

Village of Massena
BOARD OF TRUSTEES
Meeting Minutes

DATE/TIME: April 17, 2018 (5:30 p.m.)
PLACE: Town Hall Building, 60 Main Street, Massena, New York

PRESENT: **Board of Trustees:**
Mayor Timmy J. Currier
Trustee Tim Ahlfeld
Trustee Francis Carvel
Trustee Albert (Herb) Deshaies
Trustee Matthew LeBire

Staff:
Monique N. Chatland (Village Clerk)
Kevin Felt (Treasurer)
Hoss Fayad (DPW Supt.)
Adam Love (Chief of Police)
Aaron Hardy (Fire Foreman/Code Enforcement Officer)

Press: Andy Gardner (North Country This Week), Bob Beckstead (Daily Courier Observer), John Michaud III (WNTS Television),

Residents/Other: Tom Seguin, Tom Spinner, Bruce Serviss

Following the Pledge of Allegiance, Mayor Currier asked that all electronic devices be silenced, proceeded to call the meeting to order at 5:30 p.m. and conducted a roll call of Board members present.

PUBLIC HEARING: AUTHORIZE CABLE TELEVISION AGREEMENT

Trustee Ahlfeld offered a motion, seconded by Trustee Deshaies to open the meeting to a public hearing to consider Authorizing a Cable Television Agreement (10 year) between Time Warner Cable Northeast LLC and the Village of Massena at 5:30 p.m. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire) (***Clerks Note: See page 1618 for Notice of Public Hearing.***)

Hearing no public comment, Trustee LeBire made a motion, seconded by Trustee Deshaies to close the public hearing at 5:31p.m. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

RESOLUTION #12-2018: AUTHORIZE CABLE TELEVISION AGREEMENT

A motion was offered by Trustee LeBire, seconded by Trustee Deshaies, and carried, to adopt the following resolution to wit:

RESOLUTION #12-2018

***Authorize a 10-Year Cable Franchise Agreement with Time Warner Cable Northeast LLC
in the Village of Massena***

WHEREAS, an application has been duly made to the Board of the Village of Massena, County of St. Lawrence, New York, by Time Warner Cable Northeast LLC, 1/k/a Charter Communications, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 6005 Fair Lakes Road, East Syracuse, NY 13057, for the approval of a renewal agreement for Time Warner Cable's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission commencing with the date of approval by the Public Service Commission; and

WHEREAS, the Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

WHEREAS, a public hearing was held in the Village of Massena, New York on April 17, 2018, at 5:30 P.M. and notice of the hearing was published in the Daily Courier Observer on April 4, 2018; and

WHEREAS, NOW, THEREFORE, the Village of Massena Board of Trustees finds that:

- 1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and***
- 2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and***

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3. *Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.*

BE IT FURTHER RESOLVED that the Village of Massena Board of Trustees hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the Village of Massena for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER RESOLVED that the Village of Massena Board of Trustees hereby confirms acceptance of this Franchise Renewal Agreement.

Trustee Carvel explained he has heard from quite a few residents that were concerned with the cost of cable. Trustee LeBire remarked that fortunately agreements don't limit competition.

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Deshaies, Trustee LeBire

NAY: Trustee Carvel

Mayor Currier declared Resolution #12-2018 duly adopted (3:1).

APPROVE MINUTES:

A motion was made by Trustee LeBire, seconded by Trustee Ahlfeld, to approve the minutes of the September 5, 19, 22 & 27, 2017, and October 3 & 17, 2017 Village Board Meetings. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

TREASURER'S REPORT:

Village Treasurer Kevin Felt Presented the following:

*Village of Massena
Treasurer's Report
April 17, 2018*

INFORMATION

1. *I have provided you with the Balance Sheet and Revenue/Expense Actual to Budget comparison reports for the month of March and the March summary follows:*

	Revenue		Expense	
General Fund	8,242,838	93%	7,472,264	78%
Refuse Fund	905,360	73%	870,088	71%
Water fund	1,590,373	73%	1,455,847	64%
Sewer Fund	1,279,129	70%	1,009,667	60%
Joint Rec	856,561	92%	762,149	80%

2. *Year-end projections for the above funds have been updated through March 31, 2018. Projection spreadsheets have been distributed to the Mayor and Board as well as Department Managers.*
3. *We made principal and semi-annual interest payments on our Water Treatment Plant Upgrade serial bond on April 14th. The total amount was \$192,815.63, which consisted of \$155,000 in principal and \$37,815.63 in semi-annual interest. The balance remaining on this bond is \$1,530,000 and is scheduled to be paid by October 2026.*
4. *On April 20th, we will make a bond payment in the amount of \$205,000 for the CSO Project. This is a zero interest bond with the entire amount going towards the principal. The balance remaining on this bond will be \$615,000 and is scheduled to be paid by April 2021.*
5. *On March 21st, we received \$303,782.61 from NYS for CHIPS (\$213,452.07), PAVENY (\$50,512.02) and EWR (\$39,818.52)*
6. *We received our second draw from New York State in the amount of \$100,000 for the 2016 AHC Grant bringing the total amount drawn to \$200,000.*
7. *I have reached out to the Burke Group regarding the FYE 5/31/2018 GASB 45 valuation for post-retirement health insurance. We had a full valuation done for FYE 5/31/2015, and we are allowed 2 interim valuations (2016 & 2017) done because the village has less than 200 participants. I will seek the board's permission once I have a proposed amount.*

ACTION

None at this time.

**PUBLIC HEARING: CONSIDER ADOPTING LOCAL LAW TO AMEND CHAPTER 240
(SOLID WASTE)**

Trustee LeBire offered a motion, seconded by Trustee Carvel to open the meeting to a public hearing to consider amending Chapter 240 (Solid Waste) of the Village Code at 5:40 p.m. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire) (*Clerks Note: See page 1619-1620 for Notice of Public Hearing.*)

DPW Supt. Fayad explained the proposed changes to the board:

1. Redefined recycle to expand definition of recycle – just updated code not practice.
2. Odor
3. Collection of annual clean up items will no longer be curbside, homeowners are to bring their items to the transfer station themselves during set dates and times
4. Limit brush pick-up to April, May, September and October.

Residents Tom Seguin, Bruce Serviss and Tom Spinner relayed their concerns about how this will affect residents to the Board, as not everyone has the means or capability to bring their own bulk items to the transfer station. Mr. Serviss also pointed out that there may be more trash that gets dumped in the woods or side of the road now. Mr. Seguin suggested using vouchers or coupons, however Mayor Currier explained that that would be too difficult to monitor. Landlord Tom Seguin said he liked the idea of vouchers being used throughout the year. Upon questioning from Mr. Spinner, DPW Supt. Fayad explained the savings would amount to approximately \$70,000/year. Mr. Serviss asked if for people with smaller vehicles, is more than one load allowed to be dropped off, since the law states a half-ton is allowed.

Mayor Currier explained they have been trying to change the way clean-up is conducted due to the blight in the Village during in the weeks leading up and during the clean-up. As of right now the Board has not ironed specifics as to how they will handle the clean-up. Trustee Carvel said in the past he was in favor of the curbside pickup, but over the past 20 years it's been hundreds of people in the Village that take advantage of the program and put enormous piles of garbage to the curb. If this new way does not work, then we can revamp if needed.

Hearing no further public comment, Trustee LeBire made a motion, seconded by Trustee Ahlfeld to close the public hearing at 6:00 p.m. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

**RESOLUTION #13-2018 ADOPT LOCAL LAW AMENDING CHAPTER 240 (SOLID WASTE)
OF THE GENERAL CODE OF THE VILLAGE OF MASSENA**

A motion was offered by Trustee Ahlfeld, seconded by Trustee LeBire, and carried, to adopt the following resolution to wit:

RESOLUTION #13-2018
Adopt Local Law #06-2018

A local Law AMENDING the Code of the Village of Massena, Chapter 240 titled "SOLID WASTE",

Be it enacted by the BOARD OF TRUSTEES of the Village of Massena as follows:

Chap. 240 Solid Waste

Article I: Storage, Collection and Disposal

§ 240-1 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings ascribed to them in this section:

ASHES

The residue from the burning of wood, coal, coke or other combustible materials.

BULKY WASTE

Large items of waste material, such as appliances, furniture, auto parts

COMMERCIAL

Any private business operation generating not more than six thirty-two-gallon containers per week and each container not weighing any more than 50 pounds.

CONTAINERS

Metal or plastic cans or plastic bags (minimum 1.5 mil thickness); each container shall hold a maximum of 32 gallons and not weigh more than 40 pounds.

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DEPARTMENT OF PUBLIC WORKS

The refuse collection and disposal department of the Incorporated Village of Massena.

FAMILY UNIT

One family unit living independent of any other.

GARBAGE

Animal, vegetable, fruit or similar organic wastes liable to become putrid, including wastes resulting from the handling, preparation, cooking or storage of foods.

MIXED PAPERS

Catalogs, junk mail, NCR paper, envelopes, file cards and folders, glossy newspaper inserts, magazines, computer printouts and nonmetallic wrapping paper, kept dry and clean.

NONRECYCLABLE REFUSE

Rags, sweepings, rubber, leather, crockery, shells, clothing, dirt, ashes, wastewater, light bulbs, batteries, dishes, mirrors and similar waste material.

PREMISES

Land, buildings or other structures, vehicles, watercraft or parts thereof upon or in which refuse is stored.

RECYCLABLE REFUSE

Clean metal food containers, clean glass bottles (caps removed), dry newspaper, dry mixed papers and plastic containers [SPI coding system No. 1, PET (polyethylene terephthalate), No. 2, HDPE (high-density polyethylene), No. 3, PVC (polyvinyl chloride), No. 4, LDPE or PE-LD (low-density polyethylene), No. 5, PP (polypropylene), No. 6, PS (polystyrene), and No. 7, OTHER or O (other plastics, such as acrylic, nylon, polycarbonate, and polylactic acid, and multilayer combines of different plastics)]

REFUSE

All solid wastes, including garbage and yard waste, but not including human wastes.

YARD WASTE

Refuse resulting from the collection and disposal of natural items indigenous to the exterior portions or yards of residential premises, such as branches, tree trimmings, hedge clippings, grass cuttings, leaves and other such natural material.

§ 240-2 Administration.

There is hereby created a Department of Public Works which shall be under the supervision and control of the Superintendent of Public Works. The Superintendent of Public Works shall have the responsibility for the operation and for the collection and disposal of refuse by the Department of Public Works. The Superintendent of Public Works is hereby empowered to make and publish regulations implementing this chapter concerning such matters as the days for the collection of garbage and rubbish, the location of refuse containers and all other matters relating to the storage, collection and disposal of refuse which he deems advisable, provided that such regulations are not contrary to the provisions of this chapter.

§ 240-3 Restrictions.

- A. No person shall place, deposit or store any refuse on or in any street, highway, avenue, drain, ditch, watercourse or body of water or other public place within the Incorporated Village of Massena except in containers for such purpose by the Superintendent of Public Works, and in no event upon the premises of another except with the consent of the owner or occupant thereof.
- B. Any person responsible for refuse on premises not served by the Department of Public Works or for refuse not acceptable for collection by the Department of Public Works shall make suitable arrangements for the collection and disposal of such refuse.
- C. In the event of a violation of any of the provisions of this section which shall, in the opinion of the Code Enforcement Officer or the Superintendent of Public Works, be a hazard to the health, safety or well-being of the community, a notice directed to the owner or occupant of the premises upon which such violation occurs may be served, either personally or by posting the same on said premises, directing the removal of all material upon the premises in violation of this section within 24 hours. In the event that such material is not removed within 24 hours from the date of service or posting of said notice, the Village Department of Public Works may enter upon the premises, remove said material and charge the entire cost of said removal against the premises.
- D. Notwithstanding anything contained in this chapter to the contrary, the occupants of residential and commercial premises served by the Department of Public Works shall place or cause to be placed at the street or curblin of their premises yard waste, garbage and recyclable refuse originating on said premises, subject to the following rules and regulations:

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- (1) All grass cutting and leaves shall be placed in closed, clear bags, paper bags or in other DPW approved container(s).
- (2) Public works shall collect branches, tree trimming and hedge clippings during the months of April, May, September and October. When a special event occurs impacting a number of properties, at the discretion of the Superintendent of Public Works, additional collections may occur. All branches, tree trimmings and hedge clippings shall be cut into lengths no greater than 10 feet with the butt end placed towards the road. The largest diameter of limb allowed shall be no larger than eight (8) inches. The amount of brush to be placed at curbside for DPW collection shall not exceed eight (8) cubic yards, loose. No branches, tree limbs and hedges removed by a commercial business shall be placed at curbside for collection by DPW. Root balls shall be removed from all brush and hedges and disposed of by owner.
- (3) No more than five thirty-gallon containers of garbage and waste shall be placed out for collection at any one time. No item or container shall weigh more than 40 pounds.
- (4) Litter baskets provided by the Village are to be used for deposit of litter generated on the public right-of-way by pedestrians and motorists. The placing into litter baskets of refuse originating from homes, commercial or industrial establishments is prohibited.

§ 240-4 Storage of refuse.

No household waste, commercial waste or building waste shall be stored or accumulated on any premises within the Village except as permitted by this chapter. Refuse may not be placed or stored in the street or gutters. Refuse may not be stored on sidewalks, rights-of-way or in any public place except as directed herein or by the Superintendent of Public Works.

§ 240-5 Maintenance of refuse containers.

Refuse containers shall be maintained free from excessive odor and in clean and good condition by the owner thereof. In the event that a container on premises served by the Department of Public Works becomes dangerous or is liable to injure or hinder the person collecting the contents thereof, said container shall be replaced by the owner thereof with a proper and safe container within one week after the receipt of a written notice from the Superintendent of Public Works.

§ 240-6 Service by Department of Public Works.

- A. The Department of Public Works shall collect and dispose of all refuse acceptable for collection from all single-family and multifamily dwellings occupied exclusively for residential purposes by not more than five families living independently of each other. Every owner or occupant of such premises is hereby required to make use of the refuse collection and disposal system provided by the Incorporated Village of Massena.
- B. The Department of Public Works may also collect from business so long as items are placed in approved containers.
- C. All refuse for collection shall be placed in clear plastic bags to allow full view of contents. Refuse in tinted or other bags will not be collected and a violation notice shall be applied stating the reason for the violation. Refuse not collected shall be retrieved (within 12 hours) by the owner/occupant and disposed of properly. Refuse not retrieved within 12 hours will be collected by the DPW, and the owner/occupant will be charged an additional fee for collection. The amount shall include but not be limited to labor, equipment, and tip fees.
- D. In all cases where the Village has performed and provided a service, an administrative charge (8.0%) of the aggregate bill amount shall be added to the total.

§ 240-7 Unacceptable refuse.

The following refuse shall not be considered acceptable by the Department of Public Works during regular weekly collection:

- A. Materials resulting from the repair, construction, alteration or excavation of buildings or structures, streets or sidewalks, such as earth, plaster, mortar, concrete, bricks, lath and roofing materials.
- B. Dangerous materials or substances, such as poisons, acids, caustics, infected materials, explosives, ashes, medical waste, hazardous waste and household sharps (including needles, syringes and lancets).
- C. Materials which have not been prepared in accordance with the provisions of this chapter.
- D. Solid wastes resulting from industrial processes.
- E. Large items such as furniture, rugs, mattresses and appliances.
- F. Raw garbage, such as food scraps, not wrapped or not placed in a container, such as a plastic bag.
- G. Should the Village of Massena remove the unacceptable refuse (up to 1,000 pounds), after giving proper notification to owner of the property, there shall be a minimum charge of \$200 assessed to said owner(s). Additionally, charges shall be assessed as the weight exceeds 1,000 pounds.

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§ 240-8 Collection.

- A. All refuse shall be collected by the Department of Public Works according to the following schedule:
- (1) Garbage, refuse and recyclables shall be placed at curbside for collection by 6:00 a.m. on your scheduled day of collection; days as set by the Superintendent.
 - (2) Bulky waste: The Village will conduct one annual cleanup period per year on days to be designated by the Superintendent.
- B. During the annual cleanup days designated by the Superintendent of Public Works,
- (1) Village residents will take their bulky waste to the local transfer station. Resident shall provide two (2) proofs of Village residency (photo ID and utility bill of property or approved equal to prove residency).
 - (2) Resident shall separate trash, metal, electronics, fabric and tires (4-max.) as directed by Superintendent. Construction debris such as, but not limited to, toilets, sinks, wood, sheetrock, etc. will not be approved or accepted, no exception.
 - (3) NO COMMERCIAL DUMPING. Residents shall be allowed to unload a maximum of ½ ton (defined as a pickup truck load) of debris one time, only. Multi-unit complexes within the Village of Massena utilizing Village refuse service, shall be allowed to dump ½ ton max. of debris per unit.
 - (4) Debris shall not be placed along curbside in the Village or be visible to the public.
 - (5) Once the end date of the scheduled cleanup date has expired, no other trash/debris shall be allowed to be unloaded as part of the program.

§ 240-9 Service charges.

- A. The charge for the collection and disposal of refuse by the Department of Public Works shall be according to the following schedule:

Type of Dwelling	Monthly Charge	Bimonthly Charge	Quarterly Charge
Each family unit	\$21.50	\$43.00	\$64.50
Commercial unit	\$21.50	\$43.00	\$64.50

- B. Refuse service charges shall be due and payable monthly, bimonthly (every two months), or quarterly at the same time water and sewer charges are payable, regardless of the occupancy of the premises.
- C. The charge for any premises within the scope of this chapter for which a certificate of occupancy is issued after the effective date of this chapter shall be prorated for the period commencing from the first day of the month following the issuance of the certificate of occupancy to the last day of the following May.
- D. Refuse service charges shall be billed to the owners of the premises and shall be payable at the collections office.
- E. The Superintendent may negotiate rates and services for commercial and public agencies within the Village, provided that such rates shall in all instances cover at a minimum the incremental full costs of providing said service

§ 240-10 Discontinuance of service.

- A. In the event that the owner has discontinued the use of Village water, then the refuse service charge shall automatically terminate.
- B. Owners of single-family houses may have garbage service temporarily discontinued for a minimum of two months and maximum of four months by applying, in writing, for discontinuance of such service. Application must be filed with the Water Billing Department at least two weeks prior to the discontinuance date and must include the date of resumption. One request per twelve-month period will be accepted. The intent of the subsection is to recognize the fact that residents may be away from their home during portions of the year.

§ 240-11 Delinquency charges.

- A. In the event that the refuse service charge bill is not paid in full, a penalty equal to 10% of the most recent bill shall be added to the bill. Said penalty of 10% shall go into effect the 11th day of the month following the date of the bill. However, if payment is made by mail, payment shall be presumed timely if the envelope containing said payment is postmarked before the closing of the 10th day of the month following the date of the bill.
- B. If payment is made by use of the Village night deposit box, payment shall be presumed timely if the payment is removed by 8:00 a.m. the morning after the due date of the bill. It is then backdated one business day and posted with such date.

§ 240-12 Lien of refuse service charge.

All refuse service charges, penalties and interest thereon shall be a lien upon the real property benefited by the refuse collection and disposal service from the date that the refuse service charge is due and payable, and such lien shall be prior and superior to every other lien or claim, except the lien of an existing tax or local assessment. The Board of Trustees may certify to the Village Clerk the amount of any such lien which has not been paid at the time and in the manner prescribed by such Board, with a description of the real property affected thereby, and the Board of Trustees may include such amount in the annual tax levy and shall levy the same upon the real property in default.

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§ 240-13 Refuse service vehicles.

- A. Every vehicle used for collection and/or disposal of refuse shall have an enclosed body or suitable provision for covering the body. Provision and use of a tarpaulin or canvas to enclose the open body of such a vehicle may be permitted when specifically approved by the Superintendent of Public Works.
- B. Every vehicle used for the collection and/or disposal of garbage or of refuse containing garbage shall have a watertight body and shall be kept clean and sanitary and in good running order and shall have the licensee's name plainly painted on each side in letters at least four inches high.
- C. No vehicle used for the collection and/or disposal of refuse shall be operated on any street, avenue or highway in the incorporated Village of Massena in an overloaded condition or in such a manner as to spill the contents thereof onto the street, avenue or highway.
- D. The Superintendent of Public Works or any other person authorized by the Board of Trustees shall make inspection of the vehicles used for the collection and/or disposal of refuse whenever he deems necessary, but in no event less than once every six months.

§ 240-14 Disposal of refuse.

- A. No refuse shall be disposed of within the Incorporated Village of Massena except at such place or places as may be permitted by the Board of Trustees.
- B. No refuse collected from outside the Incorporated Village of Massena shall be disposed of at the place or places designated except with the permission of the Board of Trustees.

§ 240-15 Recycling.

- A. It shall be the responsibility of all the residents, any commercial establishment and public entities using the Village collection service to separate recyclables from all solid waste and place them out for collection at the curb or walk.
- B. No person shall place any recyclable material at or near the curb, sidewalk or street for purposes of collection by the Department unless that person:
 - (1) Separates recyclable material from any refuse or waste placed for collection.
 - (2) Places cans, bottles, dry mixed paper and crushed plastic containers in a container separate from what is used for non-recycle refuse. Said container shall be within the guidelines set forth in the Village code.
 - (3) Cleans all glass bottles, jugs, jars and plastic containers. Paper labels may be left on bottles.
 - (4) Cleans all metal cans.
 - (5) Removes caps from plastic containers.
- C. Recyclable material shall be newspapers, bottles, cans, mixed paper and plastic containers. All paper must be dry.
- D. Ownership of recyclables set out for collection shall thereupon vest with the Village. It shall be unlawful for a person to collect, remove or dispose of recyclables which are the property of the Village.
- E. One container referred to as a "blue recycle container" shall be furnished to the property owner for each residence or apartment at no cost. This will be done at the beginning of the recycling program. Blue boxes will be replaced by the Village at no cost due to normal wear and tear. Replacements, due to loss, theft and misuse by the owner and/or occupant, will be a charge to the owner at a cost set by the Superintendent to be collected as set forth in this chapter.

§ 240-16 Penalties for offenses; when effective.

- A. Violation of any of the provisions of this chapter shall be punishable as follows:
 - (1) First violation: a fine of \$100.
 - (2) Second violation within one year of the previous violation: a fine of \$250.
 - (3) Third and additional violations within one year of the previous violation: a fine of \$500.
- B. Garbage/refuse that has been dropped off in the Village limits that has been generated outside Village of Massena limits shall be collected by said party placing or causing to have placed all material in addition to the fine above. Failure to collect garbage/refuse within 24 hours of notice will force the Village of Massena to collect said garbage/refuse, and all charges incurred shall be borne by the parties placing or causing to be placed said material.

§ 240-17 Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.
(End)

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee LeBire

NAY: Trustee Deshaies

Mayor Currier declared Resolution #13-2018 duly adopted (3:1)

COMMITTEE REPORTS:

Committee reports were presented for informational purposes only with no Village board action taken at this time. The following was notable:


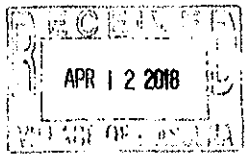
JOINT RECREATION: The Joint Recreation Commission is looking to hire a therapeutic recreation director for the Summer Recreation Program.

INITIAL PUBLIC COMMENT PERIOD:

No public comment was heard at this time

AUTHORIZATION TO CANVASS & HIRE: TWO (2) MOTOR EQUIPMENT OPERATORS

DPW Supt. presented the following to the board:

		Village of Massena DEPARTMENT OF PUBLIC WORKS	
<h1>Memo</h1>			
To:	Timothy J. Carrier, Mayor		
	Board of Trustees		
From:	Hassan A. Fayad, P.E.		
Date:	April 12, 2018		
Re:	Request to Canvass, MEO's		
<hr/>			
Mayor and Board...			
As discussed at the April 10, 2018 DPW budget work session, I am requesting to fill vacancy(ies) at the DPW.			
The services we provide revolve around the level of efficient manpower we have. As I write this memo today, the staffing level at the DPW has been reduced by four (4) full-time employees do to retirement of three and the passing of another. Our service is non-sustainable with this amount of reduction in staff and I am requesting to fill all current vacancies.			
Earlier this winter the board gave approval to hire two (2) new employees. To date, these positions have been advertised, applications have been received, reviewed and references checked. Interviews must be scheduled and a criminal records check must be performed, prior to making a recommendation for hire.			
Once again, I am requesting your consideration to hire the remaining two (2) vacancies in this department.			

At 6:05 p.m. a motion was made by Trustee LeBire, seconded by Trustee Carvel to enter into an Executive Session to discuss Collective Bargaining. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

A brief Executive Session was held and no action was taken.

At 6:10 p.m. a motion was made by Trustee LeBire, seconded by Trustee Carvel to close the Executive Session and return to the open meeting. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

A motion was then offered by Trustee Ahlfeld, seconded by Trustee LeBire to allow DPW Supt. Fayad to canvass for one (1) more at this time, pointing out that DPW Supt. Fayad has already been giving permission to canvas for two (2) motor equipment operators. **Motion Carried 3:1** (AYE=Ahlfeld/Deshaies/LeBire NAY=Carvel)

REISSUE RFP FOR CLEANING & MOWING PROPERTIES IN VIOLATION OF VILLAGE CODE

Mayor Carrier explained that an RFP for cleaning and mowing properties in violation of the General Code of the Village of Massena was issued, with no response. A motion was made by Trustee LeBire, seconded by Trustee Deshaies to issue request proposals for cleaning and mowing of code violation properties in 2018. They asked that the word cleaning be removed from title but keep within scope of work. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire) *(Clerks Note: See page 1621 for Notice of Public Hearing.)*

ESTABLISH PUBLIC HEARING: DISCUSS PROGRESS OF THE 2016 CDBG PROGRAM

A motion was made by Trustee Ahlfeld and seconded by Trustee LeBire to hold a public hearing on May 15, 2018 at 5:30 p.m. to discuss progress of the 2016 CDBG program. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

**RESOLUTION #14-2018: APPROVE VILLAGE OFFICE RENT & PARKING LOT AGREEMENT
BETWEEN THE TOWN AND VILLAGE OF MASSENA**

A motion was offered by Trustee Ahlfeld, seconded by Trustee Carvel, and carried, to adopt the following resolution to wit:

RESOLUTION#14-2018

**Approve Village Office Rent and Parking Lot Agreement Between
the Town and Village of Massena**

BE IT RESOLVED, that the Village of Massena Board of Trustees hereby authorizes an Agreement Between the Town and Village of Massena related to the **Village Office Rent and Parking Lot Agreement** in accordance with the terms contained in the Agreement dated June 1st, 2018; and

BE IT FURTHER RESOLVED, that Mayor Timmy J. Carrier, as Mayor of the Village of Massena, is hereby authorized and directed to execute said Agreement.

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee Deshaies, Trustee LeBire

NAY: NONE

Mayor Carrier declared Resolution #14-2018 duly adopted (4:0).

**RESOLUTION #15-2018: SUPPORTING FAIR HOUSING AND ADOPTING THE "ASSESSMENT
OF FAIR HOUSING: ST. LAWRENCE COUNTY 2017"**

A motion was offered by Trustee LeBire, seconded by Trustee Deshaies, and carried, to adopt the following resolution to wit:

RESOLUTION#15-2018

**SUPPORTING FAIR HOUSING AND ADOPTING THE
"ASSESSMENT OF FAIR HOUSING: ST. LAWRENCE COUNTY, 2017"**

WHEREAS, the Village of Massena regularly applies for Community Development Block Grant funding to administer a variety of community and economic development projects that principally benefit low- to moderate-income households throughout the Village, and

WHEREAS, as a condition of receiving Federal funds, the US Department of Housing and Urban Development (HUD) requires local communities to certify that they affirmatively further fair housing; this obligation requires the grantee to conduct an assessment of fair housing in the community; take appropriate actions to overcome the effects of identified impediments; and maintain records concerning the local analysis and activities, and

WHEREAS, the last Analysis of Impediments was conducted in 2010, which relied on 2000 Census Data and no longer accurately reflects current population demographics or housing conditions in the Village and throughout St. Lawrence County, and

WHEREAS, St. Lawrence County's Fair Housing Task Force responded to the need to assess progress on fair housing issues, raised funds from outside donors, contracted with CNY Fair Housing in 2016 to do an independent assessment, worked on data collection and analysis, conducted meetings with stakeholders, reviewed and revised the draft "Assessment" report prepared by CNY Fair Housing staff,

NOW, THEREFORE, BE IT RESOLVED that the Village of Massena Board of Trustees adopts the "Assessment of Fair Housing: St. Lawrence County, 2017", which identifies short- and long-term strategies to educate the public about housing discrimination, and short- and long-term strategies to improve the quality of affordable housing in the Village, and

BE IT FURTHER RESOLVED that the Village of Massena Board of Trustees designates and supports the Fair Housing Task Force responsible to affirmatively further fair housing in the Village of Massena and St. Lawrence County, and maintain records concerning these activities; and

BE IT FURTHER RESOLVED that the Village of Massena Board of Trustees encourage all Village residents to celebrate the month of April as it is designated, nationally, as "Fair Housing" month and in 2018 we celebrate the 50th Anniversary of the passing of the Fair Housing Act; and

THEREFORE, BE IT FURTHER RESOLVED that the Village of Massena Board of Trustees recommit to the goal of eliminating housing discrimination and creating equal opportunity within the Village of Massena.

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee Deshaies, Trustee LeBire

NAY: NONE

Mayor Currier declared Resolution #15-2018 duly adopted (4:0).

**RESOLUTION #16-2018: AUTHORIZE SUBMISSION OF GRANT APPLICATION TO
NORTHERN BORDER REGIONAL COMMISSION**

A motion was offered by Trustee LeBire, seconded by Trustee Deshaies, and carried, to adopt the following resolution to wit:

RESOLUTION#16-2018

AUTHORIZING SUBMISSION OF AN APPLICATION FOR FISCAL YEAR 2018 NORTHERN BORDER REGIONAL COMMISSION ECONOMIC AND INFRASTRUCTURE DEVELOPMENT GRANT PROGRAM

WHEREAS, federal grant funding is available through the NYS Department of State to support local economic and infrastructure development activities which are undertaken by eligible municipalities; and

WHEREAS, the Village of Massena is eligible to apply for such funding in the 2018 competition under the Northern Border Regional Commission's Economic and Infrastructure Development Grant Program; and

WHEREAS, the Board of Trustees has determined that such funding should be used to enhance and upgrade the Massena Aluminum Trail footbridge; and

NOW, THEREFORE, BE IT RESOLVED, the Mayor is authorized to sign and submit an application for funding from the Northern Border Regional Commission's Economic and Infrastructure Development Grant Program for consideration in the 2018 competition; and

BE IT FURTHER RESOLVED, the Mayor is authorized to sign all agreements, certifications and other documents required to complete the application and to accept a grant and administer the program that is proposed for 2018 NBRC funding.

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee Deshaies, Trustee LeBire

NAY: NONE

Mayor Currier declared Resolution #16-2018 duly adopted (4:0).

RESOLUTION #17-2018: RE-LEVY TO VILLAGE TAXES

A motion was offered by Trustee LeBire, seconded by Trustee Ahlfeld, and carried, to adopt the following resolution to wit:

RESOLUTION #17-2018
RE-LEVY TO VILLAGE TAXES

BE IT RESOLVED, that the Village of Massena Board of Trustees hereby authorizes the Village Treasurer to re-levy unpaid sewer use charges plus penalties of \$181,386.56, unpaid water charges plus penalties of \$166,190.22 and unpaid trash collection and other charges plus penalties of \$182,531.91 totaling \$530,108.69 to the June 2018 Village Tax Roll.

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee Deshaies, Trustee LeBire

NAY: NONE

Mayor Currier declared Resolution #17-2018 duly adopted (4:0).

VOUCHER WARRANT:

A motion was made by Trustee Deshaies and seconded by Trustee Carvel to approve Voucher Warrant #403.

Motion Carried 4:0 (AYE= Ahlfeld/Carvel/Deshaies/LeBire)

WARRANT#403 (Board Meeting 04/17/18)

220473-220482	04/04/18	121,813.75	Prepaid Payroll
220483	04/10/18	90.68	The Home Depot Credit Svcs
220484	04/10/18	298.57	The Home Depot Credit Svcs
220485-220495	04/11/18	43,489.16	Prepaid Payroll
220496	04/12/18	1,106.65	United States Postal Service
		166,798.81	Total Prepaid
220497-220577	04/17/18	186,466.28	Total Unpaid
		353,265.09	Total Warrant #403 Including Prepaid Payroll

MONTHLY REPORTS:

The following monthly reports were presented and reviewed:

- Massena Volunteer Fire Department, Inc. (Mar. 2018)
- Massena Permanent Firefighters/ Village of Massena Code Enforcement Office (Mar 2018)

COMMUNICATIONS/CORRESPONDENCE:

Nothing was reported at this time.

CLOSING PUBLIC COMMENT PERIOD:

No other public comments/questions were voiced.

EXECUTIVE SESSION:

A motion was offered by Trustee LeBire, seconded by Trustee Carvel, to enter into an Executive Session to discuss Collective Bargaining Agreement at 6:20 p.m. **Motion Carried 4:0** (AYE= Ahlfeld/Carvel/Deshaies/LeBire). Fire Foreman Hardy was also in attendance.

A short Executive Session was held and no action was taken.

At 6:50 p.m. a motion was made by Trustee Ahlfeld and seconded by Trustee Carvel to close executive session and return to the open meeting. **Motion Carried 4:0** (AYE= Ahlfeld/Carvel/Deshaies/LeBire).

ACTION TAKEN IN OPEN SESSION:

A motion was offered by Trustee Ahlfeld, seconded by Trustee LeBire to authorize the Mayor to sign addendum No.1 to the Agreement with the Massena Permanent Firefighters Local #2220 regarding the Foreman and Floater schedule change. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/ Deshaies/LeBire)

ADJOURNMENT:

With no further business, a motion to adjourn the Village Board meeting was made by Trustee Ahlfeld at 6:51 p.m. and seconded by Trustee Carvel. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire).

MINUTES PREPARED BY:


Monique N. Chatland, Village Clerk

LEGAL NOTICE OF PUBLIC HEARING RE: CABLE TELEVISION AGREEMENT

Johnson Newspaper Corporation

Client:	191160	VILLAGE OF MASSENA	Phone:	(315) 769-8625
Class.:	60 MAIN ST TOWN HALL			
Ad #	20405516	Requested By: MONIQUE	Fax:	(315) 769-0257
Sales Rep.:	SL20	Winter Stephens	Phone:	(315) 769-2451 Ext: 100
		massenaclass@ogd.com	Fax:	(315) 764-0337
Class.:	0110	Public Notices		
Start Date:	04/04/2018	End Date:	04/04/2018	Nb. of Inserts: 1
PO #:		Entered By:	WSTEPH	
Publications:	Daily Courier Observer			
Paid Amount:	\$0.00	Balance:	\$26.72	
Total Price:	<input type="text" value="\$26.72"/>			Page 1 of 1

Village of Massena
Town Hall Building
Massena, New York 13662

**NOTICE OF
PUBLIC HEARING**

For the approval of a Cable
Television Agreement be-
tween Time Warner Cable
Northeast LLC and the Vi-
llage of Massena.

PLEASE TAKE NOTICE that
the Village of Massena will
hold a Public Hearing on
April 17, 2018, at 5:30 p.m.
in Room #30 of the Town
Hall Building, located at 60
Main Street in Massena, New
York regarding granting a
cable television franchise
agreement by and between
the Village of Massena and
Time Warner Cable North-
east LLC, i/k/a Charter Com-
munications.

A copy of the agreement is
available for public inspec-
tion during normal busi-
ness hours at the Village Clerk's
office, Room 12 of the Town
Hall Building, located at 60
Main St., Massena, New
York. At such public hear-
ing, all persons will be given
an opportunity to be heard.
Written and oral statements
will be taken at that time.
Time limitations may be im-
posed for each oral state-
ment, if necessary.

**BY ORDER OF THE BOARD
OF TRUSTEES**

DATED: APRIL 2, 2018
Monique N. Chaffand,
Village Clerk.

LEGAL NOTICE OF PUBLIC HEARING TO CONSIDER AMENDING CHAP. 240 (SOLID WASTE)

Johnson Newspaper Corporation

Client:	191160	VILLAGE OF MASSENA	Phone:	(315) 769-8625
Class.:	60 MAIN ST			
	TOWN HALL			
Ad #	20405643	Requested By:	MONIQUE N CHAT-	Fax: (315) 769-0257
Sales Rep.:	SL20	Winter Stephens	Phone:	(315) 769-2451 Ext: 100
		massena@class.ogd.com	Fax:	(315) 764-0337
Class.:	0110	Public Notices		
Start Date:	04/06/2018	End Date:	04/06/2018	Nb. of Inserts: 1
PO #:		Entered By:	EKAST	
Publications:	Daily Courier Observer			
Paid Amount:	\$0.00	Balance:	\$95.88	
Total Price:	<input type="text" value="\$95.88"/>			

Page 1 of 2

NOTICE of Public Hearing on Proposed Local Law
Amendment to Village Code
Re: Chap 240 Solid Waste

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Massena, New York, will conduct a public hearing on the 17th day of April 2018, at 5:35 p.m. in the Town Hall Building, Massena, New York, to consider adopting a proposed Local Law to amend the Code of the Village of Massena, New York, CHAPTER 240 (SOLID WASTE), as follows:

SECTION 240-1: Definitions. - Amend the following definitions to read as follows.

NONRECYCLABLE REFUSE

Rags, sweepings, rubber, leather, crockery, shells, clothing, dirt, ashes, wastewater, light bulbs, batteries, dishes, mirrors and similar waste material

RECYCLABLE REFUSE

Clean metal food containers, clean glass bottles (caps removed), dry newspaper, dry mixed papers and plastic containers [SPI coding system No. 1, PET (polyethylene terephthalate), No. 2, HDPE (high-density polyethylene), No. 3, PVC (polyvinyl chloride), No. 4, LDPE or PE-LD (low-density polyethylene), No. 5, PP (polypropylene), No. 6, PS (polystyrene), and No. 7, OTHER or O (other plastics, such as acrylic, nylon, polycarbonate, and polylactic acid, and multilayer combinations of different plastics)]

SECTION 240-3: Restrictions. - Amend paragraphs D (1) and D (2) to read as follows:

(1) All grass cutting and leaves shall be placed in closed, clear bags, paper bags or in other DPW approved containers.

(2) Public works shall collect branches, tree trimming and hedge clippings during the months of April, May, September and October. When a special event occurs impacting a number of properties, at the discretion of the Superintendent of Public Works, additional collections may occur. All branches, tree trimmings and hedge clippings shall be cut into lengths no greater than 10 feet with the butt end placed towards the road. The largest diameter of limb allowed shall be no larger than eight (8) inches. The amount of brush to be placed at curbside for DPW collection shall not exceed eight (8) cubic yards, loose. No branches, tree limbs and hedges removed by a commercial business shall be placed at curbside for collection by DPW. Root balls shall be removed from all brush and hedges and disposed of by owner.

SECTION 240-5: Maintenance of refuse containers. - Amend to read as follows:

Refuse containers shall be maintained free from excessive odor and in clean and good condition by the owner thereof. In the event that a container on premises served by the Department of Public Works becomes dangerous or is liable to injure or hinder the person collecting the contents thereof, said con-

LEGAL NOTICE OF PUBLIC HEARING TO CONSIDER AMENDING CHAP. 240 (SOLID WASTE)

Container shall be replaced by the owner thereof with a proper and safe container within one week after the receipt of a written notice from the Superintendent of Public Works.

SECTION 240-8: Collection. - Amend paragraphs A, B, C, D, E, & F to read as follows:

A. All refuse shall be collected by the Department of Public Works according to the following schedule:

- (1) Garbage, refuse and recyclables shall be placed at curbside for collection by 6:00 a.m. on your scheduled day of collection; days as set by the Superintendent.
- (2) Bulky waste: The Village will conduct one annual cleanup period per year on days to be designated by the Superintendent.

B. During the annual cleanup days designated by the Superintendent of Public Works,

- (1) Village residents will take their bulky waste to the local transfer station. Resident shall provide two (2) proofs of Village residency (photo ID and utility bill of property or approved equal to prove residency).
- (2) Resident shall separate trash, metal, electronics, fabric and tires (4-max.) as directed by Superintendent. Construction debris such as, but not limited to, toilets, sinks, wood, sheetrock, etc. will not be approved or accepted, no exception.
- (3) NO COMMERCIAL DUMPING. Residents shall be allowed to unload a maximum of ½ ton (defined as a pickup truck load) of debris one time, only. Multi-unit complexes within the Village of Massena utilizing Village refuse service, shall be allowed to dump ½ ton max. of debris per unit.
- (4) Debris shall not be placed along curbside in the Village or be visible to the public.
- (5) Once the end date of the scheduled cleanup date has expired, no other trash/debris shall be allowed to be unloaded as part of the program.

SECTION 240-15: Recycling. - Amend paragraph B (2) to read as follows:

- (2) Places cans, bottles, dry mixed paper and crushed plastic containers in a container separate from what is used for non-recycle refuse. Said container shall be within the guidelines set forth in the Village code.

Copies of the proposed local law amendment in its entirety is available in the Office of the Village Clerk located in the Town Hall Building - Room 12, 60 Main Street, Massena, New York, during regular business hours, for the purpose of inspection or procurement by interested parties.

By Order of the Village Board of Trustees

Monique N. Chatland, Village Clerk
Monique N. Chatland, Village Clerk

April 1, 2018
Dated

REQUEST FOR PROPOSALS FOR CLEANING AND MOWING OF PROPERTIES 2018

VILLAGE OF MASSENA
REQUEST FOR PROPOSALS
MOWING OF PROPERTIES 2018

The Village of Massena is seeking professional service for the cleaning and mowing of properties which have been found in violation of Village Code.

Various properties will be identified throughout the season and a list generated by the local code office. Said list will be forwarded to the successful vendor for immediate action to address the issue(s).

The successful bidder shall have 1-year experience in the field and have proper insurance for this activity (see below)

SCOPE OF WORK

Upon being notified by the Village Code Office, the professional mowing firm is to perform the following tasks:

- Visually inspect the subject property for the purposes of identifying the code violations (debris, height of grass etc.).
- Schedule and address the violation(s) within 24-hours of being notified.
- Debris to be collected and properly disposed of
- Grass to be mowed, trimmed and hauled away, if necessary
- Forward a bill within 7-days for the service provided for each property. Bill shall:
 - include the date of service
 - include the address of service
 - be based on an hourly rate
 - indicate the number of hours spent at each location
 - not include any federal, state or local tax
- Successful bidder shall provide proof of
 - Commercial General Liability Insurance \$1,000,000
 - Workman's Compensation: Statutory
 - Automobile Liability: \$500,000
 - Provide Certificate of Insurance listing the Village of Massena as a Certificate Holder

DUE DATE

All written & sealed proposals are due by 2:00 pm on Wednesday, May 9, 2018 to:
Village of Massena, Town Hall, 60 Main Street
Massena, NY 13662
Attn: Monique Chaffard, Village Clerk

Please indicate on the outside of the envelop "MOWING SERVICE 2018".

Choice of service providers will be based on three factors: cost, qualifications and experience.
The Village of Massena reserves the right to reject any or all bids.