

September 10, 2018

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: Dan Blondell, Jeff Linsner, Earl Lincoln, Jim Keyes

Board Members Absent: None

Also Attending: Street – Water Supervisor Jason Lannon, Village Justice Holly Adams, Village Resident Tom Bagshaw, from the Clifton Springs Volunteer Fire Department Chief Jason McMillin, First Assistant Chief Kodey Clark, 2nd Assistant Chief Steve DeCook, and Jeff Guard

Minutes: The minutes of the meeting of August 13, 2018 were approved upon motion by Trustee Linsner 2nd by Trustee Keyes. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #260 through #335, approved for payment by Trustee Lincoln 2nd by Trustee Linsner. All members present voting AYE. Carried.

General Fund =	\$ 72,769.57
Water Fund =	\$ 49,570.98
Sewer Fund =	\$ 22,918.33

Mayor Hunter opened the public hearing at 6:00 PM No persons present appeared before the Board to discuss the proposed local law. This local law was properly advertised in THE DAILY MESSENGER on August 31, 2018. After review by the Village Board, motion was made by Trustee Lincoln 2nd by Trustee Blondell to close the public hearing at 6:15 PM and to adopt local law 2-2018. All members present voting AYE.

RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CLIFTON SPRINGS OF LOCAL LAW NO. 2 OF 2018

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 September 10, 2018, 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 August 31, 2018 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 September 10, 2018, 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.

Meeting of September 10, 2018 continued:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Clifton Springs hereby adopts said Local Law No. 2 of 2018, 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/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 September 10, 2018 by the following vote:

	Aye	Nay
William Hunter	X	
Earl Lincoln	X	
Daniel Blondell	X	
Jeffrey Linsner	X	
James Keyes	X	

Dated: September 11, 2018

Lori Reals, Village Clerk/Treasurer

SEAL

Village of Clifton Springs
Local Law No. 2 of the year 2018

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, 2019 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, 2019 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Meeting of September 10, 2018 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:

Supervisor Jason Lannon – Street and Water reports

Jason Lannon appeared before the Board to give his street and water reports.

Street report: Tree removal will be done soon. The crew has poured approximately 700 feet of sidewalk on Park Street, South Street, Woodview Lane and Prospect Street. The hoist on truck 2 is leaking and the repair may be an expensive fix. The crew will be working on catch basin cleaning and repair.

Water report: The crew will be turning water valves soon. Only three residential water meters remain to be replaced into radio remote reads. One these three are completed 100% of the residential meters will have radio remote readers. This process has taken place over the last four years and the Board appreciates the Village crews' efforts in getting these meters replaced and Deputy Clerk Linda Riders efforts in getting all the necessary information enter into the computer billing system. This has been a large under taking and will help the water department run more efficiently. The water EPA testing has been completed.

Village Justice Holly Adams

Village Justice Holly Adams appeared before the Board. Justice Adams informed the Board that she will be promoted to the Ontario County Attorney effective September 17, 2018. For this reason, Judge Adams will be resigning as Village Justice in the near future. Judge Adams has loved serving the Village and does not intend to leave her office until the Mayor appoints a Justice to complete her term until the next election is held (March 2019) and until the new Justice is trained and able to take the bench. Judge Doreen Smithling will continue to serve as the Associate Judge. Justice Adams will work with Mayor Hunter and Clerk Reals on a replacement for her office. The Board appreciates all the service Justice Adams has provided and wishes her great success in her new position with the County.

Tom Bagshaw – beanery concerns

Tom Bagshaw, 53 Stephens Street, appeared before the Board to discuss the problems with the beanery. Mr. Bagshaw is concerned about the starting time, which has been between 5:15 AM and 5:30 AM. Mr. Bagshaw also indicated that one day the beanery started at 5:30 AM and ended at 6:45 AM.

Mr. Bagshaw is also concerned about all the dust that is coming off the grain shoot. The dust comes thru the screens of his house and enters the home, making a mess. The grain dust is also all over his vehicles. Mr. Bagshaw is tired of continually cleaning up from the dust. Trustee Blondell asked Mr. Bagshaw to provide a brief written description of the problems, so this can be shared with the Planning Board. The Planning Board will be working on sketch site plan review as the beanery has requested to change the site plan that was approved in 2016.

Meeting of September 10, 2018 continued:

Clifton Springs Fire Department – Truck Committee
Discussion on next truck purchase

Kodey Clark, 1st Assistant Fire Chief and Chair of the fire truck committee, Jeff Guard and 2nd Assistant Chief Steve DeCook appeared before the Board. Chief Jason McMillin was also present – but is not a member of the truck committee.

The truck committee has been working on the specifications for the next truck purchase for over a year. The Department would like to replace the 1990 Pierce pumper, with a new truck, 6-person cab, 1,500 gallon per minute pump, 1,500-gallon water tank. The department has looked at many trucks

and has prepared a bid specification. The Board received the bid specification in their Board packets, prior to the meeting.

The Department is estimating that the next truck would be approximately \$495,000. At the Village Board meeting in July, the Board informed the committee that the Village would agree to a \$400,000 purchase and asked if the Department would contribute toward the remainder. Assistant Chief Clark indicated that the committee took this back to the fire membership and the fire membership agreed to donate \$95,000 toward the truck. This is very generous and appreciated. The Village is aware that short term bonding (probably five years) will need to take place to pay for the difference. This will need to be in place before a bid can be awarded but cannot take place until bids have been received and final numbers on the cost of the truck are available. Motion was made by Trustee Keyes 2nd by Trustee Linsner to proceed with the Rescue Truck bidding process. All members present voting AYE. Carried. Clerk Reals will take the necessary steps to get this process in motion.

Fire Department – 20-year budget plan

Trustee Blondell has asked for many years for the Department to complete a budget plan for major purchases. The Department has submitted a 20 - year budget plan, that the Board received in their Board packets prior to this meeting. In the proposed plan the Department would like a truck (Rescue) purchased in 2019 at an estimated cost of \$500,000, with the next truck (Used Ladder) replaced in 2025 at an estimated cost of \$600,000.

The Board addressed questions on the 20-year budget plan to Chief McMillin. Chief McMillin indicated this was not the plan he had prepared, so he referred the questions to Assistant Chief Clark.

Mayor Hunter and the Board reviewed the budget plan with Assistant Chief Clark and Mayor Hunter informed the members present that the plan they have proposed is not attainable. Mayor Hunter asked the members present if they truly believed that the Village would be able to pay on the debt for the 2019 truck for five years and reserve \$100,000 for the next six years for the ladder truck. Assistant Chief Clark replied yes. The Board let the members present know that the schedule submitted cannot be attained.

The Board asked Chief McMillin what he had placed in his 20-year budget plan (this was not submitted and is Chief McMillin plan – not approved by the fire membership and the Village Board has never seen a copy). Chief McMillin stated that he felt discussion should be held on reducing the fleet by one truck. This would allow for a fleet of three major trucks, and utilization of mutual aid.

Mayor Hunter questioned why the current used ladder truck would need to be replaced with a used ladder truck in 2025. Chief McMillin explained that the current ladder truck will age out. Discussion was held on a new ladder truck; which members present estimated would cost 1.5 million plus.

No decisions were made on the 20-year budget plan submitted by the truck committee or on the discussion of reducing the fleet by one truck. The only decision made this evening was to proceed with getting the bid specifications on the next Rescue truck available for bidders.

Meeting of September 10, 2018 continued:

CORRESPONDENCES:

Local Law 2-2018 – Property Tax Cap over ride for 2019-2020

Copy of the proposed local law regarding the ability to over- ride the property tax cap, if needed.

Reviewed. This law also protects the Village in the event of a mathematical error in the formula. This law was passed at the public hearing, this was the first item the Board addressed.

Clifton Springs Fire Department – 20 - year budget plan

From Clifton Springs Fire Department – copy of the 20 - year budget plan for the Department.

Reviewed and discussed with members of the Fire Department under privilege of the floor.

Bid Specification for the Rescue Fire Truck

Copy of the proposed bid specification for the proposed new fire truck.

Discussed and accepted under privilege of the floor. Clerk Reals will take the necessary steps to get this bid opening properly advertised.

PESH – Clifton Springs Police Department

From the New York State Department of Labor, Public Employee Safety and Health Bureau (PESH), the Notice of violation and Order to Comply with violations pertaining to the Clifton Springs Police Department.

Chief Scott Upchurch has addressed the violations listed. Chief Upchurch is waiting for training on ticks.

Village Hall – boiler inspection

Copy of the boiler inspection report, for the boiler at Village Hall.

Reviewed.

ZBA meeting minutes from 8-20-2018

Copy of the Zoning Board of Appeals meeting minutes from the meeting held on August 20, 2018.

YMCA – legal notice for ZBA area variance

Copy of the legal notice for a ZBA hearing regarding the Clifton Springs YMCA request for an addition to the back of the YMCA – Palace Building at 10 Crane Street.

Reviewed.

Manchester Fire Contract

Copy of the proposed fire contract with the Town of Manchester.

Discussion was held. The Board agreed to accept the proposed contract, with the understanding that when it ends (3 years) the Village will be looking for more money for fire protection, on behalf of the department.

Information from NYS Comptroller's regarding appointed and elected officials.

Standard Work Day for Elected and Appointed Officials

Information from NYS Retirement regarding elected and appointed officials and retirement. This resolution was done September 14, 2009 and June 11, 2012 and April 9, 2018. This resolution needs to be re-done every time an election is held and every time an elected official joins the retirement system and every time a salaried appointed

Meeting of September 10, 2018 continued:

person is added to the payroll. This resolution is being re-done at this meeting because the retirement system requested an exact end date to Judge Holly Adams term.

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

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>
Justice	Yes	Holly Adams	4/3/2017-4/5/2021	6 hours

Justice Holly Adams has joined the NYS Retirement System. Justice Adams has been the Justice since July 2015.

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

STREET DEPARTMENT: See privilege of the floor for report from Supervisor Lannon.

SEWER DEPARTMENT: Trustee Blondell reported the following:

Clifton Springs Hospital – discussion on pre-treatment

Eric Merkley, Chief Operator, will be sending a letter to Clifton Springs Hospital – RGH, requesting a meeting to discuss the grease trap and pre-treatment.

WATER DEPARTMENT: See privilege of the floor for report provided by Supervisor Lannon.

ZONING & PLANNING DEPARTMENTS: See correspondences.

FIRE DEPARTMENT: See privilege of the floor.

Open House

The Clifton Springs Fire Department will be hosting an open house on Sunday, October 7, 2018 from 1:00 – 3:00. All are invited to attend.

PARK – YOUTH DEPARTMENT: The last group will be using the park this weekend. Once that group is done the park will be cleaned and the crew will work on closing the park for the season.

POLICE DEPARTMENT: Trustee Lincoln reported the following: Chief Upchurch provided the Board with a monthly report for August 2018.

MAYOR HUNTER REPORT: Mayor Hunter's report was covered thru out the meeting.

Village Clock

Mayor Hunter remains concerned about the Village clock. The three outside clocks have not worked in more than a year. The master clock inside the village hall does work. The Village has had a difficult time finding a person who can consistently keep the outside clocks running. Mayor Hunter would like the Board members to think about what would be the best process to proceed with the clock. Should the Village consider electrifying the clock. No decisions were made. This will be discussed at the October Board meeting.

Meeting of September 10, 2018 continued:

CLERK REALS REPORT: Clerk Reals provided the Board with court reports for August, fire department report for August, copies of zoning violation letters, payroll worksheets, a spread sheet on solar power thru September 10, 2018, bank statement for August 2018 and year to date expenses and revenues thru August 2018.

Annual Financial Report Completed

The Board was presented with the annual financial report and all documents needed to complete the year - end report. The Board received a full listing of all detailed revenues and expenses for the fiscal year ending May 31, 2018. Clerk Reals reviewed the report with the Board. This report was filed on time, in July 2018.

F.L.A.C.R.A. – possible annexation

F.L.A.C.R.A. was hoping to have documents to the Village for this Board meeting, but unfortunately, they were unable to have the documents ready. F.L.A.C.R.A. intends to be on the Board agenda for the October meeting for discussion on annexation of the property they are purchasing on Route 96, near the Dollar General.

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 A1990.4 to A1325.2	\$1,500.00
From A5112.2 to A5410.4	4,000.00
From A7320.4 to A7140.4	2,000.00

All members present voting AYE. Carried.

OTHER BUSINESS:

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 7:45 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer