

**October 10, 2017**

## VILLAGE OF CHURCHVILLE

At a regularly scheduled meeting of the Village of Churchville Board of Trustees held at 7:00 p.m. on the above date at the Village Hall, 23 East Buffalo Street, the following were:

Present: John T. Hartman, Deputy Mayor  
Michael H. Brown, Trustee  
Scott A. Cullen, Trustee

John B. Fitzsimmons, Village Attorney  
Paul A. Robinson, Superintendent of Public Works  
Meghan A. Lodge, Village Clerk Treasurer  
Tim McElligott, Building Inspector/Code Enforcement Officer/Fire Marshal

Fred Lennon, 88 E Buffalo Street  
Mike Morris, property owner at 15 Washington Street

Absent: Nancy L. Steedman, Mayor  
Diane F. Pusateri, Trustee

Deputy Mayor Hartman opened the meeting at 7:00 p.m. Jon Placito led the Pledge of Allegiance to the Flag.

### **Approval of Minutes**

Trustee Michael Brown made a motion, seconded by Trustee Scott Cullen, that the minutes of the September 25, 2017 meeting be approved. Motion passed 3-0 with Mayor Steedman and Trustee Diane Pusateri absent.

### **Superintendent's Report**

#### **Electric Department Report**

Spotts Circle Phase III: Conduit installation, transformer box pads and hand hole access boxes are being installed. Currently about half of the conduit (approximately 1000 feet) has been installed. Work will continue weather permitting.

Mutual Aid: On 10/4, 10/5 & 10/6 during normal business hours the village of Castile requested assistance with a new pole line project in their service area. 2 crew members from the village of Churchville, along with crews from the villages of Bergen and Spencerport assisted with the construction of a new 18 pole distribution line.

Mutual Aid: On Sunday (10/8) the village of Bergen requested assistance with the replacement of a riser pole located at the Bergen Fire Department/Town Hall facilities. Work was done in the early morning hours to minimize the impacts to those facilities.

#### **DPW / Sewers Report**

Brush Collection: Brush and lawn clippings were collected on October 2nd. Brush will be collected on the first and third Monday through October.

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Lawns and Gardens: All areas are being mowed at least weekly. Watering and weeding is done as needed.

Curb Side Leaf Collection: One complete round was made with the leaf vacuum on 10/3. We will be making rounds at least weekly for the remainder of the season.

Storm Sewer Connection: Piping and a yard drainage inlet was installed on the property line of 1 and 3 Ridgefield Drive to allow the residents a connection point for sump pumps and roof drains.

### **Cemetery Report**

No Report

### **Clerk's Report**

Meghan Lodge reported that the PPAC for the electric bills that were mailed on September 29<sup>th</sup> was .010658. The Clean Energy Surcharge was .003208. 102,000 kilowatt hours of supplemental power was purchased. The signed T-Mobile contract was received on September 28<sup>th</sup>. Meghan will send out the Treasurer's report before the next meeting.

### **Village of Churchville Building Department Monthly Report:**

| Building Permits Issued: |             | Date      |
|--------------------------|-------------|-----------|
| 31 N Main St             | Front Steps | 9/06/2017 |
| 8 Greenway Blvd          | Fence       | 9/12/2017 |
| 27 Redfern Dr. Storage   | Shed        | 9/20/2017 |
| 64 Parnell Dr.           | Deck        | 9/20/2017 |
| 8 Greenway Blvd          | Fence       | 9/21/2017 |

| Building Permit Inspections: |                 | Date      |
|------------------------------|-----------------|-----------|
| 63/65 Spotts Cir             | Dimple Rap      | 9/1/2017  |
| 36/65 Spotts Cir.            | Back Fill       | 9/5/2017  |
| 88 S. Main St.               | Insulation      | 9/5/2017  |
| 45 Spotts Cir.               | Plumbing        | 9/5/2017  |
| 9 Redfern Dr.                | Insert Final    | 9/5/2017  |
| 45 Spotts Cir.               | Insulation      | 9/6/2017  |
| 3 Shelter Cove               | Deck Holes      | 9/12/2017 |
| 70 Baker St.                 | Water Rough     | 9/13/2017 |
| 3 Shelter Cove               | Framing         | 9/19/2017 |
| 65 Spotts Cir                | Footer          | 9/19/2017 |
| 67 Spotts Cir                | Footer          | 9/19/2017 |
| 4 Hutton Cir.                | Deck            | 9/21/2017 |
| 67 Spotts Cir                | Foundation/Wrap | 9/27/2017 |

| C / O Issued  |           | Date      |
|---------------|-----------|-----------|
| 30 Spotts Cir | Final C/O | 9/14/2017 |
| 22 Spotts Cir | Final C/O | 9/19/2017 |

| C / C Issued: |  | Date |
|---------------|--|------|
|---------------|--|------|

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|                   |                   |           |
|-------------------|-------------------|-----------|
| 9 Redfern Dr.     | Gas/Insert        | 9/5/2017  |
| 3 Shelter Cove    | Deck Final        | 9/19/2017 |
| 4 Hutton Cir      | Pool & deck Final | 9/21/2017 |
| 69 W. Buffalo St. | Deck/ Lift        | 9/26/2017 |
| 4 Hutton Cir      | Pool Deck         | 9/26/2017 |
| 33 Spotts Cir     | Deck              | 9/26/2017 |
| 34 Spotts Cir     | Deck              | 9/26/2017 |

| Fire Inspection: | Date     |
|------------------|----------|
| 70 S. Main St.   | 9/5/2017 |

| Meetings and Residents Plan Reviews: | Date     |
|--------------------------------------|----------|
| Mike Morris Planning Info            | 9/5/2017 |

| Violations Complaints  | Date      |
|--|-----------|
| Political Signs by Phone. Letter sent with code requirements to both Political Parties | 9/11/2017 |
| 4 W Buffalo St Car Parking   | 9/12/2017 |

**Tim McElligott: Building Inspector/ Code Enforcement**

Tim reported that he will inspect the meeting house at 88 South Main Street for the final certificate of occupancy this Thursday. Trustee Brown noted that the open house is scheduled for Saturday, October 14<sup>th</sup>.

There was discussion regarding parking issues particularly along Buffalo Road with cars that park across the sidewalk blocking pedestrian travel and cars that park in the cul-de-sac at Parnell. Tim McElligott has sent warning letters. He is not authorized to issue tickets. The issues mainly occur on the weekends. Attorney John Fitzsimmons suggested that either Mayor Nancy Steedman or Deputy Mayor John Hartman talk with C zone regarding issuing tickets for these violations.

Tim also reported that there is a camper parked on a lawn with someone living in it all summer. Tim has sent two letters to the owner that this is a code violation. One of the letters came back. The other has not. Tim asked Attorney John Fitzsimmons if the mailing a letter is sufficient to provide notice or should the letters be sent certified. Attorney Fitzsimmons responded that the mailing of letters is sufficient. If necessary Tim can certify with a statement that the letters were mailed on a certain date.

Deputy Mayor John Hartman offered to call C-zone and inquire about the Sheriff's office issuing tickets. He also noted that there is a sign for a haunted hayride leaning against a utility pole near the railroad tracks. Tim will remove the sign to his office.

### **Planning Board Report**

No Report. Upcoming meeting and hearings as follows:

- Wednesday, October 11, 7:00 p.m. Planning Board meeting including a public hearing on preliminary site plan approval of the Black Creek Commons project and a preliminary site plan review for a proposed project at 15 Washington Street
- Wednesday, October 25, 7:00 p.m. Planning Board public hearing on Star of the West improvements at 35 South Main Street, coordinated review under SEQRA as a Type I action.

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### **Zoning Board Report**

No report. Upcoming hearing as follows:

- Wednesday, October 18, 7:00 p.m. Zoning Board of Appeals public hearing on the variance from height restrictions for the Star of the West improvements at 35 South Main Street

### **Fire Department Report**

Fred Lennon reported:

- ❖ That there is an open house at the fire department on October 14.
- ❖ That the Explorer Post has a new leader/advisor and that they are more active than in previous years.
- ❖ There have been 465 calls in 2017.
- ❖ November 3<sup>rd</sup> is the turkey raffle fundraiser.
- ❖ A new website is being developed.

Fred Lennon thanked Paul Robinson and the electric crew for the update in LED lighting on the outside of the fire hall.

### **Historian Report**

No report

### **Schedule of Bills**

Trustee Scott Cullen made a motion, seconded by Trustee Michael Brown, that Schedule of Bills No. 7B in the amount of \$66,224.09 as audited by Trustee Michael Brown, be approved for payment. Motion passed 3-0 with Mayor Steedman and Trustee Diane Pusateri absent.

Trustee Michael Brown made a motion, seconded by Trustee Scott Cullen, that Schedule of Bills No. 8A in the amount of \$77,254.85 as audited by Trustee Michael Brown, be approved for payment. Motion passed 3-0 with Mayor Steedman and Trustee Diane Pusateri absent.

### **Zoning Board Chairperson**

Deputy Mayor John Hartman announced that Eric Roth has submitted his resignation as a member of the Zoning Board of Appeals. He has obtained a new job with hours that conflict with the meetings. Mayor Nancy has accepted his resignation. A letter will be sent out thanking him for his service.

### **Appoint Jonathan Placito, ZBA Member – Resolution No. 2017- 81:**

Trustee Scott Cullen made a motion, seconded by Trustee Michael Brown, that Jonathan Placito be appointed to the Zoning Board of Appeals, term to expire 3/31/2020. Motion passed 3-0 with Mayor Steedman and Trustee Diane Pusateri absent.

Deputy Mayor Hartman thanked Mr. Placito for offering to serve the Village of Churchville. Trustee Scott Cullen thanked Mr. Placito for attending the Village Board meeting and introducing himself. He looks forward to the opportunity to serve.

### **Appoint Chris Flaherty, Chairperson Zoning Board of Appeals – Resolution No. 2017-82:**

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Trustee Michael Brown made a motion, seconded by Trustee Scott Cullen, that Chris Flaherty be appointed Zoning Board of Appeals Chairperson through March 31, 2018. Motion passed 3-0 with Mayor Steedman and Trustee Diane Pusateri absent.

**Authorization to Participate in Department of State-Local Government Services Online Training – Resolution No. 2017-83:**

Trustee Scott Cullen made a motion, seconded by Trustee Michael Brown:

RESOLVED that any member of the Planning Board or the Zoning Board of Appeals, the Planning Board Attorney, the Village Attorney and the Planning & Zoning Secretary be authorized to participate in the following online training courses offered by the Department of State Division of Local Government Services website including the following:

- Conducting Meetings and Hearings
- Historic Preservation
- Local Government Public Officers
- Making A Good Record
- Planning Board Overview
- Zoning Board of Appeals Overview

BE IT FURTHER RESOLVED that one and one half training hours be assigned for each course taken providing that a printed copy of the test results are supplied to the office of the Village Clerk with a passing score of 80%.

Motion passed 3-0 with Mayor Steedman and Trustee Diane Pusateri absent.

**Attendance at MEUA Engineering Workshop – Resolution No. 2017-84:**

Trustee Scott Cullen made a motion, seconded by Trustee Michael Brown that Adam Hettis and Ken Yoffredo be authorized to attend the MEUA Engineering Workshop from November 8<sup>th</sup> through November 9<sup>th</sup>, 2017 at the Embassy Suites Hotel in East Syracuse, NY at a registration fee of \$80/person. Motion passed 3-0 with Mayor Steedman and Trustee Diane Pusateri absent.

**Release Letter of Credit – Phase 3 Villas at Churchville – Resolution No. 2017-85:**

Trustee Michael Brown made a motion, seconded by Trustee Scott Cullen that Village Clerk/Treasurer Meghan Lodge authorize the release of funds in the amount of \$64,221.60 from North Coast Ventures Letter of Credit per the recommendation of John Paul Schepp of Chatfield Engineers, PC who has performed a site inspection and finds that the work is satisfactorily completed as outlined in the Engineer's Estimate date October 6, 2017. Motion passed 3-0 with Mayor Steedman and Trustee Diane Pusateri absent.

**Confirmation of Planning Board's Lead Agency Status in SEQRA Review for Star of the West Renovations at 35 South Main Street- Resolution No. 2017-86:**

Trustee Scott Cullen made a motion, seconded by Trustee Michael Brown to send notice of no objection to the Village of Churchville Planning Board assuming Lead Agency status for the action of coordinated review of Type I action under SEQRA for preliminary site plan Approval for the proposed project at 35 South Main Street. Motion passed 3-0 with Mayor Nancy Steedman and Trustee Diane Pusateri absent.

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### **Phase III Villas at Churchville Stop Signs Discussion**

The Village Board discussed the location of stop signs at Spotts Circle/Gilman Road and Spotts Circle where it circles back onto itself. It was decided that having one stop sign for those turning back into Spotts Circle from the east would be more natural. This would be instead of having a stop sign at each of the three ways. Attorney Fitzsimmons drafted a proposed local law stating that these additional stop signs be designated in §98-36 Schedule VII of the Code of the Village of Churchville (see attached) and introduced it to the Village Board. The public hearing will be scheduled for the Village Board meeting on November 13<sup>th</sup>. Meghan Lodge will publish notice.

### **Tree Lighting Ceremony Planning**

Fred Lennon will find out when the Fire Department is holding their event and the tree lighting ceremony at the Village Hall be scheduled as to not conflict.

### **Correspondence**

None reported.

### **Other Business**

Trustee Michael Brown asked why he got a copy of the legal notice of the public hearing for the Black Creek Commons project. Meghan Lodge answered that he received this because his residence is within 500 yards of the proposed project. Trustee Brown pointed out that this should be included in the notice so that residents understand why they are receiving a copy of the notice. One resident is asking neighbors to sign a petition expressing their concerns regarding the project. There may be a crowd at the meeting. When talking with C Zone Sherriff's office regarding issuing parking tickets, Deputy Mayor Hartman will also inform them that a crowd is expected at tomorrow night's Planning Board meeting.

Fred Lennon announced that there will be an election of new fire officers during the first week of December.

Trustee Scott Cullen made a motion, seconded by Trustee Michael Brown to adjourn the meeting at 8:10 p.m.

**PROPOSED LOCAL LAW #3-2017**  
**A LOCAL LAW TO AMEND CHAPTER 98: VEHICLES AND TRAFFIC**  
**SECTION 98-36 SCHEDULE VII: STOP INTERSECTIONS**

The Village Board of Trustees, having made a study of the streets listed below, in regard to traffic, safety, and welfare of the residents thereof and of the general public, and having determined that they wish to amend Section 98-36 of the Churchville Code, Vehicles and Traffic, as follows, in order to better protect and maintain the public health, safety, and welfare, and to make such Village streets safe for the general public and the users thereof,

**THEREFORE**, pursuant to the provisions of the Code of the Village of Churchville, Vehicles and Traffic, Chapter 98, be it enacted by the Board of Trustees that Section 98-36 is hereby amended as follows so that stop signs shall be installed at the following locations (to be added in the correct alphabetical spots in existing Section 98-36):

Section 98-36 Schedule VII: Stop Intersections

In accordance with the provisions of § 98-10, the following described intersections are hereby designated as stop intersections and stop signs shall be installed as follows:

| Stop Sign on                       | Direction of Travel | At Intersection of               |
|------------------------------------|---------------------|----------------------------------|
| Alicia Circle                      | South- east         | Chiswick Drive                   |
| Allfair Drive                      | East                | NY 36, Washington Street         |
| Allfair Drive                      | West                | Spotts Circle                    |
| Baker Street                       | North               | New York 33, East Buffalo Street |
| Carroll Street                     | West                | New York 36, South Main Street   |
| Chiswick Drive                     | North               | Chiswick Drive                   |
| Chiswick Drive                     | West                | New York 36, South Main Street   |
| Cloverleaf Drive                   | North               | New York 33, East Buffalo Street |
| Cloverleaf Drive                   | South               | Parnell Drive                    |
| Creekside Drive                    | South               | New York 33, East Buffalo Street |
| Fitch Street                       | East                | New York 36, South Main Street   |
| Fitch Street                       | West                | North Street                     |
| Gilman Road                        | West                | North Main Street                |
| Greenway Boulevard (east entrance) | South               | New York 33, East Buffalo Street |
| Greenway Boulevard (west entrance) | South               | New York 33, East Buffalo Street |

|                          |                                      |                                  |
|--------------------------|--------------------------------------|----------------------------------|
| Howard Avenue            | East                                 | New York 36, South Main Street   |
| Howard Avenue            | North                                | Fitch Street and North Street    |
| Hutton Circle            | East                                 | North Main Street                |
|                          | [Added 1-19-1998 by L.L. No. 1-1998] |                                  |
| Hutton Circle            | North                                | Hutton Circle                    |
|                          | [Added 1-19-1998 by L.L. No. 1-1998] |                                  |
| Kendall Road             | East                                 | North Main Street                |
| North Sanford Road       | North                                | New York 33, West Buffalo Street |
| North Street             | North                                | New York 33, West Buffalo Street |
| Park Road                | East                                 | North Main Street                |
| Park Road                | South                                | New York 33, West Buffalo Street |
| Parnell Drive            | North                                | New York 33, East Buffalo Street |
| Parnell Drive            | North- west                          | Redfern Drive                    |
| Parnell Drive            | South- east                          | Redfern Drive                    |
| Redfern Drive            | South- west                          | Parnell Drive                    |
| Redfern Drive (east end) | North- east                          | Parnell Drive                    |
| Redfern Drive (west end) | North                                | Parnell Drive                    |
| Richmond Avenue          | North                                | New York 33, West Buffalo Street |
| Ridgefield Drive         | North                                | Gilman Road                      |
| Ridgefield Drive         | South                                | New York 33, East Buffalo Street |
| Royce Drive              | North-east                           | Parnell Drive                    |
|                          | [Added 1-19-1998 by L.L. No. 1-1998] |                                  |
| Shelter Cove             | West                                 | New York 36, South Main Street   |
| Spotts Circle            | North                                | Allfair Drive                    |
| Spotts Circle            | South                                | Allfair Drive                    |
| <b>Spotts Circle</b>     | <b>West</b>                          | <b>Spotts Circle      ADD</b>    |
| <b>Spotts Circle</b>     | <b>North</b>                         | <b>Gilman Road      ADD</b>      |
| Willowbank Drive         | East                                 | Willowbank Drive                 |
| Willowbank Drive         | North                                | Willowbank Drive                 |
| Willowbank Drive         | South                                | New York 33, East Buffalo Street |



**This Local Law shall take effect twenty days after it is filed, as provided in Section Twenty Seven of the Municipal Home Rule Law.**