

**VILLAGE BOARD MEETING
December 1, 2004**

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, Trustee
Glenn C. Granger, Trustee

BOARD MEMBERS ABSENT

Steven T. Russell, Trustee
Timothy M. Peer, Trustee

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
Andrew Diehl
Mary Charles

APPROVAL OF MINUTES

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried that the minutes of the regular meeting held November 3, 2004 be approved as read.

PRIVILEGE OF FLOOR

Nothing requiring Board action.

Sewers Committee – Trustee Rauber, Chairman

1. November 2004 Sewer Flow Report.

Trustee Rauber reported the average sewer flows at the wastewater treatment plant for the month of November 2004 was 664 thousand gallons. Total rainfall for November 2004 was 3.95 inches.

Planning/Zoning/Building Control – Trustee Rauber, Chairman

- A. Planning

Trustee Rauber stated that at the last Planning Board Meeting they granted Preliminary and final approval with contingencies for a new house on Pinecrest Drive.

- B. Zoning

Trustee Rauber informed the board that at the last Zoning Board meeting veterinarian Dr. Dean Snyder was granted a special use permit at 370 S. Union Street.

- C. Building Control

1. Resolution – Town of Ogden Intermunicipal Agreement.

Introduced by Trustee Rauber
Seconded by Mayor Walker

RESOLUTION 52 12/2004

Intermunicipal Agreement
With the Town of Ogden
For Building Inspecting Code Enforcement Services
And a-la-carte Consulting Services

Whereas, the Village Board has previously entered into an similar Intermunicipal Agreement with the Town of Ogden for Building Inspection, Code Enforcement, and Fire Marshaling for the period of December 1, 2001 through December 31, 2004; and

Whereas, the Village of Spencerport and the Town of Ogden have negotiated another Intermunicipal Agreement for Building Inspecting Code Enforcement and a-la-carte consulting services; and

Whereas, the "Intermunicipal Agreement" will now be for the calendar years 2005, 2006, and 2007 with the fee being \$23, 183.75 for 2005, \$24,343.00 for 2006, and \$25,561.00 for 2007; plus other charges for a-la-carte consulting service per the attached fee schedule; and

Whereas, the "Intermunicipal Agreement" becomes effective January 1, 2005 and upon appropriate Resolution of both Boards of the Village of Spencerport and Town of Ogden;

Now, therefore, be it resolved

Section 1. The Village Board authorizes the Mayor to sign the "Intermunicipal Agreement" on behalf of the Village of Spencerport;

Section 2. That this resolution shall take effect immediately conditional upon an appropriate Resolution the Town of Ogden agreeing to building inspecting code enforcement and a-la-carte services so stated in this Resolution.

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

The following addition was made at January 5, 21005 Board Meeting:

(Trustee Granger would like it noted that even though he voted yes he is strongly against it. But was pretty sure that Trustee Peer and Russell were in favor and being that there are only three of us here I voted for it.)

D. Code Review

Nothing requiring Board action.

E. Architectural Review

Trustee Rauber stated that at the next ARB meeting they will be hearing the tabled applications of Chilango's and Buckman's Carwash. The plaza owner will also appear before the board to discuss changes they made to the plaza without prior approval from the ARB.

Finance Committee – Trustee Russell, Chairman

The Board unanimously acknowledges receipt of monthly investment of consolidated Village funds, Insured Municipal Money Market, HSBC, 1.67%. This is up .13% from prior month.

Mayor Walker acknowledges receipt of the Sales Tax Revenue share for the 3rd QTR 2004 in the amount of \$182,654.19.

1. Budget Transfers.

RESOLUTION 53 12/2004

Introduced by Mayor Walker
Seconded by Trustee Rauber

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

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

Facilities Committee - Trustee Russell, Chairman

- A. Electric

Nothing requiring Board action.

- B. Other (Drainage, Franchise)

Nothing requiring Board action.

Public Works Committee - Trustee Granger, 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

Nothing requiring Board action.

- B. Police

Nothing requiring Board action.

Human Resources Committee - Trustee Granger, Chairman

Trustee Granger stated that we will be putting together an employee meeting in the near future.

Economic Development Committee - Trustee Peer, Chairman

Mayor Walker reminded that this year's Christmas on the Canal will be December 5, 2004 starting at 1 p.m.

Village Administrator – Al Scheg

Administrator Scheg requested executive session to discuss a litigation mater and personnel issue.

Village Clerk – Pamela J. Gilbert

1. Financial Software Implementation.

Clerk Gilbert asked to discuss the issue on the new software vendor at workshop.

2. Update on FEMA assistance for September 9, 2004 flooding.

Clerk Gilbert stated that FEMA has declared assistance for individuals and small businesses that were damaged during the September 9, 2004 flooding. Clerk Gilbert has notified the village businesses involved on how to contact FEMA.

3. Authorization for Professional Service Contract – Amtek Human Resource Consultants.

RESOLUTION 54 12/2004

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that the Village Board hereby authorizes entering into contract with Amtek Human Resource Consultants per their proposal dated June 30, 2004. This contract will be for the period January 1, 2005 – December 31, 2005 at a cost not to exceed \$4,000.00. The board further authorizes the Mayor to sign said contract.

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

4. 2004 Vacation Carry-Overs.

RESOLUTION 55 12/2004

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that the Village Board hereby authorizes the following personnel to carry over unused 2004 vacation hours to the 2005 calendar year (Note these hours only represent what has been used through November 2004 and does not represent vacation used during December 2004.).

Michael Barlow	95.5 hours	Nathan Johnson	70 hours
Mark Elliott	72.5 hours	Michael Meyers	40 hours
James Gilbert	77 hours	Glenda Marischen	44 hours
Pamela J. Gilbert	98.5 hours	Gary Penders	49 hours
Linda Harissis	156 hours	Walter Rypma	46 hours
Michael Howard	49.5 hours	Thomas West	57.5 hours

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

Superintendent of Public Works – Thomas M. West

Superintendent West updated the board on the following:

- Will be looking into potential funding to see if we are eligible for some of our projects that came from our Study on Northrup Creek.
- Replaced a 6 inch drainage pipe on Slayton Avenue with a 12 inch pipe.
- New John Deere tractor has arrived and is ready for plowing our sidewalks.
- DPW is all set for Christmas on the Canal.
- WWTP roof needs to have an asbestos report done.
- Leaf season will be ending this Friday.
- Major vandalism at Merz Park.

Superintendent of Electric – John E. Linder

Superintendent Linder updated the board on the following:

- Street Lighting Project – will be working on installing lighting on the Westside of Union Street weather permitting.
- IEEP – the purchase order for the inferred camera has been issued. Energy Star Appliance Program is still underway and doing well.
- Members of the Electric Department have completed some OSHA and Demand Meter training.
- Looking into the possibility of purchasing a building for the pole yard. This building would house some electric department equipment that is currently stored out doors.

Attorney – Richard J. Olson

Attorney Olson requested permission for an Abstract Company to go through and search the records in the County Clerks Office. This search is for deeds and easements within the Village of Spencerport. Cost of this search is \$600.00.

RESOLUTION 56 12/2004

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that Attorney Richard Olson is hereby authorized to hire an Abstract Company to go through and search the records in the County Clerks Office. This search is for deeds and easements within the Village of Spencerport. Cost of this search is \$600.00.

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

Attorney Olson updated the Board on the status of the Joint Use Agreement and Pole Attachment Agreement with Time Warner and the Joint Use Agreement with Frontier.

Attorney Olson requested executive session to discuss a litigation mater.

Administration Committee – Mayor Walker, Chairman

1. Authorization to Sign Collection Agreement.

RESOLUTION 57 12/2004

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that Mayor Walker is hereby authorized to sign the Collection Agreement between the Village of Spencerport and Mercantile Adjustment Bureau, LLC for the collection of unpaid final electric accounts. This Agreement will take effect immediately and will remain in effect unless either party decides to discontinue the service and provides thirty (30) days written notice.

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

Unfinished Business

Nothing requiring Board action.

New Business

Nothing requiring Board action.

Bills

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

General Fund	\$131,245.31
Electric Fund	\$73,512.87
Sewer Fund	\$46,190.96
Trust Fund	\$27.37
TOTAL:	\$250,976.51

Voucher Nos. 694-809

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously that the cash disbursements for the General, Electric, Sewer, and Trust Funds, November 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 8:00 p.m.

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously that Executive Session be adjourned to the regular meeting at 8:20 p.m.

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously that the regular meeting be adjourned at 8:22 p.m.