

September 12, 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: Dan Blondell, Earl Lincoln, Melissa Kumkey, Jeff Linsner

Board Members Absent: None

Other Persons Present: Police Chief Scott Upchurch

Minutes: The minutes of the meeting of August 15, 2016 were approved upon motion by Trustee Lincoln 2nd by Trustee Linsner. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #249 through #328, were approved for payment by Trustee Lincoln 2nd by Trustee Linsner. All members present voting AYE. Carried.

General Fund =	\$ 43,967.82
Water Fund =	\$ 56,293.73
Sewer Fund =	\$ 15,376.45

PRIVILEGE OF THE FLOOR TO PERSONS ATTENDING THIS MEETING

Hiring of David Frasca – part time Police Officer

Police Chief Scott Upchurch appeared before the Board. Chief Upchurch discussed with the possible hiring of David Frasca. Officer Frasca is retired from the Ontario County Sheriff's Department and continues to work part time for the Village of Phelps. Officer Frasca has 35 years of experience and Chief Upchurch recommends the Village consider hiring him as a part time officer. Motion was mad by Trustee Blondell 2nd by Trustee Lincoln to hire Officer David Frasca as a part time Police Officer at a rate of pay of \$17.75 per hour. All members present voting AYE. Carried.

PUBLIC HEARING LOCAL LAW 2-2016 (Tax cap override)

Mayor Hunter opened the public hearing at 7:00 pm. No persons present appeared before the Board. Discussion was held on the local law. Motion was made by Trustee Blondell 2nd by Trustee Kumkey to close the public at 7:15 pm. After review, motion was made by Trustee Blondell 2nd by Trustee Kumkey to adopt local law 2-2016. All persons present voting AYE. Carried.

RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CLIFTON SPRINGS LOCAL LAW 2-2016

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 12, 2016, 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 August 21, 2016 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 12, 2016, 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 September 12, 2016 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. 2 of 2016, 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, Linda A. Rider, Deputy 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 September 12, 2016 by the following vote:

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

Dated: September 13, 2016

Linda A. Rider, Deputy Village Clerk

SEAL

Local Law No. 2 of the year 2016

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, 2017 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, 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Meeting of September 12, 2016 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.

CORRESPONDENCES:

Local Law 2-2016 tax cap override

Copy of proposed Local Law 2-2016, tax cap override.

Reviewed and adopted – see public hearing.

Fire Contract – Town of Manchester

Letter from the Town of Manchester. Town Law now requires that the fire contract have a specific dollar amount.

Motion was made by Trustee Linsner 2nd by Trustee Kumkey to accept the proposal submitted by the Town of Manchester and to authorize Mayor Hunter to sign the proposal. All members present voting AYE. Carried.

Patrick King – successfully passes “Basic Operations for WWTP Operators”

Certificate of Completion for Patrick King for success with passing “Basic Operations for WWTP Operators”.

Mr. King will take his last class “Activated Sludge” the week of September 12, 2016 and then his paperwork will be submitted for review to qualify for the NYS Licensing exam for Grade 2A sewer operators.

Voluntary Water Restrictions

Voluntary Water Restrictions that the Village has done, in an effort to help Canandaigua Lake.

This is posted on the Village website and notice was sent to both local newspapers. The area has been in a serious drought this summer. Several other communities are doing voluntary restrictions as well.

DEC drought warnings

Information from NYS DEC on drought warnings and water conservation.

Reviewed.

Planning Board minutes from 8-10-2016

Copy of the Planning Board Meeting minutes from August 10, 2016.

Reviewed.

ZBA minutes 8-15-2016

Copy of the ZBA meeting minutes from August 15, 2016.

Reviewed.

Meeting of September 12, 2016 continued:

Local Law 1-2016 (annexation) filed with the State

Letter from the Department of State that show Local Law 1-2016 has been filed (annexation of sewer plant property).

Reviewed.

Certificates of training for J. Folkins and D. Delpriore

Copies of certificates of training for Jaylene Folkins and Dan Delpriore.

Reviewed. The Board appreciates members taking training classes.

STREET DEPARTMENT: Trustee Kumkey reported the following:

Kendall Street

The crew has been busy installing sidewalks and other miscellaneous work to significantly improve Kendall Street from West Main Street to Stephens Street. Much of the area got dug up during the recent water line project and the Board agreed that now would be the time to improve that section of the street with new sidewalks and to mill and repave the street. This improvement has taken time to complete the job correctly.

Debris pick up

Trustee Kumkey is concerned that recently a resident put a whole street out for debris pick up. The Village newsletter's indicates that the Village does not pick up whole trees. Trustee Kumkey is concerned because of the equipment it takes to haul away a whole tree and the manpower. Discussion was held on whether or not the street department should pick up whole trees in the future and all Board members present agreed that the Village will not pick up whole trees. Whole tree removal or large tree debris removal will be the responsibility of the homeowner.

SEWER DEPARTMENT: Mayor Hunter reported the following:

Sewer Clarifier

The sewer clarifier project is moving slowly, but work is underway.

WATER DEPARTMENT: Trustee Blondell reported the following:

Water Meter Replacement

Approximately 4 properties on West Main Street and 2 properties on Broad Street have not made arrangements to have the water meter replaced. Letters that give these owners a shut off date, if arrangements are not made, have been mailed.

ZONING & PLANNING DEPARTMENTS: Trustee Blondell reported the following:

Proposed new code

The proposed code was sent via email to the Village Attorney. Attorney Jeff Graff is in the process of reviewing this now. Attorney Graff hopes to have the review done no later than the November meeting.

FIRE DEPARTMENT: Trustee Linsner reported the following:

Truck 511

Truck 511 had a leak that has been repaired.

Structure Fires

Recently the Fire Department has had to respond to a number of bad structure fires.

PARK – YOUTH DEPARTMENT: Mayor Hunter had nothing to report.

Meeting of September 12, 2016 continued:

POLICE DEPARTMENT: Trustee Lincoln had nothing to report.

The work schedule for the month of October was submitted.

MAYOR HUNTER REPORT: Mayor Hunter reported the following:

Solar Power

The installation of the two solar arrays on Village property is well underway. Mayor Hunter recommends the Board members go and take a look at the arrays, Mayor Hunter states the arrays look amazing.

CLERK REALS REPORT: Clerk Reals was not present but provided the Board with the justice court report, copies of zoning violation letters, payroll worksheets, the fire department report for June and July and year to date numbers thru June, July and August along with the bank statements for June, July and August.

OTHER BUSINESS:

Railroad Corridor

Trustee Linsner asked for clarification on the Railroad Corridor and the lot that the Village does not want included in the corridor. The Board discussed the corridor and explained the lot that is not to be included is a vacant piece of property owned by Beverly Rodman, the lot is located between 66 West Main Street and 70 West Main Street. The Village has notified the Town and the County in writing that the lot needs to be removed from the corridor in order for the Village to be agreeable with the corridor study.

Registrar Appointments

A letter from NYS Department of Health regarding the appointments of the Registrar and Deputy Registrar. Lori A. Reals was appointed Registrar and Linda A. Rider was appointed Deputy Registrar at the annual organization meeting on April 11, 2016. Clerk Reals will notify DOH of these appointments.

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 A1990.4 to A3510.4	300.00
From A1990.4 to A7320.4	500.00
From G9060.8 to G8120.2	3,296.40
From G9060.8 to G8130.4	1,096.40

Increase A5110.4, by \$20,000 from fund balance for the purpose of improvements to Kendall Street.

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 7:45 p.m.

Respectfully submitted,

Linda A. Rider
Deputy Clerk/Treasurer