

August 6, 2019
Public Hearing of the Village Board of Trustees
Special Meeting

The Village Board of Trustees held a Public Hearing on Tuesday, August 6, 2019 at 7:00 p.m. downstairs at the Fred & Harriett Taylor Memorial Library, 21 William Street, Hammondsport, NY.

PRESENT: Mayor Emery L. Cummings, Jr., Trustee Stella Pulver, Trustee Anne Green, Trustee Bee Keck, Attorney John Ryan, Clerk Tammie Nelson, Attorney Bill Reed, Engineer Jamie Gensel and Stenographer Elizabeth Brucie

RECUSED: Trustee David Luppino

ABSENT:

OTHERS PRESENT: Edward Spiller, Carolyn Spiller, Gail Merriam, Jack Merriam, Jim Keena, Cindy Tallo, Durinda Hughes, Jill Gleason, Holly Gleason, Brian Durnin, John Hoch, Cathy Hoch, Ron Jaquin, Mark Schlechter, Christine Valkenburgh, Deby Maloney, Richard Orman, Jim Moon, Karen Thompson, Kim Potter, Cathy Kleckner, Bob Kleckner, Carla Lederman, Tami Reinhart, Scott Reinhart, Lorraine Manelis, Patti Comstock, Terry Nardone.

This Public Hearing is available in its entirety, as recorded by Stenographer Elizabeth Brucie, in The Village Clerks Office, 18 Water Street, Hammondsport.

This public hearing was held pursuant to Section 201 of the Eminent Domain Procedure Law of the State of New York.

The purpose of this public hearing is to inform the public and to review public purpose to be served by the proposed Public Project and to review its impact on the environment and the owners/residents of the locality where the Project is proposed to be located and constructed.

Mayor Cummings read the rules that were to be followed during the Public Hearing and the statement prepared by Attorney John Ryan.

Attorney John Ryan explained that this Public Hearing is only the first step in the Eminent Domain Process. No Legal proceeding has been commenced. Negotiations can still take place in good faith.

Engineer Jamie Gensel from Fagen Engineers explained that there are no alternative locations for this project. In May 2018 the full Environmental Assessment was done on this property, with a negative declaration being submitted to the NYS Department of Environmental Conservation for publication in the Environmental Notice Bulletin.

Proof of Notice having been furnished, the Public Hearing on the land acquisition for the Downtown Wastewater Treatment Project, was called to order by Mayor Cummings at 7:07 p.m.

Entered into the permanent record:

1. Notice and affidavit of publication for the Public Hearing
2. Certified mailings
3. Environmental Assessment report
4. Email from Linda Reilly, 71 Shethar Street, Hammondsport

Public Comment was given as follows:

-Resident Orman, 12 Shethar Street, expressed concerns about the need for the Wastewater Treatment Project.

-Resident Jaquin, 12 Lake Street, asked if the DEC is pushing this project.

-Resident Manelis, 7 Church Street, asked if there was a budget for this project and how it was being funded.

-Resident Moon, Howard Hanna Real-estate, why the Village could not buy another piece of land.

-Resident Potter, 22 Wheeler, asked what the market value is on the property the Village is condemning and how it compares with the amount the Village has offered Mr. Keena.

-Attorney Schlechter, attorney for Mr. Keena commented on how we got to where we are now, followed by a letter entered into the record. Attorney Schlechter was asked not to speak to the past or the back and forth between Mr. Keena and the Village. Attorney Schlechter entered a letter from Carol Genecco, Howard Hanna Lake Group. Attorney Schlechter requested that the record remain open following the Public Hearing for written comments.

-Business Owner and Resident Geisz, owner The Tavern, 30 Mechanic Street, asked what is for the betterment of the Village, how will we grow?

-Business Owner Durnin, The Crooked Lake/Park Inn, Shethar Street, explained that the Department of Health has given them a deadline for the Wastewater Treatment Project or they will have to upgrade to a very expensive unit, it will limit business and future growth.

-Resident Jaquin, 12 Lake Street, asked if he could view the project plans.

Business Owner Gleason, Shethar 57, asked how the Village was going to gain the right of ways to the sewer lines.

-Resident Potter, 22 Wheeler Avenue, asked why the Project area does not include the churches, and who is paying for the lawyers?

-Resident Hoch, 11 Grape Street, asked about the design.

-Engineer Gensel made a statement that the business district is what is showing need for this Wastewater Treatment Project, not the individual homes.

-Resident Kleckner, 16 Shethar Street, asked about pump stations, engineered drawings and the engineering report.

-Resident Potter, 22 Wheeler Avenue, asked who is going to run the Wastewater Treatment Plant?

-Resident Hoch, 11 Grape Street, asked how we go to this place, eminent domain?

-Resident Moon, Howard Hanna Real-Estate, asked to keep the record open.

-Resident Potter, 22 Wheeler Avenue, commented on the state of the Curtiss School.

-Business Owner Fice, Burgers & Beer, asked why the Church is not included.

-Resident Orman, 12 Shethar Street, asked that the Village hold an informative hearing on the Project.

-Business Owner and Resident Geisz, The Tavern, asked if this was the only viable spot, if there was any other locations that could be used.

-Resident Reinhart, 11 William Street, asked who owned the School before it was bought by Mr Keena.

-Resident Jaquin, 12 Lake Street, asked if there has been a cost analysis done on the project.

Mayor Cummings made a statement that all documents are available at the Village Office, 18 Water Street, Hammondspport. Stating that the Department of Health will start taking action, closing the restaurants or significantly limiting their business. The restaurants do not have the space to build the systems needed to accommodate the business.

Attorney Ryan entered in to the record:

1. Survey Map
2. Letters from Attorney Valkenburgh

3. Village's Timeline that was prepared.

All persons desiring to be heard, having been heard, Trustee Green made a motion, seconded by Trustee Pulver, and carried, all voting Aye to close the Public Hearing at 8:06 p.m.

Respectfully Submitted,

Tammie Nelson,
Village of Hammondsport Clerk-Treasurer