

August 14, 2017

A regular meeting of the Village Board held on the above date was called to order at 6:00 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, Earl Lincoln

Board Members Absent: Jeff Linsner

Minutes: The minutes of the meeting of July 10, 2017 were approved upon motion by Trustee Lincoln 2nd by Trustee Blondell. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #148 through #239, were approved for payment by Trustee Lincoln 2nd by Trustee Kumkey. All members present voting AYE. Carried.

General Fund =	\$ 69,277.36
Water Fund =	\$ 5,544.59
Sewer Fund =	\$ 31,966.24

Mayor Hunter opened up the public hearing at 6:00 PM. No persons appeared before the Board regarding Local Law 1-2017.

Motion was made by Trustee Kumkey 2<sup>nd</sup> by Trustee Lincoln to close the public hearing at 6:35 and to adopt Local Law 1-2017.

RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF TRUSTEES OF  
THE VILLAGE OF CLIFTON SPRINGS OF LOCAL LAW NO. 1 OF 2017

**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 August 14, 2017, at 6:00 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 July 14, 2017 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 August 14, 2017, at 6:00 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

**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 2017, 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

Meeting of August 14, 2017

**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 August 14, 2017 by the following vote:

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

Dated: August 15, 2017

\_\_\_\_\_  
Lori Reals, Village Clerk

SEAL

Village of Clifton Springs

Local Law No. 1 of the year 2017

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 fire departments and (c) any other special or improvement district governed by the village board for the fiscal year commencing June 1, 2018 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, 2018 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

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

Meeting of August 14, 2017 continued:

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.

Mayor Hunter opened up the public hearing at 6:05 PM. No persons appeared before the Board regarding Local Law 2-2017.

Motion was made by Trustee Kumkey 2<sup>nd</sup> by Trustee Lincoln to close the public hearing at 6:35 and to adopt Local Law 2-2017.

RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF TRUSTEES OF THE  
VILLAGE OF CLIFTON SPRINGS OF LOCAL LAW NO. 2 OF 2017

AMENDING CHAPTER 108 (VEHICLES AND TRAFFIC) OF THE CODE OF THE  
VILLAGE OF CLIFTON SPRINGS

**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 August 14, 2017, at 6:05 p.m. at the Village Hall, 1 West Main Street, Clifton Springs, New York 14432, to hear all interested parties on a proposed Local Law Amending Chapter 108 (Vehicles and Traffic) of the Code of the Village of Clifton Springs;

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village of Clifton Springs, on July 14, 2017 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 August 14, 2017, at 6:00 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

**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 2017, entitled, "A Local Law Amending Chapter 108 (Vehicles and Traffic) of the Code of the Village of Clifton Springs", 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.

Meeting of August 14, 2017 continued:

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 August 14, 2017 by the following vote:

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

Dated: August 15, 2017

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

SEAL

Village of Clifton Springs

Local Law No. 2 of the year 2017

A local law Amending Chapter 108 (Vehicles and Traffic) of the Code of the Village of Clifton Springs

Be it enacted by the Board of Trustees Village of Clifton Springs as follows:

Village

Section 1. Section 108-36 of the Code of the Village of Clifton Springs (Schedule VIII: entitled "Parking Prohibited at All Times") is hereby amended by adding the following street to this schedule:

Name of Street	Side	Location
East Main Street	North	From Crane Street west for 30 feet

Section 2. Section 108-39 of the Code of the Village of Clifton Springs (Schedule XI: entitled "Parking Prohibited Certain Hours") is hereby amended by adding the following street to this schedule:

Name of Street	Side	Hours/Days	Location
Pleasant Street	Both	All day/November 15 thru March 31	From curb line to curb line from Dewey Avenue South 650 feet to Webb Avenue

Section 3. 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 effect, 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 4. This local law shall take effect upon both the filing with the Secretary of State and the Village posting signs or markings giving notice of the new parking regulations.

Meeting of August 14, 2017

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

**Concern over railcars on Stephens Street**

Deborah Finley, 27 Stephens Street, appeared before the Board. Ms. Finley is concerned about the railroad cars that are sitting on the railroad spur by the beanery behind her home. Ms. Finley would like the railcars moved. Ms. Finley contacted The Delong Company, owner of the beanery from Wisconsin and they said to bad, because the railcars would be needed in the next several weeks.

Mayor Hunter said he would contact Duane Thompson, former owner and current Manager of the beanery. In the past Mr. Thompson indicated to Mayor Hunter that if he had too he could move the railcars to Manchester. Mayor Hunter informed Ms. Finley he could not make any promises, but he would try to get them moved to Manchester.

**Brian Passalacqua – Foster Block bed bugs**

Brian Passalacqua, resident of the Foster Block appeared before the Board. Mr. Passalacqua was present to discuss his concern over bed bugs in the Foster Block. Mr. Passalacqua gave the Board the history on the bed bugs in the building.

Mr. Passalacqua read the section of the code from the International Property Maintenance Code that pertains to pest management.

Mr. Passalacqua wants the Village to verify that the bed bug problem has been eliminated and make sure the bed bugs don't return.

Mayor Hunter had Mr. Passalacqua read a letter from the Foster Block that states the problem has been taken care of.

Mr. Passalacqua wants to know who is going to guarantee that the bed bugs are eliminated.

The Board suggested that Mr. Passalacqua follow up with the Village Code Enforcement Officer as he is the person that the Foster Block will be providing information too on this issue.

**Police Chief Scott Upchurch regarding increase in beds at F.L.A.C.R.A.**

Police Chief Scott Upchurch met with Marty Teller, Director of FLACRA, regarding a recent article in the paper that stated FLACRA would be increasing the number of beds in the building by 25. This will be done thru a grant and in an effort to help with the opium problem that is throughout New York State.

After the discussion, Chief Upchurch indicated that things at FLACRA should actually improve if the programs fall into place like FLACRA says it should.

Chief Upchurch also discussed with Mr. Teller concerns over the high volume of hang up 911 calls and concerns with residents smoking. There was a valid reason for the 911 calls and that has now been corrected. Mr. Teller will work with the staff and residents and try to relocate people back to the off- site smoking area.

**CORRESPONDENCES:**

**Local Law 1-2017 – allowing the Village to exceed the property tax cap**

For the public hearing, Local Law 1-2017, which allows the Village to exceed the property tax cap limit.

Reviewed and adopted at the public hearing.

Meeting of August 14, 2017 continued:

**Local Law 2-2017 – No Parking part of downtown and part of Pleasant St.**

For the public hearing, Copy of Local Law 2-2017, which includes the two proposed traffic changes, one in front of Peirce's gift shop and one for "No Parking" on Pleasant Street, from Dewey to Webb. This adds no parking on the east side of the Pleasant Street during the winter season.

Reviewed and adopted at the public hearing.

**County Board Supervisors – Emergency Response Team**

Resolution from the County Board of Supervisors regarding the Emergency Response Team.

Reviewed.

**Contacts for Midlakes Jr. Eagles**

List of contacts for the Midlakes Jr. Eagles. (Football & Cheerleading at Village Park)

Reviewed. Supervisor Lannon has also received this.

**Request for chickens – 25 South Street**

Request for chickens from Kristen Archer, 25 South Street.

The Board reviewed this and granted the permit with the following conditions:

- 1) The permit is for no more than nine (9) chickens, and no roosters.
- 2) The chickens are to be housed behind your home in a shed/chicken coop. No free range chickens are allowed.
- 3) The permit is good for one year from August 2017 until August 2018. As a reminder the Village code reads as follows: Section 49.1A, of the Village Code "Such special permit may be granted for a period of one year unless it shall appear from complaints of neighbors or otherwise that the keeping of the animal in question is objectionable or offensive by reason of noise, smell or other cause. Such a special permit shall be revocable at any time by the Board of Trustees."
- 4) After a one-year period, should the permit still be in effect, you are responsible to appear or write to the Board for the permit to continue.

**Village is a Climate Smart Community**

Letter from NYS DEC regarding the Village being a Climate Smart Community.

Reviewed. This had to be done for the food composting grant for the sewer plant.

**From County – Tax Savings Plan**

A packet of information from Ontario County, County Administrator, with the 2018 Property Tax Savings Plan.

Reviewed. The Board was very impressed with this information and found the document very informative.

**Paid Family leave**

Information from NYCOM regarding paid family leave, which is optional for public employers.

Reviewed and discussed. As this would be an additional expense to the employees the Village Board agreed the Village would not be participating in this.

Meeting of August 14, 2017 continued:

**ZBA minutes 7-17-2017**

Meeting minutes from the ZBA meeting held on July 17, 2017.

Reviewed.

**Planning Board minutes 8-9-2017**

Meeting minutes from the Planning Board meeting held on August 9, 2017.

Reviewed.

**Legal notice – ZBA hearing for G.W. Lisk parking lot to the north**

Copy of the legal notice for an upcoming ZBA public hearing for a possible parking lot at G.W. Lisk Company Inc.

Reviewed.

**Updated roll for ZBA and Planning Board**

Updated Membership Roll for the ZBA and Planning Board.

Reviewed.

**PESH violations at the Street Department**

Letter and violations from PESH regarding violations at the street department.

Reviewed. The three violations have all been corrected. A letter will be sent to PESH informing them of this.

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

**Miscellaneous**

The crew will be doing some sidewalk work on Broad Street and South Street, once they are done with water work. A small tree will be removed by the crew near 70 West Main Street.

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

**Grit Removal**

Grit removal at the sewer plant is underway. This is a big project and is done approximately every 5 years.

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

**Miscellaneous**

The crew is busy installing water meters. The crew replaced a fire hydrant near The Merchandiser on Stephens Street. The crew will be working on the instillation of water and sewer lines for a new home at 3 Park Street.

**ZONING & PLANNING DEPARTMENTS:** Trustee Blondell had nothing to report.

**FIRE DEPARTMENT:** Trustee Linsner was absent.

**PARK – YOUTH DEPARTMENT:** Nothing was reported.

**POLICE DEPARTMENT:** The police schedule for August was presented.

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

Meeting of August 14, 2017 continued:

**Consolidation of Health Officer thru shared services**

In the shared services report that the County and many others have been working on, it was determined that many municipalities could see a cost savings with the elimination of the "Health Officer" and have a the head of Ontario County Public Health serve as the Health Officer for all. This plan works for the Village as Clifton Springs Health Officer Kathy Vanderbrook term expires in March 2018. At that time the Village will use the person that is serving Ontario County. The savings to the Village will be \$200 per year.

**CLERK REALS REPORT:** Clerk Reals provided the Board with the justice court reports, copies of zoning violation letters, payroll worksheets, fire report for July, bank statements for June and July, trial balances for June and July, year to date revenue and expenses for June and July and a spread sheet on solar power thru August 14, 2017.

**Ontario County Freight Corridor**

The Ontario County Freight Corridor book was on the board table for all to review. The book has been on the front counter of the Village Hall also for all to review.

**OTHER BUSINESS:**

**Lawn – weed maintenance at solar power site**

Mayor Hunter has sent a certified letter to American Electric Power (AEP), owner of the solar site on the Village property. The solar panel area has been poorly maintained by AEP. The Village understood that gravel would be placed under the solar panels to reduce the maintenance or that a contractor would be hired to keep up with the maintenance. The Village is very unhappy with the appearance of this property and has informed AEP that this is unacceptable. AEP has been in contact with Clerk Reals and has indicated they are working on getting a contractor to take care of this.

**Village Hall drainage problem**

Trustee Lincoln reported that the gutter that catches the roof water on the west side of Village hall is not working. The drain has been snaked and dug up and the blockage has not yet been reached. Trustee Lincoln suggests re-routing the drainage thru the basement of the Village hall and allowing it to exit on the east side of the building and discharge to Main Street. The water is coming into the basement and could jeopardize the foundation of the Village Hall building. The Board agreed that the crew will work with Scott Hartman to resolve the problem.

**Adjournment**

There being no further business to come before the Board, motion made by Trustee Lincoln 2nd by Trustee Kumkey to adjourn. All members present voting AYE. Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Lori A. Reals  
Clerk/Treasurer