

Regular Meeting

Village of Webster
Village Board Meeting
April 23, 2015

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

Honorable Thomas DiSalvo administered the oath of office to Trustee Jude Lancy and Trustee Al Balcaen.

Mayor Cahill read a Proclamation which named the Month of May as National Historical Preservation Month

Public Comment

Richard Walter - 28 Elm Street- Commented to the Board and referred to a question from the last meeting regarding what specific Village owned properties does the Village pay Town and County taxes on. Trustee Byerts replied the tax paid was \$423.25 and the amount included various small properties on Mohawk Drive, Irondequoit Drive, and Sunset Boulevard which are all located at the well fields. The amounts are for state mandates which include Medicaid program tax, other HS mandates and Public Safety mandates.

Mr. Walter also questioned the proposed raise in salaries for the Board of Trustees and the Mayor. He said he would not want the Board to pass the Budget and receive a raise.

Peter Elder - 59 Dunning Avenue- Stated to the Board he had noticed that Trustee Byerts is forgoing a raise in salary and questioned why the other Board members and the Mayor are seeking an increase in their salaries. Mr. Elder would like to see the Budget passed with the Board of Trustees salaries left as they were in 2014.

Mr. Elder also questioned the increase in the fee schedule and mentioned that some of the fees are in line with the Town of Webster charges. He said in his opinion the fee schedule should be kept lower because that is the attraction to the Village over the Town. Mr. Elder said he would like to see the fees frozen next year because of the proposed increase this year.

Eric Reynolds - 64 Kircher Park- Inquired about the pay increases for the Board members and he does not want the Budget passed with an increase in salaries for the Board members.

Mr. Reynolds also questioned the Board regarding the process for appointment to the Parks and Recreation Committee. He said he has expressed an interest in becoming a member on the Parks and Recreation committee and would like to be appointed.

Carl Laurer – 88 Dunning Avenue- Addressed the Board and said after 10 years the Baggage Depot will be dismantled and each piece will be cataloged and stored on Village property. A specific site to reassemble the depot is still being sought and if someone wanted to donate property either in the

Town or the Village that might be a possibility. Mr. Laurer thanked everyone who helped find the solution and not demolish the depot.

Mr. Laurer said the dedication of the Rob Cemetery will take place on May 15, 2015 at 1:30 PM.

Mayor Cahill thanked Carl Laurer and Bill Ruoff for their time and dedication to the project.

Mr. Laurer also thanked Jude Lancy on behalf of the Historic Preservation Commission for all her help and dedication to the project.

Village Board Business

Mayor Cahill opened the Public Hearing on “Amendment to Zoning Local Law with Respect to Temporary Fences and Driveways” at 7:53PM.

Eric Reynolds - 64 Kircher Park- Questioned the Board and asked what specifically in the law would change related to fences and driveways?

Will Barham, Code Enforcement Officer said we are defining what a temporary fence is such as a snow fence, an event fence, or a construction fence. We want to establish parameters in the code for the length of time a snow fence could be kept standing. The new time frame will be from October 1st through April 1st. The reason we are doing this is so temporary fences do not become permanent fences. We want to keep the beauty of the Village. The other part of the law is to keep the driveway 3 feet from someone’s property line. This is because of complaints from snow being plowed or pushed onto others property. People seem to encroach on others property we hope this will satisfy some of the complaints.

Peter Elder - 59 Dunning Avenue- Asked the Board to reaffirm that a temporary fence does not require a permit and there would be no cost. Will Barham said that is correct there is no permit required for a temporary fence and no cost.

Mr. Elder asked Will Barham how he would know where temporary fences are placed in the Village and what would be the procedure if someone was in violation. Mr. Barham said he drives through the Village on inspections and can see the temporary fences. He also said residents do call him to complain about temporary fences. Mr. Barham said the procedure would be to inform them.

Mr. Elder asked about shared driveways or extending an existing driveway. Mr. Barham said this law is not going to affect driveways that are pre-existing. This law will affect new driveways or if someone wants to extend or put the driveway closer to the property line than what is allowed then the person will have to apply for a variance from the zoning board of appeals which will then cause a public hearing.

Mayor Cahill closed the Public Hearing at 8:03PM. Attorney Don White added that a SEQR of unlisted action would be needed and the County of Monroe should be notified.

Motion Trustee Ippolito Jr. and Seconded by Trustee Balcaen to approve the Village Board minutes from April 9, 2015, Trustee Byerts - abstain, all others were in favor and carried.

Motion Trustee Byerts and Seconded by Lancy to accept claims totaling: General - \$36,274.83, and Trust & Agency \$2,280.78, all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Ippolito Jr. to adopt Policy Manual 2-11 Village Board Laptop Loan and Use as amended effective June 1, 2015; all were in favor and carried.

Motion Trustee Ippolito Jr. and Seconded by Trustee Byerts to adopt Policy 5-5 Credit Card Policy as amended effective June 1, 2015; all were in favor and carried.

The following resolution was offered by Trustee Byerts and seconded by Trustee Lancy and moved for its adoption:

WHEREAS, Section 5-6 of the Village of Webster Policy Manual presently provides that bills or claims for public utilities, services, postage, freight and express charges and passport services may be paid in advance of the audit of claims at regular meetings of the Board of Trustees; and

WHEREAS, there are presently certain Village of Webster credit card and store charge accounts that require payment before a regular Village Board meeting in order to avoid late fees and interest charges; and

WHEREAS, all of these claims shall also be presented at a regular meeting of the Board of the Trustees for audit; and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees;

NOW THEREFORE, be it RESOLVED:

1. Section 5-6 of the Policy Manual of the Village of Webster shall be amended to provide that the Board of Trustees authorizes payment in advance of audit of claims for credit cards, charge accounts, public utility services, postage, freight and express charges, and passport services.

2. All such claims shall be presented at the next regular meeting of the Board of Trustees for audit.

3. The claimant and officer or employee incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees after audit.

4. This Resolution shall take effect immediately; all were in favor and carried.

Motion Trustee Ippolito Jr. and Seconded by Trustee Balcaen to adopt the 2015-2016 General Budget as amended per salary chart showing no raise increase for Board of Trustees or Mayor, all were in favor and carried.

Trustee Balcaen made a motion to appoint Pam Elder and Eric Reynolds to the Parks and Recreation Committee. Mayor Cahill said he has personal reservations for not appointing either person to the Parks and Recreation Committee. Mayor Cahill continued and said there is a procedure in place and he believes that he is the only one in his capacity as Mayor who has the

ability to appoint the members to the Parks and Recreation Committee and they are either confirmed or denied by the members of the Board of Trustees. Trustee Ippolito disagreed with the Mayor and asked for the procedure information to be reviewed by Attorney Don White. Mayor Cahill said we should table this and allow Don White to do the research to see if this procedure is correct or not.

Motion Trustee Ippolito Jr. Seconded by Trustee Balcaen to table the appointment of Pam Elder and Eric Reynolds to the Parks and Recreation Committee until further procedural information is obtained and to continue with Annual Organizational meeting; all were in favor and carried.

Annual Organizational Meeting

Mayor Appointment NOT subject to Board approval

Motion Trustee Ippolito Jr., Seconded by Trustee Balcaen to: Reappointment of Darrell Byerts, as Deputy Mayor, to act as Mayor when the Mayor cannot fulfill his duties; Vote on motion; Trustee Balcaen – Aye, Trustee Ippolito, Jr. – Aye, Trustee Byerts – Abstain, Trustee Lancy – Aye, Mayor Cahill – Aye; motion passes.

Board Designations

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. for: Canandaigua National Bank to be designated our official bank of the Village; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Byerts to: designate the Webster Herald as the official newspaper of the Village of Webster; all were in favor and carried.

Mayor's Appointments Subject to Approval of the Board of Trustees

Motion Trustee Ippolito Jr., Seconded by Trustee Byerts to: Reappoint of Josette Amalfi as Village Clerk for a term of two years ending May 31, 2017; Vote on motion; Trustee Balcaen – Aye, Trustee Ippolito, Jr. – Aye, Trustee Byerts – Aye, Trustee Lancy – Aye, Mayor Cahill – Abstain; motion passes.

Motion Trustee Byerts, Seconded by Trustee Lancy to: Reappoint Josette Amalfi as Deputy Treasurer for a term of one year ending May 31, 2016; Vote on motion; Trustee Balcaen – Aye, Trustee Ippolito, Jr. – Aye, Trustee Byerts – Aye, Trustee Lancy – Aye, Mayor Cahill – Abstain; motion passes.

Motion Trustee Ippolito Jr., Seconded by Trustee Lancy to: Reappoint Krystina Lizak as Treasurer for a term of two years ending May 31, 2017; all were in favor and carried.

Motion Trustee Balcaen, Seconded by Trustee Byerts to: Reappoint Carol Moranz as Deputy Clerk/IT Administration for a term of one year ending May 31, 2016; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Balcaen to: Reappoint Don White as Village Attorney for a period of one year and authorize Mayor Cahill to sign the retainer agreement with Davidson Fink for a one year period ending March 31, 2016; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Byerts to: Reappoint David Mayer, Deputy Village Attorney for a term of one year ending May 31, 2016, at a compensation rate of \$3756 with the duties described in the Deputy Village Attorney job description; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. to: Appoint Josette Amalfi as Sub-Registrar Vital Statistics for a term of two years ending May 31, 2017, Vote on motion; Trustee Balcaen – Aye, Trustee Ippolito, Jr. – Aye, Trustee Byerts – Aye, Trustee Lancy – Aye, Mayor Cahill – Abstain; motion passes.

Motion Trustee Balcaen, Seconded by Trustee Byerts to: Reappoint Carol Moranz as Sub-Registrar Vital Statistics for a term of one year ending May 31, 2016; all were in favor and carried.

Planning and Zoning Board

Motion Trustee Lancy, Seconded by Trustee Byerts to: Reappoint Peter Adams, Chairman of the Planning Board for a term of one year ending May 31, 2016; all were in favor and carried.

Motion Trustee Balcaen, Seconded by Trustee Ippolito Jr. to: Reappoint Mark Nicholson, Chairman of the Zoning Board of Appeals for a term of one year ending May 31, 2016; all were in favor and carried.

Historic Preservation Commission and Historian

Motion Trustee Balcaen, Seconded by Trustee Byerts to: Reappoint Karl Laurer, Chairperson of the Historic Preservation Commission for a term of one year ending May 31, 2016; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. to: Reappoint Lynn Barton, the Village Historian for a term of one year ending May 31, 2016; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. to: Appoint Peter Elder, to the Historic Preservation Commission for a term of four years ending May 31, 2019; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. to: Appoint Susan Nicholson, to the Historic Preservation Commission for a term of four years ending May 31, 2019, Vote on motion; Trustee Balcaen – Aye, Trustee Ippolito, Jr. – Aye, Trustee Byerts – Abstain, Trustee Lancy – Aye, Mayor Cahill – Aye; motion passes.

Parks and Recreation Committee

Composition

Up to 7 members, appointed by ~~the Mayor~~ and confirmed by the Board of Trustees. One member designated by the Mayor as Chairperson.

Motion Trustee Lancy Seconded by Trustee Ippolito Jr. to amend the 2007 Resolution regarding Parks and Recreations Committee to provide under Composition; Up to 7 members appointed by

majority vote by Board of Trustees, Vote on motion; Mayor Cahill – Nay, Trustee Lancy – Aye, Trustee Balcaen – Aye, Trustee Byerts – Nay, Trustee Ippolito, Jr. – Aye; motion passes.

Motion Trustee Ippolito, Seconded by Trustee Balcaen to remove from the table the previous motion to Appoint Pam Elder and Eric Reynolds to the Parks and Recreation Committee; all were in favor and carried.

Motion Trustee Balcaen, Seconded by Trustee Ippolito Jr. to: Appoint Pam Elder and Eric Reynolds to the Parks and Recreation Committee for a term of one year ending May 31, 2016, Vote on motion; Mayor Cahill – Nay, Trustee Lancy – Aye, Trustee Balcaen – Aye, Trustee Byerts – Nay, Trustee Ippolito, Jr. – Aye; motion passes.

Motion Trustee Byerts, Seconded by Mayor Cahill to: Appoint Judy Gurnett, to the Parks and Recreation Committee and as Chairman for a term of one year ending May 31, 2016, Vote on motion; Mayor Cahill – Aye, Trustee Lancy – Abstain, Trustee Balcaen – Abstain, Trustee Byerts – Aye, Trustee Ippolito, Jr. – Abstain; motion did not pass.

Motion Mayor Cahill, Seconded by Trustee Byerts to: Appoint Don Gurnett to the Parks and Recreation Committee for a term of one year ending May 31, 2016, Vote on motion; Mayor Cahill – Aye, Trustee Lancy – Abstain, Trustee Balcaen – Abstain, Trustee Byerts – Aye, Trustee Ippolito, Jr. – Abstain; motion did not pass.

Motion Mayor Cahill, Seconded by Trustee Byerts to: Appoint Sherri Licata to the Parks and Recreation Committee for a term of one year ending May 31, 2016; all were in favor and carried

Motion Mayor Cahill, Seconded by Trustee Byerts to: Appoint Pattie Dietz to the Parks and Recreation Committee for a term of one year ending May 31, 2016; all were in favor and carried.

Village Band

Motion Trustee Lancy, Seconded by Trustee Balcaen to: Reappoint Tom Indiano, Band Director for a term of one year ending May 31, 2016; all were in favor and carried.

Business Improvement District (BID)

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. to: Reappoint Trustee Byerts, Mayor Cahill and Gordon Clark to the Business Improvement District Board of Directors for a term of one year ending May 31, 2016. Vote on motion; Mayor Cahill – Abstain, Trustee Lancy – Aye, Trustee Balcaen – Aye, Trustee Byerts – Abstain; motion passes.

Ethics Committee

Motion Trustee Balcaen, Seconded by Trustee Lancy to: Reappoint Trustee Ippolito Jr. Village Board member to the Ethics Committee for a term of one year ending May 31, 2016. Vote on motion; Mayor Cahill – Aye, Trustee Lancy – Aye, Trustee Balcaen – Aye, Trustee Byerts – Aye, Trustee Ippolito - Abstain; motion passes.

Motion Trustee Ippolito Jr., Seconded by Trustee Lancy to: Appoint Krystina Lizak as Village Employee to the Ethics Committee for a term of one year ending May 31, 2016; all were in favor and carried.

Motion Trustee Ippolito Jr., Seconded by Trustee Byerts to: Reappoint Tom Cippolla as Village Resident to the Ethics Committee for a term of one year ending May 31, 2016; all were in favor and carried.

General Office

Motion Trustee Byerts, Seconded by Trustee Lancy to: Set the mileage reimbursement for authorized Village employees traveling with their private vehicle to be \$.575/mile: the current IRS reimbursement rate; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Byerts that: All invoices will be subject to a delinquency charge of 15% after 30 days and 2% additional for each month or portion thereof beginning on the 61st day; all were in favor and carried.

Motion Trustee Ippolito Jr., Seconded by Trustee Lancy that: Any one of the following may sign Village checks: Mayor John Cahill, Village Clerk, Josette Amalfi, and Village Treasurer, Krystina Lizak; all were in favor and carried.

Motion Trustee Balcaen, Seconded by Trustee Byerts to: Adopt the Village of Webster Payroll Chart for 2015-2016 as amended per salary chart showing no raise increase for Board of Trustees or Mayor; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. that: Village office hours shall be: Monday through Friday 8:00am to 4:30pm, except Thursday's current hours are 8:00am to 7:00pm. Village office will be closed on Saturday and Sunday. The office will be closed for all governmental holidays including July 2nd and 3rd for the 2015 Fourth of July holiday and the Friday after Thanksgiving, November 27, 2015. The Village office will close Thursday, July 16, 2015 at 4:30 pm due to the Fireman's Parade; all were in favor and carried.

Motion Trustee Ippolito Jr., Seconded by Trustee Balcaen that: To set the Village of Webster Open House, Saturday, August 15, 2015, 1:00pm- 4:00pm to coincide with Village Days; all were in favor and carried.

Policy Manual

Motion Trustee Byerts, Seconded by Trustee Lancy that: Approve and adopt the Village Policy Manual (sections 01-1 to Sections 10-5) with amendments to the following sections: inclusive of any amendments made during the fiscal year and shall be effective June 1, 2015.

Village Board Laptop Loan and Use: as amended: Section 2-11

Fee Schedule: as amended: Section 4-1

Credit Card/Charge Account: as amended: Section 5-5

Payment in Advance of Audit of Claims: as amended Section 5-6

Meeting Conduct: Section 2-6

Meeting Dates, Times and Locations for Boards: Section 2-2

Motion Trustee Ippolito Jr. , Seconded by Trustee Lancy that: The following 2015-2016 Village of Webster policies are adopted as written in these sections of the Policy Manual and shall be effective June 1, 2015; all were in favor and carried.

- Investment Policy: Section 5-3
- Procurement Policy as amended: Section 5-2
- Payment in Advance of Audit of Claims: Section 5-6
- Fee Schedule: Section 4-1
- Credit Card/Charge Account: Section 5-5

Village Meetings

Motion Trustee Byerts, Seconded by Trustee Lancy that: Village Meetings be conducted according to section 2-2 of Policy Manual; Regular Village Board meetings will be the 2nd and 4th Thursday of each month; meetings of the Planning Board will be on the 1st Thursday and Zoning Board 3rd Thursday of each month, Village Board Workshop meetings will be on the 1st Tuesday of each month; all were in favor and carried.

Motion Trustee Lancy, Seconded Trustee Byerts that: To Change the Following Meeting Dates:

Workshop Meetings

- July 7, 2015 moved to June 30, 2015
- October 6, 2015 moved to September 29, 2015

Board Meetings

- November 26, 2015 moved to November 24, 2015
- December 24, 2015 moved to December 22, 2015

Planning Board Meetings

- July 2, 2015 moved to July 1, 2015

Zoning Board Meetings

- July 16, 2015 moved to July 14, 2015;
- All were in favor and carried.

Village Board Liaison Assignments

Motion Trustee Balcaen, Seconded by Trustee Ippolito Jr. that: The following liaison assignments are in place until the Village Board Organizational Meeting in 2016:

Webster Community Coalition for Economic Development (WCCED)	Mayor Cahill
Village Band	Mayor Byerts
Town Board, Chamber of Commerce, other Government	Mayor Cahill
School Board	Trustee Byerts
Village Hall	Mayor Cahill
Webster Police	Trustee Balcaen
Senior and Disabled Committee – No Members at this time	Trustee Balcaen
Sewer Department	Trustee Cahill
North East Joint Fire Department	Trustee Ippolito Jr.

Fire Counsel and other Fire related public organizations	Trustee Ippolito Jr.
Cable Channel 12	Trustee Lancy
Village Planning Board	Trustee Lancy & Trustee Byerts
Village Zoning Board	Trustee Byerts
Webster Museum and Historical Society	Trustee Lancy
Historic Preservation Commission	Mayor Cahill & Trustee Lancy
Parks and Recreation Committee	Trustee Ippolito Jr.
Senior Bus Program (WASPS)	Mayor Cahill
Friends of the Trails	Mayor Cahill

All were in favor and carried.

Next Organizational Meeting

Motion Trustee Ippolito Jr., Seconded by Trustee Balcaen that: The next organizational meeting will occur on, April 14, 2016 at prior to the regularly scheduled Board meeting; all were in favor and carried

Attorney

No report.

Office

Motion Trustee Lancy Seconded by Trustee Balcaen to approve the following budget transfers and modifications; all were in favor and carried.

From:	01-01-1325-100	Clerk/Treasurer/Office Personnel	\$710.86
To:	01-01-1325-200	Clerk/Treasurer Equipment	710.86
Reason:	Server install was more expensive than anticipated.		

From:	01-01-1325-101	Records Retention	\$2,000.00
To:	01-01-1325-414	Records Retention	2,000.00

Reason: The 101 line is specifically for payroll / labor, it should not be used for supplies. Thus I have reclassified expenses in 01-01-1325-101 to 01-01-1325-414 and therefore the budgeted amount needs to go there as well.

From:	01-07-7510-404	WCCED	\$10,000.00
To:	01-07-6989-404	WCCED	10,000.00

From:	01-07-7510-401	Business Improvement District	\$1,000.00
To:	01-07-6989-401	Business Improvement District	1,000.00

From:	01-07-7510-402	Senior WASP Group	\$1,000.00
To:	01-07-7610-400	Senior WASP Group	1,000.00

Reason: The 7510 series of account numbers, per Office of the State Comptroller, is affiliated with Historical activity. WCCED, BID and WASP are not historical activity type expenses. Therefore I reclassified the 7510-404 and 7510-401 expenses paid this year to new accounts 6989-404 and 6989-401, respectively. The 6989 series of accounts is affiliated with other economic development, which WCCED and BID most certainly are. The 7610 series of accounts refers specifically to Programs for the Aging.

Motion Trustee Ippolito Jr. and Seconded by Trustee Lancy to approve the Financial reports for the month of March 2015; all were in favor and carried.

Code Enforcement

Will Barham, Code Enforcement Office reviewed with the Board the Building Report for March 2015. He said there were two court appearances and one of them was successful. He said the Village received a judgment for a \$150 dollar fine and an order for the vehicles to be removed. The other court appearance was for the Main Street property and they have begun work on the house but the judge granted them an extension for completion of what is required for maintenance issues.

Will Barham said the Village was granted \$32,000 for the Main Street Culvert Grant. We have completed the annual Stormwater Report for the DEC. Will Barham also made mention that peddlers are required to display and wear their permits on lanyards around their necks. He said if a peddler does come to your door selling something make sure they have a permit issued by the Village and if they do not you are urged to call 911 because it is required by law that peddlers have a permit in order to go door to door.

Motion Trustee Ippolito Jr. Seconded by Trustee Byerts to authorize Mayor Cahill to sign the annual Storm Water Report; all were in favor and carried.

Department of Public Works

Jake Swingly, Superintendent of Public Works informed the Board he has received the final report regarding the engineering planning study at the STP. He reached out to the EFC and the DEC for the next step for recommendations in that study. The update on the North Avenue Connector TAP Grant we have sent out 15 requests for expressions of interests from engineering firms and we have received 11 responses back. We met as a consultant selection committee and have scored and selected 4 firms to come back for a mini presentation. We will keep everyone updated on those selections.

Jake Swingly reminded the public that brush pickup is once a month. He urged the residents to have the brush ready by the first Monday of every month and the Village crew usually picks up that first week. He also said pickup is only for tree limbs not for grass clippings or weeds which should go into bags for refuse collection.

Jake also said he will have a list of surplus declarations for the next workshop meeting because the auction will also be on Tuesday, May 5, 2015.

Jake also mentioned because the Main Street project will take place this summer Trustee Byerts suggested to forgo the flowers and planters along Main Street so they won't be destroyed. We will put them in the planters in the parking lots and planters in the parks and also still use the hanging baskets in the Village.

Trustee Byerts addressed the use of appropriations of money in order to keep the tax rate flat. He spoke to the Krystina Lizak, Village Treasurer and since 2007 monies have been used from the unassigned fund balance to keep the tax rate flat. Trustee Byerts said this is not a new use for the unassigned fund balance to be used for this purpose but it will be an issue that will need to be addressed because we may not be able to keep doing this.

Call In

No phone calls.

Adjournment

Motion Trustee Balcaen and Seconded by Trustee Lancy to adjourn the meeting at 9:46 pm, all were in favor and carried.

Josette Amalfi, Village Clerk

John J. Cahill, Mayor