

NOVEMBER 14, 2011 REGULAR TOWN BOARD MEETING MINUTES

MEMBERS PRESENT:	Norman Teed	Supervisor
	Carl Beechler	Councilman
	Doris Day	Councilwoman
	John Dole	Councilman
	Dennis King	Councilman
	Terry Featherly	Highway Superintendent
	Linda Nieskes	Town Clerk

PUBLIC ATTENDANCE: See listing in book.

CALL TO ORDER: Supervisor Teed called the Regular Meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE: Councilman King led the meeting with the Pledge of Allegiance.

PUBLIC HEARING LOCAL LAW #4, 2011 TAX CAP OVERRIDE: Supervisor Teed called the Public Hearing on the Tax Cap Local Law #4, 2011 to order at 7:03 PM. He asked the Town Clerk to read the Public Notice that appeared in the Finger Lakes Times, the Town's official newspaper. He asked if anyone wished to address the Board in favor of or against this Local Law.

RICH MCNEAR, 2040 RT 488, CLIFTON SPRINGS: Mr. McNear said he was not in favor of this law because it sends the wrong message.

KARA SIMMONS, 2258 TOLL RD., PHELPS: Mrs. Simmons asked if this would be a 2% increase over last year's budget. Book-keeper Barb Middlebrook said we have to stay within the NY State 2% mandate. She stated that she only had a total of \$36,000 to increase the entire 2012 budget this year because of the tax cap mandate.

CHRIS DZULA, 1757 CO. RD. 43, CLIFTON SPRINGS: Ms. Dzula said she understands this from a business point of view. She said Mark Colf Excavating has had to cut back. She said we should not be looking for a scapegoat.

Supervisor Teed asked twice if anyone else wished to address the Board either for or against this Local Law. There was no more public comment. The Public Hearing was closed at 7:09 PM.

PUBLIC HEARING LOCAL LAW #5, 2011 LIGHTING LEGISLATION: Supervisor Teed called the Public Hearing on the Lighting Legislation Local Law #5, 2011 to order at 7:10 PM. He asked the Town Clerk to read the Public Notice that appeared in the Finger Lakes Times, the Town's official newspaper. He asked if anyone wished to address the Board in favor of or against this Local Law.

CHRIS DZULA, 1757 CO. RD. 43, CLIFTON SPRINGS: Ms. Dzula asked

to what this pertained. Ron Allen, Planning Board Chairman, said we are just trying to move forward with these things. He said eventually you will no longer be able to buy incandescent lights. He said this is part of the Dark Skies movement. It is to put regulations in place to keep the lighting pointed down toward the ground instead of up toward the skies or pointing toward neighboring properties.

Supervisor Teed asked twice if anyone else wished to address the Board either for or against this Local Law. There was no more public comment. The Public Hearing was closed at 7:11 PM.

PUBLIC HEARING 2012 BUDGET:

Supervisor Teed called the Public Hearing on the 2012 Town of Phelps Preliminary Budget to order at 7:11 PM. He asked the Town Clerk to read the Public Notice that appeared in the Finger Lakes Times, the Town's official newspaper. He asked if anyone wished to address the Board regarding the 2012 Town Budget.

KARA SIMMONS, 2258 TOLL RD., CLIFTON SPRINGS: Mrs. Simmons asked about the sales tax revenue. Bookkeeper Middlebrook said our previous Auditor, John Canale had told us to use part of the sales tax revenue to pay back the \$118,000 deficit that was left in the "A" fund. She said the sales tax has been taken out of the "A" fund and distributed between the "B" and "DB" Fund. Mrs. Simmons said the sales tax revenue is overstated. She said she talked to the County and they said we would see about \$1.25 million and there is \$1.6 million budgeted. She said this needs to be investigated. She asked how much money was in the savings accounts. Bookkeeper Middlebrook told her \$280,000 in the "A", \$120,000 in the "B" and \$160,000 in the "DB". Mrs. Simmons said we have used \$667,000 from the Fund Balance; \$457,000 in the 2009 and \$200,000 in 2010. Mrs. Simmons asked about the Ambulance Service Agreement. She said if we did not have an ambulance agreement, I am sure if I dialed 911 an ambulance would come. Councilman Dole said an Ambulance Service has to have an agreement with a municipality. Supervisor Teed asked Mrs. Simmons if she thought that would really be something we should cut. She then asked if Mercy Flight had been taken out of the budget. Bookkeeper Middlebrook said it had.

BRIAN MANEY, OAKS CORNERS FIRE DEPARTMENT: Mr. Maney said the Oaks Corners Fire Department had never asked for more money. He said most townships are paying \$.78 to \$.80 per thousand. He said they have \$8,500 in unfunded mandates and they will soon need to do all new radios. He said they have had numerous fundraisers for the new building. He stated they will need an increase very soon.

RICH MCNEAR, 2040 RT. 488, CLIFTON SPRINGS: Mr. McNear said we need to borrow the money for the new highway garage. He said putting

money away is not a good way to do it. He said we need more transparency.

Supervisor Teed said with the money we are putting in this year and the insurance money from the fire damage, we should be able to have a new building next year. Mr. McNear said the budget needs to be more available to the public.

Supervisor Teed asked twice if anyone else wished to address the Board regarding the 2012 Budget. There were no more comments. Supervisor Teed closed the public hearing at 7:45 PM.

PUBLIC PARTICIPATION: None.

APPROVAL OF THE
OCTOBER 11, 2011
REGULAR TOWN BOARD
& OCTOBER 20, 2011
BUDGET WORKSHOP
MEETING MINUTES:

Councilman King, offered the following Resolution. RESOLVED that, the October 11, 2011 Regular Town Board Meeting and the October 20, 2011 Budget Workshop Meeting Minutes be approved as written. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

RESOLUTION: Adopt Local Law #4, 2011 – Tax Cap Override (see attached).

RESOLUTION: Adopt Local Law #5, 2011 – Lighting Legislation (see attached).

RESOLUTION: Schedule Public Hearing on 2012 Budget (see attached).

RESOLUTION: Approve 2012 Snow and Ice Agreement (see attached).

RESOLUTION: Accept 2012 Ambulance Agreement (see attached).

RESOLUTION: Schedule Public Hearing for Fire Contracts (see attached).

RESOLUTION: Approve Dog Control Agreement (see attached).

HIGHWAY: Superintendent Featherly gave his monthly report for October 2011 (see attached).

Superintendent Featherly said at the Budget Workshop it was discussed to transfer \$22,800 from DB 5130.200 to DB 5142.400. He said he would like to do that.

Councilman Dole offered the following Resolution. RESOLVED that \$22,800 be transferred from DB 5130.200 to DB 5142.400.

The Resolution was seconded by Councilwoman Day, who moved its adoption. 5 AYES. Carried.

Superintendent Featherly said we had talked about setting up an equipment reserve account for the sale of his equipment. Councilman Dole asked why the fund we already have could not be used. Superintendent Featherly said

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he thought we had a machinery fund. Bookkeeper Middlebrook said that is what it is called. Superintendent Featherly asked if that is where the money is

going. Bookkeeper Middlebrook said sale of equipment has its own line item. Councilman Dole said then a resolution could be made to transfer any money that we get from the sale of equipment to that reserve.

ZONING REPORT: The Zoning Report for the month of October 2011 is on file in the Town Clerk's Office.

MONTHLY REPORT: The Town Clerk's October 2011 report was reviewed by the Board Members for their approval.

DISCUSSION WITH THE SUPERVISOR: A) Councilman Beechler asked if there was anything on the Ag Law. Clerk Nieskes said she had not received the minutes from the Co. Planning Board.

B) Councilman Dole asked if there was any word on the contents from the fire. Supervisor Teed said yes, he got a proposal from them, signed off on it and the check should be here within a week. He said it would be \$80,000 and the forklift is still open. Superintendent Featherly said he has signs on hold so he would like to know when the money comes in.

OPEN FORUM: None.

NEXT TOWN BOARD MEETING: The next Town Board Meeting will be held Monday, December 12, 2011 at the Phelps Town Court/Meeting Room, 1331 Rt. 88, Phelps at 7:00 PM. He said there will be a Special Board Meeting Friday, November 18, 2011 at 4:00 PM to adopt the budget.

BILLS: Councilman King offered the following Resolution. RESOLVED that the following bills:

PREPAID GENERAL "A" - #328 - #335 THE AMOUNT OF \$22,489.22,
GENERAL "A" - #336 - #367 THE AMOUNT OF \$23,339.20,
PREPAID GENERAL "B" - #93 - #94 IN THE AMOUNT OF \$109.85,
GENERAL "B" - #95 - #100 IN THE AMOUNT OF \$1,300.27,
PREPAID HIGHWAY "DB" - #234 IN THE AMOUNT OF \$4,028.04,
HIGHWAY "DB" - #235 - #264 IN THE AMOUNT OF \$25,111.61,
PREPAID SEWER - #25 - \$30.46,
SEWER DISTRICT - #26 - #27 IN THE AMOUNT OF \$20,423.06,
PREPAID WHITE ROAD WATER DISTRICT - #29 IN THE AMOUNT OF \$7.24,
WHITE ROAD WATER DISTRICT - #30 IN THE AMOUNT OF \$25.00,
PREPAID RT. 96/488 WATER DISTRICT - #61 IN THE AMOUNT OF \$62.86,
RT. 96/488 WATER DISTRICT - #62 - #65 IN THE AMOUNT OF \$840.12,
PREPAID ORLEANS WATER DISTRICT - #47 - \$19.15,
ORLEANS WATER DISTRICT - #48 - #50 IN THE AMOUNT OF \$1,268.90,

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SPAFFORD ROAD WATER DISTRICT - #29 - #30 IN THE AMOUNT OF \$48.00,

PREPAID MELVIN HILL ROAD WATER DISTRICT - #39 IN THE AMOUNT OF \$14.08,
MELVIN HILL ROAD WATER DISTRICT - #40 - #42 IN THE AMOUNT OF \$292.29,
PREPAID TRUST & AGENCY - #38 - #39 IN THE AMOUNT OF \$2,691.86,
be approved. The Resolution was seconded by Councilwoman Day, who moved its adoption. 5 AYES. Carried.

ADJOURNMENT:

Councilwoman Day offered the following Resolution. RESOLVED that, the Town Board Meeting be adjourned. The Resolution was seconded by Councilman Dole who moved its adoption. 5 AYES. Motion carried.

TIME:

8:12 PM.

Respectfully submitted,

Linda Nieskes
Town Clerk