

March 14, 2022

A regular meeting of the Village Board held on the above date was called to order at 6:00 p.m. at the Village Hall, 1 West Main Street, Clifton Springs, NY 14432.

Presiding: Mayor James Keyes

Village Trustees Present: Jeff Linsner, Brian Rickerson

Village Trustees Absent: Earl Lincoln, Bryan Gray

Also Attending: Street & Water Supervisor Jason Lannon, Chief Sewer Plant Operator, Eric Merkley, Clifton Springs YMCA Director Todd Freelove, and Maureen Ballatori from Design Studio 29

Minutes: The minutes of the meeting of February 14, 2022 were approved upon motion by Trustee Rickerson 2nd by Trustee Linsner. All members present voted AYE. Carried.

Vouchers: General, Water and Sewer Vouchers #675 through #747 were approved for payment by Trustee Linsner 2nd by Trustee Rickerson. All members present voting AYE. Carried.

General Fund =	\$ 44,914.52
Water Fund =	\$ 39,512.37
Sewer Fund =	\$ 5,775.21

PRIVILEGE OF THE FLOOR:

J. Lannon – street and water report

Jason Lannon, Street & Water Supervisor appeared before the Board.

Street report: Unity Fiber reached out to Supervisor Lannon. Unity Fiber intends to use the poles and road right of way for fiber purposes. Unity Fiber told Supervisor Lannon that they would contact him in a couple of months to proceed with this.

Supervisor Lannon is working with Heinz Concrete for gutter work on the upper section of Pleasant Street and section on Laude Avenue and a small section on Sherman Street. This work is scheduled in the next fiscal year.

The crew is working on painting snow equipment and soon will begin working on plow damage.

The fuel tanks were inspected and all went well, no problems were found.

Water report: The annual quality water report for 2021 is completed. This will be in the Board packets next month. This will also be online, posted at the library, posted at the Village Hall and mailed to the entities that the Village is required to file this with.

The water main reconfiguration project for Crane Street has been approved by NYS Department of Health. Hunt Engineering will be working on preparing the bids. The Village has asked for a cost projection. Hunt is finding this difficult to do with the cost of materials changing so quickly.

S. Sailer request for water outside the Village

S. Sailer, 1981 Pearl Street Ext. has made a written request for public water from the Village of Clifton Springs. This home is outside the Village. Clerk Reals spoke with Ms. Sailer and asked her to write to the Town of Phelps first, as this is part of the process, as her home is in the Town.

Supervisor Lannon explained to the Board, that although this property is next to the water tanks, the home is to the south of the tanks and the Village does not have water main that runs in front of that home. The water line does not run to the south at all.

Meeting of March 14, 2022 continued:

Supervisor Lannon will reach out to NYS Department of Health because their approval and guidelines would be needed. Supervisor Lannon also mentioned that if Department of Health allows this, that an agreement would need to be drawn up with the Village Attorney because Supervisor Lannon anticipates if approval were granted, the water line would need to go thru the Village water tank property to get to the Sailer home. No final decision was made on this because Department of Health approval is necessary.

Both water tanks on Pearl Street will be cleaned, possibly in April.

E. Merkley – sewer report

Eric Merkley, Chief Sewer Plant Operator, appeared before the Board.

Sewer report: Hunt Engineering is assisting with the compost permit and this is moving forward.

Hunt Engineering had a number of people come to the sewer plant to discuss the disinfection and possible headworks upgrades. After input from all present, Hunt will be reconfiguring the original plan. Part of the plan will involve using an existing tank and building a new tank to the north and being able to switch between the two tanks. Chief Operator Merkley is hopeful that using an existing tank will produce a significant savings to the build out cost.

Trustee Rickerson informed the Board that the building that will go over the existing pump station behind place should be built this summer.

Mike Patrick – youth football/cheerleading

Mike Patrick, President of Midlakes Jr. Eagles appeared before the Board. Mr. Patrick informed the Board that Midlakes High School will be doing significant work to the football field in 2022 and for this reason, no one will be able to use the football field. Mr. Patrick asked permission to use the John Fabrizi Park to host four home games on some Sundays in September and October. Mr. Patrick explained that in the past scrimmages have been held at the park and they were able to properly control the traffic. Mr. Patrick explained that it is important for youth football to host because they do well selling concessions and this helps with the fundraising for youth football-cheerleading. Mr. Patrick explained that they would not need the John Brown side of the park for selling concessions. Discussion was held on the restrooms. Clerk Reals explained to Mr. Patrick that he would need to talk with Supervisor Lannon about this, because typically the crew winterizes the park in mid-September. Mr. Patrick understands this and will reach out to Supervisor Lannon. If needed youth football could bring in additional port a johns. The Board agreed that youth football could use the John Fabrizi Park to host four home football games in September and October 2022. When Mr. Patrick knows the dates, he will let Clerk Reals know. This is to avoid any conflicts with the John Brown Park rentals.

YMCA Mural on Palace building – 10 Crane Street

Todd Freelove, YMCA Director and Maureen Ballatori, from 29 Studio Designs, appeared before the Board. They appeared to present and opportunity for a mural on the YMCA Palace building at 10 Crane Street. Mrs. Ballatori believes this public art project would be great in the Village.

Mrs. Ballatori distributed a handout titled “Clifton Springs Mural Opportunity”. Discussion was held on how murals can tell a story, increase foot traffic and increase appreciation for the arts.

Discussion was held on the mural being a Village mural on the YMCA building. The mural would be on the outside wall, which faces the south. Discussion was held on possibly blocking off two parking spaces so people could have their picture taken in

Meeting of March 14, 2022 continued:

front of the mural. Concepts were discussed, such as “You are here” concept, “Send a message” concept, “Idea” concept.

Discussion was held on how the mural could be grid style or that the community could participate in the painting.

Mrs. Ballatori has met with the YMCA Board, and she is not seeking any money for her contribution to the mural. Mrs. Ballatori said the artist would be paid between \$3,000 and \$5,000. Mrs. Ballatori is looking for the Village to pay the artist, because this would be a Village mural on the YMCA building.

Mr. Freelove did speak with the Code Enforcement Officer, and he does not see anything in the Village code that pertains murals.

Trustee Linsner stated that he would not comment or vote on this as he has a conflict of interest because he knows the artist.

Clerk Reals asked what the period was, and Mrs. Ballatori stated she is hoping the mural will be done in summer of 2022.

Clerk Reals asked the Board if they would like to wait and discuss next month.

Mayor Keyes and Trustee Rickerson agreed to proceed with the mural at a cost not to exceed \$5,000 and this can be re-addressed if needed. Trustee Linsner did not vote due to a conflict.

Those present agreed a small committee should be formed to work on ideas for the mural. The committee will be a representative of the YMCA, a representative of the Village Board, Mrs. Ballatori and the artist.

ADDENDUM: At the request of Trustee Lincoln, Clerk Reals was asked to inquire with the Village attorney regarding the legality of two members of the Board making a decision. Attorney Graff advised that a quorum of the whole number of the Board needs to be present to decide, meaning three votes are required to move forward. Attorney Graff also advised that legally the Village cannot gift taxpayer money to a private entity and to do so would be a misuse of government funds. Attorney Graff also stated that the Village has no say on the mural painting on the private building, unless the Village code states otherwise. Clerk Reals informed all Board members of the above. For this reason, the mural item will be on the agenda for April 2022.

YMCA – G.W. Lisk Community Park

Mr. Freelove informed the Board that the YMCA summer day program would like to spend more time at the G.W. Lisk Park this year, as the YMCA building at 5 Crane Street, will be going thru renovations. For this reason, the YMCA would like to add a second port a john as more kids will be using the facilities. The YMCA will also look into a high end trailer type port a john and the YMCA will determine what will best meet there needs. Adding another port a john will also help reduce traffic into the library.

Discussion was held on the large chess and checkers set that was donated in memory of Heath McMillan, a local service man who was killed in action. It appears this has not been used in a couple years.

Public Hearing on Local Law 1-2022

A local law repealing the existing chapter 62 of the Code of the Village of Clifton Springs and Adopting a New Chapter 62 Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code

Mayor Keyes opened the public hearing at 6:30 p.m.

Meeting of March 14, 2022 continued:

This public hearing was properly advertised in THE DAILY MESSENGER on February 25, 2022 and posted on the website, on the front door of Village Hall – due to covid and on the sign board in Village Hall.

No persons appeared before the Board to discuss this local law.

The Board reviewed part 1 of the SEQR completed by Steve DeHond, Code Enforcement Officer and part 2 of the SEQR completed with assistance from Hunt Engineering.

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CLIFTON SPRINGS,
ONTARIO COUNTY, NEW YORK,**

DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 1 OF 2022

WHEREAS, the Village of Clifton Springs Village Board, hereinafter referred to as Village Board, has determined Local Law No.1 of 2022 to be an Unlisted action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Village Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Village Board has considered the potential impacts associated with said action.

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

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

1. The Village Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Village Board 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 Village Board 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 Village Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Lori Reals, Village Clerk of the Village of Clifton Springs do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Clifton Springs on March 14, 2022 by the following vote:

	Aye	Nay
James Keyes	X	
Earl Lincoln		was not present
Jeffrey Linsner	X	
Bryan Gray		was not present
Brian Rickerson	X	

Dated: March 15, 2022

Lori Reals, Village Clerk/Treasurer

SEAL

Meeting of March 14, 2022 continued:

RESOLUTION AUTHORIZING ADOPTION OF A LOCAL LAW REPEALING THE EXISTING CHAPTER 62 OF THE CODE OF THE VILLAGE OF CLIFTON SPRINGS AND ADOPTING A NEW CHAPTER 62 PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NYS UNIFORM FIRE PREVENTION AND BUILDING CODE AND THE STATE ENERGY CONSERVATION CONSTRUCTION CODE

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Clifton Springs for a public hearing to be held by said Village Board on March 14, 2022, at 6:30 p.m. at the Clifton Springs Village Hall, 1 West Main Street, Clifton Springs, New York, to hear all interested parties on a proposed Local Law entitled "A Local Law Repealing the Existing Chapter 62 of the Code of the Village of Clifton Springs and Adopting a New Chapter 62 Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village of Clifton Springs, on February 25, 2022 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 14, 2022, at 6:30 p.m. at the Clifton Springs Village Hall, 1 West Main Street, Clifton Springs, 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; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Clifton Springs hereby adopts said Local Law No. 1 of 2022, entitled, "A Local Law Repealing the Existing Chapter 62 of the Code of the Village of Clifton Springs and Adopting a New Chapter 62 Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code", a copy of which is attached hereto and made a part hereof, and be it further

RESOLVED, that the Village Clerk/Treasurer be and she hereby is directed to enter said Local Law in the Local Law Book of the Village of Clifton Springs and to give due notice of the adoption of this local law to the Secretary of State of New York, and be it further

I, Lori Reals, Village Clerk of the Village of Clifton Springs do hereby certify that the aforementioned resolution was adopted by the Board of Trustees of the Village of Clifton Springs on March 14, 2022 by the following vote:

	Aye	Nay
James Keyes	X	
Earl Lincoln		was not present
Jeffrey Linsner	X	
Bryan Gray		was not present
Brian Rickerson	X	

Dated: March 15, 2022

Lori Reals, Village Clerk/Treasurer

SEAL

Meeting of March 14, 2022 continued:

Motion was made by Trustee Linsner 2nd by Trustee Rickerson to close the public hearing on the local law at 6:50 pm. All members present voting AYE.

Public Hearing on the 2022-2023 Budget

Mayor Keyes opened the public hearing at 6:40 p.m.

No persons appeared before the Board to discuss the proposed budget..

This public hearing was properly advertised in THE DAILY MESSENGER on March 1, 2022 and posted on the website, on the front door of Village Hall – due to covid and on the sign board in Village Hall.

Discussion was held on the proposed 2022-2023 budget. Clerk Reals and Mayor Keyes had previously answered questions Board members had on the budget.

The Village did receive a letter from Clifton Springs Library asking for an increase in funding. Clerk Reals checked with the Villages within Ontario County. All Villages (except Phelps) in the County and most of the Towns have eliminated funding to the library thru the local municipality because taxpayers pay for this in their school taxes and residents felt they were paying twice. The Village of Rushville does give money to the reading center, which they own. Two years ago, per Ontario County Real Property, Village residents paid \$27,209.41 to the Clifton Springs library thru there school taxes. Clerk Reals asked the County for the amount paid last year, but they have not sent it yet. Trustee Rickerson suggested the library address this with the school and see if a larger amount of funding can be requested thru the school referendum.

Motion was made by Trustee Linsner 2nd by Trustee Rickerson to adopt the 2022-2023 budget. Mayor Keyes called for a roll call vote which resulted in Trustee Linsner voting AYE, Trustee Rickerson voting AYE, and Mayor Keyes voting AYE. Trustee Lincoln and Trustee Gray were not present. Carried.

Budget for 2022-2023

General Fund = \$1,710,130

Water Fund = \$448,404

Sewer Fund = \$447,680

TOTAL = \$2,606,214

Tax Levy = \$716,283

	Tax Rate	Equalization Rate	Change in tax rate From 2021-2022
Town of Manchester	\$6.36	100%	down \$1.22/1,000
Town of Phelps	\$6.54	100%	down .90/1,000

Water rates increased by 3% in November 2021 when the Village of Newark raised the rates to the Village by 10%. No changes in sewer rates. Water rates \$40.79 for 0-5,000 gallons and then \$6.37 for each 1,000 gallons thereafter and sewer remains \$70.00 per unit. Both are billed quarterly. The Board is aware that sewer rates will need to reviewed and possibly increased depending on the extent of the sewer project and grant funding received.

Motion was made by Trustee Linsner 2nd by Trustee Rickerson to close the public hearing on the budget at 6:50 pm. All members present voting AYE.

Meeting of March 14, 2022 continued:

CORRESPONDENCES:

Local Law 1-2022

For the Public Hearing: Copy of Local Law to adopt a new Chapter 62 providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.

Reviewed and adopted during the public hearing.

SEQR for Local Law 1-2022

For the Public Hearing: Copy of the SEQR part 1 that Steve DeHond completed to go with the local law.

Budget 2022-2023

For the Public Hearing: Copy of the proposed 2022-2023 budget.

Reviewed and adopted during the public hearing.

Possible short term rental law

Draft of possible local law and application pertaining to short term rentals, based on what the Town of Canandaigua has in place. Draft law prepared by Attorney Graff; application prepared by Clerk Reals.

The Board members present asked that this item be carried over until the April meeting, when more Board members are present. No other action taken on this.

Fire Department elects Fire Matic Officers

Copy of the Fire Department meeting minutes from March 1, 2022. Please note page 5 shows the Fire Matic officers that were elected by the Fire Department membership.

Fire Chief: Steve DeCook
1st Assistant Chief: Paul Conklin
2nd Assistant Chief: Wayne Conklin
Captain: Jeff Guard

Motion was made by Trustee Linsner 2nd by Trustee Rickerson to accept the officers elected by the membership of the Clifton Springs Fire Department for the Year April 2022-March 2023. All members present voting AYE. Carried.

Dog Park – Insurance

Per the Board request, Clerk Reals inquired about insurance for a dog park. This correspondence is the response from the insurance company.

The insurance company indicates rules need to be in place and posted. The insurance company will want a copy of the rules and will need to know if dogs are required to have had shots and how will this be monitored, will the area be fenced, will there be different play times for big dogs and small dogs? The insurance company also suggest this be discussed with the Village attorney. Mayor Keyes, Trustee Rickerson and Supervisor Lannon will meet to discuss a possible location.

Prospect Street – parking request from Baptist Church

Letter from the First Baptist Church pertaining to a parking area on Prospect Street.

Discussion was held. This area is not owned by the Village – so the Village cannot grant permission for parking or signs as requested by the church. Clerk Reals has made the church aware of this.

Chamber requests street closures

Two letters from the Chamber of Commerce asking permission for street closure on September 23, 2022 for the Sip & Sway and on December 2, 2022 for the Festival of Lights.

Meeting of March 14, 2022 continued:

The Board has agreed to both street closures. These request letters were given to Police Chief Scott Upchurch and Street Supervisor Jason Lannon.

Clifton Springs Library seeks increase in funding

Letter from Clifton Springs Library asking for an increase in funding. Clerk Reals explained this has been discussed before and all Villages (except Phelps) in the County and most of the Towns have eliminated funding to the library thru the local municipality because all taxpayers pay for this in their school taxes and residents felt they were paying twice, which is true. Two years ago, Village residents paid 27,209.41 to the Clifton Springs library thru their school taxes. Clerk Reals asked the County for the amount paid last year, but they have not yet sent it.

Reviewed and discussed with the Village budget. Trustee Rickerson suggested the library address this with the school and see if a larger amount of funding can be requested thru the school referendum. Mayor Keyes plans to meet with the library.

Certificate of training for B. Maslyn

Copy of the certificate of training for Planning Board member B. Maslyn.

Reviewed. The Board appreciates when Planning and ZBA members obtain the four hours of training that the state requires.

SEQR for local law on Zoning Chapter 62

A local law repealing the existing chapter 62 of the Code of the Village of Clifton Springs and Adopting a New Chapter 62 Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code

SEQR – Part 2 for the public hearing on Zoning – Chapter 62. A local law repealing the existing chapter 62 of the Code of the Village of Clifton Springs and Adopting a New Chapter 62 Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code

Reviewed and adopted during the public hearing on the local law for Zoning Chapter 62

Ruiz – sewer reduction from two units to one unit

Email from H. Ruiz, 62 East Main Street requesting his home pay for one sewer unit as he is no longer having a rental unit at his home.

The Board was agreeable to this reduction, so long as the home remains a single-family home with no rental unit. Should this become a two-unit home again in the future, the Ruiz will need to let the Village know. Clerk Reals was asked to let the Ruiz family know.

S. Sailer -1981 Pearl Street Ext. request for water

Letter from S. Sailer, 1981 Pearl Street Ext. requesting to be part of the permissive service water area on Pearl Street.

See discussion under Supervisor Lannon report at the beginning of this meeting.

Museum Day – June 18, 2022

Letter from Jim Connors, Village Historian, asking for Main Street to be closed on Saturday June 18, 2022 from 10AM – 2PM for Museum Day.

The Board approved this street closure.

Meeting of March 14, 2022 continued:

Health Insurance agreement for Chief Scott Upchurch

Draft of the agreement with Police Chief Scott Upchurch for health insurance.

Clerk Reals included Chief Upchurch's comments. These comments have been sent to Attorney Graff. The Board understands Chief Upchurch comments, which refer to a family health insurance plan. This will be on the agenda for the April meeting.

Request from E. Merkley for meat chickens at 48 Pearl Street

Letter from E. Merkley, 48 Pearl Street, requesting permission to have twenty-five meat chickens at his property for approximately nine weeks.

Motion was made by Trustee Rickerson 2nd by Trustee Linsner to approve a permit for meat chickens for E. Merkley, with the following conditions:

- The permit is for up to twenty-five meat chickens.
- The chickens are to be housed behind Mr. Merkley home in a shed/chicken coop. No free range chickens.
- Waste generated by the chickens shall be composted.
- The permit is good for three months from March 2022 thru May 2022. As a reminder the Village code reads as follows: Section 49.1A, of the Village Code "Such special permit may be granted for a period of one year unless it shall appear from complaints of neighbors or otherwise that the keeping of the animal in question is objectionable or offensive by reason of noise, smell or other cause. Such a special permit shall be revocable at any time by the Board of Trustees."
 - After a three month , should the permit still be in effect, Mr. Merkley is responsible to appear or write to the Board for the permit to continue.

All members present voting AYE. Carried.

STREET DEPARTMENT: This report was covered under privilege of the floor.

WATER DEPARTMENT: This report was covered under privilege of the floor.

SEWER DEPARTMENT: Trustee Rickerson report was covered under privilege of the floor.

ZONING & PLANNING DEPARTMENTS: Trustee Gray was not present.

FIRE DEPARTMENT: Trustee Linsner reported the following.

Background checks

Trustee Linsner is working on this with the Fire Department. Trustee Rickerson reviewed (again) what the county can provide. The Board does want background checks completed and the by-laws of the department indicate a background check will be done. The Board wants members to join the department and they want the department to retain members they have, but they want background checks done on all new members, including any member within the department that has not had a background check completed. Trustee Linsner will continue to work on this with the department. Trustee Rickerson said he is glad to discuss with the department the process the county uses, if that would be helpful.

PARK – YOUTH DEPARTMENT: Nothing was reported.

SOCIAL MEDIA: Nothing was reported.

POLICE DEPARTMENT: See correspondences.

MAYOR KEYES REPORT: Mayor Keyes report was also covered throughout the meeting.

Meeting of March 14, 2022 continued:

Clifton Springs Rotary Club – creek cleaning

Clifton Springs Rotary Club would like permission to clean the creek from approximately the bank heading northeast thru the village park on April 23, 2022. This is part of a Rotary Great Lakes water ways cleanup project throughout the area.

Clerk Reals explained that the Rotary Club did this last year and removed many bags of trash and debris. Last year the Board approved the purchasing of pizza and bagged lunches for the volunteers. Supervisor Lannon and crew picked the bags up the following Monday, all were placed under the overhang of the kitchen to make for easy pick up. As this is a benefit to the Village Park and the storm water flow thru the Village, the Board agreed to allow this clean up and to purchase lunch for those volunteering that day.

CLERK REALS REPORT: Clerk Reals provided the Board members a copy of the abstracts thru February and year to date revenue and expenses thru February and bank statement for February.

OTHER BUSINESS:

Adjournment

There being no further business to come before the Board, motion made by Trustee Linsner 2nd by Trustee Rickerson to adjourn. All members present voting AYE. Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Lori A. Reals
Clerk/Treasurer