

October 10, 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

Minutes: The minutes of the meeting of September 12, 2022, were approved upon motion by Trustee Linsner 2nd by Trustee Gray. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #312 through #388 and ARPA #0-#0 were approved for payment by Trustee Linsner 2nd by Trustee Gray. All members present voting AYE. Carried.

General Fund =	\$	46,014.82
Water Fund =	\$	311.77
Sewer Fund =	\$	41,692.77
ARPA =	\$	-0-

PRIVILEGE OF THE FLOOR:

J. Lannon – street and water report

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

Street report: Veteran’s banners will be going up this week and will remain up until Veterans Day. After Veterans Day, winter banners and holiday decorations will be going up. The new truck had a hydraulic leak. The Village will work on repairing this. Some trees need to be removed in the parks. The crew has a few storm drain catch basins to repair. W. Ciardi remains a part time laborer with the Village and will be helping as needed with snow removal. Laborer, S. Groover, will be attending CDL school, starting in November.

Water report: Water meters will need to updated. By the end of this year, parts of the reading system will not work. Supervisor Lannon has made some adjustments in the water budget to proceed with the upgrade. The upgrade is to the software and how it will read.

Trustee Rickerson asked how long is this proposed software system is good for? This is hard to answer with software changing as needed. The current meters that are in most residential homes are seven years old. Supervisor Lannon hopes to get approximately twelve years out of these meters. As meters need replacing a new meter will be installed that can also be read remotely.

Jason Lannon, Scott Laird, Linda Rider and Lori Reals will be meeting with a representative from the water meter company to make sure that the meters will work with the existing water – sewer billing program.

The Board agreed that the Village has no choice but to move forward with software upgrades at an estimated cost of \$18,900.

NYS Department of Health is requiring a survey be completed on every home in the Village that indicates if the home has a lead service of not. This survey has to be done by 2024. The crew and the clerk’s office will work on notifications to the public and the crew checking services, if the Village does not have the information in existing water records.

Meeting of October 10, 2022 continued:

A professional leak survey will be done in the next few weeks. The crew routinely does leak surveying, and annually a professional leak survey is completed

Public Hearing on Local Law – “A local law to override the tax levy limit established in General Municipal Law ss3-c”

Mayor Keyes opened the public hearing at 6:20 PM. This hearing was properly advertised in THE FINGER LAKES TIMES on September 15, 2022 and placed on the village sign board and placed on the village website and front door of Village Hall.

No other persons were present for this public hearing. The Village considers this local law each year, in case there is a need to override the tax limit and or in case an error is made in calculating the tax rates.

Motion was made by Trustee Gray 2nd by Trustee Rickerson to close the public hearing at 7:15PM. All members present voting AYE.

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. 3 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 October 10, 2022, at 6:20 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 September 15, 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 October 10, 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, 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. 3 of 2022, 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/Treasurer be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Clifton Springs, and to give due notice of the adoption of said local law to the Secretary of State of New York. I, Lori Reals, Village Clerk/Treasurer of the Village of Clifton Springs do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Clifton Springs on October 10, 2022 by the following vote:

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

Dated: October 11, 2022

SEAL

Lori Reals, Village Clerk/Treasurer

All members present voting AYE. Carried.
Meeting of October 10, 2022 continued:

Local Law No. 3 of the year 2022

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:

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, 2023 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, 2023 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

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:

Proposed Local Law 3-2022 – law to override the tax levy

Copy of local law 3-2022, A local law to override the tax levy limit established in General Municipal Law ss3-C.

Reviewed and adopted at the public hearing.

Judge D. Smithling – reminder of annual audit

Letter from Judge D. Smithling, reminding the Board of the need to do an annual audit.

Trustee Linsner and former Court Clerk D. Rickerson completed the audit for 2021 earlier in the year. Judge Smithling is required to provide this notification to the Board.

ZBA minutes from September 19, 2022

Copy of the ZBA meeting minutes from the meeting held on September 19, 2022.

Reviewed. This meeting pertained to a variance for B. Gray to have ground solar. The ZBA denied this request.

Resignation of N. Day as ZBA alternate

Email from N. Day, ZBA alternate, resigning from the alternate position.
Meeting of October 10, 2022 continued:

Reviewed and accepted with regrets.

Annual inspections on the Village owned buildings – completed by Code Enforcement

Copy of the inspections done for the Village buildings.

Reviewed and noted the 1st floor of Village Hall has 2 emergency backup lights out. Trustee Lincoln will be notified of this.

YMCA request for “Boo Bash”

Letter from the YMCA regarding the “Boo Bash” they are hosting and a request for street closures for wagon rides.

Reviewed and approved. Supervisor Lannon and Chief Upchurch will work out the street closure details with the YMCA.

Fire Department Potential Members

Request from Clifton Springs Fire Department for potential membership of J. DeCook (Jr. Firefighter) and A. Bennett (Firefighter).

Reviewed. The background check process is currently being completed.

Methodist Church request tree to be lit for the holidays

Letter from the Methodist Church requesting that the tree in front of the Methodist Church be lit for the holidays.

Reviewed. As this is on private property, the Board agreed that the Village will not be placing the lights on the tree, because this would be a gift of services.

Short term rental law has been filed with the State

Letter from the Department of State, indicating that the Short term rental law has been filed.

Reviewed.

Proposed local law for changes to the vehicle and traffic law

Copy of a proposed local law for some changes to the Vehicle and Traffic Law, primary change being reducing the Village speed limit from 30 MPH to 25 MPH.

Trustee Linsner offered the following resolution 2nd by Trustee Rickerson

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR PROPOSED LOCAL LAW ENTITLED “A LOCAL LAW AMENDING CHAPTER 108 (VEHICLES AND TRAFFIC) OF THE CODE OF THE VILLAGE OF CLIFTON SPRINGS”

WHEREAS, the Village Board of the Village of Clifton Springs, after due deliberation, finds it in the best interests of the Village to schedule a public hearing to solicit public comment upon a proposed Local Law entitled “A Local Law Amending Chapter 108 (Vehicles and Traffic) of the Code of the Village of Clifton Springs”; and

WHEREAS, the Village Board of the Village of Clifton Springs has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Village of Clifton Springs to proceed in accordance with the Code of the Village of Clifton Springs and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Village Clerk/Treasurer be, and she hereby is, directed to schedule a public hearing to be held on November 14, 2022, at

Meeting of October 10, 2022 continued:

6:15 p.m. at the Clifton Springs Village Hall, 1 West Main Street, Clifton Springs, New York; and be it further

RESOLVED, that the Village Clerk/Treasurer, be and hereby is, authorized to forward to the official newspaper of the Village a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Village Clerk/Treasurer be, and she hereby is, directed to post a copy of the proposed Local Law on the Village of Clifton Springs sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Village Board of the Village of Clifton Springs for its consideration.

I, Lori Reals, Village Clerk/Treasurer of the Village of Clifton Springs do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Clifton Springs on October 10, 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: October 11, 2022

Lori Reals, Village Clerk/Treasurer

SEAL

All members present voting AYE. Carried.

March 21, 2023 Village Election

Resolution for the March 2023 election and the offices that will be to be filled.

At the regular meeting of the Board of Trustees of the Village of Clifton Springs the following resolution was offered by Trustee Rickerson 2nd by Trustee Gray who moved its adoption. All members present voting AYE.

WHEREAS, the next General and Special Village Election for Officers will be held on Tuesday, March 21, 2023 Election Law, Sec. 15-104, Sub 3 (a), and

WHEREAS, the Board of Trustees must designate by resolution and publish the offices which are to be filled in such election and the terms thereof.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees designates the following offices as vacant at the end of the current official year, April 3, 2023 to be filled at the General and Special Village Election to be held on Tuesday, March 21, 2023 for the following terms:

Mayor – one office (4) year term (Incumbent James Keyes)

Trustee – one office (4) year term (Incumbent Earl Lincoln)

Meeting of October 10, 2022 continued:

Trustee – one office (4) year term (Incumbent Jeff Linsner)

Justice – one office (2) year term (Office currently held by appointment, Justice office held by Justice Doreen Smithling)

This resolution shall take effect immediately.

Meeting of October 10, 2022 continued:

Concern from D. Morphy with Lisk Evaporator

Email from D. Morphy, Broad Street, asking NYS Department of Environmental Conservation (DEC) to reconsider air quality testing from the Lisk evaporator unit.

Mrs. Morphy sent this email to the NYS DEC and copied the Village. The Board agreed the testing of air quality is a decision for the NYS DEC to make. The Board asked Clerk Reals to find out when the evaporator unit at Lisk was originally installed.

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

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

SEWER DEPARTMENT: Trustee Rickerson reported the following:

Ashton Place Lift Station

The lift station on Woodview Lane, behind Ashton Place will be having new pumps installed. This work should begin within the next month.

Disinfection and possible upgrades to sewer plant

The NYS Department of Environmental Conservation has added a number of items they are requiring before the disinfection and possible upgrades at the sewer plant, can be put out to bid. The Village and Hunt Engineering are working on these new additional requests. For this reason, the Village is unsure when this project will go out to bid.

ZONING & PLANNING DEPARTMENTS: See correspondences. Trustee Gray reported the following:

Possible merger of Planning and Zoning Boards

Trustee Gray is discussing with the Chairman's of the Planning Board and Zoning Board and the Village Attorney, the advantages and disadvantages of merging the two Boards. This discussion is in the very early stages and no decisions have been made.

FIRE DEPARTMENT: Trustee Linsner reported the following:

Background Checks

The Board would like to continue to discussion on background checks, when all Board members are present. Trustee Linsner did check with the Village insurance carrier and the insurance carrier agrees that a Department of Motor Vehicles driving record should be included as part of the background.

Youth football games – parking issues

PARK – YOUTH DEPARTMENT: Discission was held on the two youth football games that took place after the last Board meeting, when the Board was made aware of parking concerns by the neighbors. Steps were taken to address the parking concerns. Chief Upchurch and Supervisor Lannon worked with youth football to provide no parking signs and Wellspring Church allowed overflow parking. Some Board members drove thru the area on a game day and traffic flowed fine. Some neighbors also called and expressed thanks, as this parking issue was significantly improved.

SOCIAL MEDIA: Nothing was reported.

Speeding/ solar radar signs

POLICE DEPARTMENT: Trustee Rickerson suggested that that Village look into the cost of solar radar speed signs from NYS bid pricing, as well as other options that might be available to help reduce speeding in the Village. Chief Upchurch will look into this.

COURT DEPARTMENT: Nothing was reported.

Meeting of October 10, 2022 continued:

Plein Air Art

MAYOR KEYES REPORT: Mayor Keyes reported that the Plein Air Art event, sponsored by Main Street Arts was a very nice event and many compliments about the Village were received. Approximately 20 artists painted in various areas of the Village and then displayed and sold their artwork at the John Brown Park.

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

OTHER BUSINESS:

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

From A1110.4 to A1210.4	100.00
From A7140.4 to A7140.1	400.00
From water fund balance to F8352.4	12,581.31

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 Gray to adjourn. All members present voting AYE. Meeting adjourned at 7:22 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer