

Village of Webster
Village Board Meeting
April 9, 2015

Webster Community Meeting Hall
29 South Avenue
Webster, NY 14580

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

Public Comments

Richard Walter –20 Elm Street – Reviewed with the Board and questioned why a reserve fund has not been established in the event that Xerox wins their assessment lawsuit.

Peter Elder – 59 Dunning Avenue – Commented to the Board and questioned why the Organizational Meeting was rescheduled “by order of the Board” when a motion to the fact did not occur.

Mayor Cahill said the motion to reschedule the meeting is on the agenda for tonight it was just added.

Mr. Elder continued and said he learned another Human Rights Action has been brought against the Mayor. He said the public should be informed of this filing although he realizes it is difficult to obtain such information. He urged the Trustees to intervene and censor the Mayor for his negative conduct against the employees at Village Hall.

Eric Reynolds – 64 Kircher Park– Reviewed with the Board and requested a resolution be passed to have a Board member present when the Mayor is speaking to employees at the Village Hall. Mr. Reynolds continued and questioned if there are any funds which have been set aside for the closing of the Village well fields.

Village Board Business

Motion Trustee Lancy and Seconded by Trustee Balcaen to approve the Village Board Meeting Minutes of March 26, 2015, all were in favor and carried.

Motion Trustee Ippolito Jr. and Seconded by Trustee Lancy to approve the Village Board Workshop Minutes of March 31, 2015, all were in favor and carried.

Motion Mayor Cahill and Seconded by Trustee Lancy to move the Annual Organizational Meeting to April 23, 2015, all were in favor and carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Lancy to accept claims totaling: General - \$12,640.96 and Trust & Agency - \$268.22, all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Lancy to authorize Mayor Cahill to attend Local Government Workshop at a cost not to exceed \$75.00, vote on motion- Mayor Cahill – abstain, all others 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, the Village of Webster maintains Wilmorite Park and Schantz Park; and

WHEREAS, it is been recommended by the Parks and Recreation Advisory Committee that certain improvements be made to said parks in the form of the replacement of playground equipment that is currently outdated and does not meet current standards; and

WHEREAS, the Village of Webster maintains a Parks and Recreation Trust Fund into which are deposited the Parks and Recreation fee paid by developers of new construction within the Village of Webster; and

WHEREAS, the Village of Webster has obtained estimates for the purchase and installation of new playground equipment; and

WHEREAS, appropriations from the Park and Recreation Trust Fund can only be made by resolution subject to permissive referendum;

NOW THEREFORE, be it RESOLVED:

1. That the Treasurer of the Village of Webster is hereby authorized to appropriate and expend from the Parks and Recreation Trust Fund a sum not to exceed \$65,000 to be used to purchase and install playground equipment at Wilmorite Park and Schantz Park.
2. This resolution shall be subject to a permissive referendum and thus shall only take effect thirty (30) days after its adoption.
3. A Notice of Adoption of this resolution being subject to permissive referendum shall be published in the Webster Herald in substantially the form provided in Village Law Section 9-900.

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

WHEREAS, the Village of Webster has obtained Federal aid pursuant to appropriate sections of Title 23 U.S. Code as amended and as administered by the Federal Highway Administration for a highway improvement project known as the "North Avenue Connector Project" that includes gateway enhancements to North Avenue from Orchard Street to the intersection with Main Street (NYS Route 404); and

WHEREAS, funding for the North Avenue Connector Project calls for the apportionment of the cost of such projects to be borne 80% by Federal funds and 20% by local funds; and

WHEREAS, the Village of Webster Board of Trustees desire to establish a Capital Reserve Fund in order to accumulate monies to finance the local portion of the cost of the project;

NOW THEREFORE, be it RESOLVED:

1. That pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a Capital Reserve Fund to be known as the "North Avenue Connector Project Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate monies to finance the cost of a specific capital improvement. The specific capital improvement to be financed from the Reserve Fund is the cost of the North Avenue Connector Project to be borne by the Village of Webster. A more specific description of the project is found in the Initial Project Proposal prepared by the New York State Department of Transportation, dated December 9, 2014. The estimated maximum cost of such Capital Improvement is \$1,054,000.00 of which the Village of Webster is responsible to contribute \$210,800.00.

2. The chief fiscal officer of the Village of Webster is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The chief fiscal officer may invest the monies in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Webster. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and be made a part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in the manner which maintains the separate identity of the Reserve Fund and shows the date and the amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investment of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the board a detailed report of the operation and condition of the Reserve Fund.

3. Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c of the General Municipal Law.

4. This Resolution is subject to permissive referendum pursuant to Subdivision 4 of Section 6-c of the General Municipal Law.

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

WHEREAS, there exists a drainage culvert on West Main Street in the Village of Webster that is in need of reconstruction; and

WHEREAS, the Village of Webster Board of Trustees desire to establish a Reserve Fund to be used to accumulate monies to finance the cost of reconstructing and rehabilitating this storm water culvert;

NOW THEREFORE, be it RESOLVED:

1. That pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a Capital Reserve Fund to be known as the “West Main Street Culvert Project Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate monies to finance the cost of a specific capital improvement. The specific capital improvement to be financed from the Reserve Fund is the re-construction and rehabilitation of a storm water culvert that drains most of the western half of the Village of Webster and is located near 159 West Main Street. The estimated maximum cost of such capital improvement is \$150,000.00.

2. The chief fiscal officer of the Village of Webster is hereby directed to deposit and secure the monies of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The chief fiscal officer may invest the monies in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Webster. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and be made a part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in the manner which maintains the separate identity of the Reserve Fund and shows the date and the amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investment of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the board a detailed report of the operation and condition of the Reserve Fund.

3. Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c of the General Municipal Law.

4. This Resolution is subject to permissive referendum pursuant to Subdivision 4 of Section 6-c of the General Municipal Law.

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

WHEREAS, the Village of Webster presently has on its books a Repair Reserve Fund for which, after due diligence and research, no record of a formal Resolution could be found that properly established this Reserve Fund pursuant to the requirements of General Municipal Law §6-d; and

WHEREAS, the Village of Webster also has a General Capital Reserve Building/Improvements Fund that was improperly established by a Resolution on April 22, 2004 which Resolution does not conform to the requirements of General Municipal Law §6-c for the establishment of a Capital Reserve Fund; and

WHEREAS, the aforementioned Reserve Funds were never properly established and as a result the monies in said funds are actually part of the Village's unallocated or unassigned fund balance; and

WHEREAS, the Village of Webster Board of Trustees desire to close the aforementioned Reserve Funds;

NOW THEREFORE, be it RESOLVED:

1. That the Cash-Reserve Repair Fund under account no. 01-00-0231-882 is hereby dissolved and the current balance in said fund in the amount of \$56,140.00 shall be transferred to the unassigned fund balance of the Village of Webster.

2. The General Capital Reserve Building/Improvements Fund under account no. 01-00-0231-886 is hereby dissolved and the current balance in said Reserve Fund in the amount \$382,114.00 is transferred to the unassigned fund balance of the Village of Webster.

Tabled Matter: Resolution to adopt Policy 5-5: Credit Card Policy as amended effective June 1, 2015. After discussion on the Credit Card Policy it was decided that the verbiage should be revised so the resolution was tabled until April 23, 2015 during the Village Board Meeting.

Krystina Lizak, Village Treasurer, presented the Preliminary 2015-2016 Budget to the Board and public. She presented a slide show with a pie chart to explain estimated revenues and budget appropriations. Ms. Lizak said the proposed tax rate for 2015-2016 will remain at \$2.22 per thousand. The major projects for the coming year will include the West Main Street Culvert, the North Avenue Connector, vehicle equipment replacement and rotation project, as well as various roads which will be milled and paved.

Office

Jake Swingly reviewed with the Board the Comp and Overtime Report for March 2015 and made mention that he had been out attending seminars most of the week and did do a complete review of the report.

Attorney

No Report

Department of Public Works

Jake Swingly, Superintendent of Public Works reviewed with the Board and discussed a trade show he attended for the Western New York State Superintendents Association. He said it was a great

networking opportunity because there were at least thirteen hundred people who attended and he came away with some good product ideas.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Lancy to authorize James Scott to attend the Cross Connection Control Course for the Certification of Backflow Prevention Device Testers at a cost not to exceed \$595.00, all were in favor and carried.

At 8:25 PM Mayor Cahill opened the Public Hearing on the Preliminary Budget.

Richard Walter - 20 Elm Street- Questioned the Board on why they would be receiving a 1.5% raise. Mr. Walter also asked what Village owned properties were taxes paid on.

Krystina Lizak said she would have the addresses by the next meeting.

Peter Elder – 59 Dunning Avenue – Questioned the Board also in regards to why they would be receiving a cost of living increase and suggested that a raise on merit would be better suited. He also questioned why the STP budget appeared to be less than last year. Mr. Elder questioned why the unassigned reserves are being used to cover the expenses? Mr. Elder said he would like to see a list of the unassigned reserve amounts and how they are going to be appropriated to fund balance.

Christine Reynolds – 64 Kircher Park – Questioned the Board regarding many line items: the loss of the Cricket revenue from the cell tower, increases in budget lines for financial advisor, WCCED , and Bond Counsel. She questioned why the road salt line and asphalt line would be decreased. Mrs. Reynolds also questioned the 1.5% raise for the Board and said there should not be a raise. Mrs. Reynolds questioned why the Historian salary line is flat. She said the Historical Preservation seems to be less. She feels these lines should be adjusted.

Eric Reynolds – 64 Kircher Park – Questioned the Board regarding an increase in their salaries and said he feels they should stay flat. He feels the increase should be moved to the Historian salary. He also said the Historical department line should be raised. Mr. Reynolds continued with questions regarding many budget line items concerning; computers, computer software, equipment, auditor, renewal licenses, financial advisor, bond counsel, passports, copier, taxes on village properties, Christmas lights, White Christmas, Memorial Day ceremonies, group insurances, phone, CHIPs, micro pave, and many more.

Mr. Reynolds questions were answered by Krystina Lizak, Treasurer, Jake Swingly, Superintendent and Mayor Cahill.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Lancy to close the Public Hearing on the Preliminary Budget at 9:15 pm, all were in favor and carried.

Call In

No Phone Calls.

Adjournment

Motion Trustee Balcaen and Seconded by Trustee Lancy to adjourn the meeting at 9:17 pm, all were in favor and carried.

Josette Amalfi, Village Clerk

John J. Cahill, Mayor