

**VILLAGE BOARD MEETING
November 6, 2002**

CALL TO ORDER: 7:01 p.m.

The Pledge of Allegiance was led by Mayor Walker.

BOARD MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

OTHERS PRESENT

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

Joan Quigley
Debbie Diehl
Danielle Colaprete
Linda O'Keefe
William Puffer
Michele Jenco
Glenn Goodridge
James Powell
Jean Black

APPROVAL OF MINUTES

Motion was made by Mayor Walker, seconded by Trustee Russell and carried unanimously that the minutes of the regular meeting held October 2, 2002 be approved as read.

PUBLIC HEARING

Comprehensive Plan 2002 Revision

Mayor Walker opened the Public Hearing on the Comprehensive Plan 2002 Revision at 7:02 p.m.

Trustee Rauber gave a brief background on the Comprehensive Plan and thanked the Planning Board and secretaries for all their hard work. Trustee Rauber also stated that at the Planning Board meeting held November 5, 2002 they adopted the Comprehensive Plan, and now pass it to the Village Board to also adopt.

Mayor Walker: This is really the road map for us from a legal standpoint. It sets direction for the Village Board, Planning Board, and Zoning Board. The Comprehensive Plan is fairly consistent with the plan that the Village Board has been following all along. We won't be taking any quick right turns about the way we are moving forward.

Mayor Walker asked the audience and Village Board for comments.

Jim Powell: Are there any differences between this plan and the former plan?

Trustee Rauber: No; there is mostly word smithing, updating the census data, and updated maps.

Mayor Walker: One area that was added to the Comprehensive Plan is the Parking and Traffic Flow. We were looking to adopt this tonight but we need to wait for any comments from Monroe County Planning Department. So we will leave the Public Hearing open until we receive their comments.

Attorney Olson: I gave everybody a copy of the Proposed Environmental Assessment Form. It is a Type I by law which means "likely to have an impact". So please review it for next month's meeting.

Proposed Local Law 105/2002 - Local Law to establish No Parking Zones on Ballard Avenue and Canalside Drive.

Mayor Walker opened the Public Hearing on Proposed Local Law 105/2002 at 7:06 p.m.

Mayor Walker read the Local Law and opened the Public Hearing for audience and Village Board comments.

Michelle Jenco: I just want to say how grateful I am for all your help and participation. Mike Proukou from the transportation department at Spencerport Central Schools has been absolutely wonderful and agreeable to deal with. We stated our case last month so there isn't really much more to say but thank you.

William Puffer: What about the stop sign that was mentioned in the newspaper?

Mayor Walker: That was an error.

William Puffer: How much narrower is Ballard Avenue than Amity Street?

Superintendent West: I think it is a foot, maybe two. But we recently widened it four feet, two years ago.

Michelle Jenco: The only other thing I wanted to add is that when I talked to Mike from transportation, one of the reasons why they didn't want to come down Ballard Avenue was that the part of the road in front of my house wasn't paved. They were unaware that the Village paved it last year.

Mayor Walker closed the Public Hearing on Proposed Local Law 105/2002 at 7:18 p.m.

RESOLUTION 42 11/02

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 November 6, 2002.

Introduced by Mayor Walker
Seconded by Trustee Granger

RESOLUTION ADPOTING LOCAL LAW

Whereas, the Village Board has before it a Local Law entitled "A LOCAL LAW TO ESTABLISH NO PARKING ZONES ON BALLARD AVENUE AND CANALSIDE DRIVE IN THE VILLAGE OF SPENCERPORT" which, if adopted, will amend the Village Code to establish no parking zones on Ballard Avenue and portions of Canalside Drive from 6:00 a.m. to 5 p.m. on School Days; and

Whereas, the Village Board has, on this date, held a public hearing to consider said proposed Local Law; and

Whereas, this action is a "Type II" action under the State Environmental Quality Review Act and 6NYCRR615.5(c)(16) and not subject to review pursuant to SEQRA; and

Whereas, the notice of this hearing was duly published and posted as required by law;

Now, therefore, be it resolved:

Section 1. That the Village Board of the Village of Spencerport hereby enacts Local Law 5/2002. "A LOCAL LAW TO ESTABLISH NO PARKING ZONES ON BALLARD AVENUE AND CANALSIDE DRIVE IN THE VILLAGE OF SPENCERPORT".

Section 2. That the Village Clerk is ordered to publish a legal notice indicating the adoption of this Local Law as required by law and to file a copy of this Local Law with New York State as required by law.

Section 3. That this Local Law shall take effect as provided by law.

Section 4. That this resolution shall take effect immediately.

Trustee Peer: Prior to this the buses would not come down Ballard Avenue?

Superintendent West: yes

Trustee Peer: Now they will be able to travel down Ballard Avenue to Canalside and turn around on Canalside Drive. Prior to this children had to walk to Amity Street?

Superintendent West: Correct.

Trustee Peer: Are there currently "No Parking" signs on Ballard Avenue?

Superintendent West: No.

Trustee Peer: Have we checked with the neighbors about the no parking?

Mayor Walker: I believe the committee went and talked to the neighbors.

Trustee Peer: The neighbors on Ballard Avenue as well?

Michelle Jenco: Yes, Ballard Avenue and Canalside Drive.

Trustee Peer: Thank you.

Trustee Granger: My only concern has nothing to do with the law. When I got out of college I drove a school bus and at that time it was illegal in New York State to back the bus up. So if that were changed I would be surprised, I'm just concerned.

Trustee Rauber: The only issue I have and I could probably work around it is, my driveway on Ballard is so short that when I go to clean it out during the winter I park my vehicles on the road. I would hate to have them out on the street when the bus is trying to come down the street. I will just have to be aware of that.

Michelle Jenco: Do you know what time they come down?

Trustee Rauber: No.

Michelle Jenco: The bus is always there at ten to eight.

Jim Powell: On that proposal you read did you say something about school hours?

Mayor Walker: It is just 6 a.m. to 5 p.m. on school days.

Vote of the Board:	Theodore E. Rauber, Trustee	Abstained
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	Timothy M. Peer, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

RECOGNITION

Mayor Walker stated that at this time he wanted to acknowledge the death of one of our former Village Clerk's. In the month of October Gertrude Charles passed away. She is remembered well. Gert started working for the village January 10, 1966, and she became the Clerk-Treasurer in June of 1970, and retired in January 1982. She was here for sixteen years, so we remember her and thank her for her contributions to the village.

PRIVILEGE OF FLOOR

Nothing requiring Board action.

Sewers Committee – Trustee Rauber, Chairman

Nothing requiring Board action.

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

1. Comprehensive Plan.

Trustee Rauber informed the board that the Planning Board held a Public Hearing and adopted the Comprehensive Plan on November 5, 2002. The Planning Board also gave contingent preliminary and contingent final approval to ESL for an ATM Drive-in to be located at 41 Nichols Street.

B. Zoning

Nothing requiring Board action.

C. Building Control

Nothing requiring Board action.

D. Code Review

Trustee Rauber read a “Mission Statement” prepared by the Code Review Committee. This is an informational tool for the Village Board to let them know the items that the Code Review Committee will be looking at.

E. Architectural Review

Nothing requiring Board action.

Finance Committee – Trustee Russell, Chairman

1. Monthly Investment.

The Board unanimously acknowledges receipt of monthly investment of consolidated Village funds, Insured Municipal Money Market, HSBC, 1.91 %. It is down .09% from prior month.

2. 3rd QTR. Sales Tax Distribution.

The Board unanimously acknowledges receipt of Sales Tax Distribution: 3rd Qtr 2002, \$176,452.57. This is up .9% from 2001.

Facilities Committee – Trustee Russell, Chairman

A. Electric

1. Resolution IEEP.

RESOLUTION 43 11/02

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 November 6, 2002

Introduced by Trustee Russell
Seconded by Trustee Rauber

**RESOLUTION TO AMEND RESOLUTION NO. 52 11/94
FOR THE
INDEPENDENT ENERGY EFFICIENCY PROGRAM (I.E.E.P.)**

Whereas, in November, 1994, the Village Board authorized participation in a program entitled the Energy Efficiency Program (E.E.P.), effective January 1, 1995; and

Whereas, participation in the program continues for ten (10) years uninterrupted unless an action is taken by the Village Board to cease such participation; and

Whereas, the program is now entitled the "Independent Energy Efficiency Program (I.E.E.P.) as managed by the Municipal Electric Utilities Association (MEUA) and its contractor, PLM Electrical Power Engineering; and

Whereas, the Village of Spencerport wishes to continue participation in the I.E.E.P.; and

Whereas, Resolution 52 11/94 makes (1) specific reference to collection of monies by individuals no longer employed by the Village and (2) also describes where the collected funds are to be deposited, said address being no longer valid; and

Whereas, it is the intent of this resolution to amend Resolution 52 11/94 to reflect actual provisions of the I.E.E.P.;

Now, therefore, be it resolved

Section 1. That the Village Board reaffirms the Village's participation in the I.E.E.P. Said participation contingent upon continued approval by the Public Service Commission (PSC), Municipal Electric Utilities Association (MEUA), Local Finance Law, New York Village Law, and the General Municipal Law.

Section 2. That one-tenth of one cent per kilowatt hour shall be collected for all retail sales each month. Said collections shall be deposited with the I.E.E.P. in an interest bearing account.

Section 3. That I.E.E.P. collections will be used to implement various energy efficiency programs as may be approved by the Village Board and directors of the I.E.E.P. program.

Section 4. That this resolution shall take effect immediately.

Trustee Russell: It is my understanding that the PLM will provide some oversight to the projects that we would propose under the class of Energy Efficiency Program. This potential could raise several thousand dollars for specific programs and I think it is in the best interest of the village.

Superintendent Linder: The money generated from the program goes in a lock box and when we come up with a meaningful project that benefits our customers we go and ask for permission. You just can't use this money for anything you want.

Trustee Rauber: I think this is a great program and I'm glad Jack Linder is out there hooking up with projects like this.

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

Trustee Russell stated that Superintendent Linder and team have done an excellent job in finishing the Central Business District Project from bridge to bridge.

Superintendent Linder further stated that they have one more light to put up on the south side of the railroad overpass across from Lyell Avenue.

B. Water

Nothing requiring Board action.

C. Other (Drainage, Franchise)

Trustee Russell commented on that the Village Board just received the drainage report on the West branch of Northrup Creek prepared by MRB/group. The facilities committee will be meeting on November 13, 2002 at 6:00 p.m. to discuss MRB/group's recommendations.

Public Works Committee – Trustee Granger, Chairman

A. Highways/Garage

Trustee Granger stated that he just received today a request from Superintendent Linder to look into possibly purchase Automatic External Defibrillators. We have one company here that will send us a practice model for us to use for a month. Superintendent Linder and I also think it is something we might want to have on our bucket trucks.

Jim Powell: What is the cost for one?

Trustee Granger: I honestly can't tell you the actual cost. If I had to guess I would say around two thousand. I would assume that Superintendent Linder would get more information when we get the practice model.

Mayor Walker: I don't see a problem especially in the line of work we are in.

B. Public Services (Refuse, Recycling, Parks)

Nothing requiring Board action.

Public Safety Committee – Trustee Granger, Chairman

A. Fire Department

Nothing requiring Board action.

B. Police

Trustee Granger stated that in speaking with the Police Chief was told that the Police Department just received news that the Town of Ogden put in funds in their budget for an additional police person. The bad news is that it only replaces a retired police person, really no net gain.

Human Resources Committee – Trustee Granger, Chairman

Trustee Granger stated that the Employee Relations Committee and the Village Board has put together a staff satisfaction survey. This survey will be handed out to the employees on Friday, November 8, 2002 at 7:30 a.m. This survey is a follow-up to studies done. I would like to see this done at least once a year.

Economic Development Committee – Trustee Peer, Chairman

Trustee Peer updated the board on the following:

- The Town of Ogden will be donating \$2,000 towards the 2003 Gazebo Concerts.
- The Genesee Finger Lakes Regional Planning Council meeting held October 23, 2002.
- Historical Walking Tour for Spencerport.

Village Administrator – Alan R. Scheg

Administrator Scheg informed the Board on the following:

- Update on the MRB/group Paver presentation.
- The Spencerport Area Chamber is donating \$259.00 to the village for clean up around the “Welcome” signs in the village.
- Update on the GIS Pilot Program debriefing that occurred earlier tonight with Bergman Associates.

Village Clerk - Pamela J. Gilbert

1. Software Update.

Clerk Gilbert updated the board on the Financial Software training and implementation schedule. We have implemented a portion of the Financial Software. We will be training on the Utility Software the first week of December. We will need to close the office on December 5, 2002 for a portion of that training.

2. 2003 Election Update.

Clerk Gilbert informed the board that there are two trustee positions up for the March 18, 2003 election. A notice will be published in the next edition of the Suburban News notifying the village residents.

3. Resolution Award of bid on Office Renovation Project.

Mayor Walker gave a brief history on the office renovation project, how we got to this point, and the new layout for the east side of the offices. Mayor Walker also stated that the monies for this project came from the 2002-2003 Budget.

Resolution awarding a construction Contract for Interior Renovations at the Spencerport Village Hall.

RESOLUTION 44 11/02

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 November 6, 2002.

Introduced by Mayor Walker
Seconded by Trustee Rauber

**RESOLUTION TO AWARD A CONSTRUCTION CONTRACT FOR INTERIOR RENOVATIONS
AT THE
SPENCERPORT VILLAGE HALL**

Whereas, on October 28, 2002 bids were received for the interior renovations for the Spencerport Village Hall as follows:

Fred R. Steele, Inc.	\$82,000
Tower Construction	\$64,800
Betacon Construction Inc.	\$70,450

And

Whereas, Tower Construction of Albion, New York submitted the low Bid in the amount of \$64,800; and

Whereas, Tower Construction has submitted a "Statement of Qualifications" including financial statements to the architects for the project, Barkstrom and LaCroix, who have in turn reviewed said statements and furnished a recommendation of award for Tower Construction; and

Whereas, further review of all Bid Documents, including examination of contractor's Bonds and Insurances will be required of the Village Attorney; and

Whereas, sufficient budgetary appropriations have been made to fund this endeavor; and

Whereas, it is the intent of the Village to have the renovation work completed during the winter of 2002/2003; and

Whereas, it is a type II action under SEQR and is not subject to further review pursuant to SEQR;

Now, therefore, be it resolved

Section 1. That the Village Board hereby awards the construction contract for the INTERIOR RENOVATIONS FOR THE SPENCERPORT VILLAGE HALL in the estimated amount of \$64,800.00. This award is contingent upon Village Attorney approval and receipt of acceptable contractor Bonds and Insurances.

Section 2. That the Mayor or Village Administrator is hereby authorized to sign the Agreement and Contract.

Section 3. That this resolution shall take effect immediately.

Questions:

Trustee Granger: I'm confused with the numbers. You said the contract was \$64,800 and yet the total cost was \$120,000.

Mayor Walker: The total cost for the restoration is \$120,000. All we are awarding is the construction part of this project. The rest of the items I believe we are going to do and we will be acting as general contractor.

Administrator Scheg: The flooring and partitions are under state contract. The design services are from Barkstrom and LaCroix. I also want to comment that part of this project is to meet ADA requirements.

Trustee Russell: So the \$16,780 is in addition to the \$64,800?

Administrator Scheg: That is for a different project if we go forward with the new entry ways. The \$16,780 is for design cost for Phase II.

Trustee Russell: I have a question on selection criteria, Tower Construction verse Fred R. Steele.

Administrator Scheg: Towner Construction is the low bidder and a qualified bidder according to the "Statement of Qualifications" preformed by Barkstrom and LaCroix. Tower Construction has done municipal type construction.

Clerk Gilbert: Also the days for the office to be under construction is considerably less than the other bidders.

Trustee Granger: I know we are not dealing with Phase II but what exactly will Barkstrom and LaCroix due for almost \$17,000?

Administrator Scheg: They would be our design architects. The sheet you're looking at was basically a budget appropriation listing. As we went into last budget season we allocated funds for both a Phase I activity which is the resolution in front of you today. If we went forward there would be some Phase II activities, which would deal with the entrance ways and handicap accessibility at both entranceways.

Mayor Walker: So that fee is to do the design and put construction documents together with an estimate of what the Phase II Project might cost.

Trustee Granger: I understand that. It just seems to be a lot of money. How do other places like churches put little elevators on the side of their steps? Do they spend this kind of money?

Administrator Scheg: That is a legitimate question. Because we are a municipality we need to go out to bid on capital projects.

Mayor Walker: I think the answer to your question is yes. If you are going to do that much renovation you are going to hire someone unless they donate their time.

Attorney Olson: The time spent on preparing the bid documents is quite extensive.

Trustee Granger: I'm sympathetic to all that, but out to this project \$ 30,000 of this goes to the architects.

Trustee Russell: I am assuming that the construction schedule has been reviewed thoroughly.

Administrator Scheg: That will be our next step. If you award the contract tonight, by week's end the contractor will be notified that his bid was accepted. That starts a whole bunch of items. One of which is the contract negotiations period. He submits bonds, insurance and we have our attorney review them. We set up pre construction meetings and deal with logistical issues about when he can work when he can't, what our needs are, what his needs are, and staging areas. For instance he said it would take him 42 days to complete the work, but it may be that Pam has something going that would preclude taking that off line for 42 days. Maybe we could talk him into a 60 day contract. That is what I mean by bid negotiation phase. That happens first, and then we go to the construction phase.

Clerk Gilbert: We also want to make sure that everything with our new financial software is all set. This would mean having everything ready across the hall for us to move over there while our offices are under construction.

Mayor Walker: Our intent is to not close the office? The office will be open the majority of the time.

Clerk Gilbert: That is correct. We will be putting together a notice to the residents letting them know when construction will begin and recommend that they call us with questions instead of coming in.

Administrator Scheg: What I usually find that when people have to start walking over barriers and there is dust in the air people just turn around and try something else.

Trustee Granger: I just found another \$10,000 dollars that Barkstrom and LaCroix get for Construction Phase Services.

Administrator Scheg: We have not yet negotiated that fee however we would expect it to be about half of that number. But in terms of a budget appropriation I thought it best to make it higher. Usually there is a fair amount of activity by the engineer or architect. So for construction phase services, that is usually an hourly fee. If you have a good contractor those are low numbers, but if you have a bad contractor those are high numbers.

Trustee Granger: With the way conditions have changed up stairs we have to do something. I have no problem with that, and I know the money is there. It just bothers me that in the scenario Al has here, that one out of every five dollars goes to the architect.

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

4. Resolution Surrender of Village Taxes to County for collection.

RESOLUTION 45 11/02

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that the Village Board of Trustees hereby certifies that 2002/2003 Village Tax Surrender in the amount of \$ 28,457.06.

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 of Public Works – Thomas M. West

Superintendent West updated the Board on the following:

- All road projects are complete.
- Incurred some steep repair cost to our refuse truck.
- Leaf pick-up has started.
- Received price quote for Union Street. Cost is five dollars a square foot for a concrete section and eight dollars a square for the imprinted concrete, but with village assistance we could get the cost down to five dollars a square foot. Will be measuring the area to get projected cost for further discussion.

Attorney – Richard J. Olson

Attorney Olson stated that he will be preparing a proposal for a local law change to the Parking and handling parking tickets section of the code book. The change will be with the authorization to issue appearance tickets. It has been recommended that Tom West and his foreman have this authority. We are also looking into setting up contract with a couple towing organizations. This would be companies that would tow vehicles and keep them at their sight.

Administration Committee – Mayor Walker, Chairman

1. Parade/Assembly – Christmas on the Canal.

RESOLUTION 46 11/02

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that the application of the Christmas on the Canal Committee to conduct its 7th Annual Christmas on the Canal Celebration on Sunday, December 8, 2002 between the hours of 1:00 PM and 6:00 PM be approved and,

Further Resolved that the Village Board hereby authorizes the closing of South Union Street (between Amity Street and West Avenue), West Avenue, Evergreen Street and Amity Street to accommodate the strolling of the carolers for a 30-40 minute period commencing at approximately 5:15 PM.

Vote of 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. Canal Days Donation.

Mayor Walker read a letter which states that the Canal Days Committee is donating \$2,000 to the village. This money is to be spent on erecting a flagpole in front of the village offices.

Unfinished Business

Trustee Rauber informed the board that Schultz Associates presented to the Planning Board a concept plan for annexation of the land next to Village Pines.

New Business

Mayor Walker updated the board on the \$400,000 Federal Grant that was awarded Spencerport Central School. This was one of eight grants issued and this grant is earmarked for a Family Support Center.

Bills

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

General Fund	\$66,979.55
Electric Fund	\$51,228.61
Water Fund	\$29,738.02
Sewer Fund	\$84,879.28

Capital Fund	\$5,325.57
Trust Fund	\$116.12
TOTAL:	\$238,267.15

Voucher Nos. 245-383

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

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously that the regular meeting be adjourned 8:40 p.m.