

Regular Meeting of the Planning Board of the Village of Newark Valley was held Tuesday evening, April 6, 2022, at 6:00 PM in the Noble Room. Present were:

Chairperson	Sandy Kasmarcik
Board Member	Philip Nedlik
Board Member	Sue Hills
Board Member	Ellen Giblin
Village Liaison	Scott Kasmarcik
Mayor	James Tornatore
Recorder	Sarah Rudin

Meeting was called to order by Sandy Kasmarcik at 6:02 PM.

Scott Kasmarcik announced that this will be his last Planning Board Meeting.

Sandy Kasmarcik attended a Village Board Meeting on Tuesday, March 8<sup>th</sup>. The Village does have extra No Smoking signs. We will see how it goes when we put them up.

It was asked in the last meeting who was responsible for plowing/shoveling in front of the Cemetery. Jim Tornatore stated that it is the cemetery's responsibility to clear their sidewalk.

We also discussed rundown houses in the Village at the last meeting. Jim Wurtenburg brought this up in the previous meeting due to the Village having so many rundown properties. Jim Tornatore said currently there are 11 properties. Ellen Giblin asked if there was any new news as to what we could do with these houses. Jim Tornatore reported that the Tioga County Land Bank has acquired 10 Watson Avenue. The county asked Joe Tomazin and Scott Kasmarcik to report on the condition of this property. It will cost between \$150,000 to \$200,000 to restore that property. It was then recommended that the house be torn down. This is the first property that the Land Bank is working with. The company that tore down the Ladder Factory will get us an estimate of what it will cost to tear it down. The cost of tearing down neighboring properties ranged from \$60,000 to \$80,000.

The mission of the Tioga County Property Development Corporation, a New York Land Bank, (TCPDC) is to foster economic and community development by acquiring, holding, managing, developing and marketing distressed, vacant, abandoned, tax foreclosed and under-utilized residential and commercial properties.

The goal is to maximize these properties to their best possible reuse and develop a land bank program that breaks the cycle of lost properties by getting them back to productive, best reuse and on the tax rolls. The focus is to demolish unstable properties and to renovate blighted properties while preserving their historic integrity when possible. The Board of Directors will look to move forward with projects as funding sources are secured. Decisions regarding specific projects will be based on policy developed to meet a "greatest impact" and "greatest need" rating. Current specifics on each project will be considered. These efforts will

stem disinvestment and protect the public safety by improving vacant, abandoned, deteriorating, flood impacted and tax delinquent properties. The overall focus is to promote increased quality home ownership with improvement to vacant and abandoned commercial properties, address downtown revitalization, partnerships to promote increased affordable housing opportunities and will be based on strategies indicated in current local and county studies and plans.

Some of the rundown properties are assessed low. The taxes on these properties are being paid, so there isn't much we can do. It was asked if we could re-assess them. In bigger counties, this would be a possibility but in our little Village we do not have this capability.

Some of these properties have been vacant for years. They are fire hazards. Are there fire alarms in there? water? The taxes are being paid on them, so we do have the right to ask if there are such safeguards inside these properties. Due to a Municipality legality, we cannot enter these properties. It has been brought up to the Village Board members previously to get some of these properties condemned, unfortunately they did not approve this.

Some properties have "X's" on them. Can't we put those on the other rundown properties? The Beautification Law won't allow us to put these signs up. These "X's" tell firefighters that if a fire occurs, they aren't to go into the building to try and save it.

Ellen Giblin asked how long it would take to get these properties taken care of. Jim Tornatore stated it could take several years.

Currently, our Code Enforcer works part-time. The Village cannot afford to pay him to work 40 hours a week. It was asked why we have codes if they aren't going to be enforced. Jim Tornatore said that if we have a code that doesn't work, we could eliminate it. The Village Trustees are the ones who approve and disapprove the codes. Our Code Enforcer is trying. He currently is dealing with a mess from our previous code enforcer. Once this matter is taken care of, he will be able to look into the many properties in the Village that have code violations.

Jim Tornatore invited the Planning Board Members to come to a Village Board Meeting to see how things work. The next board meeting has a full agenda; therefore, it was suggested they come to the May 10<sup>th</sup> meeting. If you cannot attend this one, the Village Board Meetings are held the 2<sup>nd</sup> Tuesday of the month at 6:30 pm. Bring a list of your concerns and present it to the Board.

We need to get more of our community involved. Somehow, we need to bring in a younger crowd. Some ideas thrown around were getting the community yard sales back up and running, getting more people involved with the Christmas tree program.

There was a lengthy discussion regarding sidewalks in the Village. There currently is not a Sidewalk Committee. The previous Sidewalk Committee determined what streets didn't have to have sidewalks. Then there are some people who don't think they have a sidewalk. Some took their sidewalks out while others let the grass grow over it. We do have codes concerning sidewalks, but they aren't being enforced. Once people see they can get away with things, they are going to take advantage of it. Residents should be held accountable.

Previously a company had come in to put sidewalks in on Whig Street. It was asked if the Village was able to offer a deal to residents if a group of them wanted to put sidewalks in. Jim Tornatore stated the Village would not be allowed to offer such discount. The Village however has the sidewalk forms in which residents could use. The Village DPW may help dig up the old sidewalks.

Bikes aren't supposed to be ridden on sidewalks. What about lawnmowers with plows, snowmobiles, Atvs or electric bikes? Police can write tickets based on our Village Codes. The ATV problem cannot be enforced by the village due to the fact that we don't have anything written in our codes stating that ATVs cannot be driven on the road. If an ATV is in fact on the road, it is a police matter. Therefore, you must call the police to report it.

Our DPW guys report to the Code Enforcer which sidewalks aren't shoveled or when there is grass on the roads. The problem is that the Code Enforcer needs to see it. Contacting our code enforcer regarding an ATV on the road would be pointless since the ATV would be gone by the time he arrived.

It won't hurt to have a code written. We would have to enforce the code equally if we included horses, snowmobiles, ATVs lawnmowers, etc.

The Village has a Vehicles on sidewalks code written. (Chapter 157 Vehicles & Traffic; 157-15 Vehicles on Sidewalks) This law includes bicycles, and lawnmowers. However, riding lawn mowers or garden tractors equipped with snowplows or snow-removal equipment and operated for the purpose of lawn mowing, gardening, or removing snow are excluded.

The Planning Board can change that law. It would just have to be presented to the Village Board. It might be easier to just talk to the residents instead of changing the code.

Currently the Planning Board is allowed to have 5 members. If you would like to add more people, you would have to attend a Board Meeting to have that number changed. There needs to be an odd number of members. Example, if you have 7 people, you will need 4 people to attend to have a quorum.

A resident had an issue with someone plowing at 3am. The equipment being used to plow, had a back-up beeper. She contacted OSHA regarding this issue. OSHA told her they have no authority regarding snow plowing in a residential area. Sandy Kasmarcik handed out the Village Code to everyone.

1926.601 (b)(3) – All vehicles shall be equipped with an adequate audible warning device at the operator's station and in an operable condition.

1926.601(b)(4) – No employer shall use any motor vehicle equipment having an obstructed view to the rear unless:

1926.601(b)(4)(i) – The vehicle has a reverse signal alarm audible above the surrounding noise level or;

1926.601(b)(4)(ii) – The vehicle is backed up only when an observer signals that it is safe to do so.

The resident was invited to this meeting to voice her concerns. However, she did not attend.

Jim Tornatore suggested Sandy Kasmarcik follow up with this resident by sending her a letter with our Village Code. This will bring closure to this matter. Sandy will get the letter typed up, then get it to Sarah Rudin to put it on Village Letterhead.

Sandy Kasmarcik made a motion at 8:00 pm to adjourn the meeting. Philip Nedlik 2<sup>nd</sup> the motion. All were in favor. Meeting was adjourned.