

VILLAGE BOARD MEETING
September 9, 2005

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Mayor Walker.

BOARD MEMBERS PRESENT
ABSENT

BOARD MEMBERS

Theodore E. Walker, Mayor
Theodore E. Rauber, Trustee
Glenn C. Granger, Trustee
Steven T. Russell, Trustee
John R. Marello, Trustee

OTHERS PRESENT

Jacqueline Sullivan, Village Clerk
Thomas M. West, Superintendent of Public Works
Richard Olson, Village Attorney
John E. Linder, Superintendent of Electric

Joan Quigley, 151 Maplewood Avenue
David Ritchie

APPROVAL OF MINUTES

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried that the minutes of the regular meeting held August 3, 2005 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Russell and carried that the minutes of the workshop meeting held July 20, 2005 be approved as read. Trustee Granger and Rauber abstained.

PRIVILEGE OF FLOOR

Mayor Walker gave David Ritchie privilege of the floor.

Mr. Ritchie addressed the board regarding a need for increased community participation by the board members. Mr. Ritchie emphasized to the board that more work can be done to help business be more successful.

Mayor Walker asked Mr. Ritchie if there were physical enhancements that could be made.

Mr. Ritchie responded that there were no physical enhancements however all of the board members should have participated in Canal Days.

Trustee Russell asked Mr. Ritchie the reasons for closing his business now.

Mr. Ritchie responded by stating that they had been struggling for a number of years and that Lowes had a major effect on his business.

Mr. Ritchie stated that the board should participate in the meetings scheduled to not allow Lowes into Brockport.

Mrs. Quigley asked Mr. Ritchie if the sidewalk cafes helped enhance his business.

Mr. Ritchie responded that they did and that all of the businesses should be allowed to put out anything they want to make the village look more friendly.

Trustee Marello stated that the small business owner needs to stand apart from the big businesses.

Mrs. Quigley questioned the reason for the survey tapes at the cut.

Mr. West responded that the owner of the property is surveying.

Mrs. Quigley stated that the board meetings are not in the community calendar portion of the Suburban News.

Mrs. Quigley asked why Kevin Kelly was measuring the street.

Mr. West responded that Kevin was measuring for revisions to trailer law.

Mrs. Quigley asked if there was a law stating that the safety shoots need to be on lawn mowers.

Attorney Olson responded that there was no such law in the village's jurisdiction.

Sewers Committee – Trustee Rauber, Chairman

Trustee Rauber stated that 5.53 inches of precipitation had been reported by the Waste Water Treatment Plant, the average flow was .461 gallons.

Discussion ensued regarding the smoke testing project.

Trustee Rauber stated that he will be attending a meeting with Congressman Reynolds' aid to discuss funding sources for the WWTP offline project. He continued that progress is being made on a sewer usage fee and a final presentation should be made at the next board meeting. At this time the cost will be approximately \$5,000 per tie-in.

1. Resolution to award WWTP Roof Replacement Bid

RESOLUTION 47 9/2005

Introduced by: Trustee Rauber

Seconded by: Trustee Russell

Resolved, that the Village Board hereby awards the bid for the WWTP Roof Replacement to J&B Installations, Inc. in the amount of \$43,175.00.

Trustee Rauber explained the scope of the project.

Discussion ensued regarding the budgeting of the project.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steve T. Russell, Trustee	Aye
Glenn C. Granger, Trustee	Aye
John R. Marello, Trustee	Aye
Theodore E. Walker, Mayor	Aye

2. Resolution to accept Village Storm Sewer Mapping Update from MRB Group in the amount of \$5,900.

RESOLUTION 48 9/2005

Introduced by: Trustee Rauber

Seconded by: Trustee Marello

Resolved, that the Village Board hereby accepts Village Storm Sewer Mapping Update from MRB Group in the amount of \$5,900.

Trustee Rauber explained the scope of the work.

Attorney Dick Olson stated that the contract from MRB states that the Village of Spencerport has the right to copy the documents. Attorney Olson continued that ownership of the documents is too strict and could cause future issues regarding copyright laws. Mr. Olson recommended that the Village of Spencerport retain ownership of all documents.

Trustee Rauber requested that the resolution be amended as follows: Resolved, that the Village Board hereby accepts Village Storm Sewer Mapping Update from MRB Group in the amount of \$5,900 contingent upon MRB agreeing that the Village of Spencerport will retain ownership of all documents related to Section B of the MRB Group, engineering, architecture, surveying, P.C. Agreements for Professional Services Standard Terms and Conditions.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steve T. Russell, Trustee	Aye
Glenn C. Granger, Trustee	Aye
John R. Mareello, Trustee	Aye
Theodore E. Walker, Mayor	Aye

Mayor Walker commented on the balance of the engineering budget. \$30,000 has been allocated for 2005/2006 engineering costs. \$20,000 was ear marked for drainage. At this time there needs to be an awareness of engineering expenses.

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

Trustee Rauber stated that Bill Barlow presented to the planning board his findings regarding storm water damage and flooding. Trustee Rauber continued that ESL has requested an additional ATM machine be placed at their location on Rt. 31. The reason for this additional ATM machine is increased volume. ESL was requested by the planning board to submit their proposal to NYS DOT to confirm that the additional ATM will not cause a burden to traffic patters creating an unsafe situation.

B. Zoning

1. Resolution to accept zoning map update.

RESOLUTION 49 9/2005

Introduced by: Trustee Rauber

Seconded by: Trustee Mareello

Resolved, that the Village Board herby accepts the Village Zoning Map Update presented by MRB Group in the amount of \$1,350 contingent upon MRB agreeing that the Village of Spencerport will retain ownership of all documents related to Section B of the MRB Group, engineering, architecture, surveying, P.C. Agreements for Professional Services Standard Terms and Conditions.

Mayor Walker questioned if the project should be postponed until the Davison property is developed.

Trustee Rauber answered that properties could be added easily.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steve T. Russell, Trustee	Aye
Glenn C. Granger, Trustee	Aye
John R. Mareello, Trustee	Aye
Theodore E. Walker, Mayor	Aye

C. Building Control

Nothing requiring board action

D. Code Review

Nothing requiring board action

E. Architectural Review

Trustee Rauber stated that ARB approved signs for Page Appliances, Spencers Landing, and The Party Starts Here. Fencing to be installed at the ESL site to insure safety to customers was also approved. ARB committee reviewed conceptual plans from Richard Gollell regarding development of the Davison property.

The sign law was reviewed at the meeting as well.

Mayor Walker questioned the progress of informing the business of the change in the sign law.

Trustee Marelo responded that the process has not begun.

Finance Committee – Trustee Russell, Chairman

1. The board unanimously acknowledged the receipt of monthly-consolidated investment; HSBC Insured Municipal Money Market 3.05% (up .16). The account has a balance of \$3,651,665.00.

Facilities Committee – Trustee Russell, Chairman

A. Electric

1. Resolution to award bid for Bucket Truck

RESOLUTION 50 9/2005

Introduced by: Trustee Russell

Seconded by: Trustee Granger

Bid Opening: August 31, 2005: Bucket Truck

Altec Industries Inc.

Not to exceed \$177,858.00

Whereas, the Village Board has reviewed the bid and recommendations with the Superintendent of Electric and,

Whereas, upon further investigation, such reviewed demonstrates that the bid specifications were accurate,

Be it hereby resolved, that the Village Board accepts bid submitted.

Discussion ensued regarding Jack Linder attempting sell the old bucket truck for a higher price than the trade-in value.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Steve T. Russell, Trustee	Aye
Glenn C. Granger, Trustee	Aye
John R. Marelo, Trustee	Aye

Village Board Meeting
September 7, 2005

Theodore E. Walker, Mayor Aye
B. Other (Drainage, Franchise)

Nothing requiring Board action.

Public Works Committee – Trustee Granger, Chairman

A. Highways/Garage

1. To approve final payment application for Coleman, Coolidge & Barrett Road Project.

RESOLUTION 51 9/2005

Introduced by: Trustee Granger

Seconded by: Trustee Russell

Resolved, that the Village Board authorizes the payment application of \$13,285.93 to Gordon J. Phillips, Inc. for the Coleman, Coolidge, Barrett Avenue Road Replacement Project.

Discussion ensued regarding the completion of the project.

Vote of the Board:

Theodore E. Rauber, Trustee Aye
Steve T. Russell, Trustee Aye
Glenn C. Granger, Trustee Aye
John R. Marelo, Trustee Aye
Theodore E. Walker, Mayor Aye

1. To approve Tom West to attend the NYCOM Superintendent's Conference October 16-20th.

RESOLUTION 52 9/2005

Introduced by: Trustee Granger

Seconded by: Trustee Russell

Resolved, that the Village Board hereby authorizes Tom West to attend the NYCOM Superintendent's Conference October 16-20th amount not to exceed \$1,000.

Vote of the Board:

Theodore E. Rauber, Trustee Aye
Steve T. Russell, Trustee Aye
Glenn C. Granger, Trustee Aye
John R. Marelo, Trustee Aye
Theodore E. Walker, Mayor Aye

Trustee Granger commented the outstanding performance of Tom West and DPW Staff regarding ongoing projects.

B. Public Services (Refuse, Recycling, Parks)

Nothing requiring Board action.

Trustee Granger commented on the continued vandalism at Merz Park. Trustee Granger circulated several pictures illustrating the damage. Trustee Granger stated that something needs to be done as soon as possible.

Village Board Meeting
September 7, 2005

Trustee Rauber stated that he is in the process of obtaining quotes from security services to alarm the Trolley Depot and install cameras for view the Trolley Depot and Merz Park. Discussion ensued regarding cameras and damage to the parks.

Tom West requested from John Mareello a weekly meeting with the Ogden Police department to discuss vandalism issues.

Public Safety Committee – Trustee Mareello, Chairman

A. Fire Department

Nothing requiring Board action.

B. Police

Nothing requiring Board action.

Discussion ensued regarding meeting with John Mareello, Tom West and the police department.

Human Resources Committee – Trustee Granger, Chairman

Nothing Requiring Board Action

Economic Development Committee – Trustee Granger, Chairman

Discussion ensued regarding businesses closing and opening in the village.

Mayor Walker questioned the status of the business survey process.

Discussion ensued regarding the process of completing the survey.

Village Administrator – Position is currently vacant.

Village Clerk – Jacqueline Sullivan

1. Resolution to close South Union Street and Lyell Avenue for the Spencerport High School Homecoming Parade.

RESOLUTION 53 9/2005

Introduced by: Mayor Walker

Seconded by: Mareello

Resolved, that the Village Board approves the closing for South Union Street and Lyell Avenue for the Spencerport High School Student Government to conduct its annual Homecoming/Spirit Week Parade, Saturday, September 24, 2005 starting at 12:30 p.m. and ending approximately 1:30 p.m. Parade will start at Fireman's Field and end at the Spencerport Central Schools Administration Building on Lyell Ave.

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

Village Board Meeting
September 7, 2005

Clerk Sullivan reviewed the Chamber of Commerce meeting and the status of the software upgrade at the office.

Superintendent of Public Works – Thomas M. West

Tom West reviewed the current fuel costs. At this time there has been a 14.7% increase in diesel fuel costs since May of 2005 and a 31.1% increase in gasoline costs.

Mr. West continued that the residents of Coleman, Coolidge and Barrett Avenues are pleased with the paving project but are complaining about speeders. Mr. West suggested that speeding also be a topic of discussion with the police chief.

Mayor Walker questioned if the survey regarding the Coleman, Coolidge and Barrett had been completed.

Mr. West responded that he is waiting for the survey from MRB.

Tom stated that the paving in the Domus Track is complete and in 2006 the village should be able to complete the paving of Village Walk Circle in house. He continued that the staff did an outstanding job.

Mr. West stated that he will be attending the Teetsworth auction to sell the Crown Vic and a bus.

Superintendent of Electric – John E. Linder

Nothing requiring Board action.

Jack Linder reviewed the process for the electric shutdown scheduled for Sunday, September 11, 2005 from 12:01 a.m. to 7:00 a.m. Jack continued that he will be asking RAM Consulting to attend the September 21st workshop meeting to discuss front end loading. Preliminary work is taking place for phase IV of the street lighting project and that the stray voltage project is $\frac{3}{4}$ done.

Attorney – Richard J. Olson

Dick Olson continued that a resolution is needed to confirm the discontinuance of the Ogden Parma Fire District due to there being no record of previously advertising this resolution.

RESOLUTION 54 9/2005

At a regular meeting of the Village Board of the Village of Spencerport, Monroe County, New York, held at the Village Hall, 27 West Avenue in said Village, on the 7th day of September, 2005, at 7:00 P .M. there were:

PRESENT: Mayor Walker, Trustees, Granger, Marelo, Rauber, and Russell

ABSENT: none

Introduced by: Mayor Walker
Seconded by: Trustee Granger

RESOLUTION CONFIRMING THE DISCONTINUANCE OF THE OGDEN-PARMA FIRE DISTRICT AFTER PUBLIC HEARING SUBJECT TO PERMISSIVE REFERENDUM AND ESTABLISHMENT OF THE SPENCERPORT FIRE DISTRICT

WHEREAS, the Town Board of the Town of Parma, the Town Board of the Town of Ogden and the Village Board of the Village Spencerport after proper notice, duly convened a joint public hearing regarding the dissolution of the Ogden Parma Fire District and the formation of the Spencerport Fire District, and

WHEREAS, all boards unanimously approved a resolution to effectuate same after prior notice and the public hearing held April 10, 2002, subject to Permissive Referendum, and

WHEREAS, the property of the Ogden Parma Fire District and the Village of Spencerport Fire Department has been transferred to the Spencerport Fire District and all other actions to effectuate the consolidation have been accomplished, and

WHEREAS, the statutory requirements regarding publication and filing have not been strictly adhered to,

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. All steps to accomplish the consolidation of the Ogden-Parma Fire District and the Spencerport Fire Department are hereby ratified and confirmed, and

2. The attached resolution passed by the Town Boards of Parma and Ogden and the Village Board of Spencerport is hereby ratified, reconfirmed and readopted as if more fully set forth herein in its entirety effective April 17, 2002, nunc pro tunc, and

BE IT FURTHER RESOLVED, that all acts to effectuate the consolidation are hereby ratified and reconfirmed, notwithstanding any procedural inconsistencies that may have existed in April 2002, or thereafter and

1. This resolution is adopted subject to Permissive Referendum in accordance with the Village and Town Law of the State of New York, and

2. The Clerks of the respective municipalities are hereby directed to publish legal notice of same and provide affidavits of publication, file certified copies with the Monroe County Clerk and the N.Y.S. Department of Audit and Control and related paperwork to the appropriate agencies.

VOTE OF THE BOARD

AYES: Mayor Walker, Trustees, Granger, Mareello, Rauber, and Russell

NAYS:

Whereupon the Resolution was declared adopted

Dick Olson reviewed the status of the Frontier/Time Warner joint use agreement. The easement process regarding the Trolley Depot should be completed in 1-2 weeks.

Administration Committee – Mayor Walker, Chairman

Nothing requiring board action

Unfinished Business

Trustee Rauber reminded the board of the Canal Conference starting Sunday, September 11, 2005.

New Business

Trustee Granger inquired if the village could contribute \$1,000 to Hurricane Katrina relief fund.

Village Board Meeting
September 7, 2005

Dick Olson responded that legally the village cannot.

Bills

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously that the monthly bills be paid.

General Fund	\$113,930.74
Electric Fund	\$ 59,263.00
Sewer Fund	\$ 29,709.99
Trust Fund	\$0
Capital Fund	<u>\$168,509.92</u>
TOTAL:	\$371,413.65

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously to post the audit for August 2005

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Marelo and carried unanimously that the regular meeting be adjourned at 8:35 p.m. and moved into executive/workshop session.

During workshop session Trustee Granger stated that the Health Care Committee is recommending that the employees pay 3% in 2006 for health insurance with .5% increases yearly until the employee contributions reach 5%. New employees will pay 10% of health insurance costs. At that time employee contributions will be reassessed.

Motion was made by Mayor Walker, seconded by Trustee Russell and carried unanimously that the regular meeting be reopened at 9:50 p.m.

RESOLUTION 55 9/2005

Introduced by: Trustee Rauber
Seconded by: Trustee Granger

Resolved, that the Village Board hereby authorizes the installation of 3 windows located at the Village Office, 27 West Avenue. The total cost of the project \$9,995. \$6000 of the project to be paid for by IEEP funds and \$3,995 to be paid from the village operating budget.

Clerk Sullivan explained the scope of the project.

Discussion ensued regarding the project.

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

Motion was made by Mayor Walker, seconded by Trustee Russell and carried unanimously that the regular meeting be adjourned at 9:52 p.m.