

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 & Fire Chief: Ron Nieskes.

Public: Karen McCarrick

Deputy Mayor Hemminger opened the meeting with the pledge of allegiance to the flag at 7:00 pm.

REPORTS:

Police: 1. August reports – No questions. Chief Storer is out of town attending a training seminar.  
2. September schedule.

8 Banta Street:

1. Library – Construction Grant – Per Leah Hamilton’s (Library Manager) proposal; the library is submitting a grant request and requires a letter of approval from the Village Board, as the building owner, to send with the application. Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried by members present authorizing Jill to draft said approval letter. Trustees Hemminger & DeBrock request a copy of the letter to be emailed to them.
2. Sloth Electric’s proposal to replace network video recorder for external cameras – Original quit working 8/27; Ken, Jill and Mayor Cheney previously agreed that we should not go back to Colacino Electric due to lack of support and training. Sloth’s proposal, which is below the quote threshold, is to replace the network video recorder and provide viewing of system to PCC Executive Director Janie Burgess’s office. Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried by members present allowing Jill to sign the proposal as presented in the amount of \$4,300.00.
3. Town Funding – Jill informed the Board that Janie had received notification, earlier today, that any request for funding to be included in this year’s Town budget would need to be received by the Town by Wednesday, September 16. Following a brief discussion, it was decided to have Janie submit PCC’s request on her own. If the Town does not want to contract directly with PCC, the Village will revisit the draft contract provided by Jeff Graff that was discussed at the March Village Board Meeting.

DPW: 1. August report: no questions. Working on the Banta Street Water Project; missed one day last week due to work needed at PCC, missed today working at the Sewer Plant, still making good progress. Brian asked about the sidewalks, Ken said that sidewalks would be discussed when we get ready to do the street, along with gutter or curbing etc. Joe asked if Ken intends to address the freezing water mains on Church & Main Streets prior to winter. Ken indicated that he is planning on addressing Church Street; not sure about Main Street, if the temperatures are very cold for a long period of time like last year, he will run the water again as it isn’t an easily determined area that froze.

Wastewater: 1. August report: no questions. Adam indicated that there have been some issues with pumps; Sloth has been at the plant a couple of times and Ken replaced one today. Per Ken, the pumps will be sent out to be rebuilt. Four valves on the exterior of the digester have been replaced, enabling us to move forward with sludge removal. During Flygts’ annual preventative maintenance of the lift stations a problem was found and one pump was removed for repair.

Water: 1. August report: no questions. Banta Street discussed previously.

Redfield Park: 1. Not time to close for the season yet. Karen indicated that she had requested a first aid kit and fire extinguisher for the concession stand; Jill & Ken assured her that both had been taken care of sometime prior to the August 10<sup>th</sup> meeting.

Code Enfnt: 1. August reports: no questions. Jim reported that there is an issue with accumulating furniture behind the Astoria on the Weslor property near the dumpsters. Scott Lord is threatening to push the dumpsters off their property into the municipal parking lot as they are owned by the Astoria and Chris Howard. Chris Howard has indicated that he will remove the furniture but does not claim any responsibility that they are from his tenants; he wants cameras installed. Substantial amounts of free furniture showing up along the streets; the Board requests that Jim send letters after one week. Chair & ottoman, that “fell off” a truck, on Pleasant Street needs to be picked up; Jim will attend to this.

Fire Department:

1. August report – No questions. Ronnie reports that both engines have been repaired; hoping for no more major repairs as these were expensive.

Mayor Cheney joined the meeting at 7:40 pm.

Crooked Bridge Park:

1. Memorial Garden Update - Discussed Trustee DeRuyters' email of 8/28. Per Jim the "fully built out" concept that was proposed by Cornerstone was presented that way due to three factors; putting the garden in partially would look bad, most of the plants will sell up front with 1 – 2 per year thereafter, and the cost would increase if Cornerstone had to keep coming back to install the plants. The Board agrees with the concept as presented with the addition of a stone bench in memory of Don Tiffany. The Board prefers memorial rocks, as markers, rather than plaques and funding will be provided by memorial plant sales (through the Clerk's Office) and possibly the Mary Preston Foundation.

- YP&R Comm:
1. Mayor Cheney indicated that he had received Mary dePorter's resignation from her YPR position; he does not want to act on accepting this until Mary is 110% sure that this is what she wants to do. The Board will still be able to act on this at next month's meeting as the effective date isn't until November.

- Treasurer Rpt:
1. August report: no questions.
  2. Retirement Contribution Estimate – another year of over-budgeting due to the state's calculations last year.

- Minutes:
1. Minutes of the August 10, 2015 Regular meeting – Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Hemminger, and carried accepting the minutes as presented, with Trustee DeBrock abstaining.
  2. Minutes of the August 17, 2015 Zoning Board of Appeals Meeting – For information only.
  3. Minutes of the August 24, 2015 Planning Board Meeting – For information only.

Correspondence:

1. Time Warner Cable – 08/19/15 & 09/02/15 - Station & technical changes.
2. Class of '51- Received a letter from class secretary Janie Bree; requesting the Board's approval to place a stone bench in memory of Don Tiffany in the Crooked Bridge Park. The Board approves this within the Memorial Garden area as previously discussed.

New Discussion:

1. WFL BOCES Gas Bid – Received contracts from National Fuel Resources; motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee Hughson and carried by the members present authorizing Mayor Cheney to sign the contracts on the Villages' behalf.
2. **Resolution #08 – 2015 WFL BOCES Electric Bid** - Resolution offered by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson:

**RESOLUTION FOR THE PURPOSE OF PARTICIPATING IN A COOPERATIVE BID COORDINATED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF ONTARIO, SENECA, WAYNE AND YATES COUNTIES FOR COOPERATIVE ELECTRICITY WFL 2016-12 BID**

WHEREAS, The Village of Phelps of New York State desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase for supply of electricity. And...

WHEREAS, The Village of Phelps of New York State is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o... And...

WHEREAS, The Village of Phelps of New York State has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Village of Phelps of New York State and making recommendations thereon...

THEREFORE, BE IT RESOLVED, That The Village of Phelps of New York State and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above... And...

BE IT FURTHER RESOLVED, That The Village of Phelps of New York State authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services... And...

BE IT FURTHER RESOLVED, That The Village of Phelps of New York State agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding... And...

NOW, THEREFORE, BE IT RESOLVED, That The Board of Trustees on behalf of the Village of Phelps of New York State hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for supply of electricity and if requested to furnish the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The

Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

I, Jill Seifert, Village Clerk of the Village of Phelps, do hereby certify that the Board of Trustees of the Village of Phelps adopted the aforementioned resolution on September 14, 2015, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Jim Cheney	XX	_____
Howard Hughson	XX	_____
Joe DeBrock	XX	_____
Brian Hemminger	XX	_____
Greg DeRuyter	absent	_____

3. Code Information – Samples of weapons definitions were provided by General Code, the Board is okay with the following: **Weapons shall include firearms, handguns, revolvers, pistols, rifles, shotguns, antique firearms, machine guns, cannons, air guns, spring guns, electronic darts, electronic stun guns, bows, longbows, crossbows and slingshots, which discharge a bullet, cartridge, shell, shot, arrow, bolt or other missile propelled by the burning or explosion of gunpowder, by high pressure from pumping or other means, by a spring which is set by a cocking operation or by application and release of tension or pressure to a bow string attached to such a weapon.** Jill to communicate this addition to General Code and check with Attorney Jeff Graff regarding changes to our code during the recodification process.
4. Code Information – Chapter 72 Dogs & Other Animals – after attending a hearing regarding chickens within the Village, Chief Storer has recommended that the Licensing Officer should be changed from the Village Clerk to the Code Enforcement Officer and that any hearing or revocation of licenses should be the Police Departments’ responsibility. The Board approves this recommendation, Jill to mark up Chapter 72 and send to General Code.
5. Dennis King – ZBA resignation; the Board accepts Dennis’s resignation with our regrets and thanks for his years of service on the Zoning Board of Appeals.
6. 73 William Street – Mayor Cheney has been contacted by the owner of this residence; rain runs off the street into his yard and driveway into his garage, worsening since the owner of 78 William Street paved his driveway. Ken and Jim have discussed the situation and the only thing they have come up with is to install a DI to the North and another to the South routing the water underground past two other driveways into the creek area behind these homes. This solution would be quite expensive and may not rectify the problem. Jim will contact the resident.
7. Personnel – Jim and Jill updated the Board regarding the status of the second wastewater treatment plant operator; the public list was provided by the county after the most recent test results were available, requested licensed operators only be canvassed. Per Emily, at the county, canvas letter sent on September 10<sup>th</sup>, replies due back by September 17<sup>th</sup>. Jim indicated that Ken has asked for the Board’s approval to discuss a full-time DPW laborer position with Rich DeWolf. Rich has been working on a temporary, full-time basis since April and has been a great help with many projects this spring and summer. The Board is fine with Ken moving forward on his recommendation.

Old Discussion:

1. Crown Castle / Village 2<sup>nd</sup> Amendment to Lease – In Crown Castles’ hands; Jill and Jim to contact Jeff Graff.
2. Crosswalk at PCC/Old Mill – Ken has looked the area over and still has many concerns. Due to the sidewalk being on the east side of the PCC driveway this would be the most logical placement but he feels that the current DI will be within the walkway. If we were to go to the west; PCC’s cement driveway apron would be in the way; this was probably added to accommodate the buses when the building was a school and considering the amount of bus traffic that continues due to the School Age Program, removing it would not be sensible. Ken will contact Greg Trost.
3. Parking Code – Ken & John.
4. BDTC Room Rental

Transfers:

Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried by the members present to make the following transfers:

To:	From:	Amount:
A9040.8	A9010.8	\$ 730.00
F9040.8	F9010.8	\$ 245.00
G9040.8	G9010.8	\$ 245.00

Vouchers:

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

Abstr#03-1	Sewer	Ck #'s: 11483	In the amount of:	\$ 2,000.00
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Abstr#04	General	Ck #'s: 14251 - 14311	In the amount of:	\$ 62,711.36
Abstr#04	Water	Ck #'s: 10931 – 10943	In the amount of:	\$ 27,574.50
Abstr#04	Sewer	Ck #'s: 11484 –11503	In the amount of:	\$ 7,091.74

Adjournment: 8:50 PM: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried by the members present to adjourn the meeting.

Respectfully submitted,

Jill K. Seifert  
Clerk/Treasurer