

Present: Mayor: James Cheney  
Trustee: Greg DeRuyter Trustee: Howard Hughson  
Trustee: Joe DeBrock Trustee: Brian Hemminger

Also Present: Clerk/Treasurer: David Nieskes; Deputy Clerk/Treasurer: Jill Seifert; DPW: Ken McAllister;  
Code Enforcement: Brad Dutcher; Water/WasteWater: Carl Peake; Police Chief: John Storer  
(8:15pm)

Also Present: Ronnie Nieskes (Fire Dept.); Mary Ann Gier; Ginny Konz; Jake Clyde (Gov't class)

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

Ginny Konz:

1. Handicapped Ramps: She is wondering if it is the store owner's responsibility to keep the handicapped ramp cut outs shoveled and salted downtown. Mayor Cheney indicated the village crew does the sidewalks as a courtesy. If necessary, the store owners should take care of their area. The clerk's office will send a notice to the store owners.
2. Sidewalk at her residence: Ginny was wondering about replacing her sidewalk at her residence. The sidewalk reimbursement plan was explained to Ginny along with the Village's replacement program. Ken McAllister will look at her situation.
3. House in C-2 zone: Ginny is wondering why her house at 9 Ontario Street and the homes going east are in a C-2 zone and if there would be a problem if she ever decided to sell. Mayor Cheney informed her that there might be an upcoming change to the zoning in the village and her concern will be addressed. (Ginny left meeting)

#### REPORTS:

Fire Dept.:

1. President Ronnie Nieskes reviewed the proposed fire department application for new membership. He stated that the Fire Department will be forming a new committee this year called the Membership Committee". They will review all new applications and decide if that applicant has the qualifications to become a member. The application will be forwarded to

the

Ontario County Sheriff's Department for a background check and returned. If approved, the application will be forwarded to the Village Board for their approval and then signed by a member of the board.

2. Vent System at Fire House: President Nieskes informed the Board that they are no longer using the two exhaust vents in the building because they now have the automatic exhaust ventilators attached to all vehicles. Also there is a large crack on the east side of the building due the vibration of that fan. They received an estimate from the contractor to remove both exhaust fans and fix the crack for \$6,500.00. The contractor still has enough blocks left over from when he built the fire house to do this repair job. Trustee DeBrock will check to see if Phelps Cement has any of those blocks at Phelps Cement and if so, the Fire Department should get a couple more estimates. This expense (65%) will be allocated in next year's budget if not taken from this year's budget.
3. Ambulance: The last installment of \$9,000.00 payable to the Village is due this March. Phelps Ambulance Inc. has ordered a new ambulance. President Nieskes asked the board if they would be willing to accept half of the \$9,000.00 for the final payment. There was discussion and the board decided not to reduce the payment. President also informed the board that Phelps Ambulance Inc. will probably be going to their own Advanced Life Support this year instead of contracting with another agency.
4. Mayor Cheney appointed John Dole (Chief), Chris Springer (1<sup>st</sup> Assistant), and Rob Middlebrook (2<sup>nd</sup> Assistant) for 2009. Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and unanimously carried approving these appointments.
5. Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee DeBrock and unanimously carried to accept Mike Hannan into the Fire Department.

8 Banta Street:

1. Boiler: The boiler seems to be surging and not running efficiently. Carl has had HMI in to look at and it is still surging. He will continue to look into this issue.
2. Volunteers: Mayor Cheney informed the board the Community Center has gone back to having volunteers cover the building at night.
3. Replacement of exterior doors: Received quote from Marbles's Glass for installation of 10 exterior doors. The quote was for doors only. A security company will have to install the security system. Mayor Cheney indicated this cost would be submitted to the Mary Preston Fund. Trustee's Hemminger and DeRuyter suggested having the Village pay for the installation of the doors. There was discussion and we will look into grant funding and other types of funding and this issue will be discussed during the upcoming budget discussions.

DPW:

1. No January report
2. Transfer Station: There is a slow down due to the weather conditions.
3. Fuel Station: The fuel facility is working fine. Ken is discussing an invoice from S & W that we received for installation. The invoice is extremely high and we will not pay it until it is discussed further with them.
4. Accident: The board members were informed of Ken's accident with the snow plow on December 19, 2008 when he hit a parked vehicle on the corner of North Wayne Street and Jay Street. Received a copy of letter from our insurance company which was sent to the vehicle owner indicating that vehicles such as snowplows, sanders and salt trucks clearing or treating roads are exempt from liability arising from New York's Vehicle and Traffic law provisions, absent a showing of "reckless disregard."

## Code Enforcement:

1. No questions on December report.
2. Brad will have hours on Monday, Tuesday, and Wednesday, basically in the mornings/early afternoon. He also has a village cell phone.
3. December monthly payment: Mayor Cheney meet with Town Supervisor Norm Teed and discussed the December Town voucher which the village held over until this month. Mayor Cheney indicated it is alright to pay the Town this month for their December payment.
4. Classes: There are some classes that Brad must attend coming up in Greece. He discussed the times and dates with the Mayor and Brad will be attending these classes and possibly staying over night.
5. Fire Inspections: Brad inquired about charging for fire inspections. Fire inspections take a lot of time and paper work. Brad has checked with other municipalities and some charge and some don't. Mayor Cheney asked Brad to review our current fee schedule and bring changes/updates to the board for review.
6. Resignation: Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee DeBrock and unanimously carried to accept letter of resignation from David Clark from the position of Zoning Inspector.

## Water:

1. No questions on the December report.

## Wastewater:

1. No questions on the December report.
2. Carl informed the board that they are having the usual winter issues with pumps, etc.

## Police:

1. No December report.
2. Towing: Effective immediately, the police department will be towing cars parked illegally and will not be issuing parking tickets.

## YP&amp;R:

1. Trustee DeRuyter informed members that the YPR will be having a meeting in February and will be discussing possible upcoming events for Easter.

## Treasurer's Rpt.:

1. No questions on November's report.

## Minutes:

1. Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Hemminger and carried by members to accept the regular monthly meeting minutes of December 8, 2008. Change asbestos "removal" to asbestos "study" under REPORTS; 8 Banta Street; #2.

## Correspondence:

1. Letter from Time Warner (12/01/08): possible channel changes
2. Received Community Historical Society: December issue.
3. Received Phelps Community Center Connection bulletin.

## New Discussion:

1. Transfer Station coupon for Library: Discussed and approved to give the Library a coupon.
2. Bank of America: Clerk/Treasurer Nieskes informed the board that we did not receive any interest on any of our accounts. He contacted Bank of America and was informed that due to the economy, their interest rates have declined and we don't carry a large enough balance in all of our accounts to cover the analysis fees. They also charged us \$2.15 because of this issue. The total of all of our accounts for December was over \$1,200,000.00. We will close out our accounts with Bank of America and switch to Community Bank.
3. Water bill at Astoria: The owner received an extremely high January water bill and refuses to pay it. She insists there is not a water leak. We have been down there numerous times and the readings show there is a large amount of water going through the meter. If the water bill is not paid by April 3, 2009, the amount due will be turned over to the county and relieved on her 2009 Village taxes. Per discussion with NYCOM, we may accept partial payment.
4. Fire Contract: Motion by Trustee DeRuyter, 2<sup>nd</sup> by Trustee DeBrock and unanimously carried authorizing Mayor Cheney to sign the contract but write a letter to Town Supervisor Teed to refrain from future increases in the fire tax to Town residents. The amount the village receives covers the total budgeted appropriations for the current village budget year.
5. Appointment: Motion by Trustee Hemminger, 2<sup>nd</sup> by Trustee DeRuyter and unanimously carried approving Mayor Cheney's appointment of David Clark to the Zoning Board of Appeals.
6. Mayor Cheney received a request from Attorney Keith Lord for lease rates for the PCC building. The current lease rates were adjusted by two yearly increases and provided.
7. For Information: Ned McAllister is moving to Rose. He is planning on remaining on the village payroll.
8. There will be a joint meeting with the Planning Board discussing the proposed Lester Road subdivision on Monday, January 26, 2009 at 7:00 pm.
- 9.

## Old Discussion:

1. Status of easement with resident on Clifton Street: Brian to approach Clark Surveyors
2. Deferred Compensation Plan:
3. PCC Building – To Do List: Carl to review the list and report.
4. Security at 8 Banta Street
5. Old water pit at 36 Main Street: Ken is waiting until ground is fully frozen.

Transfers: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and unanimously carried:

TO:	FROM:	AMOUNT:
A8160.11	A5110.1	\$6,000.00
A5110.2	A5110.4	\$2,679.46
A1950.4	A1990.4	\$1,241.12
A8510.421	A1990.4	\$ 108.27

Vouchers: Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeBrock and carried to pay vouchers, including the December, 2008 bill to the Town for Code Enforcement payment:

Abstr#09	General	Ck #'s: 1844 – 1892 (Ck #1893-repl. Ck To Norm Teed \$100.00)	In the amount of:	\$ 54,977.54
Abstr#08	Water	Ck #'s: 395 - 406	In the amount of:	\$ 2,704.70
Abstr#08	Sewer	Ck #'s: 661 – 679	In the amount of:	\$ 9,084.05

Habitat for Humanity House: Mayor Cheney was approached about the possibility of having a house built in the village. The Community raises money for the land and assist in the building of the house. The residents have to maintain a \$60,000.00 mortgage. There was some discussion about where there is available land. Mayor Cheney will get in contact with them.

Adjournment: 9:27 pm: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hemminger and carried by members present to adjourn the meeting.

Respectfully submitted,

David Nieskes  
Village Clerk/Treasurer