

Village of Webster
Village Board Meeting
October 22, 2015

Webster Community Meeting Hall
29 South Avenue
Webster, NY 14580

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

Public Comments

Richard Walter – 20 Elm Street – Made Comment to the Board and asked for an update regarding the cell tower lease. Mr. Walter questioned if the Village was still going to move the cell antennas off the water towers and build a new tower to take advantage of the cell leases. Mr. Walter asked if the FAA (Federal Aviation Administration) and the FCC (Federal Communications Commission) had been notified.

Mayor Cahill said yes that is the plan and we do not need FAA permission if the tower is less than 200 feet high. Mayor Cahill said he does not know about the FCC regulations.

Mr. Walter also questioned the reason for a hydro seed truck filling up with Village water at the Village Hall.

Jake Swingly, Superintendent of Public Works, confirmed the truck was a hydro seed contractor hired by the NYS DOT and he was using the water for hydro seeding within the Village.

Mr. Walter stated his opinion and said he does not believe the contractor should be allowed free water from the Village that the taxpayer has paid for if the contractor was hired by the State.

Eric Reynolds – 64 Kircher Park– Reviewed with the Board and questioned when the notice was sent out regarding the Special Board meeting held on Monday, October 19, 2015 to authorize Krystina Lizak, Treasurer to attend NYSAC ACEC New York. Mr. Reynolds said a 72 hour notice should have been given.

Attorney Don White read aloud section 104 of the Public Officers Law. He said the law states “public notice of the time and place of every other meeting shall be given to the extent practicable to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior there too.” Attorney White drew attention to the words “reasonable time prior there too”.

Supervisor Ronald Nesbitt – Webster Town, 1000 Ridge Road – Reviewed with the Board and said he would like to set the record straight regarding a report concerning a discussion he had with Mayor Cahill. The discussion reported was regarding the Town taking over the Village Sewer Treatment Plant. Supervisor Nesbitt said that discussion did not take place. Supervisor Nesbitt said the exact conversation was Mayor Cahill asked if the Town’s Treatment Plant could handle the sewage from

the Village. Supervisor Nesbitt said he told Mayor Cahill he did not know the answer but presently he said the Town is having a study performed on the Town Sewer Treatment Plant for efficiencies and the question would be incorporated into the study.

Village Board Business

Motion Trustee Lancy and Seconded by Trustee Ippolito, Jr. to approve the Village Board Meeting minutes of October 8, 2015, all were in favor and carried.

Motion Trustee Ippolito Jr. and Seconded by Trustee Byerts to approve the Special Village Board Meeting minutes of October 19, 2015, all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Ippolito, Jr. to accept claims totaling: General - \$60,733.21 and Trust & Agency - \$2,055.34, all were in favor and carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Byerts to appoint Karl Laurer to the Zoning Board of Appeals for a term ending in 2018, Trustee Lancy – Nay, Mayor Cahill – Aye, and motion carried.

Motion Mayor Cahill and Seconded by Trustee Byerts to authorize Karl Laurer, Zoning Board Member, to attend the Fall Local Government Workshop on November 13, 2015 at a cost not to exceed \$75.00, all were in favor and carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Lancy to reappoint Michael O'Connor and William Baker to the Zoning Board of Appeals for a five year term ending in 2020, all were in favor and carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Lancy to reappoint Kathleen Bills and Peter Bowers to the Planning Board of Appeals for a five year term ending in 2020, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Ippolito, Jr. to appoint Ed Atkisson as Chairman to the Historic Preservation Commission for a term ending in 2016, all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Lancy to authorize Krystina Lizak, Treasurer to attend GFI Advanced Forum on November 17, 2015 at a cost not to exceed \$150.00, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Ippolito, Jr. to authorize Jake Swingly, Superintendent of Public Works to attend NYWEA's IIC Fall Seminar on November 5, 2015 at a cost not to exceed \$40.00, all were in favor and carried.

Attorney

No Report.

Office

Motion Trustee Byerts and Seconded by Trustee Ippolito, Jr. to approve the following budget modification and transfer, all were in favor and carried.

From:	01-05-5112-402	Micropave	\$1,968.26
To:	01-05-5112-200	Equipment	1,968.26

Reason: Purchase of Plate Tamper should be classified as equipment rather than tools (01-05-5112-416)

Code Enforcement

Will Barham, Code Enforcement Officer, reviewed with the Board and gave an update on the Building Reports for the month of September 2015.

Will Barham said 104 East Main Street is in the foreclosure process and the owner is in bankruptcy. He said the owners have been very cooperative and he is scheduled to go into the home to document the condition and state of the interior.

Mayor Cahill asked Will Barham to report every month on the status of what work if any has been done on the home.

Mr. Barham gave a review of the property located at 65 Sherwood Avenue. He said he will be presenting an investigative report with pictures to the Board in regards to his findings related to the interior of the structure. He restated that the home had a fire about 2 years ago and the owner has had no communication to date with him. Mr. Barham said he would like the Board to consider demolition of the property. He said he will present the report in a couple of weeks and at that time the Board will schedule a hearing date and 15 to 30 days from that report he will notify the owner in writing. The owner will then have his time to refute the report and state what they would like to do with the home.

Mayor Cahill asked Will Barham to find out more information regarding the demolition of the house and what steps would be taken in the event asbestos is found. He also had concerns and questioned if the Village would recover the costs of the demolition expenses.

Mr. Barham said he would research the information.

Department of Public Works

Jake Swingly, Superintendent of Public Works, reviewed with the Board and gave an update on

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leaf pick up in the Village. He reminded the residents not to put the leaves in the gutters or in the street. He said residents should rake the leaves to the edge of the road and the Village crew will pick up during the week until the first real snowfall.

Mr. Swingly said the plan this week for the NYS DOT project is to start paving just north of Orchard Street and continue to May Street, then Main Street north just past the expressway, then the aprons on the side streets in that area. He said Kircher Park will be done at the end of the project because the DOT is storing their vehicles and heavy equipment in that area.

Mr. Swingly also gave an update on the North Avenue Design Advisory Committee. He said he would be on the committee consisting of nine members to include Mayor John Cahill, Trustee Jude Lancy, Matt Chatfield, Executive Director of WEDA, Peter Adams, Planning Board Chairman, Greg Chambery, proprietor of Maplewood Nursing Home, Tom Smith, proprietor of Smith Insurance, and Bill Horeth, proprietor of Kittelberger Florist, and Will Barham, Code Enforcement Officer.

Call In

No phone calls.

Adjournment

Motion Trustee Lancy and Seconded by Trustee Byerts to adjourn the meeting at 8:37 pm, all were in favor and carried.

Josette Amalfi, Village Clerk

John J. Cahill, Mayor