

Present: Mayor: Brian Hemminger Trustee: Michael Cheney  
Trustee: BJ Hicks Trustee: Howard Hughson

Absent: Trustee: Joe DeBrock

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

Public: Billy McNicholas

Mayor Hemminger opened the meeting with the pledge of allegiance to the flag at 5:02 pm.

5:02 PM Reopened the public hearing on the proposed Local Law adding solar regulations to the Village Zoning Code.

Hearing no comments Brian indicated that we will be leaving this public hearing open; the public hearing will reconvene at the next regularly scheduled Board Meeting, January 8<sup>th</sup> at 5:00 p.m.

#### REPORTS:

##### DPW, WWTP & Water:

1. DPW – November report – Josh reported that the crew is gearing up for winter responsibilities. Restrung lights on “Community” Christmas tree to resolve lighting issues, much appreciation to OTTC for their help with Village wide decorating and restringing. Replaced rear leaf springs in F550, discovered during prep for winter,
2. Christmas Tree pick up – will pick up as time allows, published date of Monday, January 8<sup>th</sup> with a hard stop of January 15<sup>th</sup>.
3. WWTP – November report - Adam reported that all is calm currently, trickling filter has been stabilized. The extensive samples for the plant upgrade need to be done 3 separate times, each set will cost upwards of \$2,000. Normal activities, in addition to plant upgrade responsibilities, continue.

Police:

1. November reports – no questions. John reported that Sloth Electric has installed the cameras in the Exchange Street Municipal Parking Lot. Village Police participated in the Veterans Day Celebration and the Hometown Christmas event.
2. December schedule – no questions.
3. Office of Cannabis Management – Brian, Jill and John watched the 12/7 webinar outlining illegal cannabis businesses and municipal enforcement, the what, where and how of Cannabis Law 16-a Civil. John indicated that the state is placing a lot of responsibility on the municipality without resources.

##### Fire Department:

1. November reports – No questions on Aaron’s report. Michael indicated that 2151 is back in service.
2. Camping on Fire Department Grounds – briefly discussed sewer issues with this plan, Brian to discuss further with Adam and Aaron.

##### 8 Banta Street:

1. Josh reported the normal issues at the building, in addition to dealing with a kitchen drain issue on Friday, 12/1 which involved a hand snake, a power snake and eventually the sewer jetter to clear what appeared to be a large amount of grease.

Redfield Park: 1. Nothing to report.

##### Crooked Bridge Park:

1. Nothing to report.

Code Enfnt:

1. November reports – No questions. Jim reports he has a couple of public assembly inspections to complete, has issued a demo permit for the catholic rectory building at 12 Church Street and a C of O for Dirty Jacks at 5B Church Street.
3. Anonymous Letters – Two additional letters received regarding dogs at 12 Ontario Street. As indicated in last month’s meeting minutes the Village will not respond to the anonymous letters. Trustee Cheney, who lives across the street from 12 Ontario Street, indicated this is a non-issue.

YP&R Comm:

1. Hometown Christmas Event – successful, well attended event. Michael questioned if the dance performances might be better located at the far end of the gym to prevent congestion at the doorway, BJ will pass this along.

Treasurer Rpt: 1. November report – A few transfers, half way through the budget year.

- Minutes:
- 1. Minutes of the November 13, 2023 Regular Monthly Meeting – Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Hicks and carried as presented.
  - 2. Minutes of the November 20, 2023 Zoning Board of Appeals Meeting – For the Board’s information.
  - 3. Minutes of the November 27, 2023 Planning Board & ZBA Joint Workshop – For the Board’s information.

- Correspondence:
- 1. Charter Communications – Channel updates etc 11/30.
  - 2. Ontario Pathways – Fall 2023 edition.
  - 3. WFL-BOCES email – electric and gas delivery rate increase notification from the bid broker will impact this year’s budget, keeping information in the budget file for upcoming years.

- New Discussion:
- 1. Energy Cooperative 2024 Electric Supply Agreement – motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Cheney and carried, authorizing Mayor Hemminger to sign on the Village’s behalf.
  - 2. Resolution 15 – 2023 - The Village has received a large bill from Delaware Engineering for their services regarding the WWTP disinfection study/upgrade; these expenses will be reimbursable once our project financing becomes available, early next year. An additional resolution will be needed next month to account for budget changes. The following resolution was offered by Trustee Hicks, 2<sup>nd</sup> by Trustee Hughson:

**Resolution Authorizing the Transfer of Funds from the Village of Phelps “Sewer Plant Reserve Fund”:**

**WHEREAS**, THE Board of Trustees wishes to transfer up to \$75,000.00 from the “Sewer Plant Reserve Fund” account for the purpose of paying for WWTP Improvement Project Engineering fees;

**WHEREAS**, funds are available for such purpose in this Reserve Fund for this purpose;

**NOW THEREFORE BE IT RESOLVED**, the Board of Trustees of the Village of Phelps authorizes as follows:

- 1. That the Treasurer of the Village of Phelps be, and she hereby is, empowered to transfer the funds from the “Sewer Plant Reserve Fund” to the Sewer checking account. Said funds to be used solely for the paying of WWTP Improvement Project Engineering fees.
- 2. Such a transfer is subject to a 30-day permissive referendum. Petitions requesting a permissive referendum must be filed with the Village Clerk’s office within 30 days as provided by law.

The following vote was taken:

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

- Old Discussion:
- 1. Solar Regulation – per the previously supplied November 27<sup>th</sup> Joint Workshop meeting minutes; the Planning Board has decided to send the draft regulations back to Attorney Jeff Graff disallowing Tier 3 Large Scale Solar within the Village limits.
  - 2. Hazard Mitigation Plan – Brian updated the Board regarding this County level project.
  - 3. Rockefeller Lease Agreement – BJ requested an update, Brian indicated he has not yet contacted Billy Rockefeller.

Transfers: Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Cheney and carried to make the following transfers:

To:	From:	Amount:
A1325.2	A1325.4	\$ 111.00
A3410.2	A3410.4	\$ 847.00
G8110.4	G8130.4	\$ 1,000.00
G9060.8	G8130.4	\$ 5,000.00

Vouchers: Motion by Trustee Cheney, 2<sup>nd</sup> by Trustee Hicks and carried to pay the following December vouchers as presented.

Abstr#07	General	Ck #'s: 18658 – 18697	In the amount of:	\$ 59,401.16
Abstr#07	Water	Ck #'s: 11862 – 11870	In the amount of:	\$ 15,133.32
Abstr#07	Sewer	Ck #'s: 13038 – 13059	In the amount of:	\$ 28,031.89

Adjournment: 5:44 PM: Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Cheney and carried to adjourn the meeting.

Respectfully submitted,

Jill K. Seifert  
Clerk/Treasurer