

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 (7:30 pm); Code Enforcement: Brad Dutcher

Also Present: Mary Ann Gier; Mike Hannan

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

REPORTS:

8 Banta Street: 1. Roof has been completed. A thank you will be sent out to P.C.C.

DPW: 1. No October report
2. Transfer Station: The project is moving ahead.
➤ Fee charge. Motion by Trustee Hughson, 2nd by Trustee DeBrock and unanimously carried to set the rate at \$.09 per pound. This price also takes into consideration monies to be set aside toward the purchase of a new truck and other expenses.
➤ Rodent Control: The members decided to stop having monthly rodent control done at the end of December, 2008. We will watch this issue and if we find it is necessary, we will start the process at a future time.
3. Fuel Station: The new fuel station facility is set to be wired.

Code Enforcement:
1. No questions on October report
2. Updating Code Book: Mayor Cheney requested the board look at the draft from Ron Brand and give him any comments or concerns.
3. Brad Dutcher, new Code Enforcement officer, suggest that he needs proper equipment, such as software, phone, etc. to perform his duties. Mayor Cheney suggests that he talk with David Clark, current Zoning Inspector, to help get together the sequence or process of new applications. Mayor Cheney feels that is very important because at January 2, 2009, we need the process in place. The software is not needed at this time. When Brad gets new applications, he can hand write them for the time being.

Fire: 1. No October report.
2. Trustee Hemminger/Commissioner reported that Chief John Dole informed him that the county would only give back the information on background checks to the fire department. Fire Chief Dole also mentioned to Trustee Hemminger that the fire department is thinking of having a committee of possibly three people, maybe including the Village Board liaison, to start the process of reviewing applications and if this committee feels the application should not go the county, they will notify the applicant. The members present still would like to have the ability to review the application because the village board is the appointing agent. There still has to be more discussion regarding this application process.

Water: 1. No October report.
2. Water Tank: Mayor Cheney, Water: Carl Peake, and DPW: Ken McAllister met with a company to discuss the condition of the water tank. The tank is in need of painting and repair. No estimate was given at this meeting.
3. Missing water payments: The clerk's office received three letters from a resident on Orchard Park regarding his July water bill. The customer indicated that they have recorded in their check book that they paid their water bill about July 14, 2008 and put it in the post office. Their check has not cleared their bank. They don't believe they should be responsible for the late fee and they also complained about the fee for a stop payment on their check. The clerk's office had also received phone calls from approximately a dozen other residents letting the clerk's office know that their checks had not cleared their banks but were not insisting that the late fee get waived. The members present discussed this issue and unanimously decided not to waive the late fee on this particular residence. Late fees may be waived if the problem was an administrative error and this situation was not an administrative error.

Wastewater: 1. No October report.
2. The trickling rotating assembly has been fixed.

Police: 1. No October report.

Treasurer's Rpt.: 1. No questions on October's report.
2. CHIPS: There was discussion regarding the possibility of the State taking the CHIPS allotment (\$40,780.00) due to state cut backs. The board discussed this issue and decided to leave the monies as is.

YP&R: 1. Red Field Park: The facility will be closed from November 1, 2008 through March 31, 2009.
2. Skating Rink: Trustee DeRuyter will be meeting with Bill Krise from P.C.C. this coming Thursday to discuss a skating rink.

- 3. Christmas Parade: Motion by Trustee Hemminger, 2nd by Trustee DeRuyter and unanimously carried by members present to close Main Street between the intersection North Wayne & South Wayne and Main Street to Franklin Street, December 6, 2008 between the hour of 5:30 pm – 6:30 pm.
- Minutes:
- 1. Motion by Trustee DeBrock, 2nd by Trustee Hughson and carried by members to accept the regular monthly meeting minutes of October 13, 2008 as amended. (under New Discussion, #6 – YPR will not purchase the liner)
 - 2. Board received minutes from October 20, 2008 Zoning Board meeting
 - 3. Board received minutes from October 27, 2008 Planning Board meeting.

- Correspondence:
- 1. Letter from Time Warner (11/03/08): possible channel changes
 - 2. Received Community Historical Society: November issue
 - 3. Received Phelps Community Center Connection bulletin.

- New Discussion:
- 1. Fire Inspection report: Board members received copies of Fire Inspection Report completed on September 24, 2008 by building inspectors. The issues listed are currently being worked on by Carl Peake and Brad Dutcher.
 - 2. Bob Lee: Motion by Trustee DeBrock, 2nd by Trustee Hughson and unanimously carried by members present accepting Bob’s letter of resignation effectively immediately, with the Village’s thanks for his years of employment.
 - 3. Fire Contract: Clerk’s office received the Town’s Fire contract to be reviewed before the Town has a public hearing on it at their December 8, 2008 regular monthly meeting.
 - 4. **RESOLUTION #01-2008/2009**
Delinquent Taxes to be sent to Ontario County Treasurer
 Motion offered by Trustee DeBrock, 2nd by Trustee Hughson:
 WHEREAS, that the Board of Trustees of the Village of Phelps hereby request that the County Treasurer of the County of Ontario collect the 2008/2009 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.

VOTE:	<u>AYES</u>	<u>NAYS</u>
Mayor: Jim Cheney	XX	
Trustee: Joe DeBrock	XX	
Trustee: Brian Hemminger	XX	
Trustee: Greg DeRuyter	XX	
Trustee: Howard Hughson	XX	

Motion carried.

- 5. Zoning Board of Appeals appointment: Mayor Cheney made recommendation to appoint Dennis King to the Zoning Board of Appeals. Motion by Trustee Hemminger, 2nd by Trustee DeBrock and unanimously carried by members present approving appointment.
- 6. Planning Board appointment: Mayor Cheney made recommendation to appoint Randy Scott to the Planning Board. Motion by Trustee Hemminger, 2nd by Trustee DeBrock and unanimously carried by members present approving appointment.
- 7. Red Field Park contract with the Mary Preston Historical Improvement and Betterment Foundation, Inc.: Motion by Trustee DeBrock, 2nd by Trustee DeRuyter and approved, with Mayor Cheney abstaining, authorizing Deputy Mayor Brian Hemminger to sign the contract stating that the Mary Preston Historical Improvement and Betterment Foundation, Inc. has approved a \$1,200.00 grant for employing someone to help maintain the restroom facilities at Red Field Park.

- 8. Trail Grant:
RESOLUTION #02-2008/2009
 Motion offered by Trustee Hemminger, 2nd by Trustee Hughson:
 WHEREAS, Ontario County Planning is preparing to apply for a Trails Grant application for the Village of Clifton Springs, Village of Phelps, Town of Phelps, and Midlakes School and
 WHEREAS, the Village of Phelps Board of Trustees would like to see this project followed through,
 BE IT FURTHER RESOLVED that the Village of Phelps Board of Trustees does support the study application grant, with the Village’s share of \$1,250.00 representing our share of the cost of the study grant.

VOTE:	<u>AYES</u>	<u>NAYS</u>
Mayor: Jim Cheney	XX	
Trustee: Joe DeBrock	XX	
Trustee: Brian Hemminger	XX	
Trustee: Greg DeRuyter	XX	
Trustee: Howard Hughson	XX	

Motion carried.

- 9. Empire Natural Gas: Motion by Trustee Hughson, 2nd by Trustee DeBrock and unanimously carried by members present authorizing Mayor Cheney to sign the contract for service rendered from Empire natural Gas.

- Old Discussion:
1. Status of easement with resident on Clifton Street: no discussion
 2. Deferred Compensation Plan: no discussion
 3. PCC Building – To Do List: no discussion
 4. List from Mayor (May 4, 2007): stuff to review – Things To Review’’: no discussion
 5. Security at 8 Banta Street
 6. Old water pit at 36 Main Street: Ken has not looked at this issue.

Transfers: Motion by Trustee DeBrock, 2nd by Trustee Hughson and carried approving the following transfer:

<u>TO:</u>	<u>FROM:</u>	<u>AMOUNT:</u>
A9040.8	A1990.4	\$1,401.42
F9040.8	F1990.4	\$ 150.29
G9040.8	G1990.4	\$ 150.29

Vouchers: Motion by Trustee DeBrock, 2nd by Trustee DeRuyter and carried to pay vouchers:

Abstr#07	General	Ck #'s: 1732 –	In the amount of:	\$
Abstr#06	Water	Ck #'s: 378 -	In the amount of:	\$
Abstr#06	Sewer	Ck #'s: 626 –	In the amount of:	\$

Adjournment: 9:15 pm: Motion y Trustee DeBrock, 2nd by Trustee DeRuyter and carried by members present to adjourn the meeting.

Respectfully submitted,

David Nieskes
Village Clerk/Treasurer

