

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

Also Present: Clerk/Treasurer: David Nieskes; DPW: Ken McAllister; Code Enforcement: Brad Dutcher, Wastewater: Carl Peake; Police Chief: John Storer

7:00 PM Executive Session: Motion by Trustee Hughson, 2nd by Trustee Hemminger and unanimously carried to enter into Executive Session to discuss a personnel issue. Clerk/Treasurer Nieskes also invited.

7:15 PM Motion by Trustee Hughson, 2nd by Trustee Hemminger and unanimously carried to come out of Executive Session. There was no action taken during the session.

REPORTS:

8 Banta Street:

1. Awnings: Trustee Hughson received a quote from C. R. Improvements, Inc. for the installation of 13 awnings on the building. Trustee Hughson indicated that the responses received from the other trustees that we should put this project on hold. Project will be put on hold at this time.
2. Air compressor: Carl Peake informed the members that the air compressor in the boiler room needs a new switch to operate properly. Carl has discusses this matter with Halco and asked for a quote to install an electronic thermostat instead of using the air compressor system. Carl has not heard back from Halco.
3. Broken gymnasium window and broken door lock on ladies restroom: These bills will be paid for by the Village.
4. Water leak: There has been a water leak during heavy rain storms down in the north end of the building. Trustee DeBrock said that he will take a look at it to see if he can locate the leak.

DPW:

1. No June report.
2. Franklin Street: DPW has started sidewalk replacement.
3. Tree: When the DPW department was installing new sidewalk on Franklin Street, there is a tree at 6 Franklin that Ken was going to have taken down. The wife said that was no problem but the husband said not to have the tree taken down. Mayor Cheney will address this issue with the home owners.
4. Drainage issue: Trustee Hemminger asked Ken McAllister to see if possibly we could go on the sewer easement which is located on Scott Lord's property down by the village parking lot behind the Phelps Hotel. Maybe something could be done to help alleviate the water drainage problem since the parking lot was blacktopped.
5. Jay Street: The board discussed the parking and water drainage problems that have been occurring on Jay Street. The board decided to invite all the residents on Jay Street to a meeting on August 9, 2010 at 6:30 pm before the Village Board monthly meeting. This will give the residents an opportunity to air their issues.
6. Tow truck on Franklin Street: Received verbal noise complaints regarding large tow truck being parking on Franklin Street and starting it early in the morning. This noise complaint will be turned over to the police department.
7. Property maintenance issue: Received verbal complaint about residence home on Franklin Street. Code Enforcement Brad Dutcher informed board that a notice has just been sent to the homeowner last Friday.
8. Wayne Conklin: Received letter (7/08/10) regarding a verbal agreement between Ken McAllister and resident Wayne Conklin regarding a turn-around that was permitted on his property at the end of Church Street Extension in return for the removal of a tree stump that was there after Wayne paid to have the tree removed. Ken informed the board that he was getting stuck and needed a turn-around for the snow plow. This was to happen when the village paved the transfer station. Ken informed the board that when they finished the paving at the transfer station, it was 5:00 pm and he was not going to pay overtime to have the turn-around paved. It should be noted that this property is in the town of Phelps and Ken plows it as a courtesy to them. The board members agreed that we should get it paved, possibly when we do the Franklin Street project.

Water /

Wastewater:

1. No questions on June report.
2. Carl informed board that there was a State inspection last week at the Wastewater plant and everything went well.
3. We received a quote to get the William Street bridge repaired. The board was in agreement that we should get the bridge fixed. Someone gouged the top of the railings.

- Applications: We have received approximately 30 applications for the new position. The mayor has gone through the applications and Ken and Carl will now go through the applications.

Code Enforcement:

- No questions on June report.
- Brad informed the board that property maintenance has been an issue this year.

Fire Department:

- No June report.
- Trustee Hemminger informed members present that there are still no inquirers on the sale of the old pumper.

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Police:

- No questions on June report.
- The department is getting ready for the sauerkraut festival week end.

YP&R:

- Concerts in the park started last Monday (7/5/10) night.
- Summer Recreation Program: Trustee DeRuyter informed the members present that there were 170 kids registered and we are averaging about 70 per day.
- Toddler Program: Trustee DeRuyter informed the members present that there are 16 kids registered for this program.
- August 15 will be the Community Picnic.

Crown Castle:

They offered a \$246,000.00 Grant of Easement if the Village Board agreed to an installment sale with 20% down and the balance spread over five (5) years plus interest of 5%. Mayor Cheney contacted them and informed him that the board did not wish to go with this offer. They came back with a \$400,000.00, 20% down at closing (\$80,000.00). The balance will be payable in 120 equal monthly installments of \$3,394.00, including interest at 5%. The total payout to the Village over the 10 year period will be \$487,292.00. Mayor Cheney contacted them again and they informed him that they made a clerical error in calculating the \$400,000.00 and that was a high figure but they would honor those figures because it was in writing. There was discussion and a motion made by Trustee Hemminger, 2nd by Trustee Hughson and unanimously carried by members present to accept their latest offer.

Lowe's voucher:

Motion by Trustee Hemminger, 2nd by Trustee Hughson and unanimously carried to pay Lowe's voucher. This was done at this time because Mayor Cheney has to leave meeting and he has to sign the check because the check has to be at Lowe's before Wednesday.

Library contract:

Motion by Trustee Hughson, 2nd by Trustee Hemminger and unanimously carried authorizing Mayor Cheney to sign the current library contract.

Treasurer Rpt:

- No concerns.

ORGANIZATIONAL MEETING:

Village of Phelps Organizational Meeting for 2010/2011

The following appointments were offered by Mayor Cheney:

Motion offered by Trustee DeBrock, 2nd by Trustee Hughson to accept appointments:

APPOINTMENTS:

Deputy Mayor	Brian Hemminger
Village Attorney	n/a – fee basis
Village Clerk / Treasurer	David Nieskes
Deputy Clerk / Treasurer	Jill Notebaert
Sewer Biller / Water Collector / Tax Collector	David Nieskes
Sewer Collector / Water Biller / Deputy Tax Collector	Jill Notebaert
Street Commissioners	Trustee Greg DeRuyter Trustee Brian Hemminger
Water Commissioners	Trustee Joe DeBrock Trustee Brian Hemminger
Sewer Commissioners	Trustee Howard Hughson

	Harold Hebbing Glen Webster - Chairperson
Youth, Parks & Recreation Commissioners	Trustee Greg DeRuyter Trustee Brian Hemminger Carol Lord Danielle Edgemon Michelle Borr Heather DeRuyter
Historic District & Structures Commissioners	Trustee Brian Hemminger - Liaison Sandy Clise – Chairperson (Exp July 2013) Ginny Konz (Exp July 2012) Louise Ferber (Exp July 2012) Open (Exp July 2011) Robert Quigley (Exp July 2011)
	Alternates: Dawn Cheney Woody Travis
Police Commissioners	Trustee Joseph DeBrock Trustee Brian Hemminger David Tillman Peter Cheney - Chairperson

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Planning Board	Randy Scott – Chairperson (Exp May 2011) Bob Springer (Exp May 2015): Randy Scott (Exp May 2014) Mike Blair (Exp May 2013) Ty Allen (Exp May 2012)
Zoning Board of Appeals	Pat Hemminger – Chairperson (Exp May 2014) Denise Schlossnagle (Exp May 2011) Dennis King (Exp May 2015) David Clark (Exp May 2013) Ronald Grube (Exp May 2012)
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
2010/2011 Floating Holiday	employee discretion

Procurement Policy:

VILLAGE OF PHELPS

PROCUREMENT POLICY

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

Purchase has been reviewed and it has been determined to be: (Subject to Competitive Bidding)

_____ Public Works Contract _____ (over \$35,000.00)

_____ Purchase Contract _____ (over \$10,000.00)

THREE WRITTEN/FAXED QUOTATIONS OR WRITTEN REQUEST FOR PROPOSALS IF COST IS BETWEEN \$5,000.00 - \$19,999.00:

1 a. Vendor Name: _____

b. Contact: _____ Telephone Number: _____

c. Item Quoted: _____

d. Item Notes: _____

e. Vendor Quote: _____

2 a. Vendor Name: _____

b. Contact: _____ Telephone Number: _____

c. Item Quoted: _____

d. Notes: _____

e. Vendor Quote: _____

3 a. Vendor Name: _____

b. Contact: _____ Telephone Number: _____

c. Item Quoted: _____

d. Notes: _____

b. Vendor Quote: _____

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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.

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

ADVANCED APPROVAL OF CLAIMS:

RESOLUTION #02 - 2010/2011

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.

Vote:

	<u>AYE</u>		<u>NAY</u>
Mayor Cheney:	XXX		_____
Trustee DeBrock:		XXX	_____
Trustee Hemminger:		XXX	_____
Trustee DeRuyter:		XXX	_____
Trustee Hughson:		XXX	_____
Resolution adopted.			

ATTENDANCE AT SCHOOLS:

RESOLUTION #03 – 2010/2011

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; 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.

Vote:

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

DESIGNATION OF DEPOSITORIES:

RESOLUTION #04 – 2010/2011

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>
Mayor Cheney:	XX	_____
Trustee DeBrock:	XX	_____
Trustee Hemminger:	XX	_____
Trustee DeRuyter:	XX	_____
Trustee Hughson:	XX	_____
Resolution adopted.		

Guidelines for Village Commissions and Committees will remain the same as last year.

SUMMER HOURS:

There was discussion and it was agreed upon by the members present there will be no early summer hour meetings this year.

Mayor Cheney informed everyone that there is discussion in Albany that all jobs that are hired or bid out will have to be at prevailing wages. He will keep the board and the departments informed.

Motion by Trustee Hughson, 2nd by Trustee DeRuyter and unanimously carried by members present to accept previous resolutions and other sections of the Organization meeting.

END OF ORGANIZATIONAL MEETING

- Minutes:
1. Minutes of the June 14, 2010 regular monthly meeting: Motion by Trustee Hemminger, 2nd by Trustee Hughson and carried to accept as amended
 2. Minutes of June 22, 2010 Historic District & Structures meeting and June 28, 2010 Planning Board minutes were given to members.

08:45 pm Mayor Cheney left meeting and Deputy Mayor/Trustee Hemminger took over the meeting.

- Correspondence:
1. Phelps Community Historical Society: July issue
 2. Letter from Time Warner (07/01/10): possible changes in stations.
 3. Received a thank you from the Historical Society (Barb Gillespie) thanking the Village for the \$4,000.00 annual donation.

New Discussion:

1. Old voting booth: Motion by Trustee Hughson, 2nd by Trustee DeBrock and unanimously carried declaring the old voting booth excess material. Carl Peake will check with Historical Society to see if they would like the booth.
2. DeBoover's Melvin Hill water issue: Trustee Hemminger indicated that he feels the contract still needs some work done on it. He also feels that we should have something in writing from Department of Health stating that it is permissible to sell the non-potable water. Ken McAllister suggested that the Village should be responsible for the meter because that is our money making control. Motion by Trustee DeBrock, 2ⁿ by Trustee Hughson and unanimously carried authorizing Mayor Cheney to sign the contract after it has been modified.
3. E-mail from Louise Ferber (7/12/10) sent to Mayor Cheney:
 - Lawn mowing: She is requesting that village owned property area around her house be mowed after 8:00 am. Clerk's office will show her the code book if she comes into office.
 - Bulletin board strips: There was discussion regarding hanging items on the bulletin board strip around the library. The board agreed they could hang papers but they must be tasteful, be kept neat, and in front of their rented spaces.
 - Focus on Phelps Appearances: Louise was thinking about some incentives to get homeowners to fix and paint. She wondered if the Village or the Mary Preston Foundation might set up an incentive program. This will be forwarded to the Mary Foundation.

- 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: None

Vouchers: Motion by Trustee DeBrock, 2nd by Trustee DeRuyter and carried to pay vouchers except voucher payable to Greg DeRuyter.
 Motion by Trustee DeBrock, 2nd by Trustee Hemminger and carried to pay voucher payable to Greg DeRuyter, Trustee DeRuyter abstained.

Abstr#02	General	Ck #'s: 10878 – 10937	In the amount of:	\$ 31,224.70
Abstr#02	Water	Ck #'s: 10171 – 10182	In the amount of:	\$ 1,759.88
Abstr#02	Sewer	Ck #'s: 10300 – 10317	In the amount of:	\$ 3,242.32

Adjournment: 9:15 PM: Motion by Trustee DeBrock, 2nd by Trustee DeRuyter and carried by members present to adjourn the meeting.

Respectfully submitted,

David Nieskes
 Village Clerk/Treasurer