

VILLAGE BOARD MEETING

July 21, 2004

CALL TO ORDER: 5:30 p.m.

The purpose of this meeting was to conduct any business brought before the Village Board as deemed necessary.

BOARD MEMBERS PRESENT

Theodore E. Walker, Mayor
Steven T. Russell, Trustee
Timothy M. Peer, Trustee

BOARD MEMBERS ABSENT

Theodore E. Rauber, Trustee
Glenn C. Granger, Trustee

Others Present

Alan R. Scheg, Village Administrator

Sal Muniz
Joseph Muniz
Virginia Spielman
Joan Quigley

The following official action was taken:

PUBLIC HEARING

Local Law 104/2004 -To establish a process for Applying for Out-of-Village Connections to the Sanitary Sewer System of the Village of Spencerport.

Mayor Walker opened the Public Hearing on Proposed Local Law 104/2004 at 5:30 p.m.

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

Sal Muniz: I just would like a better understanding about what you are proposing.

Mayor Walker: We have had some general discussions about looking at just general development in the area. Ogden really isn't in favor of just putting a house every ten feet either. We don't want school taxes out of control. We want to control growth. Sometimes the issue with bringing a sewer system in and just opening it up you have houses everywhere. That is not what our philosophy is even though we have a procedure now and lifting the moratorium on it. It says that at this point in time we need to come up with a method such that we don't increase what is going to the sewer plant. We are still trying to restrict and not open the whole area up so that everybody can hook-up. We have talked about if we offer sewer connections to existing homes in the area we are not changing the services that Ogden needs because they already exist. That is the next area to look at. We at least now have a procedure so we can at least start talking and getting the ball rolling. So we can have a better dialog on this if you are really interested in doing it.

Administrator Scheg: Without the release of the moratorium you would not be able to connect to the system. We just are adding a process to deal with us.

Trustee Peer: The thousands of dollars that Hickory Hollow put forward went directly to make repairs and take out the infiltration of excess water. That was their give to allow them into the system.

Sal Muniz: He gets it all back with each sale.

Mayor Walker: He adds it to the price of the house.

Joan Quigley: Isn't there a developer going to put something in down on Lyell Avenue?

Administrator Scheg: It is at the Town of Ogden Zoning Board.

Joan Quigley: So would they be included in the sewers?

Administrator Scheg: That parcel was part of the original agreement to have access to our sewer system.

Joan Quigley: How many homes are going up?

Administrator Scheg: I saw a plan today and I think it was one or two commercial buildings and it looked like ten duplexes.

Virginia Spielman: Is there a time frame when we are looking at going on to something else or reworking the existing plant?

Mayor Walker: We are looking at it right now and the recommendation from this board is to take the plant off line instead of upgrading the existing plant. So we are pursuing that. It may be two to five years?

Virginia Spielman: What do I have to do to make it the two year instead of the five year? I have lived there for six years. The first two or three weren't bad. The last three have been unbearable. The smell is absolutely atrocious. It is awful we can't open our windows. People in the neighborhood have pools and they can't even use them. It makes you physically ill to be out there.

Trustee Peer: Is anything different being done?

Administrator Scheg: I am not sure.

Virginia Spielman: They told us to call the Wastewater treatment plant. We've been calling them and they tell us they are marking down when we call to see if they are doing anything different. The guys over there are starting to say "why are you bothering us? We can't do anything about it".

Administrator Scheg: Whatever solution we have for up there it is just brutally expensive. Whether it is to rebuild the plant or take the plant off-line. We are dealing with millions of dollars. We have committed to doing something rather quickly. We are currently doing designs to get a better handle on project costs. So that the board can make a good decision and go forward. We have draft agreements with Pure Waters allowing us to connect. So we have a lot of things in line. We don't have an exact date and dollar amount yet. Under the best of conditions probable one to two years to plan, get funding, and contracts out to bid. A more realistic time frame is three to five years.

Mayor Walker: But the question is in the mean time what do we do with the plant.

Virginia Spielman: We are doing all the stuff we have been told to do correct.

Mayor Walker: Yes.

Virginia Spielman: I am really surprised that I am the only one here tonight because there are about five others that were going to show up for the meeting. It is a major concern when you can't picnic in your backyard.

Mayor Walker: Just let them know the 1st Wednesday of every month we have Privilege of the Floor. If they want to come and voice their opinion they are more than welcome. The meetings start at 7 p.m. Our plan again is that we are not looking to increase what is going on there. But in the mean time will see if we can do something different.

Virginia Spielman: We would just like to be kept aware of what is going on.

Mayor Walker: Any other comments.

Mayor Walker closed the public hearing on proposed Local Law 104/2004 at 6:07 p.m.

1. Resolution SEQR – Local Law 4/2004 for Out-of-Village Connections to Sanitary Sewer Systems of the Village of Spencerport.

RESOLUTION 22 7/2004

Introduced by Mayor Walker
Seconded by Trustee Russell

VILLAGE OF SPENCERPORT

**New York State Environmental Quality Review Act ("SEQR")
Determination of Nonsignificance
(Negative Declaration)**

WHEREAS, the Village of Spencerport, as sponsor, has before it Local Law 4-2004, "A LOCAL LAW TO ESTABLISH A PROCESS FOR APPLYING FOR OUT-OF-VILLAGE CONNECTIONS TO THE SANITARY SEWER SYSTEM OF THE VILLAGE OF SPENCERPORT."

This Local Law, if adopted, will establish a process for applying for and standards for approving or disapproving proposed connections to the Village of Spencerport Sanitary Sewer System on property located outside the Village of Spencerport corporation limits.

WHEREAS, the Village Board has determined that it is the lead agency for purposes of SEQR review in this matter; and

WHEREAS, the Village Board has determined that the action is an unlisted action pursuant to SEQR; and

WHEREAS, the board has reviewed the Short Environment Assessment form on file in the Village Office; and

WHEREAS, on this date, July 21, 2004, at a meeting, the Village Board conducted the required SEQR review process by reviewing each and every item contained in Part 2 of the Short Environmental Assessment Form.

NOW THEREFORE, BE IT RESOLVED, that the Village Board hereby finds:

SECTION 1. Based on its review of all of the evidence submitted and reviewed, and based upon the Village Board's own deliberations and its review of the short Environmental Assessment Form for the proposed action, the Village Board has determined that the proposed action will not have a significant impact on the environment and that a negative declaration is hereby issued for the Local Law 4-2004, "A LOCAL LAW TO ESTABLISH A PROCESS FOR APPLYING FOR OUT-OF-VILLAGE CONNECTIONS TO THE SANITARY SEWER SYSTEM OF THE VILLAGE OF SPENCERPORT."

SECTION 2. This notice of this determination of non-significance shall be filed as required by SEQR.

SECTION 3. The foregoing resolution was approved as follows:

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| Vote of Board: | Steven T. Russell, Trustee | Aye |
| | Timothy M. Peer, Trustee | Aye |
| | Theodore E. Walker, Mayor | Aye |

2. Resolution - Adoption of Local Law 4/2004.

RESOLUTION 23 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 21, 2004

Introduced by Mayor Walker
Seconded by Trustee Russell

RESOLUTION ADOPTING LOCAL LAW 4/2004

**A LOCAL LAW TO ESTABLISH A PROCESS FOR APPLYING
FOR OUT-OF-VILLAGE CONNECTIONS TO THE
SANITARY SEWER SYSTEM OF THE VILLAGE OF SPENCERPORT**

Whereas, the Village Board has before it a Local Law which, if adopted, will establish a process for approving or disapproving applications for out-of-village connections to the Village of Spencerport Sanitary Sewer System; and

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

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

Whereas, this board on this date has reviewed the Local Law under the State Environmental Quality Review Act and issued a Negative Declaration;

Now, therefore, be it resolved:

Section 1. That the Village Board of the Village of Spencerport hereby enacts Local Law # 4/2004 "A LOCAL LAW TO ESTABLISH A PROCESS FOR APPLYING FOR OUT-OF-VILLAGE CONNECTIONS TO THE SANITARY SEWER SYSTEM OF THE VILLAGE OF SPENCERPORT"

Section 2. That the Village Clerk is hereby 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.

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| Vote of Board: | Steven T. Russell, Trustee | Aye |
| | Timothy M. Peer, Trustee | Aye |
| | Theodore E. Walker, Mayor | Aye |

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Peer and carried unanimously that the regular meeting be adjourned at 8:30 p.m.