

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

Also present: Clerk/Treasurer: Jill Seifert, Deputy Clerk/Treasurer: Melissa Lahr, Police Chief: John Storer,  
Code Enforcement Officer: Ben Wheat & WWTP Operator: Adam Lotyczewski.

Public: Fire Department Members: Tim DeBaere, Aaron Newton, Brandon DeBaere, Tom Asselta & Don  
Phillips. Christy Howard.

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

#### REPORTS:

##### DPW, WWTP & Water:

1. DPW – October report – No questions regarding Josh’s provided report. Jim indicated that Josh would be addressing sidewalks in the spring. Briefly discussed NYS DOT’s response to our 30 MPH street paintings.
2. WWTP – October report – No questions. Adam indicated that he and Pete removed a lot of old stored paint etc from the plant area, SDS sheets printed for remaining “hazards”.
3. Lead Line Replacement Program – Notification document formulated; Michael is working on manipulating the inventory excel sheet to create mailing labels for the 11/15 deadline. [Water@phelpsny.com](mailto:Water@phelpsny.com) is now functioning for the return of information.

Police:

1. October reports – no questions. Jim thanked John for the police participation at the Halloween events. John indicated that, even with the additional patrols, there were two near misses, of kids crossing on Main Street, he would like to suggest some type of glow sticks being provided by YPR.
2. November schedule – no questions.

##### Fire Department:

1. October reports – No questions. Aaron indicated that 2121 (2008 Pierce Engine) \$13,000 - \$15,000 repairs are nearing completion, this is currently our newest engine and has been out of service for 4 weeks.
2. New Fire Truck Conversation – the assembled Fire Department members offered information regarding the current apparatus and the safety of the community. Homeowners fire insurance is determined by the score of your local FD, Phelps is at a 6 out of 10 which could be better resulting in reduced residents’ premiums; we are shy of the 3,000 gallons per minute by 1,000 gallons. The proposed new truck would address this. 2171 (1996 Pierce Rescue) was refurbished to gain an additional 10 years to save money for a new engine. The new engine would replace 2131 (2004 Pierce Engine), 2131 was recently out of service briefly due to a starter issue, this left the FD relying on mutual aid exclusively. 2141 (1999 Mack Tanker) meets its need and 2151 (2007 Ford Brush) would be the next to be replaced behind 2131. Mayor Cheney questioned whether the FD membership is sufficient to roll all the apparatus, Aaron indicated that we have enough active members that this is not an issue within our department. Aaron will update the apparatus replacement schedule for the Board. The more than million-dollar price for an appropriate, standard, no frills, engine is only going to keep increasing; if we get it ordered now, the 2004 Pierce Engine retains its trade in value of \$75,000 to \$100,000. The Board thanks the members for their input, wants to insure we are being fiscally responsible; Jill to pull Brandon’s initial paperwork from the October meeting, confirm reserve amounts/pricing and make a decision at the December meeting. Brandon to provide Jill with bid specs as well.

Fire Department Members left the meeting at 5:58 pm.

8 Banta Street:

1. Gala Event – postponed until Saturday, January 18<sup>th</sup> at Club 86, will be a combined event with the annual Casino Night.
2. North Hall Bathroom Project – there is a potential change to the previously Board approved bathroom layout. Jim, Michael and Ben shared the need for additional waiting areas for the dance programs and functional unisex bathrooms, the Board has no objection to PCC continuing to develop their plan.

Redfield Park: 1. Facilities closed.

##### Crooked Bridge Park:

1. Purchase offer on additional land, as discussed at the September 18<sup>th</sup> forwarded to Attorney Jeff Graff.

Code Enfnt: 1. October reports – No questions. Briefly discussed permitting software, WLBC has removed their code enforcement program and we will be proceeding with a cloud-based product from Go.gov.

2. Drone Use – The Board discussed lawful municipal use of a drone; this would not be unilateral usage ie patrolling, it would be for inspections on an as needed, case by case and as a tool of last resort/safety basis. Jill to contact our insurance agent regarding the possible usage of Ben's already owned drone vs the Village purchasing one. The Town currently owns a drone but does not have a licensed operator; Jim to contact Bill regarding shared use.

YP&R Comm: 1. Michael reports that Harvest Festival and Halloween were both well attended. Upcoming events include Hometown Christmas on Saturday, December 7<sup>th</sup> from 5 – 8 pm and the New Years Eve Party.

**Historic District/Community Beautification Commission:**

1. Christy reported that Andy Mattoon was unhappy with the approved colors he painted 5 Church St, will be repainting the property. Christy and Melissa will ensure that the new choices are approved historical colors.

Treasurer Rept: 1. October report – no questions, transfers will be needed for next meeting.

Minutes: 1. Minutes of the October 14, 2024 Regular Monthly Meeting – Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Cheney and carried as presented, with Trustee DeBrock abstaining.  
 2. Minutes of the October 21, 2024 Zoning Board of Appeals Meeting – For Information Only.  
 3. Minutes of the November 4, 2024 Joint Meeting – For Information Only.

Correspondence: 1. Charter Communications – Upcoming changes dated 10/31 & 11/5.  
 2. WFL-BOCES Electric Bid Awarded – Energy Cooperative.  
 3. Veterans Day Invite – Phelps American Legion to the Board Members, provided prior to today.  
 4. Thank you notes – House of John and Dawn Nieskes Family, employee's memorial contribution.

New Discussion: 1. 128 Main Street Rental – Compliments sent and appreciated.  
 2. Restore NY Municipal Support & Public Hearing Resolutions –

**Resolution #: 20 - 2024**

**Municipal Resolution Supporting 2024 Restore NY Round 9 Application**

WHEREAS, the Village of Phelps is eligible for funding under Round 9 of the Restore NY Communities Initiative Municipal Grant Program; and

WHEREAS, the Village Board has considered proposals that qualify for funding under the program and selected a project to be included in an application that will be submitted to Empire State Development Corporation (ESDC); and

WHEREAS, the project to be included in the application will be a redevelopment of the Phelps Hotel, located at 90 Main Street, Phelps, NY 14532, which will renovate the vacant 19,000 square foot property into a mixed-use building containing a restaurant and bar/speakeasy on the first floor and basement and up to 8 residential units on the upper floors; and

WHEREAS, the Village recognizes that this project is a priority project that will contribute to the renewal of this downtown area, strengthen the local economy, and increase the quality of life for residents; and

WHEREAS, the Village has worked with the property owner/developer to ensure that this project is aligned with local development plans and is seeking ways to find funding avenues to complete this project with public and private funds; and

WHEREAS, the funding is a 10% minimum equity match grant program and the Village is working with the relevant property owners to meet that match requirement;

WHEREAS, this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources, and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in Phelps; and

NOW THEREFORE BE IT RESOLVED that the Village Board hereby supports and will sponsor an application for Restore NY funding for the property at 90 Main Street and will administer the grant in accordance with all applicable rules and regulations established by ESDC; and

BE IT FURTHER RESOLVED that the Village of Phelps supports this Restore NY application submission and the \$250 application fee that is required for the application; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign the application and any agreements required by ESDC for grant funding that results from the application.

Motioned By: Michael Cheney

Seconded By: Howard Hughson

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 November 11, 2024, 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	

Resolution #: 21-2024

Resolution Providing for Public Notice and Hearing

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 regarding the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative; and  
WHEREAS, the Village Board of the Village of Phelps has reviewed the proposed project that will transform a vacant, blighted property into a mixed-use development containing both commercial and residential units; and  
NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees will hold a public hearing at the Village Hall, 8 Banta Street in the Village of Phelps, New York, at 5:05 p.m. on December 9, 2024; and  
BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer publish or cause to be published a public notice in the official newspaper of the Village of said public hearing at least ten (10) days prior thereto; and  
BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer publish or cause to be published a public notice in the official newspaper of the Village of said public hearing for three (3) consecutive days thereto; and  
BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer be, and she hereby is, directed to post a copy of the public notice on the Village of Phelps sign board and take any and all other necessary actions to properly bring the aforementioned hearing before the Village Board of the Village of Phelps for its consideration; and  
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 November 11, 2024, 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	

3. 2025 Excellus Premium – Jill provided the upcoming monthly rate and what the total increase for the year, for all employees would be. The Board agreed that although the rates continue to rise, they have no plans currently to change the Village coverage.
4. Phelps Hotel Revitalization Project – Short Environmental Assessment Form Part I – Following discussion, motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee Hughson and carried authorizing Mayor Cheney to sign on the Village’s behalf. Parts 2 & 3 in addition to the SEQR Resolution will be addressed at the December meeting.
5. Briefly discussed the EGS Community Solar Proposal, if we opt in and sign the contract, we will get a 5% discount on our already established electric accounts. Motion by Trustee DeBrock, 2<sup>nd</sup> by Trustee McNicholas and carried authorizing Mayor Cheney to sign the agreement on the Village’s behalf.
6. Motion by Trustee Hughson, 2<sup>nd</sup> by Trustee Cheney and carried setting the public hearing for LL#3-2024 –

Resolution #: 22-2024

Resolution Introducing Local Law and Providing for Public Notice and Hearing

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 Enacting Provisions and Regulations Affecting the Village of Phelps Zoning Law”; and  
WHEREAS, the Village Board of the Village of Phelps has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" 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; and  
NOW THEREFORE, BE IT RESOLVED, that the proposed Local Law entitled “A Local Law Enacting Provisions and Regulations Affecting the Village of Phelps Zoning Law”, be and it is hereby introduced before the Board of Trustees of the Village of Phelps, New York, and  
BE IT FURTHER RESOLVED, that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Hall, 8 Banta Street in the Village of Phelps, New York, at 5:00 p.m. on December 9, 2024; and  
BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer publish or cause to be published a public notice in the official newspaper of the Village of said public hearing at least ten (10) days prior thereto; and  
BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer 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/Treasurer be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law; and  
BE IT FURTHER RESOLVED, that this local law be forwarded to the County Planning Board, with all supporting documents, for their respective reviews and recommendations.  
I, Jill Seifert, Village Clerk/Treasurer of the Village of Phelps do hereby certify that the Board of Trustees of the Village of Phelps adopted the aforementioned resolution on November 11, 2024, 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	

7. Briefly discussed upcoming events; Employee Holiday Luncheon Thursday, December 19<sup>th</sup> and the Mary Preston Foundation Dinner, Clifton Springs Country Club, Saturday, February 1<sup>st</sup>.

- Old Discussion:
1. Accessory Dwelling Units and the addition of retail to the M-1 district – comments sent to Jeff and returned; public hearing scheduled above, New Discussion #6.
  2. Grant Application – Nothing new currently.
  3. Unpaid Tax Certificate – Board to sign.

Transfers: Jill will prep any needed for next month.

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

Abstr#06	General	Ck #'s: 19099 - 19145	In the amount of:	\$134,902.08
Abstr#06	Water	Ck #'s: 11959 – 11964	In the amount of:	\$ 5,834.95
Abstr#06	Sewer	Ck #'s: 13215 – 13232	In the amount of:	\$ 12,249.59

Adjournment: 6:52 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