

Village of Webster
Village Board Meeting
August 25, 2011

Webster Community Meeting Hall
29 South Avenue
Webster, NY 14580

Present: Mayor Elder, Trustee Reynolds, Trustee Lancy, Trustee Kildal, and Attorney Don White

Visitors, Guests, and Residents:

Darrell Byerts- 36 Elm Street - The item I would like to address the Board about is agenda item number 5, authorization for Jamie Allman to attend New York Conference of Mayors and Municipal Officers ' Annual Clerk School scheduled September 19 -23, 2011. Dorothea you have already been approved for it, for \$1,372.20 and that is a single room, since you are applying for another individual to go, I suggest that we can save as a town \$660 for the conference. Because if you have a double the rate would be \$200.55 per person which would be \$400.10 per night for two people sharing and would be the same for an official and a guest. Totaling that times 4 nights, plus the 240.00 for the conference that totals out to be \$2,084.40, now if two singles go that would be \$283.05 per night for each person, plus registration at 2744.40. The difference between those two sharing a room two people and going separately singles would be 660. I believe Webster Village could share a big room. I know in the past as I have traveled a number of years, twice a year for various reasons we have always had to share rooms thru the district that would save the Village \$660. So I put that to you because I know you will be authorizing the 1000. I understand and I think that the agenda for Jamie would be a good agenda for her to attend, I looked at the agenda, I have it here, and it would be good for her to attend being a new public official, so I have no problem necessary for her attending. My whole statement here is that we could save \$660.00.

Donna Rickard – 68 Lapham Park - Good evening, Imagine my surprise as I was reading an article in the Webster Herald, the subject was the renovation and construction of the storage facility to renovate two floors to include lofts. You may remember this project was proposed last year by the Mayor and Building Inspector, after numerous objections from surrounding business owners the project was canceled before it even went to the Planning and Zoning Boards. This year the project was proposed again and approved by the Zoning Board and forwarded by the Planning Board. Why were all of us surprised, probably because the project had not even been discussed and or approved by the Zoning Board. Isn't the process set up so that there is a system of checks and balances. An opportunity for the people to come forward, apparently not here. The Historic Commission was quoted as saying that they had advised what colors to be used and window styles and etc. Apparently they knew more about the project than the Zoning Board, perhaps the cart is pulling the horse. By the way what is a Historic Commission, I could not find it anywhere, prior to this article. The Village appoints an Historic Committee, with one board member serving as a non-voting member. My question is why we need a Historic Committee, when the Village does not have a dedicated historic district and as previous meetings show, no one wants one. Finally, if we are paying someone to write articles about the Village, why must they waste space by pointing out someone's birthday? Who sings what song etc; why not focus on groups, the market, church bazaars, the schools located in the Village and the museum. I am hoping we will have some action on this, thank you.

Michelle Anderson – 39 Elm Street - Tonight, I would like to address the residents of the Village of Webster, for several months a handful of Village residents have been attending the Village Board

meeting listening to the business of the Village and when necessary asking explanations to practices and procedures the Village Mayor and his administration have been engaged in. The following are just a few of these issues: While Peter Elder has reiterated many times that his administration is about transparency that does not seem to be the case. For instance there seems to be a lack of information about the possibility of installing a reverse osmosis system at the cost of approximately 3-5 million dollars verses hooking up to Monroe County Water Authority at a potential cost savings. The failure to provide information regarding tuition payments that has been questioned numerous times, for instance the code enforcement officer obtained training not related to his job and a former employee took classes to obtain a PhD in Public Relations. Much of the education was done, while on the clock as an employee of the Village. Failure to respond to a question asked over a month ago whether the general municipal law article 5 section 77-b, regarding funding of education and conferences. Lack of communication of approval of off track betting moving into the Village. The appointment of a chairperson to oversee a committee who's responsibilities include reporting of any possible code violations to the code enforcement officer. This committee would have a direct affect on the citizens of the Village it should have been put to a vote by the taxpayers, this suggestion was immediately dismissed. Even with protest, a chairperson was appointed. When information is requested, that should have been made immediately made available, the answer given time again, that is a very good question or we will look into that and get back to you. It has even been implied that we harbor bitterness towards the Village Board and that is why we show up meeting after meeting. Mr. Elder we are asking for the facts, for the information that should be readily available to the taxpayers of the Village, not excuses or blame. We will not go away because of intimidation tactics or character assignments. We continue to expect you and members of your administration to conduct yourselves in the business of this municipality with integrity and honor and true transparency. To those former trustees, village employees and residents who have told us to keep up the good work and your on the right track we need your help. Peter Elder has stated until more people start showing up at these meetings nothing is going to change. We all have responsibilities and we all can think of reasons not to attend these meetings. I will be the first to say it is not easy to stand up here without being nervous and times angry. The seven of us who have been here meeting after meeting continue to come and do our best to hold Peter Elder and the members of his administration accountable. The reality is our responsibility; the responsibility of each taxpaying resident does not end with the casting of a ballot on Election Day. It is our duty to insist that the people we elect to office due the job they took an office to perform with honesty and integrity, and if they do not they must answer to the people who's pleasure they serve the tax payers. This mayor was elected to office by 132 votes in a Village of approximately 5000 residents. 132 people decided for all of us, who is sitting in the Mayor's chair. We are asking the residents of the Village of Webster to please take part in the governing of your village and consider what has happened and what will continue to happen if you choose not to. Attend the Board meetings, if you and your spouse can't attend together take turns. Also as neighborhoods try to alternate sending two or three people to each meeting who can then report back to the other residents on your street. If we advocate our rights and responsibilities to those in power we have no one to blame but ourselves. Thank you.

Motion Trustee Kildal and Seconded by Trustee Lancy to approve the minutes from August 11, 2011 all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Reynolds after personal review of claims by Trustee Lancy and Trustee Kildal to accept Payrolls and Claims total General - \$26,095.50, Water - \$12,414.02, Capital - \$526.94 and Trust and Agency - \$1,612.90, all were in favor and carried.

Discussion was held regarding the subject of sharing a room for the NYCOM conference and it was decided to discuss with Jamie Allman prior to the Board making a decision how she felt about sharing a room and to place the item on the next agenda.

Mayor Elder reviewed with the public the Comprehensive Plan and how the development of the plan was the result of the Comprehensive Plan committee with assistance from several of the Village Committees such as the Historic Preservation Commission and the Park Committee. Both Committees participated in making recommendations in the plan. The plan includes addendums and reports, which have been included with the Comprehensive Plan. Mayor Elder further reviewed with the public the steps involved in adopting a Comprehensive Plan and informed the public this was the final step.

Motion Trustee Reynolds and Seconded Trustee Lancy to open the Public Hearing on the Comprehensive Plan, all were in favor and carried.

Meeting was opened to public comment.

John Cahill – 220 Judson Street – Questioned the Board as to whether a copy of the plan had been made available to the public. Mr. Elder informed Mr. Cahill that they plan had been advertised and was on the Village website as well as available at the Village office by request.

Mike Broikou – 83 North Avenue – Questioned some of the terms in the plan that were located on page 87 and 91 of the Comprehensive Plan. The first question of concern was regarding franchise architecture and what was the meaning. Mayor Elder discuss that it was mostly like the concern of the box store styles and the relation to the current Village atmosphere. The Mayor further explained to the resident that these recommendations would not go into effect unless they were adopted by local law.

The next question of concern for Mr. Broikou was regarding drive in facility and questioned what a drive in facility was. Mayor Elder reviewed with the resident that the Village Code related to drive in and drive thru were similar. The Village Clerk also provided her interpretation of the legislation currently on the books for drive thru and indicated the comprehensive plan also suggested some new legislation regarding the subject as well. Mayor Elder reviewed the suggested legislation with the resident and the impact it would have on a drive thru.

Village Attorney, Don White, Mayor Elder and Jake Swingly reviewed with the Board and public the code book's current definition of drive thru, and drive in. Discussion was held that the definitions need to be reviewed and updated. Mayor Elder felt that providing in the code drive thru / drive in would help resolve the problem. Mr. Broikou agreed with Mayor Elder.

John Cahill – 220 Judson Street - Questioned the Board regarding page 83 of the plan regarding property improvement permit. Mr. Cahill was concerned that if a resident wanted to do some planting in the front yard they would have to come to the Village for a permit. Mayor Elder explained to Mr. Cahill that the section this was covering was the commercial area and these were suggested guidelines and were not intended to be local laws. Village Attorney, Don White pointed out that within the language that it suggested that it was mandatory and that the Board might want to reword the statement. Mr.

White also suggested to the Board that they did not have to adopt the design guidelines as apart of the Comprehensive Plan, they could choose to adopt the plan and later adopt the guidelines.

Darrell Byerts- 36 Elm Street – Pointed out that where ever there was a word that is are to be or may should not be apart of the Comprehensive Plan. Feels the wording should be changed to provide an option.

Mayor Elder returned the discussion back to the Board and discussed changing the last sentence to indicate the applicant has an option. He also supported changing the drive thru / drive in change. Mayor Elder in addition, had one issue with the parcel on the corner of State Road and route 250 / Webster Road. The property is located on the Southeast corner behind the Church of the Good Shepherd. Mayor Elder spoke to the developers of the property and they were concerned with the property going from a R2-9.6 zoning to a single family zoning. Mayor Elder explained to them that the Board has a certain desire to see single family development. The developer indicated it would be very difficult to build single family development in the area in question. Mayor Elder felt that it should be noted in the minutes, so that in the future some flexibility could be applied to the area in question. In addition he felt that the charter of single family homes might be able to be accomplished with a town home.

Mayor Elder pointed out the section produced by The Coalition of Economic Development and how they would be able to use this section to help promote the Village and apply for grants in the future.

Trustee Lancy and Mayor Elder thanked members of the Comprehensive Plan Committee and the other committees who dedicated their time and effort to produce the all the necessary reports and to bring together the Comprehensive Plan.

Trustee Reynolds suggested that changing page 83 to read under the purpose portion of the guidelines. She felt if the wording was changed by removing “additional requirement to be met” and replaced them with “should be considered” would better reflect an option. Mayor Elder suggested further to remove “are to be superimposed” to reading “may be superimposed”. Trustee Reynolds felt she would be more comfortable with the plan with the suggested changes.

Motion Trustee Kildal and Seconded Trustee Lancy to close the Public Hearing on the Comprehensive Plan, all were in favor and carried.

Motion Trustee Reynolds and Seconded Trustee Kildal to adopt the 2011 Village of Webster Comprehensive Plan as presented tonight with the amendments including the change of page 83 and correcting through out the plan drive in / drive thru, all were in favor and carried.

DPW: The department would start the process of milling lower Sherwood, from Sanford Street and Main Street, they are hoping to complete before back to school time.

Water: Water is quiet.

Attorney: Don White discussed with the Board the resolution they made to expend \$125,000 from the general capital reserve fund to pay down the bill for the sewer outfall pipe. The spending of money

from the fund is subject to permissive referendum. The attorney felt the Board should redo the motion so that the posting should be done correctly.

Motion Trustee Lancy and Seconded Trustee Reynolds to expend \$125,000 from the capital reserve fund for the purpose of making a partial payment to the Town of Webster towards the Village's share of replacing the outfall sewer pipe, all were in favor and carried.

Mayor Elder questioned the attorney regarding the quotes for the appraisal for the Robb Cemetery. Don White informed the Board that he hoped to have quotes for the September 8, 2011 meeting.

Trustee Kildal questioned Mayor Elder on the progress on the banner program. Mayor Elder informed the Board that he had spoken to the parties involved and it was their hope to have the banners up before the end of the month.

The Board also discussed the service banners representing all branches of the service now on display in the Veterans Memorial Park.

Summer Events:

- Shakespeare in the Park August 25th through 28th 8:30 pm
- Village Band completed their season tonight and had a great season.
- Village Days was great and the Board thanked Tom Spoonhower and the BID for a wonderful event.
- Sidewalk sale in the fall
- Trick or Treat Trail
- 9/11 Ceremony for the 10th anniversary will be on Sunday at 2pm
- Soapbox Derby will be held September 17th through 18th on Barrett Drive.

Call In

Caller suggested getting in contact with Randy Nelson from the Town Board regarding obtaining a bond for the Sewer Outfall pipe. Mayor Elder thanked the caller for the suggestion.

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