

Call to Order Mayor Eileen Hansen called the August 10, 2021 Village of Scottsville Board of Trustees to order at 6:30 pm.

Pledge of Allegiance to the Flag

Roll Call

Present: Eileen Hansen, Mayor
Leslie Wagar, Deputy Mayor
Kathie Carl, Trustee
Andy Fraser, Trustee
Nikki Whitmarsh, Trustee

Also Present: Katie Garner, Treasurer
Tom Rzepka, Attorney
Anne Hartman, Village Clerk

Approval of Minutes

Village Board Meeting Minutes

Tuesday, July 13, 2021

Motion made by Trustee Kathie Carl and seconded by Deputy Mayor Leslie Wagar to approve the minutes of the *Tuesday, July 13, 2021 Village Board Meeting* as submitted.

Vote: Carried (-)

Mayor Eileen Hansen
Trustee Kathie Carl
Trustee Andy Fraser

Deputy Mayor Leslie Wagar
Trustee Nikki Whitmarsh

Tuesday, July 20, 2021

Motion made by Deputy Mayor Leslie Wagar and seconded by Trustee Kathie Carl to approve the minutes of the *Tuesday, July 20, 2021 Treasurer Meeting* as submitted.

Vote: Carried 4-0-1 Abstention)

Mayor Eileen Hansen ABSTAIN
Trustee Kathie Carl AYE
Trustee Andy Fraser AYE

Deputy Mayor Leslie Wagar AYE
Trustee Nikki Whitmarsh AYE

Public Before the Board

GUIDELINES FOR PUBLIC COMMENT:

The public may speak only during the Public Comment period of the meeting (limited to a total of thirty (30) minutes) and during any public hearing public comment section, or at such other time as a majority of the Board allows.

Speakers must step to the front of the room.

Speakers must give their name, address and organization, if any.

Speakers must be recognized by the presiding officer.

Speakers must limit their remarks to three minutes on a given topic.

Speakers may not yield any remaining time they may have to another speaker.

Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks must be addressed to the Board as a body and not to any member thereof.

Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the Board by written communications.

Michael Souers, 9 Chili Ave: Forestry Board will have a second tree planting on October 16, will continue to have one in the Spring and Fall annually, applying for Tree City \$1,000 grant for tree planting, will purchase trees for Rochester St., took a drive around the Village with K. Bohn to assess trees, found 8 large tree take downs and 3 trims, from last year Terry Tree estimate it would be about \$4,000, and comment the Board on the Historic Board review.

Sylvia Benso, 23 Rochester St.: speaking on behalf of Rochester St. residents, submitted a petition with 48 signatures requesting in street crosswalk signs on Rochester Street and the following intersections: Beckwith, in front of TJ Connor, Genesee St and in front of the post office, crossing the street is dangerous due to speed and cars do not stop at the painted crosswalks

Mayor Hansen responded that speeding is a problem on all the perimeter streets, will contact MCSO to request patrol

Public Hearing

Mayor Hansen opened the public hearing by reading the notice from the Sentinel at 7:00 pm.

The reconvened Historic Board brought to the Board's attention there are two separate codes for the Historic District, Chapter 99 was put in place 2009 and Chapter 170-25 in 2018, these codes contradict in a few places, tonight we will vote to rescind Chapter 99 then review the language in 170-25.

Village of Scottsville NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Scottsville Village Board will be holding a Public Hearing at the Wheatland Municipal Building, 22 Main Street, Scottsville, New York 14546 on August 10, 2021 at 7:00 pm to consider Local Law 5-2021 to rescind Local Law 1-2009 Chapter 99 Historic Preservation Ordinance. All interested persons will be given an opportunity to speak for or against the above proposed legislation at the time and location set herein. Comments may also be sent via email to villageclerk@scottsvilleny.org.

Public Comment opened at 7:01 pm.

Public Comment:

James Yarrington, Chair Rochester Historic District Advisory Board, Chapter 99 looks good, but understand the need to clear up any language

Sylvia Benso, 23 Rochester St. and member of Historic Board, we are an advisory board

Mayor Hansen responded you are an advisory board to the Planning Board, review and give recommendation to the Planning Board.

Ms. Benso – for example, someone submits a permit for a shed and the Historic Board determines it is not in fitting with the District and the Building Inspector does not agree with our recommendation, who has the final word?

Trustee Fraser – the Code Enforcement Officer is reviewing the code, if something in the code is missing, needs to be updated it needs to be found before needed.

Ms. Benso – Who judicates differences of opinion?

Mayor Hansen – it would go back to the Planning Board, we are asking for the Historic Board to review Chapter 170-25 and make any recommendations to the code

Ms. Benso – And that is where we will remedy the issue of judication?

Mayor Hansen – yes.

Kevin Marks, 10 Beckwith, member of the Planning Board and Chair of the Zoning Board of Appeals, it is important that we have this process defined, the code says no building permit shall be issued on Rochester Street until the Historic Board issues a Certificate of Appropriateness, Building Inspector should run any permit by the Historic Board before issuing a permit.

Mayor Hansen – we are asking to look at the code to be sure both we are not missing anything by rescinding 99

Anne Hartman - No comments have been received by the Clerk’s office.

Public Comment closed and Board Comment opened at 7:10 pm.

Board Comment:

Trustee Carl – a deadline for recommendations so we can get this finished
Mayor Hansen – send suggestions for the September meeting.

Public Hearing closed at 7:17 pm.

Motion made by Trustee Kathie Carl and seconded by Deputy Mayor Leslie Wagar to pass Local Law 5-2021 to rescind Chapter 99 Historic Preservation of the Village of Scottsville Code.

Vote: Carried (5-0)

Mayor Eileen Hansen	AYE	Deputy Mayor Leslie Wagar	AYE
Trustee Kathie Carl	AYE	Trustee Nikki Whitmarsh	AYE
Trustee Andy Fraser	AYE		

Reports - Attorney Thomas Rzepka

No report

Department Reports

Building Inspector/Code Enforcement Officer

Property Maintenance

Chicken permit at 779 North Rd; they meet all the requirements per the village code.

Motion made by Trustee Andy Fraser and seconded by Trustee Kathie Carl to grant a special permit to allow the residents at 779 North Rd., Scottsville, NY to house six (6) chickens as stated in Village Code §54-26 Domesticated Chickens.

Vote: Carried 4-0-1 Abstention)

Mayor Eileen Hansen	AYE	Deputy Mayor Leslie Wagar	AYE
Trustee Kathie Carl	AYE	Trustee Nikki Whitmarsh	ABSTAIN
Trustee Andy Fraser	AYE		

DPW – Ken Bohn & Todd Schwasman

Brush Drop-Off at DPW Saturdays 9am – noon until September 25, 2021

Treasurer – Katie Garner

Pay Bills:

Motion made by Deputy Mayor Leslie Wagar and seconded by Trustee Nikki Whitmarsh to approve payables on the AP Check Register Report through August 10, 2021 and prepaid bills with General Payables totaling \$64,888.18 .

Vote: Carried (5-0)

Mayor Eileen Hansen	AYE	Deputy Mayor Leslie Wagar	AYE
Trustee Kathie Carl	AYE	Trustee Nikki Whitmarsh	AYE
Trustee Andy Fraser	AYE		

Updates

AUD Report/Footnotes completed and submitted, copy of AUD available for review
Received reimbursement from WSJFD for lease payment
Received ARPS funds \$97,856.59

Discussion: same amount coming next year, uses include: loss of revenue, creating job salary, infrastructure (sewer, storm water, roads), improve communication methods to residents, Johnson Park improvements (sanitizing, outdoor recreation) technology including laptops for remote work.
 Any fire dept surplus for 2020-21 has been moved into Fire Reserves, there is still an outstanding payable \$1,168.00 owed to the Village for payment made for WSJFD insurance

Clerk – Anne Hartman

Employee Health Insurance

Met with BeneCare, new plan starts September 1, increase less than 3%

Sexual Harassment Complaint Officer

Motion made by Trustee Nikki Whitmarsh and seconded by Trustee Kathie Carl to appoint Trustee Andy Fraser and Mayor Eileen Hansen as Sexual Harassment Complaint Officer ending April 4, 2022.

Vote: Carried (3-0-2 Abstentions)

Mayor Eileen Hansen	ABSTAIN	Deputy Mayor Leslie Wagar	AYE
Trustee Kathie Carl	AYE	Trustee Nikki Whitmarsh	AYE
Trustee Andy Fraser	ABSTAIN		

Declare Office Printers Surplus

Motion made by Deputy Mayor Leslie Wagar and seconded by Trustee Nikki Whitmarsh to declare the following printers as surplus and to approve the disposal of said printers: HP Laser Jet 1320 Serial Number CNHC5BS0NB, HP Color Laser Jet 2600n Serial Number CNGC64B24F, HP Office Jet 7210 All in One Model Number SDGOB-0305-01.

Vote: Carried (5-0)

Mayor Eileen Hansen	AYE	Deputy Mayor Leslie Wagar	AYE
Trustee Kathie Carl	AYE	Trustee Nikki Whitmarsh	AYE
Trustee Andy Fraser	AYE		

Trustee Reports:

Deputy Mayor Leslie Wagar – Communications

New website is live, still working out the glitches

Trustee Andy Fraser – Grants

The Consolidated Funding Application that MRB is working on our behalf was submitted on time. No other grants available at this time.

Trustee Nikki Whitmarsh – Planning Board/Zoning Board of Appeals

There was no meeting in July, first in person meeting on August 12

Trustee Kathie Carl - Finance

No report

Mayor’s Reports - Eileen Hansen

- Break ins happening in the Village are misdemeanors, appearance ticket issued and released, MCSO is diligently working on this. Residents be careful and let law enforcement resolve this.
- Genesee Valley Trail Town Initiative – asking for the Village to make a commitment of funds to the project, upon discussion with attorney and NYCOM, consensus is that would be considered a gift of tax payer money, ARPA money may be used under outdoor recreation and transfer of funds to a non-profit, aske the Chamber to solicit funds from members.
- Kevin Marks will find out how the other towns have been contributing.
- Property Maintenance – we need a procedure in place to deal with property maintenance when not complying with Code Enforcement’s efforts to resolve.

Motion made by Deputy Mayor Leslie Wagar and seconded by Trustee Kathie Carl to hire a contractor to mow vacant properties and said cost will be added to the tax bill.

Discussion: Trustee Fraser read from Code 170-29Section H.4

Improper maintenance shall be determined through periodic inspection by the Code Enforcement Officer. The Code Enforcement Officer may require a review and status report of plantings by a professional landscaper, arborist, or engineer. All reasonable costs for review and determination shall be at the expense of the property owner.

Vote: Carried (5-0)

Mayor Eileen Hansen	AYE	Deputy Mayor Leslie Wagar	AYE
Trustee Kathie Carl	AYE	Trustee Nikki Whitmarsh	AYE
Trustee Andy Fraser	AYE		

NYMIR Insurance Risk Assessment completed, advised of a hold harmless for contractors and more playground mulch needed

Old Business

No old business

New Business

Hero Act

Required by NYSDOL to protect employees from future diseases, using the state’s model.

Motion made by Deputy Mayor Leslie Wagar and seconded by Trustee Kathie Carl to pass the New York Health and Essential Rights Act (NY HERO Act) protecting employees against exposure and disease during a future airborne infectious disease outbreak.

Vote: Carried (5-0)

Mayor Eileen Hansen	AYE	Deputy Mayor Leslie Wagar	AYE
Trustee Kathie Carl	AYE	Trustee Nikki Whitmarsh	AYE
Trustee Andy Fraser	AYE		

Adjournment

Motion made by Deputy Mayor Leslie Wagar and seconded by Trustee Kathie Carl to adjourn the Village Board meeting at 7:55 pm.

Vote: Carried (5-0)

Mayor Eileen Hansen	AYE	Deputy Mayor Leslie Wagar	AYE
Trustee Kathie Carl	AYE	Trustee Nikki Whitmarsh	AYE
Trustee Andy Fraser	AYE		

Respectfully submitted by,



Anne Hartman
Village Clerk