

VILLAGE BOARD MEETING
August 6, 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, Trustee
Carol J. Nellis-Ewell, Trustee
Charles R. Hopson, Trustee
John R. Marello, Trustee

BOARD MEMBERS ABSENT

OTHERS PRESENT

Richard Olson, Village Attorney
Owen McIntee, Superintendent of Electric Department
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent
Joan Quigley, Maplewood Avenue
David Jenco, Canalside Drive

APPROVAL OF MINUTES

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

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Marello and carried that the minutes of the workshop meeting held July 16, 2008 be approve as read. Trustee Rauber abstained.

PRIVILEGE OF FLOOR

Mr. David Jenco of Canalside Drive addressed the board expressing his discontent with the change in location of the sidewalks on Canalside Drive. Mr. Jenco further explained that the Village Planning Board approved the installation of sidewalks to be on the south side of Canalside Drive and does not understand the need for the sidewalks to be installed on the north side of Canalside Drive. Mr. Jenco stated that he feels that the approved plans should be followed and to consider him and his existing neighbors as taxpayers and the impact that the sidewalks will have on the existing residents' yards.

Mrs. Joan Quigley asked if any progress has been made in securing a grocery store.

Mayor Walker responded that he has not heard of any progress regarding a grocery store and that the sidewalk issue will be discussed later in the meeting.

Sewers Committee – Trustee Rauber, Chairman

Trustee Rauber indicated that this is the final flow report for the WWTP. At this time new pump station is taking all of the Village of Spencerport's sewer flows and conveying them to Monroe County Pure Waters. Trustee Rauber continued that the focus of the sewers committee will now be underground collection system.

Superintendent West commented that flows were 4 million gallons during the last storm event.

Mayor Walker commented that pump station is working and that during the storm event both pipes were being used. Modifications are being made to the pump station and measures are being taken for transfer of ownership to Monroe County. Mayor Walker further explained that no Village personnel will be trained on this facility. Mayor Walker commented that EFC funding will be in place on August 27, 2008.

Mayor Walker commented that 85% of the gravity sewer lines have been installed on East Avenue and Union Street. Current lines that have been installed are functioning and final installation will be done at the end of August.

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Mayor Walker stated that some improvements have been made to the drainage in the Village Plaza and that during the last storm events no businesses were flooded.

Mayor Walker explained that a meeting was held with MRB, Mr. Olson and the Village to develop a strategy to complete the boring under the canal with Angelica Boring.

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

No board action required. Trustee Rauber indicated that the Planning Board approved the presented plans for an addition to Dr. Cellura's office located at 17 West Avenue. Trustee Rauber explained that Dr. Cellura has picked out bricks to match the existing building. Trustee Rauber further continued that all drainage at Dr. Cellura's office will be going to the storm sewer.

Mayor Walker appointed Kevin Ricotta, 9 Village Trail, Spencerport, NY as an alternate to the Village of Spencerport Planning Board.

RESOLUTION NO 28 8/2008

Introduced by: Trustee Rauber
Seconded by: Trustee Marello

Resolved, that the Village of Spencerport Board of Trustees hereby approves the Mayor's appointment of Kevin Ricotta, 9 Village Trail, Spencerport, NY as an alternate to the Village of Spencerport Planning Board.

Trustee Rauber commented that the Village website has worked well advertising openings on the various Village support boards. Trustee Rauber further commented that Mr. Ricotta will be filling Mr. Wohlers' vacancy.

Trustee Nellis-Ewell asked if there are specific criteria to be a member of a support board.

Attorney Olson indicated that the applicant has to reside in the Village of Spencerport and be at least 18 years of age.

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 explained that previous discussions have taken place regarding the sidewalks on Canalside Drive. Mayor Walker continued that the proposed sidewalks would be placed from the intersection of Canalside Drive and Ballard Avenue west to the end of the hammer head stopping at the private drive to be located at the most western end of Canalside Drive.

Trustee Rauber commented that the only sidewalk that exists in that area is on the west side of Ballard Avenue from Amity Street to Canalside Drive.

Superintendent West commented that he requested that Canalside Drive be widened to 20 feet from the edge of each gutter to accommodate the parking of cars on the street. Superintendent West further commented that there would be the need for a retaining wall at the south east corner of Ballard Avenue and Canalside Drive and that the proposed sidewalk would cover the gas and water lines if installed on the South side of Canalside Drive.

Mayor Walker explained that there are various options available for the sidewalks. Sidewalks can be installed per the approved plans with a retaining wall installed at the corner and over the utilities, moving the sidewalk to the north side of Canalside Drive, or the final option would be not installing sidewalks on Canalside Drive.

Mayor Walker commented that no decision has been made regarding the placement of the sidewalks and the purpose of this discussion is to flush out any additional items and come up with a resolution if possible. Mayor Walker further explained that Attorney Olson indicated that the Village Board can make this decision and the Planning Board does not need to be involved.

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Superintendent West commented that the maintenance of the sidewalks on the south side will be an issue due to area constraints.

Trustee Marello questioned if this is a decision that needs a formal resolution.

Mayor Walker responded that a formal resolution is not necessary and that the Village would contact the developer and will ask the developer pay for the installation of sidewalks elsewhere.

Attorney Olson counseled that a formal resolution is appropriate to determine the final fate of the sidewalks.

Discussion ensued regarding the developer paying for sidewalks or street trees to be installed elsewhere in the village.

Trustee Nellis-Ewell commented that she would like to thank Mr. Jenco for coming to tonight's meeting and his interest in the Village. Trustee Nellis-Ewell continued that she knows that there are sidewalk issues in that area and that she joined the Mayor, Clerk Sullivan and our MRB engineer for walk through of the area today. She further explained that she is a former member of the Village Planning Board and that when that development was approved sidewalks were included because of the growing trend in making streets friendly to walkers. At this time Trustee Nellis-Ewell feels that although she was a proponent of the sidewalks after viewing the area and the potential problems she supports the residents position and that it is a responsibility of the Village Board to support the residents.

Trustee Marello commented that approximately 80% of the residents are present tonight at this meeting. Trustee Marello asked Clerk Sullivan her opinion of the sidewalks.

Clerk Sullivan responded that she does not want a sidewalk in that area and that they are not necessary.

Trustee Nellis-Ewell commented that the gutters are very wide.

Discussion ensued regarding the general area.

RESOLUTION 29 8 2008

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees will not be requiring based on new information regarding the utilities, elevations issues on the south side, and resident issues regarding the north side of Canalside Drive the installation of a sidewalk not be included and that the Village Board will request the developer to consider allocating funds to a sidewalk fund for future sidewalk installation elsewhere in 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

B. Zoning

No board action required.

C. Building Control

No board action required.

D. Code Review

No board action required.

E. Architectural Review

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No board action required. Trustee Rauber indicated that the new directory sign for the south side of the canal is in process. The sign will be installed near the gazebo. The color of the sign will be green and maroon.

Trustee Nellis-Ewell asked if the sign would be lighted to discourage vandalism.

Trustee Rauber commented that he would look into lighting the sign.

Finance Committee – Trustee Hopson, Chairman

Trustee Hopson acknowledged receipt of monthly-consolidated investment; HSBC Insured Municipal Money Market rate of 1.85% (no change from July) CD Rates are 2.2% for 29 day CD and 2.4% for 61 day CD.

Facilities Committee – Trustee Marelo, Chairman

A. Electric

Trustee Marelo commented that he was impressed by the Power to Save booth at Canal Days manned by the Electric Department Staff.

RESOLUTION 30 8/2008

Introduced by: Trustee Marelo
Seconded by: Trustee Hopson

At a regular meeting of the Village of Spencerport Board of Trustees of the Village of Spencerport, New York held on August 6, 2008, the following resolution was adopted:

WHEREAS, the Village of Spencerport Board of Trustees of the Village of Spencerport, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Annual Conference of the Municipal Electric Utilities Association of New York State has been called on September 23, 24, 25, and 26, 2008, to be held at the Crowne Plaza – Lake Placid Resort, Lake Placid, New York, and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Owen McIntee be and is hereby designated as the accredited delegate of the Village of Spencerport, New York.

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 31 8/2008

Introduced by: Trustee Marelo
Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees hereby approves Owen McIntee, Electric Superintendent; Linda Harissis, Village Treasurer; and Glenda Marischen, Deputy Clerk to attend the MEUA Annual Conference September 23-26, 2008. Cost not to exceed \$900 per person.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Aye

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Charles R. Hopson, Trustee	Aye
John R. Marelo, Trustee	Aye
Theodore E. Walker, Mayor	Aye

Mayor Walker commented that the Deputy Clerk will be attending this conference as a training opportunity.

B. Other (Drainage, Franchise)

No board action required.

Public Works Committee – Trustee Hopson, Chairman

A. Highways/Garage

RESOLUTION NO 32 8/2008

Introduced by: Trustee Hopson

Seconded by: Trustee Marelo

Resolved, that the Village of Spencerport Board of Trustees hereby approves Tom West, DPW Superintendent or designee to the NYCOM Annual Public Fall Training Conference October 20-22, 2008.

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

Trustee Hopson commented that a special meeting will be held on Friday, August 8, 2008 to award the bid for the recycling truck.

B. Public Services (Refuse, Recycling, Parks)

No board action required.

Public Safety Committee – Trustee Marelo, Chairman

A. Fire Department

No board action required.

B. Police

No board action required.

Trustee Marelo commented that he has met with Ken Olson, Security Guard and that Mr. Olson indicated that this season has been going well with few incidents.

Trustee Nellis-Ewell questioned what can be done regarding the ATV activity on the railroad bed.

Discussion ensued regarding ATV activity.

Human Resources Committee – Trustee Nellis-Ewell, Chairman

RESOLUTION NO 33 8/2008

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Marelo

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Whereas, the Village of Spencerport Board of Trustees has reviewed the information provided to them regarding high deductible health care plans and health care savings accounts by Brian Baty, BMA Consulting Services, and

Whereas, the Village of Spencerport Board of Trustees will transition from offering a traditional EPO health care plan to a offering a high deductible health care plan in conjunction with a health care savings account for each eligible employee as outlined in the Village of Spencerport Employee Handbook, and

Whereas, the Village of Spencerport will contribute to the high deductible health care plan as outline in the Village of Spencerport Employee Handbook and will contribute to the employees' Health Care Savings account with the maximum IRS allowable contribution for starting January 1, 2009 and to be reviewed annually.

Resolved, that the Village of Spencerport Board of Trustees herby approves offering a high deductible health care plan with a Health Care Savings Account for each eligible employee as outlined in the Village of Spencerport Employee Handbook.

Mayor Walker commented that this is the Village's plan to continue to provide the best health care plan for the Village and the employees. Mayor Walker further explained that this new plan will afford a savings to the Village.

Trustee Rauber commented that he and Trustee Nellis-Ewell talked that he is glad that this program will be reviewed annually.

Discussion ensued regarding the use of HSA funds.

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

Economic Development Committee – Trustee Nellis-Ewell, Chairman

No board action required.

Trustee Nellis-Ewell commented that on July 7, 2008 the Village of Spencerport hosted 565 bikers that participated in the Erie Canal Bike Tour. Many of the participants rode in the event last year. Trustee Nellis-Ewell thanked Ginny and Gary Swarthout, Harry Ewell and Fred Holbrook for their help with the event. Trustee Nellis-Ewell continued that the participants used all of our facilities including the Trolley's Depot's restrooms and wireless internet connection.

Trustee Nellis-Ewell commented about the Power to Save booth at Canal Days manned by Electric Superintendent Owen McIntee and his staff. Trustee Nellis-Ewell continued that the booth was well received and that she heard many positive comments. Trustee Nellis-Ewell further commented that the Electric Department and DPW will be participating in the Kiwanis Bike Rodeo and that August 10, 2008 is the Canal Splash Event with a 5K race and Ruby Shooz concert from 6:30 p.m. – 9:30 p.m.

Trustee Rauber stated that he has been on the board for twelve years and that Trustee Nellis-Ewell's report was the best economic development report he has ever heard.

Village Administrator

Position is currently vacant.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan commented on the following items

- She, Donna Stassen and Linda Harissis will be requesting resolution to attend the annual fall NYCOM training September 15-19, 2008. Topics include civility & safety, changes in FOIL, municipal finance,

open meeting laws, changes in accounting, cable franchise issues, procurement procedures, municipal websites, effective budgeting, overview of real property tax, notary update, and shared services.

- Outstanding taxes – a listing of unpaid property tax accounts was distributed to the Board. Clerk Sullivan explained that on September 1, 2008 reminder letters will be sent to the unpaid residents indicating that if property taxes are not paid taxes will be surrendered to Monroe County November 1, 2008.
- Computer inventory is complete and final report will be discussed at the next workshop meeting.
- Attended small claims court for an unpaid electric account. Currently awaiting judgment on the proceedings.
- Employee handbook has been updated regarding changes to the cancer screening policy and that the handbook will now be available to employees via our village website.
- Defensive Driving training will be held September 26, 2008 from 9 am – 3 pm there will be no cost to Village employees; family members will be charged \$15 if they participate.
- Attended GFOA Conference on Health Care and that all of the presenters were proponents of high deductible health care plans and HSAs.

Superintendent of Public Works – Thomas M. West

Superintendent West commented on the following items:

- Work continues on the decommissioning of the WWTP, the Village has received over 1000 truck loads of free fill.
- Canalside Drive is paved, gutters are installed and hammer head turn around is installed
- Evergreen Street is not boxed out and a determination will be made as to whether work will continue this year or be postponed until next year.
- NYS DOT is working on completing contract documents for a mill and pave of Rt. 259 from Big Ridge Road to Route 31.
- Work continues on Prospect Street gutters and paving, gutter work and binder will be complete by the end of August, paving will take place after the recycled binder cures. Crews continue to do an excellent job.
- Culverts have been cleaned and have prevented flooding from the recent storm events.
- Work continues with Electric Crews to remove dead Village trees.
- Superintendent West requested an opportunity to talk to someone about Canal Days events. Mayor Walker indicated that Superintendent West should talk to Ginny Swarthout.
- Over \$28,000 in vehicle repairs has taken place to date.
- New dump truck to be delivered in October.

Trustee Rauber commented that Tim Horton's will be allowed to connect to NYS DOT storm sewers on Route 259.

Superintendent of Electric – Owen McIntee

Mayor Walker commented that he appreciated the team's efforts on the most recent outage.

Superintendent McIntee updated the Board on the following items:

- Many outages throughout the area, most recently Union Street north and Clearview Drive as well as the Maplewood Avenue area. Tree trimming will need to be added to the next year's budget.
- Safety and training will start in the fall.
- Canalside Drive rebuild/upgrade is complete.
- Electric has been installed in conduit for the Evergreen project.
- Poles need to be replaced
- Canal Day Power to Save booth was a great success. Village of Churchville has borrowed the light board for the landfill open house.
- Discussions will be taking place with SCS regarding recycling and energy conservation.
- Work has begun to introduce CFL recycling program.

Attorney – Richard J. Olson

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Attorney Olson requested executive session to discuss litigation matters

Attorney Olson further commented the work continues with the Time Warner franchise agreement and the joint pole agreement, letter has been dictated regarding the garbage truck scale system, lease agreement with Cricket has been completed and being reviewed.

Administrative Committee – Mayor Walker, Chairman

RESOLUTION NO 34 8/2008

Introduced by: Mayor Walker
Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees hereby approves Linda Harissis, Village Treasurer; Donna Stassen, Administrative Assistant; Jacqueline Sullivan, Village Clerk and any Village Trustee to attend the NYCOM Annual Fall Training Conference September 15-19, 2008. Cost not to exceed \$1230 per person.

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 NO 35 8/2008

Introduced by: Mayor Walker
Seconded by: Trustee Rauber

Resolved, that the Village of Spencerport Board of Trustees hereby approves payment request #5 from Randsco Pipeline in the amount of \$136,414.30 for Contract GS Gravity Sewer pending EFC approval.

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

Mayor Walker commented that the Eagle Scout project to install life rings along the canal is nearly complete. A demonstration was done during Canal Days. The remaining two life rings will be installed by the end of summer.

Mayor Walker continued that the East Avenue study continues with the request for proposals developed and a steering committee meeting being scheduled. In addition Clerk Sullivan is completing the recycling truck grant request.

Mayor Walker announced that there will not be an August 20th workshop meeting.

Unfinished Business

New Business

Trustee Rauber commented that a subcommittee is working on Village comprehensive plan revisions and that the code committee is meeting regularly to address stop signs at Amity Street and Evergreen Street and parking codes.

Bills

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

General Fund	\$130,724.68
Electric Fund	\$ 41,636.27

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Sewer Fund	\$ 44,943.28
Trust Fund	\$ 0
Capital Fund	\$ <u>2,232.00</u>
TOTAL:	\$ 219,536.23

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Rauber and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, July 2008 be approved as audited.

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Marello and carried unanimously that the regular meeting be adjourned to executive session to discuss employee issues at 9:10 p.m.

Motion was made by Mayor Walker, seconded by Trustee Nellis-Ewell and carried unanimously that the executive session be adjourned to workshop session at 9:20 p.m.

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