

**VILLAGE BOARD MEETING**  
**April 4, 2007**

**CALL TO ORDER:** 7:00 p.m.

The Pledge of Allegiance was led by Mayor Walker.

**BOARD MEMBERS PRESENT**

Theodore E. Rauber  
Carol J. Nellis-Ewell, Trustee  
Charles R. Hopson, Trustee

**BOARD MEMBERS ABSENT**

Theodore E. Walker, Mayor

John R. Marello, Trustee

**OTHERS PRESENT**

Jack Linder, Superintendent of Electric Department  
Tom West, Superintendent of DPW  
Jackie Sullivan, Village Clerk  
Dick Olson, Esq., Village Attorney  
Joan Quigley, Maplewood Avenue  
Mark Unvericht, 36 Pinecrest Drive  
Craig Byham, 50 Luther Jacobs Way  
James J. Powell, Nichols Street  
Bob Garlick, 2824 Nichols Street

**APPROVAL OF MINUTES**

Approval of the minutes from March 28, 2007 board meeting were postponed until the next business meeting.

**PUBLIC HEARING – Local Law 1/2007 Governing the Use and Access to Utility Easements**

Trustee Rauber opened the public hearing at 7:05 p.m. by reading and explaining the proposed local law.

Mr. Garlick commented that as the Planning Board Chair the board would review the proposed law and comment. Mr. Garlick also requested time at the April 18, 2007 workshop meeting to make comments.

Mr. Unvericht submitted a letter with supporting documentation for the record.

Trustee Rauber stated that there being no further comments the public hearing would remain open until the May 2, 2007 board meeting.

**PRIVILEGE OF FLOOR**

Mr. Powell commented and submitted an article from the March 27, 2007 Democrat and Chronicle regarding the importance of sidewalks.

Superintendent West asked Mr. Powell to sit on his sidewalk committee to determine the areas that need repair or new sidewalks.

**Sewers Committee** – Trustee Rauber, Chairman

Trustee Rauber stated that the monthly flow for March was 1.38 million gallons with 3.29" of precipitation. Trustee Rauber stated that the WWTP continues to exceed one million gallons per month. This is the fourth or fifth month of these flows.

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**Planning/Zoning/Building Control** – Trustee Rauber, Chairman

A. Planning

1. Resolution to appoint Craig Byham to Planning Board

**RESOLUTION NO 133 4/2007**

Introduced by: Trustee Rauber  
Seconded by: Trustee Nellis-Ewell

Resolved, that the Board of Trustees of the Village of Spencerport hereby appoints Craig Byham, 50 Luther Jacobs Way to the Planning Board. This appointment will fulfill Carol Nellis-Ewell's term expiring March 2011.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	John R. Marelllo, Trustee	Absent
	Theodore E. Walker, Mayor	Absent

Trustee Rauber stated that a public hearing was held regarding the final demolition of the firehouse and the proposed new firehouse. In addition the Canal Landing Subdivision (Gollel property) received preliminary approval.

Trustee Rauber regretfully excepted and the resignation letter from the Planning Board from Carol Nellis-Ewell.

Discussion ensued regarding the proposed firehouse.

B. Zoning

Nothing requiring board action.

C. Building Control

Nothing requiring board action.

D. Code Review

Nothing requiring board action.

E. Architectural Review

Nothing requiring board action. Trustee Rauber commented that signs were approved for Elegant Design Pastry Shop, Galley Restaurant and Village Woods Commons.

**Finance Committee** – Trustee Hopson, Chairman

Acknowledged receipt of monthly-consolidated investment; HSBC Insured Municipal Money Market 5.14% (up .08 from March 2007).

**Facilities Committee** – Trustee Hopson, Chairman

A. Electric

Nothing requiring board action.

B. Other ( Drainage, Franchise)

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Nothing requiring board action.

**Public Works Committee** – Trustee Hopson, Chairman

A. Highways/Garage

Nothing requiring board action.

B. Public Services (Refuse, Recycling, Parks)

Nothing requiring board action.

**Public Safety Committee** – Trustee Marello, Chairman

A. Fire Department

Nothing requiring board action.

B. Police

Nothing requiring board action.

**Human Resources Committee** – Trustee Nellis-Ewell, Chairman

Nothing requiring board action.

**Economic Development Committee** – Trustee Nellis-Ewell, Chairman

Nothing requiring board action.

**Village Administrator**

Position is currently vacant.

**Village Clerk** – Jacqueline Sullivan

Clerk Sullivan commented on the following items:

- Workplace violence policy continues to progress. Training for staff is currently being coordinated.
- Work on the Trolley Depot continues. Grand opening scheduled for May 12, 2007.

1. Resolution to approve attendance at Main Street West Economic Development Conference

**RESOLUTION NO 134 4/2007**

Introduced by: Trustee Rauber

Seconded by: Trustee Hopson

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves attendance for any municipal, planning or staff member at the NYCOM Main Street West Economic Development Conference, May 16 and 17<sup>th</sup> in Syracuse, NY. Cost not to exceed \$310.00 per person.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	John R. Marello, Trustee	Absent
	Theodore E. Walker, Mayor	Absent

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**RESOLUTION NO 135 4/2007**

Introduced by: Trustee Rauber  
Seconded by: Trustee Nellis-Ewell

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves the Spencerport Volunteer Firemen's Association's application for their Annual Parade Thursday, June 14, 2007.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	John R. Mareello, Trustee	Absent
	Theodore E. Walker, Mayor	Absent

**Superintendent of Public Works** – Thomas M. West

Superintendent West updated the board on the following:

- WWTP project continues; boring and gravity sewer installation.
- Sewer relining project is underway.
- Explained garbage tote(r) system.
- Drainage work is starting.
- MCWA will be relining the water mains on West Ave., Amity St. and Evergreen St. block and installing new waterlines from the water tower down Rt. 259 to Big Ridge Road. Big Ridge Road from the village line to Rt. 259 under the canal to Amity Street.
- Potential sidewalk across Fairfield cemetery. Easements are necessary from Fairfield Cemetery.
- Crews continue to salt and plow currently over budget in snow removal.

**Superintendent of Electric** – John E. Linder

Superintendent Linder updated the board on the following:

- Banners and flags are being installed on light poles
- Electric is in process of being installed in the Hogan and Gollel developments.

**Attorney** – Richard J. Olson

Attorney Olson commented on the following items:

- Work continues with Cricket Communication co-location.
- Discussion ensued regarding firehouse site rezoning

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 4<sup>th</sup> day of April, 2007, at 7:00 P .M., there were:

**RESOLUTION 136 4/2007**

Introduced by: Deputy Mayor Rauber  
Seconded by: Trustee Hopson

**RESOLUTION REGARDING THE APPLICABILITY OF SITE PLAN AND ZONING LAWS TO THE RECONSTRUCTION OF THE SPENCERPORT FIRE DISTRICT BUILDING WHICH WAS DESTROYED BY FIRE**

WHEREAS, in 2002, the Village of Spencerport, transferred the fire fighting responsibilities from the Village of Spencerport Fire Department, to a newly created Fire District, the Spencerport Fire District; and

WHEREAS, as part of this transfer, the Village deeded property know as 175 Lyell Avenue, Spencerport, New York to the Spencerport Fire District, and

WHEREAS, The property at 175 Lyell Avenue was used by the Fire District and its predecessor Fire Department for a fire station; and

WHEREAS, the fire station was destroyed by fire on August 11, 2006; and

WHEREAS, the Fire District has proposed to reconstruct the building and has:

1. Made public presentations in conjunction with a bond issue which was approved by the public; and
2. Submitted the plan to the Village Planning Board for informal review
3. Requested that its application be exempt from Zoning and site plan requirements; and

WHEREAS, the Village Board adopts the following findings:

1. The Fire District's proposed use of the property is a governmental function;
2. The public meetings held by the Fire District prior to the bond vote gave the Village Board and the public the opportunity to be heard;
3. The Fire District has kept the Village informed of the progress and has submitted maps, plans and drawings to the Village and considered input from the Village Planning Board and other Village officials in preparing and revising such plans;

NOW, THEREFORE, BE IT RESOLVED:

1. That, based on the findings set forth above, the proposed building of a fire department building at 175 & 183 Lyell Avenue (tax account numbers 87.13-4-13 and 87.13-4-14, shall not be subject to zoning and site plan laws of the Village of Spencerport providing that the building is in substantial compliance with the plans submitted and presented to the public to date;
2. That this resolution is limited to these two parcels;
3. That this resolution shall take effect immediately.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	John R. Marelllo, Trustee	Absent
	Theodore E. Walker, Mayor	Absent

**Administrative Committee** – Mayor Walker, Chairman

**Unfinished Business**

**New Business**

**Bills**

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

General Fund	\$ 48,791.02
Electric Fund	\$ 33,594.22
Sewer Fund	\$ 30,055.51
Trust Fund	\$ 0
Capital Fund	<u>\$191,333.19</u>
<b>TOTAL:</b>	<b>\$303,773.94</b>

Motion was made by Trustee Rauber, seconded by Trustee Hopson and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, March 2007 be approved as audited.

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**Adjournment**

Motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried unanimously that the regular meeting be adjourned at 8:08 p.m. and moved into workshop session.

Motion was made by Trustee Rauber, seconded by Trustee Hopson and carried unanimously that the regular session be adjourned at 8:30 p.m.