

VILLAGE BOARD MEETING

FEBRUARY 6, 2002

CALL TO ORDER: 7:04 PM

The Pledge of Allegiance was led by Mayor Walker.

BOARD MEMBERS PRESENT

Theodore E. Walker, Mayor
Theodore E. Rauber, Trustee
Steven T. Russell, Trustee
Glenn C. Granger, Trustee
Timothy M. Peer, Trustee

BOARD MEMBERS ABSENT

OTHERS PRESENT

Alan R. Scheg, Village Administrator
Pamela J. Cunningham, Village Clerk
Thomas M. West, Superintendent of Public Works
John E. Linder, Superintendent of Electric

Nancy Lewthwaite, Park Ridge Youth Outreach
Jeneene DiCesre, Park Ridge Youth Outreach

24 Participation in Government Students

APPROVAL OF MINUTES

Motion was made by Trustee Russell, seconded by Trustee Rauber and carried unanimously that the minutes of the regular meeting held December 5, 2001 be approved as read.

Motion was made by Trustee Peer, seconded by Trustee Rauber and carried unanimously that the minutes of the regular meeting held January 2, 2002 be approved as read.

Motion was made by Trustee Russell, seconded by Trustee Rauber and carried unanimously that the minutes of the meeting held January 9, 2002 be approved as read.

Motion was made by Trustee Peer, seconded by Trustee Russell and carried unanimously that the minutes of the meeting held January 16, 2002 be approved as read.

PRIVILEGE OF FLOOR

1. Nancy Lewthwaite – Park Ridge Youth Outreach.

Ms. Lewthwaite gave a brief background of the organization. Ms. Lewthwaite also updated the board on the efforts that the Park Ridge Youth Outreach has done in the Spencerport Community this past year. In 2001 they provided services to 1,850 young people ages ranging from 10 to 21 with 60% coming from the 10 to 15 age group.

Mayor Walker informed Ms. Lewthwaite that the village once again is giving a contribution to this program. This year's contribution will be \$4,000.00.

CORRESPONDENCE:

Mayor Walker read a letter from Hedy McGarry. Ms. McGarry thanked everyone for the great job they did during this past Snow/Ice Storm.

Mayor Walker: On behalf of the Village Board, I want to thank all village employees for a great effort this past weekend through the storm. Not only fixing the repairs, but supporting each other and letting the community know where things stood. I think it went very well. Thank you very much.

Sewers Committee – Trustee Rauber, Chairman

1. January Sewer Flow Report.

Trustee Rauber reported the average sewer flows at the wastewater treatment plant for the month of January 2002 was 795 thousand gallons. Trustee Rauber noted there was 3.5 “ of rainfall during the month of January.

2. Water Shed Meeting.

Trustee Rauber stated that in March 2002, Mayor Walker and Superintendent West, and he will be attending a meeting with respect to the study to tie-in-to Monroe County ‘s sewer system.

Planning/Zoning/Building Control – Trustee Peer, Chairman

A. Planning

Nothing requiring Board action.

B. Zoning

Nothing requiring Board action.

C. Building Control

1. Monthly Building Report.

Trustee Peer informed the Board that the he is in receipt of the January Building Department report.

2. Resolution – Intermunicipal Agreement – Building Inspector with Town of Ogden

RESOLUTION 70 2/02

At a regular meeting of the Village Board of the Village of Spencerport held at the Village Hall, 27 West Avenue, Spencerport, New York on February 6, 2002

Introduced by: Trustee Peer

Seconded by: Trustee Rauber

**RESOLUTION AMENDING RESOLUTION 66 1/02
FOR ESTABLISHING AN AGREEMENT WITH THE TOWN OF OGDEN
FOR BUILDING INSPECTION SERVICES**

Whereas, the Village Board approved a letter agreement between Town of Ogden and Village of Spencerport for Building Inspection and Fire Marshalling services for the period of December 1, 2001 through November 30, 2002 for the lump sum amount of \$29,318 at its regularly scheduled meeting on January 16, 2002; and

Whereas, Town of Ogden Supervisor Gay Lenhard has since forwarded to the Village an "Intermunicipal Agreement", dated January 31, 2002, which details additional services and extends the agreement beyond November 30, 2002; and

Whereas, the services to be provided now include building inspection, fire marshalling, code enforcement, Zoning and Planning Board advise, and clerical support, and

Whereas, the "Intermunicipal Agreement" now extends through December 31, 2004 with annual compensatory increases of approximately three and one half percent per year payable to the Town of Ogden for provided services; and

Whereas, the "Intermunicipal Agreement" becomes effective upon appropriate Resolutions of both Boards of the Village of Spencerport and Town of Ogden;

Now, therefore, be it resolved

Section 1. The Village Board amends Resolution No. 66 1/02 by adopting the conditions so stated in the "Intermunicipal Agreement", as attached;

Section 2. The Village Board authorizes the Mayor to sign the "Intermunicipal Agreement" on behalf of the Village of Spencerport;

Section 3. That this resolution shall take effect immediately, conditional upon an appropriate Resolution by the Town Board of Ogden agreeing to the building inspection services so stated in this Resolution.

Section 4. That this resolution is contingent on the written agreement stating that the agreement may be cancelled by the Village or Town Governments within thirty-days written notice, one to the other and mutual agreement of both parties.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steven T. Russell, Trustee	Aye
Glenn c. Granger, Trustee	Aye
Timothy M. Peer, Trustee	Aye
Theodore E. Walker, Mayor	Aye

3. Resolution - Appointment of a Code Enforcement Officer.

RESOLUTION 71 2/02

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Introduced by: Trustee Peer
Seconded by: Trustee Granger

RESOLUTION TO APPOINT CODE ENFORCEMENT OFFICER

Whereas, Provisions in the Code of the Village of Spencerport designates the Code Enforcement Officer position as that which may issue appearance tickets on all local laws and ordinances; and

Whereas, the Village of Spencerport recently contracted with the Town of Ogden to provide Code Enforcement Services (in addition to services for Building Inspections and Fire Marshalling). Said agreement being limited in its duration and having to be renegotiated at the end of its term;

Now, therefore, be it resolved

Section 1. The Village Board hereby designates the Code Enforcement Officer as Jack Crooks through the Town of Ogden.

Section 2. That this resolution shall take effect immediately.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steven T. Russell, Trustee	Aye
Glenn c. Granger, Trustee	Aye
Timothy M. Peer, Trustee	Aye
Theodore E. Walker, Mayor	Aye

D. Code Review

Nothing requiring Board action.

E. Architectural Review

Trustee Peer stated that at the January 16, 2002 meeting they met with the new owner of Abbott's - 138 S. Union Street.

Finance Committee - Trustee Russell, Chairman

The Board unanimously acknowledges receipt of monthly investment of consolidated Village funds, Insured Municipal Money Market, HSBC, 2.85%. It is up .16% from prior month.

Trustee Russell informed the board that JPMorgan Chase Bank was the low bidder on the \$500,000 BAN for Water System Improvements at an interest rate of 1.87% for 115 days.

Facilities Committee – Trustee Russell, Chairman

A. Electric

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1. Resolution – BAN for Central Business District Light Replacement Project.

RESOLUTION 72 2/02

Introduced by Trustee Russell
Seconded by Trustee Granger

COPY ATTACHED

Vote of the Board

Theodore E. Rauber, Trustee	Aye
Steven T. Russell, Trustee	Aye
Glenn c. Granger, Trustee	Aye
Timothy M. Peer, Trustee	Aye
Theodore E. Walker, Mayor	Aye

2. Resolution to award CBD Lighting Bid

Bid Opening: November 16, 2001

Bidders:	R.J. Lang (Cooper Lighting)	Phase I	\$34,304.20
		Phase II	<u>\$14,914.00</u>
		Total	\$49,216.20
Total Lighting Concepts		Phase I	\$48,192.00
		Phase II	<u>\$22,590.00</u>
		Total	\$70,782.00

RESOLUTION NO 73 2/02

Introduced by Trustee Russell
Seconded by Trustee Granger

Resolved, that the Village Board hereby rejects all bids for the Central Business District Street Lighting Project. The rejection is based on change in project scope.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steven T. Russell, Trustee	Aye
Glenn c. Granger, Trustee	Aye
Timothy M. Peer, Trustee	Aye
Theodore E. Walker, Mayor	Aye

3. Resolution – Moratorium on Out-of-Franchise additions to Franchise.

RESOLUTION 74 2/02

At a regular meeting of the Village Board of the Village of Spencerport held at the Village Hall, 27 West Avenue, Spencerport, New York on February 6, 2002

Introduced by: Trustee Russell
Seconded by: Trustee Peer

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**RESOLUTION SETTING MORATORIUM ON OUT OF
FRANCHISE ELECTRIC HOOKUPS AND SETTING UP
COMMITTEE TO STUDY AND REPORT TO VILLAGE BOARD**

Whereas, the Village Electric franchise has, in the past, allowed property outside of the Village Electric franchise to obtain power from the Village Electric Franchise with an agreement from Rochester Gas and Electric and the property owner(s); and

Whereas, recent construction within the boundaries of Village Electric Franchise has resulted in the Village Electric Franchise reaching its allotment of New York State Hydropower. This results in the Village having to purchase additional power at higher costs to the ratepayers; and

Whereas, the Board of Trustees desires to study whether or not to continue to allow out of franchise property owners access to Village electric power and, if the answer is yes, to establish standards and a procedure for considering future out of franchise applications; and

Whereas, in order to make the initial determination and to establish standards and procedures, considerable study, research and investigation will have to be done; and

Whereas, the Board of Trustees wishes to appoint a committee to make recommendations to the Board of Trustees; and

Whereas, This action is a Type II Action under the State Environmental Quality Review Act [6 NYCRR 617.5(c)(30)], and not subject to further review.

Now, therefore, be it resolved:

Section 1. That a moratorium on any out of franchise applications and construction is hereby imposed pending the results of the study and further action of this Board.

Section 2. That a committee is hereby appointed to study, research and investigate the options and to make a recommendation to this Board. The Committee is composed of the following:

Alan Scheg, Village Administrator
Jack Linder, Electric Superintendent
Any interested Trustee
Richard Olson, Village Attorney

Section 3. This Committee shall make a preliminary report to this Board no later than April 17, 2002, and shall make final recommendations to this Board no later than July 17, 2002.

Section 4. This moratorium shall expire on September 6, 2002 unless earlier terminated by this Board.

Section 5. That this resolution shall take effect immediately.

Vote of the Board

Theodore E. Rauber, Trustee Aye

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Steven T. Russell, Trustee	Aye
Glenn c. Granger, Trustee	Aye
Timothy M. Peer, Trustee	Aye
Theodore E. Walker, Mayor	Aye

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B. Water

1. Resolution to award Prospect/Maplewood Water Main Improvements Project Bid.

List of Bids Attached

RESOLUTION 75 2/02

At a regular meeting of the Village Board of the Village of Spencerport held at the Village Hall, 27 West Avenue, Spencerport, New York on February 6, 2002

Introduced by: Trustee Russell

Seconded by: Trustee Rauber

RESOLUTION TO AWARD CONSTRUCTION CONTRACT FOR PROSPECT/MAPLEWOOD WATER MAIN IMPROVEMENTS PROJECT

Whereas, on January 25, 2001, bids were received from eight (8) Bidders for the construction of the Prospect/Maplewood Water Main Improvements project; and

Whereas, G.T. Booth, Inc. of Leicester, New York, submitted the low bid in the amount of \$159,745.00 for Base Bid plus Alternate Bid items; and

Whereas, due consultation has been made with the MRB/group, engineers for this project, who have reviewed the bids and "Statement of Bidders Qualifications" from the low bidder, G.T. Booth, Inc.; and

Whereas, MRB/group recommends that the construction contract for this project be awarded to G.T. Booth, Inc. in the estimated amount of \$159,745.00 for Base Bid plus Alternate Bid items, contingent upon approval by the Village's attorney and receipt of acceptable Bonds and Insurance;

Now, therefore, be it resolved

Section 1. That the Village Board hereby awards the construction contract for the Prospect/Maplewood Water Main Improvements project to G.T. Booth, Inc. in the estimated amount of \$159,745.00 for Base Bid plus Alternate Bid items. This award contingent upon approval of the Village attorney who will be forwarded the Bid documents for review.

Section 2. That the Mayor is hereby authorized to sign the Agreement for said contract, contingent upon receipt of acceptable Bonds and Insurance's as provided for in the Contract Documents.

Section 3. That this resolution shall take effect immediately.

Vote of the Board

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Theodore E. Rauber, Trustee Aye

Steven T. Russell, Trustee Aye

Glenn c. Granger, Trustee Aye

Timothy M. Peer, Trustee Aye

Theodore E. Walker, Mayor Aye

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RESOLUTION CARRIED

Certified to be a true copy of the Resolution made by the Village Board of Spencerport on February 6, 2002

By: Pamela Cunningham
Clerk

2. Resolution to approve MRB/group Construction Services Contract for Prospect/Maplewood Water Main Improvement Project.

RESOLUTION 76 2/02

At a regular meeting of the Village Board of the Village of Spencerport held at the Village Hall, 27 West Avenue, Spencerport, New York on February 6, 2002

Introduced by: Trustee Russell

Seconded by: Trustee Rauber

**RESOLUTION TO AWARD CONSTRUCTION PHASE SERVICES CONTRACT
FOR
PROSPECT/MAPLEWOOD WATER MAIN IMPROVEMENTS PROJECT**

Whereas, on February 6, 2002 the Village Board awarded the construction contract for the Prospect/Maplewood Water Main Improvements project; and

Whereas, the Village Board feels it is prudent to have full time construction administration and observation during the construction of said project; and

Whereas, the Village's engineer for the project, MRB/group, proposes to furnish complete construction phase services which include chairing pre-construction and progress meetings, reviewing contractor supplied shop drawings, submittals and price quotes, processing contractor pay estimates, and providing full time observation, post construction auditing and project closeout. These services will be provided for the not-to-exceed amount of \$20,000.00, billed for actual time spent at published rates as per MRB/group Proposal, dated September 28, 2001 and letter dated January 31, 2002 (attached);

Now, therefore, be it resolved

Section 1. That the Village Board hereby awards the construction phase services contract to MRB/group in the not-to-exceed amount of \$20,000.00.

Section 2. That the Mayor is hereby authorized to sign the Agreement for said contract.

Section 3. That this resolution shall take effect immediately.

Vote of the Board

Theodore E. Rauber, Trustee Aye

Steven T. Russell, Trustee Aye

Glenn c. Granger, Trustee Aye

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Timothy M. Peer, Trustee Aye

Theodore E. Walker, Mayor Aye

C. Other (Drainage, Franchise)

Nothing requiring Board action.

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Public Works Committee – Trustee Rauber, Chairman

A. Highways/Garage

Nothing requiring Board action.

B. Public Services (Refuse, Recycling, Parks)

Nothing requiring Board action.

Public Safety Committee – Trustee Granger, Chairman

A. Fire Department

1. New Member Applications.

RESOLUTION 77 2/02

Introduced by Trustee Granger

Seconded by Trustee Peer

Resolved, that the Village Board of Trustees hereby approves Troy Capone, Jonathan Read and Richard Gilson as active members of the Spencerport Volunteer Fire Department.

Vote of the Board:

Theodore E. Rauber, Trustee Aye

Steven T. Russell, Trustee Aye

Glenn c. Granger, Trustee Aye

Timothy M. Peer, Trustee Aye

Theodore E. Walker, Mayor Aye

2. Consolidation.

Trustee Granger gave an update on the Fire Department Consolidation.

B. Police

Nothing requiring Board action.

Human Resources Committee – Trustee Granger, Chairman

Nothing requiring board action.

Economic Development Committee – Trustee Peer, Chairman

Nothing requiring board action.

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Village Administrator –

1. Update on Geographic Informational Systems initiative.

Administrator Scheg stated that 60% completed with the base mapping being 90% complete. Administrator Scheg reminded the board that there is a meeting on February 20, 2002 at 5:30 P.M. to review the progress to date.

2. Update on 2003 Budget process.

Administrator Scheg gave a brief update on the budget process.

Village Clerk - Pamela J. Cunningham

1. Update on Financial Software replacement process.

Clerk Cunningham gave an update on the progress the office staff has made to date and stated that they will be meeting this Friday, February 8, 2002 to put the final touches on the draft proposal for the February 13, 2002 meeting with the board.

2. Water Rate Increase Mailing.

Clerk Cunningham informed the board that the water rate increase mailing will be sent out to the residents at the end of February 2002. Clerk Cunningham distributed copies of said mailing to the board.

Superintendent of Public Works – Thomas M. West

1. Personnel – Hiring of Full-Time Refuse/DPW Laborer.

RESOLUTION 78 2/02

Introduced by Mayor Walker
Seconded by Trustee Rauber

Resolved, that the Board of Trustees hereby authorizes the hiring of Jonathan Phillips, Full-Time Refuse/DPW Laborer, at a rate of \$11.00 per hour contingent upon a one (1) year probationary period than up to \$12.00 per hour. This will commence in March of 2002.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steven T. Russell, Trustee	Aye
Glenn c. Granger, Trustee	Aye
Timothy M. Peer, Trustee	Aye
Theodore E. Walker, Mayor	Aye

Superintendent West reported on the following:

1. Updated on the Western New York Water Works Conference that he attended today. One of the topics was security on our utilities (electric/water).
2. Dirty Water complaints have been received from residents on Big Ridge Road and N. Union Street where Monroe County's new meter pit is. He will be meeting with Monroe County Water Authority to discuss our options.

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3. Tree Trimming has just been completed. If we hadn't done this work we could have been in worse shape during this latest Snow/Ice Storm.
4. Ballard Avenue culvert cleaning was rescheduled due to bad weather.
5. Sewer Flow monitoring in Village Pines should conclude this Friday, February 8, 2002.
6. Drainage work will continue in the creek area by the old post office (174 S. Union Street).

Superintendent West thanked the Village Board and office staff for all their assistance during last weekend's storm.

Superintendent of Electric – John E. Linder

Superintendent Linder: I also appreciated the assistance from the office staff, Village Board, and the Department of Public Works. We did receive mutual assistance from the Villages of Churchville and Castile. The crews were able to keep up until we had a large tree come over in the area of Thorncliff Road and Hawthorne Drive. Unfortunately, those residents were out of power overnight. We did have a couple of things go in our favor. One being our extensive tree trimming. Secondly, the temperature went up well over freezing to melt the ice off the trees before the wind started. I will set up a meeting to look at what went well and what didn't and perhaps design a job work sheet for future use. Because I was unable to be everywhere Superintendent West checked out jobs for me. The customers were good and the office staff was exceptional. It went really well and no one got hurt which is our priority.

Attorney – Richard J. Olson

Not in attendance.

Administration Committee – Mayor Walker, Chairman

1. Resolution for authorization to attend Business Writing & Grammar Skills Workshop.

RESOLUTION 79 2/02

Introduced by Mayor Walker

Seconded by Trustee Peer

Resolved, that the Village Clerk is hereby authorized to attend a Business Writing & Grammar Skills two-day Workshop be held March 13 & 14, 2002, Rochester, New York.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steven T. Russell, Trustee	Aye

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Glenn c. Granger, Trustee Aye

Timothy M. Peer, Trustee Aye

Theodore E. Walker, Mayor Aye

2. Resolution to authorize the drafting of construction documents for the Village Office Renovation.

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RESOLUTION 80 2/02

Introduced by Mayor Walker

Seconded by Trustee Rauber

The Village Board hereby approves the preliminary design by Robert T. Barkstrom. Barkstrom & LaCroix is now instructed to commence in the drafting of construction documents as stated in Resolution 20 7/01.

This RESOLUTION is effective immediately.

Vote of the Board:

Theodore E. Rauber, Trustee Aye

Steven T. Russell, Trustee Aye

Glenn c. Granger, Trustee Aye

Timothy M. Peer, Trustee Aye

Theodore E. Walker, Mayor Aye

Unfinished Business

1. Resolution Co-Locate Sprint Tower.

RESOLUTION 81 2/02

Introduced by Mayor Walker

Seconded by Trustee Russell

Resolved, that the Village Board is hereby authorizes the Mayor to sign and have notarized the following with respect to the Sprint/Omnipoint Tower Agreement located at 500 West Avenue:

1. Affidavit of Consent of Owner.
2. Memorandum of First Amendment to PSC Site Agreement.
3. First Amendment to PSC Site Agreement.

This RESOLUTION is contingent upon the following:

1. Change to First Amendment to PSC Agreement "Recital #3" which amends compensation due the Village from Sprint Spectrum Realty Company (SSRC) from \$200/month to \$500.00/month;
2. Receipt of deposit covering engineering review fees;
3. Receipt of removal bond of the appropriate dollar value as determined by MRB/group;
4. Corrections of typographical errors in site lease acknowledgement;
5. Site Plan is corrected to reflect 8' minimum fencing; and
6. Village Attorney approving the contract in its final form.

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This RESOLUTION will take effect immediately.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steven T. Russell, Trustee	Aye
Glenn c. Granger, Trustee	Aye
Timothy M. Peer, Trustee	Aye
Theodore E. Walker, Mayor	Aye

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New Business

Nothing requiring Board action.

Bills

Motion was made by Trustee Rauber, seconded by Trustee Peer and carried unanimously that the monthly bills be paid as audited in the following amounts:

General Fund	\$83,010.04
Electric Fund	\$33,644.14
Water Fund	\$10,162.34
Sewer Fund	\$17,373.15
Trust Fund	\$127.20
TOTAL:	\$144,316.87

Voucher Nos. 947-1110

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the cash disbursements for the General, Electric, Water, Sewer, and Trust Funds, January 2002 be approved as audited.

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the regular meeting be adjourned 8:26 P.M