

May 9, 2011

A regular meeting of the Village Board held on the above date was called to order at 7:00 p.m at the Village Hall, 1 West Main Street, Clifton Springs, NY 14432.

Presiding: William A. Hunter, Mayor

Board Members Present: Melissa Kumkey, Dan Blondell, Jeff Linsner, Earl Lincoln

Board Members Absent: None

Minutes: The minutes of the meeting of April 11, 2011 were approved upon motion by Trustee Blondell 2nd by Trustee Kumkey. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #896 through #1010, were approved for payment by Trustee Lincoln, 2nd by Trustee Linsner. All members present voting AYE. Carried.

General Fund =	\$ 114,593.63
Water Fund =	\$ 81,272.44
Sewer Fund =	\$ 116,584.05

CORRESPONDENCES

Water Tank

Letter from Attorney Jeff Graff with necessary information for the borrowing for the water tank project.

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF SERIAL BONDS FOR THE RECONSTRUCTION TO THE VILLAGE WATER TANK ON PEARL STREET

WHEREAS, this Village Board recognizes the need to perform reconstruction work on the Village water tank located on Pearl Street, which said work is to include the construction and installation of a new man way on the tank and a mixing system inside the tank and the removal of lead paint on the tank – all to bring the water tank in compliance with current OSHA and environmental standards - along with sealing, painting, depitting, preparation and mobilization work necessitated thereby (the “Project”); and

WHEREAS, the Village has complied with all advertising and public bidding requirements necessitated by New York State law for this Project; and

WHEREAS, the Village has received a low bid of \$238,000 for the Project from Amstar of Western NY which the Village intends to accept after the passage of this resolution; and

WHEREAS, this Board now desires to provide for the issuance of up to \$51,240.00 in serial bonds to partially pay for the cost of the Project; and

WHEREAS, this Board is proceeding pursuant to the provisions of the New York State Law to authorize an Agreement with Amstar of Western NY; and

WHEREAS, this Board deems it to be in the best interest of the citizens of the Village of Clifton Springs to provide for the financing of part of the cost of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF CLIFTON SPRINGS, ONTARIO COUNTY, NEW YORK, as follows:

Meeting of May 9, 2011 continued:

1. For the object or purpose of paying for the costs associated with the Project and to provide funds to defray the cost thereof, FIFTY-ONE THOUSAND TWO HUNDRED FORTY AND NO/100 DOLLARS (\$51,240) of the General Obligation Serial Bonds of the Village of Clifton Springs shall be issued pursuant to the provisions of New York State Local Finance Law; and

2. The specific object or purpose for which the obligations authorized by this resolution are to be issued is to pay part of the costs associated with performing reconstruction work on the Village water tank located on Pearl Street, which said work is to include the construction and installation of a new manway on the tank and a mixing system inside the tank and the removal of lead paint on the tank – all to bring the water tank in compliance with current OSHA and environmental standards - along with sealing, painting, depitting, preparation and mobilization work necessitated thereby; and

3. The estimated maximum cost of such object or purpose is \$238,000; and

4. The plan for paying the total cost of the Project is to pay \$156,760 from funds already being held by the Village, to pay \$30,000 from funds appropriated on the current year's budget and to issue General Obligation Serial Bonds of the Village of Clifton Springs in the principal sum of \$51,240, to be issued pursuant to Local Finance Law; and

5. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is 40 years, pursuant to subdivision 1 of paragraph a. of section 11.00 of Local Finance Law. It is further determined that the maximum maturity of the Serial Bonds herein authorized will not exceed five years; and

6. The faith and credit of said Village of Clifton Springs, Ontario County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied upon all of the taxable real property in the Village a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable; and

7. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Serial Bonds herein authorized, including renewals of such notes, is hereby delegated to the Mayor, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents and shall be sold in such manner as may be prescribed by the Mayor, consistent with the provisions of the Local Finance Law; and

8. The validity of such bonds may be contested only if:

(a) Such bonds are authorized for an object or purpose for which this Village is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication, or

(c) Such bonds are authorized in violation of the provisions of the Constitution.

9. This resolution, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, shall be published in full in the official newspaper of the Village of Clifton Springs.

Meeting of May 9, 2011 continued:

10. This resolution shall take effect immediately.

I, Lori Reals, Village Clerk of the Village of Clifton Springs do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Clifton Springs on May 9, 2011, by the following vote:

	<u>Aye</u>	<u>Nay</u>
William Hunter	X	
Earl Lincoln	X	
Daniel Blondell	X	
Melissa Kumkey	X	
Jeffrey Linsner	X	

Dated: May 10, 2011

Lori Reals, Village Clerk

The above was published in THE DAILY MESSENGER on May 12, 2011.

Award Bid on the Water Tank

Mayor Hunter spoke with Bob Raeman, Clark Patterson Lee. Mr. Raeman recommended the Village award the bid to Amstar of Western NY, not to exceed \$268,000, with change order number one reducing the price by \$30,000 for a final price of \$238,000.

After discussion motion was made by Trustee Blondell 2nd by Trustee Lincoln to award the bid to Amstar of Western NY.

Trustee Blondell voted AYE. Trustee Lincoln voted AYE, Trustee Kumkey voted AYE, Trustee Linsner voted AYE, Mayor Hunter voted AYE. Carried.

Village of Clifton Springs

Resolution on Expenditure for Water Tank Reconstruction

On Motion by Trustee Dan Blondell, Seconded by Trustee Jeff Linsner, voted and carried by Board Resolution:

WHEREAS, the Board of Trustees wishes to transfer \$157,000, maximum, out of its water reserve to pay for the Water Tank Reconstruction (Painting and Improvements).

WHEREAS, funds are available for such purpose in this Reserve Fund.

NOW THEREFORE BE IT RESOLVED, BY THE Board of Trustees of the Village of Clifton Springs authorizes as follows:

That the Clerk/Treasurer of the Village of Clifton Springs be, and she hereby by is, empowered to transfer the \$157,000 maximum from the water reserve fund to the water savings account. Said funds to be used solely for the purpose of paying for the Water Tank Reconstruction. This work is to be completed by Amstar of Western New York Inc.

This resolution shall be subject to a permissive referendum, as permitted by law.

Meeting of May 9, 2011 continued:

Trustee Blondell voted AYE, Trustee Linsner voted AYE, Trustee Kumkey voted AYE, Trustee Lincoln voted AYE, Mayor Hunter voted AYE. Carried.

The above was published in THE DAILY MESSENGER on May 12, 2011.

Water Tank

Letter from Clark Patterson Lee regarding the water tank project.

Reviewed. Motion was made by Trustee Lincoln 2nd by Trustee Kumkey to authorize Mayor Hunter to execute all documents submitted by Amstar of Western New York for the purpose of proceeding with improvements to the water tower. Trustee Lincoln voted AYE, Trustee Kumkey voted AYE, Trustee Blondell voted AYE, Trustee Linsner voted AYE, Mayor Hunter voted AYE. Carried.

Eric Merkley completes Basic Lab Course

Copy of Eric Merkley's Certificate of Completion for the Basic Lab Course.

Reviewed. This is the last course Mr. Merkley needed to take. Now arrangements will need to be made for him to take the DEC exam to obtain his wastewater license.

Ontario County flood damage

Letter from Jeff Harloff, Ontario County Emergency Management Office, regarding damage from flooding.

Reviewed. To the best of the Board's knowledge the Village has not had flooding that would qualify for FEMA funding.

Colgrove – sidewalk 60 East Main Street

Letter Mayor Hunter wrote to Mr. and Mrs. Gary Colgrove, 60 East Main Street, regarding sidewalk replacement by their home and their response.

Reviewed.

FCC – police radios

Letter from the Federal Communications Commission regarding narrow banding – this letter is referring to the police department radio license. Chief Upchurch has been given this letter.

Reviewed. This letter was given to Chief Scott Upchurch.

Warfield's – alcohol permit

Copy of the Renewal Application for Warfield's Restaurant to be able to serve alcohol in the English Garden.

Reviewed. This letter was given to Chief Scott Upchurch.

Midlakes Chemical Free Graduation Party

Letter from the Midlakes Chemical Free graduation party.

Reviewed. This has been given to Chief Scott Upchurch & Supervisor Jason Lannon so they can close the street for this event.

ZBA meeting minutes from April 18, 2011

Copy of the Zoning Board meeting minutes from April 18, 2011.

Reviewed. The ZBA granted permission for Mary DeRidder, 23 Broad Street, to place a fence on the line.

Planning Board meeting minutes from May 4, 2011

Copy of the meeting minutes from the Planning Board meeting of May 4, 2011.

Meeting of May 9, 2011 continued:

Reviewed. The Planning Board approved the site plan for Vince Denisi, 21 Kendall Street, to build a 25 x 32 addition at Denisi Flooring.

Upcoming training for Zoning and Planning

Copy of upcoming training from Ontario County Planning Department.

Reviewed. This has been given to the Zoning and Planning Board members.

Water tank

Copy of comments on the contract for the water tower from Attorney Graff.

Reviewed.

Library request for 5k during festival

Letter of request from the Library to have a 5K fun run-walk during the festival.

Reviewed. The Board granted permission for the 5k fun run-walk during the festival. Chief Upchurch is aware of this event. Clerk Reals notified the Village insurance company. Participants in the race are not covered by insurance. The library was made aware of this. Also the library was made aware that the Village does not furnish ambulance service. The library was informed they would need to make those arrangements directly with the ambulance company.

STREET DEPARTMENT: Trustee Kumkey reported the following:

Village of Clifton Springs

Resolution on Expenditure for Street Equipment Purchase

On Motion by Trustee Melissa Kumkey, Seconded by Trustee Jeff Linsner, voted and carried by Board Resolution:

WHEREAS, the Board of Trustees wishes to transfer \$65,200, maximum, out of its street equipment reserve to pay for the street equipment (dump truck purchase).

WHEREAS, funds are available for such purpose in this Reserve Fund.

NOW THEREFORE BE IT RESOLVED, BY THE Board of Trustees of the Village of Clifton Springs authorizes as follows:

That the Clerk/Treasurer of the Village of Clifton Springs be, and she hereby by is, empowered to transfer the \$65,200 maximum from the street equipment reserve fund to the general savings account. Said funds to be used solely for the purpose of paying for a new dump truck. This truck is being purchased from Regional International.

This resolution shall be subject to a permissive referendum, as permitted by law.

Trustee Blondell voted AYE, Trustee Linsner voted AYE, Trustee Kumkey voted AYE, Trustee Lincoln voted AYE, Mayor Hunter voted AYE. Carried.

The above was published in THE DAILY MESSENGER on May 18, 2011.

Pick up truck to auction

The 2005 Chevy pick up will be sold a municipal auction on May 14, 2011.

Broad Street

The sewer and storm sewer lines on Broad Street will be televised to look at the condition. The Village intends to bid a rebuild of Broad Street this summer.

Sherman Street

The crew will be working on preparation work on Sherman Street. New sidewalk and concrete gutters will be installed on Sherman Street this year and the street will be repaved.

Meeting of May 9, 2011 continued:

SEWER DEPARTMENT: Trustee Lincoln had nothing to report.

ZONING & PLANNING DEPARTMENTS: Trustee Blondell reported that Jaylene Folkins, ZBA Chairman and Mike Nurse, Planning Board Chairman continue to work on updating the residential codes with their Boards.

FIRE DEPARTMENT: Trustee Linsner reported the following:

Fire

Trustee Linsner went to the fire house. Trustee Linsner received a tour of the firehouse and an over view of the equipment and trucks. Trustee Lincoln also attended a safety meeting that was being held for fire department members.

POLICE DEPARTMENT: Mayor Hunter reported the following:

Police Activity- Schedule

The Board did not receive the police activity report for April. The Board received a police schedule for May.

PARK – YOUTH DEPARTMENT:

Basketball at park

Trustee Blondell spoke with Anderson Van Horne Insurance Agency regarding installing two permanent basketball hoops at the park in the area that was previously skating. Discussion was held on permanent hoops or portable hoops. The insurance company felt there may be less liability with permanent hoops.

Trustee Blondell also spoke with several companies and the local YMCA regarding basketball at the park. Trustee Blondell and the YMCA recommend installing two permanent hoops and making a basketball court, as well as placing one portable hoop for practicing. The permanent hoops will be padded. The hoops will be set at 10 feet.

Mayor Hunter indicated he is ok with this, but is concerned that the area might not always be for basketball.

After discussion motion was made by Trustee Blondell 2nd by Trustee Lincoln to purchase 2 permanent hoops and 1 portable hoop from Atomic Sports at a cost of \$6,000. All members present voting AYE.

Trustee Blondell will work with Supervisor Lannon on the requirements to install these correctly.

Adult Football

It appears that Finger Lakes Impact is practicing at the Wellspring Church, not at the Village Park.

WATER DEPARTMENT: Trustee Blondell reported the following:

Water Tank Painting

See correspondences

Miscellaneous Water Work

The water department has installed new service lines on Sherman Avenue. The department will be retiring a water line on West Main Street, near the Village line. Fire hydrants will be flushed May 26 and May 27 as part of the annual maintenance of the system. A leak survey will be completed soon. The fire hydrant on Kendall Street near the firehouse has been repaired.

MAYOR HUNTER REPORT: Mayor Hunter had nothing to report.

CLERK REALS REPORT: Clerk Reals had nothing to report.

Meeting of May 9, 2011 continued:

OLD OR OTHER BUSINESS TO COME BEFORE THE BOARD:

Tax Warrant

Trustee Lincoln offered the following resolution and moved its adoption 2nd by Trustee Linsner that the real property taxes for general fund purposes in the amount of \$589,056.94, plus unpaid water charges of \$16,552.38, plus unpaid sewer charges of \$11,613.00 for total of \$617,222.32 be levied on the 2011 assessment roll in accordance with section 1420 (1) of the real property tax law and further that Mayor William A. Hunter and Tax Collector Lori A. Reals execute the warrant for the collection of such Village taxes on June 1, 2011 in accordance with section 1420 (1) of the real property tax law. All members present voting AYE. Carried.

Certificate of Deposit – Fire Equipment

The following was made upon motion of Trustee Linsner 2nd by Trustee Kumkey:

Resolved, that pursuant to section 6-c of the General Municipal Law, as amended the Village Board has established a reserve fund to finance the cost of purchasing fire equipment.

The Clerk/Treas. is authorized to invest from time to time moneys of this fund pursuant to section 6-f of the General Municipal Law. At this time \$19,300 (amount not spent by the fire department in the 2010-2011 budget) be placed in a certificate of deposit. This certificate of deposit will be until mid August 2011, when these funds will be placed in the already existing certificate of deposit for fire equipment that currently has approximately \$62,351, making a total of approximately \$81,651 established for fire equipment.

No expenditure shall be made from this fund, except upon authorization from the Board pursuant to section 6-c of the General Municipal Law.

All members present voting AYE. Carried.

Executive Session

Motion was made by Trustee Kumkey 2nd by Trustee Blondell to enter into executive session at 8:15 pm. The purpose of the executive session was to review a letter from an attorney regarding a slip and fall. No action was taken in executive session. Motion to exit executive session was made by Trustee Kumkey 2nd by Trustee Blondell to exit executive session at 8:17 pm. All members present voting AYE. Carried.

Meeting of May 9, 2011 continued:

Monthly revenues and expenses

The Board received a listing of the revenues and expenses for the general, water and sewer funds thru April 2011.

Motion was made by Trustee Linsner 2nd by Trustee Linsner that Clerk Reals be and she is hereby authorized to transfer funds between the following appropriations as follows:

From A1325.2 to A1325.4	68.23
From A1450.1 to A1450.4	30.60
From A1910.4 to A1620.4	4,623.42
From A3120.2 to A3120.4	970.99
From A3510.4 to A3620.4	84.27
From A5110.2 to A5110.4	750.20
From A5112.2 to A5142.2	27.80
From A7140.2 to A7140.4	279.34
From A5110.1 to A8560.4	482.50
From A7140.2 to A8810.1	726.75
From F8340.4 to F1420.4	875.00
From F8340.4 to F1440.4	1,500.00
From F8340.4 to F8320.4	241.41
From F8340.4 to A8320.4A	7,863.41
From F8340.4 to F8340.1	947.92
From G8130.2 to G8130.4	1,841.91

All members present voting AYE. Carried.

Adjournment

There being no further business to come before the Board, motion made by Trustee Linsner 2nd by Trustee Linsner to adjourn. All members present voting AYE. Meeting adjourned at 8:18 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer