

VILLAGE BOARD MEETING
September 6, 2006

CALL TO ORDER: 7:00p.m.

The Pledge of Allegiance was led by Mayor Walker.

BOARD MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

OTHERS PRESENT

Jack Linder, Superintendent of Electric Department
Jacqueline Sullivan, Village Clerk
Tom West, Superintendent of DPW
Joan Quigley
Jim Powell
Andy and Cathi Squire, 26 Pinecrest
Bernie Cubutt
Bob and Nancy Garlick, 2824 Nichols Street
Patrick Hotchkiss, 105 West Avenue

APPROVAL OF MINUTES

Minutes from the August 23, 2006 workshop meeting were approved as read. Mayor Walker abstained from the vote.

PRIVILEGE OF FLOOR

Andy Squire, 26 Pinecrest and Bob Garlick, 2824 Nichols Street, requested privilege of the floor.

Mr. Squire stated that in earlier in the summer he had received approval from the Zoning Board to place a fence in their yard. Mr. Squire explained that the Zoning Board stated that they do not have the authority to allow fences to be placed in the easements and suggested that Mr. Squire should appear in front of the Village Board to discuss placing the fence in the easement.

Mr. Squire continued that he is here tonight to obtain an agreement with the Village of Spencerport to include two ten foot gates across the easement to allow the Village of Spencerport access to the easement. Mr. Squire stated that he feels that the proposal is reasonable because everyday the Village employees open gates at the DPW yard and electric substation. Mr. Squire explained that his gates would be easier to gain entry into because only a pin will need to be removed.

Mayor Walker questioned the purpose of the fence.

Mr. Squire stated to maximize the use of his property, dogs, etc.

Mayor Walker confirmed that the use would be primarily for dogs.

Mr. Squire and Mr. Garlick responded that the purpose of the fence would be dog, entertaining and personal use.

Trustee Mareello questioned the placement of the fence.

Mr. Squire responded that the fence would run along the north edge of the easement.

Mayor Walker informed the public and the board that it is a Village policy not to allow structures in easements.

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Mr. Squire responded that he understood the policy but was hoping that the Village Board would consider his proposal.

Mr. Garlick continued that the gates are not a permanent structure and that he and Mr. Squire took a look around the Village to determine how many gates are opened by Village employees. Mr. Garlick stated that there is access to the easement and that the gates will not impede access.

Trustee Mareello questioned if the gates will swing both ways.

Mr. Squire responded that he would accommodate that request.

Discussion ensued regarding dogs opening the fence.

Discussion ensued regarding potential emergencies.

Mayor Walker asked if there were any questions or if Jack or Tom had any questions.

Superintendent West suggested that the board not approve this fence, due to the inability to gain access to the easement easily.

Discussion ensued regarding access.

Mr. West commented that if the board approves Mr. Squire's fence they will be expected to approve every resident's request for structures in easements.

Mayor Walker stated that no decision will be made tonight and that further discussion of this issue will take place at the September 20, 2006 workshop meeting.

Trustee Russell questioned why the Zoning Board turned down the request for the fence.

Mr. Garlick commented that the Zoning Board would not allow the fence in the easement.

Discussion ensued regarding Zoning Board and Village board policy.

Mayor Walker asked if anyone else would like to address the board.

Mr. Powell asked the board why sidewalks were not in the budget and why the paving of Brockport Spencerport Road is taking so long.

Mayor Walker responded that new sidewalk money was not included in this year's budget in order to dedicate funds to other road projects.

Superintendent West commented that the Brockport Spencerport Road, Village Walk and Village Trail projects were started in June with the milling of the road. Then Village staff, instead of a contractor, was used to install the under-drainage and rebuild catch basins. During the week of September 11, 2006 the road will be paved. Superintendent West continued that by not using an outside contractor the Village saved approximately 86% of what a contractor would cost.

Mr. Hotchkiss questioned the board as to what is being done regarding the disrepair of the houses on West Avenue between #'s 27 and 105 on the North Side of the Street, mainly #51. Mr. Hotchkiss continued by describing the properties.

Mayor Walker responded that Kevin Kelly has been to 51 West Avenue several times. He continued that the Village Board has taken the approach to try to help the resident instead of strong arming them into compliance.

Trustee Rauber stated that the condition of the property was reviewed at previous meetings and a path forward has been established.

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Trustee Marelo added that he has spoken to the resident and that due to financial hardships the property has been neglected. Trustee Marelo reaffirmed that the Village has been trying to take a proactive approach with the resident. Trustee Marelo continued that through his discussions with the resident should they not remove the cars by September 15, 2006 the Village will remove the vehicles at the resident's expense.

Mayor Walker commented that the removal of the cars is step one in the process of cleaning up the resident's property.

Trustee Marelo commented that the Village is pursuing this matter through the Code Enforcement Officer.

Mr. Hotchkiss confirmed that something will be done with the vehicles. He continued that the condition rest of the building is deteriorating. Mr. Hotchkiss questioned what other codes are in violation.

Trustee Marelo replied that at this time other than the code violations on the exterior home the Village does not know the code violations in the interior of the home.

Discussion ensued regarding the code violations.

Mayor Walker commented on the property maintenance code.

Discussion ensued regarding the property maintenance code and the condition of the property.

Mr. Powell questioned how many years a resident cannot pay their taxes before legal action will take place.

Discussion ensued regarding the Village's policy for collecting taxes.

Mr. Hotchkiss questioned who from the Village board will get back to him regarding the West Avenue property.

Mayor Walker and Trustee Marelo responded that they will get back to him.

Mrs. Quigley asked who the truck advertised in the Suburban News was for.

Tom West responded that it was his truck.

Mrs. Quigley stated that Superintendent West does not need heated seats, remote start, or radio controls on the steering wheel.

Superintendent West replied that he agreed that he does not need any of those items in this truck however, usually the Village purchases vehicles off of a state bid list and at this time there is no state bid list for mid size trucks. Superintendent West continued that he contacted an automobile dealer with the following requirements: Quad Cab, 4 wheel drive, bed liner, working console and a temperature sensor on the ceiling of the cab. The dealer informed Superintendent West that to order a midsize truck with just the aforementioned options would cost more that outfitting the truck with all of the packages that would accommodate the requested features.

Mrs. Quigley agreed that it does cost more to special order a vehicle.

Mrs. Quigley asked what happened to the trees on Main Street.

Superintendent West replied that the trees that were removed were either partially or fully dead and were removed to avoid an accident. Pricing is being gathered to replace the trees.

Mrs. Quigley questioned the status of IGA.

The Board responded that they were unaware as to the status of IGA.

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Discussion ensued regarding IGA.

Sewers Committee – Trustee Rauber, Chairman

Trustee Rauber stated that the average flow at the WWTP was 733,000 gallons per day and the average rain fall was 3.69" for the month of August.

Trustee Rauber stated that progress continues regarding the WWTP project with informational meetings for Bauer's Cove and Maida Drive residents.

Discussion ensued regarding alternative plans.

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

Nothing requiring board action. Trustee Rauber informed the board that Mr. Gollel's plans for his project on Evergreen Street were reviewed as well as a preliminary concept plan for a building on the corner of East Avenue and Union Street in the vacant lot next to the Abbott's building.

B. Zoning

Nothing requiring board action.

C. Building Control

Nothing requiring board action. Trustee Rauber commented on the renewal of the Building Inspector's contract. Trustee Rauber continued that the town will be billing the Village approximately \$150 more per week for the additional services needed for the Hogan and Gollel developments. This increase is due to the fact that when the three year contract was negotiated there were not significant development projects requiring more time from the building inspector.

Trustee Granger requested clarification of the report and that the Village will be paying more for the Building Inspector's services.

Trustee Rauber confirmed that the Village will be paying more for the Building Inspector's services due to the additional development in the Village.

Trustee Granger asked the expiration date of the current contract.

Trustee Rauber responded 2007.

Trustee Granger expressed his concern regarding renegotiating the contract at this time.

Trustee Rauber further explained that the contract with the Town is based on hours that the Building Inspector would spend on Village projects. At this time the Village is in need of more hours than the contract outlines.

Discussion ensued regarding the needs of the Village.

D. Code Review

Nothing requiring board action.

E. Architectural Review

Nothing requiring board action. Trustee Rauber commented that two signs were approved for Keith O'Toole and Betty's quilting.

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Trustee Russell questioned what time the parks close in the Village due to the fact that the Ogden Police Department is patrolling the area informing residents that they cannot be in the park after 10:00 p.m. Discussion ensued regarding the hours of the park, vandalism and video surveillance.

Finance Committee – Trustee Russell, Chairman

The Board unanimously acknowledges receipt of monthly investment of consolidated Village funds, Insured Municipal Money Market, HSBC, 4.65% (up .10%) with a balance of \$3,289,000.94.

Trustee Russell continued that financing for the WWTP project has been secured at a borrowing rate of 3.694% to First Albany in the amount of \$6,665,000.00.

Facilities Committee – Trustee Russell, Chairman

A. Electric

Nothing requiring board action.

B. Other (Drainage, Franchise)

Nothing requiring board action. Trustee Russell stated that the Village was turned down for the NYS drainage grant for 2006. The Village is eligible to resubmit to be considered funding in future years.

Public Works Committee – Trustee Granger, Chairman

A. Highways/Garage

Nothing requiring board action. Trustee Granger complimented the work that Trustee Rauber did during the fire at the #1 firehouse on Lyell Avenue.

Trustee Rauber commented that he was surrounded by an abundance of talent and that it was a team effort.

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Marelo, Chairman

A. Fire Department

Nothing requiring board action. Trustee Marelo commented as to the chain of command and communication regarding Village emergencies. Trustee Marelo continued that he has been in contact with the fire department and progress is being made to rebuilding the fire house and acquiring equipment.

B. Police

Nothing requiring board action. Trustee Marelo stated that he has been in contact with the police chief regarding the parks in the Village. Trustee Marelo continued that he feels there are some safety issues regarding trees blocking viability for school buses.

Discussion continued regarding parks and surveillance equipment and overall Village safety.

Mayor Walker commented that the fence around the fire house had been moved from sidewalk.

Trustee Rauber complimented the Electric and DPW departments during the firehouse fire.

Human Resources Committee – Trustee Granger, Chairman

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Nothing requiring board action.

Economic Development Committee – Trustee Granger, Chairman

Nothing requiring board action.

Village Administrator

Position is currently vacant.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan updated the board on the following:

Reminder notices were sent to residents who have not paid their village taxes on September 1, 2006. Forty one properties have not paid totaling \$42,000.

New copier training will take place on 9/12/2006.

Need for holiday decorations for the additional street lights.

Reviewed risk analysis inspection done of new insurance agency.

- o Superintendent West commented that only two major issues were addressed; cigarette butts in the stairwell at Village Office are unacceptable, there is no smoking at the office and the fence at the WWTP; vines must be removed and barbed wire must be repaired.

The following official action took place:

1. Resolution to approve Christmas on the Canal

RESOLUTION NO 30 9/2006

Introduced by: Mayor Walker

Seconded by: Trustee Rauber

Resolved, that the Village Board hereby approves the application of Elaine Spazziano, Chairman, to conduct Christmas on the Canal Sunday, December, 3, 2006, 1:00 – 6:30 p.m. thus closing Union Street between West Avenue and Amity Street for the event.

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

2. Resolution to approve appointment of DPW/Electric Department Clerk

RESOLUTION NO 31 9/2006

Introduced by: Mayor Walker

Seconded by: Trustee Russell

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes the part-time employment of Elizabeth Venezky. This hiring is for a part-time clerk to be assigned to the DPW/Electric Departments. Elizabeth Venezky's hourly rate will be \$8.00 per hour.

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

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Theodore E. Walker, Mayor Aye

Superintendent of Public Works – Thomas M. West

1. Bid award for Street Sweeper.

RESOLUTION NO 32 9/2006

Introduced by: Mayor Walker

Seconded by: Trustee Marello

Resolved, that the Village Board hereby awards the bid for the 2007 Vacuum Truck Mounted Street Sweeper to the lowest bidder meeting all specifications to Cyncon Equipment Inc., 7494 W. Henrietta Road, Rush, NY 14543, in the amount of \$164,976.00

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Steven T. Russell, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	Timothy M. Peer, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Superintendent West stated that the old sweeper will be sold outright.

Superintendent West asked Trustee Marello about the status of buying a used bus from Spencerport Schools.

Trustee Marello responded that he is working on it with Spencerport Schools

Superintendent West updated the board on the following:

- Main Street trees were cut down because they were dying and for safety issues.
- MCWA will be starting on the bidding process for the water main re-linings.
- Staff will be attending NIMS Emergency prepared training on 9/12, 9/14 and 9/25.
- Road construction will be completed including paving by week ending of 9/15/2006.
- Weekend storm resulted in a couple of downed trees and 1 electric service.
- Staff is using Monroe County paging system.
- Bulk pickup is 9/11 – 9/15/2006

Superintendent of Electric – John E. Linder

Superintendent Linder updated the board on the following:

- New bucket truck is in service and old bucket truck will be sold outright.
- New bucket truck will be taken to MEUA conference for Altec to show.
- Hogan/Gollel project continues and is on schedule.
- Fall shutdown for Hickory Hollow and Spencerport Schools for transformer implementation.
- Mezzanine is installed in Electric Building.
- Waste oil heater will be installed in Electric Building paid for by IEEP.

Attorney – Richard J. Olson

Mayor Walker commented that Mr. Olson submitted his report.

Diehl property will be closing next week, IMA with Town of Ogden regarding WWTP project continues, pole agreement with Frontier continues as well as the sales tax lawsuit.

Administration Committee – Mayor Walker, Chairman

Mayor Walker thanked board and staff for all of their hard work while he was away. He continued that the Village will be receiving a weather radio from Monroe County through a grant.

1. Approval for Mayor to enter into a music contract with ASCAP for Gazebo performances.

RESOLUTION 33 9/2006

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes Mayor Theodore E. Walker to sign a music license agreement with ASCAP regarding the Gazebo performances.

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

2. Approval of 1st draw from Letter of Credit for Hogan Development

RESOLUTION NO 34 9/2006

Introduced by: Mayor Walker
Seconded by: Trustee Rauber

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes draw statement #1 for the Erie View Landing Section 1 letter of credit in the amount of \$70,463.43. Said letter of credit has been approved by the Planning Board Chair, Village Engineer, Building Inspector, Superintendent of Public Works and Village Clerk.

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

Unfinished Business

New Business

Bills

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

General Fund	\$ 79,656.19
Electric Fund	\$ 38,727.85
Sewer Fund	\$ 31,151.37
Trust Fund	\$ 0
Capital Fund	<u>\$ 50,167.48</u>
TOTAL:	\$199,702.89

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Motion was made by Trustee Walker, seconded by Trustee Russell and carried unanimously that the cash disbursements for the General, Electric, Sewer, and Trust Funds, July 2006 be approved as audited.

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Russell and carried unanimously that the regular meeting be adjourned at 8:15 p.m. and moved into executive session.

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the executive session be adjourned at 9:30 p.m. and moved into workshop session.

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the workshop session be adjourned at 10:00 p.m.