

June 13, 2016

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: Jeff Linsner, Melissa Kumkey, Dan Blondell, Earl Lincoln

Board Members Absent: None

Minutes: The minutes of the meeting of May 9, 2016 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 #81, were approved for payment by Trustee Lincoln 2nd by Trustee Blondell. All members present voting AYE. Carried.

General Fund =	\$ 169,798.05
Water Fund =	\$ 68,764.25
Sewer Fund =	\$ 10,571.51

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

No persons appeared before the Board.

**CORRESPONDENCES:**

Information from Attorney Graff regarding annexing the parcel of land that the Village owns, that part of the sewer plant is on, from the Town of Phelps to the Village.

Discussion was held. Currently the town line goes thru the Village property. This is creating a problem with the solar power project, and the Village Board agreed that all property owned by the Village, that is contiguous to the Village, should be within the Village limits. Mayor Hunter spoke with some representatives on the Town Board and the Town Board understands the problems this can present. For this reason the Village Board agreed to petition the Town Board for annexation of this parcel from the Town to the Village. The following petition was prepared by Attorney Graff and accepted by the Village of Clifton Springs for presentation to the Town of Phelps.

Motion was made by Trustee Blondell seconded by Trustee Linsner to authorize Mayor Hunter to sign the petition and to present the petition to the Town of Phelps with Trustee Blondell voting AYE, Trustee Linsner voting AYE, Trustee Lincoln voting AYE, Trustee Kumkey voting AYE and Mayor Hunter voting AYE. Carried.

**PETITION FOR THE ANNEXATION OF TERRITORY**  
**ADJOINING THE VILLAGE OF CLIFTON SPRINGS IN THE TOWN OF PHELPS,**  
**ONTARIO COUNTY STATE OF NEW YORK**

For Presentation to the Town Board of the Town of Phelps and the Board of Trustees of the Village of Clifton Springs.

Pursuant to Article 17 of the New York State General Municipal Law, the petitioner, Village of Clifton Springs, petitions to annex to the Village of Clifton Springs all the territory which is not in a village, but which is in the Town of Phelps, County of Ontario, New York, which adjoins the Village of Clifton Springs, and is described in Paragraph "1" of this Petition.

Meeting of June 13, 2016 continued:

1. Petitioner seeks to have certain territory in the Town of Phelps, County of Ontario and State of New York, which adjoins the Village of Clifton Springs, County of Ontario, New York, annexed as part of the Village of Clifton Springs. A description of the territory to be annexed is described in Exhibit "A" attached hereto and made a part hereof.

3. The petitioner is the owner of all of the assessed valuation of the property in the territory sought to be annexed upon the last preceding Town of Phelps Assessment Roll.

4. There are no persons residing in the territory sought to be annexed.

5. An outlined map of the territory sought to be annexed and described in paragraph 1 is attached hereto and made a part hereof as Exhibit "B".

6. Attached to this petition as Exhibit "C" is a certificate signed by the Assessor of the Town of Phelps responsible for the preparation of the last preceding assessment role of the Town of Phelps certifying that the petitioner is the owner of all of the assessed valuation of the real property in the territory herein sought to be annexed to the Village of Clifton Springs.

In Witness Whereof, the Village of Clifton Springs, by its Mayor, William Hunter has hereunto set its hand and seal and signed the foregoing petition this 13th day of June 2016.

Petitioner

Village of Clifton Springs

Attest:

By: \_\_\_\_\_

\_\_\_\_\_

William Hunter, Mayor

Lori A. Reals, Village Clerk/Treasurer  
of the Village of Clifton Springs

Clerk Reals certified the petition. The petition was presented and accepted by the Village of Clifton Springs Board and then the certified copy of the above petition was given to Linda A. Rider, Deputy Clerk/Treasurer for the Village of Clifton Springs and on June 13, 2016, Deputy Clerk Rider hand delivered the petition to the Town of Phelps, Town Board and the Town of Phelps accepted the petition at their meeting on June 13, 2016.

Discussion was held on the need for a public hearing. Motion was made by Trustee Blondell seconded by Trustee Linsner to hold a public hearing on the proposed annexation with Trustee Blondell voting AYE, Trustee Linsner voting AYE, Trustee Lincoln voting AYE, Trustee Kumkey voting AYE and Mayor Hunter voting AYE. Carried.

**NOTICE OF HEARING ON PETITION FOR ANNEXATION OF TERRITORY IN THE TOWN OF PHELPS TO THE VILLAGE OF CLIFTON SPRINGS**

Notice Is Hereby Given, that a petition, pursuant to General Municipal Law Article 17, has been received by the Town Board of the Town of Phelps, Ontario County, New York (the "Town") and the Village Board of the Village of Clifton Springs, Ontario County, New York (the "Village"), for the annexation of the following described territory situated in the Town to the Village:

Meeting of June 13, 2016 continued:

ALL THAT TRACT OR PARCEL OF LAND, situate in, Town of Phelps, Ontario County, New York, and being more particularly described as follows:

Beginning at a point in the north corporation line of the Village of Clifton Springs, said point being the intersection of the north corporation line of the Village of Clifton Springs with the west line of lands belonging to the Village of Clifton Springs per Liber 750 of Deeds at page 454, and proceeding thence,

N 07° 58' 30" E, along the west line of said lands of the Village of Clifton Springs per Liber 750 of Deeds at page 454, for a distance of 193 feet, more or less, to a point in the center line of Sulphur Creek; thence, northeasterly, along the center line of Sulphur Creek to a point, said point being N 63° 10' 45" E, along a tie line, a distance of 601.69 feet from the last described boundary corner; thence, S 76° 32' 37" E, along the north line of said lands of the Village of Clifton Springs, for a distance of 233 feet, more or less, to a point; thence, S 09° 01' 03" W, along the east line of said lands of the Village of Clifton Springs and the east line of other lands of the Village of Clifton Springs per Liber 659 of Deeds at page 688, for a distance of 503 feet, more or less, to the north corporation line of the Village of Clifton Springs; thence, N 82° 54' 46" W, along the north corporation line of the Village of Clifton Springs, for a distance of 717.27 feet to the point and place of beginning and containing 6.8 acres of land, more or less.

Notice Is Further Given, that on the 14th day of July, 2016, at 9:00 AM of that day, a joint hearing upon such petition will be held by the Town Board of the Town of Phelps and the Village Board of the Village of Clifton Springs, at the Village of Clifton Springs Village Hall, 1 West Main Street, Clifton Springs, New York. At such time and place all persons interested in the matter may be heard. Objections based on any of the grounds set forth in General Municipal Law § 705(1)(a), (b), (c) or (d) shall, in addition to oral testimony thereon, be submitted in writing.

Dated: Clifton Springs, New York June 14, 2016

By Order of the Village Board of the Village of Clifton Springs, New York

Lori A. Reals, Village of Clifton Springs Clerk/Treasurer

**SEQR for proposed annexation**

SEQR Environmental Form for the annexation proposal.

Robert Raeman, Hunt Engineers, has prepared the short environmental assessment form for the SEQR. The Village Board of the Village of Clifton Springs will be the lead agency. This was discussed with the Town of Phelps, Town Clerk, and was agreed upon. The completed SEQR was presented to the Town of Phelps Town Board on June 13, 2016. The Boards hope to make a determination at the joint public hearing on July 14, 2016.

Copy of the bond resolution for the borrowing for the Kendall Street water main replacement project.

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF SERIAL BONDS FOR THE REPLACEMENT OF WATER MAINS ON KENDALL STREET**

Meeting of June 13, 2016 continued:

**WHEREAS**, this Village Board recognizes the need to replace certain water mains located within Kendall Street, which said work is to include the installation of new 8" HDPE water mains and appurtenances from West Main Street to Stephens Street by various boring methods as well the installation of new water service distribution piping to properties within the Kendall Street right-of-way (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 \$177,590.00 for the Project from Blue Heron Construction Company, LLC; and

**WHEREAS**, this Board now desires to provide for the issuance of up to \$119,000.00 in serial bonds to partially pay for the cost of the Project; 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:

1. For the object or purpose of paying for part of the costs associated with the Project and to provide funds to defray the cost thereof, ONE HUNDRED NINETEEN THOUSAND AND NO/100 DOLLARS (\$119,000.00) 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 the Project; and

3. The estimated maximum cost of such object or purpose is \$177,590.00; and

4. The plan for paying the total cost of the Project is to pay \$58,590.00 from an available fund balance already being held by the Village and to issue General Obligation Serial Bonds of the Village of Clifton Springs in the principal sum of \$119,000.00, 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

The validity of such bonds may be contested only if:

Meeting of June 13, 2016 continued:

(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.

10. This resolution shall take effect immediately.

I, Lori Reals, Village Clerk/Treasurer 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 13, 2016, by the following vote:

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

Dated: June 14, 2016

\_\_\_\_\_  
Lori Reals, Village Clerk/Treasurer

**Site Plan – solar project**

Copy of the Planning Board minutes from May 18, 2016, regarding the site plan approval for the solar project.

Reviewed.

**Sale of 1991 Mack dump truck**

Copy of the seller settlement from the sale of the 1991 Mack dump truck.

Reviewed. The Village received \$4,500 for the truck.

**Article on Solar**

Information supplied by Mayor Hunter, called “The Power of Light: Solar” that refers to Hunt Engineers and Bob Raeman.

Reviewed.

**Change in ISO classification**

Letter from ISO regarding the change in ISO classification. The Village can respond to this letter if they desire too.

Reviewed.

**Two family units in new code**

Email from Jaylene Folkins regarding two family/apartments in the new code.

They Village Board would like any two units dwellings going forward to need a special use permit. The Village will work on a map that shows where any residential dwelling units that are more than one unit are located.

Meeting of June 23, 2016 continued:

**Dan McGrath attends training**

Copy of the Certificate of Participation for Dan McGrath attending training.

The Village appreciates Mr. McGrath attending the training.

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

**Street Projects**

The crew did a great job with preparation and clean up during Sulphur Festival.

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

**Clarifier Project**

The wastewater plant clarifier project has begun.

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

**Miscellaneous Projects**

Water service has been installed at ½ Park Street for a new home.

The backflow device at Patrick's Funeral Home will be tested this week.

The crew will begin working on water meter replacements on West Main Street and Broad Street.

**ZONING & PLANNING DEPARTMENTS:** Trustee Blondell reported the following:

The Boards continue working with consultant John Steinmetz on finalizing the code.

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

**Ladder Truck**

The ladder truck was recently repaired and the Department is pleased with the repair work. Some work needed to be done on the cylinders and the Department saved considerable money by transporting the cylinders themselves. The Village appreciates the extra effort the Department made to save on the repair costs.

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

**Game Ga Ga**

Todd Freelove would like to meet as he may have selected the location for the Ga Ga game. The police department and Trustee Lincoln want the game in view of the camera system. Eric Merkley, Chief Sewer Plant Operator, is willing to build the game. Trustee Kumkey will have Street Supervisor Jason Lannon contact Mr. Merkley and discuss any concerns he may have. It is anticipated the game will be installed at the G.W. Lisk Community Park.

**POLICE DEPARTMENT:** Trustee Lincoln had nothing to report.

The work schedule for the month of July was submitted.

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

**Kendall Street**

Mayor Hunter asked the Board to consider additional work to be done by the Village on Kendall Street, after the water line work is completed. Mayor Hunter suggests new sidewalk on the West side from West Main Street to Stephens Street, some tree removal and some type of repair work to the street itself from West Main Street to Kendall Street. The Board agrees that now it the time to repair that portion of the street and is agreeable to the repair work stated above.

Meeting of June 13, 2016 continued:

**CLERK REALS REPORT:** Clerk Reals provided the Board with the bank statements for May 2016, along with the trial balances, payroll information, the justice court report, copies of zoning violation letters, and a detailed listing of revenues and expenses thru May, 2016.

**OTHER BUSINESS:**

**Russell's Dog Permit – 15 Hibbard Avenue**

A neighbor reported that Garrett and Robin Russell, 15 Hibbard Avenue, have 4 dogs. A letter will be sent to the Russell's asking them to confirm how many dogs they have.

**Jerry Haers – Hillside Drive – possible subdivision**

Discussion was held on Jerry Haers property, with a possible sub division request on Hillside Drive. A letter will be sent to Mr. Haers informing him that he will need to supply a full build out of the proposed subdivision.

**YMCA agreement**

Trustee Linsner offered the following 2<sup>nd</sup> by Trustee Kumkey:

**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 \$20,950 (\$14,684 from the Village of Clifton Springs, \$2,000 from the Village of Clifton Springs for supervision at the G.W. Lisk Community Park, \$1,500 from the Town of Phelps, \$2,766 from the Town of Manchester) for the fiscal year beginning on the 1<sup>st</sup> day of June 2016, such sum to be paid to the YMCA on or about the 1<sup>st</sup> day of July 2016.
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**

Trustee Linsner offered the following 2<sup>nd</sup> by Trustee Kumkey:

**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,

**NOW THEREFORE BE IT AGREED AS FOLLOWS:**

Meeting of June 13, 2016 continued:

1. The Library agrees to furnish Library privileges to the people of the Village for a sum of \$13,500 for the year commencing on the 1<sup>st</sup> day of June 2016, such sum to be paid to the Library on or about the 1<sup>st</sup> day of July 2016.
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.

#### **Transfer of Funds**

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

From A5112.2 to A5110.2	\$9,500.00
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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 Blondell to adjourn. All members present voting AYE. Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Lori A. Reals  
Clerk/Treasurer