

Village of Phoenix  
**Regular Board Meeting**  
Tuesday, January 17, 2017 at 7:00 PM  
Sweet Memorial Building  
455 Main Street, Phoenix, NY 13135

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

3 Public in Attendance

Mayor Ryan Wood began the Board Meeting with a salute to the flag at 7:06 PM.

### **Miller Engineering Comments**

Doug Miller said that last week he received a letter back from DEC on the revisions required for the hydraulic analysis. He and Jim are working on addressing these comments and have a plan going forward for a capital improvement plan. Miller is not sure if that addresses the consent order. Jim and Doug met Friday with Dave Compagni from Grant Street on the water project. Grant Street will be on site doing exploratory work on the water main. Indication is there's a valve there to reuse if not we've carried a cost to re tap that line. The shop drawings came in over the holidays and they've completed the review. Trustee Bittel asked Doug about the timeline of the project. Doug said that it's a one to two week push back from the original schedule.

### **Municipal Electric and Gas Alliance (MEGA) – Danielle McMullen**

Danielle told the board that they are partnering with the Municipal Electric and Gas Alliance (MEGA), municipalities throughout New York have benefited from lower and stabilized electricity rates. Now they're able to offer the same benefits to residents through a program called Community Choice Aggregation (CCA). CCA allows municipalities to pool the energy supply needs of their residents and make a bulk purchase, increasing consumers' individual buying power and resulting in better rates. CCA is also a way to protect residents from bad energy deals, increase renewable, 'green' electricity and plan for your community's energy future. Danielle will send additional information to Jim Lynch.

### **Mayor Comments**

Mayor Wood had nothing.

## **Trustee Comments**

Trustee Burgess asked about the flooding around Cherry Street. Mayor Wood said nothing has been done yet we're still looking into it.

Trustee Bittel had nothing.

Trustee Shaffer had nothing.

## **Attorney Comments**

Attorney Primo said there's an investigator with the department of labor he's been working with on a case in another municipality. Primo would like him to come sit down with Jim, Roxanne, Laura and himself and whoever else would like to attend and go through department of labor standpoint for public works contracts, service agreements, etc. free of charge. The board approved to have Primo set up a meeting.

Primo said he had on his agenda his thoughts relative to the budget with the expired water contract with Co Rt 12. We will have to complete that soon. Primo will reach out to Kline regarding the water supply issue, they did have some discussion on that a few months ago. The contracts were for the old Kline well and we don't have the ability or authority to comply with that.

Primo forwarded the overlay local law and design guidelines to county planning and he needs the board to adopt the resolution ratifying that referral, it's a required referral and then once it comes back we have to do SEQR and then it all can be adopted. He'd like to set up a public hearing for the overlay local law, the design guidelines and SEQR for the first week in March. Motion was made by Trustee Bittel to set the public hearing on March 7, 2017 at 6:50pm, seconded by Trustee Shaffer. All ayes. Primo has been waiting on the list from Kelly Lathan from Fiscal Advisor's on any outstanding EFC items. Kelly stated that she'd put together an outstanding list, he believes there's one contract outstanding and one extra work authorization. Roxanne said she received a list and will make sure Primo receives a copy.

Primo had on his agenda a ZBA local law, we could reduce the ZBA to three people. He has an idea of who we could get involved with Zoning and Planning.

Primo said there's a gentlemen here tonight Jason Sutton that came before the board a couple weeks ago with plans for a taxidermy site within the Village. Primo said he might want to consider a two lot subdivision; a parcel that large is out of character with what we want to do in the Village. Primo will work with Jason on the paperwork. The application will be filed and then consider a subdivision and zone change at the same time and then a public hearing will be scheduled.

Attorney Primo said Chief Nerber has to move on the canine, they've worked through some of the issues and what's involved. Officer Wells that works here in the Village and is also a Deputy in Oswego County would be the dog handler and will provide housing for the canine. The cost to Village will be minimal and the payback will be tremendous for the Village. We've already

received the commitment for the grant. Our part of the proposal is to purchase and retain title/ ownership of the canine, subject to receipt of grant funds from/ through Senator Ritchie and/or other commitments for a substantial portion of the estimated purchase price of the canine and certain incidentals. The Village will ensure that the canine and handler Officer Wells are trained for drug detection, and ensure Oswego County Sheriff's Dept. waives its training service fee. The Village will utilize the canine two (2) days per week on the scheduled days of the officers Village police duties in cooperation with Oswego County Sheriff's Department (OCSD). When used by the Village of Phoenix the canine will be housed, fed and otherwise cared for by the Village, and with the handler acting as a Village Officer using a Village vehicle and with Village equipment for the canine. Village will provide at no cost to OCSD, a car kennel for OCSD exclusive use, a kennel for handler residence use and the following for OCSD exclusive use: protective vest, food, any vitamins/supplements, training aid toys/treats and required veterinary care and maintenance/ replacement or replenishment of same as required for the canine during OCSD exclusive use and off days, i.e. When the handler and canine are not working shift duties for either agency. Motion was made by Trustee Bittel to conceptually approve the canine agreement subject to attorney approval of the final agreement, and further board approval as may be necessary, seconded by Trustee Shaffer. All ayes.

### **Abstract**

Mayor Ryan Wood asked if anyone has any questions or concerns regarding Abstract #22 dated January 17, 2017 in the amount of \$140,404.44. Trustee Bittel made the motion to approve, general fund vouchers 673-714; water fund vouchers 674-714; sewer fund vouchers 674-714; capital water/sewer voucher 691; library fund vouchers 124-128 and trust and agency fund vouchers 159-166, seconded by Trustee Burgess. All ayes.

### **Old Business**

Mayor Wood asked if anyone had any questions or concerns with the meeting minutes of January 3, 2017. Motion was made by Trustee Shaffer to approve, seconded by Trustee Burgess. All ayes.

### **New Business**

Facility Use request from Amanda Guerkin to use the Sweet Memorial building from noon-2:00pm on January 21 for birthday party. Motion to approve was made by Trustee Burgess, seconded by Trustee Shaffer. All ayes.

Motion to approve Local Law#2 2017 – “Tax Levy Limit” was made by Trustee Bittel, seconded by Trustee Shaffer. All ayes.

Motion to approve Local Law#3 2017 – “Alcoholic Beverages,” with the changes made to section 69-10 as follows:; “however limited to those public places consisting of public parks, playgrounds, cemeteries, recreation areas, and school grounds unless....” was made by Trustee Bittel, seconded by Trustee Burgess. All ayes.

Motion to approve Local Law#4 2017 – “Nuisance Gathering,” was made by Trustee Shaffer, seconded by Trustee Bittel. All ayes.

Amendment – General Budget Transfer 2016-17, motion made by Trustee Burgess, seconded by Trustee Shaffer. All ayes.

Appr. Acct	Acct Name	Exp (over) Bgt
A1420.400	LEGAL - CE	\$ (35,000.00)
A1440.400	ENG. - CE	(3,000.00)
A1620.438	BLDGS - INTERNET SVC	(2,105.00)
A1620.439	BLDGS - BLDG MAINT	(2,694.00)
A3120.201	POLICE VEH-EQ	(1,902.50)
A3120.420	POLICE AMMUNITION	(1,352.80)
A3620.401	SAFETY INSP - NYS CODE BKS	(1,495.00)
A5110.200	STR. MAINT - EQ	(5,290.00)
A5110.432	STR. MAINT - REP / GRINDING	(4,607.24)
A5410.400	SIDEWALKS - CE	(1,372.70)
A7110.200	PARKS - EQ	(50.00)
A7110.400	PARKS - CE	(497.13)
A7520.401	SWEET MEM BLDG - CE	(3,320.96)
A8020.400	PLANNING - CE	(250.00)
	<b>EXP OVER BUDGETED APPR.</b>	<b>\$ (62,937.33)</b>
	<b>EXP. UNDER BUDGET APPR.</b>	
A1325.103	ACCT CLERK-P/T	\$ 5,720.00
A1990.400	CONTINGENT ACCT	30,000.00
A3120.102	POLICE-SGT PS	10,000.00
A3620.100	SAFETY INSP - PS	3,700.00
	<b>EXP UNDER BDGT TO COVER OVERAGES</b>	<b>\$ 49,420.00</b>
	<b>FROM UNRESV FUND BAL TO COVER OVERAGES</b>	<b>\$ (13,517.33)</b>

Amendment – Sewer Budget Transfer 2016-17, motion made by Trustee Bittel, seconded by Trustee Shaffer. All ayes.

Appr. Acct	Acct Name	Exp (over) Bgt
G8120.402	SAN SEWER - REPAIRS	\$ (33,872.62)
G9730.600	BAN - INTEREST	(5,191.10)
	<b>EXP OVER BUDGETED APPR.</b>	<b>\$ (39,063.72)</b>
<u>EXP. UNDER BUDGET APPR.</u>		
G8110.102	ADMIN - CLERK PT	\$ 2,860.00
G1990.4	CONTINGENT ACCT	3,500.00
G9785.6	INSTALLMENT LOAN - PRINC	1,390.00
	<b>EXP UNDER BDGT TO COVER OVERAGES</b>	<b>\$ 7,750.00</b>
	<b>FROM UNRESV FUND BAL TO COVER OVERAGES</b>	<b>\$ (31,313.72)</b>

Amendment – Water Budget Transfer 2016-17, motion made by Trustee Burgess, seconded by Trustee Bittel. All ayes.

Appr. Acct	Acct Name	Exp (over) Bgt
F1440.400	ENGINEERING FEES	\$ (7,450.55)
F8310.410	WATER ADMIN - OFFICE SUPP	(2,077.33)
F8310.411	WATER ADMIN - POSTAGE	(152.48)
F8310.412	WATER ADMIN - LIAB INS	(2,371.25)
F8340.404	SUPPLIES/UFPO, MARTISCO/BLUE BK	(6,272.15)
F9730.600	BAN PRINCIPAL	(4,000.00)
	<b>EXP OVER BUDGETED APPR.</b>	<b>\$ (22,323.76)</b>
<u>EXP. UNDER BUDGET APPR.</u>		
F8310.102	ADMIN - CLERK PT	\$ 2,860.00

F1990.4	CONTINGENT ACCT	8,769.76
F1440.400	LEGAL	8,194.00
F8320.405	SOURCE OF SUPP - TESTING	2,500.00
<b>EXP UNDER BDGT TO COVER OVERAGES</b>		<b>\$ 22,323.76</b>
<b>FROM UNRESV FUND BAL TO COVER OVERAGES</b>		<b>\$ -</b>

Mayor Wood asked the board if there were any questions or concerns for the 2017-2018 budget. Motion was made by Trustee Shaffer to approve the proposed budget, seconded by Trustee Burgess. All ayes.

**Public Comments**

Danny Dunn 523 Main St asked about the local law for the tax cap limit. Mayor Wood said they did override the tax cap limit, so the small municipalities within New York can choose to opt out of it. Mayor said he believes we'll be within or around what the tax cap is. Dunn also asked the board about the televising and smoke testing that was done previously. Mayor Wood said we did not receive accurate records of what was done. The DEC said the whole system needs to be done.

Motion was made by Trustee Shaffer to adjourn the regular meeting at 8:27pm, seconded by Trustee Bittel. All ayes.

Respectfully submitted,

Roxanne Demo  
Village of Phoenix  
Clerk/Treasurer