

Present: Mayor: James Cheney  
Trustee: Greg DeRuyter Trustee: Howard Hughson  
Trustee: Joe DeBrock (absent) Trustee: Brian Hemminger

Also Present: Clerk/Treasurer: David Nieskes; Deputy Clerk/Treasurer: Jill Seifert; DPW: Ken McAllister; Code Enforcement: Brad Dutcher, Wastewater: Carl Peake; Police Chief; John Storer (7:45 pm)

Also Present: Kelly Albrecht; Jim DeBoover

7:00 PM Regular meeting opened by Mayor Cheney with Pledge to Flag

7:02 PM Kelly Albrecht was in attendance to discuss the 2 hour limited parking sign on Jay Street. Mayor Cheney apologized to Kelly because in the September 10, 2007 minutes it stated that the 2 hour parking sign was going to be removed and at this time this has not been done. This matter came up when Police Chief Storer was going to have Kelly's car towed because it was in that spot. DPW Superintendent McAllister will remove the sign. Kelly left meeting.

7:05 PM Melvin Hill Reservoir: Jim DeBoover was in attendance to discuss purchasing non-potable water at the reservoir and having it piped down to his farm. The following issues were discussed:

- 1.) Dept of Health has no issue with Village supplying non-potable water to the DeBoover farm.
- 2.) Going to hook into water line at Bassett house
- 3.) Rate: \$2.00/1,000 gallons
- 4.) The only cost to the Village is Ken's time
- 5.) If the Village ever needs the reservoir back, we will have that right to get it back.
- 6.) Jim DeBoover has talked with Town Supervisor Teed and there are no problems or issues with the Town.
- 7.) Jim DeBoover indicated that there might be a possibility of him using the reservoir in the future.
- 8.) Jim DeBoover wants to protect himself in the future. He would like to have a set period of time in the agreement so if a new board takes over, they can not dissolve the agreement. Mayor Cheney said that if there is an emergency, the Village will have the right to take the reservoir back over.
- 9.) Jim DeBoover has purchased a new pump and the pipe.
- 10.) All expenses will be incurred by DeBoover Farms (maintenance on his pump, electricity)
- 11.) Our meter will have to be calibrated at our expense.

Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeRuyter and unanimously carried by members present authorizing Mayor Cheney to discuss this issue with attorney Graff and draw up an agreement between DeBoover Farms and the Village to sell non-potable water to the DeBoover Farms at a rate of \$2.00/1,000 gallons. Jim DeBoover left meeting.

#### REPORTS:

8 Banta Street:

1. Mulch: Trustee Hughson recommended putting black mulch around the front of the building this year. Discussion followed and it was decided to have Carl Peake get black mulch this year.
2. School Age Program Bathroom: The S.A.P. asked if they could have the toilet and sink removed from the bathroom that is located in that room. It is not being used because of water leaks and they could use it as a storage room. There was discussion and a motion was made by Trustee Hemminger, 2<sup>nd</sup> by Trustee Hughson and carried by members present to have the toilet and sink removed and capped.
3. Carl informed members present that Halco started the new heating system today in the north end of the building and there were no major issues.
4. Carl informed the members present that Bill from Marble Glass will be coming to look at the front entrance doors. When the doors are fully opened, the handles are hitting the brick on the building. The members present decided to have Carl talk to Bill (Marble Glass) about putting locking closures on the two main entrance doors and on the gymnasium doors so the doors can stay open when needed.

DPW:

1. No questions on April's report.
2. Franklin Street/Clifton Street: Ken informed members present the cost of ductile pipe has gone up approximately \$3,000.00 since he got the quote. The board asked Ken to purchase and stock pile stone and have that cost taken out of this years budget.

3. Transfer Station: The Village of Phelps has been awarded second place in the Public Works Category in the 23<sup>rd</sup> Annual NYCOM/Empire State Report Local Government Achievement Awards competition. The award will be present at NYCOM's 101<sup>st</sup> Annual Meeting in Saratoga Springs on Sunday, May 16<sup>th</sup>. Trustee Hemminger will represent the village.

Water /

Wastewater:

1. No questions on April report.
2. Carl had a meeting with Department of Health regarding the Schedule 4; Stage 2 program and we have no violations.
3. Carl has been notified that our wastewater plant possibly will have to go to a disinfection of the effluent waters. There are a few options but every option is expensive.

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4. Carl informed the members present that he will be going on his wife's health insurance starting July 1, 2010.
5. Pickup: The pickup truck needs some repair work. Ken, Carl and Brad will work out the schedule.
6. New Hire: There was discussion regarding the hiring of the new operator. It was decided that we will advertise for this position.
7. Water Fountain: The water fountain at RedField Park is broke. Carl has talked with Halco and it will cost about the same to repair it as it would be to buy a new one. We are going to purchase a new water fountain and Halco will install it at no cost to the village.
8. Newark Water Rate: We received notification (April 22, 2010) that Newark will be raising their rate to \$1.925 effective June 1, 2010. Mayor Cheney will be contacting the mayors from Clifton Springs and Shortsville and discuss the timing of the notification that we received from the Village of Newark.
9. Mickey Lapresi asked Carl if the village would water his plants on the second floor of his building. The members present unanimously said no to Mickey's request.

Code Enforcement:

1. No questions on April report.

Fire Department:

1. No April report
2. Applications: (Betty Hubbard and Brendon Walters) Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee Hughson and carried by members present accepting the applications.

Police:

1. No questions on April report.

YP&R:

1. The concerts in the park are all set.
2. August 15, 2010 is the tentative date for the annual picnic.
3. There is a new building request form for use of the outdoor activities.

Treasurer Rpt:

1. No concerns.
2. Members decided not to have an end of year meeting. Mayor Cheney and Clerk/Treasurer Nieskes will do end of year transfers.

Minutes:

1. Minutes of the regular scheduled monthly meeting of March 8<sup>th</sup> and the special meeting held on March 16<sup>th</sup>: Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Hemminger and carried by members present to accept minutes.
2. Minutes of the April 12, 2010 regular monthly meeting: motion by Trustee DeRuyter, 2<sup>nd</sup> by Trustee Hemminger and carried to accept as amended.

Correspondence:

1. Phelps Community Historical Society: May issue
2. Letter from Time Warner (05/01/10): possible changes in station.
3. Letter from Health Works (04/29/10): after hour's drug & alcohol testing will only be done at Thompson's Emergency Department.
4. Received sales tax comparison sheet from Ontario County Department of Finance

8:55 PM

Executive Session: Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Hemminger and carried by members present to go into Executive Session and invite Clerk/Treasurer Nieskes, Deputy Clerk/Treasurer Seifert and Police Chief Storer to discuss a personnel issue.

8:55 PM

Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee Hughson and unanimously carried to go out of Executive Session. No decisions were made.

New Discussion:

1. Memorial Day parade invitation from the American Legion: line up will be at 10:30am at the Legion.
2. Antique sale: Clerk's office was approached from the owner of the antique store downtown inquiring about the possibility of using the parking lot behind the Phelps Hotel for an antique "yard sale". There was discussion and the clerk's office will contact him and suggest the possibility of using Weslor's parking lot or the parking lot behind the Town Hall.
3. Summer hours for board meetings: There was discussion and it was decided to keep the monthly meetings at 7:00 pm.
4. ATM machine: P.C.C. would like to have an ATM machine in the building. There would be no cost to the village or to P.C.C. There was discussion and the board agreed that it should not be put in the main hall way. The board would like to know where they plan on putting this machine.
5. Crown Castle Lease: Received a letter from Crown Castle (April 7, 2010) indicating they are interested in securing a perpetual easement on our property where they have their cell tower. They are proposing \$246,000.00 if we agree to an installment sale with 20% down and the balance spread over five (5) years plus interest of 5%. There was discussion, motion by Trustee DeRuyter, 2<sup>nd</sup> by Trustee Hughson and carried by members present not to accept their offer and continue the agreement as is.
6. Empire Natural Gas: Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee Hughson and carried by members present authorizing Mayor Cheney to sign the nonresidential firm gas sales & purchase agreement.

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7. Disability Insurance: There was discussion about adding permanent part-timers to our annual payment for them to be covered with disability insurance. Motion by Trustee DeRuyter, 2<sup>nd</sup> by Trustee Hughson and carried by members present to add permanent part timers who work a minimum of 10 hours per week to our annual New York State Disability Benefits law payment for them to be covered with disability insurance.
8. Health Insurance: There was discussion about allowing permanent part timers to be added onto our current health insurance plans. Motion by Trustee DeRuyter, 2<sup>nd</sup> by Trustee Hughson and carried by members present allowing permanent part timers to be carried on the villages health insurance plans at their own cost.
9. Public Notices: (For information) Received notification from the Ontario County Board of Supervisors there is pending legislation that records that will be discussed at a public meeting will have to be posted on our web site or made available to the public before the meeting.

Time Logs:

Ken and Carl came back into the meeting. There was discussion between the employees present and the board members about the board's request to have the employees start keeping track of their time. The trustees indicated they were not micromanaging but wanted to know what the employees do during the day. The employees indicated that they felt it was a waste of time. After the discussion Trustee Hemminger and Trustee DeRuyter decided that the employees did not have to start this time log.

Old Discussion:

1. Status of easement with resident on Clifton Street: Brian to approach Clark Surveyors
2. PCC Building – To Do List: Carl to review the list and report.
3. Water Tank: Carl Peake is still getting cost from other companies.
4. Ron Brand's Code revisions: Mayor Cheney informed members present that the Planning Board is looking at one more work shop and then having a workshop with the board.
5. Moving gate at Transfer Station
6. Planning Board needs to look at zoning at Quarry Street
7. Stainless Steel sink
8. Code Enforcement: inter municipal agreement
9. Change code regarding no parking on Rest Haven.

Transfers:

Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Hemminger and carried by members present:

<u>TO:</u>	<u>FROM:</u>	<u>AMOUNT:</u>
A1490.1	A1990.4	\$ 750.00
A1620.421	A1620.4	\$ 310.00
A3120.2	A3120.4	\$1,000.00
A3410.2	A3410.4	\$ 900.00

A3410.42	A3410.4	\$ 30.00
A5110.1	A8160.11	\$5,500.00
A8010.11	A1990.4	\$2,000.00
A8160.2	A8160.44	\$8,000.00
A8510.421	A1990.4	\$ 250.00
A9060.8	A9010.8	\$2,550.00
A9060.8*	A9010.8	\$2,000.00

Vouchers: Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee Hughson and carried to pay vouchers except voucher for \$3,641.00 payable to Clark Surveyors.  
 Motion by Trustee DeRuyter, 2<sup>nd</sup> by Trustee Hughson and carried to pay voucher payable to Clark Surveyors for \$3,641.00. Trustee Hemminger abstained.

Abstr#12	General	Ck #'s: 10762 – 10810	In the amount of:	\$57,200.59
Abstr#12	Water	Ck #'s: 10148 – 10156	In the amount of:	\$ 1,825.09
Abstr#12	Sewer	Ck #'s: 10263 – 10276	In the amount of:	\$ 4,472.26

Adjournment: 9:30 PM: Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee DeRuyter and carried by members present to adjourn the meeting.

Respectfully submitted,

David Nieskes  
 Village Clerk/Treasurer