

**PROCEEDINGS OF A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES**  
**January 27, 2015 – 7:00 PM**

**Present**

**Mayor:** Robert C. Corby  
**Trustees:** Lili Lanphear  
Lorie Boehlert  
Tim Galli  
Frank Galusha  
**Recording Secretary:** Dorothea M. Ciccarelli

**CALL TO ORDER**

Motion Mayor Corby and seconded by Trustee Galusha called the meeting to order at 7:00 PM.

**BOARD MEMBER – CONFLICTS OF INTEREST DISCLOSURE**

Mayor Corby asked if any of the Board members had a conflict of interest or had accepted gifts associated with any of the meeting agenda items. All Board members indicated that they had no conflicts of interest to report.

**PUBLIC COMMENT**

No public comment was made.

**SCOTT HARTER – DISCUSSION DRAINAGE**

Mr. Harter informed the Board that he had received a call from the engineer for the 75 Monroe Avenue project, and that he will be meeting with them to discuss the pipe and the offsite and internal drainage.

The Board discussed the current draft pond correspondence created by the Building Inspector, John Limbeck. Mayor Corby suggested that there should be a statement about the storm water regulations requiring the changes that have been made to the code. He further noted that this statement will help the public understand why the Village had to adopt the regulations. Mr. Harter commented that they should also include best-management practices in the correspondence. The Board discussed the possibility of establishing annual or biannual inspections of the existing ponds. Mr. Harter further indicated that homeowners are not always aware of the necessary maintenance required with a pond, and there is always a chance of failure without maintenance.

Trustee Boehlert questioned who will be responsible for determining the pond status and who will inform the residents. Mr. Harter indicated that the enforcement of the ponds' condition will be the responsibility of the Storm Water official, John Limbeck. Mr. Harter and the Board discussed the possibility of setting up a meeting with the impacted residents to review the guidelines and best practices. The Board discussed the timetable for notifying the impacted residents. Mr. Harter suggested having the letter sent in March and then plan to inspect the ponds in April and May.

Mayor Corby discussed with Mr. Harter the situation with Rand Creek and the deterioration of the gabions. Mr. Harter reviewed with the Board new options the DEC has requested in replacing the gabions. Mayor Corby and Mr. Harter will work out a timetable to walk the creek to review the current situation.

**SPECIAL PERMIT APPLICATION FOR HICKS & MCCARTHY – 23 SOUTH MAIN STREET –  
INFORMATION ONLY**

Proceedings of a Meeting of the Board of Trustees  
January 27, 2015

Mr. and Mrs. Burnham discussed their plans for Hicks & McCarthys. They stated that they are planning to keep the name the same. Mr. Burnham indicated that they are planning to keep a similar seating arrangement, but that they are changing the menu and will be focusing on comfort food. The Burnhams are anticipating closing the restaurant for a week to make changes. Mayor Corby and the Board informed the applicants that they will need to bring the following items for their next meeting: a seating plan, plan for disposal of trash, noise control measures, and their anticipated plan for parking for employees. The applicants agreed to meet with the Trustees on February 5, 2015 to provide additional documentation.

### **RESERVE ACCOUNTS**

Trustee Galli reviewed with the Board his prepared report on the Village's current reserve balances and the setting up of additional reserve accounts, as recommended by the New York State Comptroller. Trustee Galli discussed setting up a reserve account, and stressed that it will need to be set up with a clearly defined purpose. Trustee Galli reported that the Village Engineer had assisted Trustee Galusha and him in managing the sewer infrastructure, and in reviewing possible reserve amounts needed for the Village. Trustee Galli recommended that in the future, the Village set up reserves for Capital expenditures, repair, and retirement. Trustee Galli stated that he and the village auditors do not recommend that the Board pursue setting up any reserves at this time, due to the ongoing expense and duration of litigation matters. Trustee Galli also informed the Board that he would be leaving his working papers with the Village Treasurer for future reference. Mayor Corby thanked Trustee Galli for his thorough report and indicated that the Board should review the possibility of setting up reserves during the annual budget discussion.

### **DISCUSSION ON STOREFRONT ZONING**

Mayor Corby discussed with the Board the proposed changes to the current storefront zoning. The Village Attorney, Jeff Turner, requested that the Board provide him time to review the documentation. The Board agreed the discussion will be continued at the next meeting.

### **DISCUSSION ON SPECIAL PERMITS**

The Board discussed the current code requirements for special permits and indicated that the code needed to be less vague in certain areas. Mayor Corby distributed additional proposed language to the Board. The Board requested that the discussion continue at the next meeting so the members could review the current changes presented and make any additional changes.

### **LETTER AUTHORIZATION**

The Board discussed the proposed letter presented by the Building Inspector, John Limbeck, to notify the citizens of the current sign legislation. The Board agreed with the changes made in the current letter.

**Motion Mayor Corby, seconded by Trustee Lanphear**, to have the Village Board sign and send to Village Homeowners, Citizens, and Business owners correspondence regarding the current sign code.

**Vote:** Corby – yes, Lanphear– yes, Galli – yes, Boehlert – yes, Galusha– yes. **Motion carried.**

### **MEMBER ITEMS**

Trustee Lanphear informed the Board that she is getting quotes for flower baskets and needs a count from Superintendent Yaeger on the number of liners needed. She also reported that the box wood elders in the urns the bushes will be temporarily moved into the Village Hall until spring, when they can be replanted.

Proceedings of a Meeting of the Board of Trustees  
January 27, 2015

Trustee Boehlert discussed with the Board the conversation that she had with Mr. Powers and Mr. Corby regarding their current outstanding code enforcement issues. Both parties apologized for the delay and stated that they will be working with the Building Inspector. She will follow up with the Board on the status of both issues at the next scheduled meeting.

Trustee Galli discussed the upcoming performance appraisals for Village Employees. The Board agreed to continue with the same assignments as last year. Mayor Corby and Village Clerk will review the office staff; Trustee Galusha and Doug Yaeger will review the DPW staff.

#### **VILLAGE ATTORNEY**

Jeff Turner discussed the current moratorium in place. The Board reviewed possible locations for the uses subject to the moratorium. The Board discussed allowing these uses on second floor locations or permitting the uses in a location such as Village Green. The Board requested Mr. Turner review the option of prohibiting any of the uses. Mr. Turner also reviewed with the Board that Mr. Newcomb hired an attorney in relation to the pending court case. He questioned the Board as to whether they were willing to settle the case with the defendant. The Board agreed that they would be willing to settle the case, if an agreement could be reached on a settlement amount.

#### **ATTORNEY CLIENT MEETING**

**Motion Trustee Boehlert, seconded by Mayor Corby,** to enter into Attorney Client Meeting.

**Vote:** Corby – yes, Lanphear– yes, Galli – yes, Boehlert – yes, Galusha– yes. **Motion carried.**

Having taken no action, a **motion** was made **by Mayor Corby, seconded by Trustee Galusha,** to leave Attorney Client Meeting at 9:24 PM and reenter the regular session of the meeting.

**Vote:** Corby – yes, Lanphear– yes, Boehlert – yes, Galli – yes, Galusha– yes. **Motion carried.**

#### **TREASURER’S REPORT / VILLAGE CLERK**

**Village Clerk, Dorothea M. Ciccarelli,** presented vouchers listed on Abstract #14 of 2014/2015 fiscal year for approval. A **motion** was made **by Mayor Corby, seconded by Trustee Galusha,** to approve payment of the vouchers listed on Abstract #14 in the amounts stated below and to charge them to the appropriate accounts.

##### **Vouchers for approval – Abstract #14**

• General Fund (#406-#431,#433):	\$ 20,113.06
• Sewer Fund (#389):	<u>\$ 2,773.97</u>
<b>Total Vouchers for Approval:</b>	<b>\$ 22,887.03</b>

**Vote:** Corby- yes, Lanphear –yes, Boehlert - yes, Galli - yes, Galusha - yes. **Motion Carried.**

The Village Clerk reviewed with the Board the current outstanding invoices for Mark IV. The Board expressed concern that the applicant has outstanding invoices when they have a meeting currently scheduled. Jeff Turner suggested that the current attorneys for the 75 Monroe project discuss a new escrow agreement with the developer that is more in accordance with the project size.

#### **VILLAGE CLERK**

The Clerk reviewed with the Board the cost of mailing out the village newsletter to all the residents. Trustee Galli expressed concern that the public is not receiving valuable information, since all the residents

Proceedings of a Meeting of the Board of Trustees  
January 27, 2015

are not currently receiving the email version of the newsletter. The Board agreed that they wanted to have the newsletter mailed to the residents, but since it was not a budgeted item in the current year, it will have to be mailed in the next fiscal year.

**EXECUTIVE SESSION**

**Motion Mayor Corby, seconded by Trustee Boehlert**, to enter into executive session on an employee performance matter.

**Vote:** Corby – yes, Lanphear– yes, Galli – yes, Boehlert – yes, Galusha– yes. **Motion carried.**

Having taken no action, a **motion** was made **by Mayor Corby, seconded by Trustee Galli**, to leave executive session at 9:53 PM and reenter the regular session of the meeting.

**Vote:** Corby – yes, Lanphear– yes, Boehlert – yes, Galli – yes, Galusha– yes. **Motion carried.**

**ADJOURNMENT**

**Motion Mayor Corby, and seconded by Trustee Boehlert**, to adjourn the meeting at 10:15 PM.

**Vote:** Corby – yes, Lanphear– yes, Galli – yes, Boehlert – yes, Galusha– yes. **Motion carried.**

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Dorothea M. Ciccarelli, Recording Secretary