

Village of Webster
Village Board Meeting
December 11, 2014

Webster Community Meeting Hall
29 South Avenue
Webster, NY 14580

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

Presentation – Mayor John Cahill and Matt Chatfield of the Webster Community Coalition for Economic Development presented to the Village Board an overview of the North Avenue Connector Project.

Mayor Cahill opened the public hearing at 7:50 p.m. on the Proposed Local Law No. 2-2014 for anyone who wanted to speak or ask questions. Seeing there was no one who offered comment Mayor Cahill closed the public hearing at 7:52 p.m.

PLEASE TAKE NOTICE that, for the purpose of adopting a codification of the local laws, ordinances and certain resolutions of the Village of Webster, said codification to be known as the “Code of the Village of Webster,” a public hearing will be held by the Board of Trustees at the Community Meeting Room, 29 South Avenue, in the Village of Webster, on the 11th day of December, 2014, at 7:45 p.m., to consider the enactment of the proposed local law described and summarized below:

PROPOSED LOCAL LAW NO. 2-2014

A LOCAL LAW TITLED “ADOPTION OF CODE” TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF WEBSTER INTO A MUNICIPAL CODE TO BE DESIGNATED THE “CODE OF THE VILLAGE OF WEBSTER”

This local law:

- (1) States the legislative intent of the Board of Trustees in adopting the Code.
- (2) Provides for the designation of the local laws, ordinances and certain resolutions of the Village of Webster as the “Code of the Village of Webster.”
- (3) Repeals local laws and ordinances of a general and permanent nature not included in the Code, except as provided.
- (4) Saves from repeal certain local laws and ordinances and designates certain matters not affected by repeal.
- (5) Retains the meaning and intent of previously adopted legislation.
- (6) Provides for the filing of a copy of the Code in the Village Clerk's office.
- (7) Provides for certain changes in or additions to the Code.

- (8) Prescribes the manner in which amendments and new legislation are to be incorporated into the Code.
- (9) Requires that Code books be kept up-to-date.
- (10) Provides for the sale of Code books by the village and the supplementation thereof.
- (11) Prohibits tampering with Code books, with offenses punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both.
- (12) Establishes severability provisions with respect to the Code generally.
- (13) Provides that the local law will be included in the Code as Chapter 1, Article I.

Copies of the local law described above and of the Code proposed for adoption thereby are on file in the office of the Village Clerk of the Village of Webster, where the same are available for public inspection during regular office hours.

PLEASE TAKE FURTHER NOTICE that all interested persons will be given an opportunity to be heard on said proposed local law at the place and time aforesaid.

NOTICE IS HEREBY GIVEN, pursuant to the requirements of the Open Meetings Law of the State of New York, that the Board of Trustees of the Village of Webster will convene in public meeting at the place and time aforesaid for the purpose of conducting a public hearing on the proposed local law described above and, as deemed advisable by said Board, taking action on the enactment of said local law.

Motion by Trustee Byerts and Seconded by Trustee Ippolito, Jr. to classify the proposed action as an Unlisted Action; all were in favor and carried.

The following resolution was offered by Trustee Balcaen and seconded by Trustee Ippolito Jr.; all were in favor and moved for adoption:

WHEREAS, the Board of Trustees of the Village of Webster has entered into a project for the codification of local laws, ordinances, certain resolutions of the Village of Webster for the purposes of increasing the effectiveness of Village governmental administration, providing for greater public awareness of and access to Village legislation and protecting the health, safety and welfare of the Village inhabitants; and

WHEREAS, a proposed local law to provide for the codification of local laws, ordinances and certain resolutions of the Village of Webster into Municipal Code to be designated the "Code of the Village of Webster" has been proposed to the Village Trustees; and

WHEREAS, a public hearing on the matter was held by the Webster Village Board on December 11, 2014 at 7:45 p.m.; and

WHEREAS, all interested persons were heard; and

WHEREAS, a short form Environmental Assessment Form for the proposed action was prepared and submitted to the Village Board and reviewed by the Village Board; and

WHEREAS, the Village Board has reviewed and discussed the short form Environmental Assessment Form; and

WHEREAS, the Village Board has considered the related long term, short term, and cumulative effects on the environment including simultaneously or subsequent actions which are likely to be undertaken as a result of this proposed action; and

WHEREAS, the Village Board has assessed the significance of likely consequences, whether they be material, substantial, large or important as a result of the proposed action; and

WHEREAS, the Village Board has considered the probability of an impact occurring, the duration of the impact, the permanency of an impact, control of an impact, local needs, local gains and objections related to the impact;

NOW THEREFORE, be it resolved:

1. The proposed action is classified as an UNLISTED ACTION under the New York State Environmental Quality Review Act.

2. Based upon all information available to the Board, it concludes that there is no potential large probability of an environmental impact occurring.

3. The Village Board of the Village of Webster determines that the proposed action to enact and adopt a Code of the Village of Webster will not have a significant adverse environmental impact and a draft Environmental Impact Statement will not be required to be prepared.

4. The Village Board further finds that the proposed action will not result in any significant environmental impacts on any of the following: land, existing air quality, noise levels, drainage flow or patterns of surface water runoff, threatened or endangered species, particular or significant wild life habitat, unthreatened or non-endangered species, migratory fish, shell fish or wild life species, agricultural land resources, esthetic, historic or other natural or cultural resources, open space and recreation, transportation, the community resources of fuel or energy supply, public health and safety, character of the existing community or neighborhood, growth, subsequent development or related activities likely to be induced by the proposed action and long term, short term, cumulative or other effects not identified by any of the above impacts.

5. The Superintendent of Public Works of the Village of Webster is to give any and all notices that may be required by the New York State Environmental Quality Review Act for this action.

The following resolution was offered by Trustee/Trustee Ippolito, Jr. and Seconded by Trustee Byerts; all were in favor and moved for adoption:

WHEREAS, a public hearing was held on the 11th day of December, 2014 by the Board of Trustees of the Village of Webster, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Village Law of the State of New York; and

WHEREAS, at said public hearing the Board of Trustees considered the enactment of proposed Local Law No. 2 of 2014 entitled “A local law to provide for the Codification of the local laws, ordinances and certain resolutions of the Village of Webster into a Municipal Code to be designated the “Code of the Village of Webster”; and

WHEREAS, all interested persons were given an opportunity to be heard with respect to the enactment of said local law; and

WHEREAS, it is in the public interest to enact the proposed local law; and

WHEREAS, the Village Board has determined that this action will not have any significant impact upon the environment;

NOW THEREFORE, be it resolved:

1. Local Law No. 2 of 2014 be enacted as follows:
(copy of Local Law attached)
2. This local law shall take effect immediately.

Public Comments

Richard Walter – 20 Elm Street – Directed his question to Attorney Don White and made comment on the order of the Public Hearing portion of the meeting being opened and closed by Mayor Cahill without anyone coming forward to speak and then the Proposed Law was read. Mr. Walter felt the order should have been the Proposed Law read first and then the floor open to comments because perhaps someone did not know the details of the Proposed Law.

Attorney White disagreed and said the order was correct because the Proposed Local Law was already published in the Webster Herald and notice was given for anyone interested that a copy could be obtained at the Clerk’s Office at the Village Hall in Webster.

Village Board Business

Motion Trustee Ippolito, Jr. and Seconded by Trustee Balcaen to approve the Village Board Meeting minutes of November 25, 2014; all were in favor and carried.

Motion Trustee Ippolito, Jr. and Seconded by Trustee Byerts to approve the Village Board Workshop minutes of December 2, 2014, and Trustee Balcaen abstained; all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Balcaen to accept claims totaling: General - \$16,780.88 and Trust & Agency - \$672.34; all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Ippolito, Jr. to authorize Mayor Cahill to sign the revised version (see terms and conditions #8) of the Shared Service Agreement for waste hauling between the Village of Webster and Nor-Web Inc., having a business office at 205 North Avenue; all were in favor and carried

Tabled Matter- Authorization for Mayor Cahill to sign the contract with North Shore Solutions for the website software, hosting and set up. More information was requested by the Village Board and the matter was tabled until December 23, 2014.

Attorney

No report.

Office

Motion Trustee Ippolito Jr. and Seconded by Trustee Byerts to approve the Financial Statements for October 2014; all were in favor and carried.

Jake Swingly, Superintendent of Public Works reviewed with the Village Board of Trustees the Comp Time and Overtime Report for November 2014 with no objections.

Department of Public Works

Mayor Cahill made comment that Jake Swingly and Fritz Hamel were interviewed on WHEC TV Channel 10 for the great job the Public Works Crew did snow plowing and keeping up with recent snow storm. Mayor Cahill commended Jake Swingly and his crew for a terrific job during the storm.

Jake Swingly, Superintendent of Public Works, reviewed with the Board and gave a few reminders to Village residents now that leaf and brush pick up are over and winter is upon us. He said do not shovel snow from your driveway onto the sidewalks or across the roads.

Call In

Jodi Byerts – 36 Elm Street – Commented to the Village Board regarding the possible Workshop Agenda's being published in the Webster Herald and suggested that if the workshops would be open to public discussion then they should also be televised so the public could keep informed on what is occurring in the workshops just like the Board Meetings are televised.

Mayor Cahill said he feels the Village Board has an obligation to publish the Workshop Agenda's so the public is aware of the agenda items in the same way as the other meeting agenda's are published.

Jack DeWolff – 249 Dunning Avenue – Commented to the Village Board regarding the possible publishing of the Workshop Agenda and said the Town of Webster does publish their Workshop Agenda and it says “Subject to Change” in the Webster Herald so the Village should also do the same.

Attorney Don White said the only problem he foresees is that the Town workshops are on a Thursday and the Village workshops are on Tuesday so the timing would be the issue. The Village agenda would be due to the Webster Herald 10 days prior to the actual workshop meeting.

Adjournment

Motion Trustee Balcaen and Seconded by Trustee Byerts to adjourn the meeting at 8:49 pm; all were in favor and carried.

Josette Amalfi, Village Clerk

John J. Cahill, Mayor