

December 19, 2005

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

TRUSTEES PRESENT: Trustee Pavelsky, Trustee Worboys, Trustee Alfieri, Trustee Clark

ALSO PRESENT: Michael Tobin, Greg Emerson, Geriann Alford, Andy Smith, Denise Heischman, John Hoffman, Betsy Taylor, Judy Tobin, Richard Dorschel, Joseph Platania, John Caruso, Burt Knapp, approximately 60 residents

MINUTES: Motion by Trustee Pavelsky, seconded by Trustee Alfieri to approve the minutes of November 28, 2005 as presented. Motion carried.

Motion by Trustee Pavelsky, seconded by Trustee Alfieri to approve the minutes of December 13, 2005 as presented. Motion carried.

ABSTRACT NO. 7: Motion by Trustee Clark, seconded by Trustee Worboys that upon an audit of Abstract No. 7 that approval be given for payment of the General Fund, including Sewer Fund, in the amount of \$71,771.27 to include voucher PP-77 – PP-86; General Fund in the amount of \$18,005.36 to include voucher 1274 – 1328; Sewer Fund in the amount of \$1,717.82 to include voucher G-1263 – G-1273; Capital Project Fund in the amount of \$8,759.37 to include voucher CP-12 – CP-13. Motion carried.

MAYOR'S REPORT: Earlier in the month, Mayor Milne attended the Monroe County Youth Assets meeting. There were great presentations by all schools, including HFL.

Mayor Milne sent a letter of thanks to recognize the Rotary Interact Group for helping with Village Main Street decorations. He thanked Greg Emerson for putting it together.

Two letters were received from Troop 10 Boy Scouts about speeding in Harry Allen Park and the speed zone on Clover Street near Pride Street. Letters were copied to Supervisor Bickweat for his review and reply. Speed humps could be installed in HAP for the summer. We will continue to look

at options to control the speed. The Clover Street section is not under the Village's jurisdiction.

Mayor Milne and Greg Emerson will meet with the NYSDOT 12/20 regarding drainage concerns on Ontario Street. A previous meeting was held with County Legislator Adair.

Traffic concerns were discussed with Legislator Adair. The Citizens Traffic Advisory Group will be contacted to prioritize top three concerns. A letter was sent to Geoff Poor.

TRUSTEE REPORTS:

TRUSTEE CLARK: No report.

TRUSTEE ALFIERI: Trustee Alfieri thanked the Trustees for filling in for him in his absence at the Fire Department Appreciation Dinner.

TRUSTEE WORBOYS: Trustee Worboys contacted Groveland Correctional Center about help with the cemetery. They were optimistic about helping. They do require that the Village provide a private restroom and lunch area. A possibility would be the Community Center.

TRUSTEE PAVELSKY: Trustee Pavelsky will contact Dan Powers, MCMWCP regarding the 40% increase in workers compensation for 2006.

ADMINISTRATOR'S REPORT: Village Administrator, Greg Emerson updated the Board on projects. The Trickling Filter pump, variable frequency drives, and flow proportional controller were installed. Startup was 12/16. There is now more control of sensitive Biological Treatment process and expected decrease in electric use. There will be a change order for electric work.

Specifications and pricing for fixtures at museum and fire department bathrooms is complete. Layout is nearly complete. Greg will meet with the F.D. 12/27. He will schedule a meeting with Bill Lane about the museum bathrooms. Plans will be submitted to MCCD in January. Construction should start in January.

RFP for the Generator at WWTP is being prepared for January. Process pump is failing. Three quotes were received and pump purchased for \$4,300. Staff will remove old, prep for new and mechanical contractor will do piping.

Sidewalks have been icy. Weight of ice brought down lights on the flagpole. Part of the problem was the flagpole which needs to be replaced.

Grading plan for area between Middle/Manor School was received from school engineer. Work is proposed for spring.

Greg is looking at purchase of a "speed sentry". It could be trailer or pole mounted, estimated cost \$3,000 – 4,000.

CLERK'S REPORT:

Jean Batte reported that Workers Compensation premium \$69,884 is up from \$49,548 last year. Trustee Pavelsky will check with Dan Powers, MCMWCP on the increase.

The Village received the United Way Award of Excellence for 2005 contributions. The number of employees contributing was acknowledged (7 out of 11).

Change in Civil Service title from "Laborer" to "Skilled Laborer" were sent to Monroe County Civil Service for Todd Marble and Chad Whitney.

NYSEFC approved an \$8,013 disbursement to be released 12/23/05 from 2004 loan for sewer improvements. Funds will be used toward payment to LaBella Associates for engineering services related to the project.

CONSERVATION BOARD REPORT:

Conservation Board Chairman, Andy Smith reported on progress of the Conservation Board. Honeoye Falls is the only Village in Monroe County that has a board. Andy is a representative to the Monroe County Environmental Management Council. State Law requires that the Conservation Board update the open space plan which will lead to an updated Comprehensive Plan. A committee or consultant needs to be selected. He suggested that the park cleanup project in the spring needs more publicity. He would like to use the Village website. The Conservation Board will hold a spring tree care plan for citizens. The street tree inventory needs to be updated from

1997. He would like to put a process in place for a regular update. The Conservation Board will draft a tree ordinance for proposal to the Village Board which will be helpful in receiving funds through Tree City USA. A task of the Conservation Board is to review site plans for environmental issues and provide comment to the Planning Board. He is available to attend meetings as needed.

Mayor Milne thanked Andy for all the accomplishments of the Conservation Board.

OLD BUSINESS:

PARKING SIGN UPDATE: Greg Emerson presented 6 photos of proposed sites for signs to identify public parking. Existing poles can be used with permission of Niagara Mohawk and/or Rochester Telephone. Input from the Planning Board on the sign design is needed.

RE-SALE OF CEMETERY PLOTS: Table for next meeting.

HISTORIC PRESERVATION DISTRICT: The Board will review the Town's policy for a volunteer program.

VILLAGE OF HONEOYE FALLS/TOWN

OF RUSH GRANT APPLICATION: Jean Batte reported that the application was filed on time and that Deb Donahoe attended a follow up meeting at the Town of Rush for interested parties.

PUBLIC HEARING:

LOCAL LAW NO. 7 OF 2005

AMENDING CHAPTER 190

106 WEST MAIN STEET REZONING: Motion by Trustee Pavelsky, seconded by Trustee Clark to open the public hearing at 7:30 p.m. Motion carried.

The public notice was read by the Clerk.

Motion by Trustee Pavelsky, seconded by Trustee Clark that since further clarification is needed on the portion of the Local Law that pertains to cluster development in the General Commercial Zone, it is not appropriate for discussion at this time. Motion carried.

Mayor Milne opened the meeting for public comments:

JOSEPH PLATANIA

Attorney representing Rick Dorschel, introduced Architect Jack Caruso and Burt Knapp from Passero.

Mr. Platania explained that Mr. Dorschel has requested the Village Board of Trustees approve rezoning a portion of property at 106 West Main Street owned by the Everitt Lewis Estate from Industrial Park (IP) to General Commercial (GC); and, adopting the use of "cluster" development for the GC District. Currently 5.5 acres of the property is zoned GC and they wish to rezone approximately 2.5 acres to accommodate expansion of their auto sales business. The remaining property located in Monroe County would still be IP. Mr. Dorschel has a purchase offer on the property contingent upon the rezoning which expires 12/31/05. Contamination cleanup on the property is estimated at \$250,000. The existing airport on the property has been closed. There is a Monroe County Water Authority Easement existing on the property. If the rezoning is approved, a 17,000 sq. ft. building would be allowed on each of three parcels, totaling 51,000 sq. ft. If the parcels are joined, there would be a 17,000 sq. ft. building limit. Mr. Dorschel anticipates needing a 32,000 sq. ft. building. A 2,000 sq. ft. car wash would be adjacent. The existing business at 105 West Main Street would be discontinued. Phase I would include using the existing building during re-mediation until contamination cleanup is complete. Then the Dorschel Group would go to the Planning Board for site plan approval for a new facility. They do not have site specifics at this time. They will be working with a landscape consultant for buffering. A lighting consultant will prepare a lighting plan keeping in mind the adjacent residential district. Mr. Dorschel's business has been in the Village for 9 years and employees 25 people. He anticipates 150 cars on the premise. Sales are 300 – 350 cars per year with potential for 500 per year. They need to improve and expand their facility to continue business. Mr. Dorschel is in the process of purchasing the Elmer Schmidt property where he currently leases. A layout of the existing Everitt Lewis Estate parcel was presented. The buildings totaling 23,745 sq. ft. have deteriorated. The proposed 32,000 sq. ft. building would be set back 80 ft. with required buffering and sidewalks. Existing conditions would be eliminated and with a safer ingress and egress. Deteriorated buildings would be removed.

Mr. Dorschel identified his needs, including a show room. His goal is to create a more functional business environment. A feasibility study was done to complete in Phases.

Phase I:

- Environmental cleanup benefiting the community.
- Secure the property
- Rezone
- Subdivide parcels into one property
- Renovate
- Use existing facility while completing/reface
- Reduce curb cuts from 3 to 2
- Storm water management

Phase II: Display parking in front
Service department in rear

Mr. Platania explained the time constraints on the sale. Re-zoning and closing needs to be completed by 12/31/05. GC currently allows a 17,000 sq. ft. building. Three separate parcels would total 51,000 sq. ft. Combining the three would limit the building to 17,000 sq. ft.

The Planning Board is concerned that if a 51,000 sq. ft. building is allowed, it could allow a “big box” store to come in if Dorschel no longer owned the property. Maintaining the character of the community is a priority.

THOMAS ROSATI

Moyle Chevrolet, 115 West Main Street, questioned if the property was not rezoned, what would happen. He favors the rezoning to allow expansion of the business. It would help his business. He currently has 35 employees and supports the Village. It would attract more businesses to the Village.

Mr. Dorschel responded that the Lewis estate would market the property.

ROBERT CUFFNEY

21 Stonefield Place, read a statement, with approximately 20 residents in support of opposing the proposals by the Dorschel Group to allow a new maximum building size within the Village and change zoning for the pierce of property formerly used as an air strip. (Statement attached)

- SHARON KISSACK 96 ½ West Main Street, (property adjacent) is opposed to the application. No one from Dorschel has approached her about what the development would look like. She hopes they would work with her and other neighbors.
- CHRIS HERRMANN 8 Stonefield Place, opposed to the proposed development of West Main Street. It should not be near the residential district. The expansion of the business should be kept in that area. It would be beneficial to Dorschel and the Village. He has lighting concerns. More residential development on the Lewis property could be beneficial to everyone.
- DERRICK WEST Honeoye Falls Market Place and Mendon Market Place. The Village is a unique place to live. Dorschel is an exemplary businessman. Board should work to make process work for everyone. They need to look at the tools the Planning Board has put in place. They need to come up with a solution, not just for rezoning.
- IAN MCNABB 92 West Main Street, supports the rezoning. The Village has put up barriers for development. Business wants to stay in the Village. Car dealers compete and support each other. Businesses have been shaky in the Village for some time. There needs to be some compromising.
- GAY MILLS 57 Maplewood Ave., moved here because it is a unique village. A lot has happened in the last 20 years. The CAC Report needs to be updated in an orderly fashion.
- JASON BEARS 15 Stonefield Place, favors the expansion. The existing building is unattractive. Mr. Dorschel wants to work with the Village. The proposed building looks like Henrietta. It could be made to look more like Honeoye Falls.
- SHARON KISSACK 92 ½ West Main Street, had a number of phone calls and talked to many residents who are concerned about the proposed expansion. She was required by the Village to build a two story home and doesn't want to be forced to look at a car dealership for the rest of her life.
- JOSEPH PLATANIA The IP District starts at the Kissack property. They usually do meet with neighbors and would be happy to meet with Mrs. Kissack. He has driven Stonefield Place and expects a minimum light spillage.

JOSEPH CARUSO Passero. They have looked at the Kissack property and taken consideration for screening.

SHARON KISSACK 97 ½ West Main, There has always been a car dealer at the 106 location. She is concerned about car deliveries all day and night.

MICHAEL LESCZYNSKI 17 Stonefield Place, questioned if there is any consideration to rezone other than IP to GC.

RICK DORSCHER Residential development was looked at and found to be not feasible. There are drainage problems and bed rock on the site.

SHARON KISSACK They built in the same neighborhood and adjusted to problems.

IAN POWELL 9 Stonefield Place, likes the existing conditions for the business expansion at 106 West Main Street. He questioned if land available to the west (Village Square) had been considered. He is concerned with the proposed plan, lighting and heat generated from additional asphalt. He has an in-ground pool and didn't have any problems digging. He is aware that there are some problems with bedrock in the area.

RICK DORSCHER They have been sensitive to the needs of the residents regarding lighting. The site to the west mentioned does not lend itself to the project.

TODD STOUT 24 Stonefield Place, opposed to proposal. He questioned what would happen to the old site.

JOSEPH PLATANIA Plans are to purchase the existing property and make improvements until they transfer the business to the new location. Then they plan to re-market for best use.

THOMAS ROSATI Moyle, commented he could loose his business if Mr. Dorschel leaves.

THOMAS WELDON 3162 Rush Lima Road, car dealers have been here a long time. The feeling from the room is NO to the proposal. The process should be extended to allow more time.

- VICTORIA LEWIS Lewis Estate, The property will be put on the market if the rezoning is not approved according to the purchase offer by Mr. Dorschel.
- JUDY BEARS 15 Stonefield Place, Mr. Dorschel hopes to increase his building 4 ½ times and increase his sales by 50%.
- RICK DORSCHEL They may not need a 34,000 sq. ft. building.
- SHARON KISSACK Why is it needed to rezone 2+ acres? The front of the proposed building would look okay; she would be looking at the back.
- JOSEPH PLATANIA Rezoning is needed in order to have more flexibility of design and move the building back. He informed Mrs. Kissack that they would contact her about her concerns when the time is right.
- SHIRLEY ROESER 98 West Main Street, zoning does not allow a building more than 17,000 sq. ft. It would set a precedent to approve proposal.
- MICHAEL TOBIN Village Attorney, the Board has 62 days to make a decision. He suggested that the public hearing remain open.
- JOSEPH PLATANIA If there is additional time, they may be able to address concerns from the public input. They will need to contact the seller to request a closing date extension.
- TRUSTEE WORBOYS The Board would like more time to digest and make a careful analyst of the current plan. The comprehensive plan needs to be updated. The Village would like to be able to accommodate Mr. Dorschel. The Board cannot make a quick decision. The public hearing could be continued until the next meeting. Approval of the rezoning would not address the size of the building.
- PUBLIC HEARING
REMAIN OPEN: Motion by Trustee Worboys, seconded by Trustee Pavelsky that the public hearing remain open until the January meeting. Motion carried.

PUBLIC HEARING:
REZONING OF 58, 66 NORTH MAIN STREET
LOCAL LAW NO. 9, AMENDING CHAPTER 190

ZONING ORDINANCE AND THE ZONING MAPS
OF THE CODE OF THE VILLAGE OF HONEOYE FALLS

Motion by Trustee Alfieri, seconded by Trustee Pavelsky to open the public hearing at 7:45 p.m. Motion carried.

The public notice was read by the Clerk.

There were no comments from the public.

Motion by Trustee Clark, seconded by Trustee Pavelsky to close the public hearing at 9:05 p.m. Motion carried.

ADOPTION OF LOCAL
LAW NO. 9 OF 2005:

Motion by Trustee Alfieri, seconded by Trustee Pavelsky, since the rezoning of 58 and 66 North Main Street to allow more than one use per lot will not have a significant impact on the community, that the following resolution be adopted:

WHEREAS, correct copies of Local Law No. 9 of 2005, Amending Chapter 190 Zoning Ordinance and the Zoning Maps of the Code of the Village of Honeoye Falls 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 19th day of December, 2005; and

WHEREAS, the said public hearing was held on the 19th day of December, 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. 9 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.9 of 2005; and

WHEREAS, it was the decision of the Village Board that Local Law No. 9 of 2005, should be adopted.

NOW, on motion duly made and seconded, it was

RESOLVED, that Local Law No. 9 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 19th day of December, 2005 there shall be filed with the Secretary of State one certified copy of the said Local law No. 9 of 2005.

The resolution was duly adopted.

PUBLIC HEARING:

**LOCAL LAW NO. 7, AMENDING SECTION 180.2
OF CHAPTER 180 ARTICLE II SPEED REGULATIONS
OF THE CODE OF THE VILLAGE OF HONEOYE FALLS:**

Motion by Trustee Alfieri, seconded by Trustee Pavelsky to open the public hearing at 8:00 p.m. Motion carried.

The public notice was read by the Clerk.

CHRIS HERRMANN

8 Stonefield Place, commented that he is in favor of changing the speed limit from 30 miles per hour to 25 miles per hour on Stonefield Place. He is concerned with the enforcement. Although a sign will be posted, he feels more needs to be done.

Trustee Alfieri commented that a Traffic Committee was established to look at traffic concerns in the Village. Mayor Milne will notify the committee of his concerns.

Motion by Trustee Clark, seconded by Trustee Pavelsky to close the public hearing at 9:06 p.m. Motion carried.

**ADOPTION OF LOCAL
LAW NO. 7 OF 2005:**

Motion by Trustee Alfieri, seconded by Trustee Clark to adopt the following resolution:

WHEREAS, correct copies of Local Law No.7 of 2005, Amending Chapter 180.2 of Chapter 180 Article II Speed Regulations of the Code of the Village of Honeoye Falls 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 19th day of December, 2005; and

WHEREAS, the said public hearing was held on the 19th day of December, 2005, at 8:00 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. 7 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.7 of 2005; and

WHEREAS, it was the decision of the Village Board that Local Law No.7 of 2005, should be adopted.

NOW, on motion duly made and seconded, it was

RESOLVED, that Local Law No.7 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 19th day of December, 2005 there shall be filed with the Secretary of State one certified copy of the said Local law No.7 of 2005.

The resolution was duly adopted.

NEW BUSINESS:

AGREEMENT WITH NATIONAL
GRID TO ALLOW VILLAGE TO HANG

DECORATIONS ON UTILITY POLES: Motion by Trustee Pavelsky, seconded by Trustee Worboys to authorize the Mayor to enter into an agreement with National Grid to allow the Village to attach decorations to utility poles and street lighting standards. Motion carried.

**CONTRACT AGREEMENT WITH MEDEX
BILLING INC. FOR 2006 AMBULANCE**

SERVICES FOR RESIDENTS: Motion by Trustee Pavelsky, seconded by Trustee Clark to approve an agreement with Medex Billing, Inc. for 2006 Ambulance Services for Residents and establish a 4.25% increase in rates keeping within the 2005 average charges. Motion carried.

2006 VILLAGE HOLIDAYS: Motion by Trustee Pavelsky, seconded by Trustee Alfieri to approve the following 2006 Village Holidays:

NEW YEAR'S DAY	Monday, January 2
MARTIN LUTHER KING DAY	Monday, January 16
PRESIDENT'S DAY	Monday, February 20
MEMORIAL DAY	Monday, May 29
INDEPENDENCE DAY	Tuesday, July 4
LABOR DAY	Monday, September 4
COLUMBUS DAY	Monday, October 9
THANKSGIVING DAY	Thursday, November 23
DAY AFTER THANKSGIVING	Friday, November 24
CHRISTMAS EVE	Monday, December 25
CHRISTMAS DAY	Tuesday, December 26

* For this year, Columbus Day will replace Veteran's Day which is Saturday, November 11.

Employees of the Department of Public Works will have two Floating Holidays instead of Martin Luther King Day, 1/16/06 and President's Day, 2/20/06.
Motion carried.

AGREEMENT WITH WASTE MANAGEMENT

FOR WASTE HAULING: Motion by Trustee Pavelsky, seconded by Trustee Alfieri to approve a three (3) year agreement with Waste Management for waste hauling. Motion carried.

2006 WINTER TRAINING LAND USE

DECISION TRAINING PROGRAM: Motion by Trustee Alfieri, seconded by Trustee Worboys to approve attendance at the Monroe County Department of Planning and Development Winter 2006 Land Use Decision Making Training Program. Motion carried.

FIRE DEPARTMENT MEMBER: Motion by Trustee Pavelsky, seconded by Trustee Alfieri to approve Nathan Rozzi as a member of the Honeoye Falls Fire Department. Motion carried.

FIRE DEPARTMENT MEMBER: Motion by Trustee Pavelsky, seconded by Trustee Alfieri to approve Michael Lund as a member of the Honeoye Falls Fire Department. Motion carried.

MONROE COUNTY SNOW AND ICE AGREEMENT: Motion by Trustee Alfieri, seconded by Trustee Clark to approve an (Amendatory) Agreement to the Intermunicipal Agreement for Snow Removal and Ice Control Services with Monroe County. Motion carried.

HEALTH INSURANCE CONTRACT FOR VILLAGE EMPLOYEES: Motion by Trustee Worboys, seconded by Trustee Clark to approve a Health Insurance Contract with Preferred Care for Village Employees. Motion carried.

ACCESS AGREEMENT FOR FIRE DEPARTMENT EMERGENCY TRAINING INFORMATION NETWORK: Motion by Trustee Pavelsky, seconded by Trustee Alfieri to approve an Access Agreement between the City of Rochester and the Village of Honeoye Falls for Fire Department Emergency Training/Information Network. Motion carried.

NYSEG SOLUTIONS CONTRACT RENEWAL FOR ELECTRIC AND NATURAL GAS SUPPLY SERVICES: Motion by Trustee Alfieri, seconded by Trustee Worboys to approve an Electricity Supply Service Agreement with NYSEG Solutions. Motion carried.

TRUSTEE MEETING CHANGE: Motion by Trustee Clark, seconded by Trustee Worboys that, to honor the holiday, the January 16, 2006 Board of Trustee Meeting be re-scheduled to January 17, 2006 and the February 20, 2006 meeting be rescheduled to February 21, 2006. Motion carried.

EXECUTIVE SESSION: Motion by Trustee Worboys, seconded by Trustee Pavelsky to adjourn to Executive Session at 9:32 p.m. to discuss matters of Personnel and Contract Negotiations. Motion carried.

Motion by Trustee Pavelsky, seconded by Trustee Clark to return to Regular Session at 10:20 p.m. Motion carried.

EMPLOYEE WAGE INCREASE: Motion by Trustee Worboys, seconded by Trustee Clark to authorize a pay increase for James Turner. Motion carried.

EMPLOYEE GASOLINE POLICY: Motion by Trustee Clark, seconded by Trustee Pavelsky to approve an Employee Gas Policy authorizing 40 gallons of gasoline per month to be purchased at HFLCS for the Code Enforcement Officer. Motion carried.

ADJOURN:

Motion by Trustee Worboys, seconded by Trustee Alfieri to adjourn the meeting at 10:20 p.m. Motion carried.

Respectfully submitted,

Jean M. Batte
Clerk Treasurer