

**VILLAGE BOARD MEETING**  
**November 5, 2008**

**CALL TO ORDER:** 7:00 p.m.

The Pledge of Allegiance was led by Trustee Rauber.

**BOARD MEMBERS PRESENT**

Theodore E. Rauber, Trustee  
Carol J. Nellis-Ewell, Trustee  
Charles R. Hopson, Trustee  
John R. Mareello, Trustee

**BOARD MEMBERS ABSENT**

Theodore E. Walker, Mayor

**OTHERS PRESENT**

Richard Olson, Village Attorney  
Owen McIntee, Superintendent of Electric Department  
Jackie Sullivan, Village Clerk  
Tom West, DPW Superintendent  
Joan Quigley, Maplewood Avenue  
Robert Garlick, Nichols Street  
Joyce Lobene, Hillcrest Drive  
Fritz Gunther, Big Ridge Road  
Geri Ammering, Prospect Street  
Mike Kinny, Prospect Street

**APPROVAL OF MINUTES**

A motion was made by Trustee Rauber, seconded by Trustee Hopson and carried that the minutes of the October 1, 2008, Village Board meeting be accepted as read.

A motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried that the minutes of the October 15, 2008 workshop meeting be accepted as read.

A motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried that the minutes of the October 20, 2008 special meeting be accepted with the following correction that the amount approved to be paid to Angelica Boring be \$214,824.49. Trustee Rauber abstained.

**PRIVILEGE OF FLOOR**

Mrs. Geraldine Ammering of Prospect Street addressed the Board to follow up on the petition that was submitted to the Board requesting a stop sign be placed at the intersection of Prospect Street and Parkhurst Drive.

Trustee Rauber responded that the request will be forwarded to the Village Code Review Committee and the Code Review Committee will develop a written response to the request for every resident that signed the petition. The next meeting date for the committee is November 26, 2008.

Mrs. Ammering continued that the Village crews did a great job with Prospect Street with little interruption to the residents' routines. Mrs. Ammering publically thanked Mike Vickery for helping her with her groceries when she could not get into her driveway.

Mr. Fritz Gunther of Big Ridge Road requested that the Village Board consider approving Commonwealth Electrical Inspection Services to perform services inspections within the Spencerport Electric Franchise.

Superintendent McIntee requested that this requested be discussed at the November 19<sup>th</sup> Workshop Meeting.

Trustee Rauber agreed to the request.

Mrs. Joyce Lobene commented that she is familiar with Mr. Gunther and that he does an excellent job with inspections.

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**Sewers Committee** – Trustee Rauber, Chairman

**RESOLUTION NO 64 11/2008**

Introduced by: Trustee Rauber  
Seconded by: Trustee Marello

Resolved, that the Village of Spencerport Board of Trustees hereby approves payment to Randsco Pipeline, Inc. in the amount of \$39,100.58 for contract GS General.

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	Absent

**RESOLUTION NO 65 11/2008**

Introduced by: Trustee Rauber  
Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees hereby approves payment to Schuler-Haas Electric Corp. in the amount of \$4,676.85 for contract PS - Electric.

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	Absent

Trustee Rauber explained the Parkview Center Development to be located at the site of the Krebs Farm on Big Ridge Road. Trustee Rauber further explained that the developers have requested to be allowed to connect their development to the Village sewer system. Trustee Rauber continued that during tonight's workshop session the Sanitary Sewer out of Village Review Committee will convene to review this request.

Trustee Nellis-Ewell questioned if the area near the electric substation has been cleaned up?

Trustee Rauber indicated that Superintendent McIntee will be commenting on this matter during his report.

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

A. Planning

**RESOLUTION NO 66 11/2008**

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

Resolved, that the Village of Spencerport Board of Trustees hereby approves Letter of Credit Release Estimate Number 13 for the Canal Landing Sub-Division in the amount of \$30,201.98 thereby leaving \$126,369.12 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. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Absent

Trustee Rauber explained that LandTech attended the Planning Board meeting last night and review the Parkview Center Development. Trustee Rauber continued that Tim Horton's restaurant received conditional and final approval and that

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Ross Gates of the Galley Restaurant appeared for approval of a sign to be added to his building for the Laugh a Lot newspaper.

B. Zoning

No board action required.

C. Building Control

No board action required.

D. Code Review

No board action required. Code Review Committee met on October 28<sup>th</sup> and will have three (3) laws for public hearing tentatively in December 2008.

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 1.87% (no change from October 2008).

Trustee Nellis-Ewell requested a more in depth finance report by having the Treasurer attend the meetings to review run rates and the status of the budget.

Trustee Rauber commented that he thinks that it is a good idea.

Trustee Hopson indicated that he will discuss this with the Treasurer.

Discussion ensued regarding the budget.

**Facilities Committee** – Trustee Marello, Chairman

A. Electric

**RESOLUTION NO 67 11/2008**

Introduced by: Trustee Marello

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees hereby approves purchasing LED replacement lights for the holiday decorations from the IEEP Fund. Cost not to exceed \$3,000.

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	Absent

**RESOLUTION NO 68 11/2008**

Introduced by: Trustee Marello

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees hereby approves purchasing three solar lighting systems to illuminate the "Welcome to Spencerport" signs on Rt. 259 north and south of the canal and on Rt. 531 west bound from the IEEP Fund. Cost not to exceed attached quotation of 6,670.35.

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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	Absent

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)

No board action required.

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

A. Fire Department

No board action required.

B. Police

No board action required.

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

**RESOLUTION NO 69 11/2008**

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Mareello

Resolved, that the Village of Spencerport Board of Trustees hereby approves promoting Electric Lineman, Mike Meyers to the position of Working Forman effective November 5, 2008. Mr. Meyers' rate of pay will consistent with Village of Spencerport budget allocations.

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	Absent

Trustee Nellis-Ewell commented that she and Clerk Sullivan met and reviewed the job description revisions for the administrative staff.

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

No board action required. Trustee Nellis-Ewell commented that she attended the Association of Mayors dinner in October and thought that the presentation from GRFLPC was excellent. In addition Trustee Nellis Ewell commented that she attended the Reshaping Rochester seminar in October and a seminar regarding franchises that are interested in the western NY market and the Village of Spencerport.

**Village Administrator**

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Position is currently vacant.

**Village Clerk** – Jacqueline Sullivan

**RESOLUTION NO 70 11/2008**

Introduced by: Trustee Rauber  
Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees hereby approves surrendering the attached statement of unpaid taxes. The total amount of the unpaid tax, including accumulated interest, is \$30,028.17.

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	Absent

**RESOLUTION NO 71 11/2008**

Introduced by: Trustee Rauber  
Seconded by: Trustee Hopson

Whereas, the Christmas on the Canal Committee will be having the 13<sup>th</sup> Annual Christmas on the Canal event Sunday, December 7, 2008

Whereas, the committee has requested that Union Street (Rt. 259) between Amity Street and West Avenue be closed to traffic between the hours of 12:30 – 6:30 p.m.

Therefore be it resolved, that the Village of Spencerport Board of Trustees hereby approves of the Christmas on the Canal Event and the closing of Union Street on Sunday, December 7, 2008.

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	Absent

Clerk Sullivan commented on the following items:

- \$41,720 in CHIPS money has been received
- Will be working with NYS DMV regarding driver's license notification
- New IT provider on board

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

Superintendent West commented on the following items:

- Sidewalks are being repaired
- Installation of bike rack and bench purchased by the Canal Days Committee is being installed
- Installing new grates around the trees
- Working with Gollel regarding storm water regulations
- Attended NYCOM
- Dump truck and recycling truck should be received soon

**Superintendent of Electric** – Owen McIntee

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Superintendent McIntee commented on the following items:

- Various small outages
- Pole hit in fire house parking lot
- Routine work being completed
- IEEP Review and initiatives

**Attorney** – Richard J. Olson

Attorney Olson requested executive session to discuss possible litigation items.

**Administrative Committee** – Mayor Walker, Chairman

**RESOLUTION NO 72 11/2008**

Introduced by: Trustee Rauber

Seconded by: Trustee Nellis-Ewell

WHEREAS, the Village applied for and was awarded through a competitive selection process \$55,500 in Federal Highway Administration Metropolitan Planning funds on a reimbursement basis from the Genesee Transportation Council (GTC) to conduct the Spencerport Eastern Village Corridor Study (the Study);

WHEREAS, the Village has committed \$2,000 of its funds to match the Federal Highway Administration Metropolitan Planning funds;

WHEREAS, the Village needs to acquire professional services in order to conduct the Study; and

WHEREAS, the Village publicly advertised for proposals for professional services in the New York State Contract Reporter on **September 8, 2008** and

WHEREAS, the Village received six (6) proposals complying with the requirements of the Request for Proposals; and

WHEREAS, based on their evaluations of the proposals and interviews with the three highest ranked firms, the Village, Town of Ogden, Monroe County, GTC, and the NYS Department of Transportation concluded that the team of SRF & Associates with Ingalls Planning & Design, Steinmetz Planning Group, and Strategic Consulting Associates (the "SRF & Associates team") was best qualified to provide the needed services; and

WHEREAS, the price proposed by the SRF & Associates team to conduct the study is **fifty seven thousand, five hundred** dollars (\$57,500), which is within the available financial resources committed by GTC and the Village;

NOW THEREFORE BE IT RESOLVED, that the Village authorizes the Mayor or his assignee to sign a contract for services with SRF & Associates for fee not to exceed \$57,500 to conduct the Study.

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	Absent

**RESOLUTION NO 73 11/2008**

Introduced by: Trustee Rauber

Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees hereby approves purchasing tax parcel 086.12-3-4.999; Canalside Drive, east end roadway in an amount not to exceed \$600.00.

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	Absent

### **Unfinished Business**

Trustee Rauber commented that progress on the Village Comprehensive Plan continues with Mr. Byham and Mr. Scheg.

Trustee Nellis-Ewell requested that the Board revisit the Veterans Exemptions and make a decision at the November workshop meeting.

### **New Business**

Trustee Rauber thanked Colby Farms for donating the corn stalks for Main Street and Skip Short for his assistance installing them and Trustee Marelo and his family for removing them after Thanksgiving.

### **Bills**

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

General Fund	\$ 75,059.57
Electric Fund	\$ 26,389.05
Sewer Fund	\$ 24,709.59
Trust Fund	\$ 0
Capital Fund	<u>\$300,602.22</u>
<b>TOTAL:</b>	<b>\$426,760.43</b>

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

### **Adjournment**

Motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried unanimously that the regular meeting be adjourned to executive session to discuss litigation matters at 8:55 p.m.

Motion was made by Trustee Rauber, seconded by Trustee Hopson and carried unanimously that the executive session be adjourned to regular meeting at 9:30 p.m.

### **RESOLUTION NO 74 11/2008**

Introduced by: Trustee Rauber

Seconded by: Trustee Hopson

WHEREAS, the Parkview Center Development has applied to enter into the Village of Spencerport sanitary sewer collection system, and

WHEREAS, the Sanitary Sewer out of Village Review Committee has met and recommended to the Village Board that the Parkview Center Development be allowed to enter into the Village of Spencerport sanitary sewer collection system to be charged per the current fee schedule of \$5,000 per regular unit and \$\$3,750 per senior citizen unit.

NOW THEREFORE BE IT RESOLVED, that the Village authorizes the entrance of Parkview Development into the Village of Spencerport sanitary sewer collection system.

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	Absent

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Motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried unanimously that the regular meeting be adjourned at 9:45 p.m.