

VILLAGE BOARD MEETING
February 6, 2008

CALL TO ORDER: 7:02 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

BOARD MEMBERS ABSENT

John R. Marello, Trustee

OTHERS PRESENT

Owen McIntee, Superintendent of Electric Department
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent
Joan Quigley, Maplewood Avenue
Jim Mahony, Thistlewood Lane
Kyle Copeland, Cross Gates Road
Jason Iype, Doewood Lane
Dave Connors, Maplewood Avenue

APPROVAL OF MINUTES

Motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried that the minutes of the regular meeting held January 2, 2008 be approved as read.

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Hopson and carried that the minutes of the workshop meeting held January 16, 2008 be approved as read.

PRIVILEGE OF FLOOR

Boy Scout Jim Mahony presented the board with a plan to install life rings along the canal bank for his Eagle Scout Project. Mr. Mahony presented a detailed plan to the Village Board as to the locations of the life ring stations and the materials to be used.

Mayor Walker commented that he feels that this is a great project and that his only concern is possible vandalism to the stations.

All present Board members agreed that this is a great project.

Mr. Mahony was advised to contact Superintendent West to coordinate the execution of this project.

Sewers Committee – Trustee Rauber, Chairman

Mr. Steve May explained to the Board that due to the shoring obstruction that was found during the boring attempt in the winter of 2007 Angelica Boring Company was requested to revise their boring plan to include provisions to bore through the obstruction while maintaining the integrity of the surrounding soil to prevent any shifting the canal banks or floor.

Discussion ensued regarding the process and progress of the project specifically to the bore.

RESOLUTION 120 2/2008

Introduced by: Mayor Walker
Seconded by: Trustee Rauber

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves the change order presented to change the original bore alignment on project B-Bore. The cost of this change order is in the amount of \$229,570.00

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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. Mareello, Trustee	Absent
	Theodore E. Walker, Mayor	Aye

RESOLUTION NO 121 2/2008

Introduced by: Trustee Rauber
Seconded by: Trustee Hopson

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves payment #6 in the amount of \$35,079.88 to ISCO Industries, LLC for FM-Pipe Contract.

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	Aye

RESOLUTION NO 123 2/2008

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

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves payment #6 in the amount of \$200,972.50 to Villager Construction, Inc. for PS-Gen Contract.

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	Aye

RESOLUTION NO 124 2/2008

Introduced by: Trustee Rauber
Seconded by: Trustee Hopson

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves payment #9 in the amount of \$37,643.51 to Villager Construction, Inc. for FM-Gen Contract.

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	Aye

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

RESOLUTION NO 125 2/2008

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

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves letter of credit release estimate No. 3 for the Canal Landing Development based on Scott DeHollander's, MRB Group, recommendation that the amount of \$82,208.04 of the original \$758,265.00 be released to the owner, thereby leaving \$636,441.96 to finish the project.

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	Aye

RESOLUTION NO 126 2/2008

Introduced by: Trustee Rauber
Seconded by: Trustee Hopson

Whereas, the Village of Spencerport has a Fee Schedule showing the fees to be paid for certain activities, permits and certificates performed by or issued by the Village and/or its designated employees or contractors; and

Whereas, from time to time the Village reviews some or all of these fees to see if they fairly compensate the Village for the expenses incurred by the Village; and

Whereas, the Village has recently reviewed the Fee Schedule to see if it meets the standard set forth above; and

Whereas, based on said review, this board has determined that the Fee schedule should be revised; and

Whereas, a copy of proposed revisions is attached hereto; and

Whereas, this action is a SEQRA Type II Action pursuant to 6 NYCRR 617.5(c)(20) and not subject to further SEQRA review.

Now, therefore, be it resolved:

Section 1. That the Village Board hereby adopts the fees set forth on the attached schedule for the activities, permits and certificates set forth therein;

Section 2. That the Village Clerk is directed to revise the Village Fee Schedule to reflect this change;

Section 3. That all prior resolutions adopting fees inconsistent with the fees on the attached schedule are hereby repealed, providing that any prior fee not specifically referred to on the attached schedule shall remain in full force and effect;

Section 4. That this resolution shall take effect February 6, 2008.

Trustee Rauber explained the need for the change to this fee and reviewed the presentation from the January 16th workshop meeting.

Trustee Rauber continued by commending staff member Donna Stassen for her excellent work identifying the need to make the revision to the fee schedule and presenting the need to the Village Board.

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	Aye

B. Zoning

No board action required.

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Trustee Rauber indicated that there will be a Zoning Board of Appeals meeting on Thursday, February 7, 2008

C. Building Control

No board action required.

Trustee Rauber indicated that MRB Group presented a final draft of the Development Regulations to the Planning Board and staff members.

D. Code Review

Trustee Rauber explained that the Code Review Committee is meeting and making revisions to various codes.

Discussion ensued regarding examples of possible revisions.

RESOLUTION NO 127 2/2008

Introduced by: Trustee Rauber

Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees approves conducting a Public Hearing on Wednesday, March 5, 2008 at 7:00 p.m. to inform the public of Local Laws 1/2008; 2/2008; 3/2008; 4/2008; 5/2008.

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	Aye

E. Architectural Review

No board action required.

Finance Committee – Trustee Hopson, Chairman

Trustee Hopson acknowledged receipt of monthly-consolidated investment; HSBC Insured Municipal Money Market rate of 4.37% (down .47% from January 2008)

RESOLUTION 128 2/2008

Introduced by: Trustee Hopson

Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees approves the following budget transfers.

Amount	To Account	From Account
\$2,000	A1440.400 Engineering-Contractual	A1990.400 Contingency Account
\$25,250	A8020.400 Planning-Contractual	A1990.400 Contingency Account
\$5,150	A8170.101 Leaf Pick-Up-Salary	A8160.100 Refuse-Salary

Contingency Balances

A 1990.4 General Fund Contingency February Balance = \$39,913

G 1990.4 Sewer Fund Contingency February Balance = \$45,000

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	Aye

Facilities Committee – Trustee Marelo, Chairman

A. Electric

RESOLUTION NO 129 2/2008

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves raising the “no sufficient funds” check charge for all checks from \$25.00 to \$33.00.

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

B. Other (Drainage, Franchise)

No board action required.

Public Works Committee – Trustee Hopson, Chairman

A. Highways/Garage

No board action required.

B. Public Services (Refuse, Recycling, Parks)

RESOLUTION NO 130 2/2008

Introduced by: Trustee Hopson

Seconded by: Trustee Rauber

Resolved, that the Board of Trustees of the Village of Spencerport hereby awards the 95 Gallon Rollout Waste Containers to Cascade Engineering, 4950 Thirty Seventh Street S.E., Grand Rapids, MI in the amount of \$25,948.62.

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

Superintendent West indicated that the cost of the waste cart to the public will be \$55.

Public Safety Committee – Trustee Marelo, Chairman

A. Fire Department

No board action required.

Mayor Walker reminded the Village Board that Officer Chris Mears is now the Emergency Preparedness Coordinator for the Village of Spencerport and Town of Ogden. Mayor Walker continued that he and Supervisors Lenhard have met with Officer Mears to discuss various items involved with the Emergency Preparedness Plan. The planning process is progressing well.

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Mayor Walker announced that he attended three DARE Graduations and that they are very impressive.

Trustee Nellis-Ewell commented that she attended the bid opening for the new fire house. Trustee Nellis-Ewell continued that the bids received were still over budget and that a public referendum is necessary to secure the additional funds.

B. Police

No board action required.

Human Resources Committee – Trustee Nellis-Ewell, Chairman

No board action required.

Trustee Nellis-Ewell commented that she and Clerk Sullivan met with Brown and Brown to discuss future plans for health care. In addition she and Clerk Sullivan will be reconvening the employee health care committee.

Economic Development Committee – Trustee Nellis-Ewell, Chairman

No board action required.

Trustee Nellis-Ewell commented that she is the PR Chair for the Chamber of Commerce and that she will marry the two positions together. Trustee Nellis-Ewell further commented that the focus of economic development and PR will be the Erie Canal and that activities are being planned.

Chamber of Commerce is working on potentially applying for a Main Street Grant.

Village Administrator

Position is currently vacant.

Village Clerk – Jacqueline Sullivan

RESOLUTION NO 131 2/2008

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves the purchase of a replacement meter reading system provided by Radix Corporation. Cost of replacement system not to exceed \$15,000.

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	Aye

RESOLUTION NO 132 2/2008

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Board of Trustees of the Village of Spencerport hereby approve waiving the 30 day written notification requirement for Spencerport Bowl, Inc. for the renewal of their liquor license.

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	Aye

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Village Clerk Sullivan commented on the following items:

- Continue to work with software vendor regarding outstanding operating issues
- Continued to investigate MCPW regarding sewer rates and transition plans
- \$64k was received as a settlement for the parking lot fire in 2006
- Working with Trustee Nellis-Ewell on health care
- Working to implement server and battery backup replacement
- Commended Glenda Marischen for a job well done regarding entering meter reads manually
- Beginning work with Trustee Rauber and Joyce Lobene for the Trolley Depot opening
- Review new meter reading equipment with Village of Illion and Harris to ensure a smooth transition
- Preparing property files for 2008 tax bills

Trustee Rauber explained to the board the history of the sewer rate process. Trustee Rauber commended and thanked Clerk Sullivan for taking on the project of updating the sewer rates for the future.

Superintendent of Public Works – Thomas M. West

RESOLUTION NO 133 2/2008

Introduced by: Mayor Walker

Seconded by: Trustee Hopson

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves Tom West, DPW Superintendent to sell miscellaneous water system hardware to the Village of Hilton in the amount of \$1200.

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	Aye

Superintendent West commented on the following items:

- Staff continues to clean up brush from the last two wind storms
- Patching pot holes
- New refuse truck is complete and will be inspecting it next week in Tennessee
- The old refuse truck will be retro fitted to dump waste carts
- Renovations to the employees bathroom at the DPW
- TVing of the sewers will be taking place in the next few weeks
- Meeting with Gollel regarding Canal Landing Project and spring projects
- Commented Mike Howard, Greg Dorgan, Mike Vickery and Paul Robinson for a trench rescue that was done at the Gollel site during the 1/30/2008 storm
- MCWA will be replacing the 12' water main and installing conduit for fiber optic cable. The water main project has begun on Big Ridge Road and that the boring under the Canal will be taking place soon.
- Sidewalk meeting is scheduled for February to develop a plan and budget for new sidewalks
- DPW budget is complete and submitted to the Treasurer
- Superintendent West complimented Trustee Nellis-Ewell compassion for the employees in regards to health care
- VOS has purchased 300 tons of salt at this time

Trustee Rauber commented that Legislature Colby commented that work on the Lyell Avenue project will be in 2008 with the bulk of the working being done in 2009.

Mayor Walker thanked the DPW staff for a great job with snow.

Superintendent of Electric – Owen McIntee

Superintendent McIntee commented on the following items:

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- Updated board on windstorm on 1/30 and will continue to give information to the Board via email
- Continue to work on initiatives
- Work continues on 670 Ogden Parma TL RD

Trustee Rauber commended Superintendent West and McIntee on the great job during the storms.

Attorney – Richard J. Olson

No board action required.

Administrative Committee – Mayor Walker, Chairman

Mayor Walker commented that the budget process for 2008/2009 continues with the department heads and Treasurer. Mayor Walker indicated that the Village received recognition for 140 years of service, and acknowledged all of the award recipients from the Chamber of Commerce dinner. Mayor Walker further stated that he attended the public hearing for the Krebs Farm development and that it is in the electric franchise. Mayor Walker has met with the Pete O'Brien, Recreation Director for the Town of Ogden regarding using the Trolley Bed for a trail. Mayor Walker met with Morgan Management regarding the plaza and has requested them to fix the front of the IGA building.

Unfinished Business

Mayor Walker commented that work continues with East Avenue. The status of the grants is still unknown.

New Business

Trustee Rauber commented on the Carol Coburn, Village and Town Historian's excellent annual report. Trustee Rauber continued that he attended two Eagle Scout ceremonies.

Trustee Hopson asked Superintendent McIntee if he had specific procedures regarding the thermo-imaging pictures that are taken of homes.

Superintendent McIntee indicated that it is left up to the judgment of Gary Penders.

Trustee Hopson further indicated that he requested to have his house inspected yet Mr. Penders did not leave a note that he had been on the premises thus resulting in a call to the police department due to the foot prints in the snow. Trustee Hopson requested that in the future a phone call or note should be placed on the resident's door.

Bills

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

General Fund	\$ 46,187.73
Electric Fund	\$118,475.40
Sewer Fund	\$ 26,642.99
Trust Fund	\$ 0
Capital Fund	<u>\$292,533.36</u>
TOTAL:	\$483,839.48

Motion was made by Mayor Walker, seconded by Trustee Hopson and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, January 2008 be approved as audited.

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the regular meeting be adjourned to executive session to discuss employee issues at 8:45 p.m.

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Motion was made by Mayor Walker, seconded by Trustee Hopson and carried unanimously that the executive session be adjourned to workshop session at 9:00 p.m.

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