

- Present:

Mayor: James Cheney  
Trustee: Billy McNicholas

Trustee: Joe DeBrock  
Trustee: Howard Hughson
- Absent:

Trustee: Michael Cheney
- Also present:

Police Chief: John Storer, DPW Superintendent: Josh Akin, Code Enforcement Officer: Ben Wheat, Clerk/Treasurer: Jill Seifert, Deputy Clerk/Treasurer: Melissa Lahr, WWTP Operator: Adam Lotyczewski, & Fire Chief: Brandon Debaere.
- Public:

Christy Howard, Greg Mayo, Jerry Haers (out at 7:00), Justin Haers (out at 5:54) & Greg White.

Mayor Cheney opened the meeting with the pledge of allegiance to the flag at 5:00 pm.

Jim introduced the first public hearing of the evening regarding the adoption of the proposed 2025-2026 Budget for details please see the March 24, 2025 Budget Workshop minutes.

- 5:01 PM

Opened the public hearing on the proposed 2025-2026 Budget.
- 5:02 PM

With no public comment, the public hearing was closed.

There were no changes to the proposed budget as discussed at the March 24<sup>th</sup> meeting; with no questions or comments; motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson to adopt the budget as discussed. The following vote was taken:

	<u>AYE</u>	<u>NAY</u>
Joe DeBrock	XX	_____
Billy McNicholas	XX	_____
Michael Cheney	absent	_____
Howard Hughson	XX	_____
James Cheney	XX	_____

Jim introduced the second public hearing of the evening; a resolution discontinuing the portion of Miller Ave (west) that runs from S. Newark Street through the Phelps Cement Products property to a dead end; the remainder of Miller Ave. from Main Street over the railroad tracks will continue to be a public roadway.

- 5:04 PM

Opened the public hearing on the proposed resolution.

Justin & Jerry questioned what benefit this discontinuation would have to the Village and Phelps Cement Products. Jim indicated that the only reason this portion of the roadway was maintained as a street was to provide access to the “Walnut Grove” property previously owned by Floyd Ridley, now owned by Phelps Cement Products; this property would have been considered landlocked. The roadway is now beneficial only to PCP and will be removed from the Village’s Highway Inventory, all maintenance will now be PCP’s responsibility. The Haers’ questioned what facilities are under the roadway, Josh and Joe confirmed that there is no sewer lateral there but there is a water service line, which like any other home or business would be the owner’s responsibility. Josh to provide maps regarding the same.

- 5:13 PM

With no further comments Mayor Cheney closed this public hearing.

Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson offering the following resolution:

**RESOLUTION DISCONTINUING MILLER AVENUE WEST**

**WHEREAS**, according the New York State Department of Transportation Local Roads Listing for the Village of Phelps, Miller Avenue West is a 16-foot-wide public right-of-way, which right-of-way runs easterly from the easterly highway boundary of South Newark Street, through property identified as 5-9 South Newark Street in the Village of Phelps, being Tax Parcel No. 47.07-1-32.100, and owned by Phelps Cement Products, Inc. (the “Property”), a distance of approximately 0.08 mile through such property to a dead-end; and

**WHEREAS**, the Property owner has now asked the Village to discontinue this public right-of-way because it is no longer needed as a public thoroughfare; and

**WHEREAS**, a resolution was duly adopted by the Board of Trustees of the Village of Phelps for a public hearing to be held by said Board of Trustees on April 14, 2025, at 5:00 p.m. at the Phelps Village Hall, 8 Banta Street, Phelps, New York, to hear all interested parties on the discontinuance of the right-of-way known as Miller Avenue West in the Village of Phelps; and

**WHEREAS**, the Village Planning Board has reported to the Board of Trustees on this discontinuance and such report is on file with the Village Clerk; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village of Phelps, on March 14, 2025 and all other notices required by law to be given were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on April 14, 2025, at 5:00 p.m. at the Phelps Village Hall, 8 Banta Street, Phelps, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said discontinuance of the right-of-way known as Miller Avenue West in the Village of Phelps.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of Phelps makes the following findings:

Section 1. Legislative Intent

It is the intent of this local law to give the Village Board and the Village's other public bodies, as that term is defined in Public Officers Law § 102, the authority to participate in meetings via videoconference in a manner consistent with the Village's videoconferencing policy and the authority granted in Public Officers Law §103-a.

Section 2. Authority

This local law is adopted pursuant to Public Officers Law § 103-a which expressly authorizes the Village Board to adopt a local law giving the Village Board and the Village's other public bodies the authority to participate in meetings via videoconference from locations not accessible to the public so long as a quorum of the board/body participates from locations where the public may be physically present and other conditions, as may be set by resolution of the Village Board, are met.

Section 3. Supersession of New York State Village Law Section 4-412

Section 4-412 of New York State Village Law requires, in part, that certain public hearings held by the Village Board be within the Village. To the extent that this local law permits members of the Village Board to participate in meetings of the Village Board via videoconference, this local law shall supersede this requirement of Village Law Section 4-412 in that those Village Board members permitted by this local law to participate in meetings of the Village Board via videoconference are permitted to so participate from locations that are not within the Village.

Section 4. Videoconferencing for Public Meetings

In extraordinary circumstances, which include, but are not limited to, disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event that precludes physical attendance, the Village Board of the Village of Phelps hereby authorizes members of the Village Board and all members of the Village's other public bodies to participate in meetings using videoconferencing technology in a manner consistent with Public Officers Law § 103-a and the Village's videoconferencing policy, which shall be adopted by resolution of the Village board and conspicuously posted on the Village website, with such members participating in meetings via videoconference being permitted to participate via videoconference from locations not accessible to the public so long as a quorum of the board/body participates from locations where the public may be physically present.

Section 5: Severability

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 6: Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Jim introduced the fourth public hearing of the evening; LL#3-2025 – A Local Law to Adopt Regulations Pertaining to Cannabis Retail Dispensaries and Cannabis On-Site Consumption Establishments. This law was forwarded to the Village Planning Board and the Ontario County Planning Board for comment. Per the County's meeting minutes (04/09/25) the only comment was if there are any locations that meet the proposed requirements within the Village, which there are within the M-1 and C-1 districts. These regulations are appropriate.

Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried declaring the Village Board as Lead Agency with regard to LL#3-2025. Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeBrock offering the following resolution:

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PHELPS,  
ONTARIO COUNTY, NEW YORK,  
DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 3 OF 2025**

**WHEREAS**, the Village of Phelps Board of Trustees, hereinafter referred to as Board of Trustees, has determined that the attached Local Law No. is a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations, and,

**WHEREAS**, the Board of Trustees has reviewed and accepted the Environmental Record prepared on said action, and

**WHEREAS**, the Board of Trustees has considered the potential impacts associated with said action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Trustees makes this Determination of Non-Significance based upon: the Long Form Environmental Assessment Form, Parts 1 and 2, prepared for this action, Board of Trustees Public Hearing Record on said action; and, the Environmental Record prepared on said action.

**BE IT FURTHER RESOLVED THAT**, the Board of Trustees makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Board of Trustees considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Board of Trustees did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Board of Trustees did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Board of Trustees did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

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 April 14, 2025, by the following vote:

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

Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeBrock offering the following resolution:

**RESOLUTION AUTHORIZING ADOPTION BY THE BOARD OF TRUSTEES OF THE  
VILLAGE OF PHELPS OF LOCAL LAW NO. 3 OF 2025 ENTITLED  
“A LOCAL LAW TO ADOPT REGULATIONS PERTAINING TO CANNABIS RETAIL DISPENSARIES  
AND CANNABIS ON-SITE CONSUMPTION ESTABLISHMENTS”**

**WHEREAS**, a resolution was duly adopted by the Board of Trustees of the Village of Phelps for a public hearing to be held by said Board of Trustees on March 24, 2025, at 5:00 p.m. at the Village Hall, 8 Banta Street, Phelps, New York, to hear all interested parties on a proposed Local Law entitled, “A Local Law to Adopt Regulations Pertaining to Cannabis Retail Dispensaries and Cannabis On-Site Consumption Establishments”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village of Phelps, on March 19, 2025 and all other notices required by law to be given were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on March 24, 2025, at 5:00 p.m. at the Village Hall, 8 Banta Street, Phelps, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Village Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR.

**WHEREAS**, the Board of Trustees of the Village of Phelps, after due deliberation, finds it in the best interest of the Village of Phelps to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of Phelps hereby adopts said Local Law No. 3 of 2025, entitled, “A Local Law to Adopt Regulations Pertaining to Cannabis Retail Dispensaries and Cannabis On-Site Consumption Establishments”, a copy of which is attached hereto and made a part of this resolution, and be it further

**RESOLVED**, that the Village Clerk/Treasurer be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Phelps, to give due notice of the adoption of said local law to the Secretary of State of New York, to publish an abstract of this local law in the Village’s official newspaper and to post a copy of this local law conspicuously at or near the main entrance to the office of the Village Clerk.

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 April 14, 2025, by the following vote:

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

**A Local Law to Adopt Regulations Pertaining to Cannabis Retail Dispensaries and Cannabis On-Site Consumption Establishments**

Be it enacted by the **Village Board** (Name of Legislative Body)

**Village** of **Phelps** as follows:

**Section 1.** Legislative intent, authority and purpose

- A. In the development and execution of this local law, it is recognized that cannabis retail dispensaries and cannabis on-site consumption establishments, because of their very nature, have serious, objectionable, operational characteristics when concentrated under certain circumstances and can have a deleterious effect on adjacent areas.
- B. This local law is adopted pursuant to the authority granted to villages by §131 2. of the NYS Cannabis Law that provides that “villages may pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption site”.
- C. It is the purpose of this local law to adopt regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption sites, in order to achieve the following:

1. To preserve the character and the quality of life in the Village of Phelps' neighborhoods and business areas.

- 2. To control harmful and adverse secondary effects on the surrounding areas as: decreased property values; attraction of transients; parking and traffic problems; increased crime; loss of business for surrounding businesses; and deterioration of neighborhoods.
- 3. To restrict minors' access.
- 4. To maintain the general welfare and safety for the Village of Phelps' residents, businesses and visitors.
- 5. To ensure that the adverse effects of these specific uses will not contribute to the blighting or downgrading of the surrounding neighborhood.
- 6. To prevent concentration of these uses.

**Section 2.** Section 1-4 (Definitions) of Chapter 1 (General Provisions) of the Code of the Village of Phelps is hereby amended to add the following definitions:

**CANNABIS RETAIL DISPENSARY**

A retail facility that sells at retail any cannabis product authorized under the NYS Cannabis Law, and the sale for which a license is required.

**CANNABIS ON-SITE CONSUMPTION ESTABLISHMENT**

A business operating pursuant to a license issued pursuant to the NYS Cannabis Law that authorizes the consumption of cannabis in an area specified in such license.

**Section 3.** Paragraph A. of Section 175-11 (Site plan review) of the Village of Phelps Zoning Law is hereby repealed and a new paragraph A is hereby inserted in its place to read as follows:

- A. When required. Before a building permit may be issued for all uses except one and two-family dwellings and permitted accessory uses relating thereto and before any lot, parcel, building, structure or portion thereof may be used for a particular use when the Village of Phelps Zoning Law requires site plan review and/or approval as a condition of such use, site plan review and approval must be obtained from the Planning Board.

**Section 4.** The Village of Phelps Zoning District Schedules of Regulations, identified in §175-8.1 of the Village of Phelps Zoning Law and attached to the Village of Phelps Zoning Law as Schedule I, are hereby amended as follows:

- A. The Schedule of Regulations for the C-1 Commercial Zone District is hereby amended with the insertion of “Cannabis retail dispensaries and cannabis on-site consumption establishments” as a new Permitted Special Use Permit Only along with corresponding dimensional requirements to read as follows:

\* Cannabis retail dispensaries and cannabis on-site consumption establishments (10)

Minimum Lot Size Area (square feet/acres): 10,000 sq ft  
Minimum Lot Width (feet): 90 ft  
Minimum Setback Requirements - Principal Building – Front: 25 ft  
Minimum Setback Requirements - Principal Building – Rear: 20 ft  
Minimum Setback Requirements - Principal Building – Side: 20 ft  
Minimum Setback Requirements - Accessory Building – Rear: 20 ft  
Minimum Setback Requirements - Accessory Building – Side: 20 ft  
Maximum Principal Building Height (feet): 35 ft  
Building Coverage On Lot (%): 50 %

(10) Cannabis retail dispensaries and cannabis on-site consumption establishments are further regulated in § 175-10.18 of this chapter of the Village Code.

- B. The Schedule of Regulations for the M-1 Industrial Zone District is hereby amended with the insertion of “Cannabis retail dispensaries and cannabis on-site consumption establishments” as a new Permitted Special Use Permit Only along with corresponding dimensional requirements to read as follows:

\* Cannabis retail dispensaries and cannabis on-site consumption establishments (10)

Minimum Lot Size Area (square feet/acres): 10,000 sq ft  
Minimum Lot Width (feet): 90 ft  
Minimum Setback Requirements - Principal Building – Front: 25 ft  
Minimum Setback Requirements - Principal Building – Rear: 20 ft  
Minimum Setback Requirements - Principal Building – Side: 20 ft  
Minimum Setback Requirements - Accessory Building – Rear: 20 ft  
Minimum Setback Requirements - Accessory Building – Side: 20 ft  
Maximum Principal Building Height (feet): 35 ft  
Building Coverage On Lot (%): 50 %

- (10) Cannabis retail dispensaries and cannabis on-site consumption establishments are further regulated in § 175-10.18 of this chapter of the Village Code.

**Section 5.** Article V (General Regulations) of the Village of Phelps Zoning Law is hereby amended with the insertion of a new Section 175-10.18 to read as follows:

§ 175-10.18 Cannabis retail dispensaries and cannabis on-site consumption establishments

- A. Site preparation or construction of a cannabis retail dispensary or a cannabis on-site consumption establishment shall not commence nor shall any existing structure be occupied or used as a cannabis retail dispensary or a cannabis on-site consumption establishment until final site plan approval has been granted by the Planning Board and a special use permit has been granted by the Zoning Board of Appeals.
- B. All applicants for site plan approval and a special use permit for a cannabis retail dispensary or a cannabis on-site consumption establishment shall submit the following to the Code Enforcement Officer:
1. A completed application on a form to be provided by the Village and application fee.
  2. A parcel location map.
  3. A drawing, drawn to scale, indicating the portion of the parcel to be developed in the regulated use, as well as all required appurtenances.
  4. A clear and concise description of the proposed use.
  5. All plans and documents required by §175-11 (Site plan review).
  6. Subject to applicable law, copies of all information and documentation submitted to the State of New York as part of its application for a license to operate under the Cannabis Law.
- C. No cannabis retail dispensary or cannabis on-site consumption establishment shall be allowed within 500 feet of the boundary of any residential zoning district in the Village, as measured from the nearest exterior wall of the portion of the structure containing the cannabis retail dispensary or cannabis on-site consumption establishment.
- D. No cannabis retail dispensary or cannabis on-site consumption establishment shall be allowed within 500 feet of the property line of a parcel, within the Village, containing a church, synagogue, other place of worship, library, school, nursery school, day-care facility, park, playground or substance abuse treatment site, as measured from the nearest exterior wall of the portion of the structure containing the cannabis retail dispensary or cannabis on-site consumption establishment.
- E. No cannabis retail dispensary or cannabis on-site consumption establishment shall be allowed on the same parcel as another cannabis establishment.
- F. No cannabis retail dispensary or cannabis on-site consumption establishment shall be allowed within 1,000 feet of the property line of another cannabis retail dispensary, cannabis on-site consumption establishment or other cannabis establishment, as measured from the nearest exterior wall of the portion of the structure containing the cannabis retail dispensary or cannabis on-site consumption establishment that is the subject of the application, whether or not such other establishment is located in the Village of Phelps.
- G. No cannabis retail dispensary shall open or conduct any business prior to 9am nor remain open or conduct any business after 7pm.
- H. No cannabis on-site consumption establishments shall open or conduct any business prior to 9am nor remain open or conduct any business after 7pm, Mondays through Saturdays, and shall not open or conduct any business prior to 12pm nor remain open or conduct any business after 7pm on Sundays.
- I. No cannabis retail dispensary or cannabis on-site consumption establishment shall operate and no special use permit for a cannabis retail dispensary or cannabis on-site consumption establishment issued pursuant to this Chapter shall be valid until the applicant has obtained all licenses and permits issued by New York State and/or any of its agencies for it to conduct such business. This shall pertain to any promotions, giveaways and associated propaganda.
- J. A special use permit for a cannabis retail dispensary or cannabis on-site consumption establishment shall have a term limited to the duration of the applicant's ownership and use of the premises as a cannabis retail dispensary or cannabis on-site consumption establishment, as

- K. applicable. A special use permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special use permit.
- L. Any violation of this Section shall be grounds for revocation of a special use permit issued under this Chapter.
- M. A revocation of the cannabis retail dispensary license or cannabis on-site consumption establishment license, as applicable, by New York State and/or any of its agencies shall be grounds for revocation of the special use permit.

**Section 6.** If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

**Section 7.** This local law shall take effect immediately upon filing with the Secretary of State.

Mayor Cheney invited Greg White to address the Board. Greg introduced himself as the owner of Finger Lakes Comfort Inc. a plumbing & heating company. He has been in business for the last 15 years, currently has two locations, 30 employees and is growing. He has recently purchased 7 Pearl St for the purpose of consolidating his headquarters, plans include demolition of the lean to; construction of a 125'x40' prefabbed warehouse to include bathrooms, offices, truck bay, tool room, parts/consignment area and insulation storage; remodel existing building to accommodate office space and training facility and site work to adjacent street parking lot. Brief discussion between the Board and Greg. Josh confirmed that Greg has requested an additional water service for the warehouse building. With no further questions, Greg left the meeting at 5:33 pm.

#### REPORTS:

##### DPW, WWTP & Water:

1. DPW – March report – Briefly discussed Josh's report. Incorrect garage door for 8 Banta's boiler room was delivered, reorder 3-4 weeks lead time, Ben and Josh have been removing loose debris in the meantime.
2. Annual Transfer Station Report – Melissa provided the calendar year report for the Board.
3. Transfer Station Discussion – Joe indicated that he has contacted the Town of Manchester (TOM) and K&D Disposal regarding their rate per pound, both are at .22 currently. TOM also charges an annual \$10 fee to use their facility. Josh looked into metal recycling rates, TOM uses Fore Recycling Inc. for their metal bin, \$200 per pull and the can is half the size of our current bin. Josh is awaiting a return phone call from SIMS, our current vendor. Jim indicated that we will need to discuss scrap metal income vs freon charges and our garbage rate of .15/lb over the next couple of months.
4. WWTP – March report – No questions. Adam indicated that NYS DOH requested additional changes to the Annual Water Quality Report, he has updated accordingly. Adam will include written instructions to access the Lead Line Service Inventory Report.
5. WWTP Project – Peter Martin, Delaware Engineering, is in discussions with our representative from NYS DEC regarding the plant upgrade, this is the planning phase only, not the design phase. Jim will discuss with Peter at the upcoming on-site visit.

- Police:
1. March reports – no questions. John reported all is well.
  2. April schedule – no questions.

##### Fire Department:

1. March report – No questions. Brandon indicated that the department is busy. Jim complimented Brandon on his first budget cycle.
2. Exchange Street Fire Siren – The siren is working again, apparently the breaker was not faulty, someone was turning the siren off at the breaker. Further discussion is needed on whether to keep the siren, eliminate it, or relocate it.

- 8 Banta Street:
1. Davis-Ulmer Wet System Annual Inspection – Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeBrock and carried authorizing Mayor Cheney to sign the inspection agreement following updates to the "Customer" section.
  2. Generator – repaired and operational.

- Redfield Park:
1. Josh is requesting the Board's permission to open the facilities for the season, t-ball practices are taking place on-site with one application for use received. Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee McNicholas and carried authorizing the hiring of Noah Bremer to the park cleaner position at a rate of \$75/week pending receipt of all applicable paperwork. New automatic door strikes and releases will need to be addressed.

##### Crooked Bridge Park:

1. Paperwork signed for purchase of additional property to extend this park.

- Code Enfmt:
1. March reports – No questions on Ben's reports. Spring is ramping up, as usual. Working with the new software, manipulating to suit our needs. New owner of 7 Pearl St has only a

demo permit currently, will stay in contact with Greg White. Multiple calls, texts, emails from Mill Street neighbors; may need the mayor to intercede. Jim and Ben met with Vienna Gardens owners and management regarding allowed uses.

YP&R Comm: 1. Easter Eggstravaganza – Saturday, April 19<sup>th</sup> starting at 11 am.

Historic District/Community Beautification Commission:

- 1. Met 3/24/25 to approve Rumour Mill signage.
- 2. Met 4/11/25 downtown to discuss placement of flowers, benches, receptacles etc for this transitional year.

Treasurer Rept: 1. March report – transfers and budget changes needed, will be handled at year end.

Minutes:

- 1. Minutes of the March 10, 2025 Regular Monthly Meeting – Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee DeBrock and carried as presented.
- 2. Minutes of the March 3, 2025 Budget Workshop – Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee McNicholas and carried as presented.
- 3. Minutes of the March 24, 2025 Budget Meeting – Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried as presented.
- 4. Minutes of the March 26, 2025 Planning Board Meeting – For Information Only.

Correspondence:

- 1. Planning Board Member Bob Springer – Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee McNicholas and carried accepting Planning Board Member Bob Springer’s resignation with regrets and our thanks.
- 2. Ontario Pathways – Spring 2025 Newsletter.

New Discussion: 1. WFL-BOCES Gas Bid -Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson offering the following resolution:

**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 NATURAL GAS BID FOR THE PERIOD OF 10/01/2025-09/30/2026**

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 natural gas. 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 natural gas 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 April 14, 2025, by the following vote:

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

2. Delinquent Water & Sewer to Ontario County – Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee McNicholas and carried authorizing the clerk’s office to send un-paid water & sewer billings



and property maintenance charges to Ontario County for re-levying on to the June 2025 Village taxes.

- 3. Climate Smart Village – This was suggested as a way to obtain more funding for the WWTP Project, after further review, the Board will be passing on this for now.

Old Discussion: 1. Website/Code Enforcement/Notification Programs – brief discussion regarding villageofphelpsny.gov is up and operational; more manipulation on our part is needed.  
2. Infrastructure Grant Update – Briefly discussed S. Wayne and/or Lester water line extensions as interest in the undeveloped land in between increases.

Transfers: At end of year.

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

Abstr#11	General	Ck #'s: 19307 – 19354; ck 19214 voided.	In the amount of:	\$ 98,301.54
Abstr#11	Water	Ck #'s: 11997 – 12003	In the amount of:	\$ 3,370.92
Abstr#11	Sewer	Ck #'s: 13290 – 13304	In the amount of:	\$ 22,766.50

Jim brought the Board up to date regarding the NY Forward grant process; we have had a Village wide walk about with the key participants from the state agencies, 1 meeting with everyone and second one scheduled, all the groups will be very busy with a lot of meetings required. Discussed projects and procedures at length.

There is a separate Parks Grant for 1 million due by May 31<sup>st</sup>; thinking about trying for this to lessen the burden on the already awarded NY Forward grant.

Billy indicated that Andy Mattoon has approached him regarding possible exterior live music at Dirty Jacks from 5 pm – 8 pm, will attend a Village Board meeting soon regarding the same.

Adjournment: 7:10 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