

September 12, 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: Jeff Linsner, Bryan Gray, Brian Rickerson

Village Trustees Absent: Earl Lincoln

Also Attending: Street & Water Supervisor Jason Lannon, WWTP Chief Operator, Eric Merkley, Scott Upchurch - Police Chief, John & Idelle Bowles, Ryan Bennett, Kelsey Shoemaker, Laurel Shoemaker, Denise Burnett, Vivian Ryan, Scott Farrands, Adrian Montes, Carole Cummings, Debbie Healy, Linda & Pete Landschoot, Katrina Egburtson, Scott & Ann Landschoot, Kristin Reinhardt, Scott Janas, and others who were not signed in on the attendance sheet.

Minutes: The minutes of the meeting of August 8, 2022, were approved upon motion by Trustee Gray 2nd by Trustee Linsner. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #216 through #311 and ARPA #0-#0 were approved for payment by Trustee Linsner 2nd by Trustee Rickerson. All members present voting AYE. Carried.

General Fund =	\$ 152,027.06
Water Fund =	\$ 80,184.68
Sewer Fund =	\$ 11,209.00
ARPA =	\$ -0-

PRIVILEGE OF THE FLOOR:

J. Lannon – street and water report

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

Street report: Sidewalk work on Teft Avenue has been completed. Concrete gutter has been installed at the top of Pleasant Street, east side and extended on the north side of Ladue Avenue. Grass is beginning to come in, in both areas. Surge stone has been replaced in the Sulphur creek by the Foster Block. This needed to be done because a sizable portion of stone washed into the creek during the flooding in October 2021 and because children have been throwing the stones into the creek. The crew is getting equipment ready for winter. All trucks will be sprayed for rust proofing. The crew will be finishing repair work on some storm drains.

Cemetery wall: Mayor Keyes is concerned with the skim coat that is falling off the Pearl Street cemetery front wall. Discussion was held on if placing cement block in front of the wall might. Supervisor Lannon will take a look and get a price. The Village has reached out to numerous masons. To date, no success in finding an independent mason to look at this work.

Water report: A new main pump will be installed in October. The old pump will be rebuilt. The cost of the motor is up \$700 since last year. It is unknown what they will get into with the pump until the work is started. Supervisor Lannon estimated 11K in the budget. Lightning struck the water tanks and fried the telemetry system. Clerk Reals and Supervisor Lannon have submitted this as a claim to the insurance company. Clerk Reals did reach out to Hunt Engineering and asked them to contact Supervisor Lannon to update the water map and to provide as built drawings for the Crane Street water value replacement that was done in July.

Meeting of September 12, 2022 continued:

E. Merkley, sewer report

Eric Merkley, Chief Operator, appeared before the Board.

The most recent NYS Department of Environmental Conservation (DEC) inspector that the village works with is retiring. The village is now working with an inspector the village has worked with before. For this reason, a new punch list is in place for the required disinfection and possible upgrades to the sewer plant. Chief Operator Merkley has talked to the engineer at Hunt, and he has the punch list and is working on it.

Discussion was held on the price quotes for a Kohler generator or a Generac generator for the plant. The Kohler is 180K, the Generac is 231K. Chief Operator Merkley explained that at this time generators are 53 weeks out. Motion was made by Trustee Rickerson 2nd by Trustee Linsner to authorize Mr. Merkley to order the Kohler generator for 180K now, due to the lead time for receiving the generator. All members present voting AYE. Carried.

The loader has been repaired. There has been a delay in waiting on parts to arrive.

Work is being done on the driveway at the lift station, behind Ashton Place.

The land being purchased from Leach Road Land Company for the sewer project will need to go thru a five-phase process per NYS Ag and Markets.

J. Bowles and I. Bowles – speeding on East Main Street

J. Bowles and I. Bowles, East Main Street residents, appeared before the Board. They are concerned about heavy traffic exceeding the speed limit on East Main Street.

Chief Upchurch has been running radar in several areas of the Village, including East Main Street. Chief Upchurch believes people have slowed down. Trustee Rickerson will put in a request to the Ontario County Sheriff's Office to have the speed trailer come to the Village. Trustee Rickerson is not sure when the trailer will be available but will look into this.

Mrs. Bowles suggested solar radar speed signs. Chief Upchurch will look into the cost of these.

Trustee Gray suggested starting the process to lower the speed limit to twenty-five miles per hour, as recently the state passed legislation that will allow for this. Clerk Reals was authorized to start this process with Attorney Jeff Graff.

Public Hearing on Amending the code of the Village of Clifton Springs to add a short-term rental law

Mayor Keyes opened the public hearing at 6:20 PM. This hearing was properly advertised in THE FINGER LAKES TIMES on August 25, 2022 and placed on the village sign board and placed on the village website. As a courtesy, the notice of the public hearing and the proposed local law, was mailed to owners the village has seen listed on the internet as having short term rentals.

Denise Burnett addressed the Board. Denise Burnett indicated this is a neighbor – neighbor problem. Denise Burnett explained that short term rentals are provided for the community. Denise Burnett explained that many of her rentals have been for people re-locating to the area and that she has been doing this for some time and has helped many people.

Denise Burnett explained that short term rentals are self-regulating and that there are no hotels in the area. Denise Burnett explained that she is unaware of any adverse effects from short term rentals. She also explained that the guests support the local business and that short term rentals do not need regulations, but long-term rentals need

Meeting of September 12, 2022 continued:

regulations. Denise Burnett explained that government is not an answer and certainly not our friend.

Mayor Keyes explained that this is an issue that affects many communities, and many communities are putting laws into effect to help regulate the short-term rentals. Mayor Keyes explained that the village is trying to be pro-active, and that the village wants tourism in the community, but that communities are losing homes to short term rentals.

Trustee Rickerson explained that Clifton Springs is in the gateway to the Finger Lakes, so people do come to this area for that reason.

Scott Landschoot addressed the Board. Scott Landschoot stated that he was present as a village resident, not as the Zoning Board of Appeals Chairman for the village. Scott Landschoot explained that the village has a code in place with the bed and breakfast code, which allows short term rentals. Scott Landschoot is concerned about what happens when there is a problem at a short-term rental and what is the re-course if something happens. Scott Landschoot explained the short-term rental next to him can house 10 people at a time and sometimes the house can change occupants three times in a week. Scott Landschoot explained that he hopes a bridge can be built again with his neighbor and he does have concerns that residents do not have something to stand on, if there is no short-term rental law. Scott Landschoot explained that he thinks it is important that the owners of short-term rentals live in one of the three townships, as proposed in the local law because Capital Rock recently spent a significant amount of money purchasing short term rentals in many different communities.

Faith Most could not attend the public hearing and sent an email that she does not object to short term rentals.

Deb Healy addressed the Board. She has put money into her home, and she recently put in a natural hedge fence, hoping to rectify issues with a neighbor and provide the neighbor privacy.

Eric Merkley addressed the Board. Currently Mr. Merkley uses his camper as a short-term rental. The proposed law specifies that recreational vehicles cannot be used as short-term rentals. This is also part of NYS building code. Mr. Merkley stated that a giant blanket was thrown over the whole village regarding short term rentals.

Trustee Gray stated that NYS Conference of Mayors has sent out information to all villages and cities regarding short term rentals and regulations that can be put in place.

Kristen Reinhardt addressed the Board. She handed out a myths and facts worksheet. Kristen Reinhardt explained that one neighbor has complained and is advocating for short term rental law. She explained the people are not looking at the positive part of short-term rentals and she is disappointed short-term rentals have come to needing regulations. Kristen Reinhardt explained that short term rentals need safety regulations, but long-term rentals need safety regulations too.

Kelsey Shoemaker addressed the Board. She explained that the Village is trying to get ahead of problem that might be a problem.

Vivian Ryan addressed the Board. Vivian Ryan explained that the Village needs more affordable housing and that there is a drug problem in the Foster Block and that crime is running wild in that building.

Mayor Keyes asked those present if everyone had had an opportunity to be heard. No other persons asked to address the Board. Mayor Keyes closed the public hearing at 6:55 PM.

Meeting of September 12, 2022 continued:

Kristen Reinhardt asked how long people would have to be in compliance with the residency portion of the proposed law. The Board agreed that current owners of short-term rentals would need to complete the two-page application by December 31, 2022 and that current owners who do not live within the three townships (Hopewell, Manchester and Phelps) would have two years to get their residency in compliance, which would be by September 12, 2024.

Discussion was held by the Board.

Trustee Gray stated that the Village is not trying to get existing owners out from short term rental, except Eric Merkley, which the NYS Building Code has determined that an RV cannot be rental. Trustee Gray stated that we want to be careful that people who do not live here are not purchasing property for the sole purpose of short-term rentals. Trustee Gray reiterated that those short-term rental owners who currently do not live within the three townships, (Hopewell, Phelps and Manchester) will have two years to obtain residency. This will give those owners time to decide how they want to proceed. The Board agreed that current short term rental owners will need to compete for the short-term rental application by December 31, 2022. The Board agreed the fee for the short-term rental will be \$250 every two years.

After hearing all comments, Mayor Keyes proceeded with SEQR review.

The Board reviewed part 1 of the Full Environmental Assessment Form, which was completed by the Village Planning Board and signed by Planning Board Chairman Scott Janas on July 13, 2022.

The Village Board reviewed part 2 of the Full Environmental Assessment Form and read every section and answered the questions, relevant to the proposed short term rental law.

#1. Impact on Land, proposed action may involve construction on, or physical alteration of the land surface of the proposed site.

The Board answered No to #1.

#2. Impact on Geological Features, the proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves).

The Board answered No to #2.

#3. Impacts on Surface Water, the proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes).

The Board answered No to #3.

#4. Impact on groundwater, the proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to the ground water or an aquifer.

The Board answered No to #4.

#5. Impact on Flooding, the proposed action may result in development on lands subject to flooding.

The Board answered No to #5.

#6. Impacts on Air, the proposed action may include a state regulated air emission source.

Meeting of September 12, 2022 continued:

The Board answered No to #6.

#7. Impact on Plants and Animals, the proposed action may result in loss of flora or fauna.

The Board answered No to #7.

#8. Impact on Agricultural Resources, the proposed action may impact agricultural resources.

The Board answered No to #8.

#9. Impact on Aesthetic Resources, the land use of the proposed action are obviously different form, or are in sharp contrast to, current land use patterns between the proposed project and a scenic, or aesthetic resource.

The Board answered No to #9.

#10. Impact on Historic and Archeological Resources, the proposed action may occur in or adjacent to a historic or archaeological resource.

The Board answered No to #10.

#11. Impact on Open Space and Recreation, the proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

The Board answered No to #11.

#12. Impact on Critical Environmental Areas, the proposed action may be located within or adjacent to a critical environmental area (CEA).

The Board answered No #12.

#13. Impact on Transportation, the proposed action may result in a change to existing transportation systems.

The Board answered No to #13.

#14. Impact on Energy, the proposed action may cause an increase in the use of any form or energy.

The Board answered No to #14.

#15. Impact on Noise, Odor, and Light, the proposed action may result in an increase in noise, odors, or outdoor lighting.

The Board answered No to #15.

#16. Impact on Human Health, the proposed action may have an impact on human health from exposure to new or existing sources of contaminants.

The Board answered No to #16.

#17. Consistency with Community Plans, the proposed action is not consistent with adopted land use plans.

The Board answered No to #17.

Meeting of September 12, 2022 continued:

#18. Consistency with Community Character, the proposed project is inconsistent with the existing community character.

The Board answered No to #18

The Village Board reviewed part 3 of the Full Environmental Assessment Form – Evaluation of the magnitude and importance of project impacts and determination of significance.

The Board reviewed part 3 and determined this project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

Trustee Rickerson offered the following resolution 2nd by Trustee Gray

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CLIFTON SPRINGS,
ONTARIO COUNTY, NEW YORK,
DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 2 OF 2022**

WHEREAS, the Village of Clifton Springs Village Board, hereinafter referred to as Village Board, has determined proposed Local Law No. 2 of 2022 to be a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Village Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Village Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Village Board makes this Determination of Non-Significance based upon: the Long Environmental Assessment Form prepared for this action, Village Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Village Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Village Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Village Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Village Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Village Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

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 September 12, 2022 by the following vote:

	Aye	Nay
James Keyes	X	
Earl Lincoln		was not present
Jeffrey Linsner	X	
Bryan Gray	X	
Brian Rickerson	X	

Dated: September 13, 2022

SEAL

Carried.

Lori Reals, Village Clerk/Treasurer

Meeting of September 12, 2022 continued:

Trustee Gray offered the following resolution 2nd by Trustee Rickerson:

RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CLIFTON SPRINGS OF LOCAL LAW NO. 2 OF 2022

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, 2022, at 6:20 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 the Code of the Village of Clifton Springs to Add a Short-Term Rental Law;

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village of Clifton Springs, on August 25, 2022 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, 2022, at 6:20 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, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Village Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; 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. 2 of 2022, entitled, "A Local Law Amending the Code of the Village of Clifton Springs to Add a Short-Term Rental Law", 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, to publish an abstract of this local law in the Village's official newspaper 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 September 12, 2022 by the following vote:

	Aye	Nay
James Keyes	X	
Earl Lincoln	was not present	
Jeffrey Linsner		X
Bryan Gray	X	
Brian Rickerson	X	

Dated: September 13, 2022

Lori Reals, Village Clerk/Treasurer

SEAL
Carried.

Meeting of September 12, 2022 continued:

Village of Clifton Springs

Local Law No. 2 of the year 2022

A local law Amending the Code of the Village of Clifton Springs to
Add a Short-Term Rental Law

Be it enacted by the Board of Trustees

Village of Clifton Springs as follows:

Section 1: The Code of the Village of Clifton Springs is hereby amended by adding a new Chapter 93 to read as follows:

Chapter 93

Short-Term Rentals

§ 93-1. Authority

This Chapter is adopted pursuant to §10 of the New York State Municipal Home Rule Law, which empowers the Village of Clifton Springs Village Board to adopt local laws relating to the government, protection, order, conduct, safety, health and well-being of persons or property within the Village, to include the power to adopt local laws providing for the regulation or licensing of occupations or businesses, which such power includes the power to adopt a local law regulating the use of buildings, structures or lots for short-term rentals.

§ 93-2. Purpose.

Given the rise in use of short-term rentals and given the effects short-term rentals can have on adjacent properties, neighborhoods and the Village as a whole, the Village Board finds it in the best interest of the Village to control and regulate the use of short-term rentals within the Village. The short-term rental regulations contained in this chapter are intended to preserve and protect the health, character, safety, and general welfare of the neighborhoods where such uses may exist, and to mitigate the adverse effects of short-term rentals. It is the further purpose of the short-term rental regulations being adopted by this local law to preserve the availability of residential housing units and maintain the essentially residential character of the Village of Clifton Springs while at the same time allowing homeowners to benefit economically from the need for periods of short-term transient lodging.

§ 93-3. Title.

This chapter shall be known and may be cited as the “Village of Clifton Springs Short-Term Rental Law”.

§ 93-4. Word usage.

As used in this chapter, words in the singular include the plural and those in the plural include the singular. The word “person” includes an individual as well as a corporation, unincorporated association, firm, partnership, limited liability company, trust, company, estate or any other entity. The word “building” includes the word “structure” and shall be construed as if followed by the phrase “or part thereof”. The word “may” is permissive. The words “shall” and “will” are mandatory. The word “lot” includes the words “plot”, “parcel”, “tract” or “site”. The word “premises” includes a lot and all buildings or structures thereon. Words or terms used in this chapter that are defined in the Zoning Law of the

Meeting of September 12, 2022 continued:

Village of Clifton Springs shall have the definitions provided in such Zoning Law, unless otherwise provided for herein.

§ 93-5. Definitions.

For the purpose of this chapter, the following words and terms shall be defined as follows:

APPLICATION - The application for a short-term rental permit.

COMPLETE APPLICATION - An application that has satisfied all of the submittal requirements set forth in this chapter and otherwise complies with all of the criteria required for the issuance of a short-term rental permit.

OWNER – A human person or human persons who are the record titled owner or owners of the property for which a short-term rental permit is sought or has been issued. All owners must have their primary residence located in the Town of Manchester, Town of Phelps, Town of Hopewell or in any Village located wholly or partly in such Towns. No short-term rental permit shall be issued or effective if any owner of the property is a non-human entity, including, but not limited to, a corporation, limited liability company, partnership, joint stock company, estate or trust.

PROPERTY or SHORT-TERM RENTAL PROPERTY - All such dwellings or dwelling units or part thereof used for short-term rental purposes.

SHORT-TERM RENTAL - The rental of any dwelling or dwelling unit or part thereof for less than 30 days to an individual or individuals. A recreational vehicle shall not be considered a dwelling, dwelling unit, short-term rental or short-term rental property for purposes of this chapter and shall not have a short-term rental permit issued for it.

VILLAGE - Village of Clifton Springs, New York.

§ 93-6. Permit. To operate as a short-term rental, the property owner shall file an application with the Village of Clifton Springs and be granted a permit to operate a short-term rental.

§ 93-7. Requirements for application. Short-term rentals may be allowed anywhere in the Village unless otherwise restricted. The following information and documentation shall accompany the application and be provided to the Village of Clifton Springs:

- (1) Completed application with required application and/or renewal fee.
- (2) Street address for each short-term rental property.
- (3) The name, address, and contact information, including a twenty-four-hour contact phone number for each of the owners as well as the name, address, and contact information of an alternate contact who may be contacted in the event the owners are unavailable or in the event of an emergency.
- (4) A signed and notarized acknowledgement on the application, that the owners have read all of the Village's regulations pertaining to the operation of a short-term rental. All owners shall sign the application before a notary public certifying the accuracy of the information submitted and agreeing to comply with all regulations.

§ 93-8. Effective date of permit. The permit shall be issued by the Code Enforcement Officer upon receipt of a completed application as defined in this chapter.

§ 93-9. Fees. The application fee and annual renewal fee shall be set by resolution of the Village Board. The fee associated with new applications will be pro-rated by month based on the current fee set by the Village Board.

Meeting of September 12, 2022 continued:

§ 93-10. Term of permit. The permit shall be valid for up to two years and may be renewed bi-annually by January 1 of each second year. The permit may be renewed upon the payment of the bi-annual renewal fee unless there is a substantial change to the information contained in the application.

(1) If the permit is not renewed by January 1 of each second year or if a non-human entity acquires any ownership interest in the property, the permit is considered to be suspended until such time as the renewal process is complete or until such time as the property is owned only by human persons, as applicable.

(2) The owner shall amend the application at any time there is a change in circumstances that would require an update to the information submitted by the owner or property manager.

§ 93-11. Operating a short-term rental without a permit. Any person conducting short-term rental(s) without a valid permit or with a suspended permit, including using a recreational vehicle or any non-dwelling building or structure as a short-term rental, shall be in violation of this chapter.

§ 93-12. Discovery of an immediate health hazard. Upon the discovery of an immediate health hazard to renters, the Code Enforcement Officer can suspend the short-term rental permit until the hazard is remedied.

§ 93-13. Enforcement. It shall be the duty of the Clifton Springs Code Enforcement Officer or any police officer to enforce the provisions of this chapter.

§ 93-14. Penalties for offenses.

(1) A violation of this chapter is hereby declared to be a criminal offense, punishable by a fine not exceeding \$250. Each day's continued violation shall constitute a separate additional violation.

(2) If any building, structure, dwelling, dwelling unit, lot, parcel, recreational vehicle or part thereof is used in violation of this chapter, the Village, in addition to other remedies, penalties or enforcement measures, may institute any appropriate action or proceeding to enjoin, stop, restrain, correct or abate such violation.

Section 2: 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 affect, 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 3: This local law shall take effect immediately upon filing with the Secretary of State.

Meeting of September 12, 2022 continued:

CORRESPONDENCES:

Proposed Short term rental law SEQR

SEQR information for the short-term rental law.

Reviewed and SEQR reviewed and adopted earlier in this meeting.

Proposed Short term rental law SEQR resolution

SEQR resolution for the Boards consideration.

Reviewed and adopted earlier in this meeting.

Proposed Short term rental law

Copy of the proposed short term rental law for the public hearing and consideration for adoption.

Reviewed and adopted earlier in this meeting.

Sale of 2013 loader

Copy of the check for the sale of the 2013 loader. At auction the loader brought \$73,770.

Reviewed. The trade in value was \$66,500, so the loader was sold thru the online auction. The Board was pleased with the auction sale price.

D. Morphy concerns with Lisk condensing unit

Multiple emails from Denise Morphy, 32 Broad Street, regarding the condensing unit at Lisk, the dumpsters at Lisk and an email sent to the hospital regarding the Lisk condensing unit.

Reviewed. Mayor Keyes has been on contact with NYS Department of Environmental Conservation. Discussion was held on if the smell could be part of the Ontario County landfill, that people do smell in this area, when the wind is blowing in the right direction. The Village will continue to try to smell what Mrs. Morphy has been smelling. Several Board members have responded to this area, when Mrs. Morphy indicates the smell is occurring, but to date, the Board has not been there when the smell occurs. This is an issue for NYS DEC and NYS DEC indicates Lisk is in compliance with the condensing unit.

Resolution from the Town of Manchester regarding the possible sale of land from Leach Road Land Company

Copy of the resolution that was adopted by the Town of Manchester regarding the possible land purchase from Leach Road Land Company.

Reviewed. The Village appreciates the Town adopting this resolution as it is needed for the sale of land. Trustee Rickerson updated the Board that the survey on the land has been done and one of the owners was present and agreed with the area to be sold. The Village will continue to move forward with this sale, as this land is needed for the sewer plant project. Clerk Reals will contact Bryan White at Hunt Engineering to get this survey to the attorney as soon as possible.

ZBA variance request for ground solar

Copy of the Zoning Board of Appeals legal notice for a variance request from Bryan Gray, 81 East Main Street, requesting ground mounted solar.

Reviewed. The Zoning Board will hold a public hearing on this request on September 19, 2022.

Meeting of September 12, 2022 continued:

Follow up on possibly combining Planning and Zoning Boards

Follow up from the last meeting, response from Attorney Jeff Graff regarding the option to combine the Planning Board and Zoning Board.

Reviewed. This is not a simple process and much of the code would need to be changed. Trustee Gray will discuss this further with the chairperson of the Planning Board and Zoning Board.

Insurance for youth football and cheerleading

Copy of the certificate of insurance for Youth Football and Cheerleading.

Reviewed. This was also sent on to Anderson VanHorne Insurance Agency.

Thank you – Museum Day

Thank you from Jim Connors for the support on Museum Day.

Reviewed.

Letter of resignation D. Rickerson

Letter of resignation from Court Clerk, D. Rickerson, effective September 16, 2022.

Reviewed and accepted with regrets.

T. Jones concerns with Lisk condensing unit

Letter from T. Jones, 30 Broad Street, with concerns on the evaporator at G.W. Lisk.

Mayor Keyes has forwarded this email on to NYS Department of Environmental Conservation.

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

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

SEWER DEPARTMENT: This report was covered under privilege of the floor and correspondences.

ZONING & PLANNING DEPARTMENTS: See correspondences.

FIRE DEPARTMENT: Trustee Linsner had nothing to report.

Youth football games – parking issues

PARK – YOUTH DEPARTMENT: Discussion was held on the two youth football games that have been played at the Fabrizi field in September 2022. Several neighbors have called with concerns about the parking, the traffic, trash, and language. The Board previously agreed that youth football could host four games at the park in 2022. The Board asked youth football if parking would not be an issue. At that time youth football indicated that parking would not be an issue. Chief Upchurch will discuss this with representatives from youth football and will work diligently to improve the parking before the two games are played in October. The concerned neighbors indicated they want the children to be able to play, but improvements need to be made by youth football, so this works better for all in the neighborhood.

SOCIAL MEDIA: Nothing was reported.

POLICE DEPARTMENT: Nothing was reported.

COURT DEPARTMENT: See correspondences for resignation of D. Rickerson.

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

Meeting of September 12, 2022 continued:

CLERK REALS REPORT:

Review of Annual Update Document

Clerk Reals reviewed with the Board the 2021-2022 Annual Update Document (AUD) and provided the Board with all revenues and expenses for that fiscal year. Discussion was held on each fund and all year end fund balances were reviewed. Clerk Reals answered the questions the Board had, and the AUD was accepted. The AUD has also been filed with the Office of the State Comptroller.

Local Law for property tax cap

Clerk Reals reminded the Board that the public hearing for the local law to override the property tax cap will be on October 10, 2022 at 6:20 PM. This resolution was done at the August 8, 2022 Board meeting.

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

OTHER BUSINESS:

Security system for Village Hall

Trustee Rickerson recommends that the Village look into a security system for the Village Hall, Police Department and Court. Chief Upchurch will determine what is needed.

Cemetery wall(s)

Supervisor Lannon will look into an estimate to do a long-term repair to the front wall.

Transfer of Funds

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

Increase A5110.2 by \$66,500 from the sale of the loader	
From A8010.1 to A8010.4	1,000.00
From A8020.1 to A8030.4	1,500.00
From F8130.4 to F1440.4	4,024.09
From G1990.4 to G1420.4	675.00
From G1990.4 to G1440.4	39,117.09
From G1990.4 to G8130.4A	6,678.50
From G1990.4 to G9040.8	2,056.00
From G1990.4 to G9060.8	2,000.00

All members present voting AYE. Carried.

Adjournment

There being no further business to come before the Board, motion made by Trustee Linsner 2nd by Trustee Rickerson to adjourn. All members present voting AYE. Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer