

Present: Mayor: James Cheney  
Trustee: Joe DeBrock (7:12 pm) Trustee: Greg DeRuyter  
Trustee: Brian Hemminger (7:10 pm) Trustee: Howard Hughson

Also Present: Clerk/Treasurer: David Nieskes; Deputy Village Clerk/Treasurer: Jill Seifert; Deputy Clerk/Treasurer: Melissa Westfall; DPW: Ken McAllister; Wastewater: Carl Peake; and Code Enforcement Officer: Jim Murphy

Also Present: Fire Department President: Ronnie Nieskes; P.C.C. Director: Janie Burgess; Resident: Ginny Konz

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

Fire Dept.: President Nieskes inquired about the possibility of using the old water pump house off of Lester Road as a year round water supply. DPW Ken McAllister will look at it to see what needs to be done.  
President Nieskes also informed the Village Board that there has been a committee formed to look into corrective procedures for filling of swimming pools. The fire department had a incident where fire department members took a truck to fill a resident's pool and used water from a town hydrant. The two members involved were placed on a probationary period. President Nieskes informed the board that there will be a written notification sent to the board of the fire department's action.

Ginny Konz: She just reminded the board that Christmas is just around the corner and to start planning for any activities very soon and not wait until November/December. Mayor Cheney informed her that there is a meeting this week to start discussing October festivities and that Christmas will also be brought up for discussion.

#### REPORTS:

##### Community Center:

- 1.) Cafeteria Floor: Janie Burgess and Carl Peake visited the Penfield Community Center to look at their "rubber" type flooring. The gentleman at Penfield Community Center informed them that there is a lot of maintenance to that type of flooring and he indicated they wished they had gone with a just a laminate floor. Janie and Carl received three (3) quotes on a new floor (Hunt's Family Flooring. Carl's suggestion is to go with a laminate floor and rip up the old floor and put a new sub-floor down. There was discussion about putting the new floor down on top of the existing floor and it was decided that would not be a good idea. DPW Ken McAllister asked why we should pay somebody that much to put down laminate flooring. After discussion it was decided that the DPW crew could rip up the existing floor, put down a new sub-floor now and then install a laminate floor when it gets warmer inside the building. Carl will contact Bill Broomfield and see if he would patch up the walls where the heating units have been removed. The new sub-floor will be glued and they will use screws and not nails.
- 2.) Heating System: Carl Peake informed the board that HALCO is presently doing the library and they will be done with that this week.
- 3.) Heating System @ BOCES wing: Received a design/build proposal from HALCO to install two (2) Navien CH240-NG high efficiency combination boilers and hot water heater system for the BOCES wing. Their figure is \$19,850.00. Due to the fact that we just received this from HALCO today, the board needs to review and ask some questions before making a decision. Trustee DeBrock, Ken McAllister and Carl Peake to meet and have a recommendation at next month's meeting.

William St. Park 1. The grass seed has been planted.

DPW 1. August report: no questions  
2. Ken informed the members that he is seeing more work and time being spent at the Community Center.

Red Field Park: 1. Nothing to report.

Water / 1. August report: no questions  
Wastewater: 2. Water tank: Carl informed the members that the inside of the tank should be completed today. The outside will depend upon the weather.

##### Code Enforcement:

1. August report: no questions
2. Meeting: There will be a meeting in the future with Maria Rudzinski (Ontario County Planning Board), Mayor Cheney, Deputy Clerks/Treasurers Jill Seifert & Melissa Westfall, Code Enforcement Officer Jim Murphy, and Town Planning Board to meet to discuss procedures for the potential building of the Dollar Store at the west end of the village.

Fire Department: 1. July and August report.

Police: 1. No August report.

YP&R: 1. Nothing to report.

Treasurer Rpt: 1. No questions on July’s report.

- Minutes:
1. Minutes of the August 8, 2011: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried by minutes present to accept the minutes.
  2. Minutes of the August 15, 2011 Special Meeting of the Village Board and Village Planning Board: Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee Hughson and carried by members present to accept the minutes.
  3. Minutes of the August 16, 2011 Special Meeting of the Village Board: Motion by Trustee DeRuyter, 2<sup>nd</sup> by Trustee Hemminger and carried by members present to accept minutes.
  4. Minutes of the August 22, 2011 Planning Board: for information only
  5. Minutes of the August 29, 2011 Historic District & Structures meeting: for information only

Downtown Renovation:

1. Mayor Cheney informed the members present that the windows, etc. should be completed by next year.

- Correspondence:
1. Time Warner: Letter (08/31/11) regarding possible station changes.
  2. Phelps Community Historical Society September news issue

- Appointments:
1. The following appointments to the Planning Board were offered by Mayor Cheney: Joe Scibona and Shawn Keebler. Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeRuyter and carried by members present.

- New Discussion:
1. Property Tax Law: Mayor Cheney informed members present that there are time frames involved. He also informed the members that we could adopt a local law to override the State’s Property Tax Law. There was discussion and it was determined to have Clerk/Treasurer Nieskes contact attorney Jeff Graff and start the procedure for a new law to override the State’s Tax Cap Property Law.

Old Discussion:

1. Status of easement with resident on Clifton Street.
2. Security at 8 Banta Street.
3. Code Enforcement – Municipal agreement.
4. Change Rest Haven law to no parking.

Transfers: None

Vouchers: Trustee Hemminger was wondering about the voucher to Teed’s Tree Service regarding cutting a tree behind the car wash if it was on private property. Ken informed the board that the tree was on the wires that ran our pump station and it was a public safety issue. There was discussion and it was decided to send the owner a bill for \$500.00.  
Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried to pay vouchers.

Abstr#04	General	Ck #'s: 11674 – 11731	In the amount of:	\$ 53,873.64
Abstr#04	Water	Ck #'s: 10330 – 10338	In the amount of:	\$ 27,941.06
Abstr#04	Sewer	Ck #'s: 10564 – 10578	In the amount of:	\$ 8,339.26

Adjournment: 8:40 PM: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hemminger to adjourn the meeting.

Respectfully submitted,

David Nieskes  
Village Clerk/Treasurer