# Board of Trustees Village of Black River, New York



Regular Meeting
May 3, 2021

- -Call to order.
- -Pledge of Allegiance.
- -Approval of minutes of the 4/12/21 regular meeting and the 4/28/21 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 Baseball League

B) Peter Merigris Jr.

C) Rt. 3 Sewer Board

D) NYCOM

E) Black River Legion

Re: Facilities use request

Re: Zoning Board of Appeals

Re: Minutes

Re: Annual dues

Re: Facilities request

## Correspondence Sent:

## New Business:

- A) Drug and alcohol policy
- B) Cannabis Law

## **Unfinished Business:**

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

#### Village of Black River Board of Trustees Regular Meeting April 12, 2021



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

Present:
Mayor Francis Dishaw
Trustee Mark Wonderly
Trustee Bonnie Proven
Trustee Randy Lake
Trustee Gary McCullouch
Code Enforcement Officer James Holland
Police Chief Steve Wood
Superintendent Les Williams
Clerk-Treasurer Kristin Williams

A motion was made by Trustee Proven, seconded by Trustee McCullouch to approve the minutes of the 3/1/21 regular meeting and the 3/8 & 3/11/21 special meetings. The motion was carried.

Mayor Dishaw opened the public hearings for the 2021-2022 tentative budget and the tax cap override at 6:01 p.m.

Code Enforcement Report: CEO Holland stated that he has issued permits for fences and pools. He stated that the planning board will be holding the site plan review for 117 & 119 N. Main St. at their next meeting. He stated that the plan is not complete at this time. CEO Holland stated that the library project is complete.

<u>Public Comment:</u> David Leonard, 105 Ambrose Dr., asked about the status of a swimming pool on the corner of Ambrose Dr. and Maple St. CEO Holland stated that the residents have not answered any of the correspondence that has been sent and the issue will need to be taken to court now that they are opening up again.

<u>Police Department Report:</u> Police Chief Wood stated that the police reform plan has been sent to Albany for approval. He stated that he participated in the Stop DWI patrol, the police vehicle needed some repairs and got new tires, the radar trailer has been put out. He stated that Evans Mills passed their 25mph speed limit.

Superintendent's Report: Superintendent Williams stated that there were five small water leaks, three of which the homeowners were responsible for. He stated that the NY Rural Water conference is in May and will be held remotely. He stated that he and Matt Leary would like to participate in both days of training and that if the work schedule allows, he would like to have Joe Paige participate one of the days. Superintendent Williams stated that Mr. Paige did a great job covering for him while he was on vacation. He stated that he has been going to the pump station almost every weekend since he has become superintendent and that he has spoken with Matt and Joe about rotating weekends. It was agreed that Superintendent Williams and Trustee Wonderly, would meet to discuss updating the personnel policy to include compensation for weekend pump station coverage.

<u>Clerk Treasurer's Report:</u> Clerk Treasurer Williams stated that she had been notified that there is a possibility that the water relevies may not be placed on the tax bills. There is a bill relating to the moratorium on utilities that may be signed by the governor that would prohibit it. The sewer charges and property maintenance charges would not be affected.

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

Resolved, that the board approve the relevies as presented (see attached) The motion was put to a vote as follows:

Mayor Dishaw Yes
Trustee Wonderly Yes
Trustee McCullouch Yes
Trustee Proven Yes
Trustee Lake Yes

The motion was carried and the resolution duly adopted.

Village Board April 12, 2021 Page -2-

Clerk Treasurer Williams stated that Deputy Clerk Treasurer Tarra Benson did a good job running the office while she was on vacation. She stated that the village has still not received payment from the Town of Rutland for water that was billed in January and have not received readings in order to bill for the most recent quarter after several attempts.

A motion was made by Trustee McCullouch, seconded by Trustee Wonderly to close the budget and tax cap public hearings at 7:17 p.m. The motion was carried.

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

Resolved, that the village override the property tax cap for the 2021-2022 budget year. The motion was put to a vote as follows:

Mayor Dishaw Yes
Trustee Wonderly Yes
Trustee McCullouch Yes
Trustee Proven Yes
Trustee Lake Yes

The motion was carried and the resolution duly adopted.

The board agreed to hold the budget adoption meeting on Wednesday, April 28, 2021 at 6:00 p.m.

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

Resolved, that following abstracts of audited vouchers be approved interim abstract dated 3/10/21 in the amount of \$13,448.96 (General Fund: \$5575.13 Water Fund: \$2,107.99 Sewer Fund: \$5,765.84) interim abstract dated 3/24/21 in the amount of \$15,806.31 (General Fund: \$5,809.87 Water Fund: \$9,996.44) and regular monthly abstract dated 4/12/21 in the amount of \$14,630.82 (General Fund: \$9,108.00 Water Fund: \$5,522.82). The motion was put to a vote as follows:

Mayor Dishaw Yes
Trustee Wonderly Yes
Trustee McCullouch Yes
Trustee Proven Yes
Trustee Lake Yes

The motion was carried and the resolution duly adopted.

A motion was made by Trustee McCullouch, seconded by Trustee Wonderly to adjourn the meeting at 7:32 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams Clerk-Treasurer

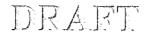
Owner	Taxmap	Water Relevy	Sewer Relevy
Etienne, Julia	14.00-3-5	\$70.40	\$265.12
Birchenough, Allen	14.00-4-31.2	\$228.70	\$274.83
Abreu, Dionis	75.48-1-11	\$352.53	\$417.27
Scrivens, Jesse	75.48-1-6.917	\$57.60	\$364.18
Connerly, Christopher	75.57-1-22	\$114.36	\$265.12
Heisler, Gaynor	75.57-1-36	\$208.23	\$676.28
Hart, Lucas	75.49-1-41	\$70.40	\$265.12
Shuhart, Jonathan	14.00-3-2	\$140.67	\$334.23
Estate of Jimmie Caldwell	15.00-6-33	\$168.95	\$132.56
Wren, Lucretia	15.00-6-37.1	\$116.10	\$265.12
Hennessey, Sean	15.00-6-27	\$127.55	\$158.72
Peguero, Willie	75.56-2-37	\$23.88	\$262.20
Bonner, Mark	75.56-2-27.2	\$112.15	\$396.80
Bonner, Mark	75.56-2-27.1	\$411.59	\$404.19
Hennessey, Sean	75.57-1-72	\$79.62	\$331.40
Veterans Affairs	75.56-2-18	\$88.00	\$331.40
Roselle, Jonathan	75.49-1-20	\$603.59	\$496.88
	Totals:	\$2,974.32	\$5,641.42

Owner	Taxmap	Property Maintenance
Rodriguez, Jonathan	75.57-1-38	\$537.50
IBC Holdings	15.00-5-2	\$450.00
Munroe, James	15.00-3-1	\$525.00
Etienne, Julia	14.00-3-5	\$225.00

Totals:

\$1,737.50

#### Village of Black River Board of Trustees Special Meeting April 28, 2021



Mayor Dishaw called the regular meeting to order at 6:00 p.m.

Present:

Excused:

Trustee Gary McCullouch

Mayor Francis Dishaw

Trustee Bonnie Proven

Trustee Mark Wonderly

Trustee Randy Lake

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

Resolved, that the 2021-2022 budget be adopted as presented. The motion was put to a vote as follows:

Mayor Dishaw

Yes

Trustee Proven

Yes

Trustee Wonderly

Yes

Trustee Lake

Yes

Trustee McCullouch Absent

The motion was carried and the resolution duly adopted.

Superintendent Williams stated that he has spoken with the Town of LeRay regarding a street sweeper that they have rented for a month. The town will not need the full month and the village is able to rent the sweeper for a week at the discounted rate of \$2000. He stated that there is also a manhole vacuum on the sweeper that can be utilized.

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

Resolved, that the village rent a street sweeper for the discounted rate of \$2,000 for a week. The motion was put to a vote as follows:

Mayor Dishaw

Yes

Trustee Proven

Yes

Trustee Wonderly

Yes

Trustee Lake

Yes

Trustee McCullouch Absent

The motion was carried and the resolution duly adopted.

A motion was made by Mayor Dishaw, seconded by Trustee Proven to adjourn the meeting at 6:28 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams

Clerk-Treasurer

## Board of Trustees Village of Black River, New York



## **FACILITIES USE APPLICATION**

Name David J Daily Today's Date 4/19/21			
Name David J Daily Today's Date 4/19/21 Organization Black River baseball league			
Telephone # 315-753-2898 Date & Hours Requested May 1 2021 - June 26, 2021			
Check Facility (ies) Requested:			
Municipal Offices Meeting Room ( ) Maple Street Park ( )  Maple Street Recreation Building(X)  Maple Street Pavilion ( )  Other ( ) (Please Specify)  *Certificate of Insurance provided? ( ) Yes ( ) No			
Please give a brief description of planned activity: We would be using The hundring to run The Concession Stend Dig of for The basesal Sames. Only authorized personnell in bushing			
Statement of Responsibility  I/We agree to assume responsibility for the facility/grounds requested above. I/We will ensure that all buildings and/or grounds are clean, neat, and returned to the physical condition in which they were found. No alcoholic beverages or glass containers are allowed on the premises.			
<u>Dandy Darly</u> Signature			
*****************			
OFFICE USE ONLY			
Approved ( )at the Village Board Meeting Disapproved ( ) at the Village Board Meeting Reason for disapproval			
Reason for disapproval  Signature  Date			
Any person with a disability who may need to make special arrangements to use the above facility (ies) may do so by calling the Black River Village Office at 773-5721 during business hours at least three days			

in advance of the planned activity.

Thank you.

www.blackniverny.org

107 Jefferson Place

Black River, NY 13612

(315) 773-5721 phone

(315) 773-5726 fax

PeterT Merigris Jr.

162 S Main St.

Black River NY 13612

impalapete950506@gmail.com

Cell# (347)491-2118

To: Board of Trustees

107 Jefferson Place

Black River NY 13612

To Whom this May Concern,

I am writing this letter to express my interest in the opening for Zoning Board of Appeals. I am 45yrs old also a resident of Black River NY for 3 yrs. 4 months. I do not have any experience or qualifications, but will attend any training and schools required by law. I do have some knowledge of what the position requires as far as the three basic roles or functions;

- A) interpreting the ordinance
- B) deciding appeals from administrative decisions

04/20/2021

C) granting variances

This is a new experience for me and I would like to gain experience and contribute my time to helping out the Village of Black River NY. I am a quick learner and I would like to expand my horizons so I can learn things every day. I am a Veteran that would like to continue helping communities to become better. I am looking forward to hearing from you. Please feel free to call or email me at your earliest convenience.

Sincerely,

Peter T Merigris Jr.

TO: NYS ROUTE 3 CORRIDOR SEWER BOARD

FROM: Christina Vargulick, Secretary

DATE: April 13, 2021

RE: Minutes of April 12, 2021 meeting

**Present:** S. Allen, F. Dishaw, L. Eddy, B. Ferguson and R. Taylor **Others:** M. Altieri, D. Benati, B. Nutting, C. Vargulick and T. Yarina

The NYS Route 3 Corridor Sewer/Development Board met virtually through a Zoom meeting on Monday, April 12, 2021. S. Allen called the meeting to order at 4:30pm.

The Board reviewed the minutes for February 8, 2021. Motion by F. Dishaw, seconded by B. Ferguson to approve the minutes as presented. Ayes-5, Nays-0. Motion carried.

#### **Operating Report**

The period summary for February 2021 was distributed to the Board. The sewer flow was 6.1MG. Forty-one percent (41%) of the total budgeted revenues were received. Expenses year-to-date were seventeen percent (17%) of the total budgeted. Net cash of \$551,764.03 remained at the end of the period. The reserve account balance was \$204,296.80.

The period summary for March, 2021 was distributed to the Board. The sewer flow was 7.9MG. Forty-nine percent (49%) of the total budgeted revenues were received. Expenses year-to-date were twenty percent (20%) of the total budgeted. Net cash of \$531,900.01 remained at the end of the period. The reserve account balance was \$204.371.12.

Shelves were installed in all pump stations in response to a health and safety inspection. S. Allen questioned the frozen lateral at Brookfield Power. B. Nutting stated that lack of use and the length of the lateral were responsible for the freezing. He stated that the cost to remove and reseat the pipe would be significant. Motion by B. Ferguson, seconded by R. Taylor to approve the reports as presented. Ayes-5, Nays-0. Motion carried.

#### **Budget Revisions**

B. Nutting apologized for a transfer error made during budget preparation. The revised budget correctly reflects the extra charges and EDUs but creates a deficit of \$8,653.85 in the cash balance. B. Nutting recommended reducing the contribution to reserves to cover the deficit. Motion by S. Allen, seconded by R.

Taylor to accept the recommendation to reduce the contribution to reserves. Ayes-5, Nays-0. Motion carried. B. Ferguson requested that a copy of the revised budget be distributed.

#### **GB Pump Station Replacement**

D. Benati distributed and reviewed the three (3) bids received for the lift station enclosure project. Bids were received for stick-built structures, fiberglass huts, and an alternate for new louvres. The apparent low bidder was Henderson Brothers Contracting Inc. at a cost of \$310,929.00 re-utilizing the existing louvres. B. Ferguson questioned why an estimate of costs was not distributed prior to bidding and from what accounts the money would come from. B. Nutting stated that the total revenues available in the operating reserves, capital reserves and carry over would cover the cost of construction. B. Ferguson pointed out that the recently completed asset management plan estimated the cost of replacement at \$25,000/station. He stated that if an estimate had been received as requested prior to bidding that the project could have been scoped to stay within the budget. B. Nutting advised that the cost of materials has significantly increased. D. Benati stated that designs were prepared for the four enclosures and they were bid as a package to reduce contractor mobilization costs but they could be re-bid separately.

R. Taylor stated that he expects construction costs to stay high and that the larger project was more attractive to potential bidders than a single enclosure. S. Allen agreed that the costs far exceed the anticipated cost but that the design work and bidding have already been completed. R. Taylor questioned the condition of the existing fiberglass enclosures. B. Nutting stated that they are separating at the seams and have some holes. L. Eddy questioned the useful life of the enclosures. B. Nutting stated they have been in for 20+ years and are at the end of their useful life. Stick built enclosures have a useful life of 50 years with maintenance. The existing louvres operate without power instead utilizing a warming and cooling of a natural wax product to operate. They are still operating well. New louvres would add \$65,000 to the total project cost. B. Ferguson requested that information regarding budget transfers to pay for the project be distributed to all members. B. Nutting agreed to provide the information. Motion by R. Taylor, seconded by L. Eddy to accept the bid from Henderson Brothers Contracting Inc. in the amount of \$310,929.00 to construct four (4) stick-built pump station enclosures and to remove and re-install the louvres from the existing enclosures. Ayes-5, Nays-0. Motion carried.

#### SEQR Resolution

DETERMINING THAT THE ROUTE 3 SEWER CORRIDOR GREAT BEND LIFT STATION ENCLOSURE REHABILITATION PROJECT IS A TYPE II ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT WHEREAS, the BOARD OF COMMISSIONERS FOR THE ROUTE 3 SEWER FACILITIES ("Board" or "Board of Commissioners"), as authorized under an Inter-Municipal Agreement dated May 15, 2003 between the Town of Champion, the Town of LeRay, the Town of Pamelia, the Town of Rutland, the Village of Black River, and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations at 6 NYCRR Part 617 (the "Regulations"), the Board desires to comply with SEQRA and the Regulations with respect to the Project; and

WHEREAS, pursuant to SEQRA and the Regulations, the Board has determined that the Project is a Type II action based on the size of the project and the replacement of existing facilities. According to 6 NYCRR Part 617.5 State Environmental Quality Review, indicates that the construction of a non-residential structure involving less than 4,000 SF of gross floor area and not involving a change in zoning or a use variance and consistent with local land use control is determined a Type II Action.

NOW, THEREFORE, BE IT RESOLVED that, based upon an examination of the Project as it relates to the environment, the Board, affirms that the Project will not have a significant adverse environmental impact and the project falls within a Type II action; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately. Ayes-5, Nays-0. Motion carried.

#### **Technical Services Agreement**

Motion by B. Ferguson, seconded by L. Eddy;

Whereas, the Development Authority of the North Country (Authority) and the Route 3 Sewer Facilities Board of Commissioners (Route 3 Sewer Board) entered into an Agreement dated September 14, 2020 to perform Project Management and Bid Phase Services for the Great Bend Fiberglass Hut Replacement Project for an amount not to exceed \$14,000. These services are detailed in Section 1.A of the original agreement, and

Whereas, the Route 3 Sewer Board has requested the Authority to continue to provide Construction Phase (Phase 2) Services (as detailed in Section 1.B of the original agreement) during the construction of stick-built structures, and

Whereas, Construction Phase Services will result in additional expenses of \$15,500 based on a September 30, 2021 substantial completion.

Now, therefore, the Authority and the Route 3 Sewer Board agrees to amend the amount of the agreement to \$29,500. Ayes-5, Nays-0. Motion carried.

Motion by B. Ferguson, seconded by L. Eddy to authorize the Chairman to execute the Notice to Proceed pending legal review and receipt of performance bonds and certificates of insurance. Ayes-5, Nays-0. Motion carried.

#### Flow Allocation

M. Altieri summarized his recommendations regarding flow allocation. The allocation for development of the Dorr Farm property has been removed. Construction of a 56-unit apartment building in Great Bend and some retail construction require an allotment. The current allocation for the Route 3 Sewer System is 295KG/day. M. Altieri recommends an allocation of 225KG/day. B. Nutting will prepare an amended sewer use agreement for Board action.

#### 2021 Administrative Operating Protocols

Motion by B. Ferguson, seconded by R. Taylor to approve the protocols as presented. Ayes-5, Nays-0. Motion carried.

#### **RTU Replacement**

The RTUs for LeRay PS6 and BR PS3 have been replaced. B. Nutting reported that the remaining three (3) RTUs located in Black River and Felts Mills be replaced next year.

#### **Agreed Upon Procedures**

The Board received information regarding the scope of work for the AUP. Motion by B. Ferguson, seconded by R. Taylor approving the scope of work at a cost not to exceed \$3,900.00 and to authorize the Chairman to execute the letter of engagement. Ayes-5, Nays-0. Motion carried.

#### Open Discussion

B. Nutting reminded members to submit their costs for insuring portions of the Route 3 Sewer System. He also requested that all member organizations submit their 2021 rates.

Motion by G. Eddy, seconded by B. Ferguson to adjourn. The meeting adjourned at 5:18pm.

The next scheduled meeting of the NYS Route 3 Sewer/Development Board will be held on Monday, June 14, 2021 at 4:30pm at the T/Rutland Municipal Building.

Christina Vargulick
Christina Vargulick, Secretary
NYS Route 3 Sewer Board of Commissioners



# 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

April 26, 2021

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John A. Burrell Mayor, Ellicottville

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Jerry Fremouw Mayor, Clyde

RuthAnn S. Loveless Mayor, Hamilton

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Richard B. Milne Mayor, Honeoye Falls

Gary A. Vegliante Mayor, West Hampton Dunes

Executive Director Peter A. Baynes TO:

Fiscal Officer

FROM:

Peter A. Baynes, NYCOM Executive Director

RE:

NYCOM Annual Membership Dues Invoice

Enclosed is your annual dues invoice for membership in the New York State Conference of Mayors and Municipal Officials For the eleventh consecutive year, there will be no increase in NYCOM dues in order to demonstrate NYCOM's concern for the fiscal challenges facing our municipal governments.

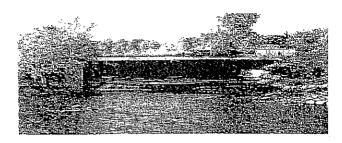
As we continue our efforts to help our members rebuild and recover from what was clearly an unprecedented twelve months, NYCOM is working even harder to provide the services you need. We are committed to taking what we learned from the COVID-19 pandemic to make the resources we provide more accessible, adaptable and even more valuable to you and your municipality. Rest assured we will continue provide you with our traditional legal and technical assistance, training opportunities and advocacy described below, but based on what we've learned, we will be exploring new concepts and solutions with respect to municipal operations, as well as instituting new ways to deliver all of our services.

- Legal and Technical Assistance: Our experienced staff of attorneys and programmatic experts are available to assist you and your administration. We regularly produce a variety of publications with practical advice on the issues facing municipal officials. Also, NYCOM's website is a readily accessible source of information to assist you in leading your community.
- Municipal Training: As a result of COVID-19, we are now more equipped than ever to offer a variety of remotely accessible training opportunities, including live and recorded webinars on issues of greatest importance to you and your communities. However, we are also easing our way back to in-person events where you will not only have the opportunity to attend classes, but also to network with other municipal officials and learn about products and services from our vendors. In fact, we are holding our Annual Meeting and Training School on June 9-11 at the Sagamore Hotel.
- Legislative Advocacy: Representing your interests in Albany and Washington is a key mission of NYCOM. This past year we achieved significant success at both the federal and state levels with the \$65 billion from the American Recovery Plan Act as well as historic increases in the state transportation dollars that will flow to your communities in the upcoming state fiscal year. We intend to build on this momentum and the engagement of our membership to continue our efforts to maximize your aid and minimize the level of state intrusion into the local governance of your community.

We look forward to continuing to serve you as we near the end of what was a particularly challenging time and move toward what we hope will be a brighter year ahead.

cc: Mayor

# Board of Trustees Village of Black River, New York



## **FACILITIES USE APPLICATION**

Name WM C DELTER POST 623 Today's Date 430-2021
Organization BLACK RIVER AMERICAN LEGION
Telephone # 315- M3-51 Dete & Hours Requested MAY & 2021 10 Am_ 3M
Check Facility (ies) Requested:
Municipal Offices Meeting Room ( ) Maple Street Park ( )  Maple Street Recreation Building ( )  Maple Street Pavilion ( )  Other ( ) (Please Specify) Lorwer of Manual & DEXTERST  *Certificate of Insurance provided? ( ) Yes ( ) No  Please give a brief description of planned activity: SELLALS LLAT DAS and
Please give a brief description of planned activity: SELLING HOT DAS CHILD PAISER FOR LEGION
Statement of Responsibility  I/We agree to assume responsibility for the facility/grounds requested above. I/We will ensure that all buildings and/or grounds are clean, neat, and returned to the physical condition in which they were found. No alcoholic beverages or glass containers are allowed on the premises.  Signature
**************************************
OFFICE USE ONLY
Approved ( ) at the Village Board Meeting
Disapproved ( ) at theVillage Board Meeting Reason for disapproval
SignatureDate

Any person with a disability who may need to make special arrangements to use the above facility (ies) may do so by calling the Black River Village Office at 773-5721 during business hours at least three days in advance of the planned activity.