

TOWN OF PHELPS REGULAR TOWN BOARD MEETING MINUTES
NOVEMBER 9, 2009

MEMBERS PRESENT: Supervisor Norman Teed
Councilman Carl Beechler
Councilwoman Doris Day
Councilman John Dole
Councilman James Mattoon
Deputy Town Clerk Peggy Scharett
Highway Superintendent Terry Featherly

ABSENT: Town Clerk Linda Nieskes

PUBLIC ATTENDANCE: See listing in minutes book.

PLEDGE OF ALLEGIANCE: Supervisor Teed led the meeting with the Pledge of Allegiance.

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

PUBLIC HEARING 2010 BUDGET: Supervisor Teed called the Public Hearing on the 2010 Budget to order at 7:01 PM. He asked the Deputy Clerk to read the Public Notice that appeared in the in Town's official newspaper, the Finger Lakes Times. He asked if anyone wished to address the Board regarding the 2010 Town of Phelps Budget. Supervisor Teed asked twice if anyone else wished to address the Board regarding the Budget. There were no further comments. The Public Hearing was closed at 7:03 PM.

PUBLIC PARTICIPATION: AARON NEWTON, PHELPS AMBULANCE SERVICE: Mr. Newton, said he is the Director of Operations for the Phelps Ambulance Service. He thanked the Board for allowing him to speak. He said he knows their contract is up for renewal the 1st of January 2010. He said he is here tonight to propose a rate increase which will not effect Town's Budget amount. He said these rate increases are what we bill our patients or insurance companies. He said everyone should have a copy of the rate schedule, which is part of the contract. He said it shows the fee we are currently billing and the proposed fee. Mr. Newton said we have a few reasons why we are proposing the increases. He said we just started Advanced Life Support Services within our own membership. He said prior to this they were only offering Basic Life Support Services and we would have another agency, such as Finger Lakes, Newark or Lyons supplement our crews for the Advanced Life Support. He said we are now able to provide the Advanced Life Support with our own volunteer members and our paid staff during the daytime. He said we have additional costs that are incurred because of that. He said, secondly, it also brings our billing rates in line with our regional competitors and other regional agencies. Supervisor Teed asked if they had staff in the department that has been trained for this. Mr. Newton said we have one volunteer paramedic, who has been a paramedic for 5 or 6 years now, that is our only membership person right now. He said we do have 1 other member that is being trained at the intermediate level right now. He said going forward, now that we are able to provide

this service, he anticipates more members will be trained. Supervisor Teed asked if this would increase the insurance. Mr. Newton said there is a slight increase in the insurance. Supervisor Teed asked how many calls within a month would require this ALS. Mr. Newton said they do between 600-650 calls a year and about 65%-70% of those calls require ALS. Councilman Dole, who is also the Phelps Fire Department Chief, said that is County protocol. He said often they get on the scene and it is not as bad as it sounded. Councilwoman Day said she wanted to be clear that these charges are billed to the patient's insurance. Mr. Newton said if the patient has insurance, it is billed to the company; if the patient does not have insurance, it is billed to the patient. Mr. Newton said right now they are in a contract with Blue Cross/Blue Shield where they pay only a certain amount, no matter how much we bill. He said with the Auto Insurance, they pay whatever is billed. He said the other insurance companies pay depending upon what the call is. He said the difference between what the insurance company pays and what we billed is written off. It was asked if a vote was needed. Councilman Dole said it will come up with the renewal of our contract in December. Councilman Beechler asked if the charges pretty much cover the costs. Mr. Newton said it is pretty much break even. Supervisor Teed thanked Mr. Newton for the presentation.

JOHN OAKS, CO. RD. 6, OAKS CORNERS: Mr. Oaks said he went to the Zoning Board Meetings in September and October because they wanted to test noise on the race track. He said he will admit it has been a long time since he has been to a meeting; but he wondered how long it had been since there was 5 voting members on the zoning board. He said anytime he had ever attended, it was 4 voting members on the board. He said now there are 5 people voting and Chairman Wilkes did not vote. Councilman Dole asked if he abstained from the vote for a particular reason. Mr. Oaks said no. Councilman Beechler said they have alternate members; but they do not vote unless one of the 5 regular members

was absent. He said the alternate person should not even voice a vote. Mr. Oaks said the Zoning Board told Mr. Clark, Code Enforcement Officer, to go down and check the decimal level at the track because they were going to start testing 8 cylinder cars down there. Mr. Oaks said a court hearing (Article 78) was held several years ago for the cars that were allowed there. He asked to approach the Board to pass out a sheet with the decimal levels that were taken on the property line of the track. Mr. Oaks said his first question to Mr. Clark was the numbers are all in whole numbers. He said he has never seen a machine that would be set up in round numbers. Mr. Oaks said Mr. Clark told him if he didn't like his numbers to hire someone at his own expense to check it. Mr. Oaks said we have problems enough without generating problems like that. He said it was extremely noisy and he lives about a mile away from the track. Mr. Oaks told Mr. Clark the noise was excessive and Mr. Clark said the noise level was not over 80; but the frequency was high. Mr. Oaks said he asked Mr. Clark to explain frequency and he got no response from Mr. Clark. He said after that he wondered who is he looking after, us or the new owner of the track. He said according to the "Finger Lakes Times" this new operator at the track is

going into big things which is going to be more and excessive noise. Mr. Oaks said he would like Mr. Clark to get a better instrument or a better handle on it because it did go over 80 and it was higher than that. He said he checked with the neighbors around there and they said they felt it was excessive. Supervisor Teed asked Mr. Oaks if he felt it was

PAGE 3 - TOWN OF PHELPS REGULAR TOWN BOARD MEETING MINUTES NOVEMBER 9, 2009

louder than the 4 cylinders and Mr. Oaks said much more. Supervisor Teed said he had talked with others and they felt it was quieter. Mr. Oaks said it was very noisy. Supervisor Teed said he talked with Dick Westfall and he thought it was quieter. Mr. Oaks said that is not what Mr. Westfall said when he was at the meeting. Councilwoman Day asked how many cars were on the track. Mr. Oaks said he didn't know. Supervisor Teed said that was a one-time race. He said that would have to come back before the Town Board and the Planning Board before it was approved. He said we had approval through our attorney to do this as a one-time thing. Supervisor Teed said he would look into it and get back to him.

APPROVE THE TOWN BOARD MINUTES FOR OCTOBER 13, 2009:

Supervisor Teed asked for a Resolution to approve the October 13, 2009 Regular Town Board Meeting minutes. Councilman Mattoon offered the following Resolution. RESOLVED that, the October 13, 2009 Town Board Regular Town Board Meeting Minutes be approved as written. The Resolution was seconded by Councilman Dole, who moved the adoption. 5 AYES. Motion carried.

RESOLUTION:

Adopt Town of Phelps 2010 Budget (see attached).

HIGHWAY:

Highway Superintendent Featherly gave his report for the month of October 2009 (see attached).

Superintendent Featherly said he is still waiting for the stripers to finish. He said he had looked at 2 rollers that have been returned.

ZONING REPORT:

The Zoning Report for the month of October 2009 is on file in the Town Clerk's office.

MONTHLY REPORT:

The Town Clerk's October 2009 report was reviewed by the Board Members for their approval.

DISCUSSION WITH THE SUPERVISOR:

A) Supervisor Teed said the Agricultural Committee has been formed. He said Councilman Carl Beechler will be chairing that committee. The members of the Mining Committee will be Jim Peck, he is very familiar with the CAFO process which will be a big input; Ronald Allen, Chairman of the Planning Board; Emerick Raes; Al Ruffalo and Jim DeBoover. He said these gentlemen have stepped up to the plate and are willing to serve on the Committee. Councilman Beechler said he would be contacting all of the members in the next few days to decide what would be a good day for everyone to meet. .

OPEN FORUM:

Supervisor Teed asked if anyone wished to address the Board.

A lady asked what the Mining Committee would be doing. Supervisor Teed said it is to basically review what we have on the books. He said the Local Law that we proposed will be reviewed by them and revised. They will be reviewing State Laws. He said this is all being done to protect the farmers and the residential community. Councilman Beechler said there were many things in the proposed Local Law that were not necessary. He said we will be doing a lot of research on these items.

PAGE 4 - TOWN OF PHELPS REGULAR TOWN BOARD MEETING MINUTES NOVEMBER 10, 2008

Mr. Oaks asked if the Town put in for any grant money. Supervisor Teed said he has 4 grants for water in right now and also has 1 stimulus grant in. He said we got 1 stimulus to do Bankert Road.

NEXT TOWN
BOARD MEETING:

Supervisor Teed announced that the next Town Board Meeting will be Monday, December 14, 2009, at 7:00 PM at the Phelps Town Court/Meeting Facility, 1331 Rt. 88, Phelps.

BILLS:

Councilman Mattoon offered the following Resolution. RESOLVED that the following bills:

PREPAID GENERAL "A" - #308 - #317 IN THE AMOUNT OF \$19,521.98,
PREPAID GENERAL "B" - #94 - #95 IN THE AMOUNT OF \$92.58,
PREPAID HIGHWAY "DB" - #201 IN THE AMOUNT OF \$3,289.42,
PREPAID SEWER DISTRICT - #31 - #32 IN THE AMOUNT OF \$30.94,
PREPAID WHITE ROAD WATER DISTRICT - #26 IN THE AMOUNT OF \$4.20,
PREPAID RT. 96/488 WATER DISTRICT - #54 - #55 IN THE AMOUNT OF \$157.11,
PREPAID ORLEANS WATER DISTRICT - #62 - #63 IN THE AMOUNT OF \$59.30,
PREPAID SPAFFORD RD. WATER DISTRICT - #27 IN THE AMOUNT OF \$5.04,
PREPAID MELVIN HILL WATER DISTRICT - #40 IN THE AMOUNT OF \$11.48,
PREPAID TRUST AND AGENCY - #31 - #32 IN THE AMOUNT OF \$1,845.59,
GENERAL "A" - #318 - #347 IN THE AMOUNT OF \$15,545.86,
GENERAL "B" - #96 - #100 IN THE AMOUNT OF \$18,143.95,
HIGHWAY "DB" - #202 - #217 IN THE AMOUNT OF \$8,714.36,
SEWER DISTRICT - #33 IN THE AMOUNT OF \$20,389.50,
WHITE ROAD WATER DISTRICT - #27 - #28 IN THE AMOUNT OF \$49.50,
RT. 96/488 WATER DISTRICT - #56 IN THE AMOUNT OF \$100.93,
ORLEANS WATER DISTRICT - #64 - #65 IN THE AMOUNT OF \$948.85,
SPAFFORD RD. WATER DISTRICT - #28 IN THE AMOUNT OF \$12.50
MELVIN HILL WATER DISTRICT - #41 IN THE AMOUNT OF \$62.67,
be paid. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

ADJOURNMENT:

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

TIME:

7:43 PM.

Respectfully submitted,

Town Clerk