

Village of Webster
Village Board Meeting
January 12, 2017

Webster Community Meeting Hall
29 South Avenue
Webster, NY 14580

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

Public Comments

Peter Elder – 59 Dunning Avenue – Questioned the Board as to why the Village Board Minutes from October 27, 2016 through December 8, 2016 were published in the Webster Herald. Mr. Elder wanted to know who authorized the printing and how much the Herald will charge the Village for the two page spread. He continued and said although the Herald mentions “incongruity” regarding timely provisions he refuted and said it is odd because minutes and recordings are posted on the Village website in a timely manner. Mr. Elder reminded everyone recordings of the Village Meetings are also uploaded on YouTube.

Eric Reynolds – 64 Kircher Park – Commented to the Board in regards to the rezoning of Brittney Woods Development on the corner of Phillips Road and Ridge Road. Mr. Reynolds said the property is listed as open space in the comprehensive plan. He believes the Board would have more authority over the area if they leave it zoned PUD (Planned Unit Development) as opposed to changing it to RM (Residential). Mr. Reynolds also questioned the appointment of Sheri Licata to the Planning Board by the Mayor without “Board approval”. He believes the appointment should be put to a vote. Attorney White responded and said the law provides that her appointment to the Planning Board is not subject to Board Approval.

Richard Walter – 20 Elm Street – Noted to the Board for clarification from the last meeting and said he asked the Board to do a BAN or Bond Anticipation Note concerning the payment for the new Cell Tower he did not ask for a Bond Issue. Mr. Walter explained Mayor Cahill misunderstood him and the information supplied did not pertain to the subject. Mr. Walter also asked what is being done in regards to solar energy at the well fields?

Village Board Business

Motion Trustee Balcaen and Seconded by Trustee Byerts to approve the Village Board Meeting Minutes of December 22, 2016, Vote on Motion: Trustee Balcaen – Aye, Trustee Byerts – Aye, Mayor Cahill – Aye, Trustee Lancy – Abstain, motion carried.

Motion Trustee Lancy and Seconded by Trustee Byerts to approve the Village Board Workshop Minutes of January 3, 2017, all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Lancy to accept the claims totaling: General – \$54,736.42, Sewer – \$18,194.17, and Trust & Agency – \$1,196.62, all were in favor and carried.

The following resolution was offered by Mayor Cahill and Seconded by Trustee Byerts and moved for its adoption:

WHEREAS, pursuant to New York Village Law sections 7-702 and 7-706, the Board of Trustees is empowered to adopt and amend the zoning ordinance and to include a map adopted in connection with such amendment; and

WHEREAS, the Board has been presented with and has introduced a draft Local Law titled "A Local Law to Amend the Zoning Map to rezone two parcels of land from PUD (Planned Unit Development) to Residential RM," with respect to certain lands located at 1419 Ridge Road, Webster, New York; and

WHEREAS, a public hearing is required with respect to said proposed local law and zoning map amendment;

NOW THEREFORE, be it resolved:

1. Pursuant to Section 20 of the Municipal Home Rule Law of the State of New York and Village Law section 7-706 of the State of New York, a public hearing on said proposed Local Law No. 1 of 2017 shall be held on the 9th day of February, 2017, at 7:30 p.m. at the Community Meeting Hall, 29 South Avenue, Webster, New York 14580, and that notice of the time and place of such hearing describing in general terms the proposed amended Local Law be published once on or before the 26th day of January, 2017, in the Webster Herald, the official newspaper of the Village of Webster and a newspaper of general circulation of said Village of Webster.

The following resolution was offered by Trustee Balcaen and Seconded by Trustee Lancy and moved for its adoption:

WHEREAS, Mark VanEpps and Brittany Wood Townhomes LLC has requested the rezoning of a 13.4-acre site located at 1419 Ridge Road, within the Village of Webster, Monroe County, State of New York to facilitate the development of single and two-story multi-family townhouses of up to eighty (80) units; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617, the Board of Trustees of the Village of Webster intends to serve as lead agency for the State Environmental Quality Review Act (SEQRA) review of this unlisted action, and, in that capacity, will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, the lead agency will undertake a coordinated review of this action;

NOW THEREFORE, be it resolved:

1. The Village of Webster Board of Trustees hereby designates its intention to serve as lead agency for the SEQRA coordinated review of this unlisted action and will circulate a lead agency notice, the application for rezoning and a long form environmental assessment form to all involved and interested agencies who shall then have thirty (30) days from the mailing of the lead agency notice to object to the Board of Trustees lead agency designation.

Motion Trustee Lancy and Seconded by Trustee Byerts to designate Chris Krawiec as Chairperson to the Planning Board for a term ending July 3, 2017 to fulfill the term of Peter Adams, who resigned, all were in favor and carried.

Appointment of Sherri Licata to the Planning Board for a term ending July 3, 2017, to fulfill the term of Peter Adams, who resigned.

Mayor Cahill discussed the response from Town Supervisor Nesbitt to Trustee Byerts letter in regards to Cable Access Television. Mayor Cahill said he believes the Village Board and the Town should come to an agreement and work out a new contract so the Village Meetings can be viewed once again on cable access television.

Trustee Byerts explained, he had not opened the letter which was sent by Supervisor Nesbitt but learned of it after reading the information sent to him by Mayor Cahill. Trustee Byerts believes the initial issues have still not been completely addressed by Supervisor Nesbitt regarding Cable Access Television. He said he asked for clarification on what the percent was that the Village should be reimbursing the Town which cannot be 11.9% year after year.

Attorney White agreed with Trustee Byerts and said there are two separate issues. What is the actual cost of broadcasting the Village Board Meetings and what is the actual percent the Village should be reimbursing the Town which should be a different percent every year. Attorney White also made mention of franchise fees and questioned how they would play a part in this. He also discussed the 1986 contract between the Village of Webster and the Town of Webster. Attorney White said, "I think there is an argument that it still is a valid contract"

The discussion ended with the need for more information from the Town.

Attorney

No Report.

Office

The Comp and Overtime Report for December 2016 was not reviewed due to the absence of Jake Swingly, Superintendent of Public Works.

Executive Session – Cancelled.

Adjournment

Motion Trustee Balcaen and Seconded by Trustee Lancy to adjourn the meeting at 8:22 p.m., all were in favor and carried.

Josette Amalfi, Village Clerk

John J. Cahill, Mayor