

August 19, 2013

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 Worboys, Trustee Pavelsky, Trustee Stottler, Trustee Alfieri

ALSO PRESENT: Greg Emerson, Dan Bassette, Mike Tobin, Charlie Johnson, Mary Szlosek, Lynne Menz, Linda Luitich, Andi Johnson, Lois Thorpe, Vicky bush, Judy Lewis, Susannah Lyle, Mary DeClerk, Louise Hennen, Sue Wall, Roger Greiten, Chnz Passonnan, Don Oppedisano, Kurt Ulrop, Deborah Lazarus, Reichenstein, Allen Reichenstein, Pamella Scully, Joel Taylor, Sue Hoh, Susan Connelley, Steve Harrow, Geoff Poor, Brian Webster, Jim & Jane Ryan, Nate Rozzi, Steve Sessler, Paul Churnetski, Muffy Meisenzahl, Andrew Kittleson, Patrick Brennan, Helen Zamboni

MINUTES: Motion by Trustee Pavelsky, seconded by Trustee Worboys to approve the minutes of July 15, 2013 as presented. Motion carried.

ABSTRACT NO. 3: Motion by Trustee Pavelsky, seconded by Trustee Alfieri that upon an audit of Abstract No.3 that approval be given for payment of the General Fund in the amount of \$106,997.80; Sewer Fund in the amount of \$69,163.18 to include vouchers #140125 - 140246; Prepaid for payment in the General Fund in the amount of \$77,159.08; Sewer Fund in the amount of \$52,896.74 to include vouchers #PP140125 – 140181. Motion carried.

MAYOR'S REPORT:

Very Good NYCOM Executive Board meeting. Was honored to be at West Point and a special leadership program conducted by a previous WP Cadet followed by a tour of WP was fantastic. In preparation for our November meeting we (Bob Corby, Pittsford Mayor, and I) will be polling the other Monroe County Mayors (and surrounding) to gain insight as to their concerns regarding financial stress created by unfunded mandates and the 2% tax levy

cap. This Albany administration has proven that no real support of mandate relief is coming so we will really try to focus on low hanging fruit that may be attainable.

I will be testifying before Senator Jack Martins and the Senate Standing Committee on Local Governments tomorrow. The topic will be (Fiscally Distressed Municipalities: Preparing for and Preventing Municipal Bankruptcy in New York)

Committees are Active: Continued progress on the Comprehensive Plan, Auditorium Project and Parks Committee becoming active again as well. ,

I received 2-folders of old photos from Lynne Menz to review. This was in response to our previous discussion about creating photo/posters to hang in the empty store fronts to help create a (buzz) about potential businesses filling our available spaces. The hope is to help promote small privately owned shops in our community along with new development. These are being reviewed and I'd appreciate some help in this review. The tag line was to be something like:

(Honeoye Falls a proud past Be part of the bright future)

3-wedding ceremonies this month (still a high-light!)

Chamber of Commerce Representatives mentioned to me that they were hoping to work towards creating a not-for-profit (Business Improvement District or Local Development Council). This would be a positive enhancement to local business as the group could work towards obtaining (Main Street) type grants etc to help reinvigorate business districts. A group such as this would be able to work to obtaining grants that municipalities can not get. This is something I brought to the chamber 7+ years ago. I'm hoping this group can get it done.

TRUSTEE REPORTS

TRUSTEE STOTTLER: Thanked the village staff for getting new accounting software up and running.

TRUSTEE ALFIERI: Heard very positive remarks about the street dance.

TRUSTEE WORBOYS: Advisory Committee for Summer Rec will meet 8/29. Attended a Chamber meeting recently. Discussion about putting out the concept of making our area a venue for music or something to try to make it a destination.

TRUSTEE PAVELSKY: Attended Workers Comp meeting. Lyme disease and ticks will become required training for village employees. Chamber meeting 8/21.

Next Asset Board meeting 9/12

**DEPARTMENT
REPORTS**

**ADMINISTRATOR'S
REPORT:**

North Main Street Sewer Replacement project is scheduled for curb replacement and paving this week. M&T Bank and Library driveways will be closed both Thurs and Friday but can get to these thru Critics. Next year we will do final stretch to the Four Corners.

CLERK'S REPORT:

No report

HISTORIAN REPORT:

Historian Lynne Menz spoke to the Board about a Tour of the Cemetery that will take place on October 26th from 4-6pm. The tour will originate and end at the Community Center. She passed out information on the list of graves that will be part of the tour. Each "grave stop" should last about 3-6 minutes. They are looking for volunteers to be at each grave site. Honeoye Falls Fire Dept. will assist in ideas of how best to light the site. The boy scouts have also offered to assist in the lighting.

OLD BUSINESS

**COMPREHENSIVE
PLAN:**

Group is working on going thru comments. Broke answers down into categories to get a better idea of the responses. They meet tomorrow night to go over the comments.

**PAPERMILL
SIDEWALK
EXTENSION:**

Greg has look at files from 1999 to put sidewalk on other side where we do have a right of way and then a crosswalk. Cost could be \$10,000

**UPDATE ON TOWN
BICENTENNIAL
STREET DANCE:**

The street dance was a great success.

**CHAPTER 190-6
TRAILERS & ACCESSORY
VEHICLES:**

Mike Tobin has put together some notes on changes in the code. Mayor Rick would like Greg, Charlie and Mike to review the code and discuss possible changes. With Board's permission like to keep it open and come back to board next month or so.

ETHICS BOARD:

The Ethics Board has made some recommendations to changes in the Ethics Code in the Village Code Book.

Motion by Trustee Alfieri, seconded by Trustee Pavelsky, to approve scheduling a public hearing for September 16, 2013 at 7:30pm on the Village Ethics Code. Motion carried.

NEW BUSINESS

**PUBLIC HEARING
REPAIR OF
MUSEUM ROOF:**

Motion by Trustee Worboys, seconded by Trustee Pavelsky, to open the public hearing at 7:30 pm. Motion carried.

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 7:45 p.m. Motion carried.

Motion by Trustee Pavelsky, seconded by Trustee Worboys to adopt the following resolution:

WHEREAS, correct copies of a resolution proposing to

Expend funds not to exceed \$15,000 from Real Property Capital Reserve Fund for the “Old School House” Roof Repair Project at Harry Allen Park 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) days, exclusive of Sunday prior to the Public Hearing, 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 August, 2013, and

WHEREAS, the said public hearing was held on the 19th day of August 2013, at 7:30 pm, local time, at the Village Hall, 5 East Street, Honeoye Falls, New York, and all persons present were given an opportunity to be heard, proposing to expend funds not to exceed \$15,000 from Real Property Capital Reserve Fund for the “Old School House” Roof Repair Project at Harry Allen Park whether speaking in favor of or against the resolution

Now, on motion duly made and seconded, it was

RESOLVED, proposing to expend funds not to exceed \$15,000 from Real Property Capital Reserve Fund for the “Old School House” Roof Repair Project at Harry Allen Park and

The resolution was duly adopted.

**DISCUSSION –
NEW FIRE HOUSE:**

Paul Chutnetski, Steve Sessler and Nate Rozzi presented a presentation to the Board about the possible location of a new fire house. The made suggestion of two locations.
Downtown – integration with community.
North Village Border – within Village limits.

There is a definite need for a second station when considering the national response standards. A station further north would aid in that. Facility could have a single truck bay.

Current location has problem with parking. Volunteers have to cross two lanes of traffic to get to fire house.

Trucks have to back across two lanes to park in the fire house.

Mayor Milne said one thing the Board is going to need is to find what type of equipment is going to be needed in the next 20 to 30 years. How many bays, how deep and what other type of personnel facilities would be needed.

**STANDARD
WORK DAY &
REPORTING
RESOLUTION:**

Motion by Trustee Pavelsky, seconded by Trustee Stottler to establish the following as standard work days for elected and appointed officials and will report the days worked to the New York State and Local Employee' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of the Village of Honeoye Falls. Motion carried.

**USE OF
AUDITORIUM
Q4-2013:**

Every year the Chamber has a vendor fair. Selling general items and Christmas items. Open to local businesses first and then businesses outside of the village. Chamber would like to have the sale this year in the Village Hall Auditorium on November 8 & 9th.

Would need to advertise the Auditorium is not handicapped accessible. Also there is no heat in the room. Limited lighting as well. Mike Tobin will research the issue.

**TRAINING SESSION
PLANNING &
ZONING MEMBERS:**

Mayor Milne attended a NYCOM training session in Bath recently. He is thinking of having the presenter come to Honeoye Falls for an evening and inviting the planning and zoning members. Could also invite board members from Town of Mendon and Town and Village of Lima.

**ATTENDANCE AT
FALL TRAINING
SCHOOL:**

Motion by Trustee Worboys, seconded by Trustee Alfieri to approve the attendance of Gina Hurley at the NYCOM Fall Training School in Saratoga Springs on September 9 – 12. Motion approved.

**ATTENDANCE AT
PUBLIC WORKS
SCHOOL:**

Motion by Trustee Pavelsky, seconded by Trustee Worboys to approve the attendance at Public Works Training School in Lake Placid on October 21-23. Motion carried.

**CHANGES TO
VILLAGE CODE TO
ALLOW DRIVE THRU
RESTAURANTS:**

Mayor Milne read the following statement to the Board of Trustees:

Trustees: Last month our village ZBA was presented with an opportunity to allow a new business to come to the Village and partially fill a lot that has been for sale and vacant for some time. The business to be considered was Dunkin-Donuts. This variance was turned down because the ZBA fully understood that there was a process in place to create a Comprehensive Plan and that there was a survey being reviewed which specifically asked about the communities desire to consider this code change.

This survey has indeed been tabulated and the (comments section) is in the process of being consolidated to be further reviewed tomorrow evening by the Comp Plan Advisory Committee. There was one specific question about the communities desire to consider a change to our Village Codes to allow drive thru restaurants. The response to this question was virtually 50/50.

It is my belief that it will be up to this board to consider changes to our codes to positively affect growth in the Village and also to maintain codes to maintain our Village character. It is my belief that both can be done.

What I'm asking you to consider this evening is to move forward with discussions and Code changes to incorporate the allowance of drive thru restaurants. It is also my request that the code be written to include strong, clear and concise language that will provide the Planning Board and Zoning Board the ability to approve business opportunities based on the desire to keep our

Village Community strong and yet still maintain the small village charm. My goal is not to harm our current businesses but to allow more variety, allow positive growth and hopefully enhance growth that will indeed help to fill our vacant store-fronts in the down town section of the village.

I am not asking that you approve a change tonight, or that you will in the future but that you consider approving this to move forward to create a code change to consider in September or October at a public hearing in conjunction with the Village Board of Trustees meeting.

While this is a very controversial subject for many in the Village, I believe we are not doing our jobs if the discussion doesn't take place. It is my belief that there are business opportunities that will bring more people to our village and thus enhance current businesses. There was a time not too long ago that a new local restaurant came to our community, I was told the other restaurants would close or that the new facility wouldn't make it. That is clearly not the case today, nor do I believe it would be if this change in codes took place. But that is not to be decided tonight, what I ask for tonight is your agreement to move this subject forward through this process.

Members of the audience spoke to the Board of Trustees:

Helen Zamboni – Attorney in Roch/lives in Avon

Represents the Ev Lewis family. Village of Avon has a drive thru (McDonald's) and still maintains an old traditional village feel. It really hasn't changed the character of the village.

Pam Scully – Body Works Needed

Ms. Scully is VP of the Chamber. Said topic should be tabled until the Comprehensive Plan is complete.

Judy Lewis – Family member of property for sale

Asked how much commercial property is available for a drive thru restaurant. Mayor Milne responded not sure but probably not much. He said can't do drive thru restaurants downtown. Only place would be on West Main St.

Sue Hoh – 217 East Street

Mrs. Hoh asked when the Comprehensive Plan would be completed. Mayor Milne responded 6-8 months. Rite Aid and other businesses in the village have drive thru windows. Its 2013 and competition is good for the village. She is not opposed to the drive thru restaurant.

Brian Webster – 24 Fairlawn Drive

What comes to his mind is that Avon is on 5 & 20, Henrietta is on Route 15. We may get a lot of traffic. Would like to keep the model of the small town we have. Need to encourage businesses, though. Would like to keep this type of businesses outside of the village.

Mayor Milne commented that if we have any kind of development there will be more traffic whether it is residential or commercial. If residents say they don't want any development they need to consider who will pay for the needs of the village. Costs keep going up. Some things that were provided in the village such as paving in the past five years; cost up to 40% more today.

Geoff Poor – 96 East Street

He doesn't believe its possible to call a plan comprehensive if we make that decision on drive thrus before that plan is in place. The comprehensive plan has to be the first step. I would suggest that whatever you were planning on getting done tonight be put off until properly advertised.

Don Oppedisano - resident & former business owner in Village

In 1955 the village was filled. There was businesses and traffic. For a business to be successful there has to be traffic. He encouraged the Board to look at this strongly. To bring storefronts back downtown or West Main St. You need reasons to bring people here. This consideration to change the code is important. It would be a big mistake not to consider making the change to allow drive thru restaurants.

Joel Taylor – 24 Ontario Street

Mr. Taylor asked what were the results in the survey about drive thru restaurants. Mayor Milne responded 53% no and 47% yes. He asked if there are drive thru restaurants in the Village of Pittsford or Fairport. How did they become

successful with no drive thru windows? Comment from the audience noted they are larger communities.

Andrew Kiddleson – 7 Locust Street

The survey that was filled out as a household was not scientific. He is sympathetic but this seems like a rush.

Mayor Milne responded that he is asking to put together verbiage that will also work with our comprehensive plan.

Steve Harrow – 435 Lanning Road

He walked into the Chinese Restaurant and saw the flyer about the meeting. Dunkin Donuts is a nice looking establishment. If the Board allowed the drive thru restaurants what other controls would there be? What can you have in place so it does not escalate in coming years? Can have something that looks very good and not have it destroy the community. Good examples are the Dunkin Donuts in Victor and Lake Placid.

Mayor Milne agreed and said as part of the comprehensive plan there would be directives that would guard against hurting the character of the village.

Jane Ryan – 31 Peer Street

Curious about the impact on traffic. Just because you have a Dunkin Donuts doesn't mean people are going to come. There are many stores who did marketing studies but did not end up successful.

Mary Szlosek – 45 Brigham Circle

If I am understanding correctly, you want the discussion open not to make a decisions. And from the position of being a comp committee member, it would be helpful to have simultaneous dialogue while working on drive thru restaurant verbiage and working on the comprehensive plan.

Sue Wahl – 76 Ontario Street

We moved here for the village charm and the slower pace.

Jim Ryan – 31 Peer Street

Problem is do we want to change the flavor of the village. Need to have businesses and growth. If you are not growing you are dead. If fast food restaurants can be disguised maybe they should be allowed. Need money to

sustain but how do we get tax base to do it? Need to think about the effect on local people.

Nancy Sharlock – Works in Village; lives in Lima

We should keep those businesses in mind that are already in the Village.

Mayor Milne said he believes we still need to have a discussion on the verbiage of the code and allow any changes to be given to the comprehensive plan advisory committee as well.

Motion by Trustee Worboys, seconded by Trustee Alfieri to approve looking at the language of the code that prohibits drive thru windows in the RA district.

Aye: Trustee Alfieri
Trustee Worboys
Trustee Pavelsky

Nay: Trustee Stottler

Motion carried.

**PINEBROOK APTS
PROJECT:**

Discussion of allowing cluster development in this area which is RA. Attorney Mike Tobin said New York State law gives power to Trustees to Planning Board to review projects for cluster development. Village code allows is in TV, RM and RMG but not RA. Would need to change the code for RA to allow is in that zone.

**ADJOURN TO
EXECUTIVE
SESSION:**

Motion by Trustee Pavelsky, seconded by Trustee Alfieri to adjourn to Executive Session at 9:15pm. Motion carried.

**ADJOURN TO
REGULAR
SESSION:**

Motion by Trustee Alfieri, seconded by Trustee Pavelsky to return to regular session at 9:30pm. Motion carried.

ADJOURN:

Motion by Trustee Pavelsky, seconded by Trustee Alfieri to adjourn the meeting at 9:30pm. Motion carried.