

Village of Phoenix  
**Regular Board Meeting**  
Tuesday, December 6, 2016 at 7:00 PM  
Sweet Memorial Building  
455 Main Street, Phoenix, NY 13135

Present:	Mayor Ryan Wood	Chief Marty Nerber
	Absent Trustee Jennifer Burgess	Village Clerk Roxanne Demo
	Trustee Andrew Bittel	Attorney Steve Primo
	Trustee David Pendergast	Administrator James Lynch
	Trustee Eric Shaffer II	

1 Public in Attendance

Mayor Ryan Wood began the Board Meeting with a salute to the flag at 7:08 PM.

**Miller Engineering**

Doug Miller said that the Hydraulic Analysis has been sent to the DEC. Miller has spoken with David Compagni with Grant Street Construction and he hopes to have the shop drawings this week or early next.

**Mayor Comments**

Mayor Wood said that the tree lighting ceremony went well. He's been helping out with Phoenix Rising Tree sales and a lot of people have come out to purchase trees for \$20. Santa will be coming to the pancake breakfast this Sunday from 9:00am – 12:00pm.

**Trustee Comments**

Trustee Bittel said the Christmas lights look good and the decorations around the Village.  
Trustee Pendergast had nothing.  
Trustee Shaffer had nothing.

**Police Comments**

Chief Nerber said the tree light and Santa Party went well. The Shop with a Cop is coming up on December 10<sup>th</sup>. They have nine children that are participating. Monday, December 12<sup>th</sup> the Police Department will be handing out the Christmas bags to the seniors on the CHOOSE program. We've had a lot of public interest and have received a ton of donations. The Senator has given us \$10,000 for a canine unit. They're looking for a shared agreement with the sheriff's office.

## **Administrator Comments**

Administrator Lynch said he's been asked about the DPW winter hours, the guys will work their regular hours based on the weather, they'll be in at 4:00am when the snow flies. Lynch said the police department and DPW will be meeting on December 13<sup>th</sup> to discuss the department's budgets.

## **Attorney Comments**

Attorney Primo asked the board to consider giving the Nice N Easy site with adjacent parcels as a near "shovel ready" approval in the context of the overlay district approval in order to perhaps distinguish this site from others the newest owner of the chain might consider for redevelopment. We know from the representatives of the purchaser of the chain from the McDougall estate that it's a high volume location and was targeted for expansion including on the additional lots adjacent to the existing store location. If the new owners knew that this particular site had been considered and approved as to some expansion concept along the lines discussed earlier this year with development representatives it may be something they put to the top of any list for existing store redevelopment they might have. The approval for an expansion concept including the things they might be sensitive to like additional square footage, pumps, parking and signage might be written into the overlay district local law for that subdistrict/zone a little more specifically subject to the design guidelines incorporated in the local law and comprehensive plan as was discussed (and they were seemingly receptive) with the last chain owners. The project would still need specific review relative to the site plan under the overlay district regulations and because it's a special permit a public hearing would be required. But we could correspond directly with the owners real estate development department and tell them our updated plan and local zoning contemplates an expansion and incidental improvement of this site. Attorney Primo also advised the outside use water agreement with Byrne Dairy/Three Rivers Plaza has finally been completed. The delay was from Three Rivers and he and the attorney he believed have come to terms and the final agreement draft sent for approval and signature. He advised he would ask the Mayor to sign and once signed by all the Village should receive the \$20,000 (approximately) owing for related legal, administrative and engineering work. As per the Boards earlier approval as to Three Rivers because he was not connecting up right away, the agreement provides for the payment of the higher of actual metered usage or two commercial units from last year (starting around the end of September 2015 per the contract terms) three for this 2016-17 year and five for next 2017-18 year. After that he is required to be fully metered ie he had asked for up to three years but this was well after the entire project was underway. It may very well be sooner as I know he had asked Jim Lynch about getting some meters in.

Motion was made by Trustee Bittel to approve the Local Law #6 – Gross Tax, seconded by Trustee Shaffer. All ayes.

## **Abstract**

Mayor Ryan Wood asked if anyone has any questions or concerns regarding Abstract #19 dated December 6, 2016 in the amount of \$89,204.46. Trustee Shaffer made the motion to approve, general fund vouchers 588-627; water fund vouchers 588-620; sewer fund vouchers 588-625; library fund vouchers 107-112 and trust and agency fund vouchers 132-142, seconded by Trustee Pendergast. All ayes.

## **Old Business**

Mayor Wood asked if anyone had any questions with the meeting minutes of November 15, 2016. Motion was made by Trustee Pendergast to approve, seconded by Trustee Shaffer. All ayes.

## **New Business**

### **Public Comments**

Janet Rebeor 24 Cherry Street wanted to thank everyone for all they do for the Village. She has purchased a house in the Village and loves being here.

Motion was made by Trustee Bittel to adjourn the regular meeting at 7:39pm, seconded by Trustee Shaffer. All ayes.

Respectfully submitted,

Roxanne Demo  
Village of Phoenix  
Clerk/Treasurer