

**PROCEEDING OF A REGULAR MEETING OF THE VILLAGE
BOARD OF TRUSTEES
September 10, 2024, 5 PM**

PRESENT:

Mayor: Alysa Plummer
Trustees: Lili Lanphear
Justin Leitgeb
David Marshall
Lisa Cove
Village Attorney: Jeffery Turner
Village Clerk: Dorothea Ciccarelli

CALL TO ORDER

Motion by Mayor Plummer and seconded by Trustee Cove to call the meeting to order.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

CONFLICTS OF INTEREST DISCLOSURE

Mayor Plummer asked the board if they had anything to disclose. Trustee Marshall recused himself from the discussion of Proposed Code Changes. The remaining trustees responded that they did not have any conflicts to report.

PLEDGE OF ALLEGIANCE

The room then stood and recited the Pledge.

MOMENT OF SILENCE

Mayor Plummer asked for the room to take a moment of silence in solemn remembrance of the 23rd anniversary of 9/11/2001.

PUBLIC COMMENT

Mayor Plummer asked if there were any public comments. The village clerk stated that there was not.

SETTING OF PUBLIC HEARING- SHORT-TERM RETAIL PERMIT 44 N. MAIN STREET

Motion by Trustee Marshall and seconded by Trustee Leitgeb to set a public hearing for a short-term retail at 44 N. Main Street, David Jewitt, for September 24, 2024, at 6 PM.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

REVIEW OF UPDATED PARKING REGULATIONS MAP

The board noted that some updates were needed to reflect changes made, such as approved parking spots in front of what is now Soho Salon. The goal was to have the board see the map, reflect the changes, and ensure it was updated and correct for public reference. There was also mention of contacting the fire department regarding the parking lot. They have publicly indicated that it would be turned into a public lot and potentially include this on the map. Additionally, there was a discussion about addressing parking concerns on Washington Street, including the possibility of limited parking to encourage turnover and alleviate congestion caused by town employees parking there. The board agreed to forward Bill Smith's responses to the whole board as a starting

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point for further discussion on this issue, and an action item was set for Mayor Plummer to follow up with Jarad Lusk regarding the referendum on the sale of the house next to village hall and owned by the fire department.

COFFEE & CONVERSATION DATE APPROVAL: VERNAL PONDS & LEGION TALK

The board okayed the scheduling of both coffee and conversations regarding the Vernal Ponds on October 5, 2024, and the Legion Talk on November 9, 2024.

DISCUSSION OF HEALTH AND WELLNESS, BEAUTY SPAS, AND HAIR SALONS REGARDING THEIR PERMITTED USE AND SPECIAL PERMITS

Trustee Marshall proposed changing the zoning laws to limit the proliferation of such businesses within the Village. He suggested removing spas and beauty salons as permitted or special permit use in certain business districts such as VCB and TDD to encourage a more diverse range of businesses but grandfathering in anything existing. The mayor wondered if they could incentivize other businesses instead of zoning out salons.

Motion by Trustee Marshall and no second to remove the special permit or permitted use for personal service shop or spa from VCB and the TDD zoning. *Motion failed.*

Motion by Trustee Marshall and seconded by Trustee Cove to instruct the administration to do the research they referenced to bring this back to the board in a month.

Vote: Plummer – nay, Lanphear – nay, Leitgeb – nay, Cove – nay, Marshall – nay. *Motion failed.*

The board decided to gather more information and research regarding spas in the Village and engage with the community before making any zoning changes. An action item was set for the mayor to contact the chamber of commerce to explore having a chamber subcommittee specific to the village merchants.

DISCUSSION ON R-5 ZONING

The board discussed the R-5 zone and the potential application of the Mixed-Use Erie Canal (MUEC) zoning to the area. They considered the implications for development and the Village's entrance aesthetics. The board decided to explore this idea further, including consulting with a planner and using AI tools like ChatGPT to model outcomes. They also discussed the possibility of creating a new zone unique to the Village entrance, considering both residential and mixed-use characteristics. The board agreed to bring the discussion back in the next meeting to refine their approach further.

PUBLIC HEARING- 14 SOUTH MAIN STREET SPECIAL PERMIT

Jason Pierce came before the board on behalf of Marc Teng to discuss his application for a special permit at 14 South Main Street. The board discussed the logistics of food deliveries, noting that large trucks would likely park on the street due to parking lot constraints. It was mentioned that previous restaurants had similar arrangements. Concerns were raised about trash disposal, particularly its timing and proximity to residential areas. The board emphasized the need for compliance with trash pickup ordinances and possibly adjusting pickup times. The board discussed the importance of maintaining a no-left-turn sign at the parking lot exit to direct traffic towards Main Street and away from residential areas. Compliance with site plans and special permit conditions, including signage specifications and traffic patterns, was emphasized. The restaurant's proximity to residential areas was scrutinized, with a 100-foot buffer mentioned as a requirement. The board considered alternative buffering methods, such as

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traffic redirection and landscaping, to mitigate the impact on nearby residential properties. The restaurant's hours of operation were discussed, with a closing time of 11 PM, consistent with other restaurants in the area.

Motion by Mayor Plummer and seconded by Trustee Cove to open the public hearing regarding the special permit for 14 South Main Street.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

There were no comments from the public.

Motion by Trustee Marshall and seconded by Trustee Cove, to close the public hearing regarding the special permit for 14 South Main Street.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Trustee Marshall and seconded by Trustee Leitgeb to declare the special permit for 14 South Main Street a Type II SEQR Section 617.5.C.18.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Trustee Marshall and seconded by Trustee Cove to approve the special permit or a restaurant at 14 South Main Street with the requirement that all deliveries occur on South Main Street or in the parking lot and adding to findings of fact regarding the setback distances.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

PROPOSED CODE CHANGES: GREASE TRAPS (CHAPTER 164) AND PROPERTY MAINTENANCE

The board discussed the need for a mechanism to address issues with grease traps, particularly in large commercial properties. They considered implementing regular inspections, a fee structure for repeated backups, and possibly charging fees for non-compliance.

Motion by Trustee Cove and seconded by Trustee Lanphear to have the village attorney and building inspector develop a procedure to require scheduled maintenance, a fee schedule, inspection, and remediation for grease traps in the Village.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – recused. *Motion passed.*

The board also discussed adjusting the property maintenance code to include commercial properties, as it currently focuses more on residential properties. It also discussed the need for remediation procedures for non-compliance and creating a registration and monitoring system for vacant commercial structures.

Motion by Trustee Lanphear and seconded by Trustee Leitgeb to direct the village attorney and the building inspector to research and develop code for remediation for non-compliance of commercial properties.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – recused. *Motion passed.*

DEBRIEF OF THE STR PUBLIC HEARING

Trustee Cove asked the village attorney and the board if putting the local law to referendum should be considered. The discussion regarding the referendum focused on the possibility of holding a public vote to determine residents' opinions on banning short-term rentals (STRs) in residential districts. The idea was to allow the community to weigh

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in on this significant issue, similar to how a previous board handled the decision on cannabis. There was debate about whether the board should decide, given their research and understanding of the nuances involved, including the residential district piece and the grandfathering in of existing STRs, or if a referendum would be a more democratic approach. Concerns were raised about the complexity of the issue and the potential for dividing votes if multiple options were presented. Ultimately, the board considered exploring the timeline and practicalities of conducting a referendum, with the understanding that it would provide clear guidance from the community. Trustee Leitgeb suggested that the board adjust the code for TDD zoning to allow STRs on the second floors and to eliminate the 100-foot buffer requirement.

The board set an action item for the village clerk to obtain an enlarged and higher-quality map of the LWRP overlay.

CONSIDERATION OF JUNCTION BOX GRAPHIC WRAP

The conversation regarding the junction box focused on the idea of wrapping it with a graphic design to enhance its appearance. The board discussed the possibility of using a photograph or other artwork, potentially with historical significance, to cover the box. The trustees considered the cost of the wrap, which was estimated between \$700 and \$1,100 for a plain green wrap. Still, they expressed interest in exploring more creative options that could include images or text related to the Village's history. The board wanted to gather more ideas and cost estimates before making a final decision and to include the village historian in further discussion.

CONSIDERATION OF VILLAGE GATEWAY REPLACEMENT SIGN

The board considered the design and wording for the new sign, with suggestions to include a reference to the Village's historic district status. There was a proposal to replace the "incorporated in 1827" text with "National Historic District" or similar wording. The board also discussed adding a small placard or banner to the sign to highlight this status. The cost of the sign was mentioned, and the board decided to explore different design options and costs before making a final decision at the next meeting.

REFUSE DISTRICT BID

The board discussed the timeline and process for going out to bid for trash services. They considered extending the time frame for the bid to allow vendors sufficient time to prepare their proposals. The suggestion was to go out to bid around October 1, with a due date of November 15, to ensure enough time for notification and cancellation of current services, aiming for a new service to start on June 1, 2025. The board also discussed including information about the bid process in the sewer bills sent out in January to ensure all residents are informed. The board decided to review the revised RFP at the next scheduled meeting.

CLEAN ENERGY COMMUNITY PROGRAM UPDATE & ACTIONS

Trustee Leitgeb wanted a list of options included in the meeting agenda before he would consider voting to accept the grant funds. The village clerk was asked to include it in the agenda for the next meeting.

The board also discussed establishing a community task force for clean energy, which would meet twice a year and include residents and possibly someone from the Department of Public Works. This task force would help the Village earn additional points in the program, moving it closer to the next funding level. The board agreed to bring the discussion back to a future meeting and possibly invite Rob Richardson to provide more information.

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BUILDING INSPECTOR REPORT

The building inspector's report included a stormwater update, highlighting a recent DEC audit of the Village's MS4 program. The audit required some changes, but the Village was generally satisfactory. Public outreach and education on stormwater were emphasized; they want to see stormwater discussions on the meeting agendas several times a year to engage the community in thinking about stormwater management. The Village also plans to update its website to include stormwater information. The report also mentioned the need to align the Village's stormwater law with the state law, and the board directed the attorney to review and update the code accordingly.

Motion by Trustee Marshall and seconded by Trustee Leitgeb to direct the village attorney to review the Village's stormwater law to ensure it aligns with state requirements.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Additionally, the rental application form was approved, allowing for safety inspections of rental properties.

Motion by Trustee Marshall and seconded by Trustee Cove to approve the application for rental permits, which was presented at the last meeting.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

DPW REPORT

The board had no comments or questions on the report.

TREASURER'S REPORT

The Village Clerk presented vouchers listed in Abstract #7 of the 2024/2025 fiscal year for approval.

Vouchers for approval Abstract #7

• General Fund (#829-#853):	\$ 40,396.38
• Sewer Fund (#833, #846):	\$ 1,355.51
	<hr/>
	\$ 41,751.89

Motion by Trustee Marshall, seconded by Trustee Cove, to approve the bill pay as presented.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Trustee Marshall and seconded by Trustee Leitgeb to approve the June and July 2024 financials as presented.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Trustee Leitgeb and seconded by Trustee Marshall to approve the budget transfers for the general fund and the sewer fund as presented.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

The village clerk informed the board that the hall's front porch columns must be replaced. Initially, it seemed to be a more straightforward facade improvement, but it was discovered that the columns were severely compromised, leading to the decision to replace them entirely. This aligns with the criteria for a DASNEY Grant aimed at capital improvements. An engineer assessed the situation, confirming the poor condition of the columns. It was suggested that Jennifer Ahrens oversee the project, drawing on her experience from a previous restoration project. The discussion also covered the process of obtaining grant approval from DASNY, the urgency of making repairs before

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winter, and the need to put the project out to bid. The group expressed confidence in moving forward with the repairs, emphasizing the importance of Bero's role in managing the project and ensuring its alignment with restoration standards.

The discussion regarding fiber was about the Village's need to improve internet connectivity. The board had previously approved a plan to switch to Greenlight for fiber internet service. However, Greenlight was unresponsive and unable to provide service to the Village Hall, although there was a possibility of service at the DPW. The village clerk asked to switch to Spectrum and their fiber option to ensure reliable internet service for the Village.

Motion by Trustee Cove, seconded by Trustee Lanphear, to approve and authorize Spectrum to provide fiber internet service to Village Hall.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

MINUTES

Motion by Trustee Leitgeb, seconded by Trustee Marshall, to approve the April 23, 2024, minutes.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – abstain, Marshall – yes. *Motion passed.*

Motion by Trustee Leitgeb, seconded by Trustee Marshall, to approve the May 28, 2024, minutes.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Trustee Marshall, seconded by Trustee Cove, to approve the June 11, 2024, minutes.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Trustee Leitgeb, seconded by Trustee Lanphear, to approve the June 25, 2024, minutes with corrections.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – abstain, Marshall – yes. *Motion passed.*

Motion by Trustee Leitgeb, seconded by Trustee Cove, to approve the July 16, 2024, minutes with corrections.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Trustee Marshall seconded by Trustee Cove, to approve the July 31, 2024, minutes with corrections.

Vote: Plummer – abstain, Lanphear – yes, Leitgeb – abstain, Cove – yes, Marshall – yes. *Motion passed.*

MEMBER ITEMS

Trustee Lanphear contacted the Fine Arts Gallery about putting on an art show in conjunction with the bicentennial of the Erie Canal, featuring specifically Erie Canal art. She would also like a sign held in storage at DPW remounted. Finally, Trustee Lanphear wanted the board to discuss a possible charrette at Schoen Place between the Main Street Bridge and the State Street Bridge before the first snowfall.

Trustee Cove inquired about the plans regarding the Erie Canal Bicentennial.

Mayor Plummer discussed a meeting with the Executive Director of Cornhill Navigation regarding accessibility improvements for the Sam Patch boat tours. The discussion included potential collaboration to enhance accessibility for individuals with disabilities.

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The mayor then discussed the upcoming Erie Canal bicentennial and the Seneca Chief's involvement, a replica of the packet boat used by Dewitt Clinton. The mayor mentioned plans for the boat to stop in the Village and the potential for community involvement, including schools and local leadership. The mayor also mentioned a meeting with Vicky Profit to discuss multiple events related to the bicentennial and expressed excitement about the opportunities presented by the bicentennial and the World Canal Conference, emphasizing the significance of these events for the region.

Finally, Mayor Plummer mentioned receiving information from Jared Lusk about the referendum for the sale of the Wadams House and plans to distribute it to residents. The Village will put out a bulletin for the residents.

EXECUTIVE SESSION

Motion by Mayor Plummer seconded by Trustee Cove, to enter an executive session to discuss an employee matter.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Mayor Plummer seconded by Trustee Cove, to leave executive session.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Motion by Trustee Leitgeb, seconded by Trustee Cove, to hire Sarah Wiggins at \$22 per hour for the position of full-time groundskeeper/laborer starting as soon as possible, pending background check, physical, and drug testing.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

ADJOURNMENT

Motion by Mayor Plummer, seconded by Trustee Cove, to adjourn the meeting at 8:41 PM.

Vote: Plummer – yes, Lanphear – yes, Leitgeb – yes, Cove – yes, Marshall – yes. *Motion passed.*

Laura Donk, Recording Secretary