

Village of Phoenix Regular Board Meeting  
Tuesday, September 3, 2024 at 7:00 PM  
Sweet Memorial Building - 455 Main Street, Phoenix, NY 13135

Present:	Mayor Brian Borchik	Chief Marty Nerber
	Trustee Jeffrey Koegel	Village Clerk Roxanne Demo
	Trustee Ronald Hartner II	Administrator James Lynch
	Trustee Jennifer Maxam	Attorney Jeffrey Schiano
	Trustee Steven McBurnie	

Public in Attendance 7

Mayor Borchik began the Board Meeting with Pledge of Allegiance at 7:02

### **Mayor and Trustee Comments**

Mayor Borchik gave an update on the Bridgehouse Brats, we had 108 kids this year and 30 participants, the program went well and they are moving forward with the 501c3 application

Trustee McBurnie mentioned the 911 ceremony coming up.

Trustee Maxam had nothing.

Trustee Koegel had nothing.

Trustee Hartner had nothing.

### **Department Comments**

Chief Nerber handed out the monthly calls for August. Chief reported that Officer Pierce recently had a boat demo for the Bridgehouse Brats. Chief also said that again this year Nick Duskee and Dave Dingman have donated for the marine unit support.

Administrator Lynch asked if anyone had any questions on his ongoing report. Mayor Borchik commented that we need to receive the information for the stone for Trooper Dillon, also he asked if we still wanted to have a Village Flag, he will need help if we decide to do this.

Administrator Lynch reported that Bartlett Tree will be in to take five trees down and perform trimming and pruning of additional trees. Grimsley Gorge will be back this year for two weekends. Locktoberfest is September 28<sup>th</sup>, we have four bands, fireworks, stage and lighting, 8 food vendors and 52 crafters and vendors signed up at this time.

### **Attorney Schiano**

Attorney Schiano presented the resolution to the board acknowledging that the required examination of the Justice Court's Reports for the fiscal year ended February 29, 2024 has been conducted. Motion to approve was made by Trustee Maxam, seconded by Trustee Koegel, Trustee McBurnie aye, Trustee Hartner aye, Mayor Borchik aye. Motion carried.

Schiano has two resolutions to be schedule for a public hearing. Proposed local law #3 2024, Chapter 190 Entitled "Vehicles and Traffic". Motion was made by Trustee McBurnie to schedule the public hearing on September 17, 2024 at 6:50pm, seconded by Trustee Maxam, Trustee Koegel aye, Trustee Hartner aye, Mayor Borchik aye. Motion carried.

The seconded resolution for a public hearing is proposed local law #4 2024, Chapter 140 Entitled “Peddling and Soliciting”. Motion was made by Trustee McBurnie to schedule the public hearing on September 17, 2024 at 6:55pm, seconded by Trustee Maxam, Trustee Koegel aye, Trustee Hartner aye, Mayor Borchik aye. Motion carried.

Attorney Schiano said regarding the library, there was some question as to the classification of the library, a municipal library or a free association library, essentially he advised the library that they have their own counsel they should have their own attorney to advise them what makes more sense to them. We should have some answers by the next board meeting as to what direction they want to take going forward.

Trustee Hartner asked about the surplus properties. Administrator Lynch has asked the DPW to confirm the area that they would no longer need. County Route 12, foster well, it’s potentially land locked. Attorney Schiano advised that the property be appraised along with a title search, survey, we can send out letters to the adjacent properties to see if there’s any interest in purchasing it.

### **Abstract**

Abstract #13 dated September 3, 2024 in the amount of \$146,668.32. Trustee McBurnie made the motion to approve, general fund vouchers 365-403; water fund vouchers 364-399; sewer fund vouchers 364-399; library fund vouchers 84-89 and trust and agency fund vouchers 86-93, seconded by Trustee Koegel, Trustee Hartner aye, Trustee Maxam aye, Mayor Borchik aye. Motion carried.

Motion was made by Trustee Maxam to ratify phone poll for Abstract #12 dated August 20, 2024 in the amount of \$29,420.29, general fund vouchers 337-363; water fund vouchers 338-363; sewer fund vouchers 340-363; library fund vouchers 80-83 and trust and agency fund vouchers 82-85, seconded by Trustee McBurnie, Trustee Hartner aye, Trustee Koegel aye, Mayor Borchik aye. Motion carried.

Motion to approve the meeting minutes August 6, 2024 was made by Trustee Koegel, seconded by Trustee McBurnie, Trustee Hartner aye, Trustee Maxam aye, Mayor Borchik aye. Motion carried.

### **New Business**

#### **Public Comments**

There were no public comments.

Mayor Borchik asked for a motion to move into Executive Session pursuant to open meeting laws to discuss an ongoing litigation matter. Motion made by Trustee McBurnie at 7:44pm, seconded by Trustee Maxam aye, Trustee Hartner aye, Trustee Koegel aye, Mayor Borchik aye. Motion carried.

Motion was made by Trustee Maxam to open the executive session at 7:54pm, seconded by Trustee McBurnie, Trustee Koegel aye, Trustee Hartner aye, Mayor Borchik aye. Motion carried.

Motion was made by Trustee Maxam to close executive session at 8:20pm, seconded by Trustee Koegel, Trustee Hartner aye, Trustee McBurnie aye, Mayor Borchik aye. Motion carried.

Motion to reopen the regular meeting at 8:20pm, seconded by Trustee McBurnie, Trustee Maxam aye, Trustee Koegel aye, Trustee Hartner aye, Mayor Borchik aye. Motion carried.

Motion was made by Trustee McBurnie to adjourn the regular meeting at 8:20pm, seconded by Trustee Maxam,

Trustee Koegel aye, Trustee Hartner aye, Mayor Borchik aye. Motion carried.

Respectfully submitted,

Roxanne Demo  
Village of Phoenix  
Clerk/Treasurer