

Village of Webster  
Village Board Meeting  
August 13, 2015

Webster Community Meeting Hall  
29 South Avenue  
Webster, NY 14580

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

Mayor Cahill made a statement before the Public Comments section of the meeting and said he wanted to update everyone on the incident that took place on Wednesday night because of a concert at the Harmony House. Mayor Cahill thanked the Webster Police Department, Irondequoit Police Department, Monroe County Sheriff's Department, and the New York State Police for keeping order in the Village for an incident he deeply regrets. Mayor Cahill has asked Will Barham, Code Enforcement Officer to look up legislation regarding nuisance laws which the Village Board will enact to ensure that this type of situation will not take place in the future. Mayor Cahill said shots were fired at a hip hop concert at the Harmony House and the police were called to assist. All events that were scheduled at the Harmony House for the rest of the summer have been rescheduled and some have been moved to other venues.

Will Barham, Code Enforcement Officer, said we can be proactive for the future and pass legislation to implement a nuisance law. He said some of the penalties a business owner or property owner would be looking at are; revoking their certificate of occupancy for a period up to a year, closing the building depending on severity, and forcing them to take measures to mediate their own nuisance abated and then the Board would be able to decide on what particular action could be taken. He continued and said with this type of legislation in place we can handle any future situations like this or from any establishment that continues to put our residents in danger.

Trustee Jude Lancy said she completely agrees with Will Barham. Trustee Lancy said she feels the Board has to do something because we need people to feel secure and that this is a place where you want to raise children and we cannot do it like this and we won't accept it.

## Public Comments

Christine Reynolds – 64 Kircher Park - Commented to the Board in regards to the public disturbance and said she disagrees with the route the Board is taking and suggested the Board speak with a Security Expert. She recommended an expert who has a security business and he is licensed by NYS to license security guards and security companies. She said instead of taking an encompassing and penalizing step she would rather see a remedial step. Maybe a permit should be required for events that charge and admission or an entry fee. She said part of the permit process would be to have a contract in place by a licensed security company which would ensure there would be licensed security guards instead of bouncers. Mrs. Reynolds offered to email the contact information of the Security Expert to the Board. She said he would be willing to meet and consult with them to discuss a plan. Mayor Cahill said he would be willing to schedule a workshop for the Security Expert to come and speak to the residents.

Mrs. Reynolds said she would not want a moratorium to cause the historic Harmony House to lose any revenue because they are the Chorus of the Genesee. She said we need to work with them rather than penalize them.

Mayor Cahill said there will not be a moratorium. He said in his opinion the Harmony House needs to help themselves by being more responsible by bringing in venues that don't attract violent behavior. He said this is the third time this has happened. I do commend Harmony House for being proactive and rescheduling the rest of their events to other venues.

Will Barham mentioned that a law by virtue of its enactment doesn't penalize. Those who disobey the law penalize themselves.

Patricia Cataldi – 33 Dunning Avenue – Commented to the Board and said she is a resident and a Town Board member. She said Supervisor Nesbitt received many calls regarding the incident and nobody likes to see this kind of press about their hometown. She said the Barbershop Quartet and the Harmony House have been wonderful neighbors and a tremendous asset to our community. She believes the solution is somewhere in between a Security Expert and Nuisance Law. The Public Nuisance Law would take care of issues such as this but it would also apply to rental properties and beyond commercial or music venues. In her opinion the security officers were in the building but because it was hot and there is no air conditioning in the building some of the people went outside into the street. Councilwoman Cataldi would like to see something done with both suggestions so this doesn't happen again.

Bruce Winters – Dunning Avenue- Commented to the Board and believes the perpetrators should be blamed. He feels when a crowd is present for a performance like this you are asking for trouble. In his opinion everywhere that Hip Hop goes there is a high risk of problems.

Sam Ferrina – 79 Dunning Avenue – Stated to the Board that he has a petition from 26 people residents in the neighborhood which states that they are in favor of the Nuisance Law. He presented the petition to the Board. He said we hope this is an anomaly and this would not happen again in the future.

Eric Reynolds – 64 Kircher Park- Made Comment to the Board and said he is not in favor of any type of Nuisance Law and believes there are other alternatives. He continued and referred to the prior meeting where he questioned the Well Field appraisal. Mr. Reynolds said after that meeting Mr. White said this was not an assessment of the well field property but it was for some type of insurance purpose. As taxpayers we spent twenty one thousand dollars on that “fictitious assessment” and that is hard to swallow. Mr. Reynolds believes Mayor Cahill knew about the overlay district on the well field property. He believes Mayor Cahill has lost close to \$2.4 million dollars in equity on the well field property.

Kathy – Dunning Avenue- Stated to the Board and said it is about the genre of the music that plays at the music hall. She said the music and what it represents is about violence, guns, drugs and killing. This is going to attract the type of clientele that stands in the middle of the parking lot and shoots off rounds regardless of rather they are in Webster or on Hudson Avenue. She said she does agree with the suggestions related to security but also believes Rap music brings problems.

Peter Elder – 59 Dunning Avenue – Stated to the Board that he is thankful that the Harmony House owner is cooperating with the Board on this issue. He said the Grange, the Harmony House and the Chorus of the Genesee struggle financially. The building is historical and it cost a lot of money so they raise money by singing songs which could be difficult. Mr. Elder believes it is important to find other avenues of raising revenue and hopes the Village will assist them so that this type of incident will be less likely to be repeated. Mr. Elder made reference to a grant which was in a resolution that was taken off the agenda for this evening. Mayor Cahill said the resolution will be put on the next Board meeting agenda because he did not think it was appropriate considering the incident that took place. Mr. Elder would like to see the Village embrace a partnership with the Harmony House and try to advertise it as a unique venue or asset within the Village and this might edge out the Hip Hop.

Councilwoman Patricia Cataldi – Spoke to the Board and reiterated that Nuisance laws are not only in place in large cities but small municipalities can use them as well.

Brian Moore – Resident of Macedon, NY, member of the Chorus of the Genesee, and Manager of Harmony House – Commented to the Board and stated he did not appreciate the event that happened and it did not start out like that. He said the intent was to have about 175 people but it grew to approximately up to 225 or to 235 people by 9:00 p.m. He said his difficulty is that we are trying to maintain the building and it does cost about \$25 thousand dollars a year to run the facility but we do not get many rentals from the residents of the Village or the Town. Mr. Moore explained that when he does rent the venue he does ask questions on what the show is but in this case he said the artist and the show changed in the last 4 days before the show. He said there were licensed security guards (5) but he does not know if the company is licensed. He said they did do a good job but it did get crowded. We do try to get good performances but this one was not what we intended. We will try to make sure this does not happen again. We have rescheduled all of the Hip Hop events but the regular dance bands and folk concerts will remain.

Mayor Cahill said he respects that Mr. Moore came before the Board and he would like to make an effort to ensure the viability of the building continues with providing safe entertainment. We need to assist you to bring venues in which will help to maintain the building. At the next Board meeting we will put forth a request for the Board to allow the Mayor to sign an agreement to provide monies for your building to become a historical landmark. This will allow you to seek grant money to assist you with that building. Mayor Cahill said he appreciates Mr. Moore's proactive steps to curtail what was previously scheduled and not hurt the other performers.

## Village Board Business

Motion Trustee Lancy and Seconded by Trustee Byerts to approve the Village Board Meeting Minutes of July 23, 2015, all were in favor and carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Balcaen to approve the Village Board Workshop Minutes of August 4, 2015, all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Lancy to accept claims totaling: General - \$79,497.54, and Trust & Agency \$498.58, all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Ippolito, Jr. to authorize Mayor Cahill to sign the service agreements with Waste Management for 613 Webster Road and 28 West Main Street, all were in favor and carried.

## Attorney

Don White - Absent

## Office

Comp & Overtime report for July 2015 was reviewed without questions.

Motion Trustee Lancy and Seconded by Trustee Byerts to approve the financial statements for the months of June and July 2015, all were in favor and carried.

## Department of Public Works

Jake Swingly - Absent

## Call In

Laurie Reynolds – 138 Judson Street- Called in and agreed with the Kathy that Rap music is full of hate. She would like this music not performed in the Village.

## Adjournment

Motion Trustee Lancy and Seconded by Trustee Balcaen to adjourn the meeting at 8:30 pm, all were in favor and carried.

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Josette Amalfi, Village Clerk

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John J. Cahill, Mayor