

Present: Mayor: James Cheney Trustee: Brian Hemminger
Trustee: Joe DeBrock Trustee: Howard Hughson

Absent: Trustee: Greg DeRuyter

Also present: Clerk/Treasurer: Jill Seifert; DPW Superintendent: Ken McAllister, Deputy Clerk/Treasurer: Melissa Westfall, WWTP Operator: Adam Lotyczewski; Code Enforcement Officer: Jim Murphy; Police Chief: John Storer & Fire Chief: Ron Nieskes.

Public: Dennis Cook, Jamie Farr, Superintendent - Phelps-Clifton Springs Central School District, Sharon Boedo, Michael Cheney & Donna Bennett– Finger Lakes Academy (7:25 pm).

ORGANIZATIONAL MEETING:

Village of Phelps Organizational Meeting for 2015/2016:

The following appointments were offered by Mayor Cheney:
Motion made by Trustee DeBrock, 2nd by Trustee Hughson to accept appointments:

APPOINTMENTS:

Deputy Mayor	Brian Hemminger
Village Attorney	n/a – fee basis
Village Clerk / Treasurer	Jill Seifert
Deputy Clerk / Treasurer	Melissa Westfall
Sewer Biller / Water Collector / Tax Collector	Jill Seifert
Sewer Collector / Water Biller / Deputy Tax Collector	Melissa Westfall
Street Commissioners	Trustee Greg DeRuyter Trustee Brian Hemminger
Water Commissioners	Trustee Joe DeBrock Trustee Brian Hemminger
Sewer Commissioners	Trustee Howard Hughson Glen Webster - Chair
Youth, Parks & Recreation Commissioners	Trustee Greg DeRuyter Trustee Brian Hemminger Carol Lord Danielle Edgemon Michelle Dorr Heather DeRuyter
Historic District & Structures Commissioners (3 year terms)	Trustee Brian Hemminger - Liaison Sandy Clise – Chair (Exp July 2016) Paige Cheney (Exp July 2018) Patricia Jones (Exp July 2018)
Alternate -	Dana Mark (Exp July 2017) Robert Quigley (Exp July 2018) Stephanie Cheney (Exp July 2017)
Police Commissioners	Trustee Joseph DeBrock Trustee Brian Hemminger David Tillman Peter Cheney - Chair
Planning Board (5 year terms)	Randy Scott – Chair (Exp May 2016) Bob Springer (Exp May 2020) Shaun Keebler (Exp May 2019) Mike Blair (Exp May 2018) Michael Cheney (Exp May 2017)
Zoning Board of Appeals (5 year terms)	Pat Hemminger – Chair (Exp May 2019) Denise Schlossnagle (Exp May 2016) Dennis King (Exp May 2020) David Clark (Exp May 2018) David Gruschow (Exp May 2016)
Fire Department Commissioners	Trustee Brian Hemminger

Building Committee	Mayor James Cheney Trustee Howard Hughson
Personnel Committee	Mayor Jim Cheney Trustee Howard Hughson
P.C.C. Non-voting Board Member	Mayor Cheney
Official Newspapers	Finger Lakes Times Canandaigua Daily Messenger
2015/2016 Floating Holiday	Employee choice

The following vote was taken:

	<u>AYE</u>	<u>NAY</u>
Trustee: Joe DeBrock	XX	_____
Trustee: Brian Hemminger	XX	_____
Trustee: Greg DeRuyter	absent	_____
Trustee: Howard Hughson	XX	_____
Mayor: Jim Cheney	XX	_____

Procurement Policy:

Motion made by Trustee DeBrock, 2nd by Trustee Hughson:

RESOLUTION #1- 2015

VILLAGE OF PHELPS
PROCUREMENT POLICY

To be attached to billing invoice (for audit trail).

Purchase has been reviewed and it has been determined to be:

NO QUOTES IF COST IS UP TO \$4,999.00

Subject to Competitive Bidding

----- Public Works Contract (over \$35,000)

-----Purchase Contract (over \$20,000)

OR

Three (3) Written/Faxed Quotes if Cost is Between

-----Public Works Contract (\$ 5,000-\$34,999) -----Purchase Contract (\$5,000-\$19,999)

1a. Vendor Name: _____

b. Contact: _____ Telephone Number: _____

c. Item Quoted: _____

d. Vendor Quote: \$ _____

2a. Vendor Name: _____

b. Contact: _____ Telephone Number: _____

c. Item Quoted: _____

d. Vendor Quote: \$ _____

3a. Vendor Name: _____

b. Contact: _____ Telephone Number: _____

c. Item Quoted: _____

d. Vendor Quote: \$ _____

PROFESSIONAL SERVICES:

Requests for proposals are to be solicited to obtain qualified professional services such as architects, engineers, accountants, auditors, lawyers, fiscal consultants and other professionals.

I, Jill Seifert, Village Clerk/Treasurer of the Village of Phelps do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Phelps on June 8, 2015, by the following vote:

	<u>AYE</u>	<u>NAY</u>
Trustee: Joe DeBrock	XX	_____
Trustee: Brian Hemminger	XX	_____
Trustee: Greg DeRuyter	absent	_____
Trustee: Howard Hughson	XX	_____
Mayor: Jim Cheney	XX	_____

MILEAGE: The mileage rate will be as prescribed by the IRS rate.

ADVANCED APPROVAL OF CLAIMS:

Motion made by Trustee DeBrock, 2nd by Trustee Hughson:

RESOLUTION #2 - 2015

Advance Approval of Claims:

WHEREAS the board of trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges, payment of sewer bond payment, and any other payment deemed necessary with authority of Mayor or Deputy Mayor,

WHEREAS all such claims shall be presented at the next regular meeting for audit, and

WHEREAS the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and payment of sewer bond payment and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees.

Section 2. That this resolution shall take effect immediately.

I, Jill Seifert, Village Clerk/Treasurer of the Village of Phelps do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Phelps on June 8, 2015, by the following vote:

Vote:

	<u>AYE</u>	<u>NAY</u>
Trustee DeBrock:	XX	_____
Trustee Hemminger:	XX	_____
Trustee DeRuyter:	absent	_____
Trustee Hughson:	XX	_____
Mayor Cheney:	XX	_____

Resolution adopted.

ATTENDANCE AT SCHOOLS:

Motion made by Trustee DeBrock, 2nd by Trustee Hughson:

RESOLUTION #3 – 2015

Attendance at schools:

WHEREAS there is to be held during the coming official year

- a.) New York State Conference of Mayors Annual Meeting and Training School;
- b.) New York State Conference of Mayors and Fall Training School for Fiscal Officers and Municipal Clerks;
- c.) Accounting II School;
- d.) Water conferences/meetings, Code Enforcement Schools, Planning Board and Zoning Board of Appeals training sessions; and

WHEREAS it is determined by the board of trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the following officers and employees are hereby authorized to attend the following schools:

- a.) New York State Conference of Mayors Annual Training School: Mayor and/or Trustees;
- b.) New York State Conference of Mayors and Fall Training School for Fiscal Officers and Municipal Clerks: Village Clerk/Treasurer and/or Deputy Village Clerk/Treasurer
- c.) Sewer/Water/ Conferences/Meetings: DPW, Wastewater, and Clerk/Treasurer and/or Deputy Clerk/Treasurer
- d.) Accounting II school; Deputy Village Clerk/Treasurer
- e.) NYCOM Main Street Conference: Mayor

Section 2. That this resolution shall take effect immediately.

I, Jill Seifert, Village Clerk/Treasurer of the Village of Phelps do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Phelps on June 8, 2015, by the following vote:

Vote:	<u>AYE</u>	<u>NAY</u>
Trustee DeBrock:	XX	_____
Trustee Hemminger:	XX	_____
Trustee DeRuyter:	absent	_____
Trustee Hughson:	XX	_____
Mayor Cheney:	XX	_____

Resolution adopted.

DESIGNATION OF DEPOSITORIES:

Motion made by Trustee DeBrock, 2nd by Trustee Hughson:

RESOLUTION #4 – 2015

Designation of Depositories:

WHEREAS the board of trustees has determined that Village Law 4-412(3) (2) requires the designation of banks or trust companies for the deposit of all village monies:

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees does hereby designate the following institutions as depositories of all monies received by the Village Clerk/Treasurer, and receiver of taxes: Community Bank, Bank of Finger Lakes, Lyons National Bank and Canandaigua National Bank.

Section 2. That this resolution shall take effect immediately.

Vote:	<u>AYE</u>	<u>NAY</u>
Trustee DeBrock:	XX	_____
Trustee Hemminger:	XX	_____
Trustee DeRuyter:	absent	_____
Trustee Hughson:	XX	_____
Mayor Cheney:	XX	_____

Resolution adopted.

SEWER UNIT REVIEW & RECOMMENDATIONS:

Motion by Trustee DeBrock, 2nd by Trustee Hemminger:

RESOLUTION #5 – 2015

Section 1. That the board of trustees does hereby retain the current sewer units and applicable definitions.

Section 2. That this resolution shall take effect immediately.

Vote:	<u>AYE</u>	<u>NAY</u>
Trustee DeBrock:	XX	_____
Trustee Hemminger:	XX	_____
Trustee DeRuyter:	absent	_____
Trustee Hughson:	XX	_____
Mayor Cheney:	XX	_____

Resolution adopted.

END OF ORGANIZATIONAL MEETING

REPORTS:

- Police:
1. May reports – No questions.
 2. June schedule.
 3. Court Fines & Fees – received \$25 from the Town Court from Village violations written.
 4. Motion by Trustee DeBrock, 2nd by Trustee Hemminger and carried by members present rehiring Dave Frasca to his part-time police officer position.
 5. Rob Middlebrook – part-time police officer resignation to facilitate retirement from City of Geneva Police Department; motion by Trustee DeBrock, 2nd by Trustee Hughson and carried by members present accepting Rob Middlebrook’s resignation with our thanks for his years of service to the Village.

8 Banta Street:

1. Village Meeting Room Remodel – Completed other than a few decorative touches by Leah. Floor continues to settle to the shape of the subflooring. Trustee Hughson requests that Jill convey the Board’s thanks to Leah.
2. Building Request Form – Janie is recommending an increase of the rental fee for the Village Meeting Room. Currently the 1st hour is \$30; additional hours are \$20; she would like the Board’s approval to raise the rates to \$35 and \$25 respectively. Motion by Trustee

Hemminger, 2nd by Trustee DeBrock and carried by members present to raise the VMR rate as recommended by PCC Executive Director Janie Burgess effective immediately.

3. Kitchen Naming – Janie has requested the Board’s approval to name the kitchen in memory of Bev Cheney. Briefly discussed plaque placement and wording, Jill will discuss with Janie and keep the Board informed. Motion by Trustee DeBrock, 2nd by Trustee Hemminger and carried by members present to name the kitchen in Bev Cheney’s memory. Trustee Hughson requests a small ceremony/gathering when the plaque is installed.
4. Ken reports that the replacement basketball backboards and baskets are in and will be installed as time permits.

- DPW:
1. May report: no questions. Ken indicated that the aerator at the WWTP is 7/8 removed, will be starting the installation next; this is a rather large project with the DPW staff saving the Village substantial money by undertaking it themselves. Mayor Cheney agreed and reiterated the fact that having a construction crew as our DPW is an asset. Following the aerator the crew will be working on the Tiger Hill Lift Station and then moving on to the Banta Street Water Project.
 2. Ken reports that he has heard that Teed’s Tree Service is going out of business; the Village will need to contact other services to assure coverage during storms.
 3. Ken indicated that the Town of Phelps Water Department is without true emergency coverage while Mike Vienna is out of the state; while nothing was discussed in advance, Mike contacted Ken early Sunday morning regarding a leak on Melvin Hill Road.

- Wastewater:
1. May report: no questions.
 2. Annual preventative maintenance agreement with Flygt – For information only; Ken to sign.
 3. Briefly discussed needed employees; the immediate need is for another licensed WWTP operator to be Adam’s backup; this person would ideally have other skills in order to also work with the DPW staff. Adam raised concerns about the number of hours this second operator would be required to work at the plant; Jill indicated that this information is contained in a letter recently received from NYS DEC. Information regarding qualified applicants will be obtained from the County’s listing and NYWEA. After finding this person and acclimating, we would possibly look an additional laborer for the DPW. We are placing the idea of a building facilities person on hold for now.

- Water:
1. May report: no questions.

- Crooked Bridge Park:
1. Mayor Cheney reported that he and Trustee DeRuyter met with Jim Ballerstein and Rick Eldridge (Cornerstone Outdoor Services Inc.) regarding the Memorial Garden; Rick will be providing a proposal shortly.

- Redfield Park:
1. Nothing to report.

- Code Enfnt:
1. May reports: no questions.
 2. Sparkler Devices – Ontario County Law regarding sale and use of, for information only.
 3. NYS Fire and Building Code will be updated January 1, 2016.
 4. Mayor Cheney requested that Jim keep up on the abandoned properties in the Village; multiple homes with high grass and debris.

- Fire Department:
1. May report – No questions; quiet.

- YP&R Comm:
1. Summer Recreation Appointments – See below.
 2. Concerts in the Park – Carol Lord provided the list of bands; they are as follows:
 - July 6th – Night Train
 - July 13th – The Whole Nother
 - July 20th – Rebecca Colleen & the Chore Lads
 - July 27th – Flint Creek

Mayor Cheney welcomed Donna Bennett, Finger Lakes Academy, to the meeting. The Board confirmed that they were in possession of Donnas’ revised proposal and request for a letter of intent to rent space to her organization. Trustee Hemminger indicated that while this proposal is for substantially less space and reduces the number of additional people using the building to 115 daily, he is still concerned about the age of the building and the infrastructure being able to withstand these additional demands. Trustee DeBrock concurs with Trustee Hemminger comments. Trustee Hughson questioned if the states approval was in place, Donna responded negatively as the letter of intent is required to be submitted with the application. Mayor Cheney reiterated that when we spoke last month, the Board indicated that any new proposal would have to have PCC Executive Director Janie Burgess’s full support. Janie was unable to attend tonight’s meeting but has communicated to the Mayor, that while Donna has addressed the majority of the concerns brought up previously, Janie continues to be concerned of the impact this proposal would have physically on the facility.

Additional information that may impact the availability of space in the “Business Wing” is as follows:

- Mayor Cheney made the Board aware of a letter he received from the Partnership for Ontario County, Inc. confirming that the Child Advocacy Center will be vacating their space effective August 31, 2015.

- A current tenant is interested in the Child Advocacy Center space when it becomes available.
- Mayor Cheney invited Jamie Farr to address the Board. Jamie indicated that he has met with the coordinator and other personnel from the Family Resource Center regarding their concerns of privacy and security and the possibility of moving to the Community Center. Currently this Partnership for Ontario County program is housed at Midlakes in a room that is too small and can barely accommodate a family of 3 to 4 plus the required 2 counselors, in addition no waiting area is available. This solution based therapy program is vastly popular and much needed; it is offered 4 nights a week and has a continual waiting list.

With no further questions or comments the Board directed Donna back to Janie, Donna thanked the Board and left the meeting.

Treasurer Rpt: 1. May report: no questions. Mayor Cheney offered a brief review as this is the end of our fiscal year. In the General Fund the expenses were lower, income higher, allowing more reserves to be specifically pointed to air packs within the Fire Department Equipment Fund and to a generator within the Public Works Equipment Fund. Mayor Cheney indicated that he is concerned about the Water & Sewer Funds; expenses are up the last few years as we make needed improvements to the infrastructure, while income is declining. All three funds remain within a few percentage points off, income to expenses, which the state likes to see. Mayor Cheney indicated one of the recently completed audits performed by the Office of the State Comptroller was the Village of Shortsville; they were reprimanded for an excess of undesignated reserve funds; our Village is also in good financial shape with adequate reserve funds, designated specifically, which the state might consider excessive.

Minutes: 1. Minutes of the May 11, 2015 Regular meeting – Motion by Trustee Hemminger, 2nd by Trustee Hughson, and carried accepting the minutes as presented.

Correspondence:

1. Time Warner Cable – 05/20/15 & 06/03/15 - Station & technical changes.
2. Excellus – received notification of proposed premium rate change of 9.8% for 2016. This would increase the premium currently paid \$368.04 to \$404.10; total change for the year just over \$2,000. Jim and Jill will review options with Frank Stowell of Anderson Van Horne.
3. Letter from Brownie Troop 40702 regarding a large rock at the base of the slide in Redfield Park; Ken will look into removing the rock and Jill will draft a response thanking the Troop for being community minded, bringing the issue to our attention and offering to help.

New Discussion:

1. Tax Warrant – Motion by Trustee Hemminger, 2nd by Trustee Hughson authorizing Mayor Cheney to sign the 2015-2016 Village Tax Warrant;

	<u>AYE</u>	<u>NAY</u>
Mayor: Jim Cheney	XX	_____
Trustee: Joe DeBrock	XX	_____
Trustee: Brian Hemminger	XX	_____
Trustee: Greg DeRuyter	absent	_____
Trustee: Howard Hughson	XX	_____
2. Phelps Hotel - Mayor Cheney briefly discussed his conversation with, and the letter received from, Attorney Tracy P. Jong who is helping the Hotel with its application to the State Liquor Authority for outdoor seating. We do not have any regulations regarding businesses placing tables on sidewalks for consumers use. The tables would be placed outside on private property. The issue is that the servers would have to cross the public sidewalk to serve customers and some type of movable barrier (most likely ropes) would have to be installed on the public sidewalk to restrict the area. Motion by Trustee Hemminger, 2nd by Trustee Hughson and carried by the members present that since the Village of Phelps does not believe they have jurisdiction in this matter over private property or the state right of way, the Village Board has no objection to the Phelps Hotel putting tables on their own property for the purpose of consuming food and/or alcohol and no objection to another authority, that has jurisdiction, issuing any permission that may be needed.

Old Discussion:

1. Parking Code – Ken & John.
2. BDTTC Room Rental – Jim to contact Jeff Graff.

Transfers: Motion by Trustee DeBrock, 2nd by Trustee Hughson and carried by the members present to make the following End of Year transfers:

To:	From:	Amount:
A1010.1	A1010.4	\$ 60.00
A1325.1	A1325.11	\$ 449.00
A1325.10	A1325.11	\$ 185.00
A1620.421	A1620.4	\$ 525.00
A5182.421	A1620.421*	\$ 2,400.00
A8510.1	A8510.11	\$ 419.00
A9901.9	A5110.4	\$ 19,000.00
A9901.9	A5110.4*	\$ 25,000.00
A9901.9	A5110.4A	\$ 6,700.00
A9901.9	A1620.2*	\$ 9,300.00
G8130.421	G8130.4	\$ 1,750.00

Vouchers: Motion by Trustee DeBrock, 2nd by Trustee Hemminger and carried by the members present to pay the following End of Year vouchers as presented.

Abstr#13	General	Ck #'s: 14083 - 14095	In the amount of:	\$ 11,944.66
Abstr#13	Water	Ck #'s: 10897- 10900	In the amount of:	\$ 38,391.84
Abstr#13	Sewer	Ck #'s: 11427 -11430	In the amount of:	\$ 4,729.01

Motion by Trustee DeBrock, 2nd by Trustee Hughson and carried by the members present to pay the following June vouchers as presented.

Abstr#01	General	Ck #'s: 14096 - 14135	In the amount of:	\$ 101,490.52
Abstr#01	Water	Ck #'s: 10901- 10909	In the amount of:	\$ 31,573.76
Abstr#01	Sewer	Ck #'s: 11431 -11444	In the amount of:	\$ 1,350.59

8:34 PM Per Mayor Cheney’s request; motion by Trustee DeBrock, 2nd by Trustee Hughson and unanimously carried to go into Executive Session to discuss a personnel matter. Clerk/Treasurer Seifert invited into the session.

8:40 PM Motion by Trustee DeBrock, 2nd by Trustee Hemminger and unanimously carried to come out of Executive Session.

YP&R Comm: 1. Per Trustee DeRuyter’s email communication and approval, the following are Mary dePorter’s recommendations for the Summer Recreation employees:
 Co-Leader: Marki Michaels
 Assistants: Matt Cheney
 Sydney Forshay
 Paige Jansen
 Tucker Kerrick
 Renee Rogers
 Sean Sweeney
 Marshall Wasman
 Motion by Trustee Hemminger, 2nd by Trustee DeBrock and carried, with Mayor Cheney abstaining, approving the above list. As in previous years; Mary is now considered a year-round employee.

Adjournment: 8:45 PM: Motion by Trustee Hughson, 2nd by Trustee Hemminger to adjourn the meeting.

Respectfully submitted,

Jill K. Seifert
 Clerk/Treasurer