

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; Waste Water: Carl Peake

Also Present: Planning Board members: Norm S. Teed, Bob Springer, and Randy Scott  
Also Present: Charles Atkinson (Government Class) and Floyd Ridley

7:00 PM Regular meeting opened by Mayor Cheney with Pledge to Flag

Planning Board Members:

Randy Scott and Bob Springer ask who is going to replace Norm Teed as Planning Board Chairman. Mayor Cheney informed them that at this time, there has not been a replacement named. Mayor Cheney told them that he was going to wait until after this meeting and listening to any comments or concerns they might have before he talks with anybody. Mayor Cheney's plan is to talk with Ty Allen, presently a member of the Planning Board, to see if he would be interested in being Planning Board Chairman. Randy asked if the Village Board has any issues with the Planning Board. Randy said it has taken a while to present to the Village Board a new code update but they want to make sure the new code is correct. They have been working with Ron Brand and many different issues are arising.

REPORTS:

8 Banta Street:

1. Doors: Nothing to report.
2. Sign by falls: Ann Sheppard called and said the sign is done. It was decided to wait until after winter to put the sign back up.
3. The boiler had a leak in the fed pot. HMI was called and they repaired it.
4. TaeKwonDo: Their instructor has asked PCC if they would rent him the room adjacent to where he is now and if he can take down the wall separating the two rooms. PCC has to work out arrangements but before anything can be started, it must go before the Code Enforcement Officer.
5. Area around their garden needs to be cleaned up.

DPW:

1. No October report.
2. Franklin Street water project: The main has been installed and the testing has been completed and the results are fine. DPW will start hooking up laterals this week.
3. Amber Fence: Electric and gas have been disconnected from building. Ken has talked to Fire Chief John Dole about controlled burn. Ken will remove the metal roof and the rest of the building is wood. Ken will pile it away from resident's homes, follow the burn regulations, and contact Chief Dole when it is ready to be burned.
4. Transfer Station: There is a possibility of Bill Conklin, operator at the Transfer Station, will need surgery and be out of work. Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeRuyter and carried to advertise for a transfer Station Operator, Part-time, if there is a position opened at the County.
5. North Wayne Street bridge: Ken met with Chris Day, project manager for the replacement of the North Wayne Street bridge. The bridge will be moved 15 feet to the east of the present location and will be raised 3 feet. They will also be raising White Road. Ken's is concerned about the detour route that is planned, which will be Mill Street.
6. Transfer Station report: The board reviewed the comparison report between last year's tonnage, expenses, revenues, etc. and this year's figures since we started the new procedure in April. It looks like the .09 cents per pound is a good amount to be charging for the dumping of garbage. We will continue to look at figures during the next months.
7. Parking lot: There was discussion about the parking lot behind the Phelps Hotel and it was decided that there should be directional arrows placed on the black top.

Water:

1. No question on October report.

Wastewater:

1. No questions on October report
2. There is a pinch valve that needs to be replaced. It possibly could affect the operation of the plant.
3. Red Field Park has not been winterized yet. With the warm weather, people are still using it during the day.
4. Discolored water at 65 Pleasant Street: resident brought in two bottles (2 different days) of rusty, dirty water. There was discussion and it was decided that DPW Ken McAllister and Water Carl Peake visit the resident and discussed this issue. This problem has been going on for some time. The resident informed the clerk that her neighbors also had bad tasting water recently. The neighbors did not notice the discolored water. Carl Peake will also check with Mike Vienna, Town water, and check his readings on his water samples and his use of chemical additives he put in at the Newark pump house.

Code Enforcement:

1. No questions on October's report.
2. Wine Bar: The paperwork should be coming in for the next Planning Board meeting scheduled in November.
3. Bonnie's Beauty Salon: Brad is working with Bonnie on her new building. Mayor Cheney asked Brad to put a deadline date on this issue.

Fire Department:

1. No questions October's report.
2. Ryan Falkey: Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee Hughson and carried approving Ryan Falkey into the Fire Department.

Police: 1. No October report  
 2. Old White Police car: (1998 Ford Crown Victoria) Received three (3) sealed bids which were opened on October 30, 2009:  
 ➤ Tom Lapp: \$352.00  
 ➤ Walt Lead: \$567.00  
 ➤ Trevor Arnold: \$301.00  
 Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried accepting the bid from Walt Lead for \$567.00.

YP&R: 1. Halloween Eve: Trustee DeRuyter reported that it was well attended.  
 2. Harvest Festival: Due to weather, the festivities had to be moved inside building.

Treasurer Rpt: 1. Mayor Cheney inquired about metered water sales. Clerk/Treasure will check on figures.  
 (Brad Dutcher and Bob Springer left meeting)

Minutes: 1. Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hemminger and carried by members to accept the regular monthly meeting minutes of the October 12, 2009 as amended.  
 2. Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried by members present accepting the bid opening minutes of October 30, 2009 on 1998 Ford Crown Victoria police car.  
 3. Board received copy of 10/26/09 Planning Board meeting.

Correspondence: 1. Letter from Time Warner (11/06/09): possible channel changes  
 2. Phelps Community Historical Society: November issue  
 3. Phelps Chamber of Commerce November/December newsletter.  
 4. Resolution #561-2009 from Ontario County Board of Supervisors authorization to set aside additional sales tax revenues for distribution to towns, cities, and villages.

New Discussion: 1. Handicapped parking spaces: There was discussion regarding where the handicapped parking spaces are located in the village and not listed in Code Book. At this time, no changes will be made to the Code book.  
 2. Merchandise ads: Discussed upcoming Holiday ads for the Merchandiser.  
**3. RESOLUTION #11 – 2009/2010**  
 Motion offered by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hemminger:

RESOLUTION # 11 – 2009/2010  
**STATING THE POLLING PLACE AND THE HOURS POLLS  
 WILL BE OPEN FOR THE MARCH 16, 2010 VILLAGE ELECTION**

The Board of Trustees wishes to state the polling place and the hours the polls will be open for the March 16, 2010 Village election;

WHEREAS, the Village Hall meeting room at 8 Banta Street, will be available;

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of the Village of Phelps, authorizes as follows: The next General Village Election for offices will be held on March 16, 2010. The Village Board of Trustees hereby designates the Village Hall meeting room, 8 Banta Street, Phelps, NY, as the polling place, and the hours of the election will be from 12:00 noon until 9:00 PM as the voting hours.

		<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				

4. **RESOLUTION #12 - 2009/2010**  
 Motion offered by Trustee DeRuyter, 2<sup>nd</sup> by Trustee Hughson:

Resolution # 12 – 2009/2010  
**Delinquent Taxes to be sent to Ontario County Treasurer**  
 Motion offered by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson:  
 WHEREAS, that the Board of Trustees of the Village of Phelps hereby request that the Ontario County Treasurer collect the 2009/2010 delinquent Village Taxes of said Village as provided by Chapter 619 of the law of 1977, adopted by the Board of Supervisors, and be it further,

RESOLVED, that the Village Treasurer is hereby directed to transmit to the Ontario County Treasurer a certified copy of the Resolution together with the list of delinquent accounts to the Ontario County Treasurer.

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

Motion carried.

5. Received notification from Excellus that the rates will increase by 22% beginning January 1, 2010.
6. Sewer bill penalty: resident from 219 Main Street is questioning a \$5.18 late fee. Customer states he came in the Clerk's office with his November Sewer bill and stated he never received his August bill which shows as delinquent plus a penalty of \$5.18. He also stated he came in Clerk's office in September and asked if he owed anything and was told that he did not owe any payments because nothing is due in September. Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeBrock and carried that the Clerk's office remove the \$5.18 penalty due to a clerical error in Clerk's office.

- 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
  5. Moving gate at Transfer Station
  6. Planning Board needs to look at zoning at Quarry Street

Transfers: None

Vouchers: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee DeRuyter and carried to pay vouchers except voucher payable to Clark Surveyors..  
 Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried to pay voucher payable to Clark Surveyors with Trustee Hemminger abstaining.

Abstr#06	General	Ck #'s: 10448 – 10495	In the amount of:	\$58,813.44
Abstr#06	Water	Ck #'s: 10084 – 10093	In the amount of:	\$17,201.38
Abstr#06	Sewer	Ck #'s: 10156 – 10172	In the amount of:	\$13,212.81

Adjournment: 08:40 PM: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried by members present to adjourn the meeting.

Respectfully submitted,

David Nieskes  
 Village Clerk/Treasurer