

Village of Phoenix Regular Board Meeting  
Tuesday, January 17, 2023 at 7:00 PM  
Sweet Memorial Building - 455 Main Street, Phoenix, NY 13135

Present:	Mayor Caleb Sweet	Absent Chief Marty Nerber
	Trustee Brian Borchik	Village Clerk Roxanne Demo
	Trustee Danny Dunn	Administrator James Lynch
	Trustee Paul Griser	Attorney Jeff Schiano
	Absent Trustee David Pendergast	

15 Public in Attendance

Mayor Sweet began the Board Meeting with Pledge of Allegiance at 7:00 P.M.

### **Mayor and Trustee Comments**

Mayor Sweet had nothing.

Trustee Borchik reported for Chief Nerber that they've been patrolling the school zones and have given quite a few tickets.

Trustee Dunn reviewed the tree list with the board. Dunn also inquired about the security cameras for the first responder memorial. Lynch said currently Justin is working on a camera going to the mural and the monument.

Trustee Griser stated that they are finalizing the DPW union contract.

Attorney Rick Webber addressed the board on behalf of Eric and Isabell Carciofolo regarding an ongoing litigation.

### **Departments**

Administrator Lynch spoke about the five trees that are to come down and would like to earmark the \$8,640 not spent this year towards the 2023-24 budget. Motion to approve was made by Trustee Borchik, seconded by Trustee Griser, Trustee Dunn aye, Mayor Sweet aye. Motion carried. In the board packets is a quote for a bobcat, we're looking at purchasing vs lease, he will discuss with the Attorney. Lynch said we've had good feedback on the first responder's memorial and have already sold some bricks. Lynch said the well property on county route 12 has an easement, we'd like to put it up for sale. He will speak with Attorney Schiano regarding the access road.

### **Abstract**

Abstract #22 dated January 17, 2023 in the amount of \$153,480.02. Trustee Dunn made the motion to approve, general fund vouchers 716-752 water fund vouchers 716-753; sewer fund vouchers 716-752; library fund vouchers 141-143 and trust and agency fund vouchers 178-183, seconded by Trustee Borchik, Trustee Griser aye, Mayor Sweet aye. Motion carried.

Motion was made by Trustee Griser to approve meeting minutes from January 3, 2023 seconded by, Trustee Dunn, Trustee Borchik aye, Mayor Sweet aye. Motion carried.

### **New Business**

Facility Use for Jennifer Burgess, January 21, 2023 from 1:00-5:00pm for a birthday party. Motion to approve was made by Trustee Griser, seconded by Trustee Dunn, Trustee Borchik aye, Mayor Sweet aye. Motion carried.

Facility Use for Kim Davis, March 25, 2023 from 3:00-10:00pm for a birthday party. Motion to approve was made by Trustee Borchik, seconded by Trustee Dunn, Trustee Griser aye, Trustee Dunn aye, Mayor Sweet aye. Motion carried.

Motion was made by Trustee Griser to adopt the resolution for the 2023 Village Election.

**RESOLUTION CALLING FOR THE DESIGNATION OF ELECTION DISTRICTS,  
DESIGNATION OF A POLLING PLACE, AND APPOINTING THE VILLAGE CLERK  
COMMISSIONER OF ELECTIONS FOR THE GENERAL ELECTION TO BE HELD ON  
MARCH 21, 2023**

**WHEREAS**, a general election will be held on March 21, 2023, for the following Village offices, and for the following terms:

- Village Mayor, currently held by Caleb Sweet for a term of two (2) years.
- Village Trustee, currently held by Danny Dunn for a term of two (2) years.
- Village Trustee, currently held by Brian Borchik for a term of two (2) years.
- Village Justice, which is a newly created position, for a term of four (4) years.

**WHEREAS**, the Village of Phoenix is covered by two election districts – Schroepfel 1 and Schroepfel 2, which include voters within the Village and outside of the Village, and span the Village boundaries.

**WHEREAS**, the Polling Place for residents of the Village who live within either of the two election districts shall be the Enterprise Fire Department located at 457 Main Street, Phoenix, NY 13135, between the hours of 12:00 pm and 9:00 pm.

**NOW, THEREFORE**, the Village Board of the Village of Phoenix, duly convened does hereby

**RESOLVE**, that the Board of Trustees of the Village of Phoenix, in regular session, does hereby approve and designate two election districts for the general election to be held on March 21, 2023, which shall be identified as Schroepfel 1 and Schroepfel 2; and it is further

**RESOLVED**, that the polling place for Village residents living in either election district shall be the Enterprise Fire Department located at 457 Main Street, Phoenix, NY 13135 and will be held from 12:00 pm until 9:00 pm; and it is further

**RESOLVED**, the Village Board of the Village of Phoenix wishes to appoint the Village Clerk, Roxanne Demo, as the Commissioner of the Elections for the general election to be held on March 21, 2023.

**BY ORDER OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PHOENIX, NEW YORK.**

**David Turner – Director Community Development, Tourism, & Planning – Grant Update**

David Turner provided the board with an update on the Phoenix/Schroepfel WWTP & Conveyance Project grant applications that have been submitted, and the results of the funding source. At this point the amount not funded is \$3,927,000.

**Attorney Comments**

Attorney Schiano reviewed the resolution for the funding for the pedestrian improvements program. Motion was made by Trustee Borchik to approve, seconded by Trustee Griser, Trustee Dunn aye, Mayor Sweet aye. Motion carried

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**IN THE MATTER**

**OF**

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING, IN THE FIRST INSTANCE, OF THE TAP 2022 VILLAGE OF PHOENIX PEDESTRIAN IMPROVEMENTS PROGRAM**

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**RESOLUTION**

The **VILLAGE BOARD OF VILLAGE OF PHOENIX**, in the County of Oswego, State of New York, met in a general meeting at the Village Hall in the Village of Phoenix, located at 455 Main Street, in the Village of Phoenix, County of Oswego, State of New York, on the 17<sup>th</sup> day of January 2023, at 7:00 p.m.

The meeting was called to order by Mayor Sweet, and the following were present, namely:

Caleb Sweet	Mayor
Danny Dunn	Trustee
Paul Griser	Trustee
Brian Borchik	Trustee

**WHEREAS**, a Project for the TAP 2022 Village of Phoenix Pedestrian Improvements, P.I.N. 395083 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

**WHEREAS**, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the feral aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding following FHWA’s construction phase closeout audit of the Project to Project costs) that are eligible for federal aid and Marchiselli aid; and

**WHEREAS**, the Village of Phoenix desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of Engineering, ROW and Construction.

**NOW, THEREFORE**, the Village Board of the Village of Phoenix, duly convened does hereby

**RESOLVE**, that the Village Board of the Village of Phoenix hereby approves the above-subject project; and further it is hereby

**RESOLVED**, that the sum of \$652,205 is hereby appropriated from the Village of Phoenix General Fund and the Village of Phoenix Reserve Fund to cover the cost of participation in the above-referenced Project; and it is further

**RESOLVED**, the Village of Phoenix shall fund 100% of each phase of the Project in the first instance, and shall be reimbursed 80% of each phase of the Project cost from Federal funds; and it is further

**RESOLVED**, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Village Board of the Village of Phoenix shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the thereof, and it is further

**RESOLVED**, that the Mayor of the Village of Phoenix be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement request for Federal Aid and/or Marchiselli Aid on behalf of the Village of Phoenix with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project and all Project costs within appropriations therefor and are not so eligible , and it is further

**RESOLVED**, that a certified copy of the resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

**RESOLVED**, this Resolution shall take effect immediately

**I, CALEB SWEET**, Mayor of the Village of Phoenix, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Village Board of the Village of Phoenix at a regular meeting of the Board duly called and held on the 17<sup>th</sup> day of January, 2023; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I HEREBY CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Phoenix, this \_\_\_\_ day of \_\_\_\_\_, 2023.

DATED: \_\_\_\_\_, 2023  
Phoenix, New York

\_\_\_\_\_  
Caleb Sweet  
Mayor of the Village of Phoenix

**Public Comments**

There were no public comments.

Motion was made by Trustee Borchik to adjourn the regular meeting at 8:12pm, seconded by Trustee Griser, Trustee Dunn aye, Mayor Sweet aye. Motion carried.

Respectfully submitted,  
Roxanne Demo  
Village of Phoenix  
Clerk/Treasurer