

VILLAGE BOARD MEETING
September 5, 2007

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Mayor Walker.

BOARD MEMBERS PRESENT

Theodore E. Walker, Mayor
Theodore E. Rauber
Carol J. Nellis-Ewell, Trustee
Charles R. Hopson, Trustee
John R. Marello, Trustee

BOARD MEMBERS ABSENT

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
Ginny Swarthout, S Union Street
Jim Powell, Nichols Street
Joyce Lobene, Nothnalge Realty
Kris Schultz, Schultz Associates
Dr. Robert Fallone, 148 S. Union Street
Joshua Bell, Kristen Drive
Sue Dearon, Kristen Drive

APPROVAL OF MINUTES

Motion was made by Trustee Hopson, seconded by Trustee Rauber and carried that the minutes of the regular meeting held August 1, 2007 be approved as read.

Motion was made by Trustee Rauber, seconded by Trustee Marello and carried that the minutes of the workshop meeting held August 15, 2007 be approved as read.

PUBLIC HEARING – Restore NY Grant

Mayor Walker opened the public hearing at 7:04 p.m.

Mayor Walker explained that the Restore NY Grant is designed to help communities demolish or restore properties that have fallen into disrepair in an effort to revitalize the community.

Mayor Walker continued that a public hearing is a requirement of the Restore NY Grant however at this time the Village of Spencerport will not be applying for the Restore NY Grant. It was thought that the Village of Spencerport and Morgan Management could collaborate to apply for funds to demolish and restore some of the buildings and infrastructure within the plaza. Mayor Walker indicated that upon further review with Morgan Management the timing of this grant was not appropriate and a suitable project was not mature enough to proceed with a solid grant application.

Ms. Joyce Lobene indicated her disappointment on the decision not to apply for the grant funds. Ms. Lobene also brought to the attention of the Board the flooding of the restaurant in the center of the plaza as a hazardous condition.

Further discussion ensued regarding potential projects and the details of the grant.

Mayor Walker closed the public hearing at 7:14 p.m.

PRIVILEGE OF FLOOR

Mr. Powell addressed the board as to the status of installing sidewalks throughout the Village and his concern that sidewalks would not be installed before the end of the year. Mr. Powell continued by reading information provided by the American Cancer Society regarding the importance of a healthy community, physical activity and overall good health.

Mr. Powell indicated to Superintendent West that he was willing to participate on the sidewalk committee but has not been contacted by Superintendent West.

Mayor Walker reminded Mr. Powell that the fiscal year for the Village is June 1st – May 31st and that if the sidewalks did not get done before year end they would be done prior to May 31, 2008.

Superintendent West explained that he has been completing administrative work associated with the installation of the sidewalks through Fairfield Cemetery and that work will start upon completion of the required paperwork.

Mayor Walker summarized the Village sidewalk plan for the future.

Discussion ensued regarding sidewalks.

Mr. Kris Schultz commented regarding Dr. Fallone's property at 148 S. Union Street and Dr. Fallone's scaled back version of development due to his inability to meet the Village's offer to purchase additional property.

Mr. Schultz requested the Village Board to take another look at the development of that area in regards to drainage so that Dr. Fallone's development project could move forward.

Trustee Rauber indicated that he would be interested in reviewing a proposal for a shared drainage area.

Trustee Nellis-Ewell indicated that there is positive interest in Dr. Fallone's project.

Mayor Walker stated that he had expected a counter offer from Mr. Fallone regarding the Village's initial proposal.

Mr. Schultz indicated that he misunderstood and did not think that the Village Board was receptive to a counter offer.

Discussion ensued regarding the project in its entirety.

Attorney Olson commented that Special Districts cannot be used in a village however there are other provisions that can be used in a village that would have the same result.

Sewers Committee – Trustee Rauber, Chairman

Trustee Rauber indicated that he did not have a flow report for the month of August.

Mayor Walker indicated that 95% of the force main piping installation has been completed. Currently the road crossings at Long Pond and Elmgrove Road need to be completed. Mayor Walker continued that the gravity sewer installation continues and is nearly done. The pump station portion of the project is underway and a decommissioning plan is beginning.

Resolution to approve payment application #4 Villager Construction, Inc. FM-Gen Force Main

RESOLUTION NO 36 9/2007

Introduced by: Mayor Walker
Seconded by: Trustee Rauber

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Resolved, that the Village of Spencerport Board of Trustees approves payment application #4 from Villager Construction – Contract FM - General in the amount of \$395,069.14

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

Resolution to approve payment application #2 Randsco Pipeline, Inc. GS Gravity Sewer

RESOLUTION NO 37 9/2007

Introduced by: Mayor Walker
Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees approves payment application #2 from Randsco Pipeline, Inc. in the amount of \$138,858.40.

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

Resolution to approve payment application #3 Angelica Boring Company, Inc. Contract B-Bore

RESOLUTION NO 38 9/2007

Introduced by: Mayor Walker
Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees approves payment application #3 from Angelica Boring Company, Inc. in the amount of \$31,829.43.

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

Resolution to approve payment application #1 Villager Construction, Inc. Contract PS-Gen Pump Station.

RESOLUTION NO 39 9/2007

Introduced by: Mayor Walker
Seconded by: Trustee Marelo

Resolved, that the Village of Spencerport Board of Trustees approves payment application #1 from Villager Construction, Inc. in the amount of \$239,274.51

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

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

Trustee Rauber commented that Mr. Kris Schultz attended the meeting to discuss the 148 S. Union Street project, the Collichio development on Canalside Drive. Trustee Rauber continued that the board reviewed plans for the Prusha sub-division located in Bauers Cover for 2 single family homes.

Resolution to accept revised Letter of Credit for the Canal Landing Subdivision from MRB Group

RESOLUTION NO 40 9/2007

Introduced by: Mayor Walker

Seconded by: Trustee Marello

Resolved, that the Village of Spencerport Board of Trustees accepts MRB Group's revised Letter of Credit recommendation regarding the Canal Landing Subdivision in the amount of \$758,265.

Previous Letter of Credit was in the amount of \$792,406.93.

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

B. Zoning

Nothing requiring board action.

C. Building Control

D. Code Review

E. Architectural Review

Nothing requiring board action. ARB approved a sign for Canaltown Apparel located in the Lamont Trophies building.

Finance Committee – Trustee Hopson, Chairman

Trustee Hopson acknowledged receipt of monthly-consolidated investment; HSBC Insured Municipal Money Market rate of 5.06% (no change from August)

Facilities Committee – Trustee Marello, Chairman

A. Electric

Nothing requiring board action.

B. Other (Drainage, Franchise)

Nothing requiring board action.

Public Works Committee – Trustee Hopson, Chairman

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A. Highways/Garage

Resolution to award West Avenue and Church Street parking lot paving bid

RESOLUTION NO 41 9/2007

Introduced by: Trustee Hopson
Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees awards West Avenue and Church Street parking lot paving bid to Sweeting Enterprises, Inc., 87 Gary Drive, Brockport, NY 14420 in the amount of \$13,800.00.

One additional bid was received.

Resurface, PO Box 24488, Rochester, NY \$15,800.00

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

Resolution to award Church Street side lot box out

RESOLUTION NO 42 9/2007

Introduced by: Trustee Hopson
Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees awards Church Street side lot box out bid to Sweeting Enterprises, Inc., 87 Gary Drive, Brockport, NY 14420 in the amount of \$3,800.00.

One additional bid was received.

Resurface, PO Box 24488, Rochester, NY \$5,800.00

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

B. Public Services (Refuse, Recycling, Parks)

Nothing requiring board action.

Public Safety Committee – Trustee Marelllo, Chairman

A. Fire Department

Nothing requiring board action.

B. Police

Nothing requiring board action. Trustee Rauber indicated that he spoke to the Ogden Chief of Police asking him for police action statistics for this summer compared to last summer.

Human Resources Committee – Trustee Nellis-Ewell, Chairman

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Nothing requiring board action.

Economic Development Committee – Trustee Nellis-Ewell, Chairman

Nothing requiring board action. Trustee Nellis-Ewell commented that attendance was low at Canal Splash and that a follow-up meeting is scheduled to determine the focus for 2008. Trustee Nellis-Ewell continued that the economic development committee that has been formed from members of the community has been meeting regularly to work on plans to bring business to the Village of Spencerport.

Village Administrator

Position is currently vacant.

Village Clerk – Jacqueline Sullivan

Resolution to approve attendance at 2007 Fall Land Use Decision-Making Training Program

RESOLUTION NO 43 9/2007

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees approves attendance of any Municipal, Planning, or Zoning Board Member and Support Staff at the Fall 2007 Land Use Decision-Making Training Program October 4 – November 1, 2007. Cost of this program is \$25 per workshop and there are a total of 5 workshops.

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

Clerk Sullivan updated the board on the following:

- All staff meeting scheduled for Friday, September 28, 2007 at 7:30 a.m.
- Requested executive session to discuss various HR items
- Informed the board that the Village has two deposit amounts for electric customers who rent. \$100 for renters who heat with electric and \$50 for renter who do not heat with electric. Clerk Sullivan requested that the Board entertain the idea of making the deposit amount for renters \$100.

Trustee Marelo asked how long the deposit is held.

Clerk Sullivan responded that the deposit is held in an interest bearing account and is returned in one year if the customer does not have any late payments.

Trustee Marelo asked the charge commercial customers' electric deposits

Clerk Sullivan responded that commercial deposits are the average bill times two.

Discussion ensued regarding the types of accounts that are sent to collections.

Trustee Marelo requested the average amount of an account at collections.

Clerk Sullivan indicated she would have to get that information to him.

- Clerk Sullivan indicated that Glenda Marischen is back from a medical leave and that Margaret Gioia and Donna Stassen did an excellent job covering various job duties during Glenda' absence.

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- Final reminder notices were mailed to residents who have not paid their Village Taxes.

Superintendent of Public Works – Thomas M. West

Superintendent West updated the board on the following:

- Introduced the garbage toter program. Superintendent West met with Robbi Hess from the Suburban News to explain the program and requested that residents who are interested in purchasing a toter to contact the DPW Office for an article that Ms. Hess will be writing. Superintendent West will then determine the size of his toter order based on the community interest.

Mayor Walker explained what a garbage toter program is to the public.

Further discussion ensued regarding the garbage toter program.

- Superintendent West commented that his staff has done a great job getting all of the areas due to be paved ready.
- September 20th attendance at a seminar for new sign laws
- Met with Mr. Gollel for the Canal Landing project; two items are needed to start work: signed plans, and letter of credit.
- PJ Strom has placed no dumping stickers on over 200 catch basins throughout the Village and coordinated a group to pain the pavilion at Merz Park as part of his Eagle Scout project.

Trustee Rauber indicated that he responded to Gary Inzana's letter regarding height trees along Main Street at the Chamber of Commerce meeting as well as the crosswalk signs on Main Street.

Superintendent West asked if Trustee Rauber still wanted the larger crosswalk signs.

Trustee Rauber indicated that he did.

Discussion ensued regarding the stress that the signs may have on the light poles.

Superintendent of Electric – John E. Linder

Superintendent Linder updated the board on the following:

- IEEP Fund has over \$50,000.
- Due to the dry weather the cost of additional power will be high (PPA).
- Bucket Truck will be sold at auction on September 8, 2007.

Attorney – Richard J. Olson

Nothing requiring board action. Attorney Olson requested executive action regarding a litigation matter.

Attorney Olson commented that there is a seminar 9/20 regarding the MS4 regulations that he is planning on attending on behalf of the Village of Spencerport.

Parking lot insurance claim continues as well as the ownership of documents process with MRB.

Work continues with the easements regarding the fiber optic connection.

Administrative Committee – Mayor Walker, Chairman

Resolution to approve the addition of a skilled laborer position to the Department of Public Works

RESOLUTION NO 44 9/2007

Introduced by: Mayor Walker

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Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees approves the addition of a skilled laborer position to the Department of Public Works.

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

Resolution to approve transfer of Mark Elliott as a skilled laborer in the Department of Public Works

RESOLUTION NO 45 9/2007

Introduced by: Mayor Walker
Seconded by: Trustee Marelo

Trustee Nellis-Ewell commented that she feels that the DPW department has to get used to doing more with less.

Trustee Rauber commented that he feels bad that we did not spend enough time educating you in the need for an additional person to do the duties designed for Mark Elliott.

Further discussion ensued regarding the purpose of the position.

Resolved, that the Village of Spencerport Board of Trustees approves the transfer of Mark Elliott as a skilled laborer in the Department of Public Works. Mr. Elliott's position will start upon the completion of the decommissioning of the WWTP. Mr. Elliott's hourly wage will be based on the Wage Rate Salary Schedule at time of transfer.

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

Superintendent West commented that he is working on developing an inter-municipal agreement with the Town of Ogden for Mark Elliott's services to help to manage all of the sewer systems that flow through the Village of Spencerport's sewer system

Unfinished Business

Mayor Walker commented that from the meeting with Morgan Management a list will be developed of all of the potential items that need to be done throughout the Village that may be supported by grant funding.

New Business

Trustee Rauber indicated that he has spoken to Bernie Cubitt regarding possibility taking a trolley car and restoring it for approximately ten years.

Bills

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

General Fund	\$ 90,890.15
Electric Fund	\$115,622.59
Sewer Fund	\$ 24,472.87

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Trust Fund	\$ 0
Capital Fund	<u>\$849,039.76</u>
TOTAL:	\$1,080,025.37

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

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Hopson and carried unanimously that the regular meeting be adjourned to executive session at 8:57 p.m.

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the executive session be adjourned to workshop session at 9:56 p.m.

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