRE	11/11/2017	NYS Rte 342 RT & NYS Rte 283 RT	324 Motor Vehicle Accident
17-0000087-0	FIRE	11/12/2017	149 Maple ST	531 Smoke or odor removal
17-0000088-0	FIRE	11/12/2017	150 W Remington ST	251 Excessive heat, scorch
17-0000089-0	FIRE	11/14/2017	25737 NYS Rte 11 RT	511 Lock-out
17-0000090-0	FIRE	11/14/2017	Ontario DR	571 Cover assignment,
17-0000091-0	FIRE	11/15/2017	27275 NYS Rte 3 HWY	421 Chemical hazard (no
17-0000092-0	FIRE	11/16/2017	NYS Rte 3 HWY & Admirals Walk DR	611 Dispatched & cancelled
17-0000093-0	FIRE	11/21/2017	NYS Rte 342 RT & NYS Rte 283 RT	324 Motor Vehicle Accident
17-0000094-0	FIRE	11/21/2017	NYS Rte 3 HWY & Stafford DR	322 Motor vehicle accident
17-0000095-0	FIRE	11/27/2017	157 Howe ST	424 Carbon monoxide incident
17-0000096-0	FIRE	11/29/2017	29613 Maple ST	561 Unauthorized burning
17-0000097-0	FIRE	12/02/2017	149 Maple ST	736 CO detector activation
17-0000098-0	FIRE	12/04/2017	26668 NYS Rte 283 RT	322 Motor vehicle accident
17-0000099-0	FIRE	12/10/2017	28231 Howe ST	311 Medical assist, assist
17-0000100-0	FIRE	12/11/2017	143 LeRay ST	311 Medical assist, assist
17-0000101-0	FIRE	12/12/2017	224 LeRay ST	730 System malfunction,
17-0000102-0	FIRE	12/12/2017	220 S Main ST	324 Motor Vehicle Accident
17-0000103-0	FIRE	12/22/2017	18701 County Route 162 RT	111 Building fire
17-0000104-0	FIRE	12/22/2017	25588 NYS Rte 126 RT	324 Motor Vehicle Accident
17-0000105-0	FIRE	12/28/2017	61 High ST	571 Cover assignment,
17-0000106-0	FIRE	12/28/2017	26624 Chisolm TRL	531 Smoke or odor removal
17-0000107-0	FIRE	12/28/2017	29671 Maple ST	611 Dispatched & cancelled

EMS Incident Cnt: 0

Total Incident Count 107

Fire Incident Cnt: 107

8:07 PM

02/06/18

Accrual Basis

Black River Fire Department, Inc.
Profit & Loss Budget Overview
January through December 2018

	<u>Jan - Dec 18</u>
Ordinary Income/Expense	
Income	
43400 · Direct Public Support	6,600.00
44400 · Government Contracts	120,000.00
45000 · Investments	250.00
46400 · Other Types of Income	<u>6,200.00</u>
Total Income	133,050.00
Expense	
16026 · Depreciation Expense	0.00
60900 · Business Expenses	7,550.00
62100 · Contract Services	3,850.00
62800 · Facilities and Equipment	100,800.00
65000 · Operations	9,495.00
65100 · Other Types of Expenses	15,380.00
68300 · Travel and Meetings	<u>10,085.00</u>
Total Expense	<u>147,160.00</u>
Net Ordinary Income	<u>-14,110.00</u>
Net Income	<u><u>-14,110.00</u></u>

Black River Fire Department, Inc.
Profit & Loss Budget Overview
 January through December 2018

	Jan - Dec 18
Ordinary Income/Expense	
Income	
43400 · Direct Public Support	
43401 · ENVELOPE DRIVE DONATION	6,000.00
43402 · DONATIONS	600.00
Total 43400 · Direct Public Support	6,600.00
44400 · Government Contracts	
44430 · Local Government Contracts	
444331 · TOWN OF LERAY	90,000.00
444332 · VILLAGE OF BLACK RIVER, NY	30,000.00
Total 44430 · Local Government Contracts	120,000.00
Total 44400 · Government Contracts	120,000.00
45000 · Investments	
45040 · Other Asset Sales	
45041 · EARNED INTEREST	250.00
Total 45040 · Other Asset Sales	250.00
Total 45000 · Investments	250.00
46400 · Other Types of Income	
46402 · IMO DONATIONS	100.00
46403 · VENDING MACHINE INCOME	100.00
46404 · TOWN OF LERAY FOREIGN TAX	2,000.00
46405 · VILLAGE OF BR FOREIGN FIRE TAX	4,000.00
Total 46400 · Other Types of Income	6,200.00
Total Income	133,050.00
Expense	
16026 · Depreciation Expense	0.00
60900 · Business Expenses	
60901 · TIME WARNER CABLE	1,850.00
60902 · NATIONAL GRID	3,600.00
60903 · VILLAGE OF BLACK RIVER	600.00
60904 · BUILDING MAINTENANCE	
60904 · BUILDING MAINTENANCE - Other	1,500.00
Total 60904 · BUILDING MAINTENANCE	1,500.00
Total 60900 · Business Expenses	7,550.00
62100 · Contract Services	
62110 · Accounting Fees	
62110 · Accounting Fees - Other	3,000.00
Total 62110 · Accounting Fees	3,000.00
62151 · OSHA - MEDICAL	850.00
Total 62100 · Contract Services	3,850.00
62800 · Facilities and Equipment	
6280001 · Rent, Parking, Utilities	0.00
628001 · RADIOS	
6280011 · RADIO REPAIRS	2,000.00
Total 628001 · RADIOS	2,000.00
628002 · COMPUTERS & SOFTWARE	
2080021 · COMPUTER REPAIR	1,500.00
Total 628002 · COMPUTERS & SOFTWARE	1,500.00
6280030 · TRUCK REPAIRS & MAINT	
6280031 · ENGINE 1 SEAGRAVE	5,000.00
6280032 · ENGINE 2	5,000.00
6280033 · TRUCK 1 LADDER	5,000.00
6280034 · 6-7-1 TRUCK	500.00

8:06 PM

02/06/18

Accrual Basis

Black River Fire Department, Inc.
Profit & Loss Budget Overview
January through December 2018

	<u>Jan - Dec 18</u>
6280036 · HOSES & PARTS	
6280038 · HOSE TESTING	4,500.00
6280036 · HOSES & PARTS - Other	3,000.00
Total 6280036 · HOSES & PARTS	<u>7,500.00</u>
6280037 · TRUCK TOOLS	1,800.00
Total 6280030 · TRUCK REPAIRS & MAINT	24,800.00
628004 · EQUIPMENT REPAIRS	3,000.00
6280061 · SCBA MAINTENANCE AND REPAIR	1,500.00
628008 · PERSONAL PROTECTION EQUIPMENT	
6280081 · PPE REAIRS & MAINT	18,000.00
628008 · PERSONAL PROTECTION EQUIPMENT - Other	48,000.00
Total 628008 · PERSONAL PROTECTION EQUIPMENT	<u>66,000.00</u>
62810 · Depr and Amort - Allowable	
62810 · Depr and Amort - Allowable - Other	0.00
Total 62810 · Depr and Amort - Allowable	0.00
62800 · Facilities and Equipment - Other	2,000.00
Total 62800 · Facilities and Equipment	<u>100,800.00</u>
65000 · Operations	
65001 · SALARIES	1,000.00
65006 · GAS	1,800.00
65007 · DIESEL FUEL	2,000.00
65008 · ALARM MONTORING	800.00
65010 · Books, Subscriptions, Reference	
65011 · SUBSCRIPTIONS	120.00
65102 · SPONSORSHIPS	600.00
Total 65010 · Books, Subscriptions, Reference	<u>720.00</u>
650103 · MEMBERSHIPS	275.00
65012 · APPAREL AND UNIFORMS	
65013 · UNIFORMS MAINTENANCE	1,200.00
Total 65012 · APPAREL AND UNIFORMS	<u>1,200.00</u>
65020 · Postage, Mailing Service	480.00
65030 · Printing and Copying	300.00
65040 · Supplies	720.00
65180 · DONATIONS	200.00
Total 65000 · Operations	<u>9,495.00</u>
65100 · Other Types of Expenses	
65120 · Insurance - Liability, D and O	
661201 · A & H ACCIDENT & HEALTH INS	2,220.00
661202 · COMMERCIAL INSURANCE	6,600.00
661203 · UMBRELLA INSURANCE	780.00
661204 · INLAND MARINE INSURANCE	4,080.00
Total 65120 · Insurance - Liability, D and O	<u>13,680.00</u>
65160 · Other Costs	
65161 · FLOWERS AND FRIUT BASKETS	200.00
Total 65160 · Other Costs	<u>200.00</u>
65170 · TRAINING STAFF DEVELOPMENT	1,500.00
Total 65100 · Other Types of Expenses	<u>15,380.00</u>

8:06 PM

02/06/18

Accrual Basis

Black River Fire Department, Inc.
Profit & Loss Budget Overview
January through December 2018

	<u>Jan - Dec 18</u>
68300 · Travel and Meetings	
68301 · MEETING EXPENSE	1,000.00
68302 · TRAINING EXPENSE	500.00
68304 · BLOOD DRIVE EXPENSE	125.00
68305 · BANQUET EXPENSES	8,000.00
68306 · ENVELOPE DRIVE EXPENSES	460.00
	<hr/>
Total 68300 · Travel and Meetings	10,085.00
	<hr/>
Total Expense	147,160.00
	<hr/>
Net Ordinary Income	-14,110.00
	<hr/>
Net Income	<u>-14,110.00</u>



Joseph W. Russell, Esq.
jrussell@menterlaw.com

February 12, 2018

Hon. Leland Carpenter, Mayor
Village of Black River
107 Jefferson Place
Black River, New York 13612

Re: Legal Services Proposal

Dear Mayor Carpenter:

This correspondence is provided as a follow-up to my letter to the Village of Black River, dated October 9, 2017, a copy of which is enclosed for your reference.

I assume that your board has not yet made a determination with respect to replacement legal counsel upon Mr. Gebo's retirement. Therefore, I want to take this opportunity to renew our interest in being considered to provide legal services to your municipality, and once again offer to answer any questions which you or other members of the Board may have. As indicated in my previous correspondence, I would be happy to meet with you or any of the Board members at your convenience to answer your questions and discuss our qualifications to represent the Village.

In addition to the qualifications outlined in our previous correspondence, we are now certified bond counsel, and can offer those services to your municipality as needed once Mr. Gebo retires.

Once again, thank you for your consideration.

Very truly yours,

MENTER, RUDIN & TRIVELPIECE, P.C.

Joseph W. Russell

JWR/rdr

Enc:

Suite 200 • 308 Maltbie Street • Syracuse, New York 13204-1439
Phone (315) 474-7541 • Fax (315) 474-4040

Suite 500 • 120 Washington Street • Watertown, New York 13601-3330
Phone (315) 786-7950 • Fax (315) 786-7852



New York State Conference of Mayors and Municipal Officials

119 Washington Avenue, Albany, New York 12210 • Ph (518) 463-1185 • Fx (518) 463-1190
Toll free number for NYCOM members 1-800-446-9266
www.nycom.org • @NYMayors

February 15, 2018

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Mayor, Fishkill

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NYS Society of Municipal
Finance Officers

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Mayor, Jamestown

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Mayor, West Hampton Dunes

Ellen Polimeni

Mayor, Canandaigua

Executive Director

Peter A. Baynes

TO: Mayor Leland Carpenter, Village of Black River
FROM: Peter A. Baynes, NYCOM Executive Director
RE: NYCOM Annual Membership Dues Statement

To assist in the preparation of your budget, attached is the annual dues statement for your municipality's membership in the New York State Conference of Mayors and Municipal Officials. During these challenging fiscal times, benefiting from NYCOM is more important than ever. NYCOM membership entitles the officials in your municipality to receive a variety of valuable services that you cannot get elsewhere, or for which you would otherwise have to pay a premium, including:

- a municipal inquiry service to help you and your colleagues get swift and valuable answers from our staff of legal and programmatic experts on legislative and legal matters, finance, economic development, labor relations, and state and federal programs;
- NYCOM publications, including *Municipal Matters* (our quarterly magazine), research and municipal management reports, and frequent updates on important legislation and programs;
- aggressive and knowledgeable representation at the State Capitol, where NYCOM fights for state funding and mandate relief;
- access to the Members Only section of the NYCOM website, where you can take advantage of "best practices," membership survey results, sample franchise/IMA/PILOT agreements and our peer-to-peer idea-sharing "Member Exchange" platform; and
- annual conferences and training schools, as well as regional seminars and webinars on current municipal issues, such as the tax cap, elections, planning and zoning, and abandoned properties, to name just a few.

NYCOM prides itself on the valuable services we offer to our members, but they are not without cost, and the majority of NYCOM's financial support comes from member dues. Our dues structure is based on population, with each city and village bearing a fair share. **For the eighth consecutive year, there will be no increase in NYCOM dues in order to demonstrate NYCOM's concern for the fiscal stress facing our members.**

If you have any questions, please feel free to call me at 518-463-1185.

Enclosure
cc: Fiscal Officer



New York State Conference of Mayors and Municipal Officials

119 Washington Avenue, Albany, New York 12210 • Ph (518) 463-1185 • Fx (518) 463-1190
Toll free number for NYCOM members 1-800-446-9266
www.nycom.org

NYCOM Member Dues Statement

Prepared On 2/15/2018

Prepared For

Village of Black River
107 Jefferson Place
Black River, NY 13612-2101

Membership Dues Year 2018-2019	Dues Amount	\$904.00
	Amount Paid	\$0.00
	Balance Due	\$904.00

Notes

Notice:

Remit Payment To

NYCOM
119 Washington Avenue
Albany, NY 12210



Department
of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

February 26, 2018

Mayor Leland Carpenter and Village Board
Village of Black River
107 Jefferson Place
Black River, NY 13612

Dear Mayor Carpenter and Village Board,

The New York State Water Quality Rapid Response Team, led by the Department of Health (DOH) and Department of Environmental Conservation (DEC), recently tested your drinking water system as part of proactive efforts to test for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS) and a select suite of volatile organic compounds (VOCs) throughout the state. The recent sampling effort was performed with the help of a consultant, GHD, and we appreciate your assistance with coordination of sample collection from your water system.

PFOA and PFOS were not detected in your system. The U.S. Environmental Protection Agency (EPA) lifetime health advisory level is 70 parts per trillion for PFOA and PFOS combined. **The select suite of VOCs were also not detected in your system.** Enclosed are a sample key and complete testing results. For your information, the newly formed New York State Drinking Water Quality Council (DWQC) has been established to provide a recommendation to the DOH on a maximum contaminant level (MCL) for PFOA and PFOS. We expect their evaluation to be completed in the near future.

If you have any questions, please contact Watertown District Office at 315-785-227, or the New York State Department of Health Bureau of Water Supply Protection at 518-402-7650; email: bpwsp@health.ny.gov.

Additional information on PFOA and PFOS is available at the U.S. EPA's website: <https://www.epa.gov/ground-water-and-drinking-water/drinking-water-health-advisories-pfoa-and-pfos>.

Sincerely,

Lloyd R Wilson, Ph. D.
Director
Bureau of Water Supply Protection

ecc with attachment: John Strepelis, NYSDOH
Watertown District Office
Maureen Schuck, NYSDOH

cc without attachment: Steven Lillie

COG (Council of Governments) Benefits

COG: River Area Council of Governments (RACOG)

CIRCUIT RIDER: Mickey Dietrich, (315) 681-5023 cell, (315) 785-2389 work,
mickey@tughill.org

RACOG MEMBER ANNUAL COST: \$450

WEBSITE: www.racog.org

NEXT MEETING: March 20th, 2018 @Village of Carthage 6pm

CURRENT MEMBERS: Town of Champion, Town of Wilna, Village of Carthage, Village of Deferiet, and Village of West Carthage (Town of Lowville was recently approved by RACOG board for membership.)

BENEFITS

- Access to Circuit Rider at monthly meetings. The Circuit Rider will attend monthly municipal board meetings as available, providing updates on projects and announcements on trainings and grants. The Circuit Rider will obtain feedback from the board should assistance be needed from the Tug Hill Commission on projects. The Circuit Rider also will attend planning and zoning board meetings upon request.
- COG member communities get priority if there is a crunch on the Tug Hill Commission staff resources.
- RACOG has their own website, which also can be utilized by members to provide them with their own website should they not have one or want to utilize this service through RACOG. The RACOG website was recently updated www.racog.org. Currently there are a few websites that are being worked on, so this service may take some time to get a site up for new members.
- RACOG utilizes the Circuit Rider more in the roll of a Project Manager/Researcher. The Circuit Rider will use their experience and skills to assist RACOG, as well as, assist on individual projects for members.
- RACOG has been scheduling presentations at their meetings recently on topics of interest. There have been presentations on NY Alerts, LED Lighting, and GIS since November 2017. We currently have a teacher lined up from Carthage Central High School to come talk to RACOG about his composting project with students.
- COGs provide a great way to explore shared service opportunities.
- RACOG does maintain an IT consultant for the year to help assist with email management for member communities (those who choose to use RACOG email services), provide hosting for the website, and provide technical/programming support.

Black River Fire Department, Inc.

P.O. Box 95

Black River, New York 13612

Established in 1890

March 1, 2018

Dear Village Board of Directors:

The Department's Board of Directors has approved the purchase of new airpacs to meet NFPA requirements. In addition, the Board approved the purchase of a compressor to re-fill air bottles. The total estimate of this purchase is approximately \$152,000.

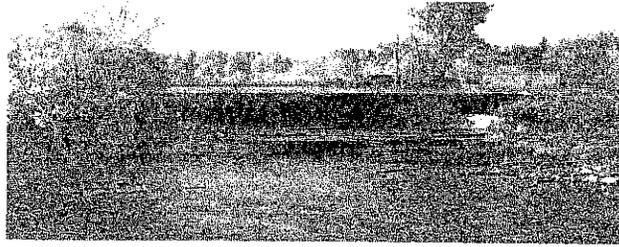
Any questions should be directed to Chief Carpenter.

Sincerely,



Mark Wonderly, Secretary
BRFD

Board of Trustees
Village of Black River, New York



Feb. 15, 2018

RE: 106-108 Leray St.
Black River, NY

Dear Mr. Bonner,

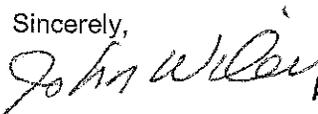
This letter is in reference to the above address of which you are the current owner of record and a complaint of the storage of garbage and debris at this location.

By receipt of this letter I must inform you that you are in violation of the Village of Black River Property Maintenance Code section 128-7. The Code states that all owners and occupants of lots or buildings which are occupied in any manner shall provide appropriate receptacles for the collection of garbage, litter, and rubbish. Appropriate receptacles shall be opaque and have lids or other covering devices and shall be maintained in such a manner that dogs or other animals will not be able to have access to the garbage, litter, or rubbish.

Receptacles shall be stored inside or, in the event such storage is not possible, only on the rear or side of buildings, and not in the front yard. Receptacles may, however, be placed in the front of the building at such times as commercial or private haulers will be removing garbage, litter, and rubbish from receptacles.

By receipt of this letter you are hereby ordered to immediately remove the collection of garbage from the front of your building and store garbage in proper receptacles at the rear or side of your building.

If you should have any questions or concerns regarding this matter, please feel free to contact me at the Village Office or my cell #315- 486- 1467

Sincerely,


Code Enforcement Officer

CC: Mayor and Village Board of Trustees

Village of Black River Planning Board

To: Leland Carpenter, Mayor
Village Board Trustees

CC: Planning Board Members
Kristin Burroughs, Clerk-Treasurer
Connie Wonderly, Deputy Clerk-Treasurer
John Wiley, Code Enforcement Officer
Mark Wonderly, ZBA Chairman

From: John Cook, Chairman

Date: 02/05/18

Re: Proposed Village Code Changes

Please find attached proposed changes to the Village Code pertaining to property maintenance, Chapter 128. After a number of months of diligent work by planning board members, we believe we have arrived at a number of proposed changes that will improve and clarify this section of the Code. The Planning Board respectfully request that the Village Board take the appropriate actions to institute these changes. These changes have been vetted with the village attorney.

Aside from the normal wording clarifications the following major changes are included in the update of this section of code:

- As suggested by Trustee McCullough, we have standardized references throughout the chapter regarding lot ownership. Where “owner” was mentioned in the current section the wording has been changed to “owner of record” or “owner of record or occupant”. Not only does this clarify the responsible party but it also improves the code officer’s ability to resolve issues with occupants when the owner of record is either non-responsive or difficult to contact.
- Section 128-5 has been modified significantly. Based on experiences with enforcing the lawn height, we have lowered the maximum height from 9” to

March 1, 2018

6". In addition, we clarified the wording relative to what has to be mowed. This will now be defined as "historically and routinely" mowed sections of any lot. Sub-section F has been modified to conform to the current State code definition for stored and abandoned vehicles. The portion of this sub-section regarding issuance of a permit for vehicle storage has been removed ((a)-(c) in the current code).

- Sections 128-12 through 128-21 are totally new to our code. These sections provide enhancements for such things as violations, inspections, emergency abatement and hearings.
- The proposed new chapter is highlighted in yellow where edits have been made for easier review by the board.
- The indexing at the beginning of this chapter will need to be modified to conform to the changes proposed

If there is anything we can do to assist with items please let us know.

Thank you.

Chapter 128

PROPERTY MAINTENANCE

- | | |
|---|---|
| § 128-1. Purpose and findings. | § 128-7. Refuse containers. |
| § 128-2. Title. | § 128-8. Business premises requirements. |
| § 128-3. Applicability. | § 128-9. Responsibility of owner. |
| § 128-4. Definitions. | § 128-10. Enforcement. |
| § 128-5. Maintenance of yards. | § 128-11. Notice of violation; abatement. |
| § 128-6. Maintenance of buildings and structures. | § 128-12. Penalties for offenses. |

[HISTORY: Adopted by the Board of Trustees of the Village of Black River 9-3-1991 by L.L. No. 2-1991. Amendments noted where applicable.]

§ 128-1. Purpose and findings.

The Village Board of Trustees of the Village of Black River has determined that in order to preserve the public safety, health and welfare and protect property values within the Village of Black River it is necessary to provide certain standards for property maintenance and a mechanism by which to assure that private properties are maintained in a safe, healthy and aesthetically pleasing manner. Accordingly, the Village Board of Trustees of the Village of Black River hereby adopts this chapter to provide for proper property maintenance on private properties within the Village of Black River.

§ 128-2. Title.

This chapter shall be known as "The Village of Black River Property Maintenance Law."

§ 128-3. Applicability.

This chapter shall apply to all residential, commercial and industrial premises within the Village of Black River, whether improved or vacant.

§ 128-4. Definitions.

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

BUSINESS - A building or combinations of buildings and structures and the lot on which it is located used wholly or in part for commercial purposes, including but not limited to offices, places of public assembly, shopping centers, supermarkets, retail stores, warehouses, manufacturing or fabrication plants, gasoline stations and other business uses.

COMMERCIAL - A building or combinations of buildings and the lot on which it is located, used wholly or in part for retail or wholesale distribution of products or services.

GARBAGE - A putrescible or decayable waste, except sewage and body waste, including vegetable and animal offal and carcasses of dead animals, including all substances accumulated on or removed from public and private establishments and properties, including residences.

INDUSTRIAL - A building or combination of buildings and structures and the lot on which it is located used wholly or in part for manufacturing, fabricating, processing of goods to make such goods ready for distribution.

JUNK VEHICLE - **[Added 5-2-2005 by L.L. No. 1-2005]**

- A. Any motor vehicle, automobile, bus, trailer, tractor, motor home, motorcycle, bicycle, minibicycle or snowmobile or any other device originally intended for travel on the public highways which meets any of the following conditions:
- (1) The vehicle is unlicensed, or uninsured.
 - (2) The vehicle is either abandoned, wrecked, stored, discarded, dismantled or partly dismantled.
 - (3) The vehicle is not in any condition for legal use upon the public highway.
 - (4) The vehicle is in such condition as to cost more to repair and replace in operating condition than its reasonable market value at the time before such repairs.
- B. With respect to any motor vehicle not required to be licensed or a motor vehicle not used on public highways, the fact that such motor vehicle has remained unused and is not in any condition to be moved under its own power shall be presumptive evidence that such motor vehicle is a junk vehicle.

LITTER - Garbage and rubbish as herein defined and all other waste material which if thrown or deposited tends to create a danger to public health, safety and welfare or spoils the natural beauty of a lot.

LOT - A plot, tract, premises or parcel of land with or without buildings or structures located thereon.

OWNER OF RECORD - Any and all legally titled owner(s) of a lot or parcel.

RESIDENTIAL - A one-, two- or multiple-family building or structure and the lot on which it is located, whose purpose is principally to house or occupy families or individuals.

RUBBISH - Generally dry material produced routinely by household, commercial or industrial establishments such as paper, cans, bottles, containers, ashes, parts of equipment, motor vehicles, unusable furniture and other such similar items, including bushes, branches, Christmas trees, lawn rakings and similar waste materials and discarded household appliances or equipment and materials from building demolition and construction waste.

YARD - An open space on any lot, whether occupied or not.

§ 128-5. Maintenance of yards.

- A. No owner of record or occupant of a lot shall allow garbage, litter or rubbish to accumulate upon such lot. Garbage, litter or rubbish which is stored in

- appropriate receptacles shall be permitted, provided that the owner of record or occupant of the lot has made arrangements for regular removal of all garbage, rubbish and litter contained in those receptacles on at least a biweekly basis.
- B. Any lumber, building materials, equipment or parts of equipment being stored by an owner of record or occupant of a lot shall be stored in a neat and orderly fashion.
- C. No owner of record or occupant of a lot shall permit any litter, (windblown or otherwise), tree limbs, brush or fallen trees to accumulate and prompt arrangements shall be made for their disposal. In addition, no owner of record shall allow historically and routinely mowed lawns to grow to a height in excess of six inches. Appropriate mowing and trimming intervals shall be dictated by conditions to maintain lawn height at or below the maximum height for safety, health and consistency through the neighborhood and Village. Trimming around, stored equipment, trees, flower beds and structures shall be required.
- D. Each owner of record of a lot shall provide for proper drainage and grading on a lot to protect buildings and structures and to prevent the development of stagnant ponding of water and to prevent runoff onto adjoining public or private properties.
- E. No owner of record of a lot shall permit any tree or portion thereof which constitutes a hazard to persons or property to remain. Each owner shall be required to make prompt arrangements for the removal of all such dangerous trees and/or limbs.
- F. It shall be unlawful for any person, firm, or corporation, either as owner of record, occupant, lessee agent, tenant, or otherwise of property within the Village to store, deposit or cause to permit to be stored or deposit any abandoned, junk, discarded or unlicensed motor vehicle or any part or piece thereof on any private property in the Village, unless said motor vehicle or parts are stored in an enclosed permanent structure.
- (a) Any licensed auto dealer or licensed repair shop shall be exempt from the provisions of 128(5)(F) if the vehicle or parts in question are part of the inventory for their business.

§ 128-6. Maintenance of buildings and structures.

- A. No owner of record of a lot or building shall allow or permit steps, sidewalks or parking spaces on the lot to fall into disrepair in such a manner as to make it unsafe for normal use and weather conditions. With respect to sidewalks, it is recognized that sidewalks are utilized by the public and it is the responsibility of each owner of record to keep the sidewalk in good repair and free of hazards.
- B. No owner of record or occupant of a lot or building shall allow any building or part of a building to have improperly or unsecured objects or materials about it, which objects or materials could fall or be blown from the building into any public area.
- C. No owner of record or occupant of a lot or building shall allow a building or structure to be maintained with graffiti or other defacing materials on it and shall promptly remove such graffiti or other defacing materials from the building or structure.
- D. No owner of record or occupant of a lot or building shall allow the exterior of the structure or any fence, shed or other accessory building or structure to be in a state of disrepair and shall repair such deficiencies within a reasonable time, but not to exceed 90 days from the service of constructive or written notice from a Village official with authority to give such notice.
- E. All exterior exposed surfaces not inherently resistant to deterioration shall be repaired, coated, treated or sealed.

§ 128-7. Refuse containers.

- A. All owners of record and occupants of lots or buildings which are occupied in any manner shall provide appropriate receptacles for collection of garbage, litter and rubbish. Appropriate receptacles shall be opaque and have lids or other covering devices and shall be maintained in such a manner that dogs or other birds animals will not be able to have access to the garbage, litter or rubbish.
- B. Receptacles shall be stored inside or, in the event such storage is not possible, only on the rear or side of buildings and not in the front yard. Receptacles may, however, be placed in the front of the building no sooner than 7 PM the night before pickup by a municipal, commercial or private hauler who will be removing garbage, litter and rubbish from the receptacles. Receptacles are to be promptly returned to their normal storage location by the end of the pickup day.

§ 128-8. Business premises requirements.

- A. No shopping baskets, carts or wagons shall be left unattended or standing in open areas. All such items shall be collected at the close of each business day and removed to the interior of the building or arranged neatly against the building and secured against removal by chains or other appropriate devices.
- B. No mobile refrigeration unit shall be operated on any business premises after the closing of the business unless such mobile refrigeration unit is electrically operated.

PROPERTY MAINTENANCE

- C. All businesses shall maintain dumpsters or other large receptacles for garbage, litter and rubbish in an area shielded from public view by appropriate landscaping or architectural screening.
- D. Shopping centers, supermarkets and other similar businesses shall provide permanent receptacles on the premises for public use at fifty-foot intervals along the front of the building.

§ 128-9. Responsibility of owner.

The owner of record of any lot or building shall be responsible for any violation which occurs on that lot, whether or not that owner actually occupies the lot or building. In addition to the responsibilities of owners, any occupant of a lot or building may also be responsible for the condition of that lot and subject to the penalties of this chapter.

§ 128-10. Enforcement. [Amended 9-14-2009 by L.L. No. 2-2009]

The Code Enforcement Officer or Village Police Department of the Village of Black River is hereby empowered to enforce this chapter; provided, however, that as to the provisions of § 128-SC the DPW Superintendent may give notice to property owners of a violation. The Code Enforcement Officer or Village Police Department shall be responsible for the initial determination where a condition is hazardous or unsafe or such determinations are required under this chapter.

§ 128-11. Notice of violation; abatement.

- A. The Code Enforcement Officer shall give notice to any owner of record or occupant of a lot or building of any violation of this chapter. Such notice shall specify the nature of the violation and the action needed to correct the violation and shall state a reasonable period of time in which to do so. The notice shall further state that in the event that the owner does not correct the condition within the specified time, other enforcement action will be taken in accordance with this chapter.
- B. In the event that the owner of record or occupant of the lot does not comply with the violation notice within the time set by the Code Enforcement Officer, the Code Enforcement Officer shall report the same to the Village Board. The Village Board shall, except in the event of an emergency, thereupon direct that a notice be served upon the occupant stating that if the condition is not remedied within an additional reasonable period of time, not less than 10 days nor more than 30 days as established by the Village Board, that the Village Board shall seek further enforcement under this chapter, which enforcement may include one or more of the following:
 - (1) The hiring of appropriate individuals to perform the necessary work. In the event that this option is elected by the Village Board, the Village Board will charge back all costs to the owner or occupant, and if the same is not paid by the owner or occupant, the same may be added to the tax bill for the property as a special assessment.
 - (2) The Village may seek the imposition of a monetary penalty in a court of competent jurisdiction as set forth below.
 - (3) The Village may seek injunctive relief in a New York Supreme Court.

BLACK RIVER CODE

- (4) The Code Enforcement Officer shall be allowed to issue appearance tickets for violations of this Code and seek relief in any court of competent jurisdiction. **[Added 5-2-2005 by L.L. No. 1-2005]**
- C. In the event of an emergency, the Village Board, upon determining that such emergency exists, may take immediate corrective action without further notice to the owners or occupants.

§ 128-12. Inspections.

All single-family, residential, two-family, multifamily, commercial and industrial buildings and premises subject to this chapter are subject to inspections by the Building Inspector at his discretion. At the time of such inspections, all rooms in the building and all parts of the premises must be available and accessible for such inspections, and the owner, operator and occupant are required to provide the necessary arrangements to facilitate inspections. Such inspections shall be made between 9:00 a.m. and 5:00 p.m., prevailing time, unless one of the following conditions **exists**:

The premises are not available during the foregoing hours for inspections.

There is reason to believe that violations are occurring on the premises which can only be apprehended and detected by inspections during other than the prescribed hours or which require immediate inspection after being reported.

There is reason to believe a violation exists, of a character which is an immediate threat to health or safety, requiring inspection and abatement without delay.

§ 128-13. Search warrants.

In addition to the provisions of § 128-13, the Building Inspector may, upon affidavit, apply to the Village Justice of the Village of Black River for a search warrant, setting forth factually the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this chapter exists on the premises, and if the Village Justice is satisfied as to the matter set forth in said affidavit, he/she shall authorize the issuance of a search warrant permitting access to and inspection of that part of the premises on which the nuisance or violation exists. Warrants for access may be issued by the Village Justice upon affidavit of the Building Inspector establishing grounds thereof.

§ 128-14. Specifications of notice.

Where a violation of this chapter or the regulations hereunder is found to exist, a written notice from the Building Inspector shall be served on the person or persons responsible for the correction thereof. The notice shall specify the violation or violations committed, what must be done to correct same, a reasonable period of time, not to exceed 30 days, to correct or abate the violation, the right of the person served to request a hearing and that the notice shall become an order of the Building Inspector in 10 days after service unless a hearing is requested pursuant to § 128-17..

§ 128-15. Service of notice.

13/15 Notice may be served personally or by prepaid telegram or by mail with postage prepaid, addressed to the last known address of the person to be served. In the case of an occupant who cannot be served as above, notice may be posted upon the door of his dwelling unit or rooming unit. Where it is ascertained that the owner does not reside on the premises, the last known address shall be the address of the owner as shown in the office of the Assessor. If the last known address cannot be ascertained, the notice may be posted on the outside front entrance of the building.

§ 128-16. Request for hearing.

Within 10 days of the date of service of a notice, the notice shall constitute a final order unless any person affected by the notice requests a hearing thereon before the Board of Trustees and serves a written request within the ten- day period, in person or by mail, on the Building Inspector. Such request for a hearing shall set forth briefly the grounds or reasons on which the request for a hearing is based and the factual matters contained in the notice of violation which are to be disputed at the hearing. The Village Board of Trustees, upon receipt of the request, shall, within 30 days therefrom and upon five days' notice to the party aggrieved, set the matter down for hearing.

§ 128-17. Extensions.

The Building Inspector may extend the time for correction or abatement of the violations for an additional period of time, not to exceed 30 days, except where major capital improvements or renovations are involved, in which instance the time of completion may be extended for a period not to exceed 90 days beyond the expiration date of the original notice.

§128-18. Emergency abatement.

Where the violation or condition existing on the premises is of such a nature as to constitute an immediate threat to life and limb unless abated without delay, the Building Inspector may either abate the violation or condition immediately or order the period of time not to exceed five days, and, upon failure of the occupant or owner to do so, the Building Inspector shall abate the condition immediately thereafter.

§ 128-19. Cost of abatement; lien.

Where abatement of any nuisance, as defined herein, correction of a defect in the premises or bringing the premises into compliance with the requirements of any village ordinance or state law applicable thereto requires expending village moneys therefor, the Building Inspector shall present a report of work proposed to be done to accomplish the foregoing to the Village Board with an approximate estimate of the cost thereof, along with a summary of the proceedings undertaken. The Village Board may thereupon, by resolution, authorize the abatement of the nuisance, correction of the defect or work necessary to replace the premises in proper condition and in compliance with the ordinances of the village and the laws of the state. In the event that an emergency, in the opinion of the Village Engineer, exists, then said Engineer may authorize that the work may be done immediately, in such a way as he deems fit to remove such emergency condition. The cost thereof of any such above work shall become a lien against said premises, collectible as provided by law. "Cost," as used herein, shall mean actual cost paid or incurred by or on behalf of the village, plus an amount for overhead which shall be equal to 20% of the total of such actual cost paid or incurred.

§ 128-20. Appearance tickets.

The Building Inspector and his designee(s) are authorized to issue appearance tickets for any violation of this chapter or the New York State Property Maintenance Code.

§ 128-21. Violation referrals.

Any violation of any ordinance or ordinances of the Jefferson County Board of Health, New York Board of Fire Underwriters, Fire Department, Police Department or any other departments or agencies of the Village of Black River discovered by the Building Inspector shall be referred by him to the official or agency responsible for the enforcement of such other ordinance or ordinances.

§ 128-22. Penalties for offenses.

Any person committing an offense against this chapter shall, upon conviction, be subject to a fine not exceeding \$250 or imprisonment for a term not exceeding 15 days, or to both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.