

Village of Phoenix
Regular Board Meeting
Tuesday, September 20, 2016 at 7:00 PM
Sweet Memorial Building
455 Main Street, Phoenix, NY 13135

Present: Mayor Ryan Wood
Trustee Andrew Bittel
Trustee Jennifer Burgess
Absent Trustee David Pendergast
Absent Trustee Eric Shaffer II
Officer Justus Stahrr
Clerk Roxanne Demo
Attorney Steve Primo
Administrator James Lynch

1 Public in Attendance

Mayor Ryan Wood began the Board Meeting with a salute to the flag at 7:05 PM.

Miller Engineering

Doug Miller reported that the contractor for the water booster station has submitted everything to EFC and we should hear back from them in the next week or two, Miller Engineering has also sent the MWBE information on to EFC also. The cleaning and televising will begin next week for the sewer.

KL Consulting

Kristy updated the board on the Restore NY Grant. After a discussion of the properties that qualify the board agreed that 17 Culvert Street and 1 Bridge Street. Motion was made by Trustee Burgess to hold a Special Meeting at 6:30pm followed by a Public Hearing and Publication of Property Assessment List on September 29, 2016 at 6:35pm, seconded by Trustee Bittel. All ayes.

Kristy said on September 30, 2016 at 9:30am we'll be meeting with Patricia O'Reilly from the office of community renewal for the NY Main Street program. They're going to tour some of the properties that were renovated.

Kristy also asked if the board if they would like her to apply for CNY Arts for 2017 Concert Series. Motion was made by Trustee Bittel to apply for \$1,000 and the Village will fund \$800, seconded by Trustee Burgess. All ayes.

Mayor Comments

Mayor Wood reminded everyone about Loctoberfest on October 1st from 9:00am – 10:00pm, Trustees please let him know when they can work during the day. Also Thursday, September 22

is the homecoming parade at 6:00pm.

Trustee Comments

Trustee Jennifer Burgess had nothing.
Trustee Andrew Bittel had nothing.

Police Comments

Officer Stahrr had nothing to report.

Administrator Comments

Administrator Lynch passed out the Bartlett tree estimate for 2016. The proposal is for taking down six trees and pruning several trees. Motion was made by Trustee Bittel to approve the amount of \$9,920 to Bartlett, seconded by Trustee Burgess. All ayes. The paving will start soon, the County can't give an exact date but the DPW has completed the grinding so we're ready for them. Lynch also said that we have replaced one of the pumps already and the other pump now needs to be replaced. This is only used for wet weather events. The amount of the new pump is \$13,685.00. Motion was made by Trustee Bittel to purchase the pump, seconded by Trustee Burgess. All ayes. Lynch said he's had people asking about having chickens on the Village. The board will have further discussions on this after reviewing codes for other Villages.

Attorney Comments (update to come from Steve Primo)

Attorney Primo discussed the local law for Gross Tax & Franchise Fees. Attorney Primo stated he has spoken with the schools attorney regarding the property that the school is interesting purchasing, they have put together a term sheet. Primo reviewed the term sheet with the board and asked the board to amend approval subject to finalization of an actual contract for \$148,000 the school will pay for title fees, legal fees however amending same to up to \$1500, recording expenses and they will obtain an inspection of the property and Phase I environmental audit. The Village historian then discussed an article recently published wherein she referenced the history of Memorial park, and its funding sources. Primo noted the deeds did not reference dedication as parklands but usage as same can still create an issue regarding state legislative approval and that perhaps proposed district usage as permitted parklands use may resolve this issue if the premises remain open to the general public. In any event some research will be required and perhaps some creativity relative to the conveyance. Motion was made by Trustee Burgess, seconded by Trustee Bittel to approve entering into a contract subject to attorney approval and resolution of these issues. SEQRA review should be reserved for now and can be visited once a contract is in hand and we have a better handle on whether or not state legislative approval will be required. All ayes.

Motion was made by Trustee Bittel to extend the Local Law #5 "Village Center Overlay District Requirement and Procedures for Specially Permitted Uses" to October 18, 2016 at 6:30pm

seconded by Trustee Burgess. All ayes.

Primo asked the board to recend the resolution relating to Kristy LaManche administrator service contract related to the water project financing. Motion was made by Trustee Bittel, seconded by Trustee Burgess. All ayes.

Abstract

Mayor Ryan Wood asked if anyone has any questions or concerns regarding Abstract #14 dated September 20, 2016 in the amount of \$36,407.38. Trustee Burgess made the motion to approve, general fund vouchers 423-456; water fund vouchers 423-457; sewer fund vouchers 423-457; library fund vouchers 80-82 and trust and agency fund vouchers 81-86, seconded by Trustee Bittel. All ayes.

Old Business

Mayor Wood said he'd like to recommend Administrator Jim Lynch for additional pay of \$10,000 a year for handling those violations of our property maintenance code and for reporting and follow through with relevant violations to other agencies such as the DEC and Department of Health. Likewise the Board authorized covering educational and training requirements and incidentals such as room travel and meals for educational requirements not offered locally with the objective of obtaining codes enforcement officer qualification and provided that an agreement be signed providing generally that if Jim Lynch were to voluntarily separate from employment with the Village the Village would be reimbursed for such expenses paid within a period of not to exceed two years. Pending his authority to act as codes and building permit review officer, a separate independent contractor agreement will be entered into with Robert Dalton a duly licensed officer for building permits to be processed and work inspected on an at will basis for \$100 per month. Motion to approve was made by Trustee Bittel, seconded by Trustee Burgess. All ayes.

New Business

Facility Use

Facility use request from Jordan Kelso for a Bridal Shower on November 5, 2016 from 9:00am – 5:00pm in the Sweet Building auditorium. Motion to approve was made by Trustee Bittel, seconded by Trustee Burgess. All ayes.

Public Comments

Barb Dix had three days of historian meetings in Liverpool. There was a project done in Cayuga Heights, what they did they mapped every single building in their community and researched it and placed it all online. Barb would love to do something like that for Phoenix.

Motion was made by Trustee Shaffer to adjourn the meeting at 8:30pm, seconded by Trustee Burgess. All ayes.

Respectfully submitted,

Roxanne Demo
Village of Phoenix
Clerk/Treasurer