

April 11, 2022

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: Mayor James Keyes

Village Trustees Present: Earl Lincoln, Bryan Gray, Brian Rickerson

Village Trustees Absent: Jeff Linsner

Also Attending: Street & Water Supervisor Jason Lannon, Clifton Springs Area YMCA Director Todd Freelove, Clifton Springs Area YMCA Board President Dee Dee Wilkes, Maureen Ballatori from Design Studio 29, Police Chief Scott Upchurch.

Minutes: The minutes of the meeting of March 14, 2022, and the election results from March 15, 2022 were approved upon motion by Trustee Rickerson 2nd by Trustee Gray. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #748 through #817 were approved for payment by Trustee Lincoln 2nd by Trustee Rickerson. All members present voting AYE. Carried.

General Fund =	\$ 73,407.27
Water Fund =	\$ 1,840.13
Sewer Fund =	\$ 14,890.13

PRIVILEGE OF THE FLOOR:

J. Lannon – street and water report

Jason Lannon, Street & Water Supervisor appeared before the Board.

Street report: Winter plow damage has been repaired, plows have been painted and put away. As of February 7, 2022, the only way to obtain a Commercial Driver's License (CDL) is by attending a CDL school. Supervisor Lannon would like permission to send S. Groover to the school. The cost is \$3,500.00. The Board approved this CDL training for the S. Groover.

The Village has advertised for a part time summer help. Supervisor Lannon did call one of the applicant's but did not receive a return call. The Village will continue to look for seasonal labor. Clerk Reals will reach out to the high school, Flint BOCES as well as the Chamber, and the YMCA. The Village is also looking for help at the sewer plant for the summer and a park cleaner.

The crew is busy with catch basin repairs and cleaning and mulching parks.

The drainage gutter projects on Pleasant Street, upper end past Dewey Avenue and drainage gutter on Ladue Avenue, end closer to Kendall should be completed in July.

Assemblyman Jeff Gallahan has informed Supervisor Lannon that CHIPS highway money will remain the same. There is also pothole money and Assemblyman Gallahan is going to look further into this as well.

Water report: The two water tanks on Pearl Street have bene power washed. Hydrant flushing will be done in May. Water valves will be exercised, and some valves will need to be repaired or replaced.

TOPS Markets had a high water bill. TOPS would like the water meter tested. TOPS has agreed to pay for the testing. Supervisor Lannon will have the meter pulled and sent out for testing.

Meeting of April 11, 2022, continued:

The water main reconfiguration project for Crane Street has been approved by NYS Department of Health. Hunt Engineering has prepared the bids. Hunt will work with Clerk Reals to set a bid date, before the May board meeting.

S. Sailer request for water outside the Village

S. Sailer, 1981 Pearl Street Ext. has made a written request for public water from the Village of Clifton Springs. This home is outside the Village. Supervisor Lannon has been in contact with Ms. Sailer and the NYS Department of Health. The Department of Health has also been in direct contact with Ms. Sailer. To get water to this home, which is south of the existing water tanks, appears to be costly to the homeowner. This would require engineering. If this were to happen the Village would also need a document from the Village Attorney because part of the water line would need to run thru the Village property to the Sailer property. It is Supervisor Lannon understanding that at this time Ms. Sailer is not going to proceed with trying to obtain Village water.

YMCA Mural on Palace building – 10 Crane Street

Todd Freelove, YMCA Director, Dee Wilkes, YMCA Board President and Maureen Ballatori, from 29 Studio Designs, appeared before the Board. They were present to continue discussion for a mural on the YMCA Palace building at 10 Crane Street.

In between the March Board meeting and the April Board meeting, at the request of Trustee Lincoln, Clerk Reals was asked to inquire with the Village attorney regarding the legality of two members of the Board making a decision. Attorney Graff advised that a quorum of the whole number of the Board needs to be present to decide, meaning three votes are required to move forward. Attorney Graff also advised that legally the Village cannot gift taxpayer money to a private entity and to do so would be a misuse of government funds. Attorney Graff also stated that the Village has no say on the mural painting on the private building, unless the Village code states otherwise. Clerk Reals informed all Board members of the above. This information was passed on to the Todd Freelove at the YMCA and Maureen Ballatori at 29 Studio Design.

Mrs. Ballatori shared a short video on art activism. Mrs. Ballatori explained how the mural is intended to be a community builder and bring people to the community.

Trustee Lincoln questioned how the Village could spend up to \$5,000 of taxpayer's money on a project that is for a private entity.

Mrs. Ballatori suggested that the maybe the Village could pay for a grant writer for the mural project.

Trustee Gray asked if the mural need Planning Board or Zoning Board approval. Mr. Freelove did speak with code enforcement. The mural would not be advertising anything, so for this reason it does not need to go to planning or zoning.

Trustee Lincoln said that the Piece Block parking lot would not be giving up any parking spaces in the lot.

Mrs. Ballatori suggested from a public relation standpoint, that she thought it would be helpful for the Village to support this.

Trustee Gray stated that the mural should not be an obligation of the taxpayers.

The Board indicated that they are not against the mural and informed those present that the taxpayers cannot pay for this.

Todd Freelove – G.W. Lisk Community Park & Rotten Egg Run

Mr. Freelove addressed the Board and asked permission to hold to annual "Rotten Egg Run" a 5K and a walk on June 18, 2022, also Museum Day. The Board had no objection to this request.

Meeting of April 11, 2022 continued:

Request for fencing at pickleball courts

Mr. Freelove addressed the Board and said he has had approximately 3 or 4 pickleball players ask for a fence, within the pickleball area. Mr. Freelove has also sent an email with this same request. Clerk Reals stated that under correspondences, there is a written request from Bill Hunter, Village Resident, with a request for fencing as well.

This has been previously discussed. Mayor Keyes asked if this should be re-visited. Trustee Lincoln indicated this does not need to be revisited. Trustee Gray asked if we could find a different portable fence product that is on wheels. Currently the Village does have portable fences that can be manually moved at the pickleball courts. At this time the Board agrees that no installed fence that would be placed at the pickleball courts.

CORRESPONDENCES:

YMCA – request for pickleball fence

Letter from Todd Freelove, YMCA Director, regarding a fence for pickleball.

Discussed under privilege of the floor. At this time the Board does not intend to install additional fencing.

Information for the organizational meeting

Information for the annual organizational meeting of the Village.

This was all reviewed under the organizational portion of the Board meeting.

Wayne Conklin declines office of Village Justice

Letter from Wayne Conklin, declining the office of Village Justice. Mr. Conklin was elected with one write in vote at the March 15, 2022 election.

Reviewed.

Assignment Order assigning Judge Doreen Smithling to the office of Village Justice

Assignment Order from Honorable Judge Taylor, assigning Judge Doreen Smithling to serve for the Village of Clifton Springs from March 2022 thru March 2023 as Village Justice.

Reviewed. Justice Smithling has accepted this assignment. The Village Board appreciates Judge Smithling willingness to serve.

Associate Justice Nathan Thomas request to not be paid for his service

Email from Honorable Judge Nathan Thomas, requesting to not be paid for his services as the Associate Justice.

The Board reviewed the response from Attorney Graff that indicates the Village is required to pay him for services that are provided. The Board appreciates Associate Justice Thomas desire to not accept pay but agreed he will be paid as it is required.

Short term rental law

Draft copy of a possible local law on short term rentals.

This was a carryover from the last meeting as only three Village Board members were present and those present wanted to make sure all Village Board members were satisfied with this proposed local law before sending it on. The Village Board accepted the draft of the short-term rental law and asked Clerk Reals to proceed with moving this on the Village Planning Board and the County Planning Board. Due to the timing of the meetings, (both Boards meet on the same night) this will go on to the County Planning Board first, as they need to comment, and the Village Planning Board needs to review the County Planning Board comments before the Village Planning Board can make any comments.

Meeting of April 11, 2022 continued:

Health insurance agreement with Police Chief Scott Upchurch

Possible agreement for health insurance coverage for retiring Police Chief Scott Upchurch.

Reviewed. The Board has been working on this agreement with input from retiring Police Chief Scott Upchurch, Attorney Jeff Graff and the Village Board. This agreement was reviewed, and motion was made by Trustee Lincoln 2nd by Trustee Rickerson to authorize Mayor Keyes to sign the agreement. All members present voting AYE. Carried. This agreement provides health insurance coverage to Police Chief Scott Upchurch and his family for a period not to exceed 5 years and at a cost not to exceed the value of his accumulated sick time. Chief Upchurch will continue to have a cost to him for his coverage and no gift will be provided from the taxpayers for his health insurance coverage.

Dog Park

Letter from Bill Hunter, Village resident, with his concerns regarding a dog park.

Reviewed. This letter states reasons that Mr. Hunter would like to the Board to consider regarding a dog park.

Town of Phelps regarding water to S. Sailer at 1981 Pearl Street

Letter from Phelps Town Supervisor Norm Teed, agreeing that S. Sailer, 1981 Pearl Street, can receive water from the Village.

Reviewed. See privilege of the floor for discussion with Supervisor Lannon. This request is not easy as the water line does not run to the south.

Annual Water Quality Report

Copy of the 2021 Annual Water Quality Report.

Reviewed. This has been mailed and posted in all the proper places.

Fuel Tanks Inspection

Letter from NYS Department of Environmental Conservation regarding the inspection of the fuel tanks.

Reviewed. No problems were found.

Resignation of Chase Peacock

Letter of resignation from part time seasonal laborer Chase Peacock.

Reviewed and accepted with regrets.

NYS DOH requirements regarding requirements for wastewater in new subdivisions

Information from NYS Department of Health with requirements regarding wastewater and subdivisions.

Reviewed. This was also provided to the Planning Board members as well.

Museum Day and request for additional funding

Information from Historian Jim Connors regarding Museum Day and a note at the bottom of page two thanking the Village for what they give and asking for more funding.

Reviewed.

YMCA request for 5K run and 1.5 walk

Letter from Clifton Springs YMCA, asking to host a 5K run and a 1.5-mile family walk on June 18, 2022 (Museum Day).

Reviewed and approved under privilege of the floor.

Meeting of April 11, 2022 continued:

Potential lease with Real Lease for the loader

Copy of a potential lease with Real Lease for the purchase of the street loader.

This was budgeted in the 2022-2023 budget. Reviewed. This lease is for a four-year period. The rate is 4.68. Trustee Gray indicated this is a good rate. Motion was made by Trustee Gray 2nd by Trustee Lincoln to enter into the four-year lease with Real Lease and Clerk Reals was authorized to proceed with the necessary paperwork for this lease and Clerk Reals and Mayor Keyes were authorized to sign the documents needed to complete this lease. All members present voting AYE. Carried.

37 Pearl – in need of painting

Letter that Code Enforcement sent to A. Llano, 37 Pearl Street, regarding the need for painting at the house.

Reviewed.

Fiscal Street Score

Letter from the State Comptroller, with the Village fiscal stress score. The Village score is “No Designation”.

Reviewed. This is the best score the municipality can receive.

NY Rural Water

Letter from NY Rural Water Association recognizing the Village for being part of the Association for 20 years.

Reviewed.

STREET DEPARTMENT: This report was covered under privilege of the floor.

Seasonal Laborer

The Village is looking to hire a forty hour per week person as a seasonal laborer for the summer. This has been advertised in numerous places. Interested applicants can apply thru the Ontario County portal.

WATER DEPARTMENT: This report was covered under privilege of the floor.

SEWER DEPARTMENT: Trustee Rickerson reported the following:

Various sewer updates

Z. Watts attended the review class for the sewer exam. At this time the Village is waiting on NYWEA to approve Z. Watts to take the exam. The hospital is doing well staying within the limits of their discharge permit. Chief Operator Merkley is working with Hunt Engineering on using an existing tank in the proposed improvements at the plant. If this is acceptable, this should provide a large savings to the Village. The Village is waiting to hear on a second grant, WIIA, that could be used toward headworks and other improvements at the plant. If a grant is not obtained the engineering will be complete so this is project ready in the future.

Seasonal Laborer

The Village is looking to hire a part time twenty hours per week season laborer for the summer. This has been advertised in numerous places. Interested applicants can apply thru the Ontario County portal.

ZONING & PLANNING DEPARTMENTS: Trustee Gray reported the following:

Need to replace Dan McGrath on Planning Board

There is an open seat on the planning board, which was vacated by Dan McGrath.

Meeting of April 11, 2022 continued:

Short term rentals

Short term rentals were covered under correspondences.

FIRE DEPARTMENT: Trustee Linsner reported the following.

Background checks

Trustee Linsner is working on this with the Fire Department.

Meeting between the Department and the Village

President Brian Fellows is arranging a meeting between a couple members of the Fire Department and a couple members of the Board.

PARK – YOUTH DEPARTMENT:

Part time cleaner

The Village is looking to hire a part time cleaner for the park for the summer. . This has been advertised in numerous places. Interested applicants can apply thru the Ontario County portal.

Clifton Springs Rotary Club – creek cleaning

Clifton Springs Rotary Club and Midlakes Student Council plan to clean the park and creek area on April 23, 2022. This is part of a Rotary Great Lakes water ways cleanup project throughout the area. The Village has agreed to purchase lunch for the volunteers.

Dog Park

Mayor Keyes has emailed the nine members of the Park Advisory Committee and is asking their thoughts on a proposed dog park, possibly at the John Fabrizi Park. No decision has been made on the location of a possible dog park.

BBQ racks

Trustee Lincoln informed the Board that the barbeque racks at the park need to be replaced. They were original to the park and no longer could be used. New racks have been ordered and will be here by Memorial Day.

SOCIAL MEDIA: Nothing was reported.

POLICE DEPARTMENT: See correspondences for health insurance agreement.

Permission to donate surplus equipment

Chief Upchurch was contacted by a State Trooper who is originally from the Ukraine. This trooper is looking for surplus equipment that can be given to volunteers in Ukraine. Chief Upchurch has several bullet proof vests that no longer meet OSHA standards and that have expired their safety use period. Motion was made by Trustee Gray 2nd by Trustee Rickerson to declare these items as surplus equipment and to allow these items to be donated for humanitarian use in the Ukraine. All members present voting AYE. Carried.

Chief Scott Upchurch intends to retire May 27 from full time work to part time work

Chief Upchurch reminded the Board that it is his intention to retire from full time (55 hours per week) to part time, approximately 20 hours per week effective May 27, 2022. The Village has budgeted for this and intends to retain Chief Scott Upchurch as a part time Chief effective May 30, 2022. This appointment cannot be officially done until Chief Upchurch gives his official letter of resignation.

MAYOR KEYES REPORT: Mayor Keyes report was also covered throughout the meeting.

Meeting of April 11, 2022 continued:

CLERK REALS REPORT: Clerk Reals provided the Board members a copy of the abstracts thru March and year to date revenue and expenses thru March and bank statement for March.

OTHER BUSINESS:

Premium Pay-ARPA funds

Mayor Keyes is looking into premium pay for employees. The county, several towns and villages have provided premium pay to employees who worked thru the Covid 19 pandemic. This pay comes from ARPA (Covid19 funds) that have been provided to the Village from the Federal government. No decision was made. Mayor Keyes is going to discuss this with some of the surrounding municipalities to see what they provided to employees.

Park – ARPA

The Village would like to use some ARPA funds to update some playground equipment. No final decision was made on this.

Cemetery wall(s)

Discussion was held on the Pearl Street cemetery wall(s) that need repair. The Village has money that was left in trust to the cemetery, which can only be spent at the cemetery. The Board would like to obtain some pricing to repair the front wall that faces Pearl Street. Trustee Lincoln will reach out to some masons to see if they can provide quotes for this work.

Certificate of Deposit – Fire Equipment (Protective Gear)

The following was made upon motion of Trustee Gray 2nd by Trustee Lincoln:

Resolved, that pursuant to section 6-c of the General Municipal Law, as amended the Village Board has established a reserve fund to finance the cost of purchasing fire protective gear.

The Clerk/Treas. is authorized to invest from time-to-time moneys of this fund pursuant to section 6-f of the General Municipal Law. At this time \$15,000 be placed in a certificate of deposit. This Certificate of Deposit is established for the purchase of fire protective gear. This certificate of deposit is established for eleven months.

At this time, the certificate of deposit has \$45,200.

No expenditure shall be made from this fund, except upon authorization from the Board pursuant to section 6-c of the General Municipal Law.

All members present voting AYE. Carried.

Certificate of Deposit – Street Equipment

The following was made upon motion of Trustee Gray 2nd by Trustee Lincoln:

Resolved, that pursuant to section 6-c of the General Municipal Law, as amended the Village Board has established a reserve fund to finance the cost of purchasing or repairing street equipment.

The Clerk/Treas. is authorized to invest from time-to-time moneys of this fund pursuant to section 6-f of the General Municipal Law. At this time \$30,000 be placed in a certificate of deposit. This Certificate of Deposit is established for the purchase or repair of street equipment. This Certificate of Deposit will be for eleven months.

No expenditure shall be made from this fund, except upon authorization from the Board pursuant to section 6-c of the General Municipal Law.

Meeting of April 11, 2022 continued:

Currently the certificate of deposit has \$48,557.

All members present voting AYE. Carried.

Certificate of Deposit – Water Fund

The following was made upon motion of Trustee Gray 2nd by Trustee Lincoln:

Resolved, that pursuant to section 6-c of the General Municipal Law, as amended the Village Board has established a reserve fund to finance the cost of painting the water tower and water improvements.

The Clerk/Treas. is authorized to invest from time-to-time moneys of this fund pursuant to section 6-f of the General Municipal Law. At this time \$25,000 be placed in a certificate of deposit. This Certificate of Deposit is established for the painting of the water tower or any other necessary water improvements. This Certificate of Deposit will be for eleven months.

No expenditure shall be made from this fund, except upon authorization from the Board pursuant to section 6-c of the General Municipal Law.

Currently the certificate of deposit has \$152,182.

All members present voting AYE. Carried.

Certificate of Deposit – Fire Truck

The following was made upon motion of Trustee Gray 2nd by Trustee Lincoln:

Resolved, that pursuant to section 6-c of the General Municipal Law, as amended the Village Board has established a reserve fund to finance the cost of purchasing fire equipment.

The Clerk/Treas. is authorized to invest from time-to-time moneys of this fund pursuant to section 6-f of the General Municipal Law. At this time \$30,000 be placed in a certificate of deposit.

This Certificate of Deposit is established for the purchase of fire equipment. This certificate of deposit is established for eleven months.

At this time, the certificate of deposit has \$61,393.

No expenditure shall be made from this fund, except upon authorization from the Board pursuant to section 6-c of the General Municipal Law.

All members present voting AYE. Carried.

Transfer of Funds

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

From A3120.4 to 1325.1	1,845.41
From A3120.11 to A1325.4	3,000.00
From A3120.4 to A1620.4	3,000.00
From A3120.4 to A3620.4	4,000.00
From A3120.4 to A9060.8	500.00

All members present voting AYE. Carried.

Meeting of April 11, 2022 continued:

Adjournment

There being no further business to come before the Board, motion made by Trustee Lincoln 2nd by Trustee Gray to adjourn. All members present voting AYE. Meeting adjourned at 7:15 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer