

MINUTES - REG. VILL. BD. MTG., 2/17/87, 7:00 p.m.

Table
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Present: Warner H. Strong, Mayor; Trustees J. Vrubel, J. Elliott, P. Frontuto & C. D. Gilmore; Atty. J. Nesbitt.

Moment of Silence - Mayor Strong requested the observance of a moment of silence prior to conducting the business of the Bd., following which he opened the scheduled Public Hearing re the re-zoning frm. R-1 to C-1 req. by Mr. J. Provoost-Mayor/505 W. Main St. The Clerk read the Legal Notice - Mayor Strong asked Atty. D. Barrett to state Appellant's position. Mr. Barrett spoke of petition filed pursuant to Section 29-53 of Vill. Code. Abandoned hse. to east & Contant's Station removed frm. petition upon recommendation of WC & Vill. Plann. Bds.; Mr. Mayo abandoned idea of car dealership - present plans call for retail store operation, i.e. travel agency/real estate, etc. as in Newark. C-3 area behind area; re-zoning req. rather than to keep coming bk. to get variance(s). Permitted uses touched upon, exit & entrance - one ea. Mayor Strong asked about type of businesses and above reiterated - real estate office(s), travel agency, perhaps some 'other' kind of store. Mayor Strong questioned amt. of traffic - heavy light - to which Mr. Barrett sd. no significant increase/wld. wk. wth. Vill.

Mr. Barrett sd. that "Environmental Impact Statement" had been filed. Mrs. Chris Lester sd. that she and husband opposed - area changed, younger people/families living there now - concerned about what could go in there - one area of control that they presently have/"our neighborhood". The Mayor asked about businesses being open nights; Mr. Barrett couldn't "promise"; Mrs. Lester sd. that "two yrs. down the way could chnge. neighborhood"; already have traffic problems - people wld. park out frnt./prefer variance process rather than re-zng. Mr. H. Gilman sd. "spot-zoning" shld. not be allowed; detrimental - tears down value of the property, adding that once this happened and they brought suit against Vill. Mr. Barrett sd. changing frm. one use to another, orig. four (4) properties, now two (2) - 505 & 555 W. Main (Stanton/Canal Pk. & Mayo). Don't see as spot-zng./spoke. with Atty. J. Nesbitt. Mr. R. Stanton sd. he is interested in seeing quality of neighborhood maintained/was defacto commercial for no. of yrs. - his firm would lean in direction of supporting application for commercial status.

J. Cook, Hyde Pkwy., spoke of average age of neighborhood residents chnge. - more children - opposed to some commercial enterprizes; concern what C-1 regs. wld. allow - not good for neighborhood/Vill. Plann. Bd. shares their concern; sensitive area, close to park/school. Prop. values/affects taxation/homeowner's ins.; vandalism. Wld. support types of businesses mentioned; afraid of what could happen. Plann. Bd. sd. they would support and grant variances for these businesses. Oppose C-1 zng. Mrs. C. Lester sd. she wrote letter - how many letters rec'd - both for and/or against. No determination per Mayor. Mayor Strong read frm. 1/29/87 WC Plann. Bd. letter. Mr.

Stanton spke. of economy and person willing to take chances - owner had aesthetically improved property. Trustee Elliott read frm. Vill. Code C-1 Dist. uses. Mr. R. Fischette, W. Main St., spke. of his opposition, buyer shld. be aware when he purchases property what he can do with it. Vill. Bd. shld. listen to people present, go along wth. Plann. Bd. recommendation/if commercial, lose control/let them apply for variance to put something in there. Mr. Barrett sd. that req. for variance wld. cause two-month delay. Citizen cited "Item 6" re "billiard room"/late hrs./alcohol establishment/relationship to Park/keep beverages out of Park. Mrs. G. Hill asked about use of "bays" - how many businesses and/or stores could ge in there and was told by Mr. Barrett "four." Lot to be done to convert to retail trade. Mr. Gilman sd. that Zng. Bd. extended usage of sd. property at least 3-4 times so that the bldg. was available on that basis. Mr. Stanton agreed re extension for auto dealership/lower level of use than existing today. Mrs. V. Palmer spke. of downtown merchants having some problems wth. small businesses which have become public nuisances/shld. be our privilege to welcome them or tell them we don't want them. Not opposed to travel agency and real estate agency. Mr. Barrett pointed out that variance process doesn't include auto mechanic. C. Lester spke. specifically of downtn. business which attracts young people at all hrs. Req. by Mayor not to use name.

Mrs. E. Hartnagel sd. of req., doesn't affect where she lives - up further - frm. what she has seen, Mr. Mayo's reputation, etc., did not feel he would allow anything in there that wld. downgrde. at this point. Trustee Gilmore sd. that if Mr. Mayo putting in travel agency/real estate that 'unsavory' plces. would harm those businesses. Mr. Barrett cited "Pro-May Mall" in Newark - his intention to have businesses conform. Mr. J. Cook sd. to look beyond fact that six mo. from now Mr. Mayo may not own the prop. May have opportunity to unload that prop. C-1 would be more desirable. Mr. Stanton spke. of control and protecting his investment....may have to take a "leap of faith" - accept minor risks. Mrs. C. Walker, 445 W. Main St., spke. of business prop., children, noise and improving their home/don't want to see their property values go dwn. Very much opposed to it. Mayor sd. unknown if prop. value goes up or down. Mr. Cook - current system is not preventing Mr. Mayo for going into business - might take 60 days to start it/sat their a yr. since other deal fell through. Mr. Barrett sd. he sent out 57 letters; approx. 14 people present - wld. appear only one objection out of 14.

Mayor Strong recapped disc. & those who came to voice opinions; Mr. Stanton spke. of cluster of uses in "No. 6" - don't know what owner has in mind - call "C-1A Zne." & take "No. 6" off - cld. do legally - create a different zone. Mrs. C. Lester sd. they shld. have some "say"/some control. Trustee Gilmore asked for clarification re "504" being hse. on east and told that "504"

location of Contant's. Trustee Elliott sd. that Cty. recommended staying commercial & old hse. stay residential. Mrs. G. Hill sd. wld. be "nice" to have something to say about it/didn't before & having lived in area the longest time. Mr. Elliott sd. that req. for just Messrs. Stanton's/Mayo's properties.

There being no further disc./questions, @ 7:55 p.m. Trustee Frontuto motioned Hearing closed; Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott, Vrubel & Gilmore. Carried. Trustee Elliott motioned that Bd. table decision until nxt. Bd. Mtg. on 3/2/87; Trustee Frontuto seconded. He sd. that most of Bd. not as familiar wth. situation as he - 1st. time Bd. did re-zoning did an "about face." Think about it and take position that Bd. can "stick to." Decision set for 7 p.m., 3/2/87. Voting "aye" were Trustees Elliott, Vrubel & Gilmore. Voting "Nay" was Trustee Frontuto. Carried.

Minutes, 2/5/87 - Trustee Frontuto moved acceptance as written; Trustee Elliott seconded with amendment - change "argument" to "discussion" & following Mayor's statement re the proposed subdivision & the Vill. Bd.'s authority, Trustee Elliott stated that both Bd.'s have shared/individual authorities - please refer to Village Ord. Voting "aye" were Trustees Frontuto, Elliott, Vrubel & Gilmore. Carried. Trustee Frontuto emphasized law of Minutes' availability in five (5) days time; Clk. instructed to abide by same.

Committee Reports - W&WW - Trustee Elliott sd. he wld. be meeting wth. Mr. Stu Carlson, Town of Macedon Councilman, the following night re VOP/TOM Water Contract. Water line break across bridge on Rt. #21 - repaired. Money in budget next year for insulating two water lines. Re Sewer Plnt. Proj., rec'd comments frm. Engineer D. Means/submission to DEC for their approval; middle of March shld. be ready for bid. Trustee Elliott sd. that zng. application for radio transmission tower denied by ZBA on 2/10/87, following which it was suggested that Mr. W. Becker approach Vill. Bd. re placing transmitter on Flagpole. Bd. reviewed materials; Mayor showed configuration picture rec'd. Trustee Elliott sd. that if req. granted, corp. shld. pay Vill. sine. money. Bd. disc. on wt./placement on pole - aimed toward Newark; concern re climbing - Mrs. Frontuto read frm. ZBA #171 Minutes re "anti-climbing" device. Air traffic pt. of reason for denial; Mr. Elliott sd. that Cty. objected to structure being next to Cty. Pk. - also, five ft. frm. undergrnd. telephone cable. Trustee Gilmore asked re adjacent hse. to airport/Mr. Elliott sd. "no." Further Bd. disc. re wind blowing/velocity, etc. If their employee to climb Flagpole re feasibility, provide liability ins. relieving Vill. of responsibility. Trustee Elliott then motioned permitting person to climb tower to see if workable situation, providing corp. provides suitable insurance and disclaimer holding Vill. harmless in case of accident. Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto, Gilmore & Vrubel. Carried.

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At 8:15 p.m., Mayor Strong moved that Bd. exercise Exec. Session for personnel/legal matters with entire Bd. present along with Vill. Atty., Pol. Chf. Henry, Dpty. Chf. Dalton & Clk. Trustee Elliott seconded. Voting "aye" were Trustees Elliott, Frontuto, Vrubel & Gilmore. Carried. At 9:50 p.m. Trustee Frontuto moved that Bd. emerge frm. Exec. Sess.; Trustee Vrubel seconded. Voting "aye" were Trustees Elliott, Frontuto, Vrubel & Gilmore.

Trustee Frontuto moved that Bd. rescind previous motion by Bd. @ Spec. Mtg. on 2/5/87 to bring Dpty. Chf. Dalton bk. to work; Trustee Gilmore seconded. Voting "aye" were Trustees Frontuto, Gilmore & Vrubel; voting "nay" were Mayor Strong & Trustee Elliott. Carried by majority. Trustee Gilmore moved that Bd. direct the Vill. Atty. to continue with disability retirement papers and direct Dpty. Chf. Dalton to cooperate with Vill. Atty. in processing sd. paperwk.; Trustee Vrubel seconded. Voting "aye" were Trustees Gilmore, Vrubel & Elliott; voting "nay" were Mayor Strong & Trustee Frontuto. Carried by majority.

Bd. disc. on keys (Vill. Hall frnt. dr. & T's Rm.) for Plann. Bd. Determination mde. to assign same to Chairman C. Collie upon motion by Trustee Elliott, seconded by Trustee Frontuto. Voting "aye" were Trustees Elliott, Frontuto & Gilmore. Voting "nay" were Mayor Strong & Trustee Vrubel. Motion carried by majority. Clk. to include in letter/instructions not to enter Central Office. Local Law #1 '87, V&T, Trustee Frontuto motioned passage with "no parking" on certain sts./additional stop sign - go bk. for rt. on red due to length of time to go thru State. Trustee Gilmore seconded. Voting "aye" were Trustees Frontuto, Gilmore, Elliott & Vrubel. Carried. Clk. directed to submit to State.

Trustee Elliott gave brief rpt. on Albany Legis. mtg. - Title 9, Environmental Bond Act. Pckt. being mailed re money for rehab. for bldgs. listed on State/National Register of Historic Bldgs. He moved that the Village apply to have Vill. Hall & P&C Rms. listed (& Florist's if they want to be included) re obtaining matching funds. Must keep exterior intact. Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto, Vrubel & Gilmore. Carried. Re Ins. Costs Mtg., recommended June budget cycle for insurance due in July, etc. Req. ins. co. 90-day rev. of renewal rates/re reciprocals/NYCOM setting up recip., municipalities subscribe (similar to self-ins.); save money in end - cld. save 15% of premiums.

Trustee Frontuto sd. she'd rec'd Town Contract for Comm.Ctr. - will present @ nxt. Bd. Mtg. Re NYCOM Mtg., she spke. of site selection of community residences. NYCOM suggested chnging the law - 40-day response time to be extended - all disputes heard before impartial forum rather than Commissioner of Mental Hyg. Also covered, schooling for management employees (such as Roger Weaver) providing passage of local law.

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Trustee Vrubel rec'd est. for P&C kit. stove/Rosa & Sullivan's - \$450. wth. self-cleaning oven; Herman's est. - \$455. unsure about oven (Clk. to ck.). Agway to be checked for est. Bd. agreed to shop locally for small diff.

Trustee Gilmore spke. of arson @ Grade Schl., car bombing & GLF fire - investigations conducted by a Cty. agency; have help frm. Dpty. Co. Fire Coordinator Ken Hammond. Situation not going unaddressed. Vill. F.D./P.D. do not get involved. Fire Chf. makes decision @ the scene - he has complete control at a fire scene/State law. Fire alarms in Vill. bldgs. disc. All Vill. bldgs. should have. F.D. membership apps. rec'd for George Lewis, Christopher Green & Douglas Gott; Trustee Gilmore motioned acceptance upon passing physical exams. Trustee Elliott seconded - Voting "aye" were Trustees Gilmore, Elliott & Vrubel. Trustee Frontuto "nay" - reservations regarding one of above. Carried by majority.

P.D. Rpts. for 1/87 accepted upon motion by Mayor; Trustee Frontuto seconded. Voting "aye" were Trustees Frontuto, Vrubel & Elliott. Voting "nay" was Trustee Gilmore who had not reviewed. Carried. Mayor fed info. re "Highway" into computer; will be rdy. for print-out soon. Nxt. budget mtg., Mon., 2/23/87 @ 7:30 p.m. Clk. to schedule dept. hds. @ 20-30 min. intervals. Mtg. re Union Cont. 3/3/87 - Clk. to write field rep., C. Bird. Chngs. on 2/11/87 reviewed brfly. Incremnt. & prev. agreed to by Bd. Re "Microfiching" Vill. records, Mayor recommended that wk. begin as proposed by Monroe/Sue Natalie - two copies, reader & reader print-out, \$5,479. Fnds. to come frm. 1410.4 & 1680.4. Disc. on set for Library - Trustee Frontuto thought good idea. Hrs. for viewing better/nights, etc., per Trustee Elliott. Mayor sd. wld. make more accessible to those doing research, etc. Mayor sd. he has written to Library/Hist. Pal. re storing records. Reply frm. Mr. R. Palmer, looking into. Mayor so moved above proposition; Trustee Frontuto seconded. Voting "aye" were Trustees Frontuto, Vrubel, Gilmore & Elliott. Carried.

"Re-keying" Vill. Hall disc. by Bd. - professional locksmith's est. - \$975. Incl. master key/sub-master - more tamper-proof than exists now. Dead-bolts within St. law. Trustee Vrubel suggested "re-keying" P&C Rms. also.

Authorization for Mayor to sign Abstract #18 upon motion by Trustee Frontuto and approval for payment of all vouchers containing three Trustees' signatures. Trustee Vrubel seconded. Voting "aye" were Trustees Frontuto, Vrubel, Elliott & Gilmore. Carried. Mayor Strong spke. of disc. in Albany re inequities of revenue sharing; sd. that he was appointed to NYCOM's Finance Committee.

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Other items covered by Bd. - determination mde. not to participate in "Sri Chinmoy Peace Mile" - Clk. to communicate; Clk. to write Gen. Code not to recodify at this time; Clk. to further look into disposition of Mobile Home Law. Re annexation of Staff. Rd., blue prints show costs/cost of pump station. Mr. Elliott sd. Plann. Bd. needs services of engineer re proposed sub-division/Bd. has power to hire one themselves; Mr. D. Means could accomplish @ same rate for other Vill. wk. - \$36. hr. Mr. Elliott then so motioned hiring Engineer Means for whatever services Vill. nds. him including Plann. Bd., transferring \$3,000. frm. "Engineering" line in Budget. Bd. agreed Mr. Means had performed well for Vill. Mayor Strong seconded. Voting "aye" were Trustees Elliott, Vrubel, Frontuto and Gilmore and Mayor Strong. Carried.

There being no further business to come before the Board, Trustee Elliott moved @ 10:55 p.m. that Bd. adjourn; Trustee Vrubel seconded. Voting "aye" were Trustees Elliott, Vrubel, Gilmore & Frontuto. Carried.

Ethel B. Johnson, Clk.

(Nxt. Vill. Bd. Mtg., 7 p.m., 3/2/87)