

Village of Phoenix Regular Board Meeting
Tuesday, October 5, 2021 at 7:00 PM
Sweet Memorial Building, 455 Main Street, Phoenix, NY 13135

Present: Mayor Caleb Sweet
Trustee Danny Dunn
Trustee Paul Griser
Trustee Adam Mulderig
Trustee David Pendergast

Chief Martin Nerber
Village Clerk Roxanne Demo
Attorney Jeffrey Schiano

1 Public in Attendance

Mayor Sweet began the Board Meeting with Pledge of Allegiance at 7:00 P.M.

Mayor and Trustee Comments

Mayor Sweet said that the weekend went well. The paving has started on Loomis Terrace. Trustee Mulderig had nothing.

Trustee Pendergast asked about the water leak that the DPW repaired at 373 Main Street and it looks like it was backfilled with gravel instead of dirt. Administrator Lynch will follow up on it. Trustee Dunn asked if there were benches going in at the pond or if they'd have to sit on rocks. Administrator Lynch said it is not finished yet and yes benches will be placed along with lighting. Dunn said he was asked if the banners could stay up until Veterans Day, Lynch told him that they always stay up until we put the star lights up. Dunn also asked about paving Chestnut Street, Lynch said we're patching various spots between Cherry and the railroad tracks with our budgeted paving money.

Trustee Griser had nothing.

Department Comments

Chief Nerber said the police truck is on hold due to COVID the parts are on backorder.

Administrator Lynch updated the board that the sidewalk grant has been submitted. The DPW is making good progress on the sidewalks. Lynch will follow up on a quote to repair the leak at Elm and Lock Street. He will be sending out the letter to the landlords advising them about the garbage local law. Lynch would like approval for the purchase of a trailer for the UTV in the amount of \$899 using the funds from the sale of surplus equipment, motion to approve was made by Trustee Mulderig, seconded by Trustee Griser, Trustee Pendergast aye, Trustee Dunn aye, Mayor Sweet aye. Motion carried. Grimsley Gorge will be coming in on October 7th to start setting up for the haunted house.

Attorney Comments

Attorney Schiano would like the board to adopt a resolution for record retention.

Motion was made by Trustee Mulderig, seconded by Trustee Griser, Trustee Dunn aye, Trustee Pendergast aye, Mayor Sweet aye. Motion carried.

RESOLVED, By the Board of Trustees of the Village of Phoenix that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the

Arts and Cultural Affairs Law, and containing legal minimum, retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) Only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;

(b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Abstract

Abstract #15 dated October 5, 2021 in the amount of \$101,964.02. Trustee Mulderig made the motion to approve, general fund vouchers 446-479; water fund vouchers 446-468; sewer fund vouchers 446-478; library fund vouchers 104-115 and trust and agency fund vouchers 118-130, seconded by Trustee Griser, Trustee Dunn aye, Trustee Pendergast aye, Mayor Sweet aye. Motion carried.

Motion was made by Trustee Griser to approve meeting minutes from September 21, 2021 seconded by Trustee Pendergast, Trustee Mulderig aye, Trustee Griser aye, Mayor Sweet aye. Motion carried.

Public Comments

There were no public comments.

New Business

Trustee Dunn made the motion to approve the Resolution for the CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program, seconded by Trustee Griser, Trustee Pendergast aye, Trustee Dunn aye, Mayor Sweet aye. Motion carried.

**Resolution Supporting Participation in the
CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program**

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, the Village of Phoenix

herein called the “Municipality”, after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the “Board”, has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve-month timeframe as outlined in Attachment B;

NOW, THEREFORE, BE IT RESOLVED BY the Village Board of Trustees

1. That Mayor Caleb Sweet

or such person’s successor in office is the representative authorized to act in behalf of the Municipality’s governing body in all matters related the Project;

2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.
3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.
4. That this Resolution take effect immediately.

CERTIFICATE OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the Village Board of Trustees

duly held on the 5th day of October, 2021; and further that such Resolution has been fully recorded in the Village Records in my office.

In witness thereof, I have hereunto set my hand this _____ day of _____, 2021.

Signature of Recording Officer

Title of Recording Officer

Mayor Sweet asked for a motion to go into executive session for the purpose of an ongoing litigation. Motion was made by Trustee Pendergast at 8:15, seconded by Trustee Griser, Trustee Dunn aye, Trustee Mulderig, Mayor Sweet aye. Motion carried
Motion to close the executive session at 8:25pm was made by Trustee Mulderig, seconded by Trustee Pendergast, Trustee Dunn aye, Trustee Griser aye, Mayor Sweet aye. Motion carried.
Motion to open regular meeting at 8:25pm was made by Trustee Mulderig, seconded by Trustee Pendergast, Trustee Dunn aye, Trustee Griser aye, Mayor Sweet aye. Motion carried.

Public Comments

There were no public comments.

Motion was made by Trustee Dunn to adjourn the meeting at 8:25pm, seconded by Trustee Mulderig, Trustee Pendergast aye, Trustee Griser aye, Mayor Sweet aye. Motion carried.

Respectfully submitted,

Roxanne Demo
Village of Phoenix
Clerk/Treasurer