

Village of Phoenix
Public Hearing/Special Meeting
Tuesday, September 29, 2016 at 6:30 PM
Sweet Memorial Building
455 Main Street, Phoenix, NY 13135

Present: Mayor Ryan Wood Attorney Steve Primo
Absent Trustee Jennifer Burgess Clerk Roxanne Demo
Trustee Andrew Bittel
Trustee David Pendergast
Absent Trustee Eric Shaffer II

1 Public in Attendance

Motion was made by Mayor Ryan Wood to open the special meeting at 6:30pm, seconded by Trustee David Pendergast. All ayes.

Motion to waive the reading of the public hearing was made by Trustee Andrew Bittel, seconded by Trustee David Pendergast. All ayes.

**NOTICE OF SPECIAL
MEETING**

**VILLAGE OF PHOENIX BOARD OF TRUSTEES
(To Be Held On September 29, 2016)**

PLEASE TAKE NOTICE that a Special Meeting will be held by the Board of Trustees of the Village of Phoenix on **September 29, 2016** at 6:30P.M. at the Sweet Memorial Building, located at 455 Main Street, County of Oswego, State of New York for purposes of the following.

1. Overview of grant program proposal and conduct of public hearing at 6:35 pm as required relative to the Restore New York program grant application and intended properties listing, such public hearing being or having been noticed separately per the grant program requirements;
2. Any required approvals, consents and the like relating to the above and intended application including without limitation any required environmental significance reviews and/or resolutions, approvals relating to submission and supplementation of the application and any other business that may properly come before the Village Board of Trustees.

Public comment relative to #1 may be received at the Special Meeting or submitted by

letter addressed to the Village Clerk-Treasurer and received not later than September 29, 2016 at 4:00 pm. Those needing assistance relative to attendance and/or participation at the special meeting and public hearing due to disability are directed to the Village of Phoenix website at rdemo@villageofphoenix-ny.gov and should contact the Village Administrator as directed thereon or Village Clerk-Treasurer for assistance.

Roxanne Demo
Village Clerk-Treasurer

September 23, 2016

NOTICE OF PUBLIC HEARING AND PUBLICATION OF PROPERTY ASSESSMENT LIST

Please take notice that the Village of Phoenix will be holding a Public Hearing on September 29, 2016 at 6:30pm, in the auditorium of the Sweet Memorial Building, 455 Main Street, Phoenix, NY 13135, to discuss the Village of Phoenix proposed application for grant under the Empire State Development Corporation's Restore NY Community Initiatives Grant Program ("Program") and the Property Assessment List. The request for funding is to renovate the properties listed below:

1. 17 Culvert Street – Approximately 5,760 square feet of commercial space to be rehabilitated
2. 1 Bridge Street – Approximately 3,712 square feet of commercial space to be rehabilitated

Persons may appear in person, by representative or by comments in writing delivered to the Village Clerk not later than 12:00pm on the date of the public hearing. Persons with disabilities may notify the Village Clerk's office before the scheduled public hearing so that arrangements can be made. Comments may also be sent to the Village of Phoenix Village Clerk, 455 Main Street, Phoenix, NY 13135. Information regarding the Program may be obtained at <http://esd.ny.gov/BusinessPrograms/RestoreNY.html>.

**Certified Minutes of Special meeting and Public Hearing of 9/29/16 and
MUNICIPAL RESOLUTION RELATIVE TO
SEQRA REVIEW AND APPROVING
APPLICATION FOR GRANT FUNDING FROM THE EMPIRE
STATE DEVELOPMENT CORPORATION'S RESTORE NY
COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM
Round4 Approved in 2015-16 State Budgets**

The Village Board of the Village of Phoenix, in the County of Oswego, State of New York, met in a special session duly noticed as required under the New York State OML in the Village of Phoenix, located at 455 Main Street, County of Oswego, State of New York, on the 29th day of September, 2016 at 6:30p.m. for the purpose of further discussing the following matters and for the holding of a public hearing at 6:35pm as hereinafter described:

Ryan Wood, Mayor, and the following Trustees were present:

David Pendergast, Trustee
Andrew Bittel, Trustee

Absent: Eric Shaffer II, Trustee
Jennifer Burgess, Trustee

Also present was:
Steve Primo, Village Attorney
Kristy Lamanche, KL Consulting, LLC

Kristy Lamanche gave an overview of the projects considered and grant program after which the Mayor opened the public hearing; there being no public comment or questions upon motion of Trustee Pendergast, seconded by Trustee Bittel, a resolution closing the public hearing was duly adopted by the Mayor and two Trustees present, specifically making the proofs of publication and posting part of the record;

Attorney Primo then explained the resolution draft prepared in some detail, including the SEQRA issues considered; the following resolution was then moved by Trustee Bittel, seconded by Trustee Pendergast. All ayes. :

WHEREAS, the Empire State Development Corporation, through the latest round of its Restore NY Communities Initiative Municipal Grant Program, is continuing to encourage economic development and neighborhood growth by soliciting requests from municipalities for financial assistance for the revitalization of commercial and residential properties; and

WHEREAS, the Village is desirous of seeking assistance for Village projects through this round of the program, having successfully undertaken a past project with assistance from this program and notwithstanding considerable difficulties with the initial developer, eventually acquiring the premises by eminent domain and working with a second developer who completed the project successfully resulting in a showpiece restored two story mixed use structure at the village center; and

WHEREAS, the goals of Restore NY's Communities Initiatives Municipal Grant Program are to revitalize urban centers, induce commercial investment and improve the municipal housing stock; and

WHEREAS, funding for a grant program to implement the Restore NY's Communities Initiative Municipal Grant Program was approved in the 2015-16 New York State Budget, and up to \$500 million is available

under the grant program; and

WHEREAS, the Village of Phoenix has, through its consultant Kristy Lamanche of KL Consulting LLC (on retainer with the Village for several years and having in 2007 initiated the project above referenced and also assisted the Village with its Strategic Plan, Comprehensive Plan update and a number of other economic and community development efforts, including other agency funding and bonding transactions) been presented with the current program specifics, a listing of several properties and owners spoken to, the development ideas discussed, and as such directed and caused an application to be prepared for the purposes of seeking such grant funding in the form attached as Exhibit “A”; and

WHEREAS, the Village Attorney, Steve J. Primo and Ms. Lamanche, after discussing the potential properties and projects, their size and scope, of Phoenix, caused the preparation of Part I of a short environmental assessment form pursuant to the State Environmental Quality Review Act Exhibit “B” attached ; and

WHEREAS, The Village Board of Trustees also on this date having, based on advise of counsel, specifically that the two projects now considered, and the related projects and grant funding, as described in the EAF part I, consist of renovations at 17 Culvert Street consisting of exterior painting, window replacements, doors and storefront renovation and replacement of HVAC system and at 1 Bridge Street involving replacement windows, flooring and plumbing, electrical and exterior masonry work and repaving and drainage infrastructure improvements consistent with all NYS and local codes requirements of existing areas in each case will not increase the size or area of present improvements but will replace same with legally permitted business uses, including residential units within the Village core area and including Village Board review and application of architectural and design guidelines intended to preserve character of existing architecturally significant buildings, or where lacking, to advise as to exterior façade features intended to do so. The same consists of rehabilitation, reconstruction or construction of a structure or facility contemplated under 6 NYCRR617.5 (c)(2) and (7) as Type II actions and as such requires no further consideration under SEQRA; and

WHEREAS, project applicants, having sought and provided estimates for their respective project costs are aware of the program match requirements and have represented they are able to pay such matching funds requirement of 10%

WHEREAS, relative to the public hearing aforementioned a Notice of Public Hearing and Publication of Property Assessment List scheduling a public hearing for this date was duly published on three consecutive publication days in a daily local newspaper, as required and as shown on the proof of publication attached as Exhibit “C” (such paper also being an official paper of general circulation and there being no such daily local paper in the Village) such public hearing having been opened, held and closed at such times and as noted in the Village Board minutes including synopses of such comments and discussions had relative to the Application and Property Assessment List on this date; and

WHEREAS, the Village Board having discussed and considered the principles outlined in the following paragraph and whether and to the extent such objectives are met by the projects proposed; and

NOW THEREFORE BE IT RESOLVED, the Village of Phoenix hereby supports the Restore NY’s Communities Initiative Municipal Grant Program based on the principles that the proposed project(s): (a) is consistent with the municipality’s local revitalization or urban development plan, (b) the proposed financing is appropriate for the specific project(s), (c) it facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources, and (d) it develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities, and accordingly; be it

FURTHER RESOLVED, that the action contemplated hereunder is determined a Type II action under SEQRA and that the Mayor of the Village of Phoenix is duly authorized to complete, execute and submit

or have submitted Part 1 of the EAF referenced and as well a certified copy of this resolution together with The application for grant funding from the Empire State Development Corporation Restore NY's Communities Initiative Municipal Grant Program in the amount described however in any event not to exceed \$500,000 for the project entitled "VILLAGE OF PHOENIX RESTORE NY 2016," together with the application fee of \$250.00.

The Mayor and Board members in attendance and voting as follows:

Ryan Wood, Mayor	Aye_
David Pendergast, Trustee	Aye
Andrew Bittel, Trustee	Aye

Resolution adopted on September 29, 2016

CERTIFICATION

I, Roxanne Demo, Village Clerk of the Village of Phoenix, Oswego County, New York, do hereby certify that the foregoing resolution was adopted at a special meeting of the Village Board of Trustees held on September 29, 2016, and is incorporated in the original minutes of said meeting and/or on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect.

/s/ Roxanne Demo