

Village of Webster
Village Board Meeting
August 27, 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

Public Comments

Richard Walter – 20 Elm Street – Commented to the Board regarding the Resolution for the Grange Building. He said he is in favor of approving the Grange Building for landmark status and hopes the Board also approves the Resolution.

John DeWolff – 72 Krieger Road – Stated to the Board and expressed his opinion regarding a nuisance law. He said he is in favor of a type of nuisance law which would charge a permit fee to businesses but he would not want it to interfere with the High School activities when they put on fundraisers or hold concerts.

Karl Laurer – 88 Dunning Avenue – Made Comment to the Board in regards to the many telephone poles in the Village. He said there are at least 2 poles next to each other (a new pole and an old pole) all over the Village. He would like to see some of the poles taken down and hopes the Board would look into this matter.

Mayor Cahill said he would look into the matter.

Darren Schutt – Spoke to the Board and the public regarding a fundraiser for the Webster Comfort Care Home. The Webster Comfort Care Home provides end of life care to terminally ill people while providing support for their loved ones in a beautiful home environment. He said through the sponsorship of the Apple Growers Association he will run in the NYC Marathon on November 1, 2015 and urged residents for their support and donations. He directed people to a website and also said donations could be sent directly to the Webster Comfort Care Home, 700 Holt Road, Webster, NY 14580.

Mayor Cahill said he would also have the information posted on the Village website for people to make donations. Mayor Cahill thanked Darren Schutt for his effort with raising money for the Webster Comfort Care Home.

Village Board Business

Motion Trustee Byerts and Seconded by Trustee Lancy to approve the Village Board Meeting minutes of August 13, 2015, all were in favor and carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Balcaen to accept claims totaling: General - \$90,611.79 and Trust & Agency - \$3,123.58, all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Balcaen to authorize Mayor Cahill to sign the agreement with Lu Engineers for the services related to the North Avenue Connector Project, all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Ippolito, Jr. to authorize Mayor Cahill to sign the annual software support and maintenance contract with Williamson Law Book Company for Building and Codes Enforcement at a rate of \$545.00, all were in favor and carried.

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

WHEREAS, the Village Board of the Village of Webster has determined that the Grange Building, located at 58 East Main Street in the Village of Webster is of important historic significance and:

- 1.) events associated with the Grange Building have made a significant contribution to the broad patterns of our history;
- 2.) the Grange Building is associated with the lives of persons significant in our past;
- 3.) the Grange Building embodies a distinctive characteristic of a type, period, or method of construction;
- 4.) the Grange Building has yielded, and will yield information important in the history of the Village of Webster; and

WHEREAS, the Village of Webster Historic Preservation Commission has for many years desired to obtain a designation for the Grange Building to be added to the National Register of Historic Places; and

WHEREAS, Bero Architecture, PLLC has agreed to assist the Webster Grange, the Village of Webster Historic Preservation Commission and the Chorus of the Genesee with the National Register Nomination for the Grange Building and has submitted a proposal for this work in the total amount of \$1,585.00; and

WHEREAS, New York Arts and Cultural Affairs Law §57.07(1) provides that a municipality may expend money for historical purposes within its jurisdiction, including expenditures for historical edifices; and

WHEREAS, the Village of Webster would receive both direct and indirect benefits should the Grange Building obtain listing on the National Register of Historic Places;

NOW THEREFORE, be it resolved as follows:

1. The Mayor is authorized to enter into an agreement with Bero Architecture, PLLC, 32 Winthrop Street, Rochester, New York, per a proposal dated November 14, 2014 in the amount of \$1,585.00 to assist with the National Register nomination for the Grange Building/Harmony House, 58 East Main Street, Webster, New York.

2. The Mayor is authorized to enter into a contract with Bero Architecture, PLLC only upon obtaining payment from the Chorus of the Genesee and the Webster Grange for one-third each of the total amount due to Bero Architecture, PLLC (\$528.33 each).

3. Upon receipt of the respective one-third contribution from both the Chorus of the Genesee and the Webster Grange, the Village Treasurer is hereby authorized to spend from the budget allocated to the Historic Preservation Commission, the sum of \$528.33 representing the Village of Webster's share of the payment for the services of Bero Architecture, PLLC.

4. The Village of Webster Historic Preservation Commission shall act on behalf of the Village of Webster to lead and monitor the project to insure its completion. The Historic Preservation Commission shall also provide periodical reports with respect to the nomination status to the Village of Webster Board of Trustees, the Chorus of the Genesee and the Webster Grange.

Tabled Item – Discussion/ Consideration for Energy Efficiency Program with RGE/NYSEG has been tabled until further notice.

Motion Trustee Balcaen and Seconded by Trustee Lancy to waive the deposit and electric power fee associated with the bandstand for the Webster Economic Development Alliance usage for the event on September 10, 2015 from 2:00 p.m. until 8:00 p.m. regarding a community outreach for Americas Best Community contest, all were in favor and carried.

Attorney

Don White, Attorney made comment regarding the upcoming discussion the Board will have on Nuisance Laws. He said the Nuisance Law from the City of Rochester is on a point system and he believes this type of nuisance law would be more in line with what the Village would need.

Will Barham said he has several different types of Nuisance Laws to share with the Board.

Mayor Cahill said the meeting will be a very good discussion and it is a place to start.

Office

No Report.

Code Enforcement

Will Barham, Code Enforcement Officer, reviewed with the Board the building report for the month of July 2015. He made note of 3 ongoing property issues which will be returning to court. He said

there is a court date in September scheduled for the property at 104 East Main Street. Mr. Barham also explained that he is instituting a new law regarding emergency measures that the Village can take and begin to use on this property to help gain compliance.

Will Barham also made mention of 65 Sherwood Avenue which is a property that was damaged by a fire. He was able to contact family members and convey that the disposition of the house has to be made soon. He said the family will get back to him and either fix the damaged home or have it demolished.

Mr. Barham said the property located at 174 Champion Avenue also relates to issues of compliance and said the owner has personal issues but he did speak to him about the Monroe County Home Improvement Grant Program and gave him an application because he might be eligible.

Mr. Barham said he is looking at many different public nuisance laws. He has obtained some from NYCOM, and some from E-Code. He explained that this is not something the Village is doing because of the Harmony House incident but shared that there have been problems with rental properties in the past and wanted to look into this but had not acted on nuisance laws until now.

Don White, Attorney said some of the laws assign points based on the number of times the police have to respond to a property and this could be problematic if it is a residential property dealing with a domestic violence problem because the house could be sited for a nuisance. Attorney White said this could be counterproductive if you are really trying to protect people. He suggested police calls should be tailored where not all calls should be included in the nuisance law.

Mr. Barham also stated that he had a conversation with Webster Police Chief Rieger and asked him as a Village what we could do to help the police. Chief Rieger said a public nuisance law would help.

Department of Public Works

Jake Swingly, Superintendent of Public Works, reviewed with the Board and said that he and Will Barham, Code Enforcement officer, were working with Monroe County on a Pre-disaster Hazard Mitigation Plan. He said it is quite involved but they have updated the old plan and will send it in.

Mr. Swingly said he will be working on the Clean Water Grant for the STP. The project has been submitted for placement on the IUP for the Environmental Facilities Corporation.

Mr. Swingly also gave an update on DPW road work and said the gutters are done on Fuller Avenue and Curtice Park. The milling will start next week on Barrett Drive, Fuller Avenue and Harmon Street. The work on Barrett Drive will be done at night.

The new playground equipment is being installed at Shantz Park and then Wilmorite Park. The mulch will be put back in and the walkways will be extended to the new ramps which will also be installed to the new entrances to the playground areas.

Call In

No phone calls were received.

Executive Session

Motion Trustee Balcaen and Seconded by Trustee Ippolito, Jr., to enter into Executive Session at 8:25 p.m. to discuss the potential disciplinary action regarding a particular employee; Vote on Motion; Trustee Balcaen - aye, Trustee Ippolito - aye, Trustee Byerts - nay, Trustee Lancy - nay, Mayor Cahill - aye, motion carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Balcaen to exit from Executive Session at 10:17 p.m., all were in favor and carried.

Adjournment

Motion Trustee Byerts and Seconded by Trustee Lancy to adjourn the meeting at 10:18 p.m., all were in favor and carried.

Josette Amalfi, Village Clerk

John J. Cahill, Mayor