

Village of Webster
Annual Organizational Meeting
April 14, 2011, 7:30PM
29 South Avenue

Oath of Offices

Mayor, Peter Elder
Trustee, Jude Lancy
Trustee, Al Balcaen

State of the Village Address Was Read By Mayor Elder

Mayor Appointment NOT subject to Board approval

Appointment of **Dave Kildal**, as Deputy Mayor, to act as Mayor when the Mayor cannot fulfill his duties.

Board Designations

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

Motion Trustee Kildal, Seconded by Trustee Reynolds 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 Lancy, Seconded by Trustee Reynolds to: Reappoint Dorothea Ciccarelli as Deputy Village Clerk/Treasurer for a term of two years, all were in favor and carried.

Motion Trustee Kildal, Second by Trustee Lancy to: Appoint Don White as Village Attorney for a period of one year, all were in favor and carried.

Motion Trustee Lancy, Second by Trustee Reynolds to: Appoint David Mayer, Deputy Village Attorney for a term of one year at a compensation rate of \$3700 with the duties described in the Deputy Village Attorney job description, all were in favor and carried.

Planning and Zoning Board

Motion Trustee Kildal, Seconded by Trustee Lancy to: Reappoint Peter Adams, Chairman of the Planning Board for terms of one year, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy to: Reappoint Michelle Mc Donald as Planning Board Member for a term of five years, term ending 2016, all were in favor and carried.

Motion Trustee Kildal, Seconded by Trustee Lancy to: Reappoint Michael O'Connor, Alternate Planning Board Member for terms of five years (2011-2016), all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Reynolds to: Reappoint Mark Nicholson, Chairman of the Zoning Board of Appeals for terms of one year, all were in favor and carried.

Motion Trustee Balcaen, Seconded by Trustee Reynolds to: Reappoint Sean Miller, Alternate Zoning Board of Appeals member for a term of five years (2011-2016), all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Reynolds to: Designate the Planning Board the lead agency for all matters that originate before the Planning Board, all were in favor and carried.

Historical

Motion Trustee Lancy, Seconded by Trustee Kildal to: Appoint of Karl Laurer, Chairperson of the Historical Preservation Commission for periods of one year, all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Kildal Reappoint Mary Jean Yengo, for a three year term to the Historical Preservation Commission, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy to: Reappoint Lynn Barton, the Village Historian for terms of one year, all were in favor and carried.

Parks and Recreation Committee

Motion Trustee Kildal, Seconded by Trustee Reynolds to: Reappoint Candy Barham to the Parks and Recreation Committee for a one year term, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy to: Reappoint Joan Callahan to the Parks and Recreation Committee for a one year term, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy to: Reappoint Pam Stuart to the Parks and Recreation Committee for a one year term, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Kildal to: Reappoint Pam Stuart to Chairperson of the Parks and Recreation Committee for a one year term, all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Reynolds to: Reappoint Pam Elder to the Parks and Recreation Committee for a one year term, all were in favor except the Mayor who abstained.

Village Band

Motion Trustee Kildal, Seconded by Trustee Reynolds to: Reappoint Tom Indiano, Band Director for a one-year term, all were in favor and carried.

Business Improvement District (BID)

Motion Trustee Balcaen, Seconded by Trustee Lancy to: Appoint Trustee Reynolds and Mayor Elder to the Business Improvement District Board of Directors, all were in favor and carried.

General Office

Motion Trustee Kildal, Seconded by Trustee Lancy to: Set the mileage reimbursement for authorized Village employees traveling with their private vehicle to be \$.51/mile, the current IRS reimbursement rate, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy 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 Lancy, Seconded by Trustee Reynolds that: any two of the following may sign Village checks: Mayor Peter Elder, Village Clerk/Treasurer, Kathleen Vendel and Deputy Village Clerk/Treasurer, Dorothea Ciccarelli, Carol Moranz, James "Jake" Swingly, Superintendent of Public Works, all were in favor and carried.

Motion Trustee Kildal, Seconded by Trustee Lancy that: village office hours shall be: Monday through Friday 8:00 am to 4:30 pm, except Thursday's current hours are 8:00 am to 7:00 pm. Village office will be closed on Saturday and Sunday. The office will be closed for all governmental holidays including July 5th for the 2011 Fourth of July holiday and the Friday after Thanksgiving, November 25, 2011.

Employee & Employment Policies

Motion Trustee Reynolds, Seconded by Trustee Lancy that: The employee handbook will be the rules of service for Village Employees, all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Kildal that: The Code of Conduct will be the rules of service for Public Officials and Elected Officials, all were in favor and carried.

Motion Trustee Kildal, Seconded by Trustee Reynolds to: Adopt the "Procedures for Laptop Computers/Electronic Equipment" policy dated June 3, 2008, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy that: *Policy 802 Vacation Leave will be changed to:*

Accumulation - No employee can carry over into the next year more than 10 days vacation time at their anniversary date. Employees in a supervisory role are allowed to be paid for up to 10 days vacation time if they are not able to use their vacation time.

Policy was: Accumulation - the Village would prefer not more than thirty days but may accumulate vacation leave credit to a maximum of sixty days. Employees in a supervisory role that are not able to take vacation time will be paid for time not taken.

All were in favor and carried.

Motion Trustee Kildal, Seconded by Trustee Lancy to: Adopt the Village of “Webster Employee Compensatory Time Policy”, dated 4/14/11,

I. Comp-Time Eligibility

In lieu of paying overtime, employees with the following positions may collect Compensatory time (comp-time): Superintendent of Public Works, Village Clerk, Village Treasurer, Village Clerk/Treasurer, Deputy Village Clerk, Deputy Village Treasurer, Deputy Village Clerk/Treasurer, Building Inspector, Building Inspector/Deputy Assistant of Public Works, Building Inspector/Assistant to Superintendent of Public Works, Clerk I, Clerk II, Clerk III, Water Department Administrator.

II. Comp-Time Award and Retention Comp

Comp-time shall be awarded at a rate of 1.5 hours for every hour worked over 40 hours in any week. Comp-time must only be awarded for work done over 40 hours in any work week. Employees may not accumulate more than 40 hours total comp-time. Comp-time shall not be awarded to employees that are required to attend Village Board meetings: The Village Clerk, Village Treasurer, Village Clerk/Treasurer, or Superintendent of Public Works. Comp time over 40 hours shall not be carried over to the following year.

III. Authorization for Comp Time

Authorization for Comp time must be made before the time is awarded. The Village Board must authorize all comp time to be awarded to the Superintendent of Public Works, Village Clerk, Village Treasurer or the Village Clerk/Treasurer at a regularly scheduled, public meeting of the Village Board. The Superintendent of Public Works or the Village Clerk, Village Treasurer or Village Clerk/Treasurer must authorize all comp time for employees under their supervision at the beginning of each work week. The Village Board must be provided a running list of all comp time received, used and remaining for each eligible employee each month the first regularly scheduled, public meeting of the Village Board.

IV. Comp-Time Payouts

Pay-outs for comp-time are discontinued. In order to reduce an employee's accumulated comp-time to a maximum of 40 hours, any employee with more than 40 hours on 4/14/11 must either use the comp-time as time-off (recorded time away from work) by 12/31/11 or submit whatever time is remaining effective 12/31/11 to the Village as a pay-out, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy to: *Adopt the following snow-watch policy.* Snow Watch Payout: The Superintendent of Public Works is responsible for the delegation of Snow Watch Duty. Thirty dollars a day in compensation can be added to the employee's timecard; all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Kildal to: *Adopt the following Non-Union Employee Higher Education policy:*

1. Prior Village Board approval is required to attend any classes leading to a specific degree program.
2. Each employee shall be permitted a maximum amount of \$1,500.00 per year.
3. Employee shall reimburse the Village if they receive a failing grade.

All were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy to: Adopt the 2011-2012 Village of Webster Investment Policy, all were in favor and carried.

Motion Trustee Kildal, Seconded by Trustee Lancy to: Adopt the 2011-2012 Village of Webster Procurement Policy, all were in favor and carried.

Motion Trustee Kildal, Seconded by Trustee Lancy to: Adopt the 2011-2012 Village of Webster Prevailing Fee Schedule (effective June 1, 2011), all were in favor and carried.

Motion Trustee Balcaen, Seconded by Trustee Lancy to:

Adopt the following resolution for payment in advance of audit of claim for specified bills:
WHEREAS the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges, health and dental insurance, seminars at a cost of \$150.00 or less, and deposit refunds (upon payment of outstanding bills), and

WHEREAS all such claims shall be presented at the regular meeting 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:

Section I. That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges, health and dental insurance, seminars at a cost of \$150.00 or less, and deposit refunds (upon payment of outstanding bills), and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees. Section 2. That this resolution shall take effect immediately.

Motion Trustee Kildal, Seconded by Trustee Lancy, All meetings of the Village Board are held on the second and fourth Thursday of each month unless rescheduled by resolution. The Village Board resolves to change the Village Board meeting originally scheduled for Thursday,

November 24, 2011 to Tuesday, November 21, 2011 along with the meeting on December 22, 2011 to Tuesday, December 20, 2011; all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy that: All meetings are held in the Community Meeting Hall unless another site is announced prior to the meeting date at a Regular Meeting of the Village Board, all were in favor and carried.

Motion Trustee Kildal, Seconded by Trustee Lancy that: All meetings of the Village Board will begin promptly at 7:30PM, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy that: All workshop meetings of the Village Board will be on the first Tuesday of each month at 7:00PM at the Community Meeting Hall, 29 South Avenue, except for the May meeting which will be held on Wednesday, May 4, 2011. There will be no workshop meetings in June or September 2011 because they fall just two days before a regular Village Board Meeting, all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy that: All meetings of the Village Planning Board are held on the first Thursday of each month, at 7:30PM, all were in favor and carried.

Motion Trustee Kildal, Seconded by Trustee Lancy that: All meetings of the Village Zoning Board of Appeals are held on the third Thursday of each month, at 7:30PM all were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy that: Announcements of Executive Sessions will be in conformance with New York State Open Meetings Law, all were in favor and carried.

Meeting Rules and Conduct

Motion Trustee Lancy, Seconded by Trustee Reynolds that: The following resolution about meeting rules and conduct is approved: Questions about the agenda for a specific meeting and requests to appear on the agenda and address the Board concerning a specific subject may be directed to the Village Clerk no later than 12:00 noon the Friday prior to the date of the meeting at which the appearance is desired. The agenda will be published in the official newspaper and on the Village website; it will also be displayed on the front and rear doors of the Village Hall. Residents and guests are welcome at all public board meetings. Visitors will be recognized to address the Board on any topic during the meeting and may speak under "Visitors, Guests and Residents." The Mayor reserves the right to limit the time anyone speaks to the Village Board and viewing audience to five minutes on each subject matter. The speaker must approach the podium to be heard. No shouting from the audience will be permitted; all were in favor and carried.

Village Board Liaison Assignments

Motion Trustee Kildal, Seconded by Trustee Reynolds that the following liaison assignments are in place until the Village Board Organizational Meeting in 2012:

Webster Community Coalition for Economic Development (WCCED) **Mayor Elder**
Village Band **Mayor Elder**
Town Board, School Board, Chamber of Commerce, other Governmental
Groups **Mayor Elder**
Village Hall **Mayor Elder**
Webster Police **Mayor Elder**
Farmers Market **Mayor Elder and Trustee Balcaen**
Senior and Disabled Committee Trustee **Balcaen**
Water Department **Trustee Kildal**
Sewer Department **Trustee Kildal**
North East Joint Fire Department **Trustee Kildal**
Fire Counsel and other Fire related public organizations **Trustee Kildal**
Cable Channel 12 **Trustee Kildal**
Village Planning Board **Trustee Lancy**
Village Zoning Board **Trustee Lancy**
Webster Museum and Webster Museum and Historical Society **Trustee Lancy**
Historical Preservation Commission **Trustee Lancy**
Garden Clubs and Village Parks and Playgrounds **Trustee Reynolds**
Parks and Recreation Committee **Trustee Reynolds**
Senior Bus Program (WASPS) **Trustee Reynolds**
Friends of the Trails **Trustee Reynolds**

Expectations for all Boards created by the Village Board through Code or Resolution with a Motion from Trustee Reynolds, Seconded by Trustee Lancy that:

1. Each year, by the first Village Board meeting in March, each board or committee shall have the opportunity to present goals, objectives and desired projects to the Village Board. The Village Board will review the presentation and provide feedback and approve the goals, objectives and projects.
2. Each board or committee must get prior Village Board approval for any expenses outside their normal budget line item.
3. No committee or board member (including Chairman) may sign for any village invoices.
All were in favor and carried.

Motion Trustee Reynolds, Seconded by Trustee Lancy that: The next organizational meeting will occur on the second Thursday in the month, April 12, 2012 at 7:30PM prior to the regularly scheduled board meeting, all were in favor and carried.

Regular Meeting Agenda Items:

Visitors, guest and Residents – None spoke

Motion Trustee Kildal and Seconded by Trustee Lancy to approve the minutes of March 24, 2011, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Reynolds to approve the minutes of April 5, 2011, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Kildal to approve the payrolls and claims, all were in favor and carried.

Motion Trustee Reynolds and Seconded by Trustee Lancy to open the public hearing concerning the general and water budget, all were in favor and carried.

Kathleen Vendel gave a small budget presentation, tax rate remaining at \$2.22 per thousand. Water rates increased in the budget to \$2.50 per thousand gallons.

Robert & Michele Anderson from 39 Elm St. asked a variety of questions that Kathy Vendel, James “Jake” Swingly and Mayor Peter Elder answered.

Donna Rickard from 68 Lapham asked some budget questions to Kathy Vendel, James “Jake” Swingly and Mayor Peter Elder which they answered.

Motion Trustee Reynolds and Seconded by Trustee Lancy to close the public hearing concerning the general and water budget, all were in favor and carried.

Trustee Kildal wanted the Village Board to post the salaries and percent of increase of all employees working at the Village of Webster in the local newspaper like the Town of Webster does. Trustee Reynolds thought it was a good idea to be transparent in what the Village is doing.

Motion Trustee Kildal and Seconded by Trustee Reynolds to publish the salaries of all employees by title in the Webster Herald newspaper, showing percent of increases for the budget year 2011-2012, all were in favor and carried.

Mayor Elder, since we are going to publish these rates obviously we cannot vote tonight on the budget, are we still ok in not voting tonight? All agreed to vote on the budget at the next meeting.

Motion Trustee Lancy and Seconded by Trustee Kildal to approve the budget transfer of \$400.00 as presented, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Balcaen to approve the legal notice for the public hearing on May 26, 2011 at 7:45pm concerning Article XIII Special Permit Uses, all were in favor and carried.

Motion Trustee Kildal and Seconded by Trustee Reynolds to declare the Village Board lead agency and to direct our Building Inspector/Assistant Superintendent of Public Works to compose a SEQR and send agency letters to all affected agencies to give the proper thirty day notice, all were in favor and carried.

Jake Swingly, May 2, 2011 starts the brush pick-up – no leaf pick-up is currently available until the fall. We are also doing hydrant flushing a little later than we hoped because of the current temperatures.

Attorney Don White spoke about the attorney for Phillips Village contacting him again concerning the paperwork received by her office. He needs to contact other attorneys at the state level to get the proper

jurisdiction in this matter. He believes it's the Town of Webster that might need to fill out the paperwork but more information is needed before the Village acts.

Motion Trustee Reynolds and Seconded by Trustee Lancy to authorize the Mayor to engage the New York State Controller's Office to audit village operations and books, or finances such as that, for a cost not to exceed \$100.00, all were in favor and carried.

Mayor thanked Dorothea Ciccarelli for her help, organization and effort with the Comprehensive Plan update.

The Mayor read an email from Eric the General Manager of Webster Yankees.

Motion Trustee Kildal and Seconded by Trustee Lancy to adjourn the meeting, all were in favor and carried.

Kathleen Vendel, Village Clerk/Treasurer

Mayor, Peter Elder