



## The Village Newsletter- June 2024

### From the Desk of Village Mayor Ashley Schumaker

Summer is right around the corner! I would like to take this opportunity to congratulate the Class of 2024. From preschool programs to college degrees, your hard work and dedication to education is applauded by myself and the Village of Franklinville board. I would also like to congratulate all of our students on (almost) completing another school year. As our youth enjoy the great outdoors this summer, please remember to drive safely and look both ways at intersections.

Last month, we observed Memorial Day and honored the men and women who gave the supreme sacrifice while serving the United States of America. Our local American Legion & VFW organizations led ceremonies at local cemeteries and Park Square. The American dream of life, liberty, and pursuit of happiness is priceless. I am thankful each day I get to wake up and live my version of the American Dream because of the brave men & women willing to stand up for our country. President John F Kennedy said, "As we express our gratitude, we must never forget that the highest appreciation is not to utter the words, but to live by them. Let Memorial Day be a reminder of how our heroes overcame our enemies for our freedom and how, in memory of their service to our country, we must live up to the right to freedom they sacrificed their lives to protect."

Progressive growth is our theme of the year. To accomplish this, our team will be making gradual and continuous improvements that will help move our village forward in a positive way. Some changes will be small and simple, while others will be larger initiatives that take months to implement. All changes will be in the best interest of village residents. Feedback and opinions are welcome and encouraged. These newsletters and board meetings will be the best way to stay informed. For any questions or concerns, I recommend attending a meeting or reaching out to the village offices at 716-676-3010 during regular hours.

There are many small changes sprinkled throughout this newsletter. I hope you enjoy these additional levels of service and utilize them as you are able. Additionally, I would like to share detailed information on one of the long-term projects we are working on.

#### **Creating A "Village of Franklinville Court":**

- On 2/25/24, a public hearing was held, and the board unanimously voted to enact Local Law #2 of 2024- Establishing a Village of Franklinville court. Board meeting minutes can be reviewed [here](#).
- It is important to note that Justice Courts are not routine agencies or offices of local

government: they are part of a separate branch of government with constitutional and statutory responsibilities whose judicial decisions cannot turn on financial considerations.

- According to the NYS Justice Court Manual, localities cannot unduly interfere with the administration of the Justice Courts they sponsor or treat them as revenue generating enterprises for local governments. There are many steps that can be taken to reduce the expenses of a justice court.

**Q: Why start a village court if the Town of Franklinville already has one?**

A: Since our village court was dissolved in the 80's, all court matters have been transferred to the Town Court. This has resulted in a loss of convenience of a local court, the loss of control over court facilities, as well as a significant reduction in fines and fees formerly collected by the Village Court.

Based on old files and meeting minutes, almost every past board had at least discussed forming a village court. Some groups went as far as establishing a local law but never appointing a justice. Our current governing board has completed extensive research on this topic and believes the advantages of having a village court outweigh the disadvantages.

**Q: How will a village court affect the budget?**

A: We have conducted a thorough feasibility analysis. Data from our police department, the Town of Franklinville Court, and other comparable municipalities was used in our study. Our projections show that court expenses would be offset by fines collected. Please note, Village of Franklinville taxpayers already fund 100% of the Village of Franklinville Police Department. Court security is a large expense that can be offset by utilizing an on-duty officer that is already being paid for by taxpayers.

**Q: When will Village Court begin and where will it be held?**

A: Our goal is to have Village of Franklinville court go into effect January 1, 2025. The first priority was to be confident that a court was not going to have a negative impact on village taxpayers. Now that we have ruled that out, we are modeling out all remaining details of the court. This includes when, where, appointing personnel, and more. We will be working diligently on this topic and will provide updates as they become available.

[VISIT OUR WEBSITE](#)

## Clerk's Office

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**Upcoming Village Taxes & Water/Sewer/Refuse Bill:**

- Village tax bills were mailed May 31st.
- Assessed values are based on the old assessment. The new revaluation completed by the county is not in effect yet.
- Quarterly water/sewer/refuse bills will be mailed June 30th. There were no rate increases for the 24-25 budget year.

**Caring for Our Trees:**



- The Village of Franklinville has been designated as a "Tree City USA" for 40 years.
- Benefits of community trees include improving your health, property value, energy efficiency, and environment.
- Please help us properly care for trees located in the subway area (space between sidewalk and road). Proper care includes watering the tree (especially when young), scraping off diseased areas, etc.

### **Garbage Collection:**

- Garbage collection is weekly on Tuesdays. Details can be found [here](#).
- Garbage shall be set out to the curb no sooner than 24 hours prior to the scheduled pickup and containers shall be removed within 24 hours after the pickup (per local law 50.22). Failure to comply will result in a notice of alleged violation from Code Enforcement.
- Bulk item collection is the last Tuesday of each month. Each residence is allowed TWO items. Piles of construction material, more than two items, prohibited items will result in a notice of alleged violation from code enforcement if not picked up within 24 hours after collection.

### **Farmer's Market (Park Square):**

- This will take place weekly every Wednesday night from 3pm-7pm starting Wednesday June 5th.

## **Public Works Department**

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### **Water System Improvement Project:**

Water main replacement construction began in late March. These projects will be completed by private contractors with oversight by the Village and project engineer. These projects will consist of installing new water mains, hydrants, valves, and service stubs along various streets throughout the village.

The contractor is currently working on Plymouth Avenue and will continue work on S. Plymouth & Willow. We will continue to provide updates as to where work will be taking place and to any water service interruptions as we are able. Currently, a separate crew is installing new water services on the new water main in the Chestnut St and Crestview areas. They will move to Howard St and generally follow the crew installing the new mains.

Please use caution and be patient as we work to improve our water system infrastructure. This will surely cause temporary traffic delays, parking inconveniences, water service interruptions, rough roads, mud, and dust. For detailed information on this project, please review the [projects page](#) and prior [newsletters](#).

### **Gas Main Project:**

Please note that this project is independent of the Village of Franklinville however, work is being completed by the same contractor as the waterline work (same contractor, different crew).

## Restoration of Water & Gas Main Projects:

Currently the contractor's restoration crew is cleaning up work completed last November and December and will be moving to Franklinville in a few weeks. That being said, if waterline work is scheduled where the gas work has already taken place, the restoration crew will not clean up until all the waterline work is completed in that area, and they won't move equipment into the Village for a handful of locations that only got gas line work done. *To summarize, the restoration crew is the same for gas and water and will begin work when there's enough to justify it for the sake of efficiency.*

## Street Paving:

As a reminder, streets will be getting repaired as funds allow. Our department will be completing a mix of minor and major repairs. Streets that still have infrastructure work scheduled will not be getting extensive repairs as that is not an efficient use of funds.

**North Academy** and **Green Street** are scheduling for a complete street repair. Right now, we are scheduled to Mill the streets June 20 or 21 and paving is scheduled to begin Monday June 24.

*Disclaimer: These dates are subject to change due to weather.*

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# Police Department

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The Village of Franklinville Police Department is funded by village taxpayers and regularly patrols and serves the village. They regularly answer calls in the Town of Franklinville and surrounding areas when needed.

The department provides coverage that includes the performance of the usual law enforcement duties along with various service-type functions including but not limited to:

- Nightly property checks of local businesses & unoccupied homes
- Assist motorists with vehicle lockouts
- Traffic control for special events & parades
- Assistance with car seat installation
- Maintains a partnership with the Western Regional Addiction Resource Collaborative to provide a drug drop-box for the disposal of prescription drugs.

**Community Events:** The 2nd Annual Lucky Duck Scavenger Hunt will return in July.

Additionally, Chief Cintron and his team have rolled out two new programs available to village residents. The purpose of these programs are to provide additional services to residents, leverage technology to solve police matters, and increase community involvement.

## Surveillance Camera Registration Program

The Franklinville Police Department strives to solve every crime that is reported to us. Having support from the community often makes that task easier to complete. If you have a surveillance camera(s) or Ring doorbell at your location (home or business) and would



like to register them with us, please complete the online registration form below. Registering your camera or Ring doorbell not only helps deter crime, but also assists the Franklinville Police Department in its overall crime prevention strategy in your neighborhood. **This information will not be published publicly.**

Click [here](#) to view the full details of this program.

Click [here](#) to complete the online registration form.

## Vacation Property Check Program

We are proud to offer a no-cost program in which officers will check on your property while you are away on vacation, business, or attending to family matters. In your absence, the Franklinville PD will provide periodic security checks of your property. They will immediately investigate any suspicious activity.

### **How does it work?**

If you are planning on being away for **3 or more consecutive days**, you can fill out a **Vacation Check Request form** and submit it to the Village of Franklinville PD. Please make sure the form is filled out completely. It needs to be completed a minimum five days before leaving. Vacation checks are normally provided on the weekdays, during normal business hours. Checks may also be done on the weekends or after business hours when staffing is available. Officers will make a visual check of your house, as well as make sure there is no obvious damage to any property. They will not enter backyards or any fenced areas.

### **Will I be notified if an incident occurs on my property?**

Yes, as long as you have provided a good contact number.

### **Vacation Safety Considerations**

- Stop newspaper delivery or have someone pick up the paper
- Have the Post Office hold your mail or have someone pick it up
- Arrange deliveries to not leave packages by the front door
- Arrange for trash/waste bin not to be left on street
- Notify trusted neighbor, family member, security service (alarm company)



## **Local Laws & Code Enforcement**

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The Village of Franklinville will be placing an increased focus on enforcing local laws. Rules and regulations exist to create law and order within the village and provide an enjoyable environment for all residents. With the warmer weather upon us, we would like to raise awareness on a few topics. We ask that everyone understand these laws and do

their part in creating a peaceful village.

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## **Local Law Prohibiting All Terrain Vehicles (Passed 9/2006):**

**The operation of an ATV as defined below is strictly prohibited within the jurisdictional boundaries of the village.** The unrestricted use of ATVs results in severe economic damage including but not limited to habitat destruction and fragmentation, soil compaction and erosion which requires extensive and costly restoration, as well as the related noise pollution to surrounding neighborhoods through ATV operation and general nuisance to the public at large.

An ***ALL-TERRAIN VEHICLE*** or ***ATV*** is defined as any self-propelled vehicle with two or more wheels which is manufactured for sale for operation primarily on off-highway/road trails or off-highway/road competitions and only incidentally operated on public highways provided that the vehicle does not exceed 70 inches in width, or 1,000 pounds of dry weight, including dirt bikes. ***ATV*** shall not include agricultural vehicles, nor any vehicles used for snowplowing (not for hire), lawn mowing, law enforcement, fire, emergency, military or a special event.

***SPECIAL EVENT.*** Any organized rally, race, parade, exhibition or demonstration of limited duration, which is conducted according to a schedule and in which general public interest is manifested.

### **IMPOUNDMENT AND REDEMPTION:**

(A) In addition to the penalties set forth in § **70.99**(E) below, a police officer or peace officer may immediately impound an ATV operated in violation of § **70.31** above.

(B) The impounded ATV shall be stored by the Police Department pending the identification of the owner and notice of the impoundment.

(C) The Police Department shall not be liable for any damages arising out of the provision of an erroneous name or address of the owner.

(D) The owner of ATV utilized in violation of this law may redeem the same upon satisfactory proof of ownership and payment of a \$100 redemption fee.

(Ord. 7-2006, passed 9-10-2006)

### **PENALTY:**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § **10.99**.

(B) Any person violating any of the provisions of § **70.01** shall, upon conviction, be punished by a fine not to exceed \$100 or by imprisonment not to exceed 30 days, or both the fine and imprisonment.

(Prior Code, § 1-1-2)

(C) Any person operating or causing or knowingly permitting those vehicles to be moved or operated (as seen in § 70.02) shall be liable to a penalty not to exceed \$50 and, in addition thereto any violation thereof shall constitute disorderly conduct and any person violating the same shall be a disorderly person.

(Prior Code, § 1-10-3)

(D) Failure to comply with any of the provisions of §§ **70.15** or **70.16** shall be deemed a violation and the violator shall be liable to a fine of not less than \$10 nor more than \$100.

(Prior Code, § 21-1-4)

(E) Failure to comply with § **70.31** shall constitute a violation and shall be punishable by a fine of not less than \$100 nor more than \$250. Any person who violates § **70.31** after having been previously



convicted of violating § 70.31 within the last five years shall be punishable by a fine of \$250. The parent or legal guardian of a person under the age of 16 accused of violating § 70.31 will be held responsible for the violation, and may be summoned to answer the violation in a court of competent jurisdiction. In no event shall it be a defense that the parent or legal guardian has exercised due diligent supervision over the activities of the person under the age of 16.

(Ord. 7-2006, passed 9-10-2006)

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### **Local Law Prohibiting Unreasonable Noise (passed 8/2020):**

- Unreasonable noise is prohibited. It shall be unlawful for any person to make, continue, cause to be made or permit to be made any unreasonable noise within the geographic boundaries of the Village of Franklinville or within those areas over which the Village has jurisdiction.
- To put it simply, noise should not be heard across the property line it is coming from between the hours of 10:00 p.m. and 7:00 a.m. Sunday thru Thursday and 11:00 p.m. and 8:00 a.m. Friday and Saturday
- Noise should also not be heard more than 50ft beyond the property line it is coming from between the hours of 7:00 a.m. and 10:00 p.m. Sunday thru Thursday and 8:00 a.m. and 11:00 p.m. Friday and Saturday.
- Most common examples unreasonable noise include loud music, dogs barking, yelling, etc.
- Penalties for offenses:
  - Any person who shall violate any of the provisions of this chapter shall be guilty of a violation and shall be punishable by a minimum fine not less than \$50 and a maximum fine of \$250 or imprisonment for not more than 15 days, or both. Each day that such violation occurs shall be deemed a separate offense punishable as such. This chapter shall be enforced by the Village of Franklinville Police Department.
- Below are a few abbreviated explanations of prohibited noise. Please click [here](#) for the full law and restrictions.
  - The use of any sound-emitting device inside or outside of a structure whereby the sound emitted from such device is audible **beyond the property line of the premises upon which it is being used, between the hours of 10:00 p.m. and 7:00 a.m. Sunday thru Thursday and 11:00 p.m. and 8:00 a.m. Friday and Saturday.**
  - The use of any sound-emitting device inside or outside of a structure whereby the sound emitted from such device is audible **at a distance of 50 feet beyond the property line of the premises upon which it is being used, between the hours of 7:00 a.m. and 10:00 p.m. Sunday thru Thursday and 8:00 a.m. and 11:00 p.m. Friday and Saturday.**
  - The use or operation, repair, rebuilding, modifying or testing of any motor vehicle, motorcycle, motorboat, go-cart, minibike or all-terrain vehicle on property being used for residential purposes so as to disturb the quiet, comfort or repose of a reasonable person of normal sensitivities.
  - The outdoor use or operation of any powered tool or equipment, including but not limited to saws, sanders, drills, grinders, lawn mowers or tractors, leaf blowers, snow blowers or any other garden tools or equipment, on property being used for residential purposes, between the hours of 10:00 p.m. and 7:00 a.m. of the following day.
  - The conduct of any construction activities, including but not limited to the erection, demolition, assembling, altering, installing or equipping of buildings, public or private roadways, roads, premises, parks, utility lines or

other property, including related activities such as land clearing, grading, earthmoving, excavating, blasting, filling or landscaping, so as to project a noise therefrom which is audible on a property being used for residential purposes, between the hours of 9:00 p.m. and 8:00 am. of the following day.

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## Future Proposed Law:

Our team will be regularly reviewing laws and making practical adjustments where needed to modernize them to align with the current vision for our village. Right now, we are in the process of reviewing our residential parking law. Our goal is to address parking on unpaved portions including the grass area between the sidewalk and road as well as limit the amount of front yard that can be turned into a driveway.

This change is being proposed to for many reasons including but not limited to

- Reducing the number of sidewalks blocked with cars parked in yards
- Eliminate hazards due to cars parked in the grass between sidewalk/road
- Improve overall appearance and aesthetics of village
- Streamline snow removal process

Stay tuned for more information on this draft law including an announcement of the public hearing date where residents can attend to ask any questions, express concerns, or make comments as it relates to the proposed law.



- Wednesday 6/5- first Farmer's Market of the year. These will be held every Wednesday thru August from 3PM-7PM at Park Square.
- Monday 6/10 6PM - regular board meeting at 19 Pennsylvania Ave
- Tuesday 6/25- Garbage Collection- Bulk item pickup, no recyclables, 2 bulk items per unit.
- Thursday 6/27- curbside Village Brush Pickup
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**VILLAGE OF FRANKLINVILLE**  
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