

Village of Webster  
Village Workshop Meeting  
April 30, 2013

Webster Community Meeting Hall  
29 South Avenue  
Webster, NY 14580

Present: Mayor Cahill, Trustee Byerts, Trustee Ippolito Jr., Trustee Balcaen, Trustee Lancy

## Village Board Business

Mayor Cahill informed the Board and the public that he is unhappy with what he saw at the junk yard on Donovan Street. He is unhappy with the appearance, lack of fencing, that it has been in this condition for years, and there is nothing in the property's file. He called the DEC. The DEC did a site visit and will be contacting the owner. Mayor Cahill also requested that Code Enforcement Officer, Will Barham draft a letter to the property owner, but not to send out until it gets approved by the Village Board and Attorney. Mayor Cahill thinks Mr. Barham should include General Municipal Law Section 136, Paragraph 13 in the letter. Mayor Cahill does not think that preexisting, nonconforming junkyards can be grandfathered in.

The Board discussed how they believe there is a lack of code enforcement in the Village, and they do not know how the Code Enforcement Officer goes about his job. Mayor Cahill said that he and Trustee Byerts met with Mr. Barham and requested that he provide Mayor Cahill and the Board with a weekly planner for structure and accountability. Mayor Cahill said that he does not believe in reactive, but instead proactive code enforcement. The Board does not think that the Code Enforcement Officer needs a name attached to a complaint in order to look into a possible code violation.

The Board wondered why the Code Enforcement Officer position gets paid hourly rather than salary. They said this is the only position that does not fall into the category of union or salary. Treasurer, Jamie Allman mentioned that Attorney Don White and Former Mayor, Peter Elder met with a Federal Labor Investigator a year ago to discuss the basis of pay for different positions. Mayor Cahill is going to ask Attorney White about the results of that meeting.

A brief discussion was had on 9 West Main Street. The Board discussed how Mr. Barham took a direction they did not want him to take in regards to this property, how there is a commitment letter in the property's file, and all the rest is hearsay if it is not documented in the property's file.

The Board discussed revising the nepotism policy (#6-4). Trustee Byerts thinks this policy should be geared towards elected and supervisory positions. However, he said there may be exceptions. One exception would be if the position is open to civil service, then relatives should be able to apply, because hire would be based on qualifications. The Board is going to request that Attorney White draft a law on nepotism to this effect, similar to the one that was enacted in Brookhaven.

The Board would like an "Employment Opportunities" link on the Village's website.

Mayor Cahill asked why Clerk II, Carol Moranz, who is in charge of IT, does not work on the Village's website. Superintendent, Jake Swingly and Treasurer, Jamie Allman explained to the Board that the Village has two websites-one being the main website and the other being the meeting website. It was explained that Clerk II, Ann Marie Champagne updates the main website, because

she works closest with events and water, and Carol Moranz updates the meeting website, because she works closest with meetings.

In reference to Board member conduct at Board meetings, Mayor Cahill let the Trustees know he believes debate and discussion among Board members is a good thing and wants them to feel comfortable to respectfully disagree when they choose to. All of the Board members agreed they should conduct themselves professionally, and that includes not using any profanity.

Discussion was had on the Incentive Zoning Law. Sean Miller from the Zoning Board was in the audience and approached the Board. He helped create the law and was able to provide the Board with examples of when other municipalities used incentive zoning. He also told the Board, why repeal the law when all you have to do is not agree on the incentives for the project? Mayor Cahill said that he does not like how the law gives too much power to the Village Board. Trustee Lancy further clarified that it is not the Village Board's role to agree to the plan, but instead the incentives. Mr. Miller discussed how the Town of Brighton has a Joint Committee on Incentive Zoning comprised of a member from each Board and a resident representative. The Board thinks having a Joint Committee is a good idea. Mr. Miller suggested that the Board talk to the Town of Brighton and the Village of Fairport. Mayor Cahill is going to contact Fritz May, Mayor of Fairport, to get a copy of their Incentive Zoning Law and have a discussion about when it was used. Trustee Byerts thinks the Incentive Zoning Law adds value and does not think the Board should repeal the law. Lastly, Mayor Cahill is going to talk to Attorney White about fixing the numbering within the Village's current Incentive Zoning Law.

The Board continued its discussion on the cable TV franchise agreement from the last Board meeting on April 25, 2013. It was noted how the last agreement expired in 2010 and that the 2013-2014 budget calls for the Village to collect 5% in cable TV franchise fees not 3% per the expired agreement. The Board asked Treasurer, Jamie Allman to contact other municipalities to see what percent they collect. Since Trustee Lancy is the Cable Channel 12 liaison, she was asked to head the renegotiations with the Time Warner. The Board also decided to solicit a consultant free of charge from the Public Service Commission to help with the renegotiations as was recommended by Attorney White at the last Board meeting.

Mayor Cahill went back to discussing the junk yard on Donovan Street. The Board read various pages from a State publication entitled "Controlling Junk" and discussed State law versus Village law. It was again decided that the letter Mr. Barham drafted not go out until Attorney White reviews it. Mr. Miller mentioned that there is going to be a Joint Zoning and Planning Board meeting on May 16, 2013 and recommended that the Village Board bring the issues with this property up then. The Board agreed and asked that the letter Mr. Barham drafted be sent to Peter Adams and Mark Nicholson, Chairmen of the Planning and Zoning Boards, respectively.

Superintendent Swingly discussed his findings in regards to the Department of Transportation's (DOT) new application for use of State highways that he learned about from Mayor Cahill. Superintendent Swingly discussed the road closure form that the Village has in existence and how he thinks that the small scope of the Village does not warrant DOT involvement. Superintendent Swingly is going to draft a letter to send to the DOT, Senator Nozzolio, and Assemblyman Mark Johns to this effect.

Superintendent Swingly informed Trustee Ippolito Jr., liaison, of a Fire Counsel meeting on May 1, 2013.

Mr. Miller added that only the Zoning Board needs to be involved in the junk yard on Donovan Street. Mayor Cahill followed by saying that he would like more people involved.

## Adjournment

Motion by Trustee Balcaen and Seconded by Trustee Ippolito Jr. to adjourn the meeting at 8:58 pm, all were in favor and carried.

Respectively submitted,

Jamie Allman  
Deputy Village Clerk