

December 9, 2019

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: Jim Keyes, Earl Lincoln, Jeff Linsner, Bryan Gray

Board Members Absent: None

Also Attending: Police Chief Scott Upchurch, Supervisor Jason Lannon, Chief Sewer Plant Operator Eric Merkley, John O'Connell – President of NY Rural Water, Jennifer Vaughn – Engineer with Hunt Engineering, Ava Labuzetta – Engineer with NYS Pollution Prevention Institute, Village residents, Bill Kramp, Donna Kramp, Brian Rickerson, John Pike, John & Idelle Bowles, Wendy Amidon, Carl Falkowsky, David Tornow – Coffee, Eileen Mance, Steve Lindner, Matt Murphy, Jim Wheat, Ann Lewis, Bill O'Donnell, Mike & Nora Cuhna.

Minutes: The minutes of the meeting of November 11, 2019 were approved upon motion by Trustee Lincoln 2nd by Keyes. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #494 through #574 approved for payment by Trustee Lincoln 2nd by Trustee Keyes. All members present voting AYE. Carried.

General Fund =	\$ 143,977.92
Water Fund =	\$ 37,101.72
Sewer Fund =	\$ 24,196.29

PRIVILEGE OF THE FLOOR:

Jason Lannon – Street and Water Reports

Street Report: Supervisor Lannon reported that the Village received the notice of violation from Public Employee Safety & Health (P.E.S.H.) regarding the decibel level of the mower. Supervisor Lannon is working with PESH. The employees that could be affected by this have all had baseline hearing tests completed. The standard is posted at the Village barns and the employees will have training on this in January 2020. The winter has been expensive with high amounts of snow early in the season. The crew will be working on tree trimming. Supervisor Lannon is working on the street and water budget.

Water Report – two members of the crew are painting at the pump house. Supervisor Lannon is getting quotes to replace the larger water meters.

Carl Falkowsky – 50 Pearl Street – goats and chickens

Carl Falkowsky, 50 Pearl Street, appeared before the Board to discuss goats and chickens at their property. This is a follow up from the last Board meeting, as the Board had three members present in November and wanted to discuss this request with a full Board.

Carl Falkowsky re-explained that they had the goats and chickens when they wrote the letter of request. Mr. Falkowsky stated that they meant no dis-respect, the Falkowsky's did not realize they needed permission when they got the additional animals. Mr. Falkowsky said this was an oversight on their part.

The Village previously granted permission for the Falkowsky's to have 3 horses. Mr. Falkowsky explained that the property has 14 acres of land and the purpose of the goats is to help with overgrowth and poison ivy. The purpose of the chickens is to help reduce ticks. Mr. Falkowsky stated that the animals are at least 100 feet away from the

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nearest neighbor. Mr. Falkowsky had a map he printed from the On-Cor system that shows the assessor has coded his property as rural residential.

Deputy Mayor Linsner explained that the Board is concerned about starting a precedent if they granted permission for goats.

After discussion Mr. Falkowsky agreed that he would house the goats in stalls with the horses and would not allow the goats to be in the front of the property, where the horses are.

After discussion the Board agreed to the following:

The Village Board approved a permit to house three horses, three goats and six birds, (chickens – Guinee hens) at 50 Pearl Street with the following conditions:

- 1) The permit is for three horses, three goats and six birds that include chickens and Guinee hens. No Roosters are allowed.
- 2) The horses and goats are to be housed in the barn with proper stalls.
- 3) The goats are not allowed in the front yard of the property.
- 4) 10% Of the manure will be used for compost. The remainder is to be routinely removed from the property, so no odor is present in the neighborhood.
- 5) The permit is good for one month at a time. 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.”
- 6) This is a month to month permit. After a six - month period, should the permit still be in effect, the Falkowsky’s are responsible to appear or write to the Board for the permit to continue. If the permit becomes an annual permit, the Falkowsky’s are responsible to renew the permit annually.

The Board would like it noted that the goats are only being allowed because this parcel of property has 14 acres of land.

Discussion on No Parking on parts of East Main Street and Broad Street

This discussion is a follow up to discussions held the last two months regarding No Parking on parts of East Main Street and Broad Street.

Mayor Hunter stated that he has read the recommendation from Chief Scott Upchurch and he agrees with the Chiefs recommendations. Trustee Keyes stated he in agreement with this as well.

The proposed recommendation from the Chief was reviewed as many resident’s present were here to discuss this topic.

Location #1 – East Main Street on the north side of the street no parking starting at the curb line of Sherman Street proceeding 200’ west of that intersection. Chief Upchurch explained that he has received numerous complaints about obstructed view due to parked vehicles while you enter East Main Street from Sherman Street.

Location #2 – East Main Street on the north side of the street no parking across from Pearl Street 100’ east and west of the centerline of Pearl Street. Chief Upchurch explained that this location is very congested during daylight hours.

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Location #3 – East Main Street on the north side of the street no parking for 145' starting at the curb line of Teft Avenue proceeding east, except Sundays and federal holidays. Chief Upchurch explained that currently there is no parking in this area for 30 feet.

Location #4 – Broad Street on the east and west sides of the street no parking for 175' (closest intersection East Main Street). Chief Upchurch explained that currently in this location both side of the street are no parking for 30' feet. Chief Upchurch explained that currently on the west side of Broad Street, the no parking signs originally went to the first driveway which is about 125' however the signs are no longer in place. Chief Upchurch will work with Supervisor Lannon on having the missing no parking sign(s) re-installed.

Village resident Ann Lewis stated that she works at St. John's Church and does not see a parking problem in this area.

Village resident Donna Kramp stated that she does not see parking problems in the areas that Chief Upchurch recommends No Parking.

John Pike stated that he feels if the Village is looking to address parking and reduce accidents that he is concerned about Crane Street and Broad Street. Mr. Pike would like the Board to consider only allowing cars to turn one way off these two streets to help reduce the risk of an accident.

Chief Upchurch stated that the Village previously acted and removed parking spaces and changed parking space to handicap parking to help with the entry from Crane Street onto Main Street. Chief Upchurch explained that the Village needs to have a certain amount of handicap parking available.

John and Idelle Bowles stated that they have a real problem seeing clearly at the intersection of Sherman Street and East Main Street when a car(s) is parked on the north side of East Main Street, near Sherman. Jim Wheat agreed this area has become a problem when cars are parked on the north side.

After discussion motion was made by Trustee Keyes 2nd by Trustee Linsner to have Attorney Graff draft a local law with the recommendations that Chief Upchurch has submitted. All members present voting AYE. Clerk Reals explained to the public that if Attorney Graff can get this law drafted for the Board to review on January 13, 2020, then the Board could possibly schedule the public hearing for February 10, 2020.

**Food Compost Grant – Jennifer Vaughn – Hunt Engineering and
Chief Wastewater Operator Eric Merkley**

Ava Labuzetta, Pollution Prevention Engineer from NYS Pollution Prevention Institute, has been working with Chief Operator Merkley on food compost, focusing on food waste prevention.

Jennifer Vaughn, Engineer with Hunt Engineering, presented the Board with a power point presentation that was in hard copy. Mrs. Vaughn explained that that the composting trial had 29 residents and 3 businesses participate and that on average 11,607 lbs. of food were composted per week.

Mrs. Vaughn stated that 11 restaurants and facilities have committed to participate should the Village move forward with the grant. This could provide an additional 7,408 lbs. per week. Also, there is potential for expansion with additional Village residents that could produce 7,445 lbs. per week, along with surrounding municipal sludge and large food waste generators within a 25-mile radius that could produce 1,548,000 lbs. per week.

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Mrs. Vaughn reviewed the State Recycling Law that will go into effect in January 2022 and presented the local food composting facilities that compost yard waste (2), source separated organics (3) and biosolids (7), with Clifton Springs being one of the seven.

John O'Connell stated that landfill sites are becoming an issue, some local landfills are reducing the amount of intake, Auburn is shutting down their site and Ontario County is receiving odor complaints. Mr. O'Connell is familiar with a company that has a contract with Wegmans and composting waste.

Wendy Amidon stated that she feels the program has been great, with great communication and would love to see the program continue.

Eileen Mance stated that she feels this is a great program, with no odors and a good program for our future generations.

David Tornow Coffee stated he is pleased with the program and that it makes sense to turn the waste into something you can use.

Jennifer Vaughn continued to review the power point presentation.

Ava Labuzetta spoke about the success of the trial study in Clifton Springs.

John O'Connell spoke about the class A bio-solids can now be used in the compost process and that tipping fees have gone up to \$15 per ton.

Mayor Hunter stated he is concerned about the \$231,000 cost to the Village.

Ava Labuzetta spoke about the new required law for composting for some users.

Eric Merkley spoke about the tipping fees and that they could increase to as much as \$45 per ton.

John Pike stated that he doesn't see the participation needed from major suppliers of compost.

Donna Kramp asked if people will still be allowed to dispose of food waste into the trash.

Jim Keyes informed those present that a new hauler (Johnson) is all ready preparing for food compost.

Scott Upchurch asked where the compost goes and who would be interested in buying the finished product. Eric Merkley said he has one company so far interested in buying the finished product.

David Tornow Coffee did some research and stated that he estimated that if each household paid a one-time fee of \$140 and the Spa Apartments paid a one-time fee of \$15,000 that the \$231,000 cost would be covered.

Mayor Hunter stated that some residents are not going to be able to pay a \$140 cost and that he would doubt the Spa Apartments would want to pay a one-time fee of \$15,000.

Mayor Hunter stated that he is concerned about the cost of the proposed \$231,000 for composting, plus the estimated \$462,500 cost for disinfection at the sewer plant – with disinfection being required.

David Tornow Coffee stated that some food business in the Village are going to be required to compost and he estimated that those places could be charged \$170 per month.

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Eric Merkley stated that he wants to find a way to keep this service free to the Village residents.

David Tornow Coffee stated that he sees composting as a business incentive.

Mayor Hunter questioned with the new law that will go into effect, how will businesses be penalized if they did not comply. Ave Labuzetta stated she was not sure how that would work. David Tornow Coffee stated that in New York City people are fined.

Mayor Hunter stated that this discussion could be different if Clifton Springs were larger and if there were assurances that people would want to pay for the finished product.

Mayor Hunter stated that he is wanting to be fiscally responsible to the people and the businesses that are in the Village.

Trustee Gray stated that he is concerned that the new law could create competition with larger haulers and not necessarily an opportunity for the haulers to be providing tipping fees to the Village as others have seen it.

Eric Merkley informed the Board that if the Village did not proceed with the funding, that the Village would stop the trial and not proceed with picking up buckets on a weekly basis, like they have been doing for the past year.

Trustee Linsner stated he is concerned that trash removal could be a problem in the next five to ten years.

Trustee Gray stated that he would prefer to move in phases with the food compost grant, but that he recognizes most of the costs would be in phase one. Trustee Gray asked if the program could be re-scaled. Jennifer Vaughn stated that maybe it could be scaled back, and reviewed the larger costs of the barn, wash bay and truck.

Trustee Keyes asked if the Village could get a consolidation grant for food compost, that possibly other municipalities could bring their food waste to the Village.

Trustee Linsner asked if the Village could receive some funding from the County. Jennifer Vaughn indicated that the Village would need to receive the funding from the State first, before looking at the County for funding.

Board majority voted to NOT accept the food compost grant

Mayor Hunter made a motion to not accept the \$248,000 grant that would be used for composting because he feels it is too big of a gamble to the Village and the cost to the Village would be \$231,000. Trustee Lincoln 2nd the motion, but stated he only supports turning the grant down because of the expense of having to proceed with disinfection at the sewer plant. Trustee Keyes voted NAY to Mayor Hunter's motion and stated he feels that the Village should accept the grant and that he feels there is money in the sewer fund to support both food compost and disinfection. Trustee Linsner agreed with Trustee Keyes and voted NAY and he stated the Village should accept the grant for composting. Trustee Gray voted AYE and agreed with Mayor Hunter and Trustee Lincoln and stated that the Village should not accept the food compost grant because of the cost to the sewer users. With a vote of 3 -2 the majority of the Village Board agreed to NOT accept the food compost grant in the amount of \$248,000.

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CORRESPONDENCES:

Sewer -long range budget plan and food compost grant

From Trustee Jim Keyes, a copy of the long - range plans for the sewer department (prepared by former Trustee Dan Blondell) and an email from former Trustee Dan Blondell with his thoughts on the food compost grant and the disinfection grant.

Reviewed. The Board was aware of the long-range plan for the sewer fund and the food grant was discussed under privilege of the floor.

Flyer to users of the food compost program

Copy of a flyer that Chief Operator Merkley handed out to those that are using the food compost program.

Reviewed. Many of the users of the food compost program attended this meeting and addressed the Board under privilege of the floor.

“No Parking” in areas on Broad Street and East Main

Reviewed under privilege of the floor. Carry over from the last meeting – recommendation from Chief Upchurch for “No Parking” areas on East Main Street and Broad Street. The Board reviewed the recommendations from Chief Scott Upchurch and authorized Clerk Reals to provide the necessary information to Attorney Graff to prepare a local law. The areas that the Board will consider changing are as follows:

Parking would be prohibited at all times

Name of Street	Side	Location
East Main Street	North	From Sherman Street west for 200 feet
East Main Street	North	From the prolongation of the centerline of Pearl Street west for 100 feet
East Main Street	North	From the prolongation of the centerline of Pearl Street east for 100 feet
Broad Street	East	From East Main Street south for 175 feet

Parking would be prohibited Certain Hours

Name of Street	Side	Hours/Days	Location
East Main Street	North	All day/All except Sundays and Federal Holidays	From Teft Avenue east for 145 feet

The Board will review the local law at January 13, 2020 and if they find it acceptable, they will consider scheduling a public hearing for the February 10, 2020 Board meeting.

From the November meeting – map that shows the current

Carry over from last meeting – a copy of a map submitted from Donna Kramp, East Main Street resident.

Reviewed. This map shows, in different colors, streets in the Village that have “no standing”, “no parking”, “no parking 12am until 6am”, and the proposed “no parking” that the Board was considering in November 2019. Clerk Reals included this on the agenda as this was submitted at the November meeting, but copies were not available at that time.

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From the November meeting – copy of the petition of those that opposed “No Parking” on parts of East Main Street and Broad Street

Carry over from last meeting – a copy of the Petition to oppose amendment prohibiting parking.

Reviewed. This petition shows the names of the 65 people who signed the petition opposing changes that would have granted “No Parking” to parts of East Main Street and Broad Street. Clerk Reals included this on the agenda as this was submitted at the November meeting, but copies were not available at that time.

NYSEG – quote to change street lighting to LED

Per the Boards request, Clerk Reals contacted NYSEG to obtain a quote to switch street lighting to LED lighting.

This quote was submitted by Steve Overslaugh, NYSEG Representative. The Board was pleased with the cost to convert which appears to be \$5,981.76. The Board would like Mr. Overslaugh to attend a Board meeting to discuss this further. Trustee Lincoln would like to see samples of the coloring of the LED lights as well.

NYS Department of Labor – violation – mower exceeds decibel limit

Copy of the notice of violation from the NYS Department of Labor. The Village was aware this was coming. This pertains to the mower exceeding the decibel limit. Employees have had hearing exams and Supervisor Lannon is working on a training for employees.

Reviewed under privilege of the floor with Supervisor Lannon. The crew involved has had base line hearing exams completed and training will be completed in January.

Additional cancer coverage for Volunteer fire fighters

Information from the Village insurance company pertaining to cancer coverage for the volunteer fire fighters. Additional options are now available, the cost is included.

The Board reviewed the coverage for all cancers and the cost associated with additional coverage. The Board agreed to provide cancer coverage beyond what is required for Class I (9 volunteers) and Class II (4 volunteers). The additional cost is \$51 annually for each Class I volunteer and \$47 annually for each Class II volunteer. Clerk Reals was authorized to complete the necessary paperwork with the insurance company to provide the additional coverage.

Certificate of training for Scott Janas

Copy of the certificate of participation for Planning Board member, Scott Janas attending training.

Reviewed. The Board appreciates Mr. Janas attending the training.

Planning Board minutes 11-13-19

Copy of the Planning Board meeting minutes from November 13, 2019.

Reviewed.

Newsletter from Ontario County Humane Society

Copy of the newsletter from Ontario County Humane Society.

Reviewed.

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Certificate of training for Brian Rickerson

Copy of the certificate of participation for Zoning Board Chairman, Brian Rickerson attending training.

Reviewed. The Board appreciates Mr. Rickerson attending the training.

STREET DEPARTMENT: Trustee Lincoln had nothing to report.

See privilege of the floor.

WATER DEPARTMENT: Trustee Lincoln had nothing to report.

See privilege of the floor.

SEWER DEPARTMENT: Trustee Keyes reported the following:

Budget

Chief Operator Merkley is working on the budget for 2020-2021.

See privilege of the floor for discussion on the food compost grant.

ZONING & PLANNING DEPARTMENTS: Trustee Gray reported the following:

Trustee Gray updated the Board on the status of the final site plan review for The Delong Company (formally Thomson Grain). The public hearing will continue on December 11, 2019 and it is possible the Planning Board might be able to approve the final site plan, with conditions.

See correspondences.

FIRE DEPARTMENT: Trustee Linsner reported the following:

Permission to park Trailer outside in parking lot

Trustee Linsner asked for permission to allow the fire department to park the trailer outside in the parking lot of the firehouse. The reason for this is there will not be enough room in the firehouse when the new truck arrives, approximately January 2020. The department is working on selling this trailer. The Board had no objection to allowing the trailer to be parked outside.

PARK – YOUTH DEPARTMENT: Nothing was reported.

SOCIAL MEDIA: Trustee Keyes reported the following:

New Village Website and Facebook page

Nathan Dingy, volunteer, is working on the final suggestions to the website. Trustee Keyes hopes to launch the new website and the Facebook page at the same time.

POLICE DEPARTMENT: See privilege of the floor for discussion on “No Parking” on Broad Street and East Main Street.

MAYOR HUNTER REPORT: Mayor Hunter’s report was covered throughout the meeting.

CLERK REALS REPORT: Clerk Reals provided the Board with zoning violation letters, payroll worksheets, fire department report for November, court reports for November, year to date expenses and revenues and bank statements for November.

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Federal Clearing House

Clerk Reals updated the Board on the Federal Clearing House for Drug and Alcohol with CDL drivers. Clerk Reals has been the DER (Designated Employer Representative) since drug and alcohol testing began. The Board agreed that Clerk Reals would remain the DER and would proceed with updating the drug and alcohol policy along with complying the new clearing house requirements.

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:

Increase F8320.2 from fund balance	\$10,000.00
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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 Keyes to adjourn. All members present voting AYE. Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer