

REGULAR MEETING OF THE NORTH HORNELL VILLAGE BOARD  
OCTOBER 10, 2005

Mayor John Falci called the meeting to order at 7:00 PM

Attendance: Mayor John Falci  
Trustees: William Coleman, Joseph Dick  
William McNelis & Glenn Thomas  
Clerk/Treasurer: Kristene Libordi

The Minutes of the September 13, 2005 meeting were approved with a change in name of a village resident that was incorrectly recorded. Change from Joseph Sparro to Jim Sparro. Motion made by Glenn Thomas to accept the change to the minutes, second by William McNelis and carried.

FIRE DEPT.

Chief Charles Chick reported 7 incidents for the month of September. With a total for the year of: 39 in the Village, 30 in the Town and 13 mutual aid. A new fire fighter accepted by the fire dept. Sharon Draper, a registered nurse at Highland Hospital. Background checks have been done. Need approval from the board. Chief Chick reminded everyone that this week is Fire Prevention week. And this year's theme is candle safety. The fire Dept is working on a flooding problem that happened last month they are getting estimates for the insurance company. Does the village want to help sponsor the Annual Halloween Safety night at the fire hall. William Coleman made a motion, to accept the fire report, second by Joseph Dick and carried. A motion was made by William McNelis to accept Sharon Draper as a new volunteer fire dept. member, second by Glenn Thomas. A motion was made by William Coleman to give \$200 to the Fire Dept for the Halloween Safety night, second by William McNelis and carried. At this time the board approved Halloween night for Monday, October 31<sup>st</sup> from 6:00 – 8:00PM.

POLICE DEPT

Police Chief Marcus Smith reported for the month of Sept: 1 criminal complaint, 1 general complaint, 2 tagged cars, responded to one motor vehicle accident on Seneca Rd., assisted 4 other agencies, issued 16 vehicle and traffic tickets with a total of 77 ½ patrol hours. He met with State Farm Insurance in regards to the patrol car that was involved in a motor vehicle accident. No damaged to the car. And no injuries sustained by Officer Flaitz or the driver of the other vehicle. Police Chief Smith noted that there will be an officer on patrol Halloween night. A motion was made by Glenn Thomas to accept the Police report, second by William McNelis and carried.

DPW

Supervisor Gregory Zdanowski completed the gravel work on Cleveland Ave after the paving. Parking lot was painted and a water leak was repaired on Seneca Rd. A motion was made by Glenn Thomas to accept the report, second by Joseph Dick and carried.

NEW BUSINES

The board received a letter from Dr. Robbins requesting to have his property rezoned from agriculture to commercial. Board has to accept the petition and send it to the planning board. William McNelis made a motion to accept the letter from Dr. Robbins, second by Joseph Dick and carried. A motion was made by Joseph Dick to send Dr. Robbins request to the Planning Board, second by Glenn Thomas and carried. A new house on Whitman Ave. has a concrete drive that was put in over water and gas pipes. There is also ponding water behind it, blocking surface drainage on the street.. Mayor Falci requested that a letter be sent to the owner stating that he is in violation of

village code and needs to take shorten the length of concrete by 5' and replace with gravel or black top.

There were requests for a fall pick up of leaves and yard clippings. Greg Zdanowski said it was not possible; he doesn't have the equipment or the time. According to Greg, there is no room to dump the debris at the Town – quite full. Joseph Dick said that village residents could take debris to the town as long as the bags are not left. If it is closed, he suggested the residents call Ron Kennel from the Town board to open it.

Dr. Pat Picco was appointed the health officer.

Michael Braun from Clough Harbor & Assoc. (CHA) certified engineer, came to answer any questions about SEQR or zoning. Mayor Falci asked that Mr. Braun explain what a SEQR is. Flow charts were given to all Trustees and the Mayor to give them an idea of the process. First action is rezoning of the property. Because it is more than 25 acres, it is classified as a type 1 action under SEQR law. First step is the Board has to classify what type of action this is. Second step the applicant has to prepare a full environmental assessment form (EAF). On behalf of Dr. Robbins, CHA will be completing it. Step three; the board will set up a special meeting to declare themselves lead agency.

Afterwards, CHA will send out the same documentation that was given to the board to various agencies, such as the County, State DEC, State DOT, Army Corp of Engineers in Buffalo and Baltimore. The documents will also be sent to the Village Planning board, City of Hornell and the Town of Hornellsville. This gives them the opportunity to say they want to be lead agency. There is a 30-day wait to see if anyone requests to be lead agency. Step four is determination of significance of the action on the environment. The impact on the environment during rezoning is different than during development. They are two different things. Later on the board will have to address with the applicant, who is developing, how they are addressing certain things such as: traffic, lighting, and visual impact.

With rezoning, as you look at the completed EAF that will tell you what should be looked at during the rezoning process. Then determine if there is or is not significant impact. If it is significant the board will need to go into "scooping" to see what items needs to be addressed by the applicant. Mr. Braun also stated that development could fall under the SEQR program again. He also told the board that CHA should have the EAF prepared within the next week and will set up a meeting to present it to the Village The Village declares itself lead agency and sends out letters to other agencies.

## PAY BILLS

A motion was made by William Coleman to pay bills, second by William McNelis and carried.

Mayor Falci adjourned for a few minutes at 7:45 PM and reopened meeting at 7:50PM to talk about Marick Park

## MARICK PARK

Mayor Falci addressed the board in regards to where we are today with the Marick Park development, specifically the areas North and East of the Ferringer home. An agreement was written up this past summer between Mr. & Mrs. Giles and the Village. Since that time a few things have transpired to delay the signing of this agreement. Mayor Falci asked Trustee Joseph Dick to explain what area of Marick Park that the Giles would like to sell to Mr. David Jacobs. Presently lots 15,17, & 19 are vacant lots and Mr. Jacobs would like to buy lot 15 and build a home. Presently there is no water to these lots. Mr. Giles must have a permit from the health dept to run these lines. As of this date, lots 9,12, 4 & 8 are available for development. They are on Marick Park Drive with water and sewer available. According to our attorney, the village cannot deny any permits for the above lots 9,12, 4 & 8. Prior to any paving on Marick Park drive (catch basin on each side of drive) go in between the two manholes and put the same size pipes before paved. Greg Zdanowski recommended leaving it in binder until the home construction (Mr. Jacob's home) is complete and then topping it. Mrs. James Sparro asked about water pooling south of her property on Marick Park Dr. Trustee Joseph Dick responded that a catch basin across from her property and one on the south side is scheduled for installation next year. Mr. Libordi asked how much has been spent on Marick Park since the beginning. Mayor Falci explained that there are no accurate figures. Possibly \$15,000

or more. Much of what was done in the past was agreed upon by a “hand shake” Mr. Libordi asked, if we continue this process how much would it be? The figure given was, possibly \$10,000.

Mayor Falci stated that Mr. Jacobs is aware of ponding in the back of Mr. Ferringer’s house. If Mr. Jacobs raises the land, his builders have come up with a solution to eliminate the problem. Mr. Jacobs gave an explanation of how his builders would resolve the problem.

It was at this time Mayor Falci asked to go over the issues at hand: road, water & sewer. (Road and sewer were addressed and are taken care of and) Mr. Giles will pay for water hook ups & fire hydrants at his expense. All three lots (19, 17, 15) will have access to water at Mr. Giles expense & Mr. Giles agreed. Mr. Giles asked if the Road would be turned over to the Village after construction with just binder. Trustee McNelis said it would have to be certified by an engineer and certificate from the Health Dept. Mayor Falci asked Greg Zdanowski if the binder for the road could be put in before approval of water & sewer lines. Mr. Zdanowski responded yes because they are outside of road.. It was stated at this time that no water would be given to any of the above lots until all certifications were approved by the health dept. The road would not be taken over by the village until topcoat is applied and again, certifications are approved. Mayor Falci asked that Trustees Joseph Dick & Glenn Thomas meet with Mr. & Mrs. Giles to get a contract written up that would go to the attorneys for approval. Afterwards a special meeting will be held between the board and Mr.& Mrs. Giles to sign the contract. He requested that this be done as quickly as possible.

Mrs. Giles asked if the Shinebargers have a building permit. Mayor Falci asked the Village Clerk to call the town to verify that a permit has been given. Mrs. Giles also asked if the owner of the house on the corner of Seneca and Whitman is going to trim the bushes. She believes it is a dangerous corner with poor visibility due to the height of the shrubs. Mayor Falci talked to the homeowner and the shrubs were trimmed.

Mayor Falci adjourned the meeting to executive session at 8:40 P.M.

Executive Session was adjourned at 9:30 P.M.

Village Clerk