

Present: Mayor: James Cheney  
Trustee: Joe DeBrock Trustee: Billy McNicholas  
Trustee: Howard Hughson Trustee: Michael Cheney (virtually)

Also present: Clerk/Treasurer: Jill Seifert, Deputy Clerk/Treasurer: Melissa Lahr, DPW Superintendent: Josh Akin, Code Enforcement Officer: Ben Wheat, Police Chief: John Storer, & Fire Chief: Brandon Debaere.

Public: Christy Howard & Terri Brown.

LL#4 – 2025 – New Uniform Building Code & Energy Code Chapter 67 – Public Hearing regarding this will be rescheduled. The following resolution is offered by Trustee Hughson, 2<sup>nd</sup> by Trustee McNicholas;

**RESOLUTION AUTHORIZING SCHEDULING OF A PUBLIC HEARING FOR A PROPOSED LOCAL LAW**

**WHEREAS**, the Village Board of the Village of Phelps, after due deliberation, finds it in the best interests of the Village to schedule a public hearing to solicit public comment upon a proposed Local Law entitled " A Local Law Repealing the Existing Chapter 67 of the Code of the Village of Phelps and Adopting a New Chapter 67 Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code", attached hereto as Exhibit 1; and

**WHEREAS**, the Village Board of the Village of Phelps has reviewed the draft of the aforementioned proposed Local Law and deems it in the best interests of the Village of Phelps to proceed in accordance with the Code of the Village of Phelps and the Laws of the State of New York in adopting said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Clerk be, and she hereby is, directed to schedule a public hearing to be held on August 11, 2025, at 5:00 p.m. at the Phelps Village Hall, 8 Banta Street, Phelps, New York; and be it further

**RESOLVED**, that the Village Clerk, be and hereby is, authorized to forward to the official newspapers of the Village a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

**RESOLVED**, that the Village Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Village of Phelps sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Village Board of the Village of Phelps for its consideration; and be it further

**RESOLVED**, that the Village Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Jill Seifert, Village Clerk/Treasurer of the Village of Phelps do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Phelps on July 14, 2025, by the following vote:

	<u>Aye</u>	<u>Nay</u>
James Cheney	XX _____	_____
Howard Hughson	XX _____	_____
Joe DeBrock	XX _____	_____
Michael Cheney	XX _____	_____
William McNicholas	XX _____	_____

REPORTS:

DPW, WWTP & Water:

1. DPW – June report – Josh indicated that he has been scheduling Sauerkraut Weekend preparations, including weed control application, street sweeping and street and lot striping. New lot signs are up. Scheduling downtown decorative light bulb switch over with OTTC.
2. Seasonal Laborer – No luck, not just us, multiple municipalities still have their job listing up on the County portal.
3. WWTP – June report – No questions. Josh reported that Pete is back from a two-week vacation.
4. WWTP Project – Peter Martin and staff at Delaware Engineering are continuing to work on project.
5. Lee DeRuyter – 74 Main St – Sewer problems at 4-unit rental property, per the bills submitted there were some issues with wipes, straw, toothpicks and hair in drains but the Village also had an issue with grease in our Main. After a brief discussion, the Board requests that Jill reimburse Lee one half of his expenses.

Police:

1. June reports – no questions. Discussed Kraut Weekend Parade side street blockades; perhaps using DPW vehicles and flower planters, where to stage the vehicles and lack of staff discussed.
2. July schedule – no questions.

Fire Department:

1. June report – Joe questioned Brandon as to an emergency warning system, due to a recent tornado, that would be applicable to the already in place siren. Brandon to check into this. The Board requests that Brandon pass along their thanks for the response to the tornado. Briefly discussed the passing of retired Ontario County Emergency Management Coordinator Jeff Harloff and participation in his upcoming services.
2. Applications – Proposed new members Joshua Ormsby and Dylan Hernandes have both passed the background checks and the department is recommending them for appointment. Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee McNicholas and carried appointing Joshua Ormsby and Dylan Hernandes to the Fire Department.

8 Banta Street:

1. Bathroom update – Project continues, electrical shutdown of the north hallway is scheduled for 7/25.
2. Billy reports that the annual Golf Tournament fund raiser is scheduled for Monday, September 22 at 11:30.

Redfield Park:

1. All is well at the park.

Crooked Bridge Park:

1. Nothing to report.

Code Enfmt:

1. June reports – Normal anticipated property maintenance and neighbor issues continue. 7 Pearl continues through the permitting process, planning and zoning meetings. 15 Eagle tenant issued stop work order for excavation near Flint Creek, DEC contacted and have indicated a SWIFT permit will be needed as more than an acre was disturbed.

YP&R Comm:

1. Summer Recreation numbers are great with over 100 attending multiple different days.
2. Concerts in the Park have started, unfortunately last Mondays was canceled mid-event as unexpected torrential downpour occurred.

Historic District/Community Beautification Commission:

1. Christy indicated that there is nothing new to report on. Winter project that the committee and Jim will be meeting on; will be funded jointly by the Village and the Preston Foundation.

Treasurer Rept:

1. May and June reports – unavailable currently.

Minutes:

1. Minutes of the June 9, 2025 Regular Monthly Meeting – Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried as presented.
2. Minutes of the July 7, 2025 Special Meeting – Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried as presented.

Correspondence:

1. Charter Communications – upcoming changes dated 7/3 & 7/9.
2. Pat Hemminger – ZBA Chair letter of resignation effective 8/1 due to her move out of the Village; the Board accepts Pat’s resignation with their thanks for her many years of work for the Village in many positions.
3. Ontario Pathways Newsletter – Summer 2025 edition.
4. Phelps Community Historical Society Newsletter – June/July 2025 edition along with their thanks for annual funding.
5. Ontario County Resolution #321-2025 – For the Board’s information, apportionment of 2025 workers’ compensation insurance.

New Discussion:

1. Greg Starkweather – Kathlyn Avenue resident, requesting a road sign regarding his handicapped children, provided an example of what he would suggest. The Board agrees with this request, Josh to implement.
2. **Resolution #13 – 2025:**

**VILLAGE OF PHELPS  
RESOLUTION OF SUPPORT AND AUTHORIZATION FOR THE VILLAGE OF PHELPS’S  
2025 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION  
NYS Office of Parks, Recreation, and Historic Preservation  
Environmental Protection Fund Project for Park Planning for Crooked Bridge Park**

**WHEREAS**, the Village of Phelps, Ontario County, supports the submission of the 2025 Consolidated Funding Application (CFA) on behalf of the Village through the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) under Title 9 of the Environmental Protection Act of 1993 for the purpose of funding the Crooked Bridge Park Planning project; and

**WHEREAS**, the NYS OPHRP invites eligible applicants to apply for funding opportunities through the CFA to undertake the acquisition, development, or planning of parks and recreational facilities open to the public; and

**WHEREAS**, the Village’s planning documents recognize our recreational assets are important to us and the Village strives to provide accessible green space and enjoyable programs in all seasons for the community; provide opportunities for relaxation, experiential learning, and socialization to enhance personal growth and well-being for all individuals; and continuously improve the quality and safety of our facilities and services; and

**WHEREAS**, if funding is received the Village proposes to engage the community and develop a planning report to explore cost-effective improvements to Crooked Bridge Park; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board, on behalf of the Village of Phelps authorizes the submission of an application for funding to the NYS OPRHP Environmental Protection Fund for a Parks Planning grant regarding the Village-owned Crooked Bridge Park and authorizes the Village Mayor to be the authorized representative for the project, able to execute all necessary documents relative to the project; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby authorize that they shall provide at least a 75% match of the total of any grant funding awarded as a local match and does hereby appropriate and obligate such matching funds from the Village of Phelps General Fund budget line; and

**BE IT FURTHER RESOLVED**, that the Village of Phelps recognizes and fully supports the submission by MRB Group of this 2025 NYS OPRHP Park Grant for a planning project for Crooked Bridge Park.

Motion: Trustee Howard Hughson

Seconded: Trustee Joe DeBrock

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Board members: Trustee Joe DeBrock, Trustee Billy McNicholas, Trustee Michael Cheney, Trustee Howard Hughson and Mayor James Cheney.

Affirmative: #5

Negative: #0

Abstain: #0

**3. Resolution #14 – 2025:**

**VILLAGE OF PHELPS VILLAGE BOARD RESOLUTION  
NYS OPRHP PARKS PROJECT  
PLANNING STUDY  
SEQR RESOLUTION – TYPE II ACTION**

**WHEREAS**, the Village of Phelps Village Board, (hereinafter referred to as The Board) is submitting an application through the New York State Consolidated Funding Application (CFA) under the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), for the preparation of a parks planning report; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c)[27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Trustee Joe DeBrock and seconded by Trustee Billy McNicholas at a meeting of the Village Board held on July 14, 2025. Following discussion thereon, the following roll call vote was taken and recorded:

Affirmative Village Board members: Trustee Joe DeBrock, Trustee Billy McNicholas, Trustee Michael Cheney, Trustee Howard Hughson and Mayor James Cheney.

**4. Resolution #15 – 2025:**

**Resolution of Support from the Village of Phelps  
2025 New York State Pro-Housing Supply Fund Program  
Lester Road Water/Sewer/Stormwater Infrastructure Improvements**

**WHEREAS**, the Village Board for the Village of Phelps, located in Ontario County, supports the submission of a 2025 Pro-Housing Supply Fund program on behalf of the Village to fund water, sewer, and stormwater drainage infrastructure to support a housing project on Lester Road; and

**WHEREAS**, a housing developer has expressed interest in creating a residential development on land they have recently purchased at 4-28 Lester Road; and

**WHEREAS**, a residential development of this size would require an extensive water, sewer, and stormwater drainage system with a high capacity; and

**WHEREAS**, Empire State Development (ESD) provides a competitive statewide reimbursement grant program for local governments that have obtained the Pro-Housing Designation to make infrastructure improvements in areas that will directly support the creation of new housing; and

**NOW THEREFORE BE IT RESOLVED**, the Village of Phelps Village Board identifies the Village Mayor as the authorized representative of the Village to execute necessary documents relative to and as required for the grant application; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby accept that they shall provide at least 50% match for the project obligated and appropriated through the Village General Fund or other approved financing or funds as deemed acceptable; and

**BE IT FURTHER RESOLVED**, that the Village Board for the Village of Phelps recognizes and fully supports the submission of the 2025 Pro-Housing Supply Fund Program Grant by MRB Group on behalf of the Village to support water, sewer, and stormwater infrastructure improvements on Lester Road.

Motion by: Trustee Joe DeBrock

Seconded by: Trustee Howard Hughson

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Board Members: Trustee Joe DeBrock, Trustee Billy McNicholas, Trustee Michael Cheney, Trustee Howard Hughson and Mayor James Cheney.

Affirmative: #5

Negative: #0

Abstain: #0

**5. Resolution #16 – 2025:**

**VILLAGE OF PHELPS**

**RESOLUTION OF SUPPORT AND AUTHORIZATION FOR THE VILLAGE OF PHELPS’S 2025 BUILDING RECREATIONAL INFRASTRUCTURE FOR COMMUNITIES, KIDS AND SENIORS (NY BRICKS) APPLICATION FOR PHELPS COMMUNITY CENTER**

**WHEREAS**, the Village of Phelps, Ontario County, supports the submission of a 2025 Building Recreational Infrastructure for Communities, Kids, and Seniors (NY BRICKS) grant application on behalf of the Village through the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) and Dormitory Authority of the State of New York (“DASNY”) for improvements to the Phelps Community Center; and

**WHEREAS**, NY BRICKS is a funding opportunity designed to facilitate the design, construction, and renovation of community centers in communities across the state; and

**WHEREAS**, the Village’s planning documents recognize the Phelps Community Center as an important community asset that serves the purpose of a community center, providing recreational, educational, and entertainment programming to community members, including youth and seniors; and

**WHEREAS**, residents of the community as well as Village leadership have agreed that the Phelps Community Center is in need of renovation and revitalization that is beyond what the Village can presently afford without outside assistance; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board, on behalf of the Village of Phelps, authorizes the submission of an application for funding to the NY BRICKS program regarding the Phelps Community Center and authorizes the Village Mayor to be the authorized representative for the project, able to execute all necessary documents relative to the project; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby authorize that they shall provide at least a 20% match of the total of any grant funding awarded as a local match and does hereby appropriate and obligate such matching funds from the Village of Phelps General Fund budget line; and

**BE IT FURTHER RESOLVED**, that the Village of Phelps recognizes and fully supports the submission by MRB Group of this 2025 NY BRICKS grant for improvements to the Phelps Community Center.

Motion: Trustee Howard Hughson

Seconded: Trustee Joe DeBrock

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Council members: Trustee Joe DeBrock, Trustee Billy McNicholas, Trustee Michael Cheney, Trustee Howard Hughson and Mayor James Cheney.

Affirmative: #5

Negative: #0

Abstain: #0

6. LL#4-2025 – New Uniform Building Code & Energy Code – Chapter 67 – previously discussed.

7. **Resolution #17-2025:** WFL BOCES – Electric Bid; by Trustee DeBrock, 2<sup>nd</sup> by Trustee McNicholas:

**RESOLUTION FOR THE PURPOSE OF PARTICIPATING IN A COOPERATIVE BID COORDINATED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF ONTARIO, SENECA, WAYNE AND YATES COUNTIES FOR COOPERATIVE ELECTRICITY WFL 2026-12 BID**

**WHEREAS**, The Village of Phelps of New York State desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase for supply of electricity. And...

**WHEREAS**, The Village of Phelps of New York State is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o... And...

WHEREAS, The Village of Phelps of New York State has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Village of Phelps of New York State and making recommendations thereon...

THEREFORE, BE IT RESOLVED, That The Village of Phelps of New York State and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above... And...

BE IT FURTHER RESOLVED, That The Village of Phelps of New York State authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services... And...

BE IT FURTHER RESOLVED, That The Village of Phelps of New York State agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding... And...

NOW, THEREFORE, BE IT RESOLVED, That The Board of Trustees on behalf of the Village of Phelps of New York State hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for supply of electricity and if requested to furnish the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

I, Jill Seifert, Village Clerk of the Village of Phelps, do hereby certify that the Board of Trustees of the Village of Phelps adopted the aforementioned resolution on July 14, 2025, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Joe DeBrock	XX	_____
William McNicholas	XX	_____
Michael Cheney	XX	_____
Howard Hughson	XX	_____
James Cheney	XX	_____

**8. Resolution #18 – 2025 Closing of Main Street for Sauerkraut Weekend - Resolution offered by Trustee McNicholas, 2<sup>nd</sup> by Trustee DeBrock:**

**WHEREAS**, the Sauerkraut Weekend Parade & Activities will be held on August 2, 2025

**WHEREAS** the parade will be held on Main Street, starting at the intersection of North Wayne Street, South Wayne Street and Main Street (Route 96) and proceeding west to Eagle Street,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees authorizes the closing of Main Street (Route 96) from the intersection of North & South Wayne Streets to the intersection of Main Street (Route 96) and Eagle Street between the hours of approximately 2:00 pm to approximately 6:00 pm on August 2, 2025.

I, Jill Seifert, Village Clerk/Treasurer of the Village of Phelps do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Phelps on July 14, 2025, by the following vote:

	AYE	NAY
Mayor: James Cheney	XX	_____
Trustee: Joe DeBrock	XX	_____
Trustee: William McNicholas	XX	_____
Trustee: Michael Cheney	XX	_____
Trustee: Howard Hughson	XX	_____

- Old Discussion:
1. Website/Code Enforcement/Notification Programs – nothing new.
  2. Infrastructure Grant Update – Greg Parker, Empire State Development, waiting on numbers/direction from Jim. Jim reports that the developer for the Lester Road/S. Wayne Street property is ambitious.
  3. Clerk’s Office – Succession plan/search update – more to follow.

Transfers: Forthcoming.

Vouchers: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried to pay the following June vouchers as presented, with the exception of Phelps Mercantile Inc.  
 Motion by Trustee McNicholas, 2<sup>nd</sup> by Trustee DeBrock and carried to pay the Phelps Mercantile Inc. vouchers, with Mayor Cheney abstaining.

Abstr#02	General	Ck #'s: 19446 – 19477 voided; 19478 – 19520	In the amount of:	\$ 96,910.80
Abstr#02	Water	Ck #'s: 12019 – 12028	In the amount of:	\$ 6,503.25
Abstr#02	Sewer	Ck #'s: 13336 – 13353	In the amount of:	\$ 48,390.54

Jim invites DPW Superintendent Josh Akin to address the Board; Josh has decided to pursue other opportunities and tendered his resignation earlier today, effective August 3, 2025. Following a brief discussion, the Board accepts Josh's resignation with their thanks and understanding.

6:28 pm Motion by Trustee McNicholas, 2<sup>nd</sup> by Trustee DeBrock and carried to enter an executive session to discuss a personnel matter; Clerk/Treasurer Seifert and Deputy Clerk/Treasurer Lahr invited to remain.

6:56 pm Motion by Trustee McNicholas, 2<sup>nd</sup> by Trustee Hughson and carried to close the executive session.

The personnel committee is authorized by the Board to meet with the potential employee and negotiate an offer on the Village's behalf.

Adjournment: 7:01 PM: Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried to adjourn the meeting.

Respectfully submitted,

Jill K. Seifert, Clerk/Treasurer