

VILLAGE BOARD WORKSHOP MEETING
July 16, 2008

CALL TO ORDER: 5:00 p.m.

BOARD MEMBERS PRESENT

Theodore Walker, Mayor

Carol J. Nellis-Ewell, Trustee

Charles R. Hopson, Trustee

BOARD MEMBERS ABSENT

Theodore E. Rauber, Trustee

John R. Mareello, Trustee

Others Present

Jack Crooks, Building Inspector

Scott DeHollander, MRB Group

Kevin Kelly, Code Enforcement Officer

Richard Olson, Esq. – Village Attorney

Jackie Sullivan, Village Clerk – departed at 7:30 p.m.

Tom West, DPW Superintendent – arrived at 6:30 p.m.

BI/FM/CE – Monthly Report

Mr. Jack Crooks, Building Inspector updated the Village Board on the following items:

- T. Horton's has submitted an application to the Village Zoning Board of Appeals for a variance to accommodate a drive through in the proposed restaurant at 403 S. Union Street. The Village Zoning Board of Appeals has tabled their action pending a traffic study and formal application to the Village Planning Board.
- Spencerport Fire Department Station #1 Firehouse project is underway. Noise and emission issues regarding the pumps are being addressed with the contractor and residents; Trustee Nellis-Ewell requested a sign be attached to the fence surrounding the project indicating the nature of the project. It was also mentioned that the grass needs to be mowed and reasonably maintained, to keep the character of the neighborhood intact during the project.
- The Village Plaza is continuing with their façade renovation.
- Dr. Cellura, 17 West Avenue will be submitting an application to the Zoning Board of Appeals for an addition to the front of their building.
- A building permit has been issued for a new home on the corner of Evergreen Street and Glen Carin Court.
- The Pruisha subdivision has received a positive declaration of their SEQR.
- The renovations of the Inzana Building 123 S. Union Street continue.

Mr. Kevin Kelly, Code Enforcement Officer updated the Village Board on the following items:

- Contact has been made and permission has been granted by Mr. Breckenridge regarding the placement of a bike rack and park bench on his property located at 118 S. Union Street; contact was made with Mr. Gates of the Galley Restaurant regarding the bike rack on the sidewalk, the bike rack was moved to the alley garden along the side of his building.
- The Codes Committee continues to meet regularly regarding various code improvements and revisions.
- Graffiti continues to be an issue at 500 S. Union Street.
- Banner is to be removed at 500 S. Union Street advertising the name change to their restaurant.

- Discussion ensued regarding the continued Squire and Unvericht property issues with debris on the CSX property.
- The condition of 35 West Avenue property has been addressed with the owner.
- Discussions with the Billings Family of 51 West Avenue continue regarding the condition of the home.

Mayor Walker explained that a Coleman Avenue resident has complained regarding free roaming cats in their neighborhood. Mayor Walker further explained that the resident called animal control and animal control indicated that they cannot do anything about the cat due to the fact that the Village of Spencerport does not have a local law regarding cat similar to the Town of Ogden's.

Attorney Olson responded that cat control laws are unenforceable and somewhat inappropriate.

Discussion ensued regarding cats and their containment.

Trustee Nellis-Ewell questioned the need for the soil piles behind 2 Slayton Avenue and the environmental impacts they have.

Mayor Walker responded that it is a bio-cell to neutralize the hydrocarbons in the soil making the soil safe to deposit into a landfill.

Mr. Scott DeHollander responded that it is necessary for those piles of dirt to remain on the property until they are determined to be safe to take to the landfill. In light of that information Mr. DeHollander informed Trustee Nellis-Ewell that he would be contacting the engineering firm LaBella & Associates expressing her concerns and alternatives.

Attorney – Monthly Report

Attorney Olson, Village Attorney updated the Village Board on the following items:

- EFC financing completion continues to progress, process for the transferring of the project between the Village, EFC and the County continues.
- Work continues on the draft Time Warner franchise agreement continues, the draft agreement needs only minor changes regarding insurance and revenue.
- Cricket Communication co-location agreement is nearly complete, Cricket Communication has agreed to the fee and payment will be retroactive to the installation date; Cricket Communication has inquired regarding the purchase of the property.
- Erie View Landing legal actions continue with the date for a hearing upcoming; the appeal timeline regarding the gas line is nearing an end.
- Research on the garbage truck scale system continues, a meeting with Mr. West and Mr. Olson will be taking place early next week.

Privilege of the Floor

Mrs. Patty Unvericht addressed the board expressing her concern regarding the ongoing condition of the Squires property located at 175 Pinecrest Drive and the wood piles and animals within the wood piles.

Mayor Walker responded that it is in the Village's opinion that Mr. Squires is not violating any codes and that the Village is actively working with CSX regarding the removal of the wood.

Engineering – Monthly Report

Mr. Scott DeHollander, MRB Group updated the Board on the following items

Pump Station and Force Main Project

- Work is nearing completion and startup has taken place and all flows are being sent to the pump station.

Decommissioning the WWTP

- Work continues, half of the pond has been dewatered and taken off line;
- DPW Staff continues to fill the dewatered portion of the pond;
- Drainage of non-essential tanks is taking place;
- Diversion of sewage flows is planned for early next week

Sanitary Sewer Rehabilitation Term Contract

- Contract has been awarded and preparation is taking place to mobilize the contractor to start work.

Union Street Sanitary Sewer

- Construction commenced on July 30th and installation is on scheduled. Asphalt binder is scheduled for Friday, July 18th.

Planning Board

- Prushia subdivision – process of scoping the Draft Environmental Impact Statement will be initiated.
- Canal Landing Subdivision (Gollet) – erosion control has improved.
- Erie View Landing Subdivision (Hogan), Mr. DeHollander commented that the pump station start up was successfully completed on July 16th, an agreement was made between Mr. Hogan and Mr. Gollet for the installation of the sidewalks to be completed at the Hogan development when the sidewalks are installed at the Gollet development, the maintenance bond has been posted for the project. At this time the developer has not submitted stamped recorded drawings for the project.
- Collichio three lot Subdivision
- Tim Hortons

The following official action took place:

RESOLUTION NO 23 7/2008

Introduced by: Mayor Walker

Seconded by: Trustee Hospon

Resolved, that the Village of Spencerport Board of Trustees, based on recommendation from Scott DeHollander, MRB Group, hereby approves Letter of Credit Release #8 for Canal Landing Subdivision in the amount of \$85,049.96 leaving \$326,910.69 to complete the project.

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

RESOLUTION NO 24 7/2008

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees hereby approves the Spencerport Red Onions Annual fire-matics tournament. Saturday, August 2, 2008; with a rain date of Sunday, August 3, 2008.

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

RESOLUTION NO 25 7/2008

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

Resolved, that the Village of Spencerport Board of Trustees hereby approves the attached resolution authorizing the filing of an application for a state grant in aid for a municipal waste reduction and/or recycling project and signing of the associated state contract, under the appropriate laws of New York State.

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

RESOLUTION NO 26 7/2008

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

Resolved, that the Village of Spencerport Board of Trustees hereby approves payment request #6 from Schuler-Haas Electric Corp. in the amount of \$30,464.32 for Contract PS-Electric.

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

RESOLUTION NO 27 7/2008

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

Resolved, that the Village of Spencerport Board of Trustees hereby approves expenditures not to exceed \$500 from the Village of Spencerport's IEEP fund for the purposes of Spencerport Electric Department's Power to Save Initiative.

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

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Hopson and carried unanimously that the meeting be adjourned at 8:00 p.m.