

Village of Webster  
Village Board Meeting  
September 25, 2014

Webster Community Meeting Hall  
29 South Avenue  
Webster, NY 14580

Present: Mayor Cahill, Trustee Balcaen, Trustee Ippolito Jr., Trustee Byerts, Trustee Lancy and Attorney Don White

## Public Comments

Peter Elder - 59 Dunning Avenue- Commented to the Board regarding policy 2.5 Open to the Floor Section of Village Board Meetings and the Call-in Section. Elder said the policy states that someone can only speak once during the Public Comment portion of the meeting and there is no policy regarding the Call-In section of the meeting. Elder said at the Village Board meeting on September 10, 2014, Mr. Reynolds spoke in the Public Comments Section and also called in at the end of the meeting. Elder said Mayor Cahill would not let him speak and hung up the phone. He continued there is no rule preventing Mr. Reynolds from speaking and calling in on the phone. This has occurred before. Elder feels Mayor Cahill wants to constrict and suppress the public from free speech in the Board Room. He said the Board should be open and responsive and examine the constriction of public speech and input.

Mayor Cahill said because the meetings are televised the intent for the call in section would be for people at home who are not able to attend the meeting. Policy 2.5 states that someone addressing the Board can only speak once during the meeting. This intent was not for someone sitting in the meeting to call in on their cell phone. Mayor Cahill said maybe at the next workshop we should address this issue that call in should be done from home and only once per meeting.

## Village Board Business

Motion Trustee Lancy and Seconded by Trustee Ippolito, Jr. to approve the Village Board workshop minutes of September 2, 2014, and Trustee Byerts abstained, all others were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Balcaen, to approve the Village Board meeting minutes of September 10, 2014, all were in favor and carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Balcaen, to accept claims totaling: General - \$105,749.94, Trust and Agency - \$2,590.39, all were in favor and carried.

The following resolution was offered by Trustee Ippolito, Jr. and Seconded by Trustee Lancy and moved for its adoption:

WHEREAS, pursuant to New York Village Law Section 4-412, the Board of Trustees is empowered to adopt Local Laws with respect to the safety, health, comfort and general welfare of the inhabitants of the Village of Webster and the protection of their property; and

WHEREAS, an amendment to Section 50-6 of the Code of the Village of Webster is required in order to insure the Village of Webster's participation in the National Flood Insurance Program; and

WHEREAS, the Flood Insurance Rate Map, Map Panels Numbers 36055C 0229G and 36055C 0233G have been revised; and

WHEREAS, because this a physical change to the Village of Webster's Flood Insurance Rate Map it is necessary for the Village to formerly adopt this map revision before it can issue permits pursuant to Chapter 50 of the Code of the Village of Webster; and

WHEREAS, this Board has been presented with and has introduced a draft Local Law titled "Amendment to Village Code Section 50-6 Basis for Establishing Areas of Special Flood Hazards;"

NOW THEREFORE, be it resolved, that:

1. Pursuant to Section 20 of the Municipal Home Rule Law of the State of New York a public hearing on said proposed Local Law No. 1 of 2014 shall be held on the 9<sup>th</sup> day of October, 2014 at 7:45 p.m. at the Community Meeting Hall, 29 South Avenue, Webster, New York 14580 and that notice of the time and place of such hearing describing in general terms the proposed Local Law be published once on or before the 3rd day of October, 2014 in the Webster Herald, the official newspaper of the Village of Webster and a newspaper of general circulation in said Village of Webster.

Mayor Cahill said he had discussions with Tom Spoonhower and other business owners regarding the Village Public Parking Lot and the possible change in length and time of permitted parking in the North West Quadrant Parking Lot. He said many of the residents are finding it difficult to park with the many businesses and restaurant customers that occupy the spaces. Mayor Cahill said it was brought to his attention that perhaps the parking lot should be 72 hour parking with restrictions in place from November 1<sup>st</sup> – April 1<sup>st</sup>, and on the west and south side from 3AM – 8PM, and no restrictions during the summer months. He said he would like the Board to consider a Resolution for the next Village Board Meeting.

## Attorney

No report.

## Office

The following resolution was offered by Trustee Lancy and Seconded by Trustee Balcaen; all were in favor and moved for its adoption:

WHEREAS, certain repairs are needed at the sewage treatment plant. Specifically, the Pista Grit system is in need of repairs costing approximately \$25,600.00 and repairs are also needed to the gear box in the secondary clarifier which cost is estimated to be \$14,300.00; and

WHEREAS, the Board of Trustees of the Village of Webster, New York deems it in the best interest of the residents of said Village to make these repairs; and

WHEREAS, the Village is obligated by General Municipal Law to maintain a balanced budget; and

WHEREAS, the Village needs to increase the appropriations for the sewage treatment plant to provide the funds necessary to make the needed repairs; and

WHEREAS, there exists an unexpended balance in the unappropriated fund balance that will not be needed by the Village for the conduct of its affairs for the fiscal year beginning June 1, 2014:

NOW THEREFORE, be it resolved, pursuant to Village Law Section 5-520, that the Village Board of the Village of Webster hereby amends the 2014-2015 Village budget to increase the expense for sewage treatment plant equipment on line #01-08-8130-200 by \$50,000.00 and to increase the appropriation of fund balance on line #01-00-0909-000 by \$50,000.00 and said funds as is appropriated for the use of the Village of Webster during the fiscal year commencing June 1, 2014.

Motion Trustee Balcaen and Seconded by Trustee Ippolito, Jr., to approve the Financial Statements for August 2014, all were in favor and carried.

## Code Enforcement

Mayor Cahill reviewed with the Board the building report for August 2014. He read from the report and discussed complaints and violations. He said 187 Champion Avenue the vehicle has been removed. At 227 Curtice Park, the owner called and said the pool will be removed. At 150 Curtice Park this has been a longstanding issue and we did go to court. A warrant for arrest has been issued for the owner. They did move the boat from the inside of the fence. The owner no longer lives in Village. At 154 North Avenue the car has been removed. Mayor Cahill also mentioned that a notice of violation has been issued to the owner of the old church on Main Street with the bell tower for not having work finished by this summer. He said this has been an ongoing problem for five years.

## Department of Public Works

Jake Swingly, Superintendent of Public Works, reviewed with the Board and gave an update on Meadow Drive and Krieger Road. Swingly thanked the residents for their patience while the gutters were being removed and the milling and paving of the streets were done. Brush pick up is the first full week of every month. The week of October 6 we will start pick up. Swingly also gave an update on a sink hole that was fixed. He said it was attributed to crushed pipes. Swingly also said he will be starting to work with the Arborist in relation to the Tree Grant.

Mayor Cahill said the DPW did a great job with Meadow Drive and Krieger Road, with fixing the sink hole, and the painting of the crosswalk on Park Avenue.

Trustee Byerts made comment to a question regarding Fire Hydrants from the Village Board Meeting on September 10, 2014. The question was asked by Mr. Walter who wanted to know why at one time the fire hydrant caps were color coated indicating flow rates, and now they are all painted yellow. Trustee Byerts said that he spoke with Dick Metzger of MCWA and all of the 25,000 fire hydrants in the 55 Towns, Villages and districts serviced all are painted yellow and none have a cap designation for flow rate. Trustee Byerts said he also spoke to Steve Small at the Fire Department and asked him if there was a concern prior to MCWA that the hydrants had green caps and now they are all yellow. Steve Small said that was not an issue. What is important is that they have designated the hydrants with accurate maps and the line diameter that the hydrants are attached to is what is important. The hydrants are all diagramed throughout the Village which show what line they are connected to a 4 inch main, an 8 inch main, or a 12 inch main.

## Call In

No phone calls.

## Executive Session

Motion Trustee Ippolito, Jr., and Seconded by Trustee Balcaen to enter into Executive Session at 8:35 pm to discuss an employee complaint, all were in favor and carried.

Motion Trustee Byerts, Seconded by Trustee Ippolito, Jr., to exit from Executive session at 9:00pm., all were in favor and carried.

## Adjournment

Motion Trustee Byerts and Seconded by Trustee Lancy to adjourn the meeting at 9:02pm, all were in favor and carried.

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Josette Amalfi, Village Clerk

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John J. Cahill, Mayor