

March 21, 2005

REGULAR MEETING: The Regular Meeting of the Village of Honeoye Falls Board of Trustees was called to order by Mayor Gustin at 7:00 p.m. with the Pledge.

TRUSTEES ATTENDING: Trustee Pavelsky, Trustee Worboys, Trustee Milne

TRUSTEE ABSENT: Trustee Alfieri

ALSO ATTENDING: Michael Tobin, Greg Emerson, Glenn Clark, Geriann Alford, Sheila Byrne, Frank Brunstetter

MINUTES: Motion by Trustee Pavelsky, seconded by Trustee Milne to approve the minutes of February 22, 2005 as presented. Motion carried.

Motion by Trustee Milne, seconded by Trustee Alfieri to approve the minutes of March 10, 2005 as presented. Motion carried.

Motion by Trustee Worboys, seconded by Trustee Milne to approve the minutes of March 16, 2005 as approved. Motion carried.

Motion by Trustee Worboys, seconded by Trustee Milne to approve the minutes of March 19, 2005 as approved. Motion carried.

ABSTRACT NO. 10: Motion by Trustee Milne, seconded by Trustee Pavelsky that upon an audit of Abstract No. 10 that approval be given for payment of the General Fund, including Sewer Fund in the amount of \$10,989.64 to include voucher PP-113 – PP-120; General Fund in the amount of \$36,165.81 to include voucher 520 – 611; Sewer Fund in the amount of \$12,671.07 to include voucher G-521 – G-551; Capital Project Fund in the amount of \$10,429.37 to include voucher CP-15 – CP-17. Motion carried.

MAYOR'S REPORT: Mayor Gustin reported that the Village website has been turned over to Maggie Emmons.

Mr. Grimaldi appeared in Village Court March 16, 2005. He pleaded not guilty and the matter was postponed until April 20, 2005.

The Historic Preservation District information has been submitted to the Planning Board for comments.

Pagers for the fire and ambulance have been ordered.

The Pre-Mitigation Plan submitted by the County has been approved by the State.

Tree City USA information has been sent to the Conservation Board for their comments and preparation of an ordinance.

The Conservation Board will have a public information meeting on April 23 at 7:00 p.m.

Jim Turner will submit a weekly report on the progress of Village Hall window restoration. Completion is scheduled for June 30, 2005.

Per the annual report submitted by Monroe County Sheriff's Department, the number of offenses in the village is down.

Mayor Gustin informed the Board that additional work will be needed on the budget.

Planning Board Member applicants will be interviewed March 24 by Mayor Gustin, Trustee Milne and Planning Board Chairman, Denise Heischman.

Ian McNabb submitted his application for Conservation Board Member.

CONSERVATION BOARD MEMBER: Motion by Trustee Milne, seconded by Trustee Pavelsky to approve Ian McNabb as a member of the Conservation Board. Motion carried.

TRUSTEES' REPORTS:

TRUSTEE MILNE: Items for report on the agenda.

TRUSTEE WORBOYS: Representatives from the Recreation Commission and Festival on the Green Committee have volunteered to serve on the Parks Committee.

TRUSTEE PAVELSKY: Trustee Pavelsky informed the Board that preliminary reports indicate the Village will receive a \$17,342 refund for worker's compensation based on claims filed. Further confirmation will be coming.

ADMINISTRATOR'S REPORT: Greg Emerson updated the Board on current projects. Village Hall AC is underway. A meeting with Southern Manor residents is March 24. Repair/replace of tile floor at ambulance facility was done by DPW staff. DPW staff serviced ambulance 5629. Greg submitted a schedule of projects for 2005. Town of Mendon forces and equipment will be used on Village projects this year.

Greg attended the Town Board meeting 2/28 and discussed ambulance operations . Frank Brunstetter volunteered to help with fire and ambulance department grant applications. New truck was ordered for sewer department. Greg is working with Mike Schaffron, LaBella Associates on the disc filter. DEC completed their annual inspection 3/18. Greg will attend the Monroe County Department of Planning and Development training 3/22 on traffic considerations. The Conservation Board will hold the open space meeting 3/23/05.

Seasonal Laborers will be interviewed.

CLERK'S REPORT: Jean Batte reported that \$10,081 will be added to the EFC Loan for Sand Filter additional filter panels from Kruger, Inc. Attorney Tobin recommended that payment be held do to the fact that the Village is in negotiations with Kruger, Inc.

The fly car will be turned over, upon receipt of payment, to Thompsonhealth prior to delivery of the new fly car.

New e-mail address for Mayor elect Milne is mayorvhf@frontiernet.net. Cell phone is ordered.

Invitations for Mayor Gustin's party have been sent.

OLD BUSINESS:

DIRECT REVENUE TO RECREATION

LAND USE FUND: Motion by Trustee Milne, seconded by Trustee Pavelsky to adopt the following resolution:

BE IT RESOLVED, that the Village of Honeoye Falls established a Recreation Land Use Reserve Fund;

THAT, pursuant to Section 161-32 of the Village Ordinance, “Land shall be reserved for park, playground, open space or other recreational purposed in locations designated on the Comprehensive Plan or elsewhere where the Planning Board deems that such reservations would be appropriate...”

“If the Planning Board determines that a suitable park or adequate size cannot be properly located in any such plat or otherwise not practical, the Planning Board pursuant to Section 7-730 of the Village Law, shall require as a condition of approval of any such plat a payment to the Village of a sum to be determined by the Village Board and set forth in a separate payment schedule, which sum shall constitute a trust fund to be used by the Village exclusively for neighborhood park, playground or recreation purposes, including acquisition of property. Such amount shall be paid to the Village Board at the time of the issuance of a building permit.”

WHEREAS, funds received for this trust fund are deposited into the Recreation Land Use Reserve Fund for purpose afore mentioned;

WHEREAS, the Board of Trustees has determined that a portion of Building Fees received for Commercial Development new construction and additions or remodeling be deposited in the Recreation Land Use Fund.

THEREFORE, the Village Clerk Treasurer is authorized to deposit a portion of monies, to be determined by the Board of Trustees, received from Commercial Development Building Fees to the Recreation Land Use Fund.

Motion carried.

MSDS SERVICE: John Klotz, HRH recommended the Material Safety Data Sheet Service (MSDS) for inventory at an annual cost of \$750.

PERSONNEL POLICY CHANGE: Table

THIRD SEASONAL LABORER: Motion by Trustee Pavelsky, seconded by Trustee Worboys to approve hiring a third seasonal laborer. Motion carried.

NEW BUSINESS:

PUBLIC HEARING

LOCAL LAW NO. 1 OF 2005

RECREATION FEE:

Motion by Trustee Milne, seconded by Trustee Pavelsky to open the Public Hearing on Local Law No. 1 of 2005, Recreation Fees at 7:30 p.m.

The public notice was read by the Clerk. There were no comments from the public.

Motion by Trustee Worboys, seconded by Trustee Pavelsky to close the public hearing at 8:20 p.m. Motion carried.

ADOPTION OF LOCAL LAW NO. 1 OF 2005: Motion by Trustee Milne, seconded by Trustee Pavelsky to adopt the following resolution:

WHEREAS, correct copies of Local Law No. 1 of 2005, Recreation Fees, were placed upon the desks of all members of the Board of Trustees of the Village of Honeoye Falls, New York, more than seven (7) calendar days, exclusive of Sunday; and

WHEREAS, there was duly published in the Sentinel, and posted upon the bulletin board, maintained by the Village Clerk of the Village of Honeoye Falls, New York, a notice of public hearing on the 21st day of March, 2005; and

WHEREAS, the said public hearing was held on the 21st day of March, 2005, at 7:30 p.m., local time, at the Village Hall, 5 East Street, Honeoye Falls, New York, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of Local Law No. 1 of 2005; and

WHEREAS, subsequent to the closing of the said public hearing and after all persons interested had been heard, the Village Board considered the adoption of Local Law No. 1 of 2005; and

WHEREAS, it was the decision of the Village Board that Local Law No. 1 of 2005, should be adopted.

NOW, on motion duly made and seconded, it was

RESOLVED, that Local Law No. 1 of 2005, be adopted by the Village Board of the Village of Honeoye Falls, New York to read as annexed hereto, and it was further

RESOLVED, that within twenty (20) days subsequent to the 21st day of March, 2005 there shall be filed with the Secretary of State one certified copy of the said Local law No. 1 of 2005.

The resolution was duly adopted.

APPLICATON FOR PEDDLER'S

SOLICITOR'S PERMIT: Aaron DeCarlo discussed with the Board his application for a permit to operate a mobile vending cart in the Village. He proposes to sell sandwiches, hots, sausages, soft drinks, etc. from 10:00– 2:00 between May and October.

Attorney Tobin commented that the application is an administrative issue. It doesn't appear it is an allowed activity in the Village. There could be an economic impact on the current businesses.

Mr. DeCarlo voiced his concern about free enterprise in the Village.

Trustee Milne added he wasn't opposed to consideration of the use, subject to interpretation of the law.

Attorney Tobin will research further.

PUBLIC HEARING

LOCAL LAW NO. 2 OF 2005

FEES – PARK, PLAYGROUNDS AND

OPEN SPACES FOR RESIDENTIAL UNITS: Motion by Trustee Worboys, seconded by Trustee Milne to open the public hearing at 7:45 p.m. Motion carried.

The public notice was read by the Clerk. There was no opposition from the public.

Motion by Trustee Worboys, seconded by Trustee Pavelsky to close the public hearing at 8:23 p.m. Motion carried.

ADOPTION OF LOCAL LAW NO. 2 OF 2005: Motion by Trustee Milne, seconded by Trustee Pavelsky to adopt the following resolution:

WHEREAS, correct copies of Local Law No. 2 of 2005, Fees – Parks, Playgrounds and Open Spaces for Residential Units were placed upon the desks of all members of the Board of Trustees of the Village of Honeoye Falls, New York, more than seven (7) calendar days, exclusive of Sunday; and

WHEREAS, there was duly published in the Sentinel, and posted upon the bulletin board, maintained by the Village Clerk of the Village of Honeoye Falls, New York, a notice of public hearing on the 21st day of March, 2005; and

WHEREAS, the said public hearing was held on the 21st day of March, 2005, at 7:45 p.m., local time, at the Village Hall, 5 East Street, Honeoye Falls, New York, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of Local Law No. 2 of 2005; and

WHEREAS, subsequent to the closing of the said public hearing and after all persons interested had been heard, the Village Board considered the adoption of Local Law No. 2 of 2005; and

WHEREAS, it was the decision of the Village Board that Local Law No. 2 of 2005, should be adopted.

NOW, on motion duly made and seconded, it was

RESOLVED, that Local Law No. 2 of 2005, be adopted by the Village Board of the Village of Honeoye Falls, New York to read as annexed hereto, and it was further

RESOLVED, that within twenty (20) days subsequent to the 21st day of March, 2005 there shall be filed with the Secretary of State one certified copy of the said Local law No. 2 of 2005.

The resolution was duly adopted.

VILLAGE PARKS USE AND

IMPROVEMENT COMMITTEE: Trustee Worboys reported that members of the Recreation Commission and Festival on the Green

Committee expressed interest in serving on the Village Parks Use and Improvement Committee.

Motion by Trustee Pavelsky, seconded by Trustee Worboys to approve formation of the Village Parks Use and Improvement Committee. Motion carried.

AGREEMENT FOR PRINTING/INSERTION OF TAX BILLS: Motion by Trustee Milne, seconded by Trustee Worboys to approve a proposal submitted by Applied Business Systems for printing and insertion of tax bills dated March 8, 2005. Motion carried.

ACS RELAY FOR LIFE IN HARRY ALLEN PARK: Motion by Trustee Pavelsky, seconded by Trustee Milne to approve use of Harry Allen Park for the American Cancer Society Relay for Life June 10 – 11, 2005. Motion carried.

FIRE EXTINGUISHERS: Motion by Trustee Milne, seconded by Trustee Pavelsky to approve the purchase of two additional fire extinguishers at the Village Hall and one additional fire extinguisher at the museum. Motion carried.

THIRD PARTY BILLING RATES: Motion by Trustee Pavelsky, seconded by Trustee Worboys to approve an increase in Third Party Billing Rates based on 2004 Average Rates, effective April 1, 2005 for claims received after April 1, 2005. Motion carried.

GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL: Motion by Trustee Milne, seconded by Trustee Pavelsky to approve attendance at the Genesee/Finger Lakes Regional Planning Council Spring 2005 Regional Local Government Workshop in Pittsford, May 13, 2005. Motion carried.

STEP CONFERENCE: Motion by Trustee Worboys, seconded by Trustee Pavelsky to approve attendance at the 11th Annual STEP EMS Conference 2005. Motion carried.

AMBULANCE MEMBER: Motion by Trustee Pavelsky, seconded by Trustee Milne to approve Benjamin Schreiber as a member of the HFMVA. Motion carried.

HFMVA VOLUNTEER INCENTIVE PROGRAM: As a result of research by Attorney Tobin, volunteers cannot be paid. A retirement program is available. The Board agreed to look at options to cover evening calls not

covered by volunteers. The use of per diem employees could be considered, offset by increased revenue from Third Party Billing. Possibly the Ambulance Corporation could offer incentives to members.

FEE SCHEDULE CHANGE

IDENTIFICATION SIGN: Geriann Alford brought to the Board's attention that new NYS Code requires that all buildings which use trusses in their design put up an identification sign. The sign is required to be put in place prior to issuance of a Certificate of Occupancy. There is a fee of \$50 due to the Village.

There is also a concern by the fire department that older buildings with trusses be identified.

Attorney Tobin recommended that the Village adopt the code amendment.

SCHEDULE PUBLIC HEARING:

IDENTIFICATION SIGN/FEE: Motion by Trustee Milne, seconded by Trustee Pavelsky to schedule a public hearing to adopt the code amendment and implement the fee of \$50 for the identification sign on April 18, 2005 at 7:30 p.m. Motion carried.

TREE TRIMMING PROPOSAL: Motion by Trustee Milne, seconded by Trustee Worboys to approve Finger Lakes Tree and Landscape, Inc. for tree pruning and removal of various street trees in the Village of Honeoye Falls at a cost not to exceed \$4,675. Motion carried.

NYSDOT PERMIT

PERM 17: Motion by Trustee Pavelsky, seconded by Trustee Milne to approve an additional insurance policy for a PERM 17 required for an application for a State of New York Department of Transportation Highway Work Permit for Non-Utility Work. Motion carried.

SCHEDULE PUBLIC HEARING

SEWER RATE INCREASE

LOCAL LAW NO. 3 OF 2005

SEWER RENT: WHEREAS, copies of Local Law No. 3 of 2005, Sewer Rental, have been delivered to all members of the Village Board of Trustees; and

WHEREAS, due consideration has been given to enactment of local law No. 3 of 2005, by members of the Village Board present; and

WHEREAS, it was the opinion of the Village Board that a Public Hearing should be held to consider enactment of Local Law No. 3 of 2005.

NOW, on motion by Trustee Worboys, and seconded by Trustee Milne, it is

RESOLVED, that a public hearing be held on the 18th day of April, 2005 at 7:45 p.m., local time, at the Village Hall, 5 East Street, Honeoye Falls, New York, to consider the enactment of Local Law No. 3 of 2005; and it is further

RESOLVED, that notice of the Public Hearing be published in the Sentinel, official newspaper for such publication, not less than ten (10) days prior to said hearing; and that notice be given and posted as provided by the laws of the State of New York.

The Resolution was duly adopted by a unanimous vote of the Board of Trustees.

MONROE COUNTY STORM WATER

COALITION MEMBERSHIP: The Board agreed not to join the Monroe County Storm Water Coalition as benefits are already being received without the \$1250 Annual Membership fee.

RESOLUTION TO HONOR HF-L SCHOOL

DISTRICT SPORTS TEAMS: Motion by Trustee Pavelsky, seconded by Trustee Milne to adopt a resolution to honor HF-L School District Sports Teams. Motion carried.

CEMETERY SUPERINTENDENT: Cemetery Superintendent, Paul Worboys declined another appointment as Cemetery Superintendent. He has agreed to stay on until June 1 to complete current projects.

EXECUTIVE SESSION: Motion by Trustee Milne, seconded by Trustee Pavelsky to adjourn to Executive Session at 8:30 p.m. to discuss matters of Personnel. Motion carried.

Motion by Trustee Worboys, seconded by Trustee Pavelsky to return to Regular Session at 9:00 p.m. Motion carried.

ADJOURN:

Motion by Trustee Pavelsky, seconded by Trustee Milne to adjourn the meeting at 9:00 p.m. Motion carried.

Respectfully submitted,

Jean M. Batte, Clerk Treasurer