

VILLAGE BOARD MEETING
May 4, 2005

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
John R. Marello, Trustee

BOARD MEMBERS ABSENT

OTHERS PRESENT

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

Christine Firestine
Pam & Pat McAvoy
Nancy Wolk
Carol Coburn
Joan Quigley

APPROVAL OF MINUTES

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried that the minutes of the regular meeting held April 6, 2005 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Russell and carried that the minutes of the meeting held April 13, 2005 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried that the minutes of the meeting held April 27, 2005 be approved as read.

PRIVILEGE OF FLOOR

1. Carol Coburn – Historian.

Carol Coburn Town of Ogden and Village of Spencerport Historian gave a brief overview of her role as historian and what projects she has been working on. Carol became the Town Historian back in 2002 and the Village Historian in July 2003. When she started she basically had an office with unorganized files. She now has a new office with well over 450 files and documents. (Copy of handout to the board is on file at the office of the village clerk)

Carol also gave a brief update on the New Trolley Depot which will be called the “Donald F. & Maxine Davison Museum of Transportation and Communication”. It will also be used as a satellite library and a visitor’s center. Where people traveling the canal can stop use the restrooms, showers and they will have a place where they can plug in their computers. The Chamber of Commerce will have a welcome center.

Trustee Rauber: I have known Carol for awhile now but really got to know her by working on the Trolley Depot Committee together. Her energy around the depot, her attention to preservation and to detail. I know Carol doesn’t want to take any bows but the grant that we just received from the State of New York for \$70,000.00 was put together by Carol. I credit Carol for that because it is a huge amount of money coming in to help get this project going. She has put about 60 hours into writing this grant. I think this is very good recognition for her. The village is lucky to have someone like Carol on our staff.

Mayor Walker: We do appreciate your work.

2. Nancy Wolk – Walking/Biking Trails in Spencerport

Nancy Wolk: I am a resident in the Town of Ogden. A friend of mine, Joanne French, approached me as we both have the same concerns about the safety and security of our kids getting from point A to point B. As well as, the rest of the community trying to pursue an interest in good health, community living, and trying to get people out to do a little exercising. A couple years ago I was approached by Gay Lenhard to get involved in a Master Plan for the Recreation Department. Even though it was something we didn't pursue at the time we put in writing that there was an interest of this committee to look into a trails system. Similar to what you might find on the east side of town. We have an upcoming meeting that I wanted to make you aware of on May 26, 2005 at 7 p.m. at the Town Park and see if there is any interest from the board to get involved with this project. We have been in contact with Crescent Trail people, Victor Trail people, and the Genesee Region Trail Coalition. They have been very helpful and are willing to help us. We would like to see some activity happen in our community regarding this. We have a beautiful community to walk around in. Living on Canal Road I can tell you that a lot of people use the canal path. I think this will be an interesting project because we have a lot of community groups that are looking for community service work. So if there is anyone from your organization that would be interested in getting involved and be the liaison that would be wonderful. I think this would be great for our community.

Mayor Walker: Your vision is really Ogden and Spencerport community.

Nancy Wolk: We would like to connect the parks, the schools, and the senior center. We have senior population outside the village. We would like to make it more assessable so people can move about easier and do it safely.

Trustee Rauber: We received a \$17,000.00 grant and we call it the "Southside Waterfront Redevelopment Concept Plan". One of the targets is to encourage a common and shared vision for "future" Spencerport as a walk able "Canal-town". What we are focusing on is the Canal to Lyell Avenue and from Union Street out just past the school. There is a steering committee being formed and if you don't mind I would like to add you name to that committee. A vision like you have would fit into this study.

Nancy Wolk: That would be fine.

Mayor Walker: We appreciate your enthusiasm.

3. Pam McAvoy – 3024 Brockport Road

Pam McAvoy: We have concerns with our neighbor next door. I have some pictures here for you to look at. It just seems that he has no time to do anything. There is an old trailer out back. We see a lot of people walking up and down our street and that property is the topic of conversation. They stop at our house and ask what's going on next to you? We are hoping that things could be cleaned up around there. I don't think he has time to do much as he is always working. It's pretty bad. People tell us it's bad. If we sit out in our back yard people see it.

Mayor Walker: Have you had a discussion with him to see if he has a plan?

Christine Firestine: It has been going on for a few years. If there was a plan and something we could see in the near future that would improve the property and ours. Then we would be fine. But nothing is happening.

Pat McAvoy: He actually asked me to sell his lawn mower because he was getting rid of his grass. He put all dirt down. I don't know who is dumping stuff in his yard but he has all kinds of land fill. At one time he had sign that said no more dumping.

Pam McAvoy: The trailer in the back yard is not even his it is someone else's from the village. We have a hard time trying to justify next door.

Pat McAvoy: We just expanded our family room and we now have a window that looks over there. My wife's parents were over and we had just put up new blinds and when they opened them and went "oh" and closed them. It is terrible to look at.

Trustee Rauber: I spoke to Building Inspector, Jack Crooks this afternoon. He gave me an update that he has been in touch with the property owner, the owner of the trailer, and the person who has been helping with the landscaping. I would expect to see a fairly quick response starting to happen at the property. I can't give you a time line but I would guess you would see some things being done. I can assure you that the pressure is on.

Pam McAvoy: I also want to tell you that Mr. Kelly has been real good. He has talked with me a few times and has talked to the neighbor. He has been really helpful to me. If I leave him a message he gets right back to me.

Trustee Rauber: It is being addressed at the right level with Jack Crooks and Kevin. It is just a timing issue. They have been given some direction and we will just have to see how they move with it.

Pam McAvoy: Is he allowed to dump like that?

Superintendent West: Yes, he has a permit.

Mayor Walker: The process for that is if some is looking at making a change to the property they need to go see the Building Inspector with a plan for the fill. Then they would issue a fill permit. Normally the issue with a fill permit is what it is going to be used for. They also look at the drainage and the impact on the neighbors.

Pam McAvoy: The neighbors on the other side had a hard time selling. We have also thought about looking elsewhere but we like where we are. We love the village. We have been around here for almost thirty years and are not ones to complain. That needs help.

Mayor Walker: He is not the only one in the village. We do have a few others. They may have plans but they just never finish one. We will keep you posted on what is going on.

Trustee Marello: Is one of these pictures a view from you home?

Pam McAvoy: The one from my back deck. We are also thinking about getting a permit for a stockade fence.

Mayor Walker: We appreciate you coming and sharing your concerns with us.

Pam McAvoy: Thank you very much.

Sewers Committee – Trustee Rauber, Chairman

1. April 2005 Sewer Flow Report.

Trustee Rauber reported the average sewer flows at the wastewater treatment plant for the month of April 2005 was 1,246 million gallons. Total rainfall for April 2005 was 6.29 inches. This is our third month in a row that we have exceeded our permitted limit. This is another reason why we have an I & I Program we are working on to remove the ground water out of

Trustee Rauber continues: the system. So when we do have flooding conditions we are not paying money to treat ground water.

Trustee Rauber stated that we approved at our last workshop meeting the Phase B of the Professional Service Proposal for I & I.

Trustee Rauber informed the board that Tom Pavone, MRB/group, and he will be attending a workshop on Center for Environmental Information. This deals with the preservation and protect of our waterfront starting with Lake Ontario and some of the contributories that flow into it. We feel that this is a great time to be involved in these projects as we are looking for grant money for the treatment plant going off-line.

Trustee Rauber stated that part of the I & I study we will be doing smoke testing. How this will work is that we will be looking for systems that tied into our sanitary sewer that don't belong there. Like gutters, parking lot drains. We will be putting smoke into the sanitary sewer system and watch where it comes out.

Superintendent West: This test is very involved. It will be done on the entire south end of the village; anything south of the canal. The concern is that some smoke may go into people's homes. So before we do the testing we will have to do a lot of notification. I think we will get good results from this and it is free as we are a member of the Rural Water Association.

Trustee Marello: What happens to the residents that get the smoke?

Trustee Rauber: First we need to locate how much is out there. Then craft a plan to address it.

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

Nothing requiring Board action.

B. Zoning

Nothing requiring Board action.

C. Building Control

Nothing requiring Board action.

D. Code Review

Trustee Rauber read a letter from village resident Annette Randazzo, 51 Luther Jacobs Way recognizing the special efforts of Mr. Kelly. (Copy of letter in Mr. Kelly's personnel file)

1. Resolution – Authorizing advertising for Local Law 101-2005.

RESOLUTION 105 5/2005

Introduced by Trustee Rauber
Seconded by Trustee Marello

“A LOCAL LAW TO ESTABLISH DOCK USAGE
IN THE VILLAGE OF SPENCERPORT”

WHEREAS, the Village Board has before it a proposed Local Law to establish a law on Dock Usage 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 June 1, 2005 day of, 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
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Mareello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

E. Architectural Review

Trustee Rauber stated that at last night’s ARB meeting they denied the extension request from Kravetz Realty. Tabled the request from Page Appliance and Tooty’s; approved the sign for Grandpa Sam’s.

Finance Committee – Trustee Russell, Chairman

The Board unanimously acknowledges receipt of monthly investment of consolidated Village funds, Insured Municipal Money Market, HSBC, 2.46%. It is up .33% from prior month.

1. Resolution - Budget Transfers.

RESOLUTION 106 5/2005

Introduced by Trustee Russell
Seconded by Trustee Granger

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

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Mareello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Facilities Committee – Trustee Russell, Chairman

A. Electric

Nothing requiring Board action.

B. Other (Drainage, Franchise)

Trustee Russell stated that Time Warner Cable has recently sent out their customer information booklet with their new rates and they have just acquired a new company.

Public Works Committee – Trustee Granger, Chairman

A. Highways/Garage

Nothing requiring Board action.

B. Public Services (Refuse, Recycling, Parks)

Trustee Granger would like to compliment Superintendent Linder on a successful shut-down. They were able to complete it in about three hours.

Public Safety Committee – Trustee Marelo, Chairman

A. Fire Department

Nothing requiring Board action.

B. Police

Nothing requiring Board action.

Human Resources Committee – Trustee Granger, Chairman

Trustee Ganger stated that the Medical Insurance Committee will hopefully be meeting next week. On the committee with Trustee Granger will be Clerk Gilbert, Greg Dorgan, and Glenda Marischen.

Economic Development Committee – Trustee Granger, Chairman

Trustee Granger stated that Tim Peer would like to stay involved with the Path Ways to the Past.

Clerk Gilbert also stated that the Gazebo Concerts have been finalized and the flyers are at the printers.

Village Administrator –

Position is currently vacant.

Village Clerk – Pamela J. Gilbert

Clerk Gilbert updated the board on the status of the software implementation. The end of May we will be doing our first parallel billing.

Clerk Gilbert stated that the 2004-2005 Fiscal Year End Board Meeting will be May 31, 2005 at 5:00 p.m.

Clerk Gilbert also stated that the office received a call today from Mr. Tater, 309 S. Union Street recognizing the village employees for all their hard work and going the extra mile to clean up his front yard. His bulk pick-up was set on fire the night before. He came home from work expecting to have to clean up his yard and the Village crew had already done it.

1. 2005-2006 Refuse Re-levies.

RESOLUTION 107 5/2005

Introduced by Mayor Walker
Seconded by Trustee Russell

Resolved, that unpaid refuse accounts in the amounts of:

Ethan Corona	63 Big Ridge Road	087.090-4-8	\$ 107.74
James & Kathy			
Stuewe	92 S Union Street	087.09-11-4	\$ 677.16
Jeff Perrigo	211 Lyell Avenue	087.13-4-7	\$ 200.58
Deb DeFazio	14 Lyell Avenue	087.14-1-8	\$ 99.65
TOTAL			\$1,085.13

be, and are hereby certified by the Board of Trustees and,

Further Resolved, that such amounts hereby constitute a lien on the subject property and shall be relieved on June, 2005 Village tax bill.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

2. 2005-2006 Tax Levy.

RESOLUTION NO 108 5/2005

Introduced by Mayor Walker
Seconded by Trustee Marello

A resolution levying the total taxes and other charges extended and levied against each parcel of real property shown on the roll prepared and verified by the assessor for the 2005/2006 fiscal year.

RESOLVED, that there be levied and assessed against the real property of the Village of Spencerport the following sums for Village government and other charges for the fiscal year 2005/2006 with a tax rate of \$2.70 per thousand assessed valuation – General Fund tax levy and \$235.00 per unit – Sewer User Fee.

TAX RATE CALCULATION

<u>General Fund Tax Levy X \$ 1000</u>	\$440,054.17
Assessed Valuation	162,983,027
General Fund Tax Levy	\$440,054.17
Prior Years' Taxes	\$727.70
Delinquent Refuse	\$1,085.13
Recycling User Fee	\$42,900.00
GENERAL FUND TOTAL LEVY:	\$484,767.00

<u>1703.70 Sewer Units X \$235.00</u>	<u>\$400,369.50</u>
Sewer User Fee Levy	\$400,369.50
Prior Years' Taxes	\$494.36
Sewer User Fee (Churches)	\$250.00
SEWER FUND TOTAL LEVY:	\$401,113.86
TOTAL LEVY:	\$885,880.86

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Mareello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Superintendent of Public Works – Thomas M. West

Clerk Gilbert updated the board on the following:

- Sidewalks are done. All of the old sidewalks have now been replaced. Just doing some blacktop work for some driveways.
- Sewer Meters are still working well. No problems.
- Working with the Electric Department to restore driveways on S. Union Street.
- 2005 Street Improvement Project is on schedule. They were some issues with the water main but they have are resolved.

Superintendent of Electric – John E. Linder

Mayor Walker congratulated Superintendent Linder on a very successful outage.

Superintendent Linder updated the board on the following:

- May 1st Electric shutdown was completed in three hours.
- Street Light lawn restoration work is underway.
- Phase III of our Street Light Project has been endorsed by the IEEP. Phase III is placing Street Lights on Union Street from Brockport Road to Route 31 and from the Canal Bridge to Canal Road.
- Spencerport is hosting the MEUA Western Regional Meeting June 7, 2005.
- Hybrid vehicle has been ordered.

Attorney – Richard J. Olson

1. Resolution - Authorization to sign Global Signal (formerly Sprint) Ground Lease Agreement.

RESOLUTION 109 5/2005

Introduced by Trustee Rauber
Seconded by Trustee Granger

Resolved, that Mayor Walker is hereby authorized to sign the Global Signal (formerly Sprint) Ground Lease Agreement. (Copy of file)

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Mareello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Attorney Olson requested executive session to discuss a matter in litigation.

Administration Committee – Mayor Walker, Chairman

1. Resolution – Change of employment status – from Part-Time to Full-Time – M. Bianchi.

RESOLUTION 110 5/2005

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes the changing of employment status of Michael Bianchi from the position of Part-Time DPW Laborer to the position of Full-Time DPW Laborer effective June 1, 2005.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Mareello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

2. Resolution – Change of employment status – from Part-Time to Full-time – M. Gioia.

RESOLUTION 111 5/2005

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes the changing of employment status of Margaret Gioia from the position of Part-Time Front Office Clerk to the position of Full-Time Front Office Clerk effective June 1, 2005.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Mareello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

3. Resolution – Authorization to attend NYCOM Annual Meeting.

RESOLUTION 112 5/2005

Introduced by Mayor Walker
Seconded by Trustee Mareello

Resolved, that the any interested Village Board Member is hereby authorized to attend the NYCOM 2005 Annual Meeting, Saratoga Springs, New York , June 12-15, 2005.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

4. Resolution – Parades/Assembly – American Legion Post 330.

RESOLUTION NO 113 5/2005

Introduced by Mayor Walker
Seconded by Trustee Rauber

Resolved, that the Village Board hereby approves the application of the American Legion Post 330 to conduct their Annual Memorial Day Parade on May 30, 2005 at 9:00 A.M. on the route so delineated on the application.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Unfinished Business

Mayor Walker thanked Clerk Gilbert for all her work with this years United Way Campaign. We had two new pledges this year and four employees increased their pledge.

Mayor Walker updated the board on the Day of Caring this past weekend. On Friday we had a group of volunteers from Caldwell paint the gazebo and pavilion. On Saturday we had about 60 people (village employees and volunteers). Except for the stenciling of the drains we were able to complete all our projects. A special thank you to the garden club for wonderful planting work they did at our “Welcome to Spencerport” sign on the north side of the village.

New Business

Mayor Walker stated that the Village did receive a grant for \$70,000 from New York State for the renovation of the RLB Deport as a Canal Visitors Center.

Mayor Walker read a letter from the Spencerport Central School regarding a “Safe Homes Program”. This has to do with the Family Support Center setting up a program for a networking of homes that don’t have drugs or alcohol in them. So that when kids go to these homes they will be safe.

Mayor Walker mentioned that he attend the dedication of the Village of Brockport’s Visitors Center April 30, 2005.

Mayor Walker further mentioned that he attending the ribbon cutting ceremony today for the Tooty’s Restaurant/Sports Bar.

Bills

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

General Fund	\$80,754.06
Electric Fund	\$26,774.18
Sewer Fund	\$36,108.72

Trust Fund	\$0
Capital Fund	\$178,533.42
TOTAL:	\$322,170.38

Voucher Nos. 1301-1375

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, April 2005 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 8:45 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 9:55 p.m.

Resolution - Defensive Driving Course.

RESOLUTION 114 5/2005

Introduced by Trustee Rauber
Seconded by Trustee Granger

Resolved, that the Village Board for the Village of Spencerport hereby authorizes all village employees to participate in a Defensive Driving Course at a cost of \$12.00 per employee, date and time of course to be determined. Course to be held at the village offices and will be given by First Niagara.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Resolution – Policy Manual Revision.

RESOLUTION 115 5/2005

Introduced by Trustee Granger
Seconded by Trustee Russell

Resolved, that the Village Board for the Village of Spencerport hereby approves of the attached Policy Manual Change – Vacation Leave. (Copy on file Village Clerk’s Office)

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously that the regular meeting be adjourned at 9:58 p.m.

Village Board Meeting
May 4, 2005