

Regular Board Meeting  
Village of Montour Falls

January 6, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, Phil Jo Smith, James Nolan, and Jeffrey Confer

Also Present: Dean Hillyard, DPW Superintendent; James Howell, Schuylers County Legislature; M. Jacob Burns, Fire Chief; Emily Byers, Deputy Clerk/Treasurer; Ava Jantzen, Honorary Mayor; Public: Maureen Colunio, Pamela Davis-Acey, and Katie Serrine

Mayor Ryan called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance led by Ava Jantzen.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 12 - General Fund, for the amount of \$45,250.21. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 12 – Water Fund, for the amount of \$4,150.59. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 12 - Sewer Fund, for the amount of \$2,356.09. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 12 – Trust and Agency Fund, for the amount of \$1,563.81. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

County Legislator Howell provides the Village Board with updates from the most recent Schuylers County Legislature meeting.

Grants Administrator Demaria notifies the board that the Montour Market has received one bid for the purchase of refrigeration equipment. The grant requires no match funds and the Village will be reimbursed as paid out.

Trustee Chicone offered a resolution, seconded by Trustee Nolan awarding the bid on the Montour Market equipment purchase to sole bidder, B & W Supplies with the purchase amount of \$22,034.39. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Grants Administrator Demaria proposes to the board the pursuit of two FEMA Grants on behalf of the Fire Department.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the submission of two grant applications through FEMA for the Montour Falls Fire Department. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Grants Administrator Demaria informs the board of a grant opportunity with NYSERDA for a full time Climate Justice Fellowship to advance climate justice and clean energy priorities for disadvantaged

communities. They will pay \$37,000 annually to the qualified candidate, and up to \$3,000 for training with no Village match of funds. The grant application deadline is January 31, 2022.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the submission of the Climate Justice Fellowship Grant application. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Fire Chief Burns notifies the board of a NYS mandate for fire departments to have electronic patient care reporting (EPCR). The department must be capable of filing reports at the scene, starting January 1, 2022. He requests the purchase of 2 cellular iPads in the amount of \$719.98, which will be offset by the surrender of two mobile hotspots and a cell phone.

Trustee Chicone offered a resolution, seconded by Trustee Nolan to authorize the Fire Department to purchase two cellular iPads in the amount of \$719.89. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Mayor Ryan notifies the board that a community member, Aidan Thurston, has achieved the rank of Eagle Scout after his efforts to lead a team to serve Burdett Presbyterian Church to clean its cemetery, fix gravestones and then digitally map their locations to a web-based genealogy site. His efforts will preserve the information, which includes graves that date back to the American Revolution and graves of formerly enslaved persons. Aidan is well-known to the Village Board and has visited meetings to speak on several occasions on behalf of Schuyler County Coalition on Underage Drinking and Drugs. Mayor Ryan asks to proclaim March of the year 2022, as Aidan Thurston Recognition Month, for his hard work and determination to better the community he lives in.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing the following proclamation:

#### Aidan Thurston Recognition Month

WHEREAS, Aidan Thurston, of 409 West South Street in Montour Falls, has achieved the rank of Eagle Scout as confirmed by the Scout Leaders and Committee of Troop 2674 of the Boy Scouts of America; and

WHEREAS, Eagle Scout is the highest achievement or rank attainable in the Boys Scouts of America. Since its inception in 1911, only four percent of scouts have earned this rank after a lengthy review process; and

WHEREAS, Aidan coordinated a team to serve the Burdett Presbyterian Church to clean its cemetery, fix gravestones and then digitally map them to link to a web-based genealogy site to preserve the resulting information which includes graves from as early as the American Revolution and includes graves of formerly enslaved persons; and

THEREFORE I, James P. Ryan, as Mayor of the Village of Montour Falls, proclaim March 2022 as "Aidan Thurston Recognition Month" in the Village of Montour Falls, Schuyler County, New York.

The aforementioned proclamation was put to vote and resulted in the following: AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Superintendent Hillyard asks the board for permission for the DPW to demolish an old 10x12 structure that is in disrepair and not in use.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the Public Works Department to demolish the 10x12 structure that is in disrepair. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Fire Chief Burns reports that the fire department had 573 alarms in 2021 including 35 working fires.

Trustee Smith offered a resolution, seconded by Trustee Chicone to adjourn the meeting at 8:39 p.m.

AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

January 20, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, Phil Jo Smith, James Nolan, and Jeffrey Confer

Also Present: Alyssa Hammond, Clerk-Treasurer; Dean Hillyard, DPW Superintendent; Amanda Rodriguez-Demaria, Grant Administration; M. Jacob Burns and Brian Swartwood, Fire Department; Emily Byers, Deputy Clerk/Treasurer; and Public: Katie Serrine

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 13 – General Fund, for the amount of \$67,748.90. AYES: Trustees Chicone, Smith, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 13 – Water Fund, for the amount of \$4,872.94. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 13 – Sewer Fund, for the amount of \$47,626.09. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 13 – Trust and Agency Fund, for the amount of \$191.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Library Representative Westlake provides the Village Board with updates about the library including current hours, status, and services available to the community.

CCE Volunteer Westlake notifies the board of a ‘pop-up’ farmers market scheduled on April 4<sup>th</sup>, 2022 and the possible request to utilize the carnival grounds depending on the weather.

Dominic Spaccio addresses the board concerning the Village’s decision to Opt-Out of the licensing and establishment of retail cannabis dispensaries and/or on-site consumption establishments within the Village. He states that after considerable research, opting-out has been found to cause more harm than good for the community and that there would be no safety guaranteed unlike the dispensaries.

Trustee Smith offered a resolution, seconded by Trustee Confer to accept the Marina Rules and Regulations form and the New Rules and Practices form as discussed. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith to enter the second public hearing at 7:30 p.m. for the purpose of hearing public comments on Community Development Block Grant Project No. 751PR181-19 for the Collection System Rehab project. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Mayor Ryan updates the room about the Collection System Rehab project. The project was completed in late August 2021. It stayed within the \$750,000.00 budget and the project was 100% funded by the

CDBG grant, meaning no Village funds were used. The project replaced all of the sewer laterals on Owego Street, cleaned & lined approximately 7,300 feet of sewer main, and installed a meter at the Rock Cabin Pump Station.

No public comments.

Trustee Nolan offered a resolution, seconded by Trustee Smith to close the CDBG Grant public hearing at 8:00 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to approve the following bond resolution authorizing the acquisition of one fire fighting vehicle with related apparatus; stating the maximum estimated cost thereof is \$801,653.00; appropriating said amount therefore; and authorizing the issuance of up to \$801,653.00 in serial bonds of the Village to finance said appropriation:

WHEREAS, the Board of Trustees (the "Village Board") the Village of Montour Falls, Schuyler County, New York (the "Village") proposes to undertake the acquisition of one (1) Pierce Custom Heavy Duty Rescue Pumper fire fighting vehicle and related apparatus to be used in connection therewith, including all costs incidental thereto or in connection with the financing thereof, all at an estimated maximum cost of \$801,653 (collectively, the "Project") and to authorize the issuance of \$801,653 in serial bonds of the Village to finance said Project; and

WHEREAS, the Village Board now wishes to appropriate funds for the Project and to authorize the issuance of the Village's serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, the Board of Trustees of the Village of Montour Falls, Schuyler County, New York (the "Village") HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Village is hereby authorized to undertake the acquisition of one (1) Pierce Custom Heavy Duty Rescue Pumper fire fighting vehicle and related apparatus to be used in connection therewith, including all costs incidental thereto or in connection with the financing thereof. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$801,653, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$801,653 in serial bonds of the Village authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 2. Serial bonds of the Village in the principal amount of \$801,653 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned specific object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 27. of paragraph (a.) of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution.

The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Village Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by this resolution and/or with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Board of Trustees hereby determines that the Project and the financing thereof constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA with respect to the Project need be taken by the Board of Trustees as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 13. In accordance with the Village Law, this resolution will take effect ten (10) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a regular election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

The Village Clerk polled the Board and the following vote was taken and recorded in the recorded in the public or open session of said meeting: AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing Mayor Ryan to sign the purchase agreement with Churchville Fire Equipment for the acquisition of one fire fighting vehicle for

the total purchase price of \$801,635.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to adjourn the meeting at 8:25 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk



Regular Board Meeting  
Village of Montour Falls

February 3<sup>rd</sup>, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, James Nolan, and Jeffrey Confer

Also Present: Dean Hillyard, DPW Superintendent; Emily Byers, Deputy Clerk/Treasurer; and Public: Katie Serrine

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Confer offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 14 – General Fund, for the amount of \$30,314.64. AYES: Trustees Chicone, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 14 – Water Fund, for the amount of \$381.86. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 14 – Sewer Fund, for the amount of \$31.23. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 14 – Trust and Agency Fund, for the amount of \$191.00. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Superintendent Hillyard updates the board on the details about the search for a new dump trailer. He notes that there is \$6,500.00 saved from a previous sale of equipment, will receive \$3,500.00 for the trade in of the current dump trailer, and an additional \$2,750.00 from the trade in of a zero-turn mower keeping the cost of a replacement trailer to a minimum.

Trustee Nolan offered a resolution, seconded by Trustee Chicone authorizing Superintendent Hillyard to proceed with the purchase of a new dump trailer. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Superintendent Hillyard notifies the board that there were two call-outs to the same address for a broken water meter, two weeks apart. The meter had frozen both times due to improper care and protection of the device. He asks that the board consider collecting the second call-out costs for the incident from the homeowner.

Trustee Chicone offered a resolution, seconded by Trustee Nolan authorizing the Village Clerk to bill the homeowner at 233 Owego Street for the second employee call-out and meter base replacement. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan to adjourn the meeting at 7:29 p.m. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

February 17<sup>th</sup>, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Philip Smith, James Nolan, and Jeffrey Confer

Also Present: Dean Hillyard, DPW Superintendent; Emily Byers, Deputy Clerk/Treasurer;  
Public: Katie Serrine, and Dominic Spaccio

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Nolan offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 15 – General Fund, for the amount of \$41,828.90. AYES: Trustees Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 15 – Water Fund, for the amount of \$6,451.86. AYES: Trustees Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 15 – Sewer Fund, for the amount of \$48,123.71. AYES: Trustees Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 15 – Trust and Agency Fund, for the amount of \$1,115.96. AYES: Trustees Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan awarding the bid on the Montour Market equipment purchase to sole bidder, B & W Supplies with the purchase amount of \$55,701.62. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith authorizing the mayor to sign an interest application (PON 4600) for the Third-Party Support and Advancing Code Compliance Technology Pilot Program. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the mayor to pursue up to \$75,000 in grant funds for code software/training as part of Advancing Code Compliance Technology Pilot Program. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith resolved, the upcoming General Village Election will be held March 15, 2022 and resolved, the polling place will be located at the Village Hall, 408 West Main Street and will be open between the hours of 12:00 noon and 9:00 p.m. AYES: Trustees Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer approving appointment of election inspectors: Thomas McGarry, Elaine White, Marcia Kasprzyk, and Dane Carl. Trustees Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan accepting the 2021 Unpaid Tax List as presented. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith setting the Tax Certificate Sale date as Thursday, March 17, 2022. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith authorizing Deputy Clerk Byers to attend the Office of the State Comptroller Government Accounting School virtual training. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the clerk to refund Marleen William's dock deposit in the amount of \$200.00. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing the Mayor/Deputy Mayor in cooperation with the Clerk-Treasurer/Deputy Clerk-Treasurer, to approve future marina deposit refunds and disbursements will be contingent to approval by the Village Board. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of February JPC Bills in the amount of \$29,594.80. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to enter into Executive Session at 8:19 p.m. regarding a possible property acquisition. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to exit Executive Session at 8:43 p.m. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to adjourn the meeting at 8:44 p.m. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

March 3rd, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, Philip Smith, James Nolan, and Jeffrey Confer

Also Present: Dean Hillyard, DPW Superintendent; Emily Byers, Deputy Clerk/Treasurer;  
Public: Steven Sears

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 16 – General Fund, for the amount of \$92,857.61. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 16 – Water Fund, for the amount of \$16,475.35. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 16 – Sewer Fund, for the amount of \$54,639.89. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 16 – Trust and Agency Fund, for the amount of \$191.00. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Chicone authorizing the mayor to sign Memorandum of Understanding agreement with Cornell University's Design Connect. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith approving the following resolution:

WHEREAS, an agreement was recorded on October 18, 1993 at Liber 13 of Miscellaneous, at Page 546, between the Village of Montour Falls and Marvin W. Kemmerer and Rose Marie Kemmerer granting that the Kemmerer's property located at 3685 County Road 16, Town of Dix be supplied water by the Village of Montour Falls for the five mobile homes on the property.

WHEREAS, Marvin Kemmerer has received a purchase offer for said property by Rolling Hills Properties of NY LLC, a limited liability company located in Avoca, New York that would like to continue said agreement.

NOW, THEREFORE, the Board of Trustees hereby resolves as follows:

RESOLVED, to continue the agreement recorded October 18, 1993, with the new owners Rolling Hills Properties of NY LLC, under the same terms and conditions.

Passed by the following vote of all Board of Trustee Members. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan authorizing the following easement agreement:

THIS EASEMENT AGREEMENT (this "Agreement") by and between the Humane Society of Schuyler County, a Not-for-Profit Corporation, having an address at PO Box 427, Montour Falls, New York 14865 ("Grantor"), and the Village of Montour Falls, a Municipal Corporation and Political Subdivision of the State of New York, having an address at 408 West Main Street, Montour Falls, New York 14865 ("Grantee").

WHEREAS, Grantor is the owner of the parcel of property situated in the Village of Montour Falls, Schuyler County, New York having tax parcel number 76.19-3-40 (the "Property"); and

WHEREAS, Grantor is the operator of the barge canal adjacent to the Property, and the owner of the property adjacent to the barge canal; and

WHEREAS, Grantee has constructed a pedestrian footbridge over the barge canal connecting with a footpath constructed on Grantee's property (the "Footbridge"), and desires an easement permitting users of the footpath and the Footbridge to cross the Property from the easterly terminus of the Footbridge to Marina Drive; and

WHEREAS, Grantor has determined to grant said easement, pursuant to the terms and conditions herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Grantor hereby grants and conveys to grantee an easement over and upon the Property with a width of six feet, for pedestrian traffic only, along the path as currently located, or as may be relocated by Grantor, with one endpoint of said easement being the easterly terminus of the footbridge, from there following the curvature of the existing creek and then running parallel to State Route 14 in an easterly direction to the other endpoint being the westerly boundary of Marina Drive. All right, title, and interest in and to the Easement Area under this Agreement, which may be used and enjoyed without interfering with the specific rights conveyed by this agreement are reserved to Grantor.

2. The easement granted hereby shall run with the land and shall benefit and burden Grantor and Grantee and their successors and assigns.

3. The parties recognize and agree that (a) this easement shall be used by members of the general public for pedestrian foot traffic between Marina Drive and the Footbridge, and Grantee may grant all members of the general public the right to use such easement for such purpose; and (b) the foregoing notwithstanding, no offer of dedication for public use is intended by this easement and the public shall acquire no rights to the Property by this easement.

4. (a) Grantee shall indemnify, defend and hold harmless Grantor and its officers, agents, contractors, tenants, and any other third parties required in writing by Grantor, from and against any and all losses, costs, damages, liens, claims, liabilities, or expenses (including, but not limited to, reasonable attorneys' fees, court costs, and disbursements) incurred by Grantor arising from or by reason of the access to, or use of the Easement Area by Grantee, or its tenants, occupants, agents, contractors, employees, customers, and invitees, including members of the general public described in Par. 3, above, with the exception of any and all losses, costs, damages, liens, claims, liabilities, or expenses arising solely from the negligence, gross negligence or misconduct of the Grantor. Grantor shall indemnify, defend and hold harmless Grantee from and against any and all losses, costs, damages, liens, claims, liabilities, or expenses arising solely from the negligence, gross negligence or misconduct of the Grantor.

(b) The Grantee's duty to indemnify, defend and hold harmless described above, explicitly applies notwithstanding any section of law pertaining to the filing of a notice of claim or a notice of intention to file a claim as a condition precedent to bringing a civil action against a public institution.

(c) Grantee, at its expenses, shall maintain and keep in force at all times during the term of this Agreement, a policy of comprehensive general public liability insurance, including a contractual liability endorsement, and personal injury liability coverage, from an insurer [reasonably] acceptable to Grantor, which shall include coverage against claims for any injury, death, or damage to persons or property occurring on, in or about the Easement Area described in Par. 1, above, with a combined single limit of not less than One Million Dollars (\$1,000,000.00) with respect to the Easement Area described in Par. 1, and Grantee's use therein. Grantor and its officers, agents, contractors, tenants, and any other third parties required by Grantor, shall be named as additional insureds on such insurance policies. At or within a reasonable time after execution of this agreement, Grantee shall furnish to Grantor: (a) a certificate of insurance evidencing the foregoing coverages, and providing that such insurance policy may not be cancelled on less than thirty (30) days prior written notice to Grantor; and (b) proof of payment of the insurance premium.

5. This agreement may be executed by the parties hereto in separate counterparts, each of which when so executed and delivered shall be deemed an original for all purposes, and all such counterparts shall together constitute but one and the same instrument. A signed copy of this Agreement delivered by facsimile/email shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement. Notwithstanding the foregoing, each party hereto shall deliver original counterpart signatures to the other parties by no later than thirty (30) days after the date hereof.

6. In the event of a default by Grantor or Grantee, the non-defaulting party may seek any and all remedies permitted by law or in equity (including, but not limited to, reasonable attorneys' fees, court costs, and disbursements). Grantors right herein explicitly applies notwithstanding any section of law pertaining to the filing of a notice of claim or a notice of intention to file a claim as a condition precedent to bringing a civil action against a public institution.

7. Unless specifically stated otherwise in this Agreement, all notices, waivers, and demands required or permitted hereunder shall be in writing and delivered to the addresses set forth above by one of the following methods: (a) hand delivery, whereby delivery is deemed to have occurred at the time of delivery; (b) a nationally recognized overnight courier company, whereby delivery is deemed to have occurred the business day following deposit with the courier; (c) registered United States mail, signature required and postage-prepaid, whereby delivery is deemed to have occurred on the third business day following deposit with the United States Postal Service; or (d) electronic transmission (facsimile or email) provided that the transmission is completed no later than 4:00 p.m. Eastern Time on a business day and the original also is sent via overnight courier or United States mail, whereby delivery is deemed to have occurred at the end of the business day on which electronic transmission is completed.

8. This Agreement may not be modified, amended, or terminated except in a writing signed by each party hereto, upon legal vote of its governing body.

9. Both parties represent and warrant that they have the authority, by legal vote of that party's governing body, to execute this Agreement and each individual signing on behalf of a party to this Agreement states that he or she is the duly authorized representative of the signing party and that his or her signature on this Agreement has been duly authorized by, and creates the binding and enforceable obligation of, the party on whose behalf the representative is signing.

The aforementioned agreement was put to vote and resulted in the following: AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith to approve the following proclamation:

50th Older Americans Act Nutrition Program

WHEREAS, the Village of Montour Falls is home to citizens aged 60 years old or older whose experiences and wisdom connect us to the past and help us meet the challenges of the future; and

WHEREAS, for 50 years, the Senior Nutrition Program has helped older adults access healthy meals, nutrition education, social opportunities, and other invaluable supports in communities nationwide. This year marks a milestone for both the Older Americans Act, which authorizes the program, and for community living, which is made ever more achievable by community-based resources like the Senior Nutrition Program.

WHEREAS, the older citizens of the Village of Montour Falls are representative of an unprecedented trend in the nation's demographic makeup; and

WHEREAS, older persons are diverse, respected citizens who continue to contribute to our nation's social and economic well-being as they live longer, healthier, and more productive lives, many even starting second careers; and

WHEREAS, as America grows older, each community must strive to understand and address the evolving challenges and needs of our older citizens and the people who care for them; and

WHEREAS, the opportunities and challenges that lie ahead require us to think differently about health and long-term care, and work together to ensure that older Americans can age strong, long and with dignity; and

WHEREAS, the Village of Montour Falls wishes to join in the celebration to honor the Seniors of Schuyler County and to encourage them to "Age Strong, Eat Healthy, and Live Long"; Celebrating the 50th Older Americans Act Nutrition Program

NOW THEREFORE I, James P. Ryan, Mayor of the Village of Montour Falls, do hereby proclaim the month of April 2022 as Senior Nutrition Month.

The aforementioned proclamation was put to vote and resulted in the following: AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to adjourn the meeting at 7:57 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

March 17th, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, Philip Smith, James Nolan, and Jeffrey Confer

Also Present: Alyssa Hammond, Clerk/Treasurer; Dean Hillyard, DPW Superintendent; Emily Byers, Deputy Clerk/Treasurer; Tony & Michelle Nevone, Code Officer; James Howell, Schuyler County Legislature, M. Jacob Burns and Brian Swartwood, Fire Chief  
Public: Katie Serrine, Dominic Spaccio

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 17 – General Fund, for the amount of \$27,504.99. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 17 – Water Fund, for the amount of \$4,779.65. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 17 – Sewer Fund, for the amount of \$45,472.13. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Chicone approving a camera upgrade in the Village Board room by ProAudio Consulting in the amount of \$1300.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Deputy Clerk Byers asks the board to recall a resolution from the previous meeting as shown below, with a corrected page number:

“Trustee Confer offered a resolution, seconded by Trustee Smith approving the following resolution:

WHEREAS, an agreement was recorded on October 18, 1993 at Liber 13 of Miscellaneous, at Page [546](#), between the Village of Montour Falls and Marvin W. Kemmerer and Rose Marie Kemmerer granting that the Kemmerer’s property located at 3685 County Road 16, Town of Dix be supplied water by the Village of Montour Falls for the five mobile homes on the property. WHEREAS, Marvin Kemmerer has received a purchase offer for said property by Rolling Hills Properties of NY LLC, a limited liability company located in Avoca, New York that would like to continue said agreement.

NOW, THEREFORE, the Board of Trustees hereby resolves as follows:

RESOLVED, to continue the agreement recorded October 18, 1993, with the new owners Rolling Hills Properties of NY LLC, under the same terms and conditions.

Passed by the following vote of all Board of Trustee Members. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.”

Deputy Clerk Byers will update the minutes from March 3, 2022.

Trustee Smith offered a resolution, seconded by Trustee Confer to schedule budget workshops for



6:00 on April 7th, 2022 and April 21st, 2022 at the Village Hall Board room. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to dedicate the board meeting on April 7th, 2022 for discussion on short-term/vacation rentals and payment of bills. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the Village to create a position title of Public Safety Officer. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan authorizing the Village to create a position title of Climate Justice Fellow. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone authorizing the Village to create a position title of Project Assistant. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan accepting the Montour Falls Fire Department Roster as presented:

Chief: Brian Swartwood  
1st Assistant Chief: Andrew Yessman  
2nd Assistant Chief: William Thomas  
Captain: Joel Husted  
1st Lieutenant: John Horyczun  
2nd Lieutenant: Michael Hines

AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith to enter into Executive Session at 7:36 p.m. to discuss possible staffing changes. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to exit Executive Session at 7:48 p.m. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the Village to create a position title of Village Treasurer. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to adjourn the meeting at 7:49 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

April 7th, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, Philip Smith, James Nolan, and Jeffrey Confer

Also Present: Alyssa Hammond, Clerk/Treasurer; Dean Hillyard, DPW Superintendent; Emily Byers, Deputy Clerk/Treasurer; Brian Swartwood, Fire Chief

Public: Katie Serrine

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 18 – General Fund, for the amount of \$30,428.10. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 18 – Water Fund, for the amount of \$4,862.25. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 18 – Sewer Fund, for the amount of \$47,665.96. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 18 – Trust & Agency Fund, for the amount of \$1,719.30. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith to set a Public Hearing for April 28, 2022 at 7:15 p.m. for the purpose of hearing public comments on Local Law #2-2022 A Local Law to Override the Tax Levy Limit for the Fiscal Year 2022-2023. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith to set a Public Hearing for April 28, 2022 at 7:30 p.m. for the purpose of hearing public comments on the proposed 2022-2023 Village Budget. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith to set a Public Hearing for April 28, 2022 at 7:45 p.m. for the purpose of hearing public comments on Local Law #3-2022 A Local Law to Set the Water and Sewer Rates for the Fiscal Year 2022-2023. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer approving the annual PTO for the water operator to be assigned as follows: Vacation 100 hours, Sick 48 hours and Personal 12 hours. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

The Board discusses short term / vacation rentals within the Village.

Trustee Smith offered a resolution, seconded by Trustee Nolan to enter Executive Session at 8:46 p.m. to discuss a possible property acquisition. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to exit Executive Session at 9:28 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to adjourn the meeting at 9:29 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

April 21st, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, Philip Smith, James Nolan, and Jeffrey Confer

Also Present: Alyssa Hammond, Clerk/Treasurer; Emily Byers, Deputy Clerk/Treasurer; James Howell, Schuyler County Legislature; Jessica Westlake and Emily Smith, Library Director; Tony and Michelle Nevone

Public: Katie Serrine

Mayor Ryan called the meeting to order at 7:00 p.m.

Legislator Howell provides a summary of the recent Schuyler County Legislature's meeting.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 19 – General Fund, for the amount of \$29,537.39. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 19 – Water Fund, for the amount of \$7,428.57. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 19 – Sewer Fund, for the amount of \$2,161.70. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 19 – Trust & Agency Fund, for the amount of \$1,719.30. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Jessica Westlake introduces the new Library Director, Emily Smith, to the Montour Falls Library.

Trustee Confer offered a resolution, seconded by Trustee approving Amendment No. 5 to the Municipal Solutions Contract dated November 21, 2014 for the Regional Wastewater Treatment Facility for a total increase of \$13,000.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing a refund of the \$200.00 dock deposit to Patrick Sexton for Dock# 44S, therefore making it available for rent. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing Schuyler Hospital to utilize the Fireman's Field on Saturday, September 17th, 2022 for Schuyler Hospital Fit Fest. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer approving the hiring of Richard Hartwell as a seasonal employee. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan approve the Erie Canal Corp and AARP grant applications. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Building Inspector Nevone addressed the Village Board regarding two properties in the Village: 114-116 Owego Street and 105 Washington Street. He details the multiple code offenses, building and structural hazards, health hazards and safety hazards that effect not only the property but its neighboring properties.

The Village Board supports the Building Inspector working with the Village Lawyer, Robert Halpin, to continue the process of remedying the properties mentioned above.

Trustee Smith offered a resolution, seconded by Trustee Confer granting Superintendent Hillyard authorization to order a truck in an amount not to exceed \$45,000. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to adjourn the meeting at 8:16 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Special Board Meeting  
Village of Montour Falls

April 28th, 2022

7:00 p.m.

Present – Mayor James Ryan, Trustees Vincent Chicone, Phil Jo Smith, James Nolan, and Jeffrey Confer

Also Present –Dean Hillyard, DPW Superintendent; Alyssa Hammond, Clerk/Treasurer; Emily Byers, Deputy Clerk; and Katie Sirrine

Mayor Ryan called the meeting to order at 7:00 p.m. and asked for the pledge of allegiance.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 20 – General Fund, for the amount of \$4,134.42. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Public Hearing for Tax Cap Override was cancelled. Override was not required.

Public Hearing 7:30 p.m. 2022-2023 Village Budget

Trustee Smith offered a resolution, seconded by Trustee Chicone to enter into a Public Hearing to hear comments on the proposed 2022-2023 Village Budget. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Clerk Hammond presents the budget overview sheets for the General, Water, and Sewer Funds.

Trustee Smith offered a resolution, seconded by Trustee Chicone to close the Public Hearing at 7:38 p.m. AYES: Trustees Chicone, Smith, Confer and Nolan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan to approve the 2022-2023 Village Budget, summarized as follows:

	GENERAL	WATER	SEWER
Appropriations	1,618,433	327,337	716,365
Estimated Revenues	949,207	327,337	616,365
Appropriated Fund Balance	30,000		100,000
Tax Levy	639,226		
Taxable Assessment	70,847,536		
Tax Rate	9.0226		

AYES: Trustees Chicone, Smith, Confer and Nolan. NOES: None. Resolution carried.

PUBLIC HEARING 7:45 p.m. Local Law #2-2022 Amending the Code of the Village of Montour Falls Chapter 156-21 Water Rates and Sewer Charges

Trustee Chicone offered a resolution, seconded by Trustee Smith to enter into a Public Hearing to hear comments on the proposed changes to the Water and Sewer Rates. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Local law amends residential water rates to \$0.698 per hundred gallons (\$6.98/thousand); residential water base charge to \$4.32 per billing; residential water rates outside the Village to \$1.396 per hundred

gallons (\$13.96/thousand); residential water base charge outside the Village to \$8.64 per billing; residential sewer rates to \$0.948 per hundred gallons (\$9.48/thousand); residential sewer base charge to \$4.64 per billing; and residential sewer unit charge to \$328.86 per 41,464 gallons of usage per year.

Local law amends commercial water rates to \$0.872 per hundred gallons (\$8.72/thousand); commercial water base charge to \$2.16 per billing; commercial water rates outside the Village to \$1.744 per hundred gallons (\$17.44/thousand); commercial water base charge outside the Village to \$4.32 per billing; commercial sewer rates to \$1.185 per hundred gallons (\$11.85/thousand); commercial sewer base charge to \$2.32 per billing; and commercial sewer unit charge to \$328.86 per 41,464 gallons of usage per year.

Trustee Smith offered a resolution, seconded by Trustee Nolan to close the Public Hearing at 7:51 p.m. AYES: Trustees Chicone, Smith, Confer and Nolan. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith approving Local Law #2-2022, amending the Code of the Village of Montour Falls Chapter 156-21 Water Rates and Sewer Charges as proposed. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to adjourn the meeting at 7:52 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

May 19th, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, Philip Smith

Also Present: Alyssa Hammond, Clerk/Treasurer; Emily Byers, Deputy Clerk/Treasurer; Tony Nevone, Code Enforcement Officer; Brian Swartwood, Fire Chief; and Jean Hubsch, Glenda Gephart, David Lisk, of the Schuyler County Historical Society.

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 21 – General Fund, for the amount of \$44,690.76. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 21 – Water Fund, for the amount of \$8,980.53. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 21 – Sewer Fund, for the amount of \$49,409.59. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 21 – Trust & Agency Fund, for the amount of \$1,910.30. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Jean Hubsch delivers the 2021 Annual Report for the Schuyler County Historical Society. The society currently has 339 members including 70 new members. For more details the information can be accessed on their website.

Trustee Chicone offered a resolution, seconded by Trustee Smith awarding Bid #3 for the Montour Market to POC Productions in the amount of \$8,731.00. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Amanda Demaria presents the proposed 2022 CFA grant applications that will be submitted for the Village of Montour Falls, with board approval:

1. Homes and Community Renewal CDBG
2. Office of Parks, Recreation and Historic Preservation
3. New York State Canal Corporation
4. Department of Environmental Conservation: Climate Smart Communities Grant Program
5. Department of State: Brownfield Opportunity Area Program
6. Department of Environmental Conservation: Food Scraps Recycling

Total Grant writing hours estimate 230 - 290. Total Cost estimate for grant writing \$14,950 - \$18,850. Total approximate amount requested through the grants \$1,350,000 - \$1,800,000; six grants. Total approximate match \$900,000 - \$1,200,000 (cash and in-kind).



Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the pursuit of 2022 Consolidated Funding Applications for the aforementioned grants. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone approving the following 2022-23 Village Board meeting dates: June 2, June 16, July 21, August 18, September 15, October 6, October 20, November 3, November 17, December 1, December 15, January 5, 2023, January 19, 2023, February 2, 2023, February 16, 2023, March 2, 2023, March 16, 2023, April 6, 2023, April 20, 2023, May 4, 2023, May 18, 2023. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith approving the Annual Water Quality Report. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Smith accepting the EFPR Group, CPAs PLLC proposal to provide audit and related services for the years ending May31, 2021, 2022, and 2023. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith approving the 2022 Village Information Sheet that is to be mailed with the 2022 Tax Bills. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing Mayor Ryan to execute the tax warrant authorizing collection of 2022-23 Village taxes in the amount of \$639,226.00 and furthermore allowing the Schuyler County Real Property Tax Office to print the Village Tax Bills. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing a refund of the difference of \$500.00 to Frederick Vespe from moving from dock 69N to 28S, therefore leaving 69N available to rent. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone approving the 2022 Contract for Janitorial Services with Steven Brown for the amount of \$9,600.00. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to deny the request made by Janet Delgrosso to waive the late fees from her water/sewer bill. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to adjourn the meeting at 8:29 p.m. AYES: Trustees Chicone, Smith, and Mayor Ryan. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

June 2nd, 2022

7:00 p.m.

Present: Deputy Mayor Vincent Chicone, Trustees Philip Smith, James Nolan, and Jeffrey Confer

Also Present: Dean Hillyard, Superintendent; Emily Byers, Deputy Clerk/Treasurer; Tony Nevone, Code Enforcement Officer; Amanda Demaria, Grants Administrator

Public: Shirley Cooper

Deputy Mayor Chicone called the meeting to order at 7:00 p.m.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of bills, on Abstract no. 22 for the amount of \$57,488.44. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Grants Administrator Demaria presents an overview of the Complete Streets Plan to the board identifying trouble areas including roads, sidewalks, and traffic. This will assist the Village in finding a plan of remedying those problems.

Trustee Smith offered the following resolution, seconded by Trustee Chicone:

VILLAGE OF MONTOUR FALLS REQUEST FOR PROPOSALS LOCAL WATERFRONT REVITALIZATION PROGRAM PLAN - NYS DEPARTMENT OF STATE CONTRACT #C1002025

#### BACKGROUND AND INTRODUCTION

The Village of Montour Falls is situated on the southernmost terminus of the Erie Canal less than three miles from Seneca Lake in Schuyler County NY. Approximately one mile of the Canal is located in Montour Falls. Nearly the entire Village is located within one mile of the Canal, and are located within the 100-year flood zones. The entire Village is at risk from the increasing frequency and severity of severe weather events.

Over the years, the Village of Montour Falls has witnessed increased traffic along SR 14 from increased tourism in the county. The Village is also experiencing growth and traffic in Downtown Montour Falls due to new businesses. While the Village welcomes this increased traffic and growth, there is a desire to ensure that it is sustainable and that The Village's character, natural environment, and water quality are protected. The Village of Montour Falls currently has a poverty rate of 23.7%, the highest in Schuyler County. The provision of an LWRP will establish a direction for future development efforts that maximize opportunities presented by the Canal.

#### A. PROJECT DESCRIPTION

The Village of Montour Falls (the Village) in partnership with the NYS Department of State (DOS), is seeking proposals from qualified consulting firms to coordinate and conduct the preparation of the Village Montour Falls Local Waterfront Revitalization Program (LWRP). The Village's LWRP Plan will address the 44 State Coastal policies of the NYS Coastal Management program.

The Village of Montour Falls government, businesses, and residents are very involved in building a resilient and sustainable future for the community and will be an active part of the planning process. The Village will hire a professional planning firm and work in partnership with Schuyler County Partnership for Economic Development, Schuyler County, Canal Corp., NYS DEC, and NYS DOS to develop the LWRP, including research, mapping, citizen participation, and development of the plan that meets the NYSDOS LWRP Program requirements and the needs of the Village.

The proposed Waterfront Revitalization Area (WRA) encompassed by the LWRP will include parcels adjacent to the Erie Canal, downtown Montour Falls, tributaries to the canal, and land adjacent to the tributaries. A primary focus will be on the Montour Marina located directly on the Canal.

The expected outcomes of this plan will: (1) guide future development in the WRA, (2) outline actions to protect water quality of the Canal and Seneca lake, (3) integrate with the land-use policies in the Village, (4) focus on enhancement and redevelopment to the Montour Marina, the canal adjacent properties, and downtown Montour Falls, and (5) serve as a resource to the Village, residents, farmers, and business owners in their efforts to revitalize the Village's waterfront.

#### B. PROJECT ORGANIZATION

The Village will establish a Waterfront Advisory Committee (WAC) to provide direction to the Consultant. The WAC will act as the primary decision-making body for the project. WAC membership will represent identified project stakeholders as well as non-governmental and community-based organizations. Throughout the duration of the planning process, the Consultant and the WAC will work closely with the Village and Department of State.

#### C. SCOPE OF WORK

The Consultant must comply with all terms and conditions of the Village's contract with the NYS Department of State for this project (C1002025). The Consultant will complete the tasks in the work plan. In addition to the listed public meetings, the consultant will coordinate and conduct meetings with the WAC. The timeline of this project is limited by the DOS contract for the EPF LWRP grant funding this project. It is expected that a first version of the complete draft LWRP will be completed within 27 months. The delivery of a revised and complete draft ready for the initiation of the 60-day review by State and federal agencies is expected to happen within 33 months from the initiation of the planning effort. The finalization of the LWRP amendment and associated local approval process is expected to be completed within 37 months. The Consultant must integrate in the timeline included in the proposal the time necessary for DOS reviews of different versions of the draft LWRP amendment, the time necessary for the DOS processing and posting of the draft LWRP for the 60-day review process, and the time necessary for DOS review and processing of comments received from State and federal agencies during the 60-day review. The fixed five-year term of the LWRP Master Contract with the Village of Montour Falls is 06/1/2022 – 05/31/2027. Montour Falls is committed to completing this plan well ahead of this deadline.

#### D. BUDGET

The budget for the Montour Falls LWRP is \$104,750.00. Of this amount, \$78,562 is an EPF LWRP Grant from the NYS Department of State and \$26,188 is the required local match provided by the Village of Montour Falls. This is the budget for the entirety of the project including the consultant, Village support, and Grant management.

#### E. PROPOSAL SUBMISSION REQUIREMENTS

In order to assist the Village with the evaluation of proposals that are received, each proposal shall use the following format:

1. Statement of Qualifications – a brief description of the firm, or team of firms submitting the proposal including: full business name, legal status (corporate, partnership or sole proprietor), number and type of employees, specialties and longevity. List similar projects, the specific personnel that worked on them and a list of personnel assigned to work on this project. For past projects, include the name and client, year the project was completed, the budget amount and a telephone number for a contact person with direct knowledge of the project and the tasks performed.
2. Project Team Members (Curriculum Vitae) – List any specialties and/or strengths that make the consultant and the personnel assigned to this project uniquely suited to performance of the work outlined in this RFP. This should include a listing of each individual's relevant project experience with regard to the tasks they would perform as part of this project. Provide an organizational chart of the employees assigned to work on this project, including the Project Manager. The Project Manager shall serve as the main point of contact for the Village.

3. Project Schedule and Details – The Consultant shall provide a detailed proposed project schedule, including start and completion dates for each task outlined in Section H, Project Components. This should also include a detailed description of the proposed approach, scope of services, and timeline to complete each task. If available, the Village will provide copies of plans, regulations, maps, information regarding infrastructure and any other studies relevant to the project.

4. Cost and Payment Schedule – All invoices shall specify the name and title of Consultant staff providing services, and details as to the services provided. Further, each invoice shall be referenced to the specific work scope item identified in Section H – Project Components, or as otherwise specified in the contract for services between the Consultant and the Village and shall include a calculation of the percentage of work completed for each task. A total, not-to-exceed dollar value for any reimbursable expenses associated with each individual work scope item must be specified, including the rate for all expenses (mileage, printing, etc.).

5. MWBE Requirements – Pursuant to NYS Executive Law Article 15-A and 5NYCRR Parts 142-144, for the purposes of this procurement, the NYS Department of State has established an overall goal of 30 percent for MWBE participation. The specific goals are defined as follows:

MBE – 15% = \$11,784.30

WBE – 15% = \$11,784.30

Total \$23,568.60

Please identify how the MWBE goal will be satisfied.

#### F. PROPOSAL SUBMISSION

Two (2) paper copies of the submission, as well as one complete submission in PDF format on a USB flash drive are required. Place cost proposals, including reimbursable expenses keyed to each task, in a separate, sealed envelope clearly labeled “Montour Falls LWRP cost proposal”. Please place proposals, the envelope containing the cost proposal and the USB flash drive in an envelope or box clearly labeled “Consultant Services Response to Montour Falls LWRP RFP”.

Proposals must be sent or delivered to the following:

Emily Byers, Deputy Clerk

Village of Montour Falls

408 W. Main Street

Montour Falls, NY 14865

Proposals will be accepted up until 4 PM on July 29, 2022. SUBMISSIONS SENT VIA FAX, EMAIL OR ANY OTHER FORM OF ELECTRONIC TRANSMISSION WILL BE REJECTED. UNDER NO CIRCUMSTANCES WILL LATE SUBMISSIONS BE ACCEPTED. Questions pertaining to this RFP must be submitted in writing only via email to Emily Byers, Village Deputy Clerk [deputyclerk@villageofmontourfalls.com](mailto:deputyclerk@villageofmontourfalls.com) no later than 4 PM on July 8, 2022.

#### G. REVIEW PROCESS

The Montour Falls Village Board will appoint the WAC to review consultant proposals, establish a short list of qualified consultants, conduct interviews if determined necessary, and recommend a preferred consultant. The WAC will first review the submissions for completeness, eliminating those that do not meet the established submission requirements. Remaining submissions will be evaluated in accordance with the following minimum criteria:

- Quality and completeness of response
- Understanding of and approach to the scope of work
- Experience with assignments of similar size, scope and complexity
- Cost effectiveness
- Qualifications and relevant experience
- References from previous clients
- Ability to complete all tasks on time and within the prescribed budget
- Satisfaction of MWBE requirements

The WAC, after rating and ranking submissions and at its discretion, may elect to conduct interviews with the most qualified firms. Once the selection committee recommends a consultant or team of consultants, the Village will obtain approval from the NYS Department of State before notifying the successful consultant. The Village reserves the right to terminate negotiations concerning scope of work, project approach and project fee if consensus cannot be reached on these items. Under these circumstances, the Village would then enter into negotiations with the consultant or team of consultants ranked second during the proposal review process.

All proposals must thoroughly address the minimum project components below.

#### H. PROJECT COMPONENTS

The Village of Montour Fall (Contractor) will complete and adopt a Local Waterfront Revitalization Program. The LWRP Plan will be developed pursuant to the provisions of New York State Executive Law, Article 42 and its implementing regulations, 19NYCRR Parts 600-603. The development of the harbor management component of the LWRP, as set forth in 19 NYCRR Part 603.3, along with guidance on content and how to prepare an LWRP, is further described in the guidance manual prepared by the Office of Planning, Development, and Community Infrastructure. The guidance manual is available online at: <https://dos.ny.gov/guidance-manual-preparing-local-waterfront-revitalization-programs> Preparation of the LWRP shall, at a minimum, include the following tasks extracted from the NYS Department of State work plan.

##### TASK 1: PROJECT MANAGEMENT

The Consultant will work with the Village to develop a comprehensive approach to project management and administration that will monitor tasks, schedule, costs, and submission of deliverables. The Consultant will conduct bi-weekly project management meetings with the Village staff to discuss project progress. In consultation with the Village, the Consultant will prepare a Public Outreach Plan that will outline a strategy and timeline to engage the public and key stakeholders and disseminate project information. Deliverables: Project Management Plan; Public Outreach Plan

##### TASK 2: PUBLIC & STAKEHOLDER INVOLVEMENT

Inclusive participation is essential to the success of the LWRP. Members of the public and key stakeholders will be given opportunities to be actively involved and provide useful input. The Public and Stakeholder Involvement meetings and methods will be determined in consultation with the Village during the Project Management task. A minimum of three Public Information Meetings will be held during the Planning Process.

The Consultant will prepare meeting materials (maps, presentations) for public and stakeholder meetings and incorporate the input received into the LWRP, and specifically into the Statement of Goals and Objectives section of the LWRP. This will include:

- Public and key stakeholder meeting to review data and develop a Statement of Goals and Objectives
- Follow-up public and key stakeholder meeting to review development of proposed land and water uses and potential project opportunities

At the conclusion of the project, the Consultant will prepare a memorandum summarizing the input received. pending final corporate approval. Deliverables: Public Involvement Summary Memorandum (at project conclusion); Statement of Goals and Objectives

##### TASK 3: EXISTING CONDITIONS AND DATA REVIEW

The Consultant will compile available data, information, and analysis on existing conditions both locally and regionally, looking beyond the Village to establish its setting within Schuyler County and the Seneca Lake region. Working with the Village, The Consultant will develop the boundaries of a Waterfront Revitalization Area (“WRA”).

Relevant data collected will include: Base-mapping and geographic data (land use, property, environmental, transportation, etc.) available from the state of New York, Schuyler County, Village of Montour Falls, and other relevant sources.

The Consultant will review these materials, conduct site visits, and assess baseline conditions in order to provide an evaluation of existing conditions in the WRA in the form of a comprehensive

Inventory & Analysis, including:

- Local and regional context
- Land uses and current zoning; resource conditions
- Land ownership
- Parcel level zoning
- Tourism and recreation facilities
- Natural, built and historic resources
- Condition of Infrastructure
- Environmental conditions and issues
- Topography and geology
- Environmentally sensitive features
- Water quality and pollution
- Vulnerability to environmental conditions and storm events
- Identify planned projects within the WRA

In this task, the Consultant will also conduct a review of Local Waterfront Revitalization Policies at the state and federal level that apply to the WRA.

Deliverables: Existing conditions and data review Technical Memorandum to include: (i.) WRA Boundary identification, (ii.) Summary of Inventory & Analysis, (iii.) Summary of Local Waterfront Revitalization Policies

#### TASK 4: MARKET CONDITIONS

The Consultant will collaborate with the Schuyler County Partnership for Economic Development and the Village to understand the market conditions at a local and regional levels that would inform the development of a proposed use land program for the WRA. Pertinent information could include housing market data, employment data, income data, tourism data and education data. The Consultant will produce a summary of analysis and findings including recommendations that will inform potential development opportunities to include in the LWRP.

Deliverables: Market Conditions Technical Memo

#### TASK 5: POTENTIAL DEVELOPMENT OPPORTUNITIES

Pending final corporate approval, the Consultant will work with the Village to prepare potential development scenarios based on the goals and objectives, existing conditions evaluation and the market conditions assessment. This will include:

- Develop a series of proposed land and water uses for the WRA (2 alternatives proposed)
  - Identify preferred new potential development opportunities within the WRA to be included in the LWRP (number of alternatives to be developed with Village and through Public Engagement)
  - Develop a Harbor Management Plan to address problems of conflict, congestion, and competition for space within the boundaries of the Village's waterfront resources
- Deliverables: (iv.) Proposed Land and Water Uses and Proposed Projects (including Harbor Management Plan)

#### TASK 6: IMPLEMENTATION AND POLICY REVIEW

The Consultant will conduct a review of policies, regulations, and processes that will support, facilitate, and promote the LWRP. Based on these findings, The Consultant will develop policy and implementation recommendations.

Deliverables: (v.) Techniques for Local Implementation of the Program State and Federal Actions and Programs, (vi.) State and Federal Actions and Programs likely to affect Implementation, (vii.) Local Commitment and Consultation with other affected Federal, State, Regional and Local Agencies

#### TASK 7: SEQRA DETERMINATION

The Village will identify the lead agency for SEQRA. The Consultant will prepare, distribute and file a Full Environmental Assessment Form for purposes of evaluating the importance/significance of the impacts associated with preparing and adopting the LWRP, as well as a determination of significance.

Deliverables: SEQRA Determination Technical Memo

FINAL REPORT

The Consultant will compile task deliverables and produce a final LWRP report for the Village; included required sections:

- Statement of Goals and Objectives
- Section 1: WRA Boundary identification
- Section 2: Inventory & Analysis
- Section 3: Local Waterfront Revitalization Policies
- Section 4: Proposed Land and Water Uses and Proposed Projects (including Harbor Management Plan)
- Section 5: Techniques for Local Implementation of the Program State and Federal Actions and Programs
- Section 6: State and Federal Actions and Programs likely to affect Implementation
- Section 7: Local Commitment and Consultation with other affected Federal, State, Regional and Local Agencies

The Consultant will produce any additional required appendices.

The aforementioned resolution was put to vote and resulted in the following: AYES: Trustees Chicone, Smith, Confer, and Nolan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer approving the hiring of Sarah Pambianchi as the Village's Energy Intern. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer approving the hiring of Thomas Andrus, Dylan Houseknecht, Patrick Madaffari, Eric Morris, and Timothy Sweeney as Public Safety officers, contingent upon approval by Schuyler County Civil Service. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith declaring the following item as surplus, no longer serving a purpose to the Village, and authorizing the sale of:

"1985 Century Pleasure Boat – Hull # CEBRA117K485"

AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing a refund of \$260.00 to Erik Rockwell for a duplicate payment. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer approving Grandma's Kitchen to use the Fireman's Field on Saturday, September 24th for a proposed event. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to waive the open container law for the Montour Falls Fireman's Carnival grounds from June 9th – June 11th, 2022 during the hours of operation. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing the closure of Seneca Street for the weekend of June 9th – June 11th, 2022. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to adjourn the meeting at 8:41 p.m.  
AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk



Regular Board Meeting  
Village of Montour Falls

June 17th, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, Philip Smith, James Nolan, and Jeffrey Confer

Also Present: Dean Hillyard, Superintendent; Emily Byers, Deputy Clerk/Treasurer; Alyssa Hammond, Clerk-Treasurer; Amanda Demaria, Grants Administrator; Katherine Herleman, WSP USA  
Public: Katie Serrine

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of May bills, on Abstract no. 22 – General Fund, for the amount of \$20,071.07. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of May bills, on Abstract no. 22 – Water Fund, for the amount of \$3,694.71. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing the payment of May bills, on Abstract no. 22 – Sewer Fund, for the amount of \$5,798.66. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of June bills, on Abstract no. 2 – General Fund, for the amount of \$61,243.96. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing the payment of June bills, on Abstract no. 2 – Water Fund, for the amount of \$193.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing the payment of June bills, on Abstract no. 2 – Sewer Fund, for the amount of \$4,722.90. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Chicone authorizing the payment of June bills, on Abstract no. 2 – Trust & Agency Fund, for the amount of \$191.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to set a Public Hearing on July 21<sup>st</sup>, 2022 at 7:15 pm to hear comments on the Village's applications to the Community Block Development Grant Program: 1) applying for up to \$50,000 in CDBG Planning funds to conduct a water distribution system study evaluation with Larson Design Group, and 2) applying for up to \$50,000 in CDBG funds to develop a housing conditions study and up to \$500,000 for housing improvement activities. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Katherine Herleman presented the Climate Vulnerability Assessment completed by WSP, USA.

Amanda Demaria presented the Design Connect proposal completed by Cornell students regarding the Village's Glorious T.

Trustee Nolan offered a resolution, seconded by Trustee Confer accepting the Design Connect presentation and proposed plan as submitted. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith to accept the Complete Streets plan as submitted. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to designate the Village of Montour Falls Board of Trustees as Lead Agency on the State Environmental Quality Review Act for the proposed purchase of the 1854 Building in the Historic T. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

The board completed Part II of the State Environmental Quality Review Act application.

Trustee Smith offered a resolution, seconded by Trustee Confer determining that the described action of the proposed project will not result in any significant adverse environmental impacts, therefore resulting in a negative declaration under the State Environmental Quality Review Act. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered the following resolution, seconded by Trustee Chicone:

Resolution by the Village of Montour Falls approving and endorsing the Village's application to the Office of Parks, Recreation and Historic Preservation's Environmental Protection Fund for Parks, Preservation and Heritage; and

WHEREAS, the Village of Montour Falls desires to apply for up to \$500,000 in financial assistance through the CFA Application; and

WHEREAS, the Village of Montour Falls endeavors to preserve and protect the Glorious T Historic District.

WHEREAS, the Village of Montour Falls believes that climate change poses a real and increasing threat to our local and global environments, neighborhoods, and economies; and

WHEREAS, the Village of Montour Falls is a Bronze Certified Climate Smart Community; and

WHEREAS, the application proposes funding for the purchase of the 1854 Building; and

WHEREAS, the project will benefit low- and moderate-income persons. A low- and moderate-income person is defined as being a member of a household whose income is less than 80% of the area median income for the household size. A principal benefit to low- and moderate-income persons requires at least 51% of the project beneficiaries to qualify as low- and moderate-income; and

WHEREAS, the median household income (2020) in the Village of Montour Falls is \$31,190 which is about 58.5% of the median household income in Schuyler County (\$53,291) and approximately 44% of the household income in the entire state of New York (\$71,117); and

WHEREAS, the Village intends to provide the local match requirement of 50% (\$250,000) or 25% (\$125,000), if located in a high-poverty area, if the grant is awarded; and

WHEREAS, the grant application requires the approval and endorsement of the governing body of the municipality in which the project will be located; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Montour Falls approves and endorses the OPRHP's Environmental Protection Fund: Parks, Preservation, and Heritage Grants Program grant application for financial assistance prepared for and to be submitted by the Village.

AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered the following resolution, seconded by Trustee Chicone:

Resolution by the Village of Montour Falls approving and endorsing the Village's application to the NYS Office of Homes and Community Renewal Community Development Block Grant Program; and

WHEREAS, the Village of Montour Falls desires to apply for up to \$50,000 in financial assistance through the CFA Application; and

WHEREAS, the Village of Montour Falls endeavors to provide quality affordable housing options to its residents; and

WHEREAS, the Village of Montour Falls believes that climate change poses a real and increasing threat to our local and global environments, neighborhoods, and economies; and

WHEREAS, the Village of Montour Falls is a Bronze Certified Climate Smart Community; and

WHEREAS, the application proposes funding to complete an Affordable Housing Study; and

WHEREAS, the project will benefit low- and moderate-income persons. A low-and moderate-income person is defined as being a member of a household whose income is less than 80% of the area median income for the household size. A principal benefit to low- and moderate-income persons requires at least 51% of the project beneficiaries to qualify as low- and moderate-income; and

WHEREAS, the median household income (2020) in the Village of Montour Falls is \$31,190 which about 58.5% of the median household income in Schuyler County (\$53,291) and approximately 44% of the household income in the entire state of New York (\$71,117); and

WHEREAS, the Village intends to provide the local match requirement of 5% (up to \$2500) if the grant is awarded;

WHEREAS, the grant application requires the approval and endorsement of the governing body of the municipality in which the project will be located; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Montour Falls approves and endorses the HCR- Community Development Block Grant (CDBG) - Community Planning program grant application for financial assistance prepared for and to be submitted by the Village.

AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered the following resolution, seconded by Trustee Smith:

Resolution by the Village of Montour Falls approving and endorsing the Village's application to the NYS Canalway Grant Program; and

WHEREAS, the Village of Montour Falls desires to apply for up to \$150,000 in financial assistance through the CFA Application; and

WHEREAS, the Village of Montour Falls endeavors to preserve and protect the Erie Canal and other waterways; and

WHEREAS, the Village of Montour Falls believes that climate change poses a real and increasing threat to our local and global environments, neighborhoods, and economies; and

WHEREAS, the Village of Montour Falls is a Bronze Certified Climate Smart Community; and

WHEREAS, the application proposes funding for making canal way improvements at the Montour Marina; and

WHEREAS, the project will benefit low- and moderate-income persons. A low-and moderate-income person is defined as being a member of a household whose income is less than 80% of the area median income for the household size. A principal benefit to low- and moderate-income persons requires at least 51% of the project beneficiaries to qualify as low- and moderate-income; and

WHEREAS, the median household income (2020) in the Village of Montour Falls is \$31,190 which about 58.5% of the median household income in Schuyler County (\$53,291) and approximately 44% of the household income in the entire state of New York (\$71,117); and

WHEREAS, the Village intends to provide the local match requirement of 50% (up to \$75,000) if the grant is awarded; and

WHEREAS, the grant application requires the approval and endorsement of the governing body of the municipality in which the project will be located; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Montour Falls approves and endorses the NYS Canalway Grant Program grant application for financial assistance prepared for and to be submitted by the Village.

AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered the following resolution, seconded by Trustee Smith:

Resolution by the Village of Montour Falls approving and endorsing the Village's application to the NYS Department of Environmental Conservation's Climate Smart Community Grants Program; and

WHEREAS, the Village of Montour Falls desires to apply for up to \$2,000,000 in financial assistance through the CFA Application; and

WHEREAS, the Village of Montour Falls is a Bronze Certified Climate Smart Community; and

WHEREAS, the Village of Montour Falls believes that climate change poses a real and increasing threat to our local and global environments, neighborhoods, and economies; and

WHEREAS, the Village of Montour Falls endeavors to reduce street flooding, extreme flooding events, and flooding of residential properties; and

WHEREAS, the application proposes funding to improve the stormwater drainage system and roadway to avoid flood damage; and

WHEREAS, the project will benefit low- and moderate-income persons. A low-and moderate-income person is defined as being a member of a household whose income is less than 80% of the area median income for the household size. A principal benefit to low- and moderate-income persons requires at least 51% of the project beneficiaries to qualify as low- and moderate-income; and

WHEREAS, the median household income (2020) in the Village of Montour Falls is \$31,190 which about 58.5% of the median household income in Schuyler County (\$53,291) and approximately 44% of the household income in the entire state of New York (\$71,117); and

WHEREAS, the Village intends to provide the local match requirement of 50% (up to \$1 million) if the grant is awarded;

WHEREAS, the grant application requires the approval and endorsement of the governing body of the municipality in which the project will be located; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Montour Falls approves and endorses the Climate Smart Community Grants Program grant application for financial assistance prepared for and to be submitted by the Village.

AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer denying the request made by Shelley Schlueter to purchase a cemetery lot at reduced cost. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing Superintendent Hillyard to proceed with Hunt Engineer's Proposal for surveying and mapping of the Municipal Marina and Campground for the cost of \$29,600.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone approving the observance of Juneteenth as an official holiday and resolve that the Village Offices and Buildings will be closed. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone declaring the following item as surplus, no longer serving a purpose to the Village, and authorizing the sale of: 1987 Bayliner Boat – Registration # NY7558JU. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing a refund of \$3545.00 to Bruce McLeod for Dock #19S and Campsite #120, making them available for rent. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer declaring the Fire Department Chief's Chevy Tahoe as surplus and no longer serving a purpose to the department, to be sold on Auctions International or for the Department of Public Works to utilize for daily operations. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to adjourn the meeting at 9:15 p.m. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

July 21st, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, James Nolan, and Jeffrey Confer

Also Present: Dean Hillyard, Superintendent; Emily Byers, Deputy Clerk/Treasurer; Amanda Demaria, Grants Administrator; Tony Nevone, Code Enforcement; Jim Howell, Sch. Co. Legislature; Mike O'Connell, Larson Design Group

Public: Donald Spaccio, Dominic Spaccio, Michelle Nevone, Katie Serrine, TJ and Deb Riley, Margaret Lauer, Brandy and Doug Moss, Jenn and Jason Snow, Denny Snow, Freda and Les Patterson, Deb Besley, Bill and Ellen Arnold, Philip Gillemot, Ron and Mary Riley, James Pierce, John King

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing the payment of May bills, on Abstract no. 22 – General Fund, for the amount of \$45,296.72. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing the payment of July bills, on Abstract no. 3 – General Fund, for the amount of \$157,662.15. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of July bills, on Abstract no. 3 – Water Fund, for the amount of \$4,110.28. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of July bills, on Abstract no. 3 – Sewer Fund, for the amount of \$810.67. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan authorizing the payment of July bills, on Abstract no. 3 – Trust & Agency Fund, for the amount of \$191.00. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Public Hearing

7:15 p.m.

CDBG Applications 2022

Trustee Chicone offered a resolution, seconded by Trustee Nolan to open the Public Hearing at 7:15 pm for the purpose of hearing comments on the Village of Montour Falls applications to the Community Block Development Grant (CDBG) Program. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Mike O'Connell presents the Village's application to conduct a water distribution system study evaluation that Larson Design Group will submit for up to \$50,000 in CDBG Planning funds with a \$2,500 match of funds. The CDBG 2022 CFA Community Planning funds will be used to develop a preliminary engineering report for the Village's municipal water system and include a community needs assessment.

Public comments:

Jim Howell inquires if the grant funds will be used to investigate if the Village has any lead lines.

Mike O'Connell responds that the Village will need to inventory the lines but Larson Design Group has done multiple projects in the Village and has not seen any yet.

Jim Howell asks if CDBG offers funds for expansion of water or sewer lines.

Mike O'Connell discusses that the study for the expansion of sewer lines is ongoing.

John King asks if the study would focus on water quality or distribution.

Mike O'Connell says it will lean toward distribution.

TJ Riley asks if this study will pertain to public housing.

Mike O'Connell replied with no.

Amanda Demaria presents the Village's application to apply for \$37,276 in CDBG funds to complete a Quality Affordable Housing Study. The Village of Montour Falls will use \$37,276 in NYS CDBG funds to complete a Quality Affordable Housing Study. The total project will be \$40,830 with \$3,554 from non-CDGB funds (Village of Montour Falls general fund match.) The project proposes to benefit 409 low-income persons. The Study is estimated to take between 20 and 22 months to complete from project award through Study adoption.

Public Comment:

Katie Serrine would like to know why apply for grants to benefit low income, why not give the community members things to do.

TJ Riley asks if this will fund low-income housing.

Amanda Demaria discussed that the housing inventory is a study of what the community has currently; and will need to happen before any progress can be made with the quality of the housing available.

Trustee Confer offered a resolution, seconded by Trustee Chicone to close the Public Hearing at 7:51 p.m. Resolution carried.

Trustee Confer offered the following resolution, seconded by Trustee Chicone:

#### RESOLUTION FOR SEQR TYPE II DETERMINATION FOR THE PROPOSED VILLAGE OF MONTOUR FALLS WATER DISTRIBUTION SYSTEM STUDY

Resolution recognizing the proposed engineering study related to the municipal water systems to be Type II action for SEQR purposes.

WHEREAS, the Village of Montour Falls administers the municipal water system serving the Village; and WHEREAS, the Village is in need of conducting an engineering study to evaluate the condition of the municipal water system, collect information, identify needs, study alternatives and costs to address identified needs, and compile engineering reports; and

WHEREAS, the Village Board recognizes the need to complete SEQR proceedings for this project; and WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

“(18) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action.”

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF MONTOUR FALLS THAT the proposed water distribution system study project is declared to be a Type II action for State Environmental Quality Review Act purposes, and no further action will be required. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan to accept the NYSERDA Code Enforcement Grant in the amount of \$125,000 and does not require a match from the Village. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan to designate the Village of Montour Falls Board of Trustees as Lead Agency on the State Environmental Quality Review Act for the proposed canal seawall project. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

The board completed Part II of the State Environmental Quality Review Act application.

Trustee Confer offered a resolution, seconded by Trustee Nolan determining that the described action of the proposed project will not result in any significant adverse environmental impacts, therefore resulting in a negative declaration under the State Environmental Quality Review Act. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered the following resolution, seconded by Trustee Chicone:

RESOLUTION BY THE VILLAGE OF MONTOUR FALLS APPROVING AND ENDORSING THE VILLAGE’S APPLICATION TO THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION’S CLIMATE SMART COMMUNITY GRANTS PROGRAM; and

WHEREAS, the Village of Montour Falls desires to apply for up to \$2,000,000 in financial assistance through the CFA Application; and

WHEREAS, the Village of Montour Falls is a Bronze Certified Climate Smart Community; and

WHEREAS, the Village of Montour Falls believes that climate change poses a real and increasing threat to our local and global environments, neighborhoods, and economies; and

WHEREAS, the Village of Montour Falls endeavors to reduce street flooding, extreme flooding events, and flooding of residential properties; and

WHEREAS, the application proposes funding to improve the canal seawall to avoid flood damage; and

WHEREAS, the project will benefit low- and moderate-income persons. A low- and moderate-income person is defined as being a member of a household whose income is less than 80% of the area median income for the household size. A principal benefit to low- and moderate-income persons requires at least 51% of the project beneficiaries to qualify as low- and moderate-income; and

WHEREAS, the median household income (2020) in the Village of Montour Falls is \$31,190 which about percent of the median household income in Schuyler County (\$53,291) and approximately forty-four percent household income in the entire state of New York (\$71,117); and

WHEREAS, the village intends to provide the local match requirement of 50% (up to \$1 million) if the grant is awarded;

WHEREAS, the grant application requires the approval and endorsement of the governing body of the municipality in which the project will be located; and



NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Montour Falls approves and endorses the Climate Smart Community Grants Program grant application for financial assistance prepared for and to be submitted by the Village. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing the contract renewal of Ascend Collaborative Development for grant administration services for August 1, 2022 through July 31, 2023. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing a four-year contract renewal with EVConnect for July 1, 2022 through June 30, 2026 in the amount of \$1850.00. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan to participate in a case study with EVConnect. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Code Officer Nevone presents statistical information to the board and requests the board prepare a letter regarding code enforcement in the marina and campground.

Trustee Chicone offered a resolution, seconded by Trustee Confer to set a public hearing for the purpose of hearing comments on the proposed Local Law #3– Assessment of Costs, Chapter 122-1 of the Village Code. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

The Board chose to table the discussion on the noise ordinance until the short-term rental law has been received and reviewed.

Trustee Confer offered a resolution, seconded by Trustee Chicone to close West Main Street from Owego Street to Genesee Street at 8:00 a.m. to 9:00 p.m. for the Harvest Festival held October 1, 2022. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone to waive the open container law for West Main Street only on October 1, 2022 from 12:00 noon to 8:00 p.m. AYES: Trustee Chicone, Confer, and Nolan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer authorizing a refund of \$1018.00 to Mark Houck for Dock #92. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan to enter into Executive Session to discuss staffing changes at 9:39 p.m. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan to exit the Executive Session at 10:28 p.m. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan to accept the resignations submitted by Muhammad Abdallah and Patrick Madaffari. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer to allow North New York to utilize two spaces on W. Main Street to serve coffee in front of the shop. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer to adjourn the meeting at 10:34 p.m. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

September 15, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Phil Jo Smith, and Jeffrey Confer

Also Present: Kristin VanHorn, Schuylers County Planning Director; Emily Byers, Deputy Clerk/Treasurer; Public: Darrell Cole, Anna Wells, and Alisha Rak

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of September bills, on Abstract no. 5 – General Fund, for the amount of \$143,618.95. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of September bills, on Abstract no. 5 – Water Fund, for the amount of \$10,154.40. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith authorizing the payment of September bills, on Abstract no. 5 – Sewer Fund, for the amount of \$89,407.60. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith authorizing the payment of September bills, on Abstract no. 5 – Trust & Agency Fund, for the amount of \$2,271.39. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Kristin Vanhorn discussed the NY FORWARD grant application with the board and requested any feedback be sent to her in the coming week. The grant will be submitted Friday, September 23rd.

Mayor Ryan notified the board that there will be a workshop October 6th with the Office of Cannabis Management before the regular board meeting.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing temporary street closures on Saturday, September 24th for the Willow Running event from She-Qua-Ga Falls Park to Cook Street. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to waive the open container law for West Main Street only on September 24th, 2022 during the event. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing a refund of Building Permit fees in the amount of \$49.00 to Kim Scott. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith to hire security guards: D. Boynton and B. Garrabrant. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith to enter into Executive Session to discuss a property acquisition at 8:07 p.m. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to exit the Executive Session at 8:28 p.m. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to adjourn the meeting at 10:34 p.m. AYES: Trustees Smith and Confer, Mayor Ryan. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

October 6, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Phil Jo Smith, James Nolan and Jeffrey Confer

Also Present: Dean Hillyard, Superintendent; Emily Byers, Deputy Clerk/Treasurer; Amanda Demaria, Ascend Collaborative; Chelsea Robertson, STC Planning; Laura Kenny, Indigo River; Lisa Nagle, Elan; Erica Tauzer, EDR/Prospect Hill Consulting

Public: Donald Spaccio, Dominic Spaccio, Donald Cannioto, Terri Galvin, George Mahler, Katie Serrine

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing the payment of September bills, on Abstract no. 6 – General Fund, for the amount of \$36,078.40. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith authorizing the payment of September bills, on Abstract no. 6 – Water Fund, for the amount of \$331.87. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of September bills, on Abstract no. 6 – Sewer Fund, for the amount of \$48,311.30. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the payment of September bills, on Abstract no. 6 – Trust & Agency Fund, for the amount of \$197.00. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

The Board hears the finalist's proposals for the Local Waterfront Revitalization RFP by Indigo River and Elan Consulting firms.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizes a medical bill reimbursement to William Thomas in the amount of \$75.00. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing a refund of \$200.00 to Michael Morollo for 2023 dock deposit on 82S. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith approving Trick or Treat hours to be held on October 31, 2022 from 5:00 - 8:00 p.m. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to enter into Executive Session to discuss staffing changes at 8:34 p.m. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried

Trustee Smith offered a resolution, seconded by Trustee Confer to exit the Executive Session at 9:25 p.m. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to accept the resignation of Village Clerk-Treasurer Alyssa Hammond as of October 31st, 2022. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan appointing Emily Byers to Village Clerk starting November 1, 2022. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith authorizing Alyssa Hammond working as a consultant for up to 100 hours. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the hire of a Village Treasurer for 20 hours per week. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer authorizing the hire of an Account Clerk (PT) for 20 hours per week. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to adjourn the meeting at 9:27 p.m. AYES: Trustees Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk

Regular Board Meeting  
Village of Montour Falls

October 20, 2022

7:00 p.m.

Present: Mayor James Ryan, Trustees Vincent Chicone, James Nolan and Jeffrey Confer

Also Present: Dean Hillyard, Superintendent; Emily Byers, Deputy Clerk/Treasurer; James Howell, Schuyler Co. Legislature

Public: None

Mayor Ryan called the meeting to order at 7:00 p.m.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills on Abstract no. 7 – General Fund, for the amount of \$118,984.89. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills on Abstract no. 7 – Water Fund, for the amount of \$2,657.71. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of bills on Abstract no. 7 – Sewer Fund, for the amount of \$61,113.70. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills on Abstract no. 7 – Trust & Agency Fund, for the amount of \$449.40. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Legislator Howell provides the Village Board with updates from the recent Schuyler County Legislature meeting.

Trustee Confer offered a resolution, seconded by Trustee Chicone approving the revised Fleet Efficiency Policy. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone accepting the Williamson Proposal and authorizing the use of grant funds for the purchase of the Building and Code Enforcement Software Program. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan authorizing the Montour Market to purchase equipment in the amount of \$4,977.20 from B&W Supply Co. Inc. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan accepting the bid proposal received from Indigo River for consulting services on the Local Waterfront Revitalization Program grant. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone to approve the 2022-2023 retainer agreement with Larson Design Group for general engineering services. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Chicone to declare the following items as surplus: new holland backhoe, 1996 chevy suburban, toro walk behind mower, (3) Stihl trimmers, an Echo Trimmer, 2 salt spreaders, 10' snow pusher; and will be sold on an auction site by Superintendent Hillyard. AYES: Trustees Chicone, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Chicone to adjourn the meeting at 8:40 p.m. AYES: Trustees Chicone, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Deputy Clerk



Regular Board Meeting  
Village of Montour Falls

November 3, 2022

7:00 pm

Present: Mayor James Ryan, Trustees Vincent Chicone, Phil Jo Smith, James Nolan and Jeffrey Confer

Also Present: Emily Byers, Village Clerk

Public: Katie Serrine, Tracie Diefenderfer, and Laurel Wilson

Mayor Ryan called the meeting to order at 7:00 pm

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills on Abstract no. 8 – General Fund, for the amount of \$25,698.36. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills on Abstract no. 8 – Water Fund, for the amount of \$1,866.50. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing the payment of bills on Abstract no. 8 – Sewer Fund, for the amount of \$110.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone authorizing the payment of bills on Abstract no. 8 – Trust & Agency Fund, for the amount of \$197.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Confer accepting the Village Hall roof proposal submitted by Finger Lakes Roofing for the amount of \$41,790.00, contingent upon trustee approval of roofing shingles. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith to schedule a public hearing for the purpose of hearing comments on a local law establishing short term rental regulations for November 17, 2022 at 7:30 pm. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith to schedule a public hearing for the purpose of hearing comments on a local law establishing Village parking enforcement for November 17, 2022 at 7:45 pm. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Chicone authorizing a PTO payback in the amount of \$4,244.81 to Clerk Treasurer Hammond. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing Trustee Confer to approach Larson Design Group for a drawing of West Main Street. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan to enter Executive Session at 8:50 pm.  
AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to exit Executive Session at 9:20 pm.  
AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Smith authorizing the mayor to appoint Laurie Thompson for the position of Village Treasurer PT. AYES: Trustees Chicone, Smith, Nolan, and Confer.  
NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to adjourn the meeting at 9:20 pm.  
AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Village Clerk

Regular Board Meeting  
Village of Montour Falls

November 17, 2022

7:00 pm

Present: Mayor James Ryan, Trustees Vincent Chicone, Phil Jo Smith, James Nolan and Jeffrey Confer

Also Present: Emily Byers, Village Clerk

Public: Katie Serrine

Mayor Ryan called the meeting to order at 7:00 pm

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills on Abstract no. 9 – General Fund, for the amount of \$68,426.27. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Confer authorizing the payment of bills on Abstract no. 9 – Water Fund, for the amount of \$7,337.41. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Nolan authorizing the payment of bills on Abstract no. 9 – Sewer Fund, for the amount of \$45,271.22. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills on Abstract no. 9 – Trust & Agency Fund, for the amount of \$1,719.30. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Code Officer Nevone discusses the property located at 126 Havana Glen Rd. He expressed several safety concerns and code violations.

PUBLIC HEARING 7:30 p.m.  
Adding Chapter 160-34  
Short Term Rentals

Local Law #4-2022

Trustee Confer offered a resolution, seconded by Trustee Smith to enter into a Public Hearing to hear comments about the proposed local law on short term rentals.

#### Section 1: STATEMENT OF PURPOSE

Short Term Rentals (as herein defined) can have positive impacts such as offering lower costs to travelers, increasing tourism, bringing economic activity into the community, and providing an additional revenue stream for residents. Short Term Rentals can simultaneously have negative impacts such as increasing the cost of housing, decreasing the availability of long-term rentals, decreasing the availability of affordable housing, decreasing property values of neighboring properties, and significantly changing the character of neighborhoods. In recognition of these costs and benefits, the Board of Trustee of the Village of Montour Falls has determined to amend the Village's zoning code to provide for the appropriate use of properties within the Village as Short Term Rentals

## Section 2: DEFINITION

Section 160-4 of the Village of Montour Falls Code is amended to add the following:

**SHORT TERM RENTAL** - Rental of a single dwelling, duplex dwelling or multi-unit dwelling, or portion thereof, to the same natural person or family for fewer than thirty (30) consecutive days.

**SHORT TERM RENTAL UNIT** – The entirety or that portion of a single dwelling, duplex dwelling, or portion thereof, that is separately leased as a Short Term Rental. For example, a single-family home where the first floor and second floor are separately leased as Short Term Rentals shall contain two Short Term Rental Units.

## Section 3: AMENDMENT TO SCHEDULE OF REGULATIONS

The Village of Montour Falls Schedule of District Regulations (Chapter 160, Schedule 2) is amended to provide that Short Term Rentals are a Principal Permitted Use subject to Site Plan Review by the Planning Board in the following Districts: R1, R2, RMH, RLB, HC, CB, MU-1, B1 and G.

## Section 4: GLORIOUS T HISTORIC DISTRICT OVERLAY ZONE

Section 160-22 of the Village of Montour Falls Code is amended to add a new subsection (H) as follows:  
(H) Any provision of this Chapter to the contrary notwithstanding, Short Term Rentals are not permitted in the Glorious T Historic District Overlay Zone.

## Section 5: SITE PLAN REVIEW AND PERMIT REQUIREMENTS

Chapter 160 of the Village of Montour Falls Code is amended to add a new Section 160-34, as follows:

### § 160-34 Short Term Rentals

A. Site Plan Approval. In addition to the applicable requirements of Article VII of this Chapter, the following shall apply to review of site plan applications for Short Term Rentals:

1. The owner of any building used as a Short Term Rental shall designate one or more persons who shall be available twenty-four hours per day during any period that a Short Term Rental Unit is leased to respond to complaints regarding the condition of the property, violations of this or other applicable laws or regulations, conduct of the occupants and other issues related to the Short Term Rental. Such person(s) shall be available to respond in person at the site of the Short Term Rental within twenty (20) minutes after being contacted by the Code Enforcement Officer and/or his/her designee.
2. Short Term Rentals shall provide off-street parking in accordance with section 160-16, plus one additional space per Short Term Rental Unit for Short Term Rental Units having three or fewer bedrooms, and two additional spaces per Short Term Rental Unit for Short Term Rental Units having more than three bedrooms.
3. There shall be no change to the outside appearance of the building or premises that alters or detracts from the residential character of the structure or the overall character of the neighborhood.
4. The site plan must be drawn to scale and certified by the applicant and show (a) the location of all buildings and required parking, (b) the location and arrangement of all utilities, and (c) all rooms including bedrooms and all windows, entrances and exits on each floor, including the basement and attic.

B. Short Term Rental Permit Requirement. No Short Term Rental shall be operated within the Village of Montour Falls without a Short Term Rental permit, as herein provided. A separate Short Term Rental permit shall be required for each Short Term Rental Unit.

1. Applications for a Short Term Rental Permit shall be made to the Code Enforcement Officer on an application form prescribed by the Code Enforcement Officer from time to time. All applications shall include the following:
  - a.) A list of all the property owners and/or operators of the Short Term Rental, including names, addresses, telephone numbers, and email addresses. All persons and entities with an ownership interest in the property shall sign the permit application.
  - b.) A list of all full-time residents of the property and proof of notification of intent to apply for a Short Term Rental permit.
  - c.) A copy of the current vesting deed showing how title to the subject property is then held.
  - d.) The property owner's written authorization for the Code Enforcement Officer to conduct a property inspection.
  - e.) The property owner's written statement of compliance with all applicable Short Term Rental standards set forth herein and covenant to maintain compliance for as long as the property is used as a Short Term Rental.
  - f.) The operator's maximum desired occupancy for each Short Term Rental Unit.
  - g.) The contact information for all persons designated pursuant to subsection 160-34(A)(1) above.
  - h.) The form Short Term Rental contract to be used by the Short Term Rental operator.
  - i.) A copy of the Certificate of Authority to Collect Occupancy Tax issued by the Schuyler County Treasurer.
  - j.) A copy of the approved site plan, stamped as approved by the Planning Board.
  - k.) Copies of any governmental approvals and permits necessary to operate a Short Term Rental on the subject property.
  - l.) Certificates of insurance evidencing both property and liability coverage and that the property is rated as a Short Term Rental by the insurance carrier.
  - m.) The Short Term Rental permit fee, which shall be established from time to time by resolution of the Village Board of Trustees.
2. All Short Term Rental permits shall be issued subject to the following terms and conditions:
  - a.) A Short Term Rental permit shall be valid for one year from the date of issuance. Short Term Rental permits may be renewed by renewal application submitted to the Code Enforcement Officer not less than thirty (30) days prior to the date of expiration of the permit. Renewal applications submitted after this deadline may be rejected, and in such event the applicant shall be required to apply for a new Short Term Rental permit. The renewal application shall be made on such form, and shall include such information, as the Code Enforcement Officer shall determine, and shall be accompanied by a permit renewal application fee which shall be established from time to time by resolution of the Village Board of Trustees.
  - b.) A Short Term Rental permit is not transferable. A new owner of a property used for Short Term Rental must obtain a new Short Term Rental Permit prior to operating a Short Term Rental. A Short Term Rental permit shall automatically be void and of no further effect upon the transfer of title to the property to which the permit applies or the transfer of a controlling interest in any entity that owns the property to which the permit applies.
  - c.) A property to which a Short Term Rental Permit applies must, as a condition of the continued validity of the permit, maintain material compliance with this and all other applicable laws and regulations.
  - d.) A Short Term Rental permit may be revoked for a violation of this or other applicable laws or regulations upon ten days' notice and following a hearing before the Village Board of Trustees, as herein provided.
  - e.) Acceptance of a Short Term Rental permit shall be deemed to constitute the subject property owner's irrevocable license to the Code Enforcement Officer and/or his/her designee to inspect the subject property at any time to determine compliance with applicable law.
  - f.) Issuance of a Short Term Rental permit is conditioned upon an inspection by the Code Enforcement Officer to confirm compliance with applicable law.

### C. Operating Standards.

1. A Short Term Rental may not be leased to parties exceeding in number two (2) adults per bedroom.
2. Provisions shall be made for weekly garbage removal. Garbage containers shall be always secured with tight-fitting covers to prevent leakage, spilling, or odors, and placed where they are not visible from the street or road except around pick-up time.
3. Short Term Rentals shall not be leased solely for the purposes of hosting events, weddings, parties, or other large gatherings.
4. The use of outdoor speakers or other audio amplification devices at any property used for Short Term Rentals is not permitted after 10:00 p.m.
5. Every Short Term Rental Unit and the property in which it is located shall maintain continual compliance with the New York State Uniform Fire Prevention and Building Code. Without limiting the foregoing, (a) emergency evacuation procedures must be posted in each sleeping room; (b) an ABC Fire extinguisher shall be provided on each floor and in the kitchen; (c) fire extinguishers shall be inspected monthly by the permit holders; and (d) exterior doors shall be operational and all passageways to exterior doors shall be clear and unobstructed.
6. All Short Term Rentals must be operated pursuant to a rental contract that includes the following: (a) maximum occupancy of the Short Term Rental Unit; (b) maximum allowed on-site parking; (c) a statement that the Short Term Rental is in a residential area and renters are required to be conscious of maintaining a peaceful residential atmosphere; (d) a statement that renters are required to comply with applicable Village of Montour Falls noise ordinance; (e) a prohibition on littering; (f) a requirement that all indoor and outdoor fires be attended to at all times; and (g) the renters' agreement that the failure to comply with the rental contract is grounds for immediate termination of the rental of the Short Term Rental Unit.
7. Liability and property insurance reflecting the property's use as a Short Term Rental shall be maintained at all times.
8. A copy of the certificate of authority to collect Schuylers County occupancy tax, the certificate of occupancy applicable to the Short Term Rental Unit and the Short Term Rental permit applicable to the Short Term Rental Unit shall be conspicuously posted in every Short Term Rental Unit.
9. The permit holder shall provide a copy of the permit to the owners of all properties adjacent to the Short Term Rental property. A statement of compliance with this provision identifying the owners served, their addresses, and the method of service (e.g., mail, personal delivery), shall be filed with the Village Clerk prior to rental of the Short Term Rental Unit to which the permit applies.
10. All advertisements for a Short Term Rental Unit shall conspicuously display the Unit's Short Term Rental permit number.

### D. Permit Limitations

1. No Short Term Rental permit shall be issued (with the exception of a renewal of an existing Short Term Rental permit as herein provided) at any time that the number of outstanding Short Term Rental permits exceed a number equal to five percent (5%) of all Dwelling Units in the Village of Montour Falls as of the most recent prior Dwelling Unit Count Date (as herein defined).
2. Commencing on or about January 1 of each year, the Code Enforcement Officer shall take a census of all Dwelling Units situated within the Village of Montour Falls. Prior to February 1 of each year the Code Enforcement Officer shall submit to the Village Clerk a written certification of the number of Dwelling Units situated in the Village of Montour Falls as determined pursuant to said census. The date of such certification shall be the "Dwelling Unit Count Date" for purposes of this Section.
3. Where a Short Term Rental permit cannot be issued due to the limitation set forth in subsection (D)(1) above, a waiting list for Short Term Rental permits shall be established and maintained by the Code Enforcement Officer. Short Term Rental permits shall be issued to parties on the waiting list as such permits become available, sequentially based upon the date of approval of a party's application for a Short Term Rental permit. The Code Enforcement Officer shall require as a condition to issuance of a Short Term Rental permit to a party on the waiting list that such party certify that the party and the

property are in compliance with all terms and conditions to the issuance of the permit, and shall inspect the property to verify same prior to issuance of the permit.

E. Complaints

1. A Complaint Review Board is hereby established to review and investigate complaints pertaining to the operation of Short Term Rentals. The Complaint Review Board shall consist of the Code Enforcement Officer, one member of the Zoning Board of Appeals (as designated by the Mayor), and one Village Trustee (as designated by the Board of Trustees).
2. All complaints received by the Code Enforcement Officer with respect to the operation of a Short Term Rental shall be reduced to writing and referred to the Complaint Review Board.
3. Following receipt of a complaint the Complaint Review Board shall investigate the complaint to determine whether a violation of this Section is or was occurring. Upon a finding by the Complaint Review Board that a violation occurred or is occurring, the Code Enforcement Officer shall issue a notice to the property owner and the designated property contact(s) detailing the violation, specifying the corrective action to be taken and stating the date by which such action must be completed.
4. Notices issued pursuant to this Section shall be delivered by personal service or by certified mail to the property owner or designated property contact.

F. Violations

1. Upon (a) the failure by the permit holder to comply with any notice requiring corrective action within the time period designated by the Code Enforcement Officer, or (b) the finding by the Complaint Review Board of a third violation of this Section attributable to a particular Short Term Rental Unit, or any combination of Short Term Rental Units the permits for which are held by the same party, all Short Term Rental permits held by such party and applicable to Short Term Rental Units in the building in which the violation(s) occurred shall be revoked by written notice of the Code Enforcement Officer to the permit holder and the designated property contact.
2. Any such revocation of a Short Term Rental permit or permits shall be appealable to the Zoning Board of Appeals. Any such appeal shall be taken, if at all, by the permit holder filing an appeal to the Zoning Board of Appeals within fifteen days following the delivery of the notice of revocation of the permit(s). The Zoning Board of Appeals shall then schedule a hearing on the appeal within thirty days following the filing of the application for an appeal. Following such hearing the Zoning Board of Appeals shall determine whether the grounds for revocation of the permit(s) in question were sufficient and whether all procedures requisite to such revocation were materially complied with. Upon a finding in the affirmative the Zoning Board of Appeals shall provide notice to the permit holder and the Code Enforcement Officer that the revocation is confirmed. Upon a finding in the negative the Zoning Board of Appeals shall provide notice to the permit holder and the Code Enforcement Officer that the revocation is rescinded.
3. During the appeal of the revocation of a Short Term Rental permit, the Short Term Rental Unit(s) to which such permit(s) apply may continue to be operated in accordance with the requirements of this Section.
4. Any permit holder that has had a Short Term Rental permit revoked pursuant to this subsection, and which revocation has been upheld upon appeal (as applicable), shall not be eligible to apply for a new Short Term Rental permit for a period of four years following the effective date of revocation.
5. The remedies with respect to violations of this section as set forth herein shall be in addition to, and not in derogation or limitation of, any other remedies available pursuant to this chapter or other applicable law.

Public Comment: Ms. Serrine requests more information regarding section D and the percentage of homes that can be used as short term rentals and notes her concerns about the lack of affordable housing.

Trustee Confer offered a resolution, seconded by Trustee Smith to exit the Public Hearing at 8:00 pm.

AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan to approve Local Law #4-2022 Chapter 160-34, a local law establishing short term rental regulations. AYES: Trustees Chicone, Smith, and Nolan. NOES: Confer. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer to adjourn the meeting at 8:20 pm. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Village Clerk



Regular Board Meeting  
Village of Montour Falls

December 2, 2022

7:00 pm

Present: Mayor James Ryan, Trustees Vincent Chicone, Phil Jo Smith, James Nolan and Jeffrey Confer

Also Present: Dean Hillyard, Superintendent; and Emily Byers, Village Clerk

Public: Alexandra Traina and family

Mayor Ryan called the meeting to order at 7:00 pm and asked for the pledge of allegiance led by Alexandra Traina.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing the payment of bills on Abstract no. 10 – General Fund, for the amount of \$7,753.05. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Smith authorizing the payment of bills on Abstract no. 10 – Trust & Agency Fund, for the amount of \$197.00. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing Superintendent Hillyard to purchase a 2022 Ram 1500 Crew Cab 4WD in the amount of \$45,000.00. AYES: Trustees Chicone, Smith, and Nolan. NOES: Confer. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to adjourn the meeting at 7:55 pm. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Respectfully submitted,  
Emily Byers, Village Clerk