

VILLAGE BOARD WORKSHOP MEETING
June 21, 2006

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

BOARD MEMBERS ABSENT

Others Present

Kevin Kelly, Code Enforcement Officer
Dick Olson, Village Attorney
Tom Pavone, MRB Group
Jeff Kosmala, MRB Group
Jacqueline Sullivan, Village Clerk
Tom West, Highway Superintendent
Jack Linder, Electric Superintendent
Rich McQuilkin, Spencerport Fire Department
Dave Spencer, Spencerport Fire Department

Rich McQuilkin and Dave Spencer presented to a board a concept plan for a proposed new firehouse at 175 Lyell Avenue.

Discussion ensued regarding the plans.

BI/FM/CE

Jack Crooks and Kevin Kelly submitted their monthly report.

The following items were highlighted

- Zoning board approved 3 fences and no structures should be built in any easement
- Sign approved for Eddys Restaurant
- Sidewalk Café for Chellangos approved
- Letters have been sent to businesses regarding the removal of A Frame signs at night
- Letter was sent to Village Walk resident regarding lawn
- John Marello has spoken with West Ave. resident regarding condition of home; discussions continue with resident
- Fencing around soft sided pools will be enforced at needed
- Follow-up continues on Breckenridge Property and 100 Parkhurst Drive
- Hogan and Gollell projects continue to move forward.

Attorney

Richard Olson, Esq. submitted his monthly report.

The following items were highlighted

Diehl property acquisition to close on July 30, 2006.

Music insurance update; Village should look into a policy in 2007

Joint Pole agreement progress continues

Public Information Meeting

A public information meeting regarding the Waste Water Treatment Plant off line project was conducted.

Engineer (s)

Tom Pavone and Jeff Kosmala submitted the monthly engineering report.

The following official action took place:

RESOLUTION 9 6/2006

Introduced by: Trustee Rauber

Seconded by: Trustee Granger

BOND RESOLUTION DATED JUNE 21, 2006.

A RESOLUTION AUTHORIZING VARIOUS IMPROVEMENTS TO THE ELECTRIC SYSTEM OF THE VILLAGE OF SPENCERPORT, MONROE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$182,000, AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$182,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all proceedings required pursuant to the State Environmental Quality Review Act in connection with the project described below having been satisfied, it is now desired to authorize such project and the financing thereof; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Board of Trustees of the Village of Spencerport, Monroe County, New York, as follows:

Section 1. Various improvements to the electric system of the Village of Spencerport, Monroe County, New York, consisting of the installation of distribution system upgrades to various rear lot locations, rebuilding the electrical distribution system in the Kirkgate area, construction of a storage mezzanine inside the new Electrical Storage Building and construction of new electrical transmission and distribution facilities and improvements to existing transmission facilities to service the Erie View landing subdivision, including incidental costs and improvements, are hereby authorized at a maximum estimated cost of \$182,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$182,000 bonds of said Village hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of each of the aforesaid specific objects or purposes is thirty years, pursuant to subdivision 5 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Spencerport, Monroe County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the *Suburban News*, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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 10 6/2006

Introduced by: Trustee Russell

Seconded by: Trustee Rauber

BOND RESOLUTION DATED JUNE 21, 2006.

A RESOLUTION AUTHORIZING THE SEWER PUMP STATION AND FORCE MAIN PROJECT IN AND FOR THE VILLAGE OF SPENCERPORT, MONROE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST THEREOF OF \$11,500,000, AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$11,500,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all proceedings required pursuant to the State Environmental Quality Review Act in connection with the project described below having been satisfied, it is now desired to authorize such project and the financing thereof; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Board of Trustees of the Village of Spencerport, Monroe County, New York, as follows:

Section 1. The sewer pump station and force main project in and for the Village of Spencerport, Monroe County, New York, including preliminary costs and expenses, the acquisition of land and rights-in-land, equipment, machinery and apparatus in connection therewith and other related costs and improvements, is hereby authorized at a maximum estimated cost of \$11,500,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$11,500,000 bonds of said Village, hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years**.

Section 4. The faith and credit of said Village of Spencerport, Monroe County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other legally available revenues, there shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the sale of such bonds to the New York State Environmental Facilities Corporation and the consolidation with other

issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 8. The Village Treasurer is hereby further authorized, at his sole discretion, to execute a project financing and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this Board of Trustees.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. Upon this resolution taking effect, the same shall be published in summary form in the ***Suburban News***, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

RESOLUTION 11 6/2006

Introduced by: Mayor Walker
Seconded by: Trustee Marello

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes the purchase of land to widen Evergreen Street and temporary construction easements for the following properties. Total cost \$7,672.00.

Purchases

- William Willett - \$1,031.00
- Gerald & Virginia Sage – \$1,325.00
- Randy & Sandra Hope – \$900.00
- Donald Callene – \$756.00
- Glenn & Susan Goodrich – \$750.00
- John Quigley – \$934.00
- Nichols Property - \$1,037.00
- Collichio Property - \$206

Temporary Six Month Easements

- Quigley Property - \$117.00
- Sage Property - \$331.00
- Nichols Property - \$259.00
- Collichio Property - \$26.00

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 12 6/2006

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes Planning and Zoning Board members, Village Board Members and any staff member to attend Planning and Zoning Summer School on Thursday, July 27, 2006 at SUNY Geneseo.

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

Adjournment

Motion was made by Trustee Rauber, seconded by Trustee Granger and carried unanimously that the meeting be adjourned at 9:05 p.m.