

Village of Webster
Village Board Meeting
November 12, 2015

Webster Community Meeting Hall
29 South Avenue
Webster, NY 14580

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

Mayor Cahill announced the Public Call In portion of the meeting would not take place due to TV Cable 12 prerecording the meeting.

Public Comments

Richard Walter – 20 Elm Street- Questioned the Board in reference to the last bond payment in October and wanted to know what the bonds were originally issued for.

Mayor Cahill said originally they borrowed \$400 thousand dollars to pave the streets, they borrowed \$300 and some odd thousand dollars for the street sweeper, one of the bonds was for the sewage treatment plant which was like a million dollars. There were bands of bond anticipation notes which were all put together.

Attorney Don White said it was four or five different bond anticipation notes which can only go out five years and then they have to be made into 30 year serial bonds.

Jake Swingly, Superintendent of Public Works said the bond includes the effluents and centrifuge at the STP, a paving bond, the street sweeper, and relining of the water mains at Wilmorite Park

Michael Conn – 610 Webster Road – Commented to the Board and said he lives across the street from the Sewage Treatment Plant and he has an issue regarding the composting that is done this time of year at the plant. Mr. Conn said the mixing of leaves with sewage for composting creates a choking gauging odor and he would like something done about it. Mr. Conn continued and said the mature barrier of trees along the road in front of the plant have been trimmed and cut so now the wind blows right through from the plant and it is also an eye sore to see the blue tarp covered with tires.

Mayor Cahill said he knows it is difficult during the two periods of composting in the year. He said the plant has been doing this for decades. It is permitted by the DEC. It is very closely regulated. The plant does the best it can do to keep it to a minimum. They keep it covered and when there is a heavy west wind they do their best not to turn it. Mayor Cahill said when you live in such close proximity to a sewage treatment plant with composting we are very limited as to what we can and can't do. The employees are very conscientious and hard working. The plant operator Mr. Carnevale takes pride in keeping everything looking esthetically pleasing. He did not cut the bushes to be malicious he wanted it to look good.

Jake Swingly, Superintendent of Public Works suggested remedies such as a new fence which would be costly, or slates for the chain link fence and also mentioned planting climbing ivy along the fence which would aid as a wind buffer and smell nice.

Polly Conn – 610 Webster Road – Stated to the Board she has a signed petition from the neighbors in the area.

Mayor Cahill asked her to bring copies of the petition to the Village Hall.

Peter Elder – 59 Dunning Avenue – Questioned the Board and asked if it was possible for composting to be done at the Village well fields.

Jake Swingly said it is possible but it would be expensive due to the trucking costs and extra time that would be involved. Mr. Swingly also said there are homes in the well field area as well.

Mr. Elder continued and made comment to the Board regarding Supervisor Nesbitt and Mayor Cahill wanting to end Public Comment in the Village Board meetings. Mr. Elder believes public comments should not be curtailed or restricted from the meetings because it would infringe on first amendment rights and impede free speech.

Mayor Cahill replied and said the Village Board meetings are to conduct Board business and if it is decided to put the public portion of the meeting at the end it would not be impeding or infringing on first amendment rights. Mayor Cahill said the Board would afford the public the opportunity to speak. The Board does not legally have to do that but we would not take that away. Mayor Cahill said the Board may move that agenda item to the end of the meeting but would never say to the public that they could only speak about or limit speech to agenda items. The Mayor said the Board has never done that and we will not do that.

Eric Reynolds – 64 Kircher Park – Commented to the Board in regards to Supervisor Nesbitt's commentary from the Village Board meeting on October 22, 2015. Mr. Reynolds stated his rebuttal to several of Supervisor Nesbitt's points.

Supervisor Ronald Nesbitt – Webster Town, 1000 Ridge Road – Reviewed with the Board and said he would like to set the record straight because Mr. Reynold's made a statement at the Village Board meeting on September 24, 2015 regarding a conversation between Mayor Cahill and myself concerning the Town taking over the effluent of the Village waste water treatment plant on a full time basis which is not true. The conversation never happened.

Village Board Business

Motion Trustee Byerts and Seconded by Trustee Lancy to approve the Village Board minutes of October 22, 2015, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Byerts to approve the Village Board Workshop Minutes of November 3, 2015, with the correction of the word “south” tank, all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Lancy to accept claims totaling: General - \$58,387.60 and Trust & Agency - \$3,394.26, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Byerts to authorize payment to Lu Engineers in the amount of \$3,913.45 for professional services rendered in September 2015 related to the North Avenue Project to be paid out of the North Avenue Reserve Account, all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Lancy to authorize payment to Marathon Engineers in the amount of \$3,700.00 for professional services rendered in August and September 2015 related to the West Main Street Culvert Project to be paid out of the West Main Street Culvert Project Reserve account, all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Lancy to authorize Krystina Lizak, Treasurer to switch the HSA banks from HSA Bank to ESL, the new bank through which the Village will fund employee Health Savings Accounts on January 2, 2016 because no bank fees are involved, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Byerts to approve a onetime additional one week of vacation for Josette Amalfi, Village Clerk and Krystina Lizak, Treasurer, Vote on motion; Trustee Lancy- Aye, Trustee Byerts – Aye, Mayor Cahill – Nay, motion did not pass for lack of quorum.

SEQR Type II action determination was declared by Mayor Cahill for the West Main Street Culvert Replacement Phase II.

Motion Trustee Byerts and Seconded by Trustee Lancy to authorize Mayor Cahill to sign the Community Development Block Grant for the Main Street Culvert Replacement Phase II, all were in favor and carried.

Attorney

No Report.

Office

Josette Amalfi, Village Clerk said the Veteran Day Luncheon on November 11, 2015 held at the Village Hall was a great success. She thanked Greg Cody of Brimont Bistro for the delicious meal. She also said a special thank you to all the employees and volunteers who helped make it a wonderful event; Trustee Byerts and his granddaughter Chloe Byerts, Jake Swingly and his wife

Ann and their sons Evan and Kyle Swingly, Owen Flowerday, Will Barham, Krystina Lizak and her nephew Evan Anderson and Jo O'Neill.

Jake Swingly, Superintendent of Public Works reviewed with the Board the Comp and Overtime Report for October 2015 with no questions.

The budget transfers and modifications needed clarification and were postponed until the next Village Board Meeting on November 24, 2015.

Department of Public Works

Mayor Cahill commended Jake Swingly and his crew for the great job they are doing with leaf pick up in the Village. The Mayor also said he appreciated their efforts for coming in on Wednesday November 11, 2015 and working vigorously to get the job done.

Jake Swingly, Superintendent of Public Works said it is easier to pick up the leaves before they become frozen. He said they hope to get the job done by next week. He encouraged everyone to rake the leaves to the edge of the street and keep them out of the gutters.

Mr. Swingly said the NYS DOT is now replacing street signs and they have already had to reprint some of the new signs because a few of the street names were misspelled but other than that the project has been great.

Mayor Cahill said he is extremely impressed with the NYS DOT project and the manner in which it was conducted. He said he is pleased with the personnel at the DOT and their professionalism. He said the DOT meeting that was held in the beginning of the project was very informative and open to the public. The meeting was well received with plan changes and suggestions. Mayor Cahill said the DOT has done a lot of work this summer they put in sidewalks, new gutters, mill and paved all of Main Street, North Avenue and South Avenue. He said the outcome is amazing and thanked the residents, business owners and visitors for their patience with the construction project.

Mr. Swingly also stated that there will be a reduction or a credit given from the contractor for not having to purchase water because they used the Village water and did not charge the DOT for it.

He also said there will be a credit on the fuel bill from the school in the amount of about three thousand dollars because the gas prices were not adjusted on the bills. He said he checked the amount of gallons and the day of the week but he did not review the fluctuation in the gas prices.

Adjournment

Motion Trustee Lancy and Seconded by Mayor Cahill to adjourn the meeting at 8:53 p.m., Vote on motion; Trustee Lancy – Aye, Mayor Cahill – Aye, Trustee Byerts – Nay, board members left, thereby leaving the body with less than a quorum, effectively ending the meeting.

Josette Amalfi, Village Clerk

John J. Cahill, Mayor