

Present: Mayor: Brian Hemminger
Trustee: Michael Cheney
Trustee: BJ Hicks
Trustee: Joe DeBrock – Arrived at 5:04pm
Trustee: Howard Hughson

Also present: Deputy Clerk/Treasurer: Melissa Lahr, DPW Superintendent: Josh Akin, WWTP Operator: Adam Lotyczewski, Police Chief: John Storer, Code Enforcement Officer: Jim Murphy and Fire Chief: Aaron Newton.

Public: Bruce & Kathie Hayflinger, Eric Merkley, Bonnie Detro, Amy & Billy McNicholas, Al Cauwels, James Cheney, Betsy Bourne, Jonas Myhill, Greg Mayo, Andy Mattoon, and Peter Martin.

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

Mayor Hemminger opens the public hearing at 5:01pm for the extension of the solar moratorium of 3 months. Brian asks the public if they have any comments. No comments.

Motion by Trustee Hicks, 2nd by Trustee Hughson.

The following vote was taken:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Trustee: Joe DeBrock		_____	XX
Trustee: Bette J. Hicks	XX	_____	
Trustee: Michael Cheney	XX	_____	
Trustee: Howard Hughson	XX	_____	
Mayor: Brian Hemminger	XX	_____	
Motion carried.			

Mayor Hemminger closed the public hearing at 5:04pm.

Brian asks the public if they have any questions, comments or concerns?

Bruce Hayflinger asks what type of solar. Brian explains that it is a new local law the Village is putting into place; there isn't currently any Solar in our code. He goes on to explain what it is compiled of.

Bonnie Detro is wondering why there is no longer any trash cans on Main St. Josh explains that the last few years residents from above the store fronts were putting household trash in them and it was getting very abused. The same things are also happening at the parks, people are putting meat, car parts, household trash etc.; things that are not meant to be disposed of in those bins. Brian explains how the same abuse of the trash was happening outside of the PPC building and therefore removed. Bonnie is also concerned with all the new restaurants and no place to put your garbage and sees things getting left on the sidewalk. Adam adds that those things happen anyways, even when the trash cans were out there. Bonnie agrees. Brian does not disagree with Bonnie but it does cost the Village money to dispose of the trash in those cans every week and is more costly when abused. Brian offers to try again next year. They will put the trash cans back out on Main St to see what happens. Bonnie has another concern about the village parking lot off from Church St and the pedestrians. She is wondering if a caution pedestrian sign of some sort could be put up to alert people in the parking lot. James Cheney agrees it is very busy back there and a sign maybe useful. BJ adds that we have asked the police to patrol it more. James Cheney indicates it needs to be restriped people are over parking. Brain explains that next fiscal year he would like to re-do most of our parking lots. Bonnie also wonders if the parking lot could be cleaned once a year. After winter it is very muddy and yucky back there. The board agrees to have Josh get a pedestrian sign for that parking lot.

James Cheney summed up a new executive order No. 30 from Governor Hochul for a pro-housing community. If the Village becomes a certified pro-housing community it will bring the Village to the top of the list for several state grant programs for downtown businesses to have a better chance at getting those grants. Joe asks where the housing

would go and James explains that it's not necessarily the housing part we would be looking to utilize, but more so the grant side. Betsy asks who will disperse these grants and how will they work? James explains that the Village will act as the fiscal agent and would receive the funds and then disperse it to the grantee. The Village isn't responsible for anything else. James also explains that this will hopefully help business's downtown like the Phelps Hotel receive grants and other project funding.

Resolution #11- 2023

Trustee DeBrock moved and Trustee Cheney 2nd that

WHEREAS, the Village of Phelps believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Village of Phelps, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Community pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

The motion having been duly seconded, it was adopted and the following votes were cast:

	<u>AYES</u>	<u>NAYS</u>
Joe DeBrock	X	_____
Bette Hicks	X	_____
Michael Cheney	X	_____
Howard Hughson	X	_____
Brian Hemminger	X	_____

Motion by Trustee DeBrock, 2nd by Trustee Hicks and carried authorizing Mayor Hemminger to sign the Pro-Housing Community pledge letter of intent on behalf of the Village.

Bruce and Kathie Hayflinger ask what the status is with H&M. Brian informs them that they are still working but maybe in between contracts right now. The Hayflingers are wondering when this current lease is up and if the Village will be leasing with them again. Brian informs them that this is something they would have to discuss with them if or when that comes up. They also let the board know that the poles that were delivered on Wednesday were stacked so high that one rolled off blocking the driveway to the WWTP. Brian is aware that happened and has talked to them since then. Brian asked them if the deliveries have been better and they indicated that it has been. Brian to check on the lease end date.

REPORTS:

DPW, WWTP & Water:

1. DPW – August report – Josh reported that there was an issue at the Transfer Station with the recycling compactor on Saturday for about an hour and a half at the end of the day. He had Sloth come look at it and there was some loose wiring that he tightened up and everything seems to be working properly now.
2. Brian gave an overview of Jill's letter regarding her and Josh's meeting with Greg Trost from NYS DOT. Michael interjects and wonders what was found out about getting some flashing crosswalk signs at Franklin & Walnut. Brian informs him that they are \$10,000/sign and it has to come out of the Villages pocket, its nothing that NYS DOT would do.
3. Brian asks the board if they are ok with declaring the 2008 & 2010 F250's excess? The board is ok with that and they discussed looking in to taking them to Hessney's auction. Motion by Trustee DeBrock; 2nd by Trustee BJ Hicks and carried.
4. New DPW computer- Michael asked Shane to rework the quote. The board looked it over and is ok to go ahead with it.
5. WWTP – Adam introduced Eric Merkley to the Village Board. Adam is busy cleaning things up before he goes. He invites Eric to address the board. Eric introduces himself and he is happy to help the Village with coverage while Adam is on leave. He has been working with Adam for a few weeks now and has met Pete and thinks he is a very capable man. He will check on the plant in the mornings and afternoons. Eric expresses some concerns with having this intermunicipal cooperation agreement and thinks a contract between the Village and himself would be better suited especially to be a 2nd signatory for the WWTP. Some discussion is had between the board and Eric about what he is looking for. Brian explains that can be discussed at a different time; this is just for while Adam is on leave. Brian would like to sign off on this agreement and long term look in to the 2nd signatory. Josh believes a 2nd signatory would be a good discussion to have moving forward and would like to be part of the conversation if there is one in the future. Brian asks if the board is ok with the signing of the contract. BJ asks if it can be amended once approved. Brian assures it can be. Motion by Trustee Hughson; 2nd by Trustee DeBrock and so carried.
6. Project Update – Peter Martin brings the board up to date with where they are and everything required up to this point has been done. Peter will respond to the DEC letter. Phase 1 disinfection requirements may be put on pause and wants to know if the board is ok with kicking the can down the road for now. Joe wonders how much time this will buy us; Peter thinks about 3 years just on the disinfection part. Joe is wondering what that will do with the grant money. Peter tells him they will be going after 1 million with current design. This will not change the price; the project is already projected for pricing in 2026 for everything. Peter offers for the board to sign a new contract. Brain asks since the board hasn't had a chance to look at it yet could this be addressed at the next board meeting so they have a chance to review it. Peter has no problem with that and will get a copy out to the board for there review.

Police:

1. August reports – no questions.
2. September schedule – no questions.

Fire Department:

1. August reports – Aaron indicated that they are now on schedule for the paving project. Physicals now include bloodwork for the interior firefighter's cancer screening. Howard mentions that Aaron's son is attending Alfred State and will be a mutual aid member with Alfred Fire Department.

8 Banta Street:

1. April 8, 2024 Solar Eclipse Path of Totality – Janie is requesting we hold on any discussion or decisions regarding this until she can update the Board. Multiple meetings are happening at the county level, which she is attending.
2. Josh reports continued air conditioning issues. Adam agrees they are getting abused; more of the lock boxes are busted open, people mess with them, they know the code to get in them and bump the temps too low which causes serious problems. BJ states that Janie should be addressing this with her staff. Brian will bring this up to Janie. Josh makes the board aware that temps got adjusted in dance studio 3 because the thermostat was set to 68 degrees over a weekend, things froze up and Mike Price had to come fix it. Village rule is not below 70 degrees because it causes problems. Jonas suggests wireless thermostats using wifi. Brian states they will figure out what the best solution is going forward.
3. Jonas asks the board if anyone has contacted Janie yet about the Harvest Festival. BJ makes him aware that Mary has let her know it will be taking place on October 21st but there has been no meeting yet.

Redfield Park: 1. Nothing to report.

Crooked Bridge Park:

1. The board wonders if the benches are out of the park yet. Josh lets them know that they are not. LumberMac has been over there and took care of about 10 dead Ash trees along the bank of the creek which were very dangerous.

Code Enfmt: 1. August reports – No questions. Let the board know Pooler has started down by the Waterside Wine Bar.

YP&R Comm: 1. BJ lets the board know that the Harvest Festival will be on October 21st; no meeting is set yet.

Treasurer Rpt: 1. August report – Not available.

Minutes: 1. Minutes of the August 14, 2023 Regular Monthly Meeting – Motion by Trustee DeBrock, 2nd by Trustee Cheney and carried as presented.

Correspondence: 1. Ontario Pathways – Summer 2023
2. Village response to Joe Cialini 1660 Fort Hill Rd letter was sent. BJ wonders if this letter was sent certified mail.

New Discussion: 1. BJ wonders if the board is going to get back to looking at the original lease agreement with the PCC. Brian agrees we need to get back to discussing that. BJ states that the contract has hugely changed since it was originally put in place. Brian agrees that it is definitely not relevant to what is going on in the building now.
2. Jill has provided information regarding the 8 Banta Street property to Cindy Loncosky, Town of Phelps Assessor.

Old Discussion: 1. Proposed Solar Energy Regulations – updated final draft received from Jeff Graff, copy of regulations and his email provided to the Board. This will be forwarded to Ontario County Planning for their review and comment.

Transfers: None.

Vouchers: Motion by Trustee DeBrock, 2nd by Trustee Hicks and carried to pay the following September vouchers as presented.

Abstr#04	General	Ck #'s: 18528 – 18570 Ck 18571 repl. voided 18552.	In the amount of:	\$ 55,342.07
Abstr#04	Water	Ck 11841 repl. voided 11831. Ck #'s: 11842 – 11848	In the amount of:	\$ 2,016.50
Abstr#04	Sewer	Ck #'s: 12988 – 13001	In the amount of:	\$ 8,270.16

6:20 PM Per Mayor Hemminger's request; motion by Trustee Hicks, 2nd by Trustee DeBrock and carried to go into Executive Session to discuss a personnel matter. Deputy Clerk/Treasurer Lahr, DPW Superintendent Akin and WWTP Operator Lotyczewski were invited to remain.

6:50 PM Motion by Trustee Hughson, 2nd by Trustee DeBrock and carried to come out of Executive Session. No decision was made.

Adjournment: 6:51 PM: Motion by Trustee DeBrock, 2nd by Trustee Hughson and carried to adjourn the meeting.

Respectfully submitted,

Melissa J. Lahr
Deputy Clerk/Treasurer