

**VILLAGE BOARD MEETING**  
**March 5, 2008**

**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. Mareello, Trustee

**BOARD MEMBERS ABSENT**

**OTHERS PRESENT**

Richard Olson, Village Attorney  
Keith O'Toole, Esq.  
Owen McIntee, Superintendent of Electric Department  
Jackie Sullivan, Village Clerk  
Tom West, DPW Superintendent

Joan Quigley, Maplewood Avenue  
Robert Garlick, Nichols Street  
Craig Byham, Luther Jacobs Way

**APPROVAL OF MINUTES**

Motion was made by Mayor Walker, seconded by Trustee Hopson and carried that the minutes of the regular meeting held February 6, 2008 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Nellis-Ewell and carried that the minutes of the workshop meeting held February 14<sup>th</sup> and 20<sup>th</sup> be approved as read. Trustee Rauber abstained from the February 14, 2008 motion.

**Public Hearing(s)**

Mayor Walker opened the public hearing for Local Law 1/2008 at 7:00 p.m. to amend Chapter 130 of the Village of Spencerport entitled "Vehicles and Traffic" which would authorize village code enforcement officers to enforce certain regulations related to stopping, standing and parking of motor vehicles.

Trustee Rauber explained the proposed local law indicating that this local law will allow the Village to write a citation to individuals who park, stop or place a vehicle in violation of our local parking laws such as two hour parking, no overnight parking or a car being parked across the sidewalk for an extended amount of time.

Mayor Walker inquired as to the definition of parking, stopping and standing.

Attorney Keith O'Toole responded indicating that the terms are defined within the NYS traffic code.

Mayor Walker further inquired how this law will be applied to residents who have a short driveway and have no other choice but to park over the sidewalk.

Trustee Rauber responded that the intent of the local law will be applied to an individual who has been initially warned of the infraction and continues to park across the sidewalk.

Trustee Mareello indicated that he is struggling with the enforcement of individuals who need to park across the sidewalk because of the length of their driveway.

Mayor Walker questioned the definition of a sidewalk and whether it should be added to the proposed law.

Attorney O'Toole indicated that he would research the definition of sidewalk and add it at a later date.

Mayor Walker closed the public hearing for Local Law 1/2008 at 7:15 p.m.

Mayor Walker opened the public hearing for Local Law 2/2008 at 7:15 p.m.

Trustee Rauber explained that Local Law 2/2008 is to amend Local Law 1/2007 governing the use and access to utility easements, to amend the application requirements for constructing a fence in an easement.

Trustee Rauber explained that the amendment would allow applicants to submit an instrument survey map showing the measurements and location of the proposed fence along with cut sheets from the fence manufacturer indicating the materials of the proposed fence.

Mayor Walker requested that the cut sheet from the fence manufacturer will indicate the removable part.

Trustee Rauber responded that the cut sheet will indicate the removable part of the fence.

Mayor Walker closed the public hearing for Local Law #2/2008 at 7:18 p.m.

Mayor Walker opened the public hearing for Local Law #3/2008 at 7:18 p.m.

Trustee Rauber explained that Local Law #3/2008 is to amend the zoning ordinance of the Village of Spencerport in order to regulate the sale of motor vehicles in the Village of Spencerport.

Trustee Rauber indicated that the proposed law will limit the number of cars and the amount of time residents can sell a vehicle on their property.

Mayor Walker questioned that the proposed law prohibits the placement of the vehicle in the roadway but does not limit where the vehicle is placed in the residents yard. Mayor Walker continued by asking if any consideration was given to only allowing the car to be placed in the driveway.

Trustee Rauber commented that the code review committee did not want to put those limitations on the resident.

Attorney O'Toole agreed that limiting the resident was not necessary.

Mayor Walker asked if there was a time limit as to how long a car can be for sale in a resident's property.

Discussion ensued regarding the length of a sale.

Trustee Marello commented that he does not like any cars for sale on resident's property.

Trustee Nellis-Ewell commented that the law has no provisions for that the placement of the vehicle should not impede the sight lines of people entering or exiting other properties.

Discussion ensued regarding the placement of vehicles and visibility of other motorists.

Mayor Walker closed the public hearing for Local Law 3/2008 at 7:26 p.m.

Mayor Walker opened the public hearing for Local Law 4/2008 at 7:26 p.m.

Trustee Rauber explained that Local 4/2008 is to provide for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code.

Trustee Rauber indicated that this is the new NYS fire prevention and building code and that it is in the best interest of the Village to adopt this code.

Mayor Walker closed the public hearing at 7:34 p.m.

Mayor Walker opened the public hearing for Local Law 5/2008 at 7:34 p.m.

Trustee Rauber explained that Local Law 5/2008 would provide for the reimbursement of consultant, engineering and attorney fees as they pertained to local development.

Trustee Rauber explained the current means as to which developers are invoiced for Village services as they pertain to development.

Trustee Rauber continued that the new law would allow for the Village to take in funds in and deposit into an escrow account to be used for consultant, engineering and attorney fees as they pertain to the development process.

Mayor Walker questioned as to the leverage that the Village has if the development fees exceed the fees deposited into the escrow account.

Attorney O'Toole commended that the fees are only for professional services and that should the expenses exceed the fees services would be discontinued.

Mayor Walker closed the public hearing at 7:37 p.m.

## **PRIVILEGE OF FLOOR**

**Sewers Committee** – Trustee Rauber, Chairman

Trustee Rauber deferred comments regarding the WWTP Project to Mayor Walker.

Mayor Walker explained that the bore under the canal is in process. Work continues on the pump station. A May 2008 start time is anticipated.

## **RESOLUTION NO 140 3/2008**

Introduced by: Mayor Walker

Seconded by: Trustee Marello

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves payment #1 in the amount of \$111,910.00 to Koester Associates, Inc., for PS-Oder Contract.

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 NO 141 3/2008**

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves payment #4 in the amount of \$51,072.00 to Angelica Boring Company, Inc. for B-Bore Canal Boring 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	Aye
	Theodore E. Walker, Mayor	Aye

**RESOLUTION NO 142 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves payment #7 in the amount of \$67,212.50 to Villager Construction, Inc. for PS-General 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	Aye
	Theodore E. Walker, Mayor	Aye

**RESOLUTION NO 143 3/2008**

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

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves payment #10 in the amount of \$25,064.80 to Villager Construction, Inc. for FM-General 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	Aye
	Theodore E. Walker, Mayor	Aye

**RESOLUTION NO 144 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Rauber

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves payment #2 in the amount of \$326,513.54 to Schuler-Haas Electric Corp. for PS-Electric 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	Aye
	Theodore E. Walker, Mayor	Aye

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

A. Planning

Collichio subdivision was given preliminary and final approval for their three lot subdivision located at the end of Canalside Drive.

**RESOLUTION NO 145 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Rauber

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves Mayor Walker's appointment of David R. Wohlers, 29 Coventry Drive, as an alternate to the Planning Board for a term of three (3) years ending March 31, 2011.

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

No board action required.

C. Building Control

No board action required.

D. Code Review

**RESOLUTION NO 146 3/2008**

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

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves advertising for a Public Hearing to be held on Wednesday, April 2, 2008 at 7:00 p.m. to review the Development Regulations.

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

Mayor Walker commented that he received a telephone call from the Town of Ogden's Planning Board Chair for a joint meeting regarding the Krebs Property. Mayor Walker indicated that he will be following up with this activity.

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% (no change from February 2008)

**RESOLUTION NO 147 3/2008**

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

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves the following budget transfers for March 2008

<b>Amount</b>	<b>To Account</b>	<b>From Account</b>
\$1,210	A1910.402 Insurance/SMP/Auto/Umbrella	A1910.400 Insurance Public Officials
\$1,350	A3310.300 Traffic/East Avenue-Contractual	A1990.400 Contingency Account
\$720	G1910.402 Insurance/SMP/Auto Umbrella	G1910.400 Insurance Public Officials

**Contingency Balances**      A1990.4 General Fund Contingency  
**February Balance = \$38,563**

G1990.4 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      Aye  
Theodore E. Walker, Mayor      Aye

**Facilities Committee** – Trustee Marello, Chairman

A.      Electric

No board action required.

Trustee Marello indicated that he and Superintendent McIntee have met on several occasions regarding the electric franchise.

B.      Other ( Drainage, Franchise)

No board action required.

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

A.      Highways/Garage

No board action required.

Trustee Hopson indicated that he and Superintendent West have drafted a repair service form to be used on each vehicle with a monthly summary to record expenses and maintenance on the vehicles.

Superintendent West commented that all information regarding expenses and maintenance will be kept on all vehicles.

B.      Public Services (Refuse, Recycling, Parks)

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

A.      Fire Department

No board action required.

B. Police

No board action required.

Mayor Walker commented that he attended a POD Committee Meeting with Officer Chris Mears regarding emergency preparedness.

Mayor Walker further commented that a POD was effectively set up recently in Erie County due to an outbreak of Hepatitis A.

Mayor Walker continued that the public vote for the building of the new firehouse was passed the previous evening.

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

No board action required.

Trustee Nellis-Ewell commented that work continues on health care benefits.

Trustee Nellis-Ewell further commented that she will be talking to our various state representatives to help smaller municipalities to combine to leverage for more cost effective health care.

Trustee Rauber commented that at the NYCOM Winter Legislative Meeting comments were made regarding the combination of other municipalities.

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

No board action required.

Community awareness continues with articles in various newsletters.

Saturday, May 10, 2008 is the launch of the Rose Lummis tour boat and the official opening of the canal in Spencerport. A schedule of events has been submitted by Chamber of Commerce President Joyce Lobene to be printed in the Canal Corporations summer calendar.

Trustee Nellis-Ewell indicated that a small market is scheduled to open possibly June 1, 2008 in the Feltner Building on Union Street.

Trustee Nellis-Ewell explained Morgan Management continues to work with the community to determine the needs of the plaza. Mr. Morgan is scheduled to meet with the Chamber of Commerce next month.

**Village Administrator**

Position is currently vacant.

**Village Clerk** – Jacqueline Sullivan

**RESOLUTION NO 148 3/2008**

Introduced by: Mayor Walker

Seconded by: Trustee Marello

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves waiving the 30 day written notification requirement for Bon Voyage Adventures aka Rose Lummis Tour Boat for the application 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. Marelo, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

**RESOLUTION NO 149 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves Treasurer Harissis to attend the Government Finance Officer Association Annual Conference April 2-4, 2008 in Albany, NY. Cost not to exceed \$460.00

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

**RESOLUTION NO 150 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Marelo

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves James Reddick to attend the Management Skills for First Timer Supervisors training on April 7, 2008 in Rochester, NY. Cost not to exceed \$200.00

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

Village Clerk Sullivan commented on the following items:

- Parcel information has been submitted to MCPW for audit.
- New server migration is taking place and is approximately 65% done.
- Correspondence was received from Ms. Marlene Nyiri, 10 Canalside Drive referring to a previous letter dated October 2003 with provisions to purchasing a strip of property located between her property and 8 Canalside Drive.

Mayor Walker commented that the Village Board needs to determine if they would still like to sell this property and should be pursued through legal.

Superintendent West indicated that the underground piping is in need of replacement and work this summer needs to be done prior to selling this property.



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

- Commented on the vehicle maintenance reports, work orders and the amount of money spent on each vehicle. To date \$6000 has been spent on vehicle maintenance.
- Commented on sending Jim Reddick to supervisor's training.
- Potential sale of pagers to the Spencerport Fire Department at \$160 each. Gary Penders will be keeping his pager. The pagers were not useful for the Village staff.
- Refuse truck is in and at Cyncon Equipment and needs to be retrofitted and inspected and permits are being obtained to bring it into service.
- TVing of sewers has begun and that possibly a catch basin is connected to the sanitary sewer.
- Snow removal continues.
- The area Village Superintendents are lobbying NYS Officials to maintain Chips Funds.
- Meeting with Carl Ayers regarding the canal port and the Trolley Depot.
- Work continues with the contractor completing the water authority project on Big Ridge Road.

Trustee Nellis-Ewell questioned if our insurance liability increases because the Village will be doing their own maintenance on the vehicles.

Superintendent West responded that it does not affect our liability because we have a mechanic.

Trustee Nellis-Ewell asked if other municipalities have mechanics.

Superintendent West commented that other municipalities have multiple mechanics.

Mayor Walker thanked the DPW department for keeping the roads and sidewalks clear.

**Superintendent of Electric** – Owen McIntee

Superintendent McIntee commented on the following items:

- Attended MEUA engineering workshop in Syracuse last month.
- Easements have been received from the Canal Landing Subdivision.
- Pump Station has been energized
- Met with the executive director of the MEUA regarding their role in conjunction with the Village
- Presentation of community outreach program will be done at the workshop meeting on 3/19/2008
- Work continues on 670 OPTLRD.

Trustee Nellis-Ewell requested Superintendent McIntee to gather as much information on green power as possible. Trustee Nellis-Ewell would like to see the Village of Spencerport to be a green community.

Mayor Walker thanked Superintendent McIntee for jumping in during the budget process.

**Attorney** – Richard J. Olson

No board action required.

Attorney Olson requested executive session to discuss litigation and lease items.

**Administrative Committee** – Mayor Walker, Chairman

**RESOLUTION 151 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Rauber

BE IT RESOLVED, that the Village Board classifies the adoption of Introductory Local Law #1 of 2008 to be a Type II Action under Section 617.5(c)(20) of the SEQR regulations; and be it further

RESOLVED, that a Type II classification concludes the Village Board’s obligations under SEQR.

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 152 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

**WHEREAS**, at a meeting of the Village Board of Trustees held at the Village Hall in the Village of Spencerport, New York on March 5, 2008, a public hearing was held at 7:00 p.m. to consider adoption of Introductory Local Law #1 of 2008 to amend Chapter 130 of the Code of the Village of Spencerport entitled “Vehicles and Traffic” which would authorize village code enforcement officers to enforce certain regulations relating to stopping, standing and parking of motor vehicles.

**NOW THEREFORE**, Local Law 1 of 2008 is hereby enacted by the Village Board of Trustees of the Village of Spencerport.

Discussion ensued regarding the enforcement of this law.

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

**RESOLUTION 153 3/2008**

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

BE IT RESOLVED, that the Village Board classifies the adoption of Introductory Local Law #2 of 2008 to be a Type II Action under Section 617.5(c)(20) of the SEQR regulations; and be it further

RESOLVED, that a Type II classification concludes the Village Board’s obligations under SEQR.

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 154 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Marello

**WHEREAS**, at a meeting of the Village Board of Trustees held at the Village Hall in the Village of Spencerport, New York on March 5, 2008, a public hearing was held at 7:00 p.m. to consider adoption of Introductory Local Law #2 of 2008 to amend Local Law #1 of 2007 a Local Law governing the use and access to utility easements, to amend the application requirements for constructing a fence in an easement.

**NOW THEREFORE**, Local Law 2 of 2008 is hereby enacted by the Village Board of Trustees of the Village of Spencerport.

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 155 3/2008**

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

BE IT RESOLVED, that the Village Board classifies the adoption of Introductory Local Law #3 of 2008 to be a Type II Action under Section 617.5(c)(20) of the SEQR regulations; and be it further

RESOLVED, that a Type II classification concludes the Village Board’s obligations under SEQR.

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 156 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

**WHEREAS**, at a meeting of the Village Board of Trustees held at the Village Hall in the Village of Spencerport, New York on March 5, 2008, a public hearing was held at 7:00 p.m. to consider adoption of Introductory Local Law #3 of 2008 to amend the zoning ordinance of the Village of Spencerport in order to regulate the sale of motor vehicles in the Village of Spencerport.

**NOW THEREFORE**, Local Law 3 of 2008 is hereby enacted by the Village Board of Trustees of the Village of Spencerport.

Trustee Marello expressed that he does not agree that people should be able to sell vehicles and park their vehicles on the lawn and how long a vehicle can remain for sale.

Trustee Hopson questioned as to whether the law should have a setback limit.

Discussion ensued regarding of the parking of the vehicle.

Mayor Walker amended his motion to table this motion, Trustee Rauber seconded the motion.

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 157 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

BE IT RESOLVED, that the Village Board classifies the adoption of Introductory Local Law #4 of 2008 to be a Type II Action under Section 617.5(c)(20) of the SEQR regulations; and be it further

RESOLVED, that a Type II classification concludes the Town Board's obligations under SEQR.

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 158 3/2008**

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

**WHEREAS**, at a meeting of the Village Board of Trustees held at the Village Hall in the Village of Spencerport, New York on March 5, 2008, a public hearing was held at 7:00 p.m. to consider adoption of Introductory Local Law #4 of 2008 to provide for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code.

**NOW THEREFORE**, Local Law 3 of 2008 is hereby enacted by the Village Board of Trustees of the Village of Spencerport.

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 159 3/2008**

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

BE IT RESOLVED, that the Village Board classifies the adoption of Introductory Local Law #5 of 2008 to be a Type II Action under Section 617.5(c)(20) of the SEQR regulations; and be it further

RESOLVED, that a Type II classification concludes the Village Board's obligations under SEQR.

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 160 3/2008**

Introduced by: Mayor Walker

Seconded by: Trustee Hopson

**WHEREAS**, at a meeting of the Village Board of Trustees held at the Village Hall in the Village of Spencerport, New York on March 5, 2008, a public hearing was held at 7:00 p.m. to consider adoption of Introductory Local Law #5 of 2008 providing for the reimbursement of consultant, engineering and attorney fees.

**NOW THEREFORE**, Local Law 4 of 2008 is hereby enacted by the Village Board of Trustees of the Village of Spencerport.

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

Mayor Walker indicated that the budget process continues.

Trustee Rauber explained the intent of the lease agreement between the Village of Spencerport and Spencerport Depot and Canal Museum.

Trustee Rauber indicated that this motion will not be acted upon at this time.

### **Unfinished Business**

Superintendent West indicated that the sidewalk committee met to discuss location of new sidewalks. The committee indicated that the next place to install new sidewalks is south on Union Street from Brockport Road to Rt. 31.

Superintendent West continued that through discussions with Kris Schultz he and his wife may be able to donate resources for funding and surveying for these sidewalks.

Superintendent West commended his staff and the electric staff on the excellent job they did renovating the bathroom at the DPW shop.

Mayor Walker let the board know that some repainting has been done throughout the Village office building.

### **New Business**

Trustee Hopson attended the Monroe County DOT planning meeting in the Town of Chili and that the Big Ridge Road project will begin in the spring 2008 and that Lyell Avenue will begin in the spring of 2009.

Trustee Nellis-Ewell added that the federal funding for both of these projects has been secured and they will be completed.

Village Board  
March 5, 2008

**Bills**

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

General Fund	\$246,524.98
Electric Fund	\$ 32,056.27
Sewer Fund	\$ 11,636.54
Trust Fund	\$ 0
Capital Fund	<u>\$641,163.34</u>
<b>TOTAL:</b>	<b>\$931,108.13</b>

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, February 2008 be approved as audited.

**Adjournment**

Motion was made by Mayor Walker, seconded by Trustee Nellis and carried unanimously that the regular meeting be adjourned to executive session to discuss litigation and contract issues at 9:20 p.m.

Motion was made by Mayor Walker, seconded by Trustee Hopson and carried unanimously that the executive session be adjourned to workshop session at 9:45 p.m.

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the workshop session be adjourned at 11:00 p.m.