

**VILLAGE BOARD MEETING**  
**March 4, 2009**

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

The Pledge of Allegiance was led by Mayor Walker

**BOARD MEMBERS PRESENT**

Theodore E. Walker, Mayor

Carol J. Nellis-Ewell, Trustee

Charles R. Hopson, Trustee

**BOARD MEMBERS ABSENT**

Theodore E. Rauber, Trustee

John R. Marello, Trustee

**OTHERS PRESENT**

Richard Olson, Village Attorney

Owen McIntee, Superintendent of Electric Department

Jackie Sullivan, Village Clerk

Tom West, DPW Superintendent

Joan Quigley, Maplewood Avenue

Joyce Lobene, Hillcrest

Joanie and Shawn Rogers, Village Walk

Jim and Dorothy Green, Coleman Avenue

Participation in Government Students (5)

**APPROVAL OF MINUTES**

A motion was made by Mayor Walker, seconded by Trustee Hopson and carried that the minutes of the February 4, 2009, Village Board meeting be accepted as read.

A motion was made by Mayor Walker, seconded by Trustee Nellis-Ewell and carried that the minutes of the February 18, 2009 workshop meeting be accepted as read.

A motion was made by Mayor Walker, seconded by Trustee Nellis-Ewell and carried that the minutes of the February 25, 2009 workshop meeting be accepted as read.

**PRIVILEGE OF FLOOR**

**PUBLIC HEARING**

Mayor Walker opened the public hearing at 7:03 p.m.

Mayor Walker explained the methods that the Village employed to collect sewer charges in the past.

Mayor Walker further explained that the Village of Spencerport will now be administering sewer charges based on a water consumption and unit model used by Monroe County. Mayor Walker further explained the breakdown between operation and maintenance charges and capital charges/debt service and how final sewer charges are derived from the residents' water consumption.

Mr. Green questioned length of the contract for wastewater treatment.

Mayor Walker explained that Monroe County has now resumed responsibility for treating the Village's wastewater.

Mr. Green questioned as to the location of the pump station.

Village Board  
March 4, 2009

Mayor Walker responded that the pump station is location at the site of the former wastewater treatment plant on Big Ridge Road.

Mayor Walker closed the public hearing at 7:09 p.m.

**Sewers Committee** – Trustee Rauber, Chairman

**RESOLUTION NO 104 3/2009**

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees herby authorizes payment in the amount of \$11,381.15 to Siewert Equipment Company for the PS-Pumps Contract.

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

Mayor Walker indicated that another payment request will be received from Siewert Equipment in the amount of \$11,381.15 to finish the contract.

Mayor Walker explained that the project is nearly complete except for the boring under the canal.

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

A. Planning

**RESOLUTION NO 105 3/2009**

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees herby approves the Mayor's recommendation to re-appoint the following Planning Board Member to a five (5) year term ending March 31, 2014.

Joseph Slominski  
218 Hilltop Lane  
Spencerport, NY 14559

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

Mayor Walker commented that the Planning Board met to review a plan from Taste of Texas for an addition to their building and met with a developer to enlarge a property on Martha Street from a two unit to a four unit dwelling. The property on Martha Street may require re-zoning.

B. Zoning

Village Board  
March 4, 2009

**RESOLUTION NO 106 3/2009**

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees hereby approves the Mayor's recommendation to re-appoint the following Zoning Board of Appeals Members to a five (5) year term ending March 31, 2014.

John Dole  
90 Maplewood Avenue  
Spencerport, NY 14559

Barbara Strine  
59 Hawthorne Drive  
Spencerport, NY 14559

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

C. Building Control

No board action required.

D. Code Review

No board action required.

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 1.00% (down from February 2009).

Trustee Hopson reviewed the details of the budget transfers.

**RESOLUTION NO 107 3/2009**

Introduced by: Trustee Hopson  
Seconded by: Trustee Nellis Ewell

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

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

Trustee Nellis-Ewell questioned as to the reasons why the transfer to the engineering-construction observation account was so high.

Village Board  
March 4, 2009

Trustee Hopson responded that it was due to the Gollel project not reimbursing the Village for services provided

**Facilities Committee** – Trustee Marello, Chairman

A. Electric

No board action required.

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 Marello, Chairman

A. Fire Department

No board action required.

B. Police

No board action required.

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

**RESOLUTION NO 108 3/2009**

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees hereby approves the addition of a Transitional Duty policy to the employee handbook.

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 109 3/2009**

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees hereby approves the addition of a Pre-Employment Physical policy to the employee handbook.

Vote of the Board:	Theodore E. Rauber, Trustee	Absent
--------------------	-----------------------------	--------

Village Board  
March 4, 2009

Carol J. Nellis-Ewell, Trustee	Aye
Charles R. Hopson, Trustee	Aye
John R. Mareello, Trustee	Absent
Theodore E. Walker, Mayor	Aye

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

No board action required.

Trustee Nellis-Ewell commented that at the Chamber of Commerce meeting Joyce Lobene, President of the Chamber of Commerce announced that she and the Chamber are coordinating a “why not open your own business” seminar on May 21<sup>st</sup> from 7-9 p.m. at the Spencerport Exempts Club and that organizations from Brockport and Monroe County will be helping to facilitate this event along with M&T Bank and various business members.

**Village Administrator**

Position is currently vacant.

**Village Clerk** – Jacqueline Sullivan

Clerk Sullivan commented on the following items:

- Completed transitional duty and pre-employment physical policy as a result of suggestions from PERMA our workers compensation company to ensure that we receive the maximum discounts on our insurance.
- Following up on electric department’s insurance claims.

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

Superintendent West commented on the following items:

- Will be attending advocacy day in Albany for DPW Superintendents and that the outlook on Chips money is improving.
- Perma corrections for DPW have been reduced year over year.
- OSHA and CPR training has been taking place.
- Chain saw safety class during the month.
- Required hearing tests for all DPW staff will be conducted.
- Storm water maintenance and control will be strictly enforced at the Gollel project this year.
- Cost negotiations are ongoing for the replacement roof for building #1 and re-skinning of building #5 by using DPW staff for labor.
- Scale system on refuse truck is working well.
- Mechanical issues with the garbage truck are being addressed.
- Online meeting with SEMS technologies regarding asset management and work order programs.
- Work continues to obtain permits for sidewalks on Union Street south of Brockport Spencerport Road.
- Utility work will be taking place at the Tim Horton’s site.

Trustee Nellis-Ewell asked Superintendent to inform the public as to the meaning of CHIPS.

Superintendent West responded that it is the Capital Highway Improvement Program. The program is funded through the gas taxes.

Mrs. Quigley questioned the stake out flags at the corner of Martha Street and Amity Street.

Superintendent West responded that a sewer has collapsed in that area that will be repaired this week.

NYS paving of Union St this summer was discusses

Village Board  
March 4, 2009

Mrs. Rogers asked if traffic will be rerouted into the Village Walk neighborhood.

Superintendent West responded that he expects that flagmen will be used to keep traffic flowing on Union St. He will make sure that rerouting does not occur though residential neighborhoods.

Mayor Walker asked if time duration for the Street paving had been determined.

Superintendent West responded that the project should last approximately two weeks.

**Superintendent of Electric** – Owen McIntee

**RESOLUTION NO 110 3/2009**

Introduced by: Mayor Walker

Seconded by: Trustee Nellis-Ewell

Resolved, that the Village of Spencerport Board of Trustees hereby awards the bid for Electronic Electric Meters and interrogation devices to Gottogo Electric, Inc. 7865 East Main Street, LeRoy, NY 14482 in the amount of \$76,060. This was the only bid received.

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

Mayor Walker indicated that payment for the new electronic meters will be paid for from the IEEP funds.

Superintendent McIntee commented on the following items:

- Electronic meters will arrive in about 4-6 weeks and in that time a plan will be put together for installation. The reason for this change is that the mechanical meters are not as efficient as the electronic meters. 1200 residential meters will be changed in 2009, 1200 in 2010 and the remaining in 2011.
- No section outages reported in the last month.
- Working with Village Clerk regarding insurance collections.
- Safety and training programs will commence in April.
- Routine maintenance in the area of Parkhurst Drive.
- Unity Health Development is on track to start in April.
- Decorative lighting layout for Lyell Avenue will start.
- Attended an energy conservation meeting sponsored by the New York Power Authority.
- Working with BOCES regarding an energy audit to identify areas for savings.
- Working with Clerk Sullivan regarding informing the public of energy saving ideas.
- Lighting upgrade at the DPW is complete.
- Join pole payment has been received from Frontier.

A resident questioned as to the time line of the meter changes.

Superintendent McIntee responded that completion is scheduled for early summer

**Attorney** – Richard J. Olson

**RESOLUTION 111 3/2009**

At a regular meeting of the Village Board of the Village of Spencerport held at the Village Hall, 27 West Avenue, Spencerport, New York on March 4, 2009

Village Board  
March 4, 2009

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

**RESOLUTION ADOPTING LOCAL LAW**

**Whereas**, the Village Board has before it a Local Law entitled "A **Local Law to Establish Annual Charges for Sanitary Sewers**" which, if adopted, will amend Chapter 104 of the Village Code "SEWERS" and change the method and procedures for computing sewer and capital fees; and

**Whereas**, the changes in this Local Law are the result of the elimination of the Village of Spencerport Sewage treatment plant and construction of a regional pumping station and force main in cooperation with the County of Monroe; and

**Whereas**, the Village Board has, on this date, held a public hearing to consider said proposed Local Law; and

**Whereas**, this Board adopted a Negative SEQRA Resolution for the construction of the regional pump station and force main on May 3, 2006; and

**Whereas**, this local law action is a "Type II" action under the State Environmental Quality Review Act and 6NYCRR615.5(c)(20 & 27) and not subject to review pursuant to SEQRA; and

**Whereas**, the notice of this hearing was duly published and posted as required by law;

**Now, therefore, be it resolved:**

**Section 1.** That the Village Board of the Village of Spencerport hereby enacts Local Law #1-2009 " **A Local Law to Establish Annual Charges for Sanitary Sewers**" .

**Section 2.** That the Village Clerk is ordered to publish a legal notice indicating the adoption of this Local Law as required by law and to file a copy of this Local Law with New York State as required by law.

**Section 3.** That this Local Law shall take effect as provided by law.

**Section 4.** That this resolution shall take effect immediately.

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 112 3/2009**

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the Cricket Communication co-location lease on the communications tower located at 500West Avenue, Spencerport, NY.

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 113 3/2009**

Village Board  
March 4, 2009

Introduced by: Mayor Walker  
Seconded by: Trustee Hopson

Resolved, that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign amendment #2 for the Monroe County Inter-municipal Agreement regarding to the ownership of the waste water pump station.

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

**Administrative Committee** – Mayor Walker, Chairman

Mayor Walker commented about the work that is being done with the Town of Ogden and an Eagle Scout to develop a trail head in the Village Plaza near the stairs in the back of the plaza to identify the trolley bed as a pedestrian and bike trial.

**RESOLUTION NO 114 3/2009**

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

Resolved, that the Village of Spencerport Board of Trustees hereby approves attendance at the 2009 Main Street Economic Development Conference Thursday, April 30, 2009 in Canandaigua, NY by any Village, Planning, Zoning Board or Support Staff Member.

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

Mayor Walker reminded the Village Board and public of the East Avenue public information meeting on Monday, March 16 from 7-9 p.m. at the Spencerport Exempts Club. This meeting will bring together a presentation of the status of the study and preliminary ideas for the area.

Mayor Walker encouraged all to attend.

Mayor Walker commented that work continues with the Town of Ogden regarding the changes in the FEMA map and informed the public that if they live near a stream that reviewing the FEMA map would help them to understand if they are required to have flood insurance.

Mayor Walker informed the public that the budget process for the 2009/2010 fiscal budget is ongoing with a public hearing scheduled for April 1, 2009.

**Unfinished Business**

**New Business**

**Bills**

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

General Fund	\$ 68,359.45
--------------	--------------



Village Board  
March 4, 2009

Electric Fund	\$ 14,384.32
Sewer Fund	\$ 14,515.03
Trust Fund	\$ 0
Capital Fund	<u>\$ 40,128.36</u>
<b>TOTAL:</b>	<b>\$137,387.16</b>

Motion was made by Mayor Walker, seconded by Trustee Nellis-Ewell and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, March 2009 be approved as audited.

### **Adjournment**

Motion was made by Mayor Walker, seconded by Trustee Hopson and carried unanimously that the regular meeting be adjourned to workshop at 8:23 p.m.

Motion was made by Mayor Walker, seconded by Trustee Hopson and carried unanimously that the workshop be adjourned at 10:30 p.m.