

June 12, 2023

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: Bryan Gray, Brian Rickerson, Jeff Linsner, Earl Lincoln

Village Trustees Absent: None

Also Attending: Jason Lannon – DPW Supervisor, Eric Merkley – Chief Wastewater Plant Operator

Minutes: The minutes of the meeting of May 8, 2023 were approved upon motion by Trustee Gray 2nd by Trustee Linsner. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #1 through #69 and ARPA #1-#2 were approved for payment by Trustee Lincoln 2nd by Trustee Rickerson.

. All members present voting AYE. Carried.

General Fund =	\$ 232,479.99
Water Fund =	\$ 28,116.05
Sewer Fund =	\$ 16,904.00
ARPA =	\$ 1,903.60

PRIVILEGE OF THE FLOOR:

J. Lannon – street and water report

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

Street report: Street improvement work on West Main Street and Crane Street has been completed and turned out good. The concrete gutter work on a section of Stephens Street has also been completed and turned out well. Milling and paving near the railroad tracks on Kendall Street should be done next week. NYSEG has removed a number of trees and stump grinding will be completed next week. A tree needs to be taken down at the Pearl Street cemetery. The summer help will assist with the debris removal. The summer help will be painting the green railings and doors throughout the village. The sidewalk has been replaced at 49 East Main Street. This sidewalk had to be removed to replace a water line at 51 East Main Street. Last year concrete gutter work was done near the top of Pleasant Street. Mayor Keyes has spoken with the homeowners who previously had drainage problems in this area, and they have indicated the area now drains well during heavy rains and snow melt.

Poretta – sidewalk on Crane Street

Hunt Engineering has reached out to Poretta Construction. There is an issue with six sidewalk blocks on the east side of Crane Street, that Poretta poured last year while doing water valve work. The Village is waiting for a response from Poretta Construction as to when these blocks will be replaced.

Water report: Fire hydrant flushing has been completed. A new water service will be done on at 23 Hibbard Avenue. Summer help will be painting the fire hydrants. A water line at Fabrizi park will be repaired. The Spa Apartments will be getting a new water meter installed.

Meeting of June 12, 2023 continued:

E. Merkley – sewer report

Eric Merkley, Chief Wastewater Operator, appeared before the Board and reported the following:

The grinder unit went down. Parts have been ordered to repair the unit. Another cylinder is going on the loader. A bolt is broken. Alta has been notified.

The sewer employees are not wearing uniforms. At this point it is less expensive to buy out of the contract than to continue to pay for uniforms that are not being worn. The buy out is in process and the buy out cost is \$2,300.

The sewer department will be working with the street department to do manhole work. The department plans to rent a machine for one month, possibly in July. The crews will start on some streets with less traffic to see how the “Mr. Manhole” machine works. The Village of Phelps also wants to come and help and in return the Village crew will assist Phelps with the same type of work.

Approximately July 17, 2023 work will begin to get the old clarifier back in service. This must be done to proceed with the sewer improvement project.

J. Frere, seasonal laborer, began working on June 12, 2023.

Mayor Keyes informed the Board he has not heard from Hunt Engineering. Hunt has agreed to provide a monthly update to the Village on a number of projects that the Village is working with Hunt on.

Chief Operator Merkley has been in contact with NYS Department of Environmental Conservation and DEC has indicated they have everything they need to review the disinfection and proposed upgrades to the sewer plant. Chief Operator Merkley is hopeful that once approved by DEC, the project could be put out to bid this year for work to begin in 2024.

Chief Operating Merkley has been in contact with the NYS Department of Environmental Conservation and DEC has indicated they have everything they need to review the compost permit.

Public Hearing on Local law 4-2023

A Local Law Amending Chapter 103 of the Code of the Village of Clifton Springs to Enact a Property Tax Exemption for Volunteer Firefighters

Mayor Keyes opened the public hearing at 6:20 PM. This public hearing was properly advertised in THE FINGER LAKES TIMES on June 6, 2023 and posted on the sign board in Village Hall and on the front door of Village Hall.

No persons appeared before the Board for the public hearing. Motion was made by Trustee Rickerson 2nd by Trustee Lincoln to close the public hearing at 6:25 PM and to adopt local law 4-2023. All members present voting AYE. Carried.

Meeting of June 12, 2023 continued:

RESOLUTION AUTHORIZING ADOPTION BY THE VILLAGE BOARD OF THE VILLAGE OF CLIFTON SPRINGS OF LOCAL LAW NO. 4 OF 2023 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, a resolution was duly adopted by the Village Board of the Village of Clifton Springs for a public hearing to be held by said Village Board on June 12, 2023, at 6:20 p.m. at the Clifton Springs Village Hall, 1 West Main Street, Clifton Springs, New York, to hear all interested parties on 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, notice of said public hearing was duly advertised in the official newspaper of the Village of Clifton Springs, on June 6, 2023 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on June 12, 2023, at 6:20 p.m. at the Clifton Springs 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 Village Board 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 Village Board of the Village of Clifton Springs hereby adopts said Local Law No. 4 of 2023, 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”, 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, 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 June 12, 2023 by the following vote:

	Aye	Nay
James Keyes	X	
Earl Lincoln	X	
Jeffrey Linsner	X	
Bryan Gray	X	
Brian Rickerson	X	

Dated: June 13, 2023

Lori Reals, Village Clerk/Treasurer

SEAL

Meeting of June 12, 2023 continued:

Village of Clifton Springs

Local Law No. 4 of the year 2023

A Local Law Amending Chapter 103 of the Code of the Village of Clifton Springs to Enact a Property Tax Exemption for Volunteer Firefighters

Be it enacted by the Village Board of the Village of Clifton Springs as follows:

Section 1. Pursuant to New York State Real Property Tax Law §466-a, Chapter 103 (Taxation) of the Code of the Village of Clifton Springs, New York is hereby amended with the insertion and enactment of a new Article IV, to read as follows:

Article IV

Volunteer Firefighters Exemption

§ 103-10. Grant of exemption.

An exemption of 10% of assessed value of property owned by an enrolled member, as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Village of Clifton Springs, exclusive of special assessments, as long as eligibility requirements are met.

§ 103-11. Eligibility requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company or fire department provided that:

- A. The property is owned by the volunteer firefighter;
- B. The property is the primary residence of the volunteer firefighter;
- C. The property is used exclusively for residential purposes;
- D. The volunteer firefighter resides in the Village of Clifton Springs and the Village of Clifton Springs is served by such incorporated volunteer fire company or fire department;
- E. The volunteer firefighter is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company or fire department; and
- F. The volunteer firefighter meets the minimum service requirement established by the Village of Clifton Springs, which is hereby established as two (2) years.

§ 103-12. Application.

A volunteer firefighter must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the Village of Clifton Springs, on a form as prescribed by the New York State Commissioner of Taxation and Finance. The Village of Clifton Springs must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

Meeting of June 12, 2023 continued:

§ 103-13. Certification.

The Village Board of the Village of Clifton Springs must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

§ 103-14. No diminution of benefits.

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this article.

§ 103-15. Grant of lifetime exemption.

Any eligible enrolled member who accrues more than 20 years of active volunteer service (as certified by the authority having jurisdiction) shall be granted the 10% exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within the Village of Clifton Springs.

§ 103-16. Un-remarried spouse of enrolled member killed in the line of duty.

The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least five years and had been receiving the exemption at the time of his or her death.

§ 103-17. Un-remarried spouse of deceased enrolled member.

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

Section 3. 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 4. This local law shall take effect immediately upon filing with the Secretary of State.

Meeting of June 12, 2023 continued:

CORRESPONDENCES:

Local Law regarding property tax exemption for volunteer firefighters

For the public hearing. A copy of proposed local law allowing for an exemption for volunteer firefighters.

Reviewed and adopted at the public hearing.

Hunt Engineering – sewer project

Copy of the email that Mayor Keyes sent Tim Steed at Hunt Engineering, back in May, regarding the sewer project.

Reviewed. This email pertained to the lack of progress on some projects that Hunt is working with the Village on.

Hunt Engineering – sewer project

Response from Tim Steed, Engineer at Hunt Engineering, responding to Mayor Keyes concerns.

Reviewed. Mr. Steed agreed to provide a monthly update to the Board on projects that Hunt Engineering is working on.

Hunt Engineering – sewer compost permit

Information from Bryan White, Engineer at Hunt Engineering, regarding the sewer compost permit.

Reviewed. Mr. White has submitted the information NYS Department of Environmental Conservation needs to review the compost permit for approval.

Annexation of small piece of land from the Town of Manchester to the Village for the sewer plant project.

Information from Attorney Graff, regarding annexation of the small piece of land that was purchased for the sewer plant project.

Reviewed. Attorney Graff has outlined the process for annexation. The Village and the Town of Manchester will need to determine which municipality will be the lead agency on this.

Annexation – SEQR information

Additional SEQR information from Bryan White, Engineer at Hunt Engineering that will be needed for the annexation.

This information will be reviewed with Attorney Graff before any action is taken.

Annexation – Town of Manchester discussing July 11, 2023

Copy of the notice of meeting pertaining to the annexation of the land. The Town of Manchester will discuss this at their meeting on July 11, 2023 at 6:00 pm.

Reviewed. Mayor Keyes will try to attend this meeting.

Camera quote for Village Hall

At the request of Trustee Rickerson – camera quote from My Tech Company on the agenda again.

Reviewed. This is on the agenda again because action needs to be taken to get cameras installed. The Village has reached out to other vendors who have not come to look at this project. For the safety of those in and out of the Village Hall, Trustee Rickerson made a motion to proceed with hiring My Tech Company to install camera's in and out of the Village Hall 2nd by Trustee Lincoln. All members present voting AYE. Trustee Lincoln will reach out to My Tech Company.

Meeting of June 12, 2023 continued:

Short term rental fee

A copy of the short-term rental application for a short-term rental owner and a copy of her \$200 check, along with comments she has requested be printed as part of the meeting minutes. This owner completed the form and paid under protest.

Reviewed. The Board had previously agreed that the fee would be \$250 for each short-term rental. Trustee Gray stated that this fee was never intended to be a money maker for the Village. For this reason, Trustee Gray made a motion that the fee for a short-term rental be \$250 per owner operator and the fee shall cover a two-year period. This motion was 2nd by Trustee Rickerson with all members present voting AYE.

Note: The owner of the short-term rental had comments that she wanted to be included as part of the meeting minutes. The owner indicated that no one should feel compelled to follow a law when she believes members of the Board pushing the law committed perjury. She also indicated that members of the Board are public entities who should represent all their constituents.

Dog Permit request – C. Forbes

Request from Cheryl Forbes, 9 Teft Avenue, for an animal permit, to continue to have seven dogs.

Motion was made by Trustee Lincoln 2nd by Trustee Rickerson to allow the seven dogs with the following conditions:

- 1) The permit is for seven dogs. As the code allows residents to have two dogs, it is required that as a dog passes or permanently leaves the residence that Mrs. Forbes does not replace that dog, until she gets down to two dogs.
- 2) The dogs are to be confined to the side of the house with an invisible fence. Should the invisible fence not confine the dogs, she will be asked to install a solid fence in the yard to keep the dogs on your property.
- 3) Initially, this was brought to the Village's attention by people complaining about the barking of the dogs. Mrs. Forbes needs to continue to be considerate of the barking.
- 4) The permit is good for one year from June 2023 until June 2024. As a reminder the Village code reads as follows: Section 49.1A, of the Village Code "Such special permit may be granted for a period of one year unless it shall appear from complaints of neighbors or otherwise that the keeping of the animal in question is objectionable or offensive by reason of noise, smell or other cause. Such a special permit shall be revocable at any time by the Board of Trustees."
- 5) After a one-year period, should the permit still be in effect, Mrs. Forbes is responsible to appear or write to the Board for the permit to continue.

All members present voting AYE. Carried.

Judge Caldwell request annual audit of court funds

Letter from Judge Caldwell requesting an annual audit of the court records.

Reviewed. Trustee Linsner previously completed this type of audit with the former Court Clerk. Trustee Linsner agreed he will work on this request.

Meeting of June 12, 2023 continued:

Local Law 2 -2023 and 3-2023 have been filed with the State

Letter from the Department of State that shows Local Law 2 & 3 2023 have been filed. (Sr. Citizen Tax Exemption & Short-term rental definition)

Reviewed.

Blue Cross Blue Shield request increase of 15.4%

Letter from Blue Cross Blue Shield that indicates they are requesting an increase of 15.4%.

Reviewed.

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

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

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: Trustee Linsner reported the following:

Digital sign for Fire Department

Discussion was held on the digital sign that the fire department has expressed interest in. The Board believes it could be difficult to get a use variance for the sign. Trustee Linsner will discuss this with the department and get their thoughts on pursuing this further or not.

Ladder truck

Trustee Linsner reported that the fire department is at a trade show in Harrisburg and has informed Trustee Linsner that new ladder trucks are now in the 1.8 million-to-2.0 million-dollar price range.

The Board agreed that the Village and the Fire Department should begin discussions on how to finance a truck at this cost.

PARK – YOUTH DEPARTMENT:

Annual agreement with the YMCA

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

WHEREAS, the Village desires to enter into a contract with the YMCA Youth Program whereby the YMCA Youth Program will provide organized recreational programs to the youth of the Village, and

WHEREAS, the YMCA Youth Program desires to enter into a contract with the Village to provide organized recreational programs to the youth of the Village.

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. The YMCA Youth Program agrees to furnish organized recreational programs to the Youth of the Village for the sum of \$17,785 (\$12,285) from the Village of Clifton Springs, \$1,500 from the Town of Phelps, \$4,000 from the Town of Manchester (to be spent on parks, the Village is choosing to spend this on youth recreation), for the fiscal year beginning on the 1st day of June 2023, such sum to be paid to the YMCA on or about the 1st day of August 2023.

Meeting of June 12, 2023 continued:

2. In consideration of the furnishings of organized recreational programs, the Village agrees to pay the YMCA the sum specified in paragraph one at the time so specified.
3. The YMCA agrees that the YMCA is restricted from using any of the above said funds to subsidize or off set in anyway the YMCA Child Care Program, including before and after school care and summer day sessions that families pay for.

All members present voting AYE. Carried.

Agreement with the library

WHEREAS, the Village desires to enter into a contract with the library whereby the Library will furnish such Library privileges to the people of the Village, and

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

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. The library agrees to furnish Library privileges to the people of the Village for a sum of \$4,000 for the year commencing on the 1st day of June 2023, such sum to be paid to the Library on or about the 1st day of August 2023.
2. In consideration of the furnishings of such Library privileges by the Library, the Village agrees to pay the library the sum specified in paragraph one at the time so specified.

All members present voting AYE. Carried.

Please note the difference between the YMCA and the Library has to do with the residents paying a library tax in the school taxes. Most communities have eliminated financial agreements with their libraries for this reason. The Village Board agreed to provide funds to the library in the 2023-2024 budget.

SOCIAL MEDIA: Nothing was reported.

POLICE DEPARTMENT: Chief Upchurch is working on having a company bring a demonstration radar trailer to the Village the week of June 20, 2023..

COURT DEPARTMENT: See correspondences. Clerk Reals reported that Judge Caldwell took the time to meet with many of the 2nd grade classes that recently toured the Village and enjoyed the park. The children and the school appreciated that he took the time to do this.

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 May and year to date revenue and expenses through May and bank statement for May.

OTHER BUSINESS:

Lannon's Garage – Kendall Street

Trustee Lincoln informed the Board that he has received a number of complaints on the condition of Lannon's Garage on Kendall Street. The concerns are over the maintenance on the front and back of the building. Concerns also over the number of unlicensed vehicles in the parking lot. Trustee Gray agreed to discuss this with Code Enforcement.

Meeting of June 12, 2023 continued:

Executive Session

Motion was made by Trustee Gray 2nd by Trustee Linsner to enter into executive session at 7:00 PM to discuss litigation with N. Rader. All members voted AYE.

Motion was made by Trustee Gray 2nd by Trustee Linsner to exit executive session at 7:03 PM. All members present voting AYE.

No decisions were made in the executive session.

Adjournment

There being no further business to come before the Board, motion made by Trustee Lincoln 2nd by Trustee Rickerson to adjourn. All members present voting AYE. Meeting adjourned at 7:20 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer