

March 20, 2023

A special 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. This meeting was held because there was not a quorum for the March 13, 2023. The purpose of this meeting is to conduct the monthly business of the Village.

Presiding: Mayor James Keyes

Village Trustees Present: Bryan Gray, Brian Rickerson, Jeff Linsner

Village Trustees Absent: Earl Lincoln

Also Attending: Jason Lannon – DPW Supervisor, Eric Merkley – Chief Sewer Plant Operator, Scott Upchurch – Police Chief, Mike Patrick, Jacob Kornbau, Jeff Consoli – Midlakes Youth Football & Cheer, Scout – Travis Guard and Stacy Guard

Minutes: The minutes of the meeting of February 13, 2023, were approved upon motion by Trustee Linsner 2nd by Trustee Rickerson. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #689 through #778 and ARPA #4-#4 were approved for payment by Trustee Gray 2nd by Trustee Linsner. All members present voting AYE. Carried.

General Fund =	\$ 63,318.45
Water Fund =	\$ 42,834.79
Sewer Fund =	\$ 15,803.48
ARPA =	\$ 1,073.22

PRIVILEGE OF THE FLOOR:

J. Lannon – street and water report

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

Street report: The manlift was inspected. Soon the employees will be re-tested for hearing. This is required due to some of the equipment they operate. The G.W. Lisk Community Park is in need of power washing, crack filing, and painting areas that have experienced premature wear due to sitting water. Supervisor Lannon will arrange for Super Seal to complete this work. Motion was made by Trustee Linsner 2nd by Trustee Gray to have Super Seal complete the work at a cost of \$6,200 and includes prevailing rate. All members present voting AYE. Carried. A small set of bleachers for the G.W. Lisk Community Park has arrived and been assembled. The Village has met the requirement for road salt purchase. NYSEG will be removing 10 trees, the Village will have 20 stumps removed. A large rotten tree needs removal at the cemetery. Due to the location this will require climbing and handwork. The Village crew does not do this type of work. A tree surgeon will need to be hired.

Water report: Supervisor Lannon reported that the meter in Spa Apartments needs replacing. The valves inside don't look very good and the Village will wait for better weather. The two water tanks will be power washed.

Midlakes Jr. Football & Cheer

Mike Patrick, Jacob Kornbau, and Jeff Consoli, appeared before the Board to ask permission for youth football and cheer to use Fabrizi Park from August through October. The men explained that the football field at Midlakes will not be ready for any use this football season. For this reason, Midlakes Youth Football would like to host 4 games at Fabrizi park. Youth Football will work on coordinating some dates with Clerk Reals, to avoid conflicts for those renting the John Brown Park. The Board was agreeable to Midlakes Youth Football using the fields and hosting four games. The Village has had a very good working relationship with youth football for many years.

Meeting of March 20, 2023 continued:

Youth Football will send flyers to the homeowners on Hibbard Avenue and Park Street advising them of this and Youth Football will work with the Street Department and Police Department and Youth Football will put out no parking signs in certain areas. Youth Football has also made arrangements for overflow parking to use the Well Spring Church on Teft Avenue for extra parking and Youth Football will notify the visiting teams of this. Chef Upchurch explained that issues last year revolved around parking and asked if more time could be given in between games but the men explained that the referees are on a time schedule that has to be followed. Youth Football will be donating four tons of crusher run that will be spread in the parking lot and around the football sheds. Motion was made by Trustee Gray 2nd by Trustee Linsner to allow Youth Football & Cheer to use the Fabrizi field for practice and to host four games. All members present voting AYE. Carried.

E. Merkley – sewer report

Eric Merkley, Chief Operator at the sewer plant, appeared before the Board.

Chief Operator Merkley informed the Board that Clifton Springs Hospital violated the sewer discharge permit, by exceeding the limit for suspended solids. This occurred for 29 days. The sewer code allows for a fine for this violation of a maximum of \$1,000 per day. Chief Operator Merkley recommends fining the hospital \$100 per day for this violation. Motion was made by Trustee Gray 2nd by Trustee Rickerson to fine Clifton Springs hospital for violating the sewer discharge permit on suspended solids, \$100 per day x 29 days, the violation equals a total fine of \$2,900. All members present voting AYE. Carried.

Alta Company came unannounced to repair the loader that has continued to leak hydraulic fluid. The repair was done, but there seems to be some oil dripping, but it may subside. Chief Operator Merkley believes this all comes back to the original problem and should be covered under warranty. Chief Operator Merkley is waiting to get a price on an extended warranty for this machine. Chief Operator Merkley had pricing on trading in this loader for a new loader. The Village Board indicated the Village is not looking to trade in the machine.

Discussion was held on summer help. Chief Operator Merkley would like to advertise this. This seasonal position is in the tentative budget. The Board agreed to advertise a seasonal laborer for 30 hours per week at \$16.50 per hour, beginning approximately June 1.

The disinfection and plant upgrades plans were submitted by Hunt Engineering to NYS Department of Environmental Conservation on March 3, 2023. At this time DEC is reviewing the plans and the Village needs this approval, before the project can go out to bid.

Chief Operator Merkley explained that the plant will be a 3A plant once the disinfection process happens. Currently both full time operators have 2A sewer licenses. Mayor Keyes will reach out to part time employee Mark VanDeMortel and see if he is interested in assisting the Village during the transition from a 2A plant to a 3A plant. Mr. VanDeMortel holds a 3A license and was an employee at the plant for many years. Mr. VanDeMortel is also currently a part-time employee with the Village. This would not be full-time work.

Discussion was held on Chief Operator Merkley working at the Manchester – Shortsville sewer plant for experience as this is a 3A plant. It is unclear if this will happen or not. The Board agreed that if Chief Operator Merkley can get experience at this plant, he would remain an employee of the Village of Clifton Springs and would not be paid by Manchester – Shortsville.

The Board agreed that both operators at the plant will need to become 3A operators.

Meeting of March 20, 2023 continued:

S. Upchurch – police report

Scott Upchurch, Police Chief, appeared before the Board. Chief Upchurch has a company that will be bringing a demo radar trailer unit. The company wants to coordinate this with other communities to do demos in other places as well. The demo will do data collection and Chief Upchurch will move it around to get data from different areas in the Village.

Chief Upchurch and Trustee Rickerson are working together on getting cameras for the village hall building. Currently they are looking at locations outside all entrances into the village hall building (Clerk, Court, Police).

CORRESPONDENCES:

Possible Local Law to amend the Senior Citizen Exemption for real property taxes

Copy of possible local law that pertains to changing the income level, for the aged exemption for taxes from \$20,000 to a sliding scale of \$24,000 through \$29,699.99.

Reviewed. The Village is looking at this as social security has increased and for this reason some seniors have lost this exemption.

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

**RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING
FOR A PROPOSED LOCAL LAW ENTITLED “A LOCAL LAW AMENDING OF
CHAPTER 103 OF THE CODE OF THE VILLAGE OF CLIFTON SPRINGS RELATIVE
TO THE EXEMPTIONS FOR SENIOR CITIZENS”**

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 103 of the Code of the Village of Clifton Springs Relative to the Exemptions for Senior Citizens”; 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,

WHEREAS, this action by the Village Board is a “Type II” action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5, thereby requiring no further action by the Village Board, in that Part 617.5 (c) states that actions that are not subject to review under SEQRA include, “(33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list” and subsection (26) on this list includes “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”. This action involves continuing agency administration and management in that it will amend the existing Village Taxation Law regarding the senior citizens exemption for village taxes.

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 April 10, 2023, at 6:25 p.m. at the Clifton Springs Village Hall, 1 West Main Street, Clifton Springs, New York; and be it further

Meeting of March 20, 2023 continued:

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 March 20, 2023 by the following vote:

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

Dated: March 21, 2023

Lori Reals, Village Clerk/Treasurer

SEAL

Carried.

Possible Local Law to change the definition of "short term rental"

Copy of a possible local law that pertains to changing the definition of short-term rental.

Reviewed. This law is being considered as code enforcement has asked the Board to reconsider the definition of short term rental.

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

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED "A LOCAL LAW AMENDING CHAPTER 93 (SHORT-TERM RENTALS) 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 93 (Short-Term Rentals) 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; and

WHEREAS, this action by the Village Board is a "Type II" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5, thereby requiring no further action by the Village Board, in that Part 617.5 (c) states that actions that are not subject to review under SEQRA include, "(33) adoption of regulations, policies, procedures and local legislative

Meeting of March 20, 2023 continued:

decisions in connection with any action on this list” and subsection (26) on this list includes “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”. This action involves continuing agency administration and management in that it will amend the existing Village Short-Term Rental Law to change a definition.

NOW, THEREFORE, BE IT RESOLVED, that the Village Clerk be, and she hereby is, directed to schedule a public hearing to be held on April 10, 2023, at 6:35 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, 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 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 Board of Trustees of the Village of Clifton Springs adopted the aforementioned resolution on March 20, 2023 by the following vote:

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

Dated: March 21, 2023

Lori Reals, Village Clerk/Treasurer

SEAL

Carried.

Possible local law for exemption for Volunteer firefighters

Copy of possible local law that pertains to real property tax exemption for Volunteer firefighters.

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

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED “A LOCAL LAW AMENDING CHAPTER 103 OF THE CODE OF THE VILLAGE OF CLIFTON SPRINGS TO ENACT A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS”

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 103 of the Code of the Village of Clifton Springs to Enact a Property Tax Exemption for Volunteer Firefighters”; 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,

Meeting of March 20, 2023 continued:

WHEREAS, this action by the Village Board is a "Type II" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5, thereby requiring no further action by the Village Board, in that Part 617.5 (c) states that actions that are not subject to review under SEQRA include, "(33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list" and subsection (26) on this list includes "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment". This action involves continuing agency administration and management in that it will amend the existing Village Taxation Law regarding an exemption for volunteer firefighters for village taxes.

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 April 10, 2023, at 6:30 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 March 20, 2023 by the following vote:

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

Dated: March 21, 2023

Lori Reals, Village Clerk/Treasurer

SEAL

Carried.

Elected Fire Officers

Copy of the list of officers for 2023-2024 for the Clifton Springs Fire Department.

Motion was made by Trustee Linsner 2nd by Trustee Rickerson to accept the elected firematic officers and they are as follows:

Chief, Steve DeCook
1st Assistant Chief, Paul Conklin
2nd Assistant Chief, Wayne Conklin
Captain, Jeff Guard

All members present voting AYE. Carried.

Possible video conferencing law

Emails between Attorney Graff, Mayor Keyes and Clerk Reals pertaining to a possible video conferencing law.

Meeting of March 20, 2023 continued:

The Board discussed this. A quorum of members, in person, is still required. All members of the Board are valued members. In reading the information, it appears there is a lot that has to go into a video conferencing law and one of the main concerns, is the need to store the video data for five years. After discussion, the Board agreed they do not want to pursue a video conferring law at this time.

Clifton Springs Historical Society Agreement

Annual agreement for the Clifton Springs Historical Society.

Trustee Linsner offered the following 2nd by Trustee Rickerson:

WHEREAS, the Village desires to enter into a contract with the Historical Society whereby the Historical Society will furnish such historical privileges to the people of the Village, and

WHEREAS, the Historical Society desires to enter into a contract with the Village to furnish such Historical Society privileges to the people of the Village,

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. The Historical Society agrees to furnish Historical Society privileges to the people of the Village for a sum of \$1,300 for the year commencing on the 1st day of June 2022 such sum to be paid to the Historical Society after the first day of July 2022 and before the last day of May 2023.
2. In consideration of the furnishings of such Historical Society privileges by the Historical Society, the Village agrees to pay the Historical Society the sum specified in paragraph one at the time so specified.

All members present voting AYE. Carried.

B. Maslyn attends training

Certificate of attendance for B. Maslyn, Planning Board member.

Reviewed and appreciated.

Draft of the proposed 2023-2024 budget for discussion and consideration. A public hearing is required to adopt, that would be scheduled for April 10, 2023.

Tentative budget for 2023-2024

Discussion on highlights and tentative budget for Board review.

Discussion was held. This proposed budget increases the tax rate on the Phelps side of the Village by .07/1,000 and increases the tax rate on the Manchester side of the Village by .05/1,000. The proposed tax rates would be \$6.52/1,000 for the Manchester side of the Village and \$6.61/1,000 for the Phelps side of the Village. There is no proposed change in water or sewer charges, although it is anticipated that once firm numbers are known for the sewer plant disinfection and possible head works, that the sewer rate may need to increase. The equalization rates are 93% for the Phelps side and 92% for the Manchester side. Equalization rates are set by the State.

Mayor Keyes explained that the increase is minimal in part due to the continued increase in sales tax revenue.

Trustee Rickerson suggested the Village look at steps in pay for employees. Trustee Gray and Trustee Linsner stated that given the size of the Village workforce, they like the flexibility that is in place, versus steps. Discussion was held on possible steps of pay for new hires. No final decision on this was made.

A motion was made by Trustee Linsner 2nd by Trustee Gray to accept the tentative budget and to schedule a public hearing on the budget for April 10, 2023 at 6:15 pm. All members present voting AYE.

Meeting of March 20, 2023 continued:

Fiscal Stress and Environmental Stress scores

From the State Comptroller. The scores for the Village on Fiscal Stress and Environmental Stress.

The Village's scores are very low, with no concern from the State for either fiscal stress or environmental stress. This is positive.

STREET DEPARTMENT: Trustee Lincoln was not present, and this report was covered under privilege of the floor.

WATER DEPARTMENT: Trustee Lincoln was not present and this report was covered under privilege of the floor.

Clerk Reals reported that the Clerk's office is working with a couple of vendors on a possible change to the water and sewer software billing system. This is needed because of the change to the water meter reading system.

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

ZONING & PLANNING DEPARTMENTS: Trustee Gray had nothing to report.

FIRE DEPARTMENT: See correspondence for possible local law for volunteer firefighters.

Clerk Reals reported that a few members will be attending the May Board meeting to discuss the next truck purchase, the requested new storage building to replace the current storage building that is 22 years old and the request for a digital sign. The Board has requested that the members come to begin discussion on these topics.

PARK – YOUTH DEPARTMENT: See privilege of the floor.

SOCIAL MEDIA: Nothing was reported.

POLICE DEPARTMENT: Chief Upchurch is working on having a company bring a demonstration radar trailer to the Village.

COURT DEPARTMENT: Follow-up from the March meeting on the discussion on court.

Mayor Keyes reported that he, Trustee Rickerson, and Clerk Reals met with Attorney Graff to discuss court. Previous discussion was held on whether the Village should keep court or dissolve court and turn this over to the Towns of Manchester and Phelps. Attorney Graff suggested that the Village put this topic on the calendar to discuss this in the fall. This is because at this time the Village has to keep court until the term of the judge ends, which is the beginning of April 2025. The Board could agree to dissolve the court prior to 2025, but the Village has to keep court until the current judge's term ends. Clerk Reals will put this on the calendar for the fall. Mayor Keyes intends to discuss court with the judge and the court clerk to get an understanding of how many cases are heard at the Village court level.

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

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

OTHER BUSINESS:

Meeting of March 20, 2023 continued:

Transfer of funds

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

From A1990.4 to A1420.4	\$2399.99
From A5410.4 to A5110.4	\$6,045.36
From A5142.4 to A5110.4	\$5,000.00
From F8340.4 to F1440.4	\$1,893.95
From G8120.4 to G8130.4	\$10,000.00

All members present voting AYE. Carried.

Adjournment

There being no further business to come before the Board, motion made by Trustee Rickerson 2nd by Trustee Linsner to adjourn. All members present voting AYE. Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer