

Village of Webster
Village Board Meeting
May 9, 2013

Webster Community Meeting Hall
29 South Avenue
Webster, NY 14580

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

Public Comment

Donna Rickard – 68 Lapham Park – Questioned the Board regarding the surplus Farmers Market items, which she felt the Board had indicated would be donated to the Farmers Market. Ms. Rickard commented that the Market felt the items would not be able to be used for another Market since the Joe Obbie’s name appeared on the items.

Peter Elder – 59 Dunning Avenue – Very Quickly, a couple weeks ago I FOILED some information from the Village regarding correspondence between you and the Monroe County Water Authority and the email, I would like to point out to you, which I have copies here if the Board has not seen them. Is from Richard Metzger sent on Friday, May 3, 2013 at 8:51 am it was to you and the subject was Water South Avenue Elevated Storage tanks. The sentence that caught my attention that I want to bring to your attention all of you was the one where it says MCWA and the Village are in the process of negotiating the final details of a retail lease agreement. Well I contrasted that email against minutes from May 9 last meeting, where it said Mayor Cahill discussed with the Board and Public the status of the negotiations with the Monroe County Water Authority he informed everyone that no real negotiations have begun at this point. So there seems to be dichotomy there. On one hand it says the final details of the negotiation are occurring and the other it says no real negotiations have begun. I am just wondering which one is actually the truth.

Mayor Cahill commented he would review that email but Trustee Byerts and I were both in the meeting with Monroe County Water Authority and we have no draft retail lease agreement in our possession at this time so there may be an inaccuracy in the email, I am not going to attest to that until I actually read what you are speaking about for its accuracy.

Peter Elder – That’s fine, that’s fair and if you like this is the actual email. Thank you very much.

Trustee Lancy – Read correspondence from village resident, Joyce Lehman 262 South Avenue, regarding her concerns for the switch over to Monroe County Water Authority.

Village Board Business

Marsha Naukam, Village Band Manager and Tom Indiano, Village Band Director – Spoke to the Board and public regarding the history of the Village band. The band formed in 1962 with a dozen members and currently has about 67 members; they are currently the longest running community band. They currently conduct 8-10 concerts a year, conducting most of them at Harmony Park at the Village Band Shell. The Village Website and Bulletin Board will display the current 2013 band concert schedule as soon as it is made available.

Will Barham – Code Enforcement Officer – reviewed with the Board his monthly report for April 2013. In addition he informed the Board the grant received for water line would be able to be used for another project to benefit the Village.

Mayor Cahill questioned Barham on his thoughts related to the dumpster law and he felt that the law was difficult to enforce and felt it was overbearing on developers. Mayor Cahill requested the Dumpster Law be placed on the next workshop agenda for further Board discussion.

Mayor Cahill thanked Mr. Guck owner of the Junk Yard at 131 Donovan Street, for his willingness to clean up the property and work with the Code Enforcement office to apply for the Junk Yard permit for the facility. Mr. Guck indicated he would be willing to put up the appropriate fences and meet with the Board on working out the issues related to the property. Mayor Cahill requested the item be placed on the workshop agenda.

Motion Trustee Ippolito Jr. and Seconded by Trustee Byerts to hold a public hearing for a Junk Yard permit for 131 Donovan Street, Webster, NY, all were in favor and carried.

Motion Trustee Byerts and Seconded by Trustee Ippolito Jr. to approve the Village Board minutes of May 9, 2013, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Byerts after personal review of claims by Trustee Lancy and Trustee Byerts to accept claims totaling: General - \$36,172.11, Water - \$19,576.65, Trust & Agency - \$4,913.68 and Prepaid - \$880.48, all were in favor and carried.

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

WHEREAS, the Village Board of Trustees has the authority pursuant to Election Law §15-104(1)(c) to authorize that Village elections shall be conducted by the County Board of Elections rather than by the Village; and

WHEREAS, it has been determined that it is more efficient and financially advantageous for the Village to have all future Village elections conducted by the Monroe County Board of Elections; and

WHEREAS, it is in the public interest that the Monroe County Board of Elections conduct all future Village elections;

NOW THEREFORE, be it RESOLVED:

1. Village elections shall be conducted by the Monroe County Board of Elections.
2. This Resolution shall be subject to a permissive referendum as provided for in Article 9 of the Village Law.

3. This Resolution shall take effect as provided for in subparagraph 1(c) of Section 15-104 of the Election Law.

The Board discussed the possible changing of the Election date from March to either June or November when the general elections are conducted, it was decided that they would continue the discussion at the next workshop meeting on June 4, 2013.

Motion Trustee Lancy and Seconded by Trustee Balcaen to schedule a public hearing on June 13, 2013 at 7:45 pm to consider a local law #1 on titled "Nepotism", all were in favor and carried.

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

WHEREAS, pursuant to General Municipal Law §6-h, the Village of Webster maintains in the Water Fund a reserve fund for payment of bonded indebtedness ("Water Debt Reserve Fund"); and

WHEREAS, the first interest payment on the Water Fund's portion of the \$1,300,000 serial bond was made on March 15, 2013 in the amount of \$3,004.17 from Water unreserved operating funds; and

WHEREAS, the foregoing interest payment is more appropriately made out of the Water Debt Reserve Fund; and

WHEREAS, a total expenditure of \$26,237.50 from the Water Debt Reserve Fund was included in the 2013-2014 adopted budget for the Village of Webster for payment of the Water Fund's portion of the \$1,300,000 serial bond; and

WHEREAS, General Municipal Law §6-h (5) provides that an expenditure from a debt reserve fund may only be made by appropriation pursuant to a resolution of the governing Board of the Village;

NOW THEREFORE, be it resolved:

1. The Treasurer of the Village of Webster is hereby authorized to retroactively appropriate and expend from the Water Debt Reserve Fund the sum of \$3,004.17 to be used to make the payment due on March 15, 2013 for interest on bonded indebtedness attributable to the water system of the Village of Webster.
2. The Treasurer of the Village of Webster is further authorized to appropriate and expend from the Water Debt Reserve Fund the following sums at on or about the following dates to be used for the Water Fund's share of the \$1,300,000 serial bond:

\$20,000 on September 15, 2013 for principal payment;
\$3,218.75 on September 15, 2013 for interest payment;
\$3,018.75 on March 15, 2014 for interest payment.

Motion Trustee Ippolito Jr. and Seconded by Trustee Balcaen to appoint Jodi Byerts, 36 Elm Street, to the Parks and Recreation Committee, All were in favor except Trustee Byerts who abstained.

Mayor Cahill informed the Board and public, the Webster Police Department would be placing a radar sign and speed zone on the West side of the Village. In addition, Mayor Cahill discussed having transition signs at the entrance of the Village to indicate the speed zone to help control traffic.

Mayor Cahill informed the public and Board, the online Board meetings for 2011 and 2012 were back on the Village website for their use. Village Clerk, Dorothea M. Ciccarelli requested the Board at a future develop a policy for the removal of older meetings on the Website. The Mayor indicated they would review the idea of a policy in the future.

Attorney

Mayor Cahill requested the Attorney do a letter to the State Comptroller related to the Village picking up Brush for Town residents, and being able to charge the residents for the service. He felt since the Village currently passes directly by their homes we might be able to provide the service.

Office

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. to approve the Tax Warrant for 2013/2014 totaling \$633,670.12, all were in favor and carried.

Motion Trustee Lancy, Seconded by Trustee Ippolito Jr. to approve the April 2013 Financial Statements for General (01) and Water Fund (02), all were in favor and carried.

Motion Trustee Byerts, Seconded by Trustee Ippolito Jr. and all were in favor to approve the following budget transfers:

| | | |
|----------------|-----------------------|-----------|
| From: | | |
| 01-08-8140-401 | DI Repairs | 10,000.00 |
| To: | | |
| 01-02-1910-409 | Fixed Asset Appraisal | 10,000.00 |

Reason: Want to contract with fixed asset appraiser by fiscal year end

| | | |
|----------------|------------------------|-----------|
| From: | | |
| 02-24-8340-400 | Engineering | 8,700.00 |
| 02-24-8340-406 | Meters-Purchase/Repair | 3,000.00 |
| 02-24-8340-422 | Paint | 300.00 |
| To: | | |
| 02-21-1910-409 | Fixed Asset Appraisal | 12,000.00 |

Reason: Want to contract with fixed asset appraiser by fiscal year end

| | | |
|----------------|------------------------|----------|
| From: | | |
| 01-08-8140-401 | DI Repairs | 9,584.45 |
| 01-08-8230-401 | Paint/Tools | 262.42 |
| To: | | |
| 01-09-9060-800 | Group Health Insurance | 9,846.87 |

Reason: Underestimated group health insurance

Motion Trustee Balcaen, Seconded by Trustee Lancy to authorize the Village Clerk to sign the amended Time Warner contract, all were in favor and carried.

Department of Public Works

Motion Trustee Byerts, Seconded by Trustee Ippolito Jr. to authorize Mayor to sign the amended water agreement with the Town of Webster and Monroe County Water Authority for 819 Ridge Road, all were in favor and carried.

Superintendent Swingly informed the Board of the following results of the items sent to auction:

| | |
|--------------------------|--------------|
| 1988 Water Hauling Truck | \$ 6,500.00 |
| 2000 Elgin Sweeper | 7,500.00 |
| 3- point hitch generator | 650.00 |
| Total | \$ 14,650.00 |

The Village will receive a check for \$ 13,185.00 after paying 10 % commission.

Mayor Cahill read correspondence received from Peter Elder related to his interest in the Farmers' Market items declared as surplus. It was decided to conduct an auction for the items prior to the workshop meeting on June 4, 2013 at 6:30 pm.

Motion Trustee Ippolito Jr., Seconded by Trustee Balcaen to conduct an auction on June 4, 2013 at 6:30 pm for the Farmers' Market Surplus items at the Webster Community Meeting Hall, all were in favor and carried.

Superintendent Swingly questioned if the Board was ready to proceed in fulfilling the summer help positions, the Mayor requested the item be handled at a future Board meeting.

The Superintendent thanked Cub Scout Pack 108 for their service to the Community on Earth Day by Cleaning up the Veterans Memorial Park.

The Superintendent informed the public, brush pickup would begin on June 3, 2013 and suggested residents place all their brush out on the weekend before, so they would not miss the pickup.

Water Department

Motion Trustee Lancy, Seconded by Trustee Byerts to authorize Fred Holley to attend the Finger Lakes Water Works Conference Spring workshop for a cost not to exceed \$24.00, all were in favor and carried.

Call In

Resident – Called in regarding the condition of Krieger Road.

Resident – Called in regarding the Farmers Market Surplus auction.

Adjournment

Motion Trustee Byerts and Seconded by Trustee Balcaen to adjourn the meeting at 9:58 pm, all were in favor and carried.

Dorothea M. Ciccarelli, Village Clerk

John J. Cahill, Mayor