

**VILLAGE BOARD WORKSHOP MEETING  
May 20, 2009**

**CALL TO ORDER:** 5:00 p.m.

**BOARD MEMBERS PRESENT**

Joyce Lobene, Mayor  
Theodore E. Rauber, Trustee  
Carol J. Nellis-Ewell, Trustee  
Charles R. Hopson, Trustee  
Fritz Gunther, Trustee

**BOARD MEMBERS ABSENT**

**Others Present**

Kevin Kelly, Code Enforcement Officer  
Owen McIntee, Electric Superintendent  
Jackie Sullivan, Village Clerk – departed at 7:30 p.m.  
Tom West, DPW Superintendent – arrived at 6:30 p.m.  
Richard Olson, Attorney  
Brian Baty, Insurance Consultant

**BI/FM/CE – Monthly Report**

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

- Chellango's is open
- Drainage work continues at 42 Nichols street
- Lakeside urgent care facility to open in 2 weeks
- No addition at Taste of Texas
- Tom and Nancy's building to be torn down and rebuilt

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

- Letters to residents to maintain properties have been mailed
- 2<sup>nd</sup> letter has been sent to the Zarpentine Family
- Code Review Committee has met
- Attended seminar on commercial kitchens
- Completed walk through of new fire house
- Completed fire inspection of Chellangos
- Continues to work with St. John's, 84 Union Street and CSX for various code issues

**Attorney – Monthly Report**

Attorney Olson requested executive session

A motion was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously that the meeting be adjourned to executive session at 5:30 p.m. to discuss litigation items.

A motion was made by Trustee Rauber, seconded by Mayor Lobene and carried unanimously that the executive session be adjourned to workshop at 6:30 p.m.

The following official action took place:

**RESOLUTION NO 154 5/2009**

Introduced by: Trustee Rauber

Seconded by: Trustee Gunther

Resolved, that the Village of Spencerport Board of Trustees, authorizes Attorney Olson to write a letter to Mr. Gollel regarding rebuilding the pump station located on Ballard Avenue by July 1, 2009 to be compliant with provisions of the Canal Landing Subdivision final approvals.

|                    |                                |     |
|--------------------|--------------------------------|-----|
| Vote of the Board: | Theodore E. Rauber, Trustee    | Aye |
|                    | Carol J. Nellis-Ewell, Trustee | Aye |
|                    | Charles R. Hopson, Trustee     | Aye |
|                    | Fritz Gunther, Trustee         | Aye |
|                    | Mayor Joyce Lobene, Mayor      | Aye |

**RESOLUTION NO 155 5/2009**

Introduced by: Trustee Rauber  
Seconded by: Trustee Gunther

Resolved, that the Village of Spencerport Board of Trustees, based on recommendation from Richard Olson, Village Attorney hereby modifies Resolution 58 9/2008 not to include the pump station but payment for street signs located with the Erie View Landing Development will be paid by the developer.

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| Vote of the Board: | Theodore E. Rauber, Trustee    | Aye |
|                    | Carol J. Nellis-Ewell, Trustee | Aye |
|                    | Charles R. Hopson, Trustee     | Aye |
|                    | Fritz Gunther, Trustee         | Aye |
|                    | Mayor Joyce Lobene, Mayor      | Aye |

**RESOLUTION NO 156 5/2009**

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

Resolved, that the Village of Spencerport Board of Trustees hereby accepts 1<sup>st</sup> Niagara Risk Management, Inc. bid for liability, auto, public officials and umbrella insurance in the amount of \$47,244 with terms of 50% payment at signing and 50% payment in December 2009.

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| Vote of the Board: | Theodore E. Rauber, Trustee    | Aye |
|                    | Carol J. Nellis-Ewell, Trustee | Aye |
|                    | Charles R. Hopson, Trustee     | Aye |
|                    | Fritz Gunther, Trustee         | Aye |
|                    | Mayor Joyce Lobene, Mayor      | Aye |

**RESOLUTION NO 157 5/2009**

Introduced by: Mayor Lobene  
Seconded by: Trustee Hopson

Be it Resolved, that the Board of Trustees of the Village of Spencerport approves contracting with Raymond F. Wager, CPA firm to complete the bookkeeping and year end financial reports for the General, Sewer, Electric, Trust and Payroll accounts through May 31, 2009 at a rate of \$60 per hour.

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| Vote of the Board: | Theodore E. Rauber, Trustee    | Aye |
|                    | Carol J. Nellis-Ewell, Trustee | Aye |
|                    | Charles R. Hopson, Trustee     | Aye |
|                    | Fritz Gunther, Trustee         | Aye |

Mayor Joyce Lobene, Mayor Aye

**RESOLUTION NO 158 5/2009**

Introduced by: Mayor Lobene  
Seconded by: Trustee Gunther

Be it Resolved, that the Board of Trustees of the Village of Spencerport approves Mayor Lobene's recommendation to appoint Pamela Gilbert as Deputy Clerk contingent upon successful completion of a six (6) month probationary period. This positions starting hourly salary will be \$15.82/hr. After a successful probationary period the hourly salary will be raised to \$16.82/hr.

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| Vote of the Board: | Theodore E. Rauber, Trustee    | Aye |
|                    | Carol J. Nellis-Ewell, Trustee | Aye |
|                    | Charles R. Hopson, Trustee     | Aye |
|                    | Fritz Gunther, Trustee         | Aye |
|                    | Mayor Joyce Lobene, Mayor      | Aye |

**RESOLUTION NO 159 5/2009**

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

WHEREAS, the Village of Spencerport has been identified as a Municipal Separate Storm Sewer System (MS4) under the EPA's Phase II Stormwater Regulations under the Clean Water Act of 1999, and

WHEREAS, the Phase II Program requires each MS4 to prepare a Draft Annual Report on the Village's efforts to protect and improve the water quality of our streams and water bodies, and

WHEREAS, the public is invited to review the Draft Annual Report and provide input, and

WHEREAS, a Draft Annual Report has been prepared in conformance with the Phase II Regulations by the Public Works Department, and

WHEREAS, the Annual Report must be submitted the New York State Department of Environmental Conservation offices in Albany, NY by June 1, 2009,

NOW, THEREFORE, BE IT RESOLVED, that the Town/Village Board accepts said Draft Annual Report and is available for public review at the Town Hall, Community Library, and the Highway Department,

BE IT FURTHER RESOLVED, that all comments on the Draft Annual Report will be incorporated into the Final Annual Report to the NYSDEC.

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|--------------------|--------------------------------|-----|
| Vote of the Board: | Theodore E. Rauber, Trustee    | Aye |
|                    | Carol J. Nellis-Ewell, Trustee | Aye |
|                    | Charles R. Hopson, Trustee     | Aye |
|                    | Fritz Gunther, Trustee         | Aye |
|                    | Mayor Joyce Lobene, Mayor      | Aye |

**RESOLUTION NO 160 5/2009**

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

Be it Resolved, that the Board of Trustees of the Village of Spencerport approves conducting public hearings on Wednesday, June 3, 2009 at 7:00 p.m. to consider adoption of introductory local laws

2/2009 – “A Local Law providing for the regulation of on-street parking during the snow season”

3/2009 – “A Local Law providing for the repair or removal of dangerous buildings and collapsed structures”

4/2009 – “A Local Law providing for the regulation of garage sales and casual sales of personal property”

5/2009 – “A Local Law providing for the regulation of certain animals 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 |
|                    | Fritz Gunther, Trustee         | Aye |
|                    | Mayor Joyce Lobene, Mayor      | Aye |

Adjournment

Motion was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously that the meeting be adjourned at 8:45 p.m.