

**VILLAGE BOARD MEETING**  
**March 3, 2004**

**CALL TO ORDER:** 7:02 p.m.

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**

Pamela J. Gilbert, Village Clerk  
Thomas M. West, Superintendent of Public Works  
Richard J. Olson, Village Attorney

Joan Quigley  
James Powell  
Nancy Lewthwaite  
Laura Bianchi

**APPROVAL OF MINUTES**

Motion was made by Mayor Walker, seconded by Trustee Peer and carried that the minutes of the regular meeting held February 4, 2004 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Peer and carried that the minutes of the meeting held February 18, 2004 be approved as read.

**PRIVILEGE OF FLOOR**

**Park Ridge Youth Outreach - Nancy Lewthwaite**

Nancy Lewthwaite: Thank you for having me here once again. I am the Program Coordinator for the Park Ridge Youth Outreach Program. As I do every year I will briefly share how our program is doing in our community and schools. Park Ridge Youth Outreach provides free and confidential counseling to young people ages ten to twenty-one year old and their families. Services include short term individual counseling, family counseling, crisis intervention, support groups and consultations. We also will frequently refer to appropriate agencies for long term or more intensive treatment when necessary. We also provide educationally programs and work shops. We work with young people and families experiencing all types of difficulties ranging from adolescent issues to things at home. Such as divorce, re-marriages to series issues such as depression, abuse, and violence. We are in the schools and being there is very effective because we can see behavioral, social interaction changes, and academic performance may be going down. So it is really helpful that we are in the school. Here at Spencerport we have two counselors. Both counselors have been with the program for a number of years and are recognized by the schools as an integral part of the counseling teams in their buildings. Our program is year around so that counseling that may begin in the school year can continue through the summer months. Being that the program is also a community program it is not limited to Spencerport School students. Outside of school over the past year counseling had been taking place at the Ogden Community Center. In December we moved to the Family Support Center. In 2003 we provided services to 1,137 young people. 377 individuals were involved in the individual counseling and crisis intervention. Individual counseling would take place on a weekly basis or bi-weekly depending on the case. Over half of or 57% of the people in our program were in the age group of 10 to 15 years old, 43% in the

Nancy Lewthwaite continues: 15-20 years old. We seem to see problems that were previously recognized with older children are now going down into the younger ages. We are not sure why and it is not a good thing. 63 youths participated in ten support groups we have had over this past year. These groups meet for approximately for twelve to fourteen weeks on a weekly basis. Some of the topics we have had this year was anger management, dealing with change, changing families, social skills, and family relationships. Over 535 youths attended educational workshops and presentations. Some of those topics from 2003 included adolescent depression, home alone safe, self esteem, summer safety. Last year the schools sent both counselors through a PBIS (Positive Behavior Intervention Services). That is all I have to say. Again, I would like to thank you for your continued support. Last year we did receive a large budget cut from Monroe County and we don't know yet what this year will be like. That was one of the reasons we looked for a different site. We didn't want to cut staff or services. Does any one have any questions?

Mayor Walker: We appreciate the effort that the program provides for the community and thank you very much. Just for your information we have budgeted \$5,000.00 this year for you.

Nancy Lewthwaite: Thank you.

**James Powell, 90 Nichols Street**

James Powell: First I would like to thank the board for allowing me to speak. So that you can follow along with me I have these handouts. I would like to address the subject of taxes. First let me begin with saying that I am in the dark about taxes and have been since I paid my County and Town Taxes this year. As you can see the taxes for the village has steadily gone up since the year 2000. These are my figures. That is the blue line on this chart here. On the total page you see \$312.40 in 2000, \$319.17 in 2001, \$330.49 in 2002, and \$365.84 in 2003. Now to be fair to the board I know that the taxes went down for the year 2002. Everything else went up. If you look at page two, the village tax base went down in 2002 so I would expect the village taxes would show a loss. But did it really? I'm really not here to discuss the village taxes per say. I am here to discuss the charges by the fireman on the county and town tax bill. On page three you'll see that for the last two years the fireman have added to county and town tax bill \$59.36 in 2003, and \$65.50 in 2004. I thought and was informed a few years back that the village included the coverage of the fireman on their tax bill. This being so why haven't I seen a deduction in my village taxes? I should at least see the \$65.00 coming out of my village taxes. I haven't seen that. If I go back to page one the taxes have increased right along. It appears to me that the village has increased the tax rate without telling us. Again, thank you for allowing me to speak. That is all I have to say. All I want to know is why the fireman added that little bill in there for me to pay and the village didn't drop their tax rate?

Mayor Walker: In the year 2002 is when we transitioned from you paying for fire service as part of your village tax to the fire district. So what we did for that partial year was collect part of the money for that year. Because their budget season actual started in January. So there was a slight decrease that year in the amount that we were collecting in the village.

James Powell: Decrease where?

Mayor Walker: In the amount of money we needed to collect for our taxes.

James Powell: Why didn't show up on my taxes?

Mayor Walker: Some of it did. That's where I think in 2002 the rate went down. The reason why in 2003 the rate went up is because we got rid of the water system. The reason is because the water system the way we have it paid for part of the overall expenses through your water bill. So when we turned the water over to the Water Authority all that income we were

Mayor Walker continues: receiving from the water account needed to be made up in the general account. When we went through this what we were looking at was the average decrease in your water bill would be greater than the additional amount of tax increase you would pay on your home. So the net payment to you if you take a look at your water bill before and after for the year. That total should be less in 2003 then it was in 2002. It is the net out of your pocket. Whether it is taxes or the water bill. That is partly how we went through and justified turning the water over to the Water Authority. We saw the water rates just going to increase and increase. Whether you pay it in water rates or taxes it is still money out of your pocket.

James Powell: If I follow you correctly, then my water bill should have gone down. I don't believe that is so. But I'll look into that when I get home.

Mayor Walker: So that was the basis of most of the changes and quite honestly every year there are some increases that we need to get into.

James Powell: I don't doubt it but if I look at the Spencerport tax bill there increasing every year.

Trustee Peer: In 2002 it went down.

James Powell: It went down but did it really go down. All I know is that my tax bill did not go down and the fireman added \$50.00 onto my tax bill. I thought the village paid that tax before. I'm sure they did because I was told that. Why didn't I see that drop of \$50.00 in the tax bill? I can understand that you might want \$10.00's more for the water. But I can't see you needing \$50.00.

Mayor Walker: The only thing I can suggest to you is that we can go back and take a look at what the fee we would have been collecting. We thought this was a good time to transition over because the tax rates were about the same level. The assessing rates if you will for our rates versus what they did in the fire district. I know that they have a little different philosophy in the fire district then we did on how they pay for and do things. That may be why it went from the \$59.00 to the \$65.00 is because they are going to make some changes. I really don't know the answer to that. But what we can do is take a look at what we thought our fee was and compare that to the \$59.00 and see how close they were then let you know the results.

James Powell: Anything.

Mayor Walker: No disrespect to the fire district but that is one of the largest increasing types of fees. Part of it is price of equipment, lack of volunteers so some districts have to hire paid people.

James Powell: I didn't really want to get into the fire district end of it. Because I can assume that \$60.00 is at the low end of the scale by anyone being hit by the fire district. There is say 10,000 buildings in the village alone. That is a lot of money for the fire company to be running on without somebody coming to the tax payers saying may we have this money.

Mayor Walker: They do through the Town of Ogden. So when the Town of Ogden holds their budget hearings part of that is for the fire district because they are all wrapped together.

James Powell: I am dissatisfied with the fact that it was covered under the village then it is taken out of the village and I get hit with a \$60.00 bill. I don't care if you blame it on the water or what you blame it on that has caused the drain on your budget. But I don't believe it drained \$60.00's worth.

Trustee Peer: Actually during the transition our portion was I believe \$38.00-\$40.00. What happened after that is beyond our control. At the time of the transition the object was to drop our taxes almost equivalent to what your fire tax would go up. When it happened it was pretty much even. Now what has happened the last two years is beyond our control because that is their game of raising taxes to what ever they feel is necessary to operate.

Mayor Walker: If you would like to pursue this more we can get you some information. We could set something with the office and go over the explanation with you. Pam will give you a call to set that up.

James Powell: Thank you.

**Sewers Committee** – Trustee Rauber, Chairman

1. February 2004 Sewer Flow Reports.

Trustee Rauber reported the average sewer flows at the wastewater treatment plant for the month of February 2004 was 989 thousand gallons. Total rainfall for February 2004 was .93 inches.

**Planning/Zoning/Building Control** – Trustee Rauber, Chairman

A. Planning

1. Appointment of Planning Board Member.

**RESOLUTION 60 3/04**

Introduced by Trustee Rauber  
Seconded by Trustee Russell

Resolved, that Mayor Walker hereby appoints Joe Slominski as a member of the Planning Board. Term is from April 1, 2004 to March 31, 2009.

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 Rauber stated that Mayor Walker attended last night's Planning Board meeting so I will ask Mayor Walker to give the report.

Mayor Walker informed the board that the Planning Board:

- Application to construct a single family home on Upton Avenue was tabled.
- Application for Re-Subdivision of property on Canalside Drive was approved contingent on addressing some conditions.
- Application for proposed Espresso Café at the southwest corner of Rt 31 and Rt 259. Ingress and Egress approval was granted.

B. Zoning

1. Appointment of Zoning Board Member.

**RESOLUTION 61 3/04**

Introduced by Trustee Rauber  
Seconded by Trustee Peer

Resolved, that Mayor Walker hereby appoints John Dole as a member of the Zoning Board. Such term is from April 1, 2004 to March 31, 2009.

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 Rauber state that at the last Zoning Board meeting they approved the variance for a garage at 166 Maplewood Avenue.

C. Building Control

Trustee Rauber informed the board regarding an article in the Editorial Section of the D & C. The article was recognizing our Building Inspector Jack Crooks.

D. Code Review

Trustee Rauber stated the Code Review Committee is seeking comments from the Village Board regarding the new Sign Law that they have drafted. Trustee Rauber asked that we discuss this at our next Village Board workshop session.

E. Architectural Review

Trustee Rauber stated that at the last Architectural Review Board meeting they granted approval for a sign for The Hairport, Inc. a new business moving into 42 Nichols Street. They also granted approval for Architectural Improvements to Goldstein Management for 19 Slayton Avenue.

**Finance Committee** – Trustee Russell, Chairman

The Board unanimously acknowledges receipt of monthly investment of consolidated Village funds, Insured Municipal Money Market, HSBC, 1.30%. It is up .01% from prior month.

The Board unanimously acknowledges receipt of Sales Tax Distribution: 4<sup>th</sup> Qtr 2003, \$169,510.62. This is up from previous year.

1. Resolution – Budget Transfers.

**RESOLUTION 62 3/04**

Introduced by Trustee Russell  
Seconded by Trustee Peer

Resolved, that the Village Board hereby authorizes the Village Treasurer to perform the attached budget transfers. (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

**Facilities Committee** – Trustee Russell, Chairman

A. Electric

Trustee Russell requests executive session to discuss personnel issue.

Trustee Russell stated that the Hydro Power Extension mailing was distributed as an insert in last Sunday's Suburban News.

B. Other ( Drainage, Franchise)

Nothing requiring Board action.

**Public Works Committee** – Trustee Granger, Chairman

A. Highways/Garage

1. Authorize Sale of Hydraulic Pusher & Trailer

**RESOLUTION 3/04**

Introduced by Trustee Granger  
Seconded by Trustee Rauber

**Whereas**, Superintendent West has recommended the sale of Hydraulic Pusher & trailer that is no longer needed for use by the Department of Public Works, and

**Whereas**, the village has completed the bid process and the following bids were received:

Pow-R-Mole	\$5,051.00
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And,

**Whereas**, the Board of Trustees of the Village of Spencerport has been advised that the sale of this equipment/vehicle is within the powers granted it pursuant to Village Law Section 1-102(1),

**Now, therefore, be it resolved:**

**Section 1:** That the Board of Trustees of the Village of Spencerport authorizes the sale of the Hydraulic Pusher & trailer to Pow-R-Mole for a sum of \$5,051.00.

**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

B. Public Services (Refuse, Recycling, Parks)

1. Authorization to change Refuse/Recycling User Fee.

**RESOLUTION 64 3/04**

Introduced by Trustee Granger  
Seconded by Trustee Russell

Resolved that the Board of Trustees for the Village of Spencerport hereby authorizes the following changes to the Refuse/Recycling User Fee:

- Dumpster Rental per pound fee from .055 cents to .07 cents.
- Dumpster Rental will now be \$15.00 per use or per month which ever is greater.
- \$5.00 charge for replacement of blue bin. (Note: A new resident to the area will not be charged for their initial blue bin)
- Bulk Pick-up schedule will be the first Monday of January, March, May, July, and September only.

These changes will go into effect on March 8, 2004.

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

**Public Safety Committee** – Trustee Granger, Chairman

A. Fire Department

Nothing requiring Board action.

B. Police

Nothing requiring Board action.

**Human Resources Committee** – Trustee Granger, Chairman

Nothing requiring Board action.

**Economic Development Committee** – Trustee Peer, Chairman

Trustee Peer informed the board that Village Administrator, Al Scheg has received correspondence from the Village of Hilton regarding a potential partnership with the Village Hilton for Economic Development, marketing, and soliciting. We will have more to report in the near future.

Trustee Granger mentioned that we recently had a meeting with the Canal Corporation and NYS DOT regarding the Union Street Bridge. The tentative dates it will be closed is July 26 – August 6, 2004 then closed from 9 a.m. to 3 p.m. the following week.

Joan Quigley: Once this work is all done is there something we can do to regulate when the bridge goes up for boaters? I am speaking during heavy traffic time. During the work are we going to be able to walk over the bridge?

Trustee Granger: I believe so but it would be after the first three days when they bring in all their equipment.

Mayor Walker: That is a good question and we will look into it.

**Village Administrator** – Al Scheg

Administrator Scheg not in attendance.

Mayor Walker introduced the following.

1. Authorization of Professional Services Term Contract for the CY2004 and CY2005 Street Improvement Program.

**RESOLUTION 65 3/04**

Introduced by Mayor Walker  
Seconded by Trustee Granger

**RESOLUTION AUTHORIZING  
PROFESSIONAL SERVICES TERM CONTRACT  
FOR THE  
CY2004 AND CY2005 STREET IMPROVEMENT PROGRAM**

**WHEREAS**, the Village has initiated a long-term program for maintaining and improving its streets, and

**WHEREAS**, five streets have been selected for major drainage and pavement improvements in 2004 and 2005; these being:

<b>CY2004:</b>	<b>CY2005:</b>
<b>Village Walk</b> (2400 l.f.)	<b>Coleman Avenue</b> (2535 l.f.)
<b>Brittain Circle</b> (400 l.f.)	<b>Coolidge Avenue</b> (1735 l.f.)
	<b>Barrett Avenue</b> (325 l.f.)

and

**WHEREAS**, professional services are required to assist the Village with the preparation of Contract Documents, and Bid and Construction Phase activities as outlined in the Village of Spencerport's "Request for Proposals- 2004 and 2005 Term Contract for Professional Services", dated February 3, 2004, and

**WHEREAS**, on February 27, 2004, three engineering firms responded to the Village's call for proposals as detailed below:

<b>MRB/group:</b>	Not-to-exceed fee for services- <b>\$130,566</b>
<b>Bergmann Associates:</b>	Not-to-exceed fee for services- <b>\$156,615</b>
<b>LaBella Associates:</b>	Not-to exceed fee for services- <b>\$169,867</b>

and

**Whereas**, MRB/group's proposal is both responsive and the lowest cost alternative,

**NOW, THEREFORE, BE IS RESOLVED**

**SECTION 1:** MRB/group is hereby awarded the "2004 and 2005 Term Contract for Professional Services" for the not-to-exceed amount of \$130,566.00, and on behalf of the Village Board, the



Mayor or Administrator is authorized to sign any necessary agreements to bring MRB/group under contract.

**SECTION 2:** MRB/group shall complete all work to schedules detailed in (1) Village of Spencerport "Request for Proposal- 2004 and 2005 Term Contract for Professional Services", dated February 3, 2004, and (2) MRB/group's "Proposal", dated February 27, 2004.

**SECTION 3:** This resolution is effective immediately.

Discussion ensued among the board regarding the Street Improvement Program.

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

**Village Clerk** – Pamela J. Gilbert

Clerk Gilbert updated the board on the following:

- Clerk Gilbert will be attending the Monroe County Town & Villages Workers' Compensation Pool Planning meeting on March 16, 2004 and will update the board her findings at the workshop session March 17, 2004.
- United Way Campaign has started and we have already reached our half mark for our goal of \$2,500.00. The campaign will be ending on the 19<sup>th</sup> of March 2004.
- Bulk Refuse/Recycling mailing will be going out Friday, March 5, 2004.
- EOS will be here March 4 & 5, 2004 to install and begin training on the Electric billing software.
- The office renovations should be complete by March 13, 2004. The flooring will be installed March 11 & 12, 2004.

**Superintendent of Public Works** – Thomas M. West

Superintendent West updated the board on the following:

- Hazardous Waste collection this year will be June 12, 2004 in the Village of Hilton.
- Refuse Truck #12 is getting a new body. There is some alternations need to fit the body to the truck.
- Truck #5 and our Bucket Truck had new brakes installed in house which has saved us around \$2,000. This is an on going effort to cut expenses.
- Kevin Kelly will start back to work on March 29, 2004.
- Sewer camera is in and working nicely.
- Storm water Coalition Inspect an Outlet Program will be starting soon. We will need volunteers to assist in this program. Pat Chapman has offered her assistance.
- 12 new flower boxes are currently being made thanks to the work of Paul Robinson and Mike Bianchi.

**Superintendent of Electric** – John E. Linder

Superintendent Linder is not in attendance.

**Attorney** – Richard J. Olson

Nothing requiring Board action.

**Administration Committee** – Mayor Walker, Chairman

1. Resolution – Authorization to attend NYCOM Main Street Conference.

**RESOLUTION 66 3/04**

Introduced by Mayor Walker  
Seconded by Trustee Rauber

Resolved, that any Village, Zoning, Planning Board Member and support staff is hereby authorized to attend the NYCOM Main Street Conference to be held May 17-19, 2004, Canandaigua, New York.

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

Mayor Walker stated that NYS Canal Society is having a Winter Meeting Saturday, March 13, 2004 at Monroe Community College if anyone is interested in attending.

**Unfinished Business**

Nothing requiring Board action.

**New Business**

Mayor Walker complimented our United Way coordinator Pam Gilbert for her work with this year's program.

**Bills**

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

General Fund	\$54,029.33
Electric Fund	\$59,929.21
Water Fund	\$339.02
Sewer Fund	\$26,641.50
Trust Fund	\$0
<b>TOTAL:</b>	<b>\$140,939.06</b>
Voucher Nos. 1086-1195	

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, February 2004 be approved as audited.

**Adjournment**

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the regular meeting be adjourned to Executive Session at 8:28 p.m.

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that Executive Session be adjourned to the regular meeting at 9:45 p.m.

1. Personnel – Hiring of Apprentice Lineworker.

**RESOLUTION 67 3/04**

Introduced by Mayor Walker  
Seconded by Trustee Russell

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes the hiring of Michael Meyers to fill the position of Apprentice Lineworker, at a rate of \$17.00 per hour. Position is subject to successfully completing a one year probationary period.

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

Motion was made by Mayor Walker, seconded by Trustee Peer and carried unanimously that the regular meeting be adjourned at 10:07 p.m.