

VILLAGE BOARD MEETING
July 7, 2004

CALL TO ORDER: 7:05 p.m.

The Pledge of Allegiance was led by Mayor Walker.

BOARD MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

Steven T. Russell, Trustee

OTHERS PRESENT

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

Joan Quigley
Carol Coburn
Bernard Cubitt
Deforest Mowers
Bud Nichols
Larry Fenity

APPROVAL OF MINUTES

Motion was made by Mayor Walker, seconded by Trustee Peer and carried that the minutes of the year-end meeting held May 28, 2004 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried that the minutes of the regular meeting held June 2, 2004 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Granger and carried that the minutes of the regular meeting held June 16, 2004 be approved as read.

PUBLIC HEARING

Mayor Walker opened the Public Hearing on the Proposed Local Law 103/2004 at 7:08 p.m.

At this time Mayor Walker gave a brief explanation on this Local Law.

Joan Quigley: Will the No Parking be enforced better than it is today?

Mayor Walker: I can't guarantee anything.

Mayor Walker closed the Public Hearing at 7:11 p.m.

PRIVILEGE OF FLOOR

Trolley Depot Committee – Bud Nichols, Bernard Cubitt, Carol Coburn, Deforest Mowers, Larry Fenity.

Trustee Rauber did a brief introduction of the Trolley Committee. Trustee Rauber further stated that this committee has been in front of the Planning Board and were granted conceptual approval on their plans.

At this time the Trolley Depot Committee gave a presentation on the restoration of the Trolley and showed the Village Board drawings on the new site location, shower facilities, bathrooms, and laundry facilities.

The Village Board thanked the committee for all their hard work and for coming here tonight to keep the Village Board informed on this project.

Sewers Committee – Trustee Rauber, Chairman

1. June 2004 Sewer Flow Report.

Trustee Rauber reported the average sewer flows at the wastewater treatment plant for the month of June 2004 was 728 thousand gallons. Total rainfall for June 2004 was 3.47 inches.

2. Resolution – Authorize Formal Bid – 2004 Sanitary Sewer Relining – North bound Sewer Line (from Maplewood Avenue to IGA)

RESOLUTION 9 7/2004

Introduced by Trustee Rauber
Seconded by Trustee Peer

WHEREAS, the Village Board recognizes the need to continually address infiltration problems throughout the sanitary sewer system, and

WHEREAS, the north bound sanitary sewer line (from Maplewood Avenue to IGA) require immediate repairs to control infiltration, and

WHEREAS, the Village's engineers, MRB/group prepared plans and details to reline sections of north bound sanitary sewer (from Maplewood Avenue to IGA), and

THEREFORE BE IT RESOLVED, the Village Board directs the Village Clerk to receive bids for the Sanitary Sewer Relining Project –North bound Sewer Line (from Maplewood Avenue to IGA).

This RESOLUTION being effective immediately.

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

3. Resolution – Authorizing advertising for Local Law 104/204.

RESOLUTION 10 7/2004

Introduced by Trustee Rauber
Seconded by Trustee Peer

LOCAL LAW #104-2004
VILLAGE OF SPENCERPORT, MONROE COUNTY

“A LOCAL LAW TO AMENDING PARKING REGULATIONS
AND ENFORCEMENT IN THE VILLAGE OF SPENCERPORT”

WHEREAS, the Village Board has before it a proposed Local Law amend Chapter 3A of the Village Code to clarify the authority of Law Enforcement Agencies to issue appearance tickets

for Vehicle and Traffic violations under the Village Code; and

WHEREAS, in order to make said change, the Village Board of the Village of Spencerport is required to hold and conduct a public hearing thereon;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the Village Board of the Village of Spencerport shall hold and conduct a Public Hearing on the 21st day of July, 2004, at 7:00 p.m. at the Village Office, Village of Spencerport, New York, 14559 to consider the changes which are contained on the attached Local Law; at which Public Hearing all interested persons will be heard concerning the subject matter thereof.

SECTION 2. That the Village Clerk shall cause due notice of such public hearing to be published as required by law.

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

Trustee Rauber also informed the board that formal notice has been sent to the Town of Ogden Supervisor stating that we have granted conditional approval to Kartes Developers to conceptually tie into our sewer system. Kartes is proposing 140 senior housing development.

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

Trustee Rauber stated that last night the Planning Board granted conditional approval for a property on Prospect Street. They also reviewed the sign book for the ARB and agreed to move forward with it.

B. Zoning

1. Resolution – Appointment of Zoning Board Member.

RESOLUTION 11 7/04

Introduced by Trustee Rauber
Seconded by Trustee Peer

Resolved, that Mayor Walker hereby appoints Barbara Strine as a member of the Zoning Board. Such term is from July 7, 2004 to March 31, 2009.

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

C. Building Control

Nothing requiring Board action.

D. Code Review

Nothing requiring Board action.

E. Architectural Review

1. Resolution - Adding ARB Application Fee to Village's Fee Schedule.

RESOLUTION 12 7/2004

Introduced by Trustee Rauber
Seconded by Mayor Walker

RESOLUTION REVISING FEES COLLECTED BY THE VILLAGE

Whereas, the Village of Spencerport has a Fee Schedule showing the fees to be paid for certain activities, permits and certificates performed by or issued by the Village and/or its designated employees or contractors; and

Whereas, from time to time the Village reviews some or all of these fees to see if they fairly compensate the Village for the expenses incurred by the Village; and

Whereas, the Village has recently reviewed the Fee Schedule to see if it meets the standard set forth above; and

Whereas, based on said review, this board has determined that the Fee schedule should be revised to add an Application Fee of \$40.00 for Architectural Review Board; and

Whereas, this action is a SEQRA Type II Action pursuant to 6 NYCRR 617.5(c)(20) and not subject to further SEQRA review.

Now, therefore, be it resolved:

Section 1. That the Village Board hereby approves the adding of the Architectural Review Board Application fee of \$40.00 to the Fee Schedule;

Section 2. That the Village Clerk is directed to revise the Village Fee Schedule to reflect this change;

Section 4. That this resolution shall take effect immediately.

Discussion:

At this time the Village Board discussed the proposed fee of \$40.00 for ARB Application and it has been decided to table this pending further discussion.

THIS RESOLUTION HAS BEEN TABLED BY TRUSTEE RAUBER AND NO VOTE WAS TAKEN.

Finance Committee - Trustee Russell, Chairman

The Board unanimously acknowledges receipt of monthly investment of consolidated Village funds, Insured Municipal Money Market, HSBC, 1.29%. No change from prior month.

1. Resolution - Year-End Budget transfers.

RESOLUTION 13 7/04

Introduced by Mayor Walker
Seconded by Trustee Rauber

RESOLVED that the fiscal year-end May 31, 2004 budgetary transfers be hereby approved as audited and attached.

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

Facilities Committee – Trustee Russell, Chairman

A. Electric

1. Resolution – Award of Bid – Mini Excavator.

RESOLUTION NO 14 7/2004

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that the Village Board hereby awards the bid for a 2003 O Tail Swing Mini Excavator to the lowest bidder meeting all specifications, Monroe Tractor, in the amount of \$ 18,445.00.

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

2. Resolution – Electric Write-Off 2003-2004 Fiscal Year.

RESOLUTION 15 7/04

Introduced by Mayor Walker
Seconded by Trustee Rauber

Resolved, that the Village Treasurer is hereby directed to write-off electric accounts in the amount of \$2,532.37 for the Village fiscal year ending May 31, 2004. Copy attached.

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

B. Other (Drainage, Franchise)

Nothing requiring Board action.

Public Works Committee – Trustee Granger, Chairman

A. Highways/Garage

Trustee Granger informed the board that the DPW crews are ahead of schedule with their summer jobs and Superintendent West has decided that DPW will be doing the road work on Brittain Circle instead of hiring it out.

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

Nothing requiring Board action.

Human Resources Committee – Trustee Granger, Chairman

Nothing requiring Board action.

Economic Development Committee – Trustee Peer, Chairman

Trustee Peer thanked Joan Quigley for her diligence on taking care of the flowers on Union Street. They look great.

Trustee Peer informed the board on the following:

- Walking tour is up and running. Many thanks to all those who were instrumental in getting the plaques up this year. We have added ten more plaques this year.
- Concerts are going well and we continue to draw good crowds every night.

Village Administrator – Al Scheg

Administrator Scheg updated the board on the following:

- Submitted two applications to NYS – Division of State for grant opportunities.
- Issued the Notice to proceed on Village Walk Project.
- Building Department, Fire Marshal, Code Enforcement Contract negotiations are currently underway with the Town of Ogden. Further information to follow.
- Met with Monroe County Water Authority regarding Coleman and Coolidge Avenue Project. It is about a half million dollar of work for the Water Authority.

Village Clerk – Pamela J. Gilbert

Clerk Gilbert updated the board on the following:

- Update on Financial Software. Further information to follow at August board meeting.
- Bridge closing, No Parking, and Temporary Truck Route letters are being mailed on July 8, 2004.

Clerk Gilbert requested Executive Session to discuss litigation matter.

Superintendent of Public Works – Thomas M. West

Superintendent West updated the board on the following:

- Person caught vandalizing the Pavilion. Now we are getting vandalize at the Gazebo. The police are now patrolling these areas more regularly.
- Very impressed with the DPW crew on the work they are doing with this years Street Projects. Because of this we are ahead of schedule on our projects and will possible doing Brittain Circle.
- Roads will be paved July 27& 28, 2004 and slurry seal to follow.

- Street gutter work was done by DPW crew. This is the first we did not contract that out.
- Refuse truck will be getting its new body put on it July 19, 2004.
- Street stripping will be completed soon.
- Sidewalk installation will be done this fall.

Superintendent of Electric – John E. Linder

Superintendent Linder updated the board on the following:

- Bucket truck is due to be replaced in next budget year. Therefore we are testing a new demo bucket truck.
- Received three quotes for new trailer for the excavator. Awarded it to George & Swede Sales in the amount of \$4,640.00.
- IEEP stated that we have enough money to purchase our Infrared Camera. Will look into purchasing camera.
- Tree trimming is complete.
- Hickory Hollow's last phase is complete.
- Thistlewood project is coming along.
- Thursday, July 8, 2004 in conjunction with Frontier we will be resetting new poles in backyards on the north side of Maplewood Avenue by the creek.

Attorney – Richard J. Olson

Attorney Olson not in attendance.

Administration Committee – Mayor Walker, Chairman

1. Resolution – Canal Days – Street Closing.

RESOLUTION 16 7/04

Introduced by Mayor Walker
Seconded by Trustee Rauber

Resolved, that the Village Board hereby authorizes the restriction of traffic on S. Union Street between West Avenue and Amity Street on July 24-25, 2004 between the hours of 7:30 AM and 7:30 PM to accommodate the Annual Canal Days festivities, such restrictions excepting emergency vehicles.

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

2. Resolution – Ad for Year 2005 Chamber Calendar

RESOLUTION 17 7/04

Introduced by Trustee Granger
Seconded by Trustee Peer

Resolved, that the Village Board authorizes the Village Clerk to place an ad in the Year 2005 Chamber Calendar, cost of the ad not to exceed \$250.00.

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

3. Resolution – Adopting Local Law 3.

RESOLUTION 18 7/2004

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 July 7, 2004

Introduced by Mayor Walker
Seconded by Trustee Granger

RESOLUTION ADOPTING LOCAL LAW

Whereas, the Village Board has before it a Local Law entitled " A Local Law to Allow for the Temporary Modification of Parking Regulations and Vehicle Weight Limits in the Village of Spencerport" which, if adopted, will allow the Village Board to temporarily change parking and weight limits on streets in the Village under certain circumstances; 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
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and 6NYCRR617.5(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 # 3/2004. " A Local Law to Allow for the Temporary Modification of Parking Regulations and Vehicle Weight Limits 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 and to file a copy of this Local Law with New York State.

Section 3. That this Local Law shall take effect immediately.

Section 4. That this resolution shall take effect immediately.

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

4. Resolution – Temporary Changing on West Avenue and Martha Street.

RESOLUTION 19 7/2004

AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF SPENCERPORT HELD AT THE VILLAGE HALL, 27 WEST AVENUE, SPENCERPORT, NEW YORK ON JULY 7, 2004 AT 7:00 P.M.

Introduced by Mayor Walker
Seconded by Trustee Granger

ORDER OF THE VILLAGE BOARD TEMPORARILY CHANGING PARKING ON WEST AVENUE AND MARTHA STREET

Whereas, the Village has been informed by the [New York State Department of Transportation] [New York State Canal Authority] that the bridge on Union Street which crosses the Erie Canal will be closed to traffic from July 26, 2004 until August 13, 2004; and

Whereas, §130-31A of the Spencerport Code authorizes the Village Board to alter the parking on Village Streets during times when the board deems it necessary due to repairs or other special circumstances; and

Whereas, the Village Board finds that the closing of the Union Street Bridge is one of the circumstances set forth in §130-31A of the Spencerport Code; and

Whereas, this action is a "Type II" action under the State Environmental Quality Review Act and 6NYCRR617.5(c)(16) and not subject to review pursuant to SEQRA;

Now, therefore, be it resolved:

Section 1. That from July 26, 2004 to August 13, 2004, parking on West Avenue shall be modified as follows: No Parking on West Avenue from Union Street to Martha Street.

Section 2. That from July 26, 2004 to August 13, 2004, parking on Martha Street shall be modified as follows: No Parking on Entire length of Martha Street.
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Section 3. That the Superintendent of the Department of Public Works is hereby directed to post the signs necessary to advise motorists of the change in allowable parking.

Section 4. That, the Village Clerk shall transmit a copy of this Order to the Ogden Police Department, the Monroe County Sheriff and the New York State Police.

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

5. Resolution - Temporary Changing Weight Limit Restrictions.

RESOLUTION 20 7/2004

AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF SPENCERPORT HELD AT THE VILLAGE HALL, 27 WEST AVENUE, SPENCERPORT, NEW YORK ON JULY 7, 2004 AT 7:00 P.M.

Introduced by Mayor Walker
Seconded by Trustee Rauber

ORDER OF THE VILLAGE BOARD TEMPORARILY CHANGING WEIGH LIMIT RESTRICTIONS ON VILLAGE WALK, VILLAGE TRAIL, PINECREST DRIVE, AND MARTHA STREET

Whereas, the Village has been informed by the [New York State Department of Transportation] [New York State Canal Authority] that the bridge on Union Street which crosses the Erie Canal will be closed to traffic from July 26, 2004 until August 13, 2004; and

Whereas, due to the abandoned railroad overpass which crosses Union Street, and weight limits on other streets and bridges which carry traffic into the center of the Village deliveries to areas between the abandoned railroad overpass and the canal bridge would be severely restricted; and

Whereas, §130-31A of the Spencerport Code authorizes the Village Board to alter the weight limits on Village Streets during times when the board deems it necessary due to repairs or other special circumstances; and

Whereas, the Village Board finds that the closing of the Union Street Bridge is one of the circumstances set forth in §130-31A of the Spencerport Code; and

Whereas, this action is a "Type II" action under the State Environmental Quality Review Act and 6NYCRR617.5(c)(16) and not subject to review pursuant to SEQRA;

Now, therefore, be it resolved:

Section 1. That from July 26, 2004 to August 13, 2004 the weight restrictions on the following village streets shall be removed: Village Walk, Village Trail, Pinecrest Drive, and Martha Street.

Section 2. That the Superintendent of the Department of Public Works is hereby directed to remove, cover or modify the weight limit signs or to post special signs to notify drivers of the changes.

Section 3. That, the Village Clerk shall transmit a copy of this Order to the Ogden Police Department, the Monroe County Sheriff and the New York State Police.

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

6. Resolution - Parades/Assembly - Spencerport Fire Department - Firematic Drill

RESOLUTION 21 7/2004

Introduced by Trustee Granger
Seconded by Trustee Peer

Resolved, that the application of Spencerport Volunteer Fireman's Association to conduct its annual Red Onion Tournament on August, 7, 2004 at 1:00 p.m. be hereby approved with the following safety stipulations:

1. Placement of snow fence to be placed 10 feet from guardrails.
2. Hazard cones to be placed up to 75 feet east from the arch.
3. **NO ONE** on the track between the guardrails during any motorized events.
4. **NO ONE** to cross road during any motorized events and placement of a person is required to monitor at the arch area.

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

Unfinished Business

Nothing requiring Board action.

New Business

Nothing requiring Board action.

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	\$44,323.66
Electric Fund	\$47,662.90
Water Fund	\$0
Sewer Fund	\$25,800.40
Trust Fund	\$0
TOTAL:	\$117,786.96

Voucher Nos. 34-186

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, June 2004 be approved as audited.

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously that the regular meeting be adjourned to Executive Session at 9:30 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.

Motion was made by Mayor Walker, seconded by Trustee Peer and carried unanimously that the regular meeting be adjourned at 9:46 p.m.