

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

Also Present: Clerk/Treasurer David Nieskes; Deputy Clerk/Treasurer: Jill Seifert; Deputy Clerk/Treasurer Melissa Westfall; DPW: Ken McAllister and Wastewater: Carl Peake

Also Present: Tom Cheney and Floyd Ridley

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

BID OPENING: Received one bid on the Hoist for the Transfer Station Roll off truck; Cyncon submitted their bid in the amount of \$30,030. Upon review, Superintendent McAllister recommends that the Board accept the bid, as presented, from Cyncon. Motion by Trustee DeRuyter, 2nd by Trustee Hughson and carried unanimously accepting Cyncon Equipment, Inc. bid for a Galbreath model U5-OR-174 60,000 lb. roll-off hoist for the amount of \$30,030.

LEGAL NOTICE

Resolution Authorizing the Transfer of Funds from the Village of Phelps “Public Works Equipment Reserve Funds”:

WHEREAS, THE Board of Trustees wishes to transfer up to \$150,000.00 from the “Public Works Equipment Fund” accounts for the purchase of a chassis and roll off for the chassis.

WHEREAS, funds are available for such purpose in the Reserve Funds 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 “Public Works Equipment Reserve Funds” to the General checking account. Said funds to be used solely for the purchase of a chassis and roll off for the chassis.
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.

REPORTS:

Community Center:

1. Gym Fee: Tom Cheney presented a proposal from the Phelps Community Center, Inc.’s Board of Directors to implement a \$3 charge for non-resident use of the open gym, hoping to curb the influx of non-Midlakes school district people. Brian questioned whether PCC will retain the “one for one” rule that is currently on the policy/procedure manual; regardless of PCC’s decision the manual should be updated. Motion by Trustee DeBrock, 2nd by Trustee Hughson and carried accepting the proposal as presented.
2. NYSEG lighting proposal: Getting conflicting information regarding two separate proposals; Monica Wilson works for Enerpath, a contractor affiliated with NYSEG, whereas Roger Williams works for NYSEG. The programs are competing. Due to the confusion, Carl is to contact Monica to find out exactly what we are getting for our investment and warranty information. Motion by Trustee Hemminger, 2nd by Trustee DeBrock and carried authorizing Mayor Cheney to sign the contract with Enerpath if it is for bulbs, ballasts and ends.
3. New HVAC phase layout: Ken, Carl and Mike Price met regarding the different “phases” of the project; the phases are not in a particular order, simply broken out for ease of discussion, the proposal will be forwarded to PCC for discussion.
4. Cafeteria floor: This discussion is on hold until a decision is made regarding the HVAC issues in the building; the moisture under the building needs to be addressed first.

William St. Park

1. Minutes of 4/20/11 meeting (with proposal map): Discussion followed, with Brian and Greg presenting the Commissions proposal. Ken has the Board’s approval to move forward with the site plan as his schedule allows.

DPW

1. No questions on April report.
2. Ken indicated that he wants to hire someone to fill the vacant public works maintenance assistant position. He would like the Board to think about a starting pay rate. We had qualified individuals apply when we were filling the water/wastewater treatment plant operator

and could revisit these applications for a candidate. Trustee Hemminger recommends that we follow our normal policy of advertising and interviewing; discussion followed between the Board members and the Mayor. The Clerk's office is directed to advertise with the Merchandiser on May 14th, Mayor Cheney and Ken will interview and provide the Board with a recommendation at the June meeting. Clerk's office to provide a pay rate comparison of the Ontario County Villages to the Mayor and Trustees.

- Water /
Wastewater:
1. No questions on April report.
 2. Email from Chatfield with cost of painting water tank – Budgetary numbers provided again; Board is looking for Request for Proposals so they could advise us what to do. Carl to contact them for further clarification. Clerk's office to locate original quote for these services so there is no duplicate billing.

Code Enforcement:

1. No questions on April report. CEO Jim Murphy is out of work with a non-elective surgery, he should be back to work the week of May 23rd, in his absence the Town Code Enforcement Officers are covering for us. Briefly discussed 2-4 North Newark Street which was recently sold at the County's Real Property Tax Auction.

Fire Department:

1. No questions on April report.
2. Application for David Conklin: Motion by Trustee Hemminger, 2nd by Trustee Hughson and carried unanimously to accept the application. No background check was conducted as the applicant is a minor.
3. Trustee Hemminger disclosed that on the monthly reimbursement invoice from the Fire Department; pizza and wings were purchased for a normal Monday night training session. When Brian questioned Chief Dole regarding this purchase; John indicated that a large participation of members prompted this action, was advised against this type of expense.

Police:

1. No April report. Although total hours have increased, some officers are still not putting in any hours; Chief Storer has been advised to recruit others who maybe interested. Parking at 21 Ontario Street continues to be a problem.

YP&R:

1. No April report. William Street Park previously discussed. Next meeting May 18, 2011. Welcome to Phelps Day advertised for May 21st will be tentatively rescheduled to June 11th.

Treasurer Rpt:

1. No questions on April report.

Minutes:

1. Minutes of the April 11, 2011 regular monthly Village Board meeting were presented. Motion by Trustee Hemminger, 2nd by Trustee DeBrock and carried to accept minutes as presented.
2. Board received minutes of April 18, 2011 ZBA meeting, April 19, 2011 Planning Board workshop and April 25, 2011 Planning Board meeting.

Correspondence:

1. Phelps Community Historical Society: May issue.
2. ARC letter (April 8): "happy to have established a working relationship"; Corporate Compliance Plan.
3. Time Warner: Letter (05/01/11) regarding possible station changes.
4. Casella (4/08/11): changing overall bill; in April will be re-indexing the fuel surcharge.
5. Finger Lakes Railroad: Payment in lieu of taxes received.
6. Letter from Ontario County Emergency Management Office: Referencing recent storms and flooding in our area; Ken informed Board that the amount of paperwork is not worth the benefit at least in the Village's circumstance.

New Discussion:

1. Annual NYCOM Meeting & Training School: May 24 – May 26th in Saratoga Springs.
2. Motion by Trustee Hemminger, 2nd by Trustee Hughson and unanimously carried authorizing the Clerk/Treasurer to set up a special Water savings account for accrued benefits payable to employees leaving Village employment.
3. Motion by Trustee DeBrock, 2nd by Trustee DeRuyter and unanimously carried authorizing the Clerk/Treasurer to set up a special Wastewater savings account for accrued benefits payable to employees leaving Village employment.
4. Upstate Taekwondo Sublease: Approved at April, 2011 meeting.
5. Letter from Chris Tiffany (April 15) proposing to dedicate new North Wayne Street bridge as the "John Decker Robison Memorial Bridge": Board has no reservations recommending this to Ontario County, Clerk's office to draft a letter to the County with a copy being mailed to Chris.
6. Youth Bureau (4/13/11 email from Patti D'Amico): For information only; NYS is reducing funding 50%, 25% in 2011 with another 25% in 2012.
7. Police Speed Trailer: Shortsville and Manchester have gone together to purchase; Clifton has declined, is Phelps interested (\$3,775): Board is not interested at this time.
8. Letter from Steve Callaway (5/4/11) due to his health issues he would appreciate extra time on cleaning up his properties: Board may have no legal right to offer an extension on citations already issued; referring issue back to Code Enforcement.
9. Sheriff's office is not paying for a fitness membership: Dave Frasca checked with the County and they are not currently paying for a membership at the PCC fitness center. The Board has no change in their opinion regarding this membership.

10. Motion by Trustee DeBrock, 2nd by Trustee Hughson and unanimously carried to carryover all current appointments until the organizational meeting. Procurement policy to be forwarded to Trustees prior to the June meeting.
11. Motion by Trustee Hughson, 2nd by Trustee DeBrock and unanimously carried to not have an end of year meeting and authorizing Mayor Cheney and Clerk/Treasurer Nieskes to process

end of year transfers and vouchers.

Old Discussion:

1. Status of easement with resident on Clifton Street.
2. Security at 8 Banta Street.
3. Painting of water tank.
4. Ron Brand's Code Revisions; request that he have the updates done by the June 13th Board Meeting, Trustee Hemminger wants a comparison of all the changes currently proposed versus what the Code was originally, Mayor Cheney indicated that there is a document showing this.
5. Code Enforcement – Municipal agreement.
6. Change Rest Haven law to no parking.
7. Invitation to Sulfur Springs parade – Mayor & Trustees decline; Clerk's office to send notification.

Transfers: Motion by Trustee DeBrock, 2nd by Trustee DeRuyter and unanimously carried:

TO:	FROM:	AMOUNT:
A1620.11*	A1620.1*	\$ 500.00
A5142.1	A5142.4	\$ 132.00
A8510.1	A8510.11	\$ 850.00
A1620.4*	A1990.4	\$ 250.00
A1620.421*	A1990.4	\$ 3,605.00
A3410.4	A3410.2	\$ 1,450.00
A5110.4F	A5110.111	\$ 975.00
A7110.4	A1990.4	\$ 610.00
A7310.4	A7310.1	\$ 625.00
A8510.421	A1990.4	\$ 260.00
A5110.4	A1010.4	\$ 1,000.00
A5110.4	A1325.10	\$17,500.00
A5110.4	A1325.4	\$ 5,000.00
A5110.4	A1325.42	\$ 450.00
A5110.4	A1420.45	\$ 7,000.00
A5110.4	A3120.1	\$ 3,000.00
A5110.4	A3410.421	\$ 5,000.00
A5110.4	A5110.2	\$ 3,000.00
A5110.4	A5110.4*	\$28,000.00
A5110.4	A5410.4	\$ 1,700.00
A5110.4	A8010.11	\$ 6,500.00
A5110.4	A8160.11	\$ 2,000.00
A5110.4	A8560.4	\$ 2,500.00
A5110.4	A9060.8	\$10,000.00
A1490.1	A5110.1	\$ 250.00

Vouchers: Motion by Trustee DeBrock, 2nd by Trustee Hughson and carried to pay vouchers except voucher payable to Trustee Greg DeRuyter for \$30.98.
 Motion by Trustee DeBrock, 2nd by Trustee Hemminger and carried to pay voucher payable to Trustee Greg DeRuyter for \$30.98. Trustee DeRuyter abstained.

Abstr#12	General	Ck #'s: 11429 – 11480	In the amount of:	\$ 25,439.49
Abstr#12	Water	Ck #'s: 10280 – 10287	In the amount of:	\$ 1,379.54
Abstr#12-1	Sewer	Ck #'s: 10489	In the amount of:	\$ 68,783.17
Abstr#12-2		Ck #'s: 10490-10504	In the amount of:	\$ 2,029.64

Adjournment: 9:10 PM: Motion by Trustee DeBrock, 2nd by Trustee Hughson to adjourn the meeting.

Respectfully submitted,

Jill K. Seifert
 Village Deputy Clerk/Treasurer