

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

Also Present: DPW: Ken McAllister; Wastewater: Carl Peake; Deputy Clerk/Treasurer: Jill Seifert.
Also Present: Ginny Konz, Library Representative (left at 8:10 pm), Ron Nieskes & Jeff Guard, Fire Department (left at 7:20 pm).

7:00 PM Regular meeting opened by Mayor Cheney pledge to the flag.

The Fire Department has been exploring other communication options due to the expense of the county proposed program. They would like to mount an antenna to the top of the water tank on Mary Street to facilitate their UHF radio needs. The antenna needs to be at least three feet above the dome of the tank; thinking a total of fifteen feet attached at the railing would accomplish this. A cable would follow the ladder, zip tied to the structure; power would be provided at the base and a weather proof box would be mounted on a platform to protect from the elements. Will need a generator for power outages, might use the portable generator that the Fire Department already owns, battery backup could be available also. Jim suggested that engineered plans of the water tank, which the Village possesses, would help the Fire Department determine if this is a viable solution. Ken indicated that if the antenna was attached at the "donut" vent of the dome, its total footage could be reduced to just the three feet required. Ken and Carl to provide further information to the Fire Department and the Board has no objection to Ron and Jeff pursuing this further.

REPORTS:

Banta Street:

1. Proposals for gym & cafeteria floors: Due to cafeteria floor buckling, moisture related, the refinishing of this floor will have to be delayed. Funding for the Village portion of the total project will be by resolution.

2. RESOLUTION #04 - 2010/2011

Resolution Authorizing the Transfer of Funds from the Village of Phelps "Village Building Reserve Fund":

WHEREAS, THE Board of Trustees wishes to transfer up to \$1,500.00 from the "Village Building Reserve Fund" account for the purpose of partial payment of the repairing of the gymnasium floor and the cafeteria floor at the Phelps Community Center, 8 Banta Street;

WHEREAS, funds are available for such purpose in this Reserve Fund for this purpose;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Village of Phelps authorizes as follows:

1. That the Treasurer of the Village of Phelps be, and he/she hereby is, empowered to transfer the funds from the "Village Building Reserve Fund" to the General checking account. Said funds to be used solely for the repairing of the gymnasium floor and the cafeteria floor at 8 Banta Street, Phelps Community Center building.
2. Such a transfer is subject to a 30-day permissive referendum. Petitions requesting a permissive referendum must be filed with the Village Clerk's office within 30 days as provided by law.

The following vote was taken:

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

Motion carried.

3. Status of to do list: Per Mayor Cheney's request; Janie Burgess, PCC Executive Director, provided her perspective of how the repairs are progressing; Ken and Carl commented on what is done and what remains to be done.

4. New Layout for PCC office & computer lab: Mayor Cheney provided a scaled drawing to supplement Janie's sketch. The Board discussed the proposed changes and has no objection to the changes in the layout. Motion by Trustee Hughson, 2nd by Trustee DeRuyter and unanimously carried to allow the reconfiguration per the plan submitted.

5. Mayor Cheney reported that there is a meat slicer in the kitchen that Bev Cheney, Kitchen Coordinator, feels is a hazard to those who don't know how to use it. Motion by Trustee DeBrock, 2nd by Trustee Hemminger and unanimously carried to declare the meat slicer excess. Trustee Hughson to contact interested parties for sealed bids.

DPW: 1. No questions on January report. Ken reported that we are still looking for a water leak, will be digging on South Newark Street, near Phelps Cement, this week; a small leak has been located there.

2. Scot Tyman's daughter's car hit by bobcat: Jim reported that our insurance company is standing by their decision not to pay this claim, even though in this circumstance it was an accident, not impacted by an "emergency situation". Scot has provided two quotations for the needed repairs; Geneva Coach at \$753.00 and Ivan & Izac's at \$903.00. Discussion followed. Motion by Trustee Hughson, 2nd by Trustee DeBrock to pay Geneva Coach directly for the repairs; Trustee Hughson, Trustee DeBrock and Mayor Cheney voted aye, Trustees Hemminger and DeRuyter voted nay, motion carried.
3. Yearly Transfer Station Report: The report is misleading in that buried in the contractual and equipment line items there are onetime expenses that removed would put us at breakeven. Discussion followed; rate has remained consistent at .09/lb for two years, we need to start putting away money for future equipment purchases. Motion by Trustee DeBrock, 2nd by Trustee Hughson and unanimously carried to raise the rate per pound to .11 effective March 1st, 2011.

- Water / Wastewater:
1. No questions on January report.
 2. Charging the Town for the DPW's time & equipment for the White Road water leak: roughly 2.5 days spent on this Town project, we can bill larger projects such as this per our intermunicipal agreement. Board requested that an amount be put together representing this expense and offset it against the past three months that the Town has provided Code Enforcement Services for the Village; letter to Town explaining the same.
 3. Carl reports that we recently received our proposed discharge permit changes from the DEC. Largest change is a mercury requirement; both Carl and local DEC office disagree with this change and will be addressing it with Albany.

Code Enforcement:

1. No questions on January reports.
2. Status of Code Enforcement employment: Jim reported that Jamie Kincaid is no longer an option; he is unable to find a workable solution. Reviewed James Murphy's application/ interview and discussed his merits. Jim recommends that we hire him for our code enforcement needs. Motion by Trustee Hughson, 2nd by Trustee DeBrock and unanimously carried to allow Mayor Cheney to offer employment to James Murphy at \$17/hour with possibility of performance raise at six months.

- Fire Department:
1. No questions on January report.
 2. Applications: Matt Clark and David Zimmerman; Motion by Trustee Hemminger, 2nd by Trustee Hughson and unanimously carried to accept the applications.
 3. Fire Contract with Town: Motion by Trustee Hemminger, 2nd by Trustee DeBrock authorizing Mayor Cheney to sign and accept the Fire Contract as presented; unanimously carried.
 4. Old TP 2131 Fire Truck Status: No activity. Discussed selling it for scrap (Ken to provide a dollar figure) and/or accept sealed bids. Motion by Trustee Hemminger, 2nd by Trustee DeBrock and unanimously carried to accept sealed bids by March 14, 2011, with the right to refuse any/all bids.

- Police:
1. No questions on January report. Jim reported that Chief Storer has met with his officers and informed them that, pending hours worked for the Department, changes in staff will be occurring.

- YP&R:
1. Greg reports a lull; Easter is next event. Brian to provide Greg with a drawing for the William Street Park.

- Treasurer Rpt:
1. January Report – Mayor Cheney explained the need for two budget changes. We will be raising A1120 Revenue; County Sales Tax and raising A1325.10 Appropriations \$20,000.00; we are expecting more sales tax than we budgeted and need to increase the expense to cover the additional Deputy Clerk's wages. We will be raising F2140 Revenue; Water Sales and raising F8320.4A Appropriations \$20,000.00; this change is due to the Village of Newark raising our water rates and our subsequent raise of residents' water rates. Motion by Trustee DeBrock, 2nd by Trustee DeRuyter and unanimously carried to allow the outlined budget changes.

- Minutes:
1. Minutes of the January 10, 2011 regular monthly Village Board meeting: Motion by Trustee Hemminger, 2nd by Trustee DeBrock and carried to accept minutes as corrected.
 2. Minutes of the January 19, 2011 special Village Board meeting: Motion by Trustee DeBrock, 2nd by Trustee Hughson and carried to accept minutes with correction.
 3. January 17, 2011 Zoning Board minutes – informational only.

- Correspondence:
1. Phelps Community Historical Society: February issue.
 2. Time Warner: Letter (01/13/11) regarding new interactive technology – Switched Digital Video.
 3. PCC Connection: February issue.
 4. Phelps Chamber of Commerce Newsletter: January/February issue.
 5. Time Warner: Letter (02/01/11) regarding possible station changes.

- New Discussion:
1. Need to appoint Town Clerk "Registrar of Vital Statistics": Motion by Trustee Hemminger, 2nd by Trustee DeRuyter and unanimously carried appointing the Town Clerk Registrar of Vital Statistics.
 2. New Deputy Clerk discussion: Applications and resumes were accepted at the Village Clerk's office through 1/22/11; after reviewing said applications, Jim is recommending the Board approve his appointment of Melissa Westfall; her qualifications meet what he is looking for.

Motion by Trustee Hughson, 2nd by Trustee DeRuyter to approve Mayor Cheney's appointment of Melissa Westfall to Deputy Clerk at \$13.50/hour at the beginning of March with the condition that Melissa move into the Village within six months of the end of her probationary period; unanimously carried.

3. Requests from PCC: Janie would like permission from the Board to allow the Girl Scouts to use Room 211 for their meetings and she would like to set up Room 406 as a small overflow conference room. The Board has no objections to these uses; as long as everyone involved remembers that if there is a rental opportunity that would take precedence.
4. Cauwel's easement: Brian has reviewed Attorney Jeff Graff's draft and has corrections; he will contact Jeff.

Old Discussion: 1. Budget requests for 2011-2012 – David and Jill working on budget; to meet with Jim soon. Jim feels that we may not be able to maintain the flat tax rate this year and may have to raise it

a little this year.

2. Painting of water tank – we should be moving forward on this project; Carl to contact Chatfield Engineering for a Request For Proposal and quotes.
3. Ron Brand's Code revisions – Brian & Greg to attend February 28th Planning Board meeting.

Transfers: Motion by Trustee Hughson, 2nd by Trustee DeBrock and carried by members present:

TO:	FROM:	AMOUNT:
A1620.4*	A1990.4	\$ 7000.00
A1950.4	A1325.4	\$ 1091.00
A5110.4F	A5110.111	\$ 245.00
A1620.4*	A1620.421*	
\$27590.00		

Vouchers: Motion by Trustee DeRuyter, 2nd by Trustee DeBrock and carried to pay vouchers:

Abstr#09	General	Ck #'s: 11259 - 11316	In the amount of:	\$86,415.30
Abstr#09	Water	Ck #'s: 10243 – 10252	In the amount of:	\$ 2,988.45
Abstr#09	Sewer	Ck #'s: 10434 - 10446	In the amount of:	\$ 2,949.17

Executive Session: 9:00 PM Motion by Trustee Hughson, 2nd by Trustee Hemminger and unanimously carried to go into Executive Session, inviting Deputy Clerk Seifert and DPW Superintendent McAllister, to discuss a personnel issue.

9:15 PM Motion by Trustee Hughson, 2nd by Trustee Hemminger and unanimously carried to go out of Executive Session. The personnel issue was referred to the Personnel Committee.

Adjournment: 9:16 PM: Motion by Trustee DeBrock, 2nd by Trustee Hughson to adjourn the meeting.

Respectfully submitted,

Jill K. Seifert
Village Deputy Clerk/Treasurer