

VILLAGE BOARD MEETING
October 3, 2007

CALL TO ORDER: 7:03 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
Angela O'Hara, Kresswood Drive
Gary and Ann Inzana, Gillett Road

APPROVAL OF MINUTES

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried that the minutes of the regular meeting held September 5, 2007 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Hopson and carried that the minutes of the workshop meeting held September 19, 2007 be approved as read

PRIVILEGE OF FLOOR

Mr. Gary Inzana submitted to the Board a letter from NYS Transportation Department indicating that they would possibly change the signage regarding the rail road bridge to alert trucks of the height of the bridge.

Mr. Inzana continued by addressing the Board explaining the inconsistent actions taken by the Village of Spencerport Building Inspector regarding codes not followed and permits issued for properties adjacent to his Village properties. Specifically regarding the fence owned by Frontier Communications and his Martha Street property and the parking lot to be installed at the Expressions of Dance by Lisa property located on Martha and Clark Streets and his Clark Street property.

Mr. Inzana sited that on both occasions proper protocol was not followed by the Building Inspector regarding the installation of the fence and parking lot and the issuance of their permits and enforcing Village Codes.

Mr. Inzana requested the Board to review the Building Inspector's performance and possibly consider bringing the position of Building Inspector back into the Village instead of collaborating with the Town of Ogden.

Trustee Nellis-Ewell clarified that Mr. Inzana is suggesting that the Village of Spencerport hire their own Building Inspector.

Mr. Inzana responded that for whatever reason the collaboration with the Town of Ogden for Building Inspector services is not working. Mr. Inzana continued that he does not feel that the current Building Inspector is picking on him specifically. Mr. Inzana stated that he feels that the Building Inspector cannot

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handle the work load of the Village and the Town. Mr. Inzana also stated that he has informed the Town of the Building Inspector's performance as well.

Trustee Nellis-Ewell questioned as to what the resolution may be?

Trustee Nellis-Ewell indicated that it is possible that the Building Inspector's staff may be lacking in knowledge of the codes of the Village of Spencerport.

Mrs. Quigley thanked Tom West for paving Prospect Street and that the Town of Ogden has taken care of the pot holes located in the plaza near the senior center.

Sewers Committee – Trustee Rauber, Chairman

Trustee Rauber indicated that he did not have a flow report for the month of September and deferred comments regarding the WWTP project to Mayor Walker.

Mayor Walker explained that the canal borings, gravity sewer upgrade installations and the construction of the pump station are underway. The boring of Long Pond Road for the force main has been reviewed and all utilities should be identified and the boring can be completed.

Trustee Marello questioned if the school district has been informed of the construction.

Superintendent West indicated that he has been in contact with the school district and MCWA

Mayor Walker indicated that Cottage Street will be closed to through traffic during the installation process.

Mayor Walker indicated that the company that has been contracted to bore under the canal for the installation of the gravity sewer portion of the project has not committed to pricing for the additional work necessary due to the obstructions that were discovered earlier this spring. Mayor Walker continued that as he receives additional information he will pass it along to the Trustees. In addition the plan to decommission the WWTP is underway.

Resolution to approve payment application #5 Villager Construction, Inc. FM-Gen Force Main

RESOLUTION NO 49 10/2007

Introduced by: Mayor Walker

Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees approves payment application #5 from Villager Construction – Contract FM - General in the amount of \$83,818.50

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

Resolution to approve payment application #2 Villager Construction, Inc. Contract PS-Gen Pump Station.

RESOLUTION NO 50 10/2007

Introduced by: Mayor Walker

Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees approves payment application #2 from Villager Construction, Inc. PS-Gen Pump Station in the amount of \$86,925.00

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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 approve payment application #3 ISCO Industries, LLC – FM-Pipe

RESOLUTION NO 51 10/2007

Introduced by: Mayor Walker
Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees approves payment application #3 from ISCO Industries, LLC – FM-Pipe in the amount of \$14,652.63

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 approve payment application #4 ISCO Industries, LLC – FM-Pipe

RESOLUTION NO 52 10/2007

Introduced by: Mayor Walker
Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees approves payment application #4 from ISCO Industries, LLC – FM-Pipe in the amount of \$23,486.73

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

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

Nothing requiring board action.

Trustee Rauber informed the Board that a public hearing was held regarding the Prusha Development in Bauer's Cove. The resident is proposing to develop the rear of the property behind the home thus requesting two approved building lots. Trustee Rauber continued that much discussion was had regarding the impact the development of this property could have on the current residents in the area.

Trustee Rauber continued that the Planning Board closed the public hearing and tabled the application until the next scheduled meeting.

Kris Schultz and Dr. Fallone presented a scaled down version of a building at 148 S. Union Street without a drive through.

B. Zoning

Nothing requiring board action.

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C. Building Control

Nothing requiring board action.

D. Code Review

Nothing requiring board action.

E. Architectural Review

Nothing requiring board action. Trustee Rauber informed the board that Mr. Inzana came before the ARB for a parking lot behind his property on Union Street.

Trustee Rauber continued that Expressions of Dance by Lisa presented a plan for a parking lot at their property. Decision regarding this property has been tabled until Mr. Crooks returns from vacation.

Trustee Rauber informed the Board that the Masonic Lodge will be painting their doors red to blend more with the color of the building.

Discussion ensued regarding the installation of the parking lot.

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 September 2007)

Facilities Committee – Trustee Mareello, Chairman

A. Electric

RESOLUTION NO 53 10/2007

Introduced by: Trustee Mareello

Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees awards the Light Pole Shafts bid to RJ Lang Sales, 35498 Lorain Road, North Ridgeville, OH in the amount of \$46,080.00. No other bids were received.

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

B. Other (Drainage, Franchise)

Nothing requiring board action.

Public Works Committee – Trustee Hopson, Chairman

A. Highways/Garage

Nothing requiring board action. Trustee Hopson commended Superintendent West and his crew for all of the hard work completing the paving projects throughout the Village.

B. Public Services (Refuse, Recycling, Parks)

Nothing requiring board action.

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Public Safety Committee – Trustee Marelo, 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. Trustee Nellis-Ewell commented that a meeting is scheduled for October 4th to discuss health and dental insurance and bi-weekly payroll.

Economic Development Committee – Trustee Nellis-Ewell, Chairman

Nothing requiring board action. Trustee Nellis-Ewell explained that she has many signatures on a letter advocating for a grocery store in the Village Plaza. In addition to the signatures that she is obtaining over 50 additional letters have been received in support of a grocery store.

Mayor Walker added that a group of graduate students from RIT will be helping the Chamber of Commerce with economic development.

Discussion ensued regarding a grocery store.

Mayor Walker thanked Trustee Rauber for coordinating the corn stalk decorations throughout the Main Street area. Mayor Walker continued that a tour boat is looking at starting their business in the Village.

Village Administrator

Position is currently vacant.

Village Clerk – Jacqueline Sullivan

RESOLUTION NO 54 10/2007

Introduced by: Mayor Walker

Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees approves attendance of Municipal, Planning or Zoning Board Member and Support staff at the fall 2007 Local Government Workshop Friday, November 16, 2007. Cost not to exceed \$40 per person.

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 NO 55 10/2007

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees approves amending the employee handbook to be complaint with the NYS Labor Law section 202j allowing employees up to 3 hours unpaid leave time for the purpose of blood donation. Employees will be allowed to use personal, vacation or comp-time to be paid for this time off.

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

RESOLUTION NO 56 10/2007

Introduced by: Mayor Walker
Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees approves the St. John the Evangelist School Marathon on Thursday, October 4, 2007 from 9-11:30 a.m. Location of the event will be on the sidewalks of Martha and Union Streets and West Avenue.

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

Clerk Sullivan updated the board on the following:

- Sewer bills have been sent to St. John's School and Spencerport Central Schools
- Tax surrender to Monroe County will take place at the November 7th Board Meeting
- Donna Stassen passed her Notary Public Exam at the NYCOM Conference. Village Office now has 3 Notary Publics
- Updated Board on NYCOM Conference

Superintendent of Public Works – Thomas M. West

Superintendent West updated the board on the following:

- Thanked all the towns and villages that assisted with the paving of the village streets
- Submitted a report regarding all of the drainage that has been installed
- West Avenue parking lot has been paved
- Commented on work that PJ Stram completed for his Eagle Scout Project of labeling catch basins and painting the stairs located in the Village Plaza
- Commented that the graffiti throughout the Village is increasing and the Police Department needs to be notified.
-

Superintendent of Electric – John E. Linder

Superintendent Linder updated the board on the following:

- Gollel Project continues and is on schedule
- Make ready work for light poles on West Ave, Church St and Amity St is underway
- Bucket Truck was sold at auction
- Will be on vacation until October 31, 2007

Attorney – Richard J. Olson

Nothing requiring board action.

Attorney Olson updated the Board on the storm water required local laws that will be needed by year end. Mr. Olson continued that the fiber optic easements are being finalized. Parking lot insurance claim will be

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revised and submitted. Mr. Olson indicated that Cricket Communications has contacted him regarding their co-location fees.

Administrative Committee – Mayor Walker, Chairman

Mayor Walker informed that Board that he participated in the Spencerport Central School's Homecoming Parade.

Unfinished Business

Mayor Walker updated the Board on the PILOT program for the plaza owners to pay a fee instead of property taxes for approximately 20 years in an effort to help the plaza owners to be able to invest in the plaza with updates and to attract new businesses. Mayor Walker further explained that the Village collects about \$14,000 and under the PILOT program the Village would collect about \$4,000.

Discussion ensued regarding various details of the PILOT program and the future of the Village Plaza.

Mayor Walker continued that the potential grocery store has inquired if there is any funding or rebates for the upgrades of electric equipment within the grocery store. Mayor Walker stated that there are funds for this kind of work and he and Jack Linder will be looking further into this request.

Genesee Transportation Council has grant funds for concept transportation plans. Further planning of East Avenue may qualify for funds. In addition the NYS Division of Costal Resources also has grant funds for installation of various items along the canal such as docks.

St. John's the Evangelist School is celebrating its 80th anniversary.

Trustee Rauber informed the Board that the Trolley Depot will be having a children's Halloween party on the 31st.

Trustee Nellis-Ewell informed the Board that she will be sending correspondence to Byrne Dairy thanking them for keeping their store in the Village.

Discussion ensued regarding various businesses in the Village.

New Business

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	\$155,798.61
Electric Fund	\$ 33,899.10
Sewer Fund	\$ 22,544.70
Trust Fund	\$ 0
Capital Fund	<u>\$386,391.15</u>
TOTAL:	\$598,633.56

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

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Marelo and carried unanimously that the regular meeting be adjourned to workshop session at 8:50 p.m.

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