

**REGULAR MEETING
VILLAGE OF ENDICOTT
BOARD OF TRUSTEES
JULY 20, 2020
7:00pm**

Mayor: Linda Jackson
Attorney: Robert McKertich
Village Manager: Anthony J. Bates
Trustees: Cheryl Chapman, Eileen Konecny, R. Ted Warner & Patrick Dorner

ORDER OF BUSINESS:

1. Pledge of Allegiance- Moment of Silence- Announcement of Fire and ADA Compliance

2. Mayor's Announcements

3. Approval of Minutes

VOE 6/15/20

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny

Ayes -4 Nays -0 Absent -0

4. Trustee and Committee Reports

Trustee Warner asked the Mayor Jackson and Trustee Chapman whether they are planning on resigning. They both stated no, they have no plans to resigning. They have apologized and feel they have learned from this issue, as well as attending a webinar to be better informed.

McKertich- Nothing new to report

Bates- He stated that Village concrete work has begun. He stated that the Village's workers comp renewal has begun to show savings benefits. He also mentioned that the Summer Concert series is going really well.

Trustee Warner questioned why item #6 has been changed.

A motion was made to open the zoom meetings and allow the public to speak was made by Trustee Warner and seconded by Trustee Dorner

Ayes -2 Nays -3 Absent -0

Roll Call

Mayor Jackson- No Chapman - No Dorner -Yes
Warner- Yes Konecny-No

Trustee Dorner questioned as to why the public cannot speak. Attorney McKertich restated from the Mayor that there were no questions received by Friday so therefore there is no public hearing

5. Bid(s)

A request from Chief Operator, Kevin Pero to receive bids for a new pump station- Hayes Ave/Watson Blvd

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny

Ayes -4 Nays -0 Absent -0

Roll Call

Chapman - Yes Dorner -Yes Warner- Yes Konecny-Yes

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6. Communications for filing

- a. TOU Minutes from-6/3 Meeting, 6/8 Work Session and 6/17 Agenda/Meeting
- b. Charter Communication Notices dated 6/16, 6/18, 7/1, 7/5, 7/11 and 7/13
- c. NYCOM notice re: Conducting Meetings and Public Hearings
- d. Letter received from John Bertoni dated 7/13/20

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny (Trustee Warner read former Mayor John Bertoni's letter as per his request to be read)

Ayes -4 Nays -0 Absent -0

7. Communication for Action

- a. NYSDEC-SPDES Permit-Signature Authorization-American Horizons

A motion to approve was made by Trustee Konecny and seconded by Trustee Dorner

Ayes -4 Nays -0 Absent -0

- b. Cares Act Agreement-Attorney Signature

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny

Ayes -4 Nays -0 Absent -0

- c. Tiger Youth Football & Cheer

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny

Ayes -4 Nays -0 Absent -0

- d. VOE Light dept- Wage Proposal- **TABLED**

A motion to table this item was made by Trustee Chapman

Ayes -4 Nays -0 Absent -0

- e. SEQR, Type II Action-Obstruction & Analysis

A motion to approve was made by Trustee Konecny and seconded by Trustee Chapman

Ayes -4 Nays -0 Absent -0

- f. Regulations for Public Access to Records

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny

Ayes -4 Nays -0 Absent -0

- g. Single Audit Engagement Letter- Cwynar & Co

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny

Ayes -4 Nays -0 Absent -0

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8. Presentation and Approval of Accounts Payable –7/6/20 - \$ 614,307.50

GENERAL	\$186,821.13
COMMUNITY DEVELOPMENT	\$0.00
LIGHT	\$98,567.11
WATER	\$92,963.97
WASTEWATER	\$54,903.92
CAPITAL	\$162,050.20
LIBRARY	\$15,120.97
PARKING	\$0.00
TRUST & AGENCY	\$3,880.20
TOTAL	\$614,307.50

A motion to approve was made by Trustee Konecny and seconded by Trustee Chapman

Ayes –4

Nays –0

Absent -0

8a. Presentation and Approval of Accounts Payable 7/20/20 - \$1,510,973.43 HELD OVER

GENERAL	\$569,663.47
COMMUNITY DEVELOPMENT	\$0.00
LIGHT	\$143,606.08
WATER	\$144,396.66
WASTEWATER	\$122,150.21
CAPITAL	\$12,803.51
LIBRARY	\$514,021.96
PARKING	\$2,166.80
TRUST & AGENCY	\$2,164.74
TOTAL	\$1,510,973.43 includes health insur payment

9. Unfinished Business

Trustee Warner- questioned the status of the following:

Clearing of weeds in various areas in the Village. Mayor Jackson reminded him due to COVID, the Village had to lay off temp employees and the Street dept is doing their best in trying to catch up Clark St/Robble Ave- status of dead trees. Mayor Jackson stated that the Fire Marshal has written up numerous work orders for Huron.

Nanticoke Ave/parking lot behind Rogers Market- suggested fixing this area due to rainfall and rocks washing up. Mayor Jackson suggested speaking with the owner and figure out some type of remediation Trustee Dorner suggested something needs to be done regarding the replacement of sidewalks. On that note, Trustee Warner stated he called Code and they are in fact working on these code violations.

10. New Business- None

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(Prior to this item, Trustee Warner stated this is the area that has always been hearing of visitors)

11. Public Hearing(s)

Public Comment re:

a. LL#20- Governing Membership of the Zoning board of Appeals

A motion to table the public hearing was made by Trustee Dorner and seconded by Trustee Konecny

Ayes -4 Nays -0 Absent -0

b. LL#20- Governing the Membership of the Planning board

A motion to table the public hearing was made by Trustee Dorner and seconded by Trustee Chapman

Ayes -4 Nays -0 Absent -0

c. LL#20- Repealing LL#20-18 making recycling facilities a permitted use in industrial zones.

Howard- expressed his delight of the board repealing the local law

Rob Tiberi-agrees that the proper protection needs to be put in place and wholeheartedly agrees to repeal the local law

Claudia Braymer- representing many of the Village residents and wished to extend their thanks in re: to rescinding the local law

Diane Hunter, 519 ½ E Main St- Concerns re: the repealing of LL#18-20 is just a smokescreen but rest assured that if this does fail, the residents will continue to fight

Lisa Lee- thanked the board for making the decision to rescind the law and suggested using the resources of our community with their talents, skills and knowledge

Ellen Tiberi- Comments re: the repealing of the local law and expressed her concern for the community and hopes that other avenues our explored

Amanda/Amber- in agreeance with everyone who has spoken and the repeal of local LL #18-20. She spoke of the future and create a Village that they would want to stay here with the danger or health risk.

George, McKinley Ave-stated he is in agreeance with the rescinding of LL#18-20. Feels there has been a deaf ear from Village officials to Village residents.

Rocky- wanted to applaud the board for rescinding this local law though he feels there is a hidden agenda somewhere but feels there are other avenues to proceed rather than smokestacks in the Village

MaryAnn-urging and encouraging the board members to keep their word re: the rescinding of this local law. She commented on her comments at the last meeting re: Earth Day and a letter that she sent to Mayor Jackson

Paul-expressed his thank you to the board for rescinding the local law and felt it took a lot of courage. Continued with a thorough explanation about chemical emissions.

Jenny B- comments re: she does not feel this is a done deal due to feeling she has been lied to by Village officials. Expressed some disappointment in our Village government and feels that Village residents have been put at risk

Name not audible-Feels there is a level of deception and inattention re: the Village residents and their thoughts

Bill Huston-comments re: as to why this local law has not been rescinded yet. Stated comments from Mayor Jackson and feels they are incorrect. Stated that municipalities are expressly preempted from adding special restrictions on battery recycling facilities

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Ellen- comments re: the opportunity for residents to speak to the board and hopes this is extended to future meetings and hopes this law is rescinded and that protections are put in the future law and noted how engaged the community is

Carol Layton-comments re: the rescinding of this local law and as much as the board has said there are restrictions to protect the community, she feels there is nothing in the wording that protects against hazardous materials

As no one else wished to speak, Mayor Jackson closed the public comment and Trustee Chapman seconded

Ayes –4 Nays –0 Absent -0

Trustee Warner added that what worries him is that there were many procedural errors that were made in passing the law and also that the board could take a vote that would result in a law suit

A motion from Trustee Warner is to rescind the LL#18-20 making recycling facilities a permitted use in industrial zones that the board approved on 5/7/20 and that this new law to rescind shall be filed in Albany no more than 5 minutes after the filing of the 5/7/20 vote that we took to approve the law. No second was made.

Mayor Jackson stated that nothing has been filed due to waiting on the petitions.

Attorney McKertich stated that we have to do a SEQR review and approve the resolution which would repeal the prior law.

He also stated that the plan discussed prior by the board was wait until the protest petitions were reviewed.

A motion by Trustee Warner to prepare the SEQR review and seconded by Trustee Dorner

Ayes –2 Nays –3 Absent -0

Roll Call

Mayor Jackson-No Chapman – No Dorner -Yes
Warner- Yes Konecny-No

d. Call for a public hearing on 8/17/20 re: Café Permits

A motion to call for the public hearing was made by Trustee Chapman and seconded by Trustee Konecny

Ayes –4 Nays –0 Absent -0

12. Resolutions/Local Laws

a. R#20-23- Traffic Signal Replacement-McKinley Ave/Watson Blvd

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny

Ayes –4 Nays –0 Absent -0

Roll Call

Roll Call
Chapman – Yes Dorner -Yes Warner- Yes Konecny-Yes

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b. R#20-24- Aviation Capital Project

A motion to approve was made by Trustee Chapman and seconded by Trustee Konecny

Ayes –4 Nays –0 Absent -0

Roll Call

Chapman – Yes Dorner -Yes Warner- Yes Konecny-Yes

13. Executive Session- None

14. Board Member Comments

Dorner- would like to schedule an immediate board meeting once the reviewed petitions come in with a 72-hr notice for the Special Meeting

A motion to schedule the Special Meeting on Monday, July 27, 2020 at 6:00pm was made by Trustee Dorner and seconded by Trustee Konecny

Ayes –4 Nays –0 Absent -0

Roll Call

Chapman – Yes Dorner -Yes Warner- Yes Konecny-Yes

15. Adjournment

A motion to adjourn at 9:00pm was made by Trustee Konecny and seconded by Trustee Chapman

Ayes –4 Nays –0 Absent -0

Janice Orlando

Deputy Clerk/Treasurer

Transcript available in the Deputy Clerk Treasurers Office.

cc.

PGarey@endicottpd.org
Brett Manchester/Street/Central Garage/Parks Supervisor
Joe Griswold/Fire Chief
Kevin Pero/Chief Water Operator
Gerard Corprew/Gerarda@icloud.com
Chad Scott/ Light Superintendent
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Town of Union- Lenny Perfetti
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