

June 11, 2012

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, Jeff Linsner, Dan Blondell, Earl Lincoln

Board Members Absent: None

Minutes: The minutes of the meeting of May 14, 2012 were approved upon motion by Trustee Linsner 2nd by Trustee Lincoln. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #1 through #85, and Broad Street Vouchers #0 - #0 were approved for payment by Trustee Lincoln 2nd by Trustee Kumkey. All members present voting AYE. Carried.

| | |
|----------------|--------------|
| General Fund = | \$185,761.37 |
| Water Fund = | \$ 28,674.27 |
| Sewer Fund = | \$ 40,883.42 |
| Broad Street = | \$ -0- |

Laurel Wemett, Reporter, from THE DAILY MESSENGER was present for this meeting.

Public Hearing – Local Law 1-2012

Mayor Hunter opened the public hearing at 7:00 p.m. on Local Law 1-2012, "A Local Law to override the tax levy limit established in General Municipal Law 3-c. This public hearing was properly advertised in THE DAILY MESSENGER on May 23, 2012. No persons appeared for discussion on this local law. Motion was made by Trustee Lincoln 2nd by Trustee Linsner to close the public hearing at 7:15 p.m. All members present voting AYE. Carried.

Motion was made by Trustee Blondell 2nd by Trustee Kumkey to adopt Local Law 1-2012 as written.

Local Law 1-2012

A local law to override the tax levy limit established in General Municipal Law 3-c

RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CLIFTON SPRINGS OF LOCAL LAW NO. 1 OF 2012

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Clifton Springs for a public hearing to be held by said Board of Trustees on June 11, 2012, at 7:00 p.m. at the Village Hall, 1 West Main Street, Clifton Springs, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village of Clifton Springs, on May 23, 2012 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on June 11, 2012, at 7:00 p.m. at the Village Hall, 1 West Main Street, Clifton Springs, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

Meeting of June 11, 2012 continued:

WHEREAS, the Board of Trustees of the Village of Clifton Springs, after due deliberation, finds it in the best interest of the Village of Clifton Springs to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Clifton Springs hereby adopts said Local Law No. 1 of 2012, entitled, "A Local Law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Clifton Springs, and to give due notice of the adoption of said local law to the Secretary of State of New York.

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 June 11, 2012, 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: June 12, 2012

Lori Reals, Village Clerk

SEAL

Village of Clifton Springs

Local Law No. 1 of the year **2012**

A local law to override the tax levy limit established in General Municipal Law §3-c

Be it enacted by the **Village Board**

Village of Clifton Springs as follows:

Section 1: Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Village of Clifton Springs, County of Ontario pursuant to General Municipal Law §3-c, and to allow the Village of Clifton Springs to adopt a village budget for (a) village purposes (b) fire protection districts and (c) any other special or improvement district governed by the village board for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2: Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the village board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the village board.

Section 3: Tax Levy Limit Override

The Village Board of the Village of Clifton Springs, County of Ontario, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Meeting of June 11, 2012 continued:

Section 4: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

PRIVILEGE OF THE FLOOR TO PERSONS ATTENDING THIS MEETING

No persons appeared before the Board.

CORRESPONDENCES

Local Law 1-2012 – tax cap override

Copy of the proposed local law 1-2012, a local law to override the tax levy limit established in General Municipal Law 3-c.

Discussed and adopted at the public hearing above.

Local Law 2-2-12

Amending the Senior Citizens Exemption

Copy of Local Law 2-2012, a local law to amend the Senior Citizens Exemption Limitations from \$15,000 to \$20,000.

After discussion the following resolution was offered by Trustee Lincoln 2nd by Trustee Blondell:

RESOLUTION INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING

WHEREAS, the Village Board of the Village of Clifton Springs, after due deliberation, finds it in the best interests of the Village to schedule a public hearing to solicit public comment upon a proposed Local Law entitled “A local law Amending the Senior Citizens Real Property Tax Exemption Limitations”; and

WHEREAS, the Village Board of the Village of Clifton Springs has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Village of Clifton Springs to proceed in accordance with the Code of the Village of Clifton Springs and the Laws of the State of New York in adopting said Local Law; and

NOW THEREFORE, BE IT RESOLVED, that the proposed Local Law entitled “A local law Amending the Senior Citizens Real Property Tax Exemption Limitations”, be and it is hereby introduced before the Board of Trustees of the Village of Clifton Springs, New York, and

BE IT FURTHER RESOLVED, that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Hall, 1 West Main Street in the Village of Clifton Springs, New York, at 7:00 p.m. on July 9, 2012; and

Meeting of June 11, 2012 continued:

BE IT FURTHER RESOLVED, that the Village Clerk publish or cause to be published a public notice in the official newspaper of the Village of said public hearing at least five (5) days prior thereto; and

BE IT FURTHER RESOLVED, that the Village Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Village of Clifton Springs sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Village Board of the Village of Clifton Springs for its consideration; and

BE IT FURTHER RESOLVED, that the Village Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

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 June 11, 2012, by the following vote:

| | Aye | Nay |
|-----------------|-----|-----|
| William Hunter | X | |
| Earl Lincoln | X | |
| Daniel Blondell | X | |
| Melissa Kumkey | X | |
| Jeffrey Linsner | X | |

Dated: June 12, 2012

Lori Reals, Village Clerk

SEAL

Donation from Midlakes Jr. Eagles for using the Fabrizi Park.

Copy of a check from Midlakes Jr. Eagles as a donation for using Fabrizi Park for youth football and youth cheerleading.

The Board greatly appreciates this donation and request that a thank you note be sent to Midlakes Jr. Eagles.

Water Storage Tank

Letter from Clark Patterson Lee to NYS Department of Health for work that has been completed at the water storage tank.

Reviewed.

Water Storage Tank – DOH Approval of Completed Work

Letter from NYS Department of Health with the Approval of the completed work at the water storage tank.

Reviewed. This work included improvements, and cleaning and painting of the 300,000 gallon water storage tank on Pearl Street.

Broad Street Project – water main replacement

Letter from Clark Patterson Lee to NYS Department of Health for work that was completed on Broad Street with the new water main.

Reviewed.

Meeting of June 11, 2012 continued:

ZBA – Meeting minutes from 5-21-12. Approval of home occupation for Christopher Leavold, 38 West Main Street.

Copy of the ZBA meeting minutes from May 21, 2012.

Reviewed. The ZBA approved the home occupation request of Christopher Leavold and provided interpretations as requested from the Planning Board in regards to Tim Capron's request at Go Green Bottle Redemption Center.

Planning Board – Meeting minutes from 6-6-12

Copy of the Planning Board meeting minutes from June 6, 2012.

Reviewed. The Planning Board has waived final detail plan drawings for Tim Capron at the Go Green Bottle Redemption Center. The Planning Board has not made a final decision as they are waiting for review from the Ontario County Planning Board.

Members of ZBA and Planning attend training

Copies of Certification of Participations for Jaylene Folkins, Jim Tears, Jacob Amidon and Charlie Hall for attending training for the Planning Board or ZBA.

The Board was very impressed that this many Board members attended training.

YMCA Annual Agreement

Copy of the annual YMCA agreement.

Trustee Linsner offered the following 2nd by Trustee Lincoln:

WHEREAS, the Village desires to enter into a contract with the YMCA Youth Program whereby the YMCA Youth Program will provide organized recreational programs to the youth of the Village, and

WHEREAS, the YMCA Youth Program desires to enter into a contract with the Village to provide organized recreational programs to the youth of the Village.

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. The YMCA Youth Program agrees to furnish organized recreational programs to the Youth of the Village for the sum of \$17,950 (\$14,184 from the Village of Clifton Springs, \$1,000 from the Town of Phelps, \$2,766 from the Town of Manchester) for the fiscal year beginning on the 1st day of June 2012, such sum to be paid to the YMCA on or about the 1st day of July 2012.
2. In consideration of the furnishings of organized recreational programs, the Village agrees to pay the YMCA the sum specified in paragraph one at the time so specified.
3. The YMCA agrees that the YMCA is restricted from using any of the above said funds to subsidize or off set in anyway the YMCA Child Care Program, including before and after school care and summer day sessions that families pay for.

All members present voting AYE. Carried.

Library Annual Agreement

Copy of the annual library agreement.

Trustee Kumkey offered the following 2nd by Trustee Linsner:

WHEREAS, the Village desires to enter into a contract with the Library whereby the Library will furnish such Library privileges to the people of the Village, and

WHEREAS, the Library desires to enter into a contract with the Village to furnish such Library privileges to the people of the Village,

Meeting of June 11, 2012 continued:

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. The Library agrees to furnish Library privileges to the people of the Village for a sum of \$12,750 for the year commencing on the 1st day of June 2012, such sum to be paid to the Library on or about the 1st day of July 2012.
2. In consideration of the furnishings of such Library privileges by the Library, the Village agrees to pay the Library the sum specified in paragraph one at the time so specified.

All members present voting AYE. Carried.

Standard Work Day for Elected and Appointed Officials

Information from NYS Retirement regarding elected officials and retirement. Judge Brooks has indicated he is now interested in joining the retirement system. This resolution was done September 14, 2009. Clerk Reals has learned this resolution needs to be re-done every time an election is held.

The Village Board reviewed this. Motion was made by Trustee Linsner 2nd by Trustee Blondell:

BE IT RESOLVED, that the Village of Clifton Springs, Location Code 40158, hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees Retirement System based on the time keeping system records or activities maintained and submitted by these officials to the clerk of this body:

| <u>Title</u> | <u>Participates</u> | <u>Name</u> | <u>Term Begins/Ends</u> | <u>Standard Work Day</u> |
|---------------------|---------------------|---------------------------|-------------------------|--------------------------|
| Mayor | | | | 6 hours |
| Trustee's | | | | 6 hours |
| Justice | | | | 6 hours |
| Clerk/Treas. | Yes | Lori A. Reals (appointed) | 4/2011-4/2015 | 8 hours |
| Deputy Clerk/Treas. | Yes | Linda Rider (appointed) | 4/2011-4/2015 | 8 hours |

Justice Randal Brooks is strongly considering joining the NYS Retirement System. Justice Brooks has been the Justice since April 2005. Should Justice Brooks join he is aware that he will need to keep a record of his work activities, including the hours worked and submit this log to the Village Board and the Board will determine how many days per month he should be credited with.

Lori Reals and Linda Rider submit a weekly time sheet and work a 40 hour work week.

Mayor Hunter called for a roll call vote which resulted in Trustee Lincoln voting AYE, Trustee Blondell voting AYE, Trustee Kumkey voting AYE, Trustee Linsner voting AYE, Mayor Hunter voting AYE. Carried.

STREET DEPARTMENT: Trustee Kumkey reported the following:

Various Projects Underway

The crew is busy with sidewalk installation. The street projects are nearing completion. The mowing of the cemetery is working out well. The crew did a very good job with the Sulphur Festival clean up.

SEWER DEPARTMENT: Trustee Lincoln reported the following:

Sewer Compost Roof

Change order number 2 has been signed by all parties. The Village is now waiting for Secor Lumber to begin this work.

Meeting of June 11, 2012 continued:

ZONING & PLANNING DEPARTMENTS: Trustee Blondell's report was covered under correspondences.

FIRE DEPARTMENT: Trustee Linsner reported the following:

Truck 571 (Rescue) needed repairs

Truck 571 was out of service for four days for brake and exhaust work. The truck is now back in service.

Pierce Fire trucks will have a fleet of trucks at the Burgundy Basin Inn on June 12, 2012 from 3pm – 8pm. All Board members are welcome to attend.

POLICE DEPARTMENT: Mayor Hunter reported the following:

Police Activity- Schedule

The Board received a police activity report for May. The Board received a police schedule for July.

PARK – YOUTH DEPARTMENT: Trustee Kumkey reported the following:

Spencer Linsner, park project

Spencer Linsner, local Boy Scout, will be working on his Eagle Scout project at the Village Park in early July. Spencer is leading a project to install sidewalk at the park from the street to the pavilion. This will provide much easier access for those with disabilities and individuals pushing strollers, wagons, wheelchairs etc. This project will also involve a great deal of lawn restoration at the park after the sidewalk is complete. Mr. Linsner is working with Jason Lannon, Street Supervisor, on this project.

Park rental – minor problem

Clerk Reals informed the Board that a group paid to use the park on June 10, 2012. When this group arrived at the park another group was there and would not leave. The person who paid to use the park did not want to create a problem. The Board would like Chief Upchurch to review the camera's to see if the police can tell who this was and also agreed to refund the park usage fee to the group that paid for June 10, 2012.

Clerk Reals also informed the Board that the park is pretty well reserved for the park season. At this time only two Sundays remain available in August.

WATER DEPARTMENT: Trustee Blondell reported the following:

Hydrant Flushing and leak repairs

The annual fire hydrant flushing is done. Leaks have been repaired on Crane Street and Hibbard Avenue.

Hydrant by Clifton Springs Plaza needs repair

The fire hydrant near Clifton Springs Plaza is in need of repair – replacement. This hydrant is where the Newark water line connects to the Village water line. Mr. Reed, Water Maintenance Technician, estimates the cost to replace the hydrant is \$6,100. As this hydrant is key in the event of a fire, the Board agrees this hydrant needs to be in good working condition and would like Mr. Reed to proceed with replacing the hydrant.

MAYOR HUNTER REPORT: Mayor Hunter reported the following:

Cemetery Wall

Mayor Hunter reported that the cemetery wall, near the site of General Frazier, has been repaired and looks very nice. The wall had deteriorated.

CLERK REALS REPORT: Clerk Reals reported the following

Meeting of June 11, 2012 continued:

Transfer of Funds

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

From A5112.2 to A5110.2 \$1,000.00

All members present voting AYE. Carried.

Adjournment

There being no further business to come before the Board, motion made by Trustee Lincoln 2nd by Trustee Linsner to adjourn. All members present voting AYE. Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer