

April 13, 2015

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: Bill Hunter, Mayor

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

Board Members Absent: Earl Lincoln

Minutes: The minutes of the meeting of February 9, 2015 and the Certificate of Canvass from the Village Election held on March 18, 2015 were approved upon motion by Trustee Linsner 2nd by Trustee Kumkey. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #788 through #875, and Broad Street Vouchers #1-#1 were approved for payment by Trustee Linsner 2nd by Trustee Blondell. All members present voting AYE. Carried.

General Fund =	\$ 27,579.13
Water Fund =	\$ 6,300.98
Sewer Fund =	\$ 10,266.33
Broad Street =	\$ -0-

**Bid Opening on one 2006 4 x 4 Ford F250 Pickup Truck with Plow Package**

This truck (former water truck) was declared surplus equipment and was properly advertised for sale in THE DAILY MESSENGER on March 31, 2015 and also advertised in THE MERCHANDISER. This truck is being sold as is, and does come with a plow package and an 8 foot western plow. Minimum bid required is \$9,000.00

One bid was received and opened. Bid #1 was received from Rick Dehond; 2 Hillside Drive, Clifton Springs, with a bid price of \$10,601.00. Motion was made by Trustee Blondell 2<sup>nd</sup> by Trustee Linsner to sell this truck to Rick Dehond for \$10,601.00. All members present voting AYE. Carried.

**Bid Opening on one 2006 2 x 4 Ford F250 Pickup Truck**

This truck (former sewer truck) was declared surplus equipment and was properly advertised for sale in THE DAILY MESSENGER on March 31, 2015 and also advertised in THE MERCHANDISER. This truck is being sold as is. Minimum bid required is \$5,000.00

No bids were received. The Board agreed to send this truck to the municipal auction that is held in May.

**Public Hearing on Local Law 1-2015**  
**Amending the Village of Clifton Springs Zoning Ordinance**  
**(Text Amendment to Light Industrial Code)**

Robert Woodhouse, Ed Maier and Arno Bebernitz from G.W. Lisk Company were present for the public hearing. Jaylene Folkins, ZBA Chairperson was also present for the public hearing.

Mayor Hunter opened the public hearing at 7:10 pm. This public hearing was properly advertised in THE DAILY MESSENGER on March 20, 2015. Notice of this hearing and a copy of the proposed local law was mailed to the Town of Manchester and the Town of Phelps. Discussion was held on the proposed local law. The local law was also sent to the Clifton Springs Planning Board and the Ontario County Planning Board for comments. The Village Board reviewed the comments that were received from the Village Planning Board and the County Planning Board. Jaylene Folkins reviewed with the Board the comments from the Ontario County Planning Board.

Meeting of April 13, 2015 continued:

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CLIFTON SPRINGS,  
ONTARIO COUNTY, NEW YORK,  
DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 1 OF 2015**

**WHEREAS**, the Village of Clifton Springs Village Board, hereinafter referred to as Village Board, has determined proposed Local Law No. 1 of 2015 to be a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations, and,

**WHEREAS**, the Village Board has reviewed and accepted the Environmental Record prepared on said action, and

**WHEREAS**, the Village Board has considered the potential impacts associated with said action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Village Board makes this Determination of Non-Significance based upon: the Long Environmental Assessment Form prepared for this action, Village Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

**BE IT FURTHER RESOLVED THAT**, the Village Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Village Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Village Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Village Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Village Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

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 April 13, 2015, by the following vote:

	<u>Aye</u>	<u>Nay</u>
William Hunter	X	
Earl Lincoln		was not present
Daniel Blondell	X	
Melissa Kumkey	X	
Jeffrey Linsner	X	

Dated: April 14, 2015

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Lori Reals, Village Clerk

SEAL

Meeting of April 13, 2015 continued:

**RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW NO. 1 OF 2015**

**WHEREAS**, a resolution was duly adopted by the Village Board of the Village of Clifton Springs for a public hearing to be held by said Village Board on April 13, 2015, at 7:10 p.m. at Clifton Springs Village Hall, 1 West Main Street, Clifton Springs, New York, to hear all interested parties on a proposed Local Law entitled, "A Local Law Amending the Village of Clifton Springs Zoning Ordinance" and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village of Clifton Springs, on March 20, 2015 and all other notices required to be given by law were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on April 13, 2015, at 7:10 p.m. at the Clifton Springs 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

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Village Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

**WHEREAS**, the Village Board 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 Village Board of the Village of Clifton Springs hereby adopts said Local Law No. 1 of 2015, entitled "A Local Law Amending the Village of Clifton Springs Zoning Ordinance", 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 Local Law Book of the Village of Clifton Springs, to give due notice of the adoption of said local law to the Secretary of State of New York, to publish an abstract of this local law in the Village's official newspaper and to post a copy of this local law conspicuously at or near the main entrance to the office of the Village Clerk.

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 April 13, 2015, by the following vote:

	Aye	Nay
William Hunter	X	
Earl Lincoln		was not present
Daniel Blondell	X	
Melissa Kumkey	X	
Jeffrey Linsner	X	

Dated: April 14, 2015

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Lori Reals, Village Clerk

SEAL

Meeting of April 13, 2015 continued:

Motion was made by Trustee Blondell 2<sup>nd</sup> by Trustee Linsner to close the public hearing at 7:20 pm and to adopt the resolution for the SEQR and the resolution to adopt local law 1-2015. All members present voting AYE. Carried.

Village of Clifton Springs

Local Law No.1 of the year 2015.

A local law amending the Village of Clifton Springs Zoning Ordinance

Be it enacted by the Board of Trustees

Village of Clifton Springs as follows:

Section 1. Subsection (3) of Paragraph F. of Section 120-17.1 of the Village of Clifton Springs Zoning Ordinance is hereby repealed and a new subsection (3) is hereby inserted in its place to read as follows:

(3) Industries using reportable quantities of chemicals under EPCRA (Emergency Planning and Community Right to Know Act), except where said industry has a Village of Clifton Springs discharge permit that was originally issued on or before March 1, 2015, that has not expired or been suspended, revoked, cancelled or otherwise terminated since its date of issuance, that has been filed with the Village of Clifton Springs on or before March 1, 2015 and remains on file with the Village of Clifton Springs and that covers the same process and chemicals permitted elsewhere in the Village of Clifton Springs. It is required that the new location be subject to the same testing and reporting requirements as the original location and added to the existing permit and such amended permit be filed with the Village of Clifton Springs prior to the issuance of a certificate of occupancy or a certificate of compliance.

Section 2. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such 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 thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 3. This Local Law shall take effect immediately upon filing with the New York Department of State.

**PRIVILEGE OF THE FLOOR TO PERSONS ATTENDING THIS MEETING**

**Jaylene Folkins, code update**

Jaylene Folkins, Zoning Board Chairman, appeared before the Board. Discussion was held on completing the code updates with John Steinmetz. Mr. Steinmetz estimates that it will cost \$9,000 to complete the code updates. The \$9,000 would be split between the Village of Clifton Springs and the Village of Shortsville. This cost includes drafting the administrative sections of the code, holding two additional committee meetings to review these sections, conducting three combined training sessions with the Villages, assisting the Villages with their respective SEQR and adoption processes and facilitating the two public hearings (one in each Village). The training sessions with the Villages will be on how to utilize the new codes.

The Board agreed to proceed and spend the additional \$4,500 needed to complete the code updates. Once the updates are complete they will be in a format that will minimize the amount of work needed by Village Attorney Jeff Graff to proceed with adopting the new codes, thru the local law process.

Meeting of April 13, 2015 continued:

Mayor Hunter thanked Jaylene Folkins and Jake Amidon for all their efforts, along with all members on the Planning and Zoning Boards that have worked over the last couple years on the code updates.

## **CORRESPONDENCES**

### **Sale of 2006 x 4 pickup truck with plow package**

Copy of the legal notice for bid opening on the water pickup truck, a 2006 2 x 4 with plow package and plow, minimum bid required \$9,000.

Bids were opened earlier in the meeting. The high bidder was Rick Dehond with a bid of \$10,601.00.

### **Sale of 2006 2 x 2 pickup truck**

Copy of the legal notice for the bid opening on the sewer truck, a 2006 2 x 2, minimum bid required \$5,000.

No bids were received. This truck will be taken to the municipal auction.

### **Village Planning Board minutes regarding Local Law 1-2015**

Copy of the Village Planning Board meeting minutes, with comments regarding the proposed local law.

Reviewed during the public hearing of the local law.

### **Ontario County Planning Board minutes regarding Local Law 1-2015**

Copy of the County Planning Board meeting minutes with comments regarding the proposed local law.

Reviewed during the public hearing of the local law.

### **Copy of the SEQR and Local Law 1-2015**

Copy of Local Law 1-2015 and the SEQR required for the local law. This is for the text amendment in the light industrial zone.

Reviewed and adopted during the public hearing of the local law.

### **Annual Organizational meeting**

Information required for the annual organizational meeting.

Reviewed during the annual organizational meeting, those minutes are separate from the Board minutes.

### **Kendall Street – contaminated land**

Copy of the letter Mayor Hunter and Bob Woodhouse sent to Senator Mike Nozzolio regarding the contaminated land on Kendall Street, near the old firehouse.

Reviewed. Finger Lakes Ambulance is interested in building on this property if the remediation cost could be removed.

### **Kendall Street – water project**

Proposals from Bob Raeman, Hunt Engineering, for surveying on Kendall Street for the possible water project.

Reviewed. Bob Raeman has supplied three quotes for surveying for the proposed water project on Kendall Street. Motion was made by Trustee Blondell 2<sup>nd</sup> by Trustee Linsner to accept the low bid of \$2,100 from Freeland – Parrinello. All members present voting AYE. Carried. Clerk Reals will advise Bob Raeman of this decision. Discussion was held on if this project proceeds, it will now being fall construction.

Meeting of April 13, 2015 continued:

Trustee Blondell will contact Mr. Raeman to see if the Village might qualify for any grants regarding this project.

**Election of Officers – Clifton Springs Fire Department**

Copy of the Officers elected by the Clifton Springs Fire Department, for 2015-2016.

Reviewed. Fire Chief will be Amanda Spence (Clifton Springs 1<sup>st</sup> female Chief), 1<sup>st</sup> Assistant Chief will be Jason McMillin, 2<sup>nd</sup> Assistant Chief will be Kodey Clark and Captain will be Steve DeCook.

The Board accepted these officers.

**Discussion on umbrella liability insurance for the Fire Department**

From Frank Stowell, the cost involved with increasing the umbrella liability insurance for the fire department.

Discussion was held. The department currently has \$1,000,000/\$2,000,000. Other options with cost were provided. No changes were made.

**Planning Board meeting minutes 4-8-2015**

Copy of the Planning Board meeting minutes from the meeting held on April 8, 2015.

Reviewed. The Board approved the site plan for a generator at the Spa Apartments, 11 East Main Street.

**Code Updates**

Email from Jaylene Folkins, ZBA Chairperson, to John Steinmetz regarding updating the Village codes.

Reviewed with the Board under privilege of the floor.

**NYCOM update on the State budget**

Email from NYCOM with an update on the State budget.

Reviewed.

**Code Updates**

**John Steinmetz – cost to complete the code**

Proposal for services from John Steinmetz to complete the code updates.

Reviewed with the Board under privilege of the floor. The Board approved spending up to \$4,500 more to complete the code updates.

**Our Children's Place – 5k race on June 20, 2015**

Request from Our Children's Place to hold a 5k race on June 20, 2015.

Reviewed. The Board is fine with the race. Clerk Reals will ask Our Children's Place for a copy of their insurance.

**STREET DEPARTMENT:** Trustee Kumkey reported the following:

**Winter clean up**

The crew is preparing for Spring. It has been a very long winter and the crew did an exceptional job keeping up with the streets and sidewalks. The crew will work on plow damage clean up.

**31 South Street – Demolished**

Recently the crew demolished the home at 31 South Street. The crew will complete with topsoil and seeding.

Meeting of April 13, 2015 continued:

**SEWER DEPARTMENT:** Mayor Hunter reported the following:

**Patrick King to attend Basic Lab**

Employee Patrick King is signed up to take the Basic Lab class at Morrisville College in June.

**WATER DEPARTMENT:** Trustee Blondell reported the following:

**Water repairs**

Numerous water lines froze over the winter. All properties are now thawed. Water lines have been repaired on Teft Avenue, Hibbard Avenue and Pleasant Street.

**ZONING & PLANNING DEPARTMENTS:** See the public hearing, privilege of the floor and correspondences.

**FIRE DEPARTMENT:** Trustee Linsner reported the following:

**Article on Chief Amanda Spence**

THE DAILY MESSENGER did a very nice article on Chief Amanda Spence and other female firefighters. The article was on the Board table for members to read and Trustee Linsner brought the article in as well.

**Mezzanine-loft**

The Department would like to proceed with having a mezzanine built in the fire house. Before this is built, the design needs to come back to the Board. The Board also wants to know who the builder is and make sure the builder is properly insured.

**Jason McMillin – Firefighter of the Year**

Jason McMillin has been named Clifton Springs Firefighter of the Year. This is the 2<sup>nd</sup> time Mr. McMillin has received this honor. The Board thanks Mr. McMillin and all the volunteers for their dedicated service.

**PARK – YOUTH DEPARTMENT:** Mayor Hunter reported the following:

**Bicycle rack at G.W. Lisk Community Park**

A bicycle rack will be installed at the G.W. Lisk Community Park. This bicycle rack was donated from the Clifton Springs Rotary Club. The crew will install the bike rack. The Village appreciates the Rotary Club donation to the park.

**Hiring of Karen Groover**

Motion was made by Trustee Kumkey 2<sup>nd</sup> by Trustee Linsner to hire Karen Groover as a seasonal laborer to clean the Village park. All members present voting AYE. Mrs. Groover has done this job for several summers and does an outstanding job. Mrs. Groover will start once the crew has the water turned on at the park.

**POLICE DEPARTMENT:** Trustee Lincoln was not present. Chief Upchurch provided the May schedule.

**MAYOR HUNTER REPORT:** Mayor Hunter reported the following:

**Jayme Kincaid, Deputy Code Enforcement resigns**

Jayme Kincaid, Deputy Code Enforcement Officer, has taken a full time job with another municipality. The Village of Clifton Springs appreciates the fine job Mr. Kincaid has done and wishes him great success in his future.

Meeting of April 13, 2015 continued:

**CLERK REALS REPORT:** Clerk Reals reported the following:

**Numerous reports and bank statements**

Clerk Reals provided the Board with the bank statements for March 2015, the trial balances, year to date numbers for expenses and revenues, the payroll time sheets since the last Board meeting, the fire department monthly report and the Village Justice monthly report.

**OTHER BUSINESS:**

**Aflac and COSCO**

Aflac (insurance) and COSCO (wholesaler) would like to talk with all employees to discuss what they can offer. Discussion was held on this. The Village has had Aflac come twice before. The Board agreed to allow both Aflac and COSCO to supply information that can be distributed with employee's paychecks but does not feel it is necessary to have them come and meet with the employees.

**Sulphur Springs Parade**

The Sulphur Springs Parade is June 6 at 6pm. Mayor Hunter and Trustee Blondell plan to participate in the parade.

**Executive Session**

Motion was made by Trustee Linsner 2<sup>nd</sup> by Trustee Blondell to enter into executive session to discuss legal correspondences in the case of Tina Bounds v Zoning Board of Appeals for the Village of Clifton Springs. No decisions were made in executive session. Motion was made by Trustee Linsner 2<sup>nd</sup> by Trustee Blondell to exit executive session and resume the regular Board meeting. All members present voting AYE. Carried.

**Transfer of Funds**

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

From A1210.4 to A1110.1	1.00
From A9089.8 to A1420.4	250.00
From A1450.1 to A1420.4	125.00
From A1990.4 to A1420.4	282.75
From A4020.4 to A1325.4	18.63
From A9015.8 to A1420.4	800.00
From A1915.8 to A1440.4	1,419.20
From F8340.4A to F8340.4	8,000.00

All members present voting AYE. Carried.

**Adjournment**

There being no further business to come before the Board, motion made by Trustee Linsner 2<sup>nd</sup> by Trustee Kumkey to adjourn. All members present voting AYE. Meeting adjourned at 8:16 p.m.

Respectfully submitted,

Lori A. Reals  
Clerk/Treasurer