

**Regular Meeting
of the Village Board
August 8, 2016**

Attended:	John Burrell	Mayor
	Sherman Wilkens	Trustee
	Greg Cappelli	Trustee
	Joe DiPasquale	Trustee
	Harold Morton	DPW Supervisor
	Patra Lowes	Trustee
	Kathleen Moriarity	Attorney
	Mike Smith	Engineer

Attended: Nick Dobmeier, Becky Niklas, Holly Goddard, Brian McFadden, Paul and Maureen Barlow, Jennie Acklin, Kate O’Stricker, Ken Hinman, Barb Pump, Eriek Pump, Caitlin Croft, Jann Wiswell and Jessica Maynard.

Good News: HoliMont gave us a check for \$540.00 to repair the clock that they originally donated to the Village

Business from the Floor:

John Rounds spoke about returning Hughey Alley to a 2 way Alley. Mr. Rounds stated that currently the way Hughey Alley is set up is very confusing. Traffic is going both ways and includes the local police. His proposal is to go back to a two way and not create any hazards. Mr. Cappelli stated that the reason it was changed was because of perceived danger. Mr. Cappelli agrees there is a problem and maybe the speed bump would work. Maybe we appeal the law. Ms. Lowes stated that the safety issue is huge. Delivery trucks have been blocking sidewalks forcing pedestrians on to tree lawn and into streets. Enforcement is an issue. The stop sign gives the wrong idea. The board did not take this light heartedly stated Ms. Lowes.

Attorney Moriarty stated that we need to have the draft to repeal the local law and then set the public hearing.

Motion: by Mr. DiPasquale to have Ms. Moriarty draw up a draft to repeal.

Second: by Greg Cappelli Role call vote. Patra – No Sherman – No, Joey – Yes, Greg – Yes Mayor Burrell – Yes.

Planning

Nancy Rogan spoke about the Agway building and should be cleared up tomorrow. Retaining wall on the creekside has to be fixed.

22 Elizabeth Street – House sustained a substantial fire. They have been starting to work on it. The planning board has received a proposal for a garage and the public hearing is tomorrow.

46 Martha Street is adding a garage and needs to come to the planning board.

51 Mill Street is on the edge of our Village. It has been put into a minor subdivision. A duplex is allowed and in the early stages.

M & T Bank is taking over the old Quik Fill building. The specs are requiring a drive thru ATM.

Zoning updates will be worked on at 4:30 tomorrow with the Village Board and Planning Board combined.

Training on Friday in Batavia for regulating short term rentals.

Motion: to approve the planning report by Mr. Wilkens

Second: by Ms. Lowes All ayes Carried

Continued Business from the Floor

Ken Hinman, president of the trail committee spoke that the committee met at the park and talked about the trail going thru the inside of the park and not on the outside sidewalk. The committee does not want to disrupt the park in any way. An alternative plan is to stay on track and be on the outside of the tennis court and the outside of the soccer field. Mr. Hinman also spoke about the Town Board helping to continue the 5 foot sidewalk on Parkside to the Town Center. Mr. Cappelli commented that he is grateful that the Town is willing to work with us. Mayor Burrell stated that physically being there they could see flags with the right of way. There is room to widen the south side of the street. And an arborist will let us know if the fence can be moved towards the trees. We need to see how much room between the fence and the right of way. We won't know about the fence until we talk to the expert. Ms. Lowes went and watched the games last week and said everyone was enjoying sitting in the shade. Mr. Cappelli stated that we do need parking on the street and we already have tons of parking inside the park and we have been talking to Todd Palmateer about different scenarios. We don't want to hurt the trees. We should check into and look into widening the street. Ms. Lowes truly believes it should be a 5ft sidewalk constructed to ADA standards. We are required to build a sidewalk by the end of 2016. The south side of the street is full of all of the utilities. It is cheaper to tear up the street than sidewalk stated Mr. Morton.

John Rounds also spoke about a tree trimming effort to balance out Washington Street. Mayor Burrell stated we have \$6,500 in the budget and the chairman of the tree committee comes in and decides what needs to be trimmed with that money. Mayor Burrell stated that he would get a meeting organized with John Rounds and Jody Bentley.

Becky Niklas spoke about possibly putting in a sidewalk from Mill Street to McKinley Drive and also a street light at the corner. The railroad underpass is extremely dangerous. The sidewalk is a constant battle stated Mr. Morton. We will look into it for possibly next year stated Mayor Burrell.

Maureen Barlow spoke that she and her husband Paul have lived here for 39 years. Neighbors have a party on their deck 7 nights a week. Voices are from 11 till 2am. In the past she has called the sheriff dept. The other bars are contained and Madigan's is out of control. Can something be done? Mayor Burrell stated that prior to the meeting they spoke with the Town Supervisor so that he is aware of the problem. The Town police department has to enforce the laws. The complaint has to go thru the sheriff dept when it happens. We have a law and the law has to be enforced. Mr. DiPasquale stated that one of the problems is that right after the police dept leaves the noise goes up again.

Holly Goddard stated that when they stopped the live outside music earlier last fall it was definitely a step in the right direction. She thought it was a great improvement. Mayor Burrell will meet with the officer in charge and see how we can finally handle the situation.

Approve Minutes

Motion: to approve the July 11th minutes by Mr. Wilkens.

Second: by Mr. DiPasquale All ayes. Carried

Motion: to approve the Special Meeting July 26th by Mr. Wilkens.

Second: by Mr. Cappelli All ayes. Carried

Treasurers Report and Audit of Claims

General - \$138,255.46

Water - \$36,556.10

Sewer - \$224,472.14

Motion: by Mr. Wilkens to pay the Bills.

Second: by Ms. Lowes All ayes. Carried

Mayor's Report

Update document

Mercer's year-end report: Our new software will generate the year end report. Most towns and villages have the accountants do the year-end audit.

Page 5 there is a total state aid. Local fines page 5 costs of having a judge. John spoke about the expenses. Should look into deeper on the expenses and revenues.

Tomorrow afternoon we are having a joint session at 4:30 for the Village Board and Planning Board to meet about zoning changes.

Batavia Aug. 12 (Regulating short term rentals) Mayor Burrell, Ms. Moriarty and Mike Painter are planning on attending.

NYSIF Audit 5/01/16 Rates are increasing this year.

Joint fire commission minutes

Motion: by Mr. Wilkens to accept the Mayors report.

Motion: by Mr. DiPasquale All ayes. Carried

DPW Report

1. Worked on the parking lot beside the old-school
2. Watered the flowers everyday and trees.
3. Put new tires on the big dump truck.
4. The sewer truck was sent to Rochester for repairs.
5. Removed the trees on Adams Street and two on Fillmore.
6. When we picked up the sewer truck in Rochester we picked up the new turf on the way back for Washington and Monroe Streets.

Motion: by Mr. Cappelli

Second: by Mr. Wilkens All ayes. Carried

Mike Smith – Engineering Report

SPEDES Permit – Mike sent to them and they did send in April.

The leaks have been fixed. Final start-ups. Paving has been done on Trillium Way. 2 items for the planning board will be looked at on Mill St. by Nussbaumer & Clarke.

Sewer hook-ups on Mill Street at the new developement and water – questions.

Water agreement getting a grant and timing is not feasible we are looking into further.

Insurance to revalue the sewer plant will have finalized soon.

Sewer Report – Jigg’s

1. Went to training in Dunkirk for nitrification.
2. Contacted Dean O’Grady to set up wet testing for the 2nd quarter.
3. Cleaned in the garage & picked up the yard.
4. Found a leak in Cell #3 and it is taken care of at the point.
5. The new airline next to Lagoon #1 was installed by Northrup’s.
6. Landscaping is almost done.
7. The paving has been done next to the garage & on the entrance road.
8. Fixed the effluent sampler.
9. Changed the oil in all blowers.
10. Received all the stuff I need for wet testing and started sampling yesterday.
11. Poured concrete on Fillmore.
12. Stripped forms (concrete) on Fillmore.

Motion: by Wilkens to accept the reports.

Second: by Mr. DiPasquale All ayes Carried

Tom Abriatis – Code Enforcement Officer

Type of Permit	Project Description	Location	Applicant	Cost
BP-18-16	Deck	23 Martha St.	Wanda Honda	\$33.00
BP-19-16	Solar Panels	54 Martha St.	Eric Saenger	\$90.00
BP-20-16	Enclose Dumpster	54 Wash. St.	Five Star Bank	\$25.00

Motion: by Mr. Wilkens to approve the report.

Second: by Mr. Cappelli All ayes. Carried

Greg Cappelli – Parks

Mr. Cappelli reported that he had obtained costs for purchase and installation of a security system at the Village Park, which has been subject to recent vandalism. The system he recommended includes an internet-connected digital video recorder (DVR) and eight pole-mounted cameras. An additional four cameras may be advisable. The cameras would be equipped with motion sensors and infrared lights and placed strategically around the park. Activity can be monitored remotely from any computer or smart phone. An unintended, but fortunate, consequence of installing the system is that the park, or at least a large area of it, will be Wi-Fi enabled, allowing residents to use their computers while enjoying the outdoors.

Motion: to find the money from another account other than parks. By Mr. Cappelli for the security system not to excel \$2500.00

Second: by Mr. Wilkens All ayes. Carried

Tennis courts and basketball courts are finished today, they look great and the parking lot is also a great improvement.

Beautification – Joey DiPasquale

Complemented the DPW on watering and the new sod.

Sidewalks - Sherman Wilkens

Fillmore has 270 feet of new sidewalk. A nice job has been done by the DPW department with the help of the Town.

Special Events Committee

Half Marathon – additional policing for Washington and Monroe Street, everything is handled.

Stroll the streets – New event – 2 merchants of the village are co-chairing, Jessica Maynard and Kathaleen Moriarity co chairs. The event, to be held on three consecutive Fridays beginning this week (Aug. 12, 19 and 26) from 5pm until 10pm. Will invite visitors to come to the Village, enjoy activities and amusements for children, see a movie and hear music at the Gazebo and visit the shops and restaurants. Shops are being asked to stay open until 8 p.m. and participate in giveaways. The event is officially sponsored by the Chamber of Commerce, but the committee of business owners is independently doing the planning and organizing as a way to get people to come to the village a day early and stay for the entire weekend.

Motion: to approve the Marathon and Stroll applications by Mr. Wilkens.

Second: by Mr. Cappelli All ayes. Carried

Mary Klahn – Village Clerk

Williamson Law Update – First payroll has been done and successful.

Old Business

Nussbaumer & Clarke compensation request – Mike Smith sent the board a breakdown of the billing.

Motion: pay request review to go into executive by Mr. Cappelli.

Second: by Mr. Wilkens All ayes. Carried

Motion: to table for a special meeting for executive session by Mr. Cappelli.

Second: by Mr. Wilkens All ayes. Carried

Motion: to set a public hearing for Local Alarm by Mr. Wilkens.

Second: by Mr. DiPasquale All ayes. Carried

New Business

Kristina Barlow – ZBA Resignation – Need a new person. Mayor Burrell asked the board to try and find a replacement.

Job openings (Tom Abriatis, Al Tucker and Kevin Morton)

Tom Abriatis is talking about retiring on December 31st.

Al Tucker will be leaving sometime in September.

Kevin Morton will be leaving on the 5th of September. Tom Dineen is interested in getting the higher license. We can get the course from Rural Water. Much Discussion

Village Attorney Contract

Kathleen Moriarty – Agreement will charge \$150.00 per hour for all of her working hours.

Motion: by Mr. Cappelli to authorize the agreement to be signed by Mayor Burrell

Second: by Mr DiPasquale All ayes Carried 5 – 0 Vote

4 Corners – Village Park Designation

Motion: to designate the 4 corners a Village Park by Mr. Cappelli

Second: by Mr. Wilkens All ayes. Carried 5 – 0 vote

Mr. Cappelli talked about our leash law. The board asked Ms. Moriarty to review the Village's leash law, which dates from 1987. The law needs to be tightened up, revised to eliminate ambiguity and written so that it can be enforced.

Motion: for Ms. Moriarty to make an amendment to the Leash Law by Mr. Cappelli.

Second: by Mr. DiPasquale All ayes. Carried

Correspondence

ISO (insurance rating prev. 1995 5/9 to 2016 05/5xsame) - no change.

Bob Simon – Letter of resignation

Judge Rogan – Audit information – justice court system of what needs to be done.

RA Mercer – May of 2015 letter to confirm the services.

2nd letter for this year's services – Going to pay on a month to month basis.

Motion: that Mayor Burrell signs the 2015 letter with Ms. Moriarty checking into by Mr. Wilkens.

Second: by Mr. DiPasquale All ayes. Carried

Motion: to adjourn by Mr. Wilkens

Second: by Mr. Cappelli All ayes. Carried