

JANUARY 12, 2009-TOWN OF PHELPS REGULAR & ORGANIZATIONAL BOARD MEETING MINUTES

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

PUBLIC

ATTENDANCE: See list attached in Minutes Book.

CALL TO ORDER: The Regular & Organizational Town Board Meeting was called to order by Supervisor Teed at 7:00 PM.

PLEDGE OF

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

PUBLIC

PARTICIPATION: None.

APPROVE THE  
MINUTES OF

DECEMBER 8, 2008/  
DECEMBER 29, 2008: Councilman Mattoon, offered the following Resolution. RESOLVED that, the minutes of the December 8, 2008 Regular Town Board Meeting Minutes and the December 29, 2008 Year-end Town Board Meeting Minutes be approved as written. The Resolution was seconded by Councilwoman Day, who moved its adoption. 5 AYES. Motion carried.

OFFICIAL PAPER:

Councilman Dole, offered the following Resolution. RESOLVED that, the Finger Lakes Times will be the official newspaper for the Town of Phelps, NY, for the year 2009. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

OFFICIAL BONDS:

Councilman Beechler, offered the following Resolution. RESOLVED that, the Official Bonds for the Town of Phelps, New York, for the year 2009 will be as follows: Justices (2) \$1,000.00 each; Supervisor \$100,000.00; Deputy Supervisor \$10,000.00; Highway Superintendent and Deputy \$1,000.00 each; Town Clerk and Bookkeeper \$1,000.00 each; and Tax Collector \$100,000.00. The Resolution was seconded by Councilwoman Day, who moved its adoption. 5 AYES. Motion carried.

OFFICIAL SALARIES:

Councilwoman Day, offered the following Resolution. RESOLVED that, the Official Salaries for the Town of Phelps, New York, for the year 2009, are as follows:

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Supervisor	\$17,035.00
Town Clerk	36,400.00
Assessor (Appointed)	44,854.00
Councilman	3,622.00
Councilman	3,622.00
Councilman	3,622.00
Councilman	3,622.00
Justice	14,854.00
Justice	14,854.00
Highway Supt	55,474.00

The Resolution was seconded by Councilman Mattoon, who moved its adoption. 5 AYES. Motion carried.

TOWN HISTORIAN: Councilman Mattoon, offered the following Resolution. RESOLVED that, Donald Tiffany be appointed as the Town of Phelps, New York, Historian, for the year 2009. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

TRUST & AGENCY: Councilman Dole, offered the following Resolution. RESOLVED that, Supervisor Teed, be appointed as Trust & Agency, for the Town of Phelps, New York, for the year 2009. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

MACHINE RENTAL: Councilman Beechler, offered the following Resolution. RESOLVED that, the machine rental and operator, be set up by the State rates, for the Town of Phelps, New York, for the year 2009. The Resolution was seconded by Councilman Dole, who moved its adoption. 5 AYES. Motion carried.

MILAGE: Councilwoman Day, offered the following Resolution. RESOLVED that, anyone traveling for the Town of Phelps, New York, for the year 2009 be paid \$.55 per mile, to be consistent with Ontario County. The Resolution was seconded by Councilman Mattoon, who moved its adoption. 5 AYES. Motion carried.

FULL AND PART-TIME HIGHWAY EMPLOYEES: Councilman Mattoon, offered the following Resolution. RESOLVED that, Part-time Highway Employees be paid \$10.92 per hour for 2009. Full-time Highway Employees will receive \$20.97 per hour and new full-time hires will be paid according to the schedule in the Highway Department Agreement for 2009. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

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REGISTRAR OF

VITAL STATISTICS: Councilman Dole, offered the following Resolution. RESOLVED that, Linda Nieskes, be appointed Registrar of Vital Statistics and Peggy Scharett be appointed Deputy of Vital Statistics, for the Town of Phelps, New York, for the year 2009. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

PART-TIME EMPLOYEES:

Councilman Beechler, offered the following Resolution. RESOLVED that, the deputies for the Town Clerk, Court Clerk, Tax Collector, PT Clerk and Zoning and Planning Board Clerk be paid \$10.40 per hour, for the year 2009. The Resolution was seconded by Councilman Dole. 5 AYES. Motion carried.

BANK DEPOSITS:

Councilwoman Day, offered the following Resolution. RESOLVED that, the Town of Phelps, New York, use two (2) banks for deposits of the Town's money, for the year 2009. These banks are Bank of America of Phelps, New York and Community Bank, NA of Phelps, New York. The Resolution was seconded by Councilman Mattoon, who moved its adoption. 5 AYES. Motion carried.

DEPUTIES:

Councilman Mattoon, offered the following Resolution. RESOLVED that, the following be appointed as Deputies for the Town of Phelps, New York, for the year 2009: Supervisor-Carl Beechler; Town Clerk-Peggy Scharett; Tax Collector-Peggy Scharett; Court Clerk-Peggy Scharett and Highway Superintendent-Clarence Guard. The Resolution was seconded by Councilman Dole, who moved its adoption. 5 AYES. Motion carried

COMMITTEES:

Supervisor Teed, offered the following appointments for 2009:

Fire & Ambulance	D. Day & J. Mattoon
Building	J. Mattoon & C. Beechler
Right of Way	J. Dole & C. Beechler
Legislation	C. Beechler & J. Mattoon
Planning	D. Day & C. Beechler
Youth	J. Dole & J. Mattoon
Insurance	C. Beechler & J. Dole
Conservation	J. Mattoon & D. Day
Parks & Cemeteries	D. Day & J. Dole
Highway	C. Beechler & J. Mattoon
Historical	D. Day & J. Dole
Water District	J. Dole & D. Day

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Councilman Dole, offered the following Resolution. RESOLVED that, the above appointments be accepted for the Town of Phelps, New York, for the year 2009. The Resolution was seconded by Councilman Mattoon, who moved its adoption. 5 AYES. Motion carried.

FIRE DEPARTMENT &  
SCHOOL AID:

Councilman Beechler, offered the following Resolution. RESOLVED that, the Town Board of the Town of Phelps, New York, give the Highway Department of the Town of Phelps, New York, approval to aid all Fire Departments (Phelps, Clifton Springs and Oaks Corners), as well as Phelps Ambulance Inc. in emergencies under the jurisdiction of the Highway Superintendent for the year 2009. This resolution was seconded by Councilman Dole, who moved its adoption. 5 AYES. Motion carried.

Councilman Beechler, offered the following Resolution. RESOLVED that, the Town Board of the Town of Phelps, New York, give approval for the Highway Department to aid Phelps-Clifton Springs Schools, in emergencies, under the jurisdiction of the Highway Superintendent for the year 2009. The Resolution was seconded by Councilman Mattoon, who moved its adoption. 5 AYES. Motion carried.

SMALL TOOLS:

Councilwoman Day, offered the following Resolution. RESOLVED that, the Highway Superintendent be allowed to purchase small tools not to exceed \$1,500.00 for the year 2009. The Resolution was seconded by Councilman Dole, who moved its adoption. 5 AYES. Motion carried.

TOWN VOUCHERS:

Councilman Mattoon, offered the following Resolution. RESOLVED that, it will not be necessary to have a Town Voucher to pay legitimate bills, for the Town of Phelps, New York, for the year 2009. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

HEALTH OFFICER:

Councilman Dole, offered the following Resolution. RESOLVED that, Dr. Marc Zarfes be appointed as the Town of Phelps, New York Health Officer through the year 2009. This Resolution was seconded by Councilman Mattoon, who moved its adoption. 5 AYES. Motion carried.

PROCUREMENT  
POLICY:

Councilman Beechler, offered the following Resolution. RESOLVED that, WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are now required by law to be publicly bid, WHEREAS, comments have been solicited from all officers involved in the procurement process now therefore be it RESOLVED that, the Town of Phelps, New York, does hereby adopt the procurement policy of Ontario County for the year 2009, which is intended to apply to all goods and services which are not required by law to be publicly bid. The Resolution was seconded by Councilman Dole, who moved its adoption. 5 AYES. Motion carried.

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INVESTMENT POLICY:

Councilwoman Day, offered the following Resolution. RESOLVED that, WHEREAS, the law requires the governing body of every Municipality to adopt an Investment Policy, and WHEREAS, we have been provided with the proper format, now therefore be it RESOLVED, the Town Board does hereby adopt the Investment Policy for the Town of Phelps, New York, for the year 2009. The Resolution was seconded by Councilman Mattoon, who moved its adoption. 5 AYES. Motion carried.

TOWN BOARD MEETINGS:

Councilman Mattoon, offered the following Resolution. RESOLVED that, the Town Board will hold its 2009 official meetings on the second Monday of every month, 7:00 PM at the Phelps Town Court/Meeting Facility, 1331 Rt. 88, Phelps, NY. If a holiday falls on the second Monday, the Board will establish another date for that month's meeting. The Resolution was seconded by Councilwoman Day, who moved its adoption. 5 AYES. Motion carried.

RECORDS MANAGEMENT OFFICER:

Councilman Dole, offered the following Resolution. RESOLVED that, the Town Board does hereby appoint Linda Nieskes as the Town of Phelps Records Management Officer. The Resolution was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

RESOLUTION:

Appoint Planning Board Member (see attached).

RESOLUTION:

Re-appoint Zoning Board Member (see attached).

RESOLUTION:

Accept Resignation of Planning and Zoning Board Secretary (see attached).

RESOLUTION:

Schedule Public Hearing for Moratorium on Mining Operations (see attached).

HIGHWAY:

Superintendent Featherly said the Highway Crew spent most of the month of December 2008 plowing.

ZONING REPORT:

The Zoning Report for the month of December 2008 was available for the Board's review and is on file in the Town Clerk's office.

MONTHLY REPORTS:

The Town Clerk's December 2008 Monthly Report and the 2008 Annual Report was reviewed by the Board Members for their approval.

DISCUSSION WITH SUPERVISOR:

A) Supervisor Teed said the 2008 Justice Report had been received. He will report on that at the February Meeting.

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NEXT TOWN BOARD MEETING: The next Phelps Town Board Meeting will be held Monday, February 9, 2009, at the Phelps Town Court/Meeting Facility, 1331 Rt. 88, Phelps at 7:00 PM. We will have our Public Hearing regarding the Moratorium on Mining on Thursday, January 26, 2009 at this building at 7:00 PM.

BILLS: Councilman Mattoon offered the following Resolution: RESOLVED that, GENERAL "A" - #1-#26 IN THE AMOUNT OF \$169,875.36, GENERAL "B" - #1-#13 IN THE AMOUNT OF \$31,746.79, HIGHWAY. "DB" - #1-#13 IN THE AMOUNT OF \$65,188.30, WHITE RD. WATER DISTRICT - #1-#2 IN THE AMOUNT OF \$677.05, RT. 96/488 WATER DISTRICT- #1-#2 IN THE AMOUNT OF \$354.08, ORLEANS WATER DISTRICT - #1 IN THE AMOUNT OF \$3.10, MELVIN HILL WATER DISTRICT - #1-#2 IN THE AMOUNT OF \$1,255.79, TRUST & AGENCY - #1-#2 IN THE AMOUNT OF \$1,856.66 be paid. The motion was seconded by Councilman Beechler, who moved its adoption. 5 AYES. Motion carried.

OPEN FORUM: None.

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

TIME: 7:24 PM.

RESPECTFULLY SUBMITTED,

Linda B. Nieskes  
Town Clerk