

Village of Webster
Village Workshop Meeting
May 3, 2016

Webster Community Meeting Hall
29 South Avenue
Webster, NY 14580

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

Village Board Business

Trustee Byerts opened the meeting with a discussion in regards to Public Hearings and the allotted lead time before the members of the Village Board should vote on a item in order to take into consideration the residents ideas and concerns. Trustee Byerts said he voiced his opinion in a letter to the editor of the Herald regarding this issue. Trustee Byerts said in June of 2014 the Village Board had a Public Hearing to amend the incentive zoning application of the Morgan Project in the amount of \$175 thousand dollars. He said the same night the Board did vote and approved a resolution for the amended incentive. In June of 2015 the Board had a Public Hearing on the term of office for the Deputy Clerk and Treasurer and the public was invited to speak in regards to the length of term being one year or two years. The Board immediately followed up with a resolution to approve the term of office for the Deputy Clerk and Treasurer. Trustee Byerts said the third example was the most recent with the public hearing on the sanitary sewer rent and the adoption of the local law immediately following without comment from the Board of anybody who said anything in terms of all the people that were here.

Trustee Lancy said in regards to that public hearing the place was full and for the record she said she was embarrassed to be part of it.

Trustee Ippolito said he is 100% in agreement with not making a decision on the same night as the public hearing. He stated as a Board we cannot sit up here and then on the night of the vote say we are embarrassed or upset or we do not want to make a decision because we did talk about it.

Trustee Byerts said he was in favor of the sewer fee and he wrote the letter to the Herald because he was bothered by the amount of people that came to express themselves and the Board did not respond to anyone. Trustee Byerts said one thing that was not brought up specifically to him was the idea that people in the public meeting were willing to have their tax rate raised like in 2002 because the tax can be written off on taxes. He said the drawback to that is it has to go into the general fund and it cannot go into the sewer fund.

Trustee Ippolito said we did talk about all the issues and the fact of raising taxes but no one on the Board jumped at that idea.

Jake Swingly, Superintendent of Public Works, said it seemed obvious from the audience point of view that everything was already decided on because of how the budget presentation was that followed. Mr. Swingly said Krystina Lizak, Treasurer had to create two presentations and she was prepared to present both views based on the outcome of the vote for the sewer fee. Mr. Swingly said we were all up against a time crunch and we should have started this sewer fee issue much earlier in

the budget year. He said there are timeframes when you have to pass a budget but this is not locked in and if there is a better way the Board can change it in the future.

Trustee Byerts said we are here to discuss whether we should have a public hearing and then lead time before we have a vote. He said he believes all members of the Board are in consensus that if at all possible in the future when there is a need to have a public hearing that the Board will try to do that in a timely fashion so there is a period of time in between for discussion before the vote.

Trustee Ippolito said even if we take a 15 minute recess before the vote and talk about it. He said regardless you are never going to be happy with every decision that an elected official makes.

Trustee Lancy said we need to give the public time to digest and that is what we are not doing.

Trustee Ippolito said it is not like we made a quick decision. We did talk about it for a couple of months. We did get information from the Financial Advisor and the Attorney. The Public Works Superintendent gathered a lot of information and we made decisions based on the information we got.

Trustee Ippolito said he also spoke to Trustee Balcaen by phone earlier and he is also in favor of lead time before a vote.

Trustee Byerts said the next discussion is in regards to the Village Board meetings being broadcast live again on Cable Channel 12. Karen Buck, Programming Director was invited to attend the workshop meeting but she had to go to a Planning Board meeting at the Town. Karen Buck did speak to Josette Amalfi, Village Clerk and suggested the Village come up with a plan to control the room so people do not yell and get out of hand which can lead to swearing. She suggested a written plan which could be taken to the Town for review. Ms. Buck also suggested that if people in the audience get upset the Board should ask the person to leave or the Board should take a five minute recess. She did say if there was something in writing we could possibly go live again but she did say there are no regulations or by-laws that would limit anything we do. She said it is all the FCC law.

Trustee Byerts said in response we do have something in writing already it is Policy 2-6 Meeting Conduct. He said we could update or rework it. He also said he went to the FCC website and looked up the word profanity. The website says the definition of profanity includes "language that is so grossly offensive to members of the public who actually hear it that it amounts to a nuisance." The Federal commission has historically interpreted this regulation to apply to radio and television broadcasting but never extended it to cover cable or satellite operators. He said the FCC rules and regulations according to the website do not govern Cable TV.

Trustee Ippolito said as a Board we have to be consistent with everybody who breaks the rules but if it happens again can Ms. Buck decide to take us off the air again. Trustee Byerts said he would contact Ms. Buck and give her the written policy and include statements from the FCC. It was also discussed that the contract be reviewed by the attorney. Trustee Ippolito said the live meetings have not been on the air since December perhaps we are entitled to a refund. The Board also felt another alternative would be to look into broadcasting the meetings without Cable 12. Trustee Byerts said the Village of Fairport streams their own meetings. Trustee Byerts said he will follow up on the issue.

The next discussion was in regards to the Cell Tower progress. Trustee Byerts reviewed information from Tim Connelly of AT&T which was sent in February and March. He said there was a meeting in

Webster and many principles were involved from each of the cell companies along with Will Barham and Jake Swingly. He said they discussed building a tower not more than 199 feet high to keep in regulation with the FAA and asked everyone to come back with their particular specs. Trustee Byerts said the tall water tower would stay and the small tower will go away.

Jake Swingly said he did hear from T-Mobil not specifics but they want to reinstall the current equipment on the new tower.

Trustee Byerts said they are waiting to hear from a few more companies and also need to make the decision on who will build the tower. The manufacturers so far are Nudd, Rohn, Sabre and Costich. There is also a need for soil testing and it would be up to Code Enforcement to do the SEQR process. The location of the new tower also has to be decided on. Trustee Byerts said it may be in the empty lot north of the existing tower. Another meeting will take place with all the principle companies but a date has not been confirmed.

Jake Swingly also updated the Board on a meeting with Mayor Cahill and Matt Chatfield, Executive Director of Webster Economic Development Alliance in regards to Main Street and the need for planters to be replaced and benches which need to be painted. Mr. Swingly said he hopes to add more trees to the north of Main Street.

Executive Session

Motion was made by Trustee Ippolito, Jr. and Seconded by Trustee Lancy to enter into an Executive Session at 8:02 p.m. to discuss negotiations with CSEA Union, all were in favor and carried.

Motion was made by Trustee Lancy and Seconded by Trustee Ippolito Jr. to exit from Executive Session at 9:32 p.m. all were in favor and carried.

Adjournment

Motion was made by Trustee Ippolito, Jr. and Seconded by Trustee Lancy to adjourn the meeting at 9:33 p.m. all were in favor and carried.

Josette Amalfi, Village Clerk

Darrell Byerts, Deputy Mayor