

VILLAGE BOARD MEETING
July 1, 2009

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Mayor Lobene

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor
Theodore E. Rauber, Trustee
Carol J. Nellis-Ewell, Trustee

Fritz Gunther, Trustee

BOARD MEMBERS ABSENT

Charles R. Hopson, Trustee

OTHERS PRESENT

Karen Kimbler, Treasurer
Richard Olson, Village Attorney
Owen McIntee, Superintendent of Electric Department
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent
Joan Quigley, Maplewood Avenue
Mike Kinney, Prospect Street
Geraldine Ammering, Prospect Street

APPROVAL OF MINUTES

A motion was made by Trustee Rauber, seconded by Trustee Gunther and carried that the minutes of the regular meeting held June 3, 2009 be approved as read.

A motion was made by Trustee Gunther, seconded by Trustee Nellis-Ewell and carried that the minutes of the workshop meeting held June 17, 2009 be approve as read.

Public Hearings

Mayor Lobene opened the public hearing for Local Law 6/2009 at 7:05 p.m.

Mayor Lobene explained that due to a petition being submitted to the Village Board by the residents of Prospect Street requesting a stop sign at Parkhurst Drive and Prospect Street.

Mrs. Ammering explained that people using Prospect Street as a "through street" drive very fast and the residents felt that a stop sign would slow them down.

Mayor Lobene closed the public hearing at 7:07 p.m.

Trustee Rauber indicated that he is happy that this issue is being resolved.

Trustee Gunther and Mayor Lobene agreed that the stop sign is a good idea.

PRIVILEGE OF FLOOR

Mrs. Quigley asked Superintendent West if a stop sign should be installed in the parking lot behind Abbots to East Avenue.

Superintendent West responded that there has never been a stop sign there.

Mrs. Quigley continued that it is a bit dangerous. Mrs. Quigley asked if the cross walk lines could be green so that the signs could be removed.

Superintendent West indicated that NYS would have to determine if the cross walk lines could be green.

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Mrs. Quigley asked if the merchants could be asked to pick up outside of their businesses to help keep the Village looking nice.

Sewers Committee – Trustee Rauber, Chair

Trustee Rauber indicated that a kick off meeting was done with MRB to starting getting ready for the boring under the canal to take place in November of this year. Trustee Rauber continued that this attempt will be an open bore method to determine what is blocking the head of the drill and to complete the crossing. In addition a meeting with the contractor was accomplished to review the scope of work.

Trustee Rauber informed the Board that the conditions of the sewers on Prospect are in need of repair. The cost of the repair will be funded from the sewer reserve fund.

RESOLUTION NO 17 7/2009

Introduced by: Trustee Rauber

Seconded by: Trustee Nellis-Ewell

Whereas, the Village of Spencerport previously established a capital reserve fund know as “Sewer Fund Capital Reserve” pursuant to the provisions of Section 6-c of the General Municipal Law for the purpose of financing the cost of reconstruction or betterment of any Village owned assets and also to finance the cost of construction or acquisition of any buildings, equipment or other items deemed necessary by the Village Board and

Whereas, the Village Board of Trustees of the Village of Spencerport deems it necessary to expend an amount not to exceed \$45,000 for the purpose of repairing a portion of the sanitary sewer on Prospect Street.

NOW THEREFORE BE IT RESOLVED:

That the Village Treasurer be and is hereby directed to remove from the Sewer Fund Capital Reserve Fund an amount not to exceed \$45,000 for payment of repairing a portion of the sanitary sewer on Prospect Street.

This resolution is adopted subject to permissive referendum.

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

Planning/Zoning/Building Control – Trustee Nellis-Ewell, Chairman

A. Planning

No Board action required.

B. Zoning

Trustee Nellis-Ewell indicated that she has more information regarding the proposed building at 57/59 West Avenue. Trustee Nellis-Ewell asked that discussion on this project be done at a workshop meeting.

Mayor Lobene explained the proposed project and the need for the Village Board to rezoning the area from R2 to R3 to accommodate for two units to be added to the dwelling at 57/59 West Avenue.

Mayor Lobene indicated, that she will recues herself from any decisions made on this property

C. Building Control

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D. Code Review

Trustee Nellis-Ewell indicated that the next meeting is July 9th at 1:30 p.m.

E. Architectural Review

Finance Committee – Trustee Hopson, Chairman

Mayor Lobene acknowledged that the June interest rate for the HSBC Insured Municipal Money Market to be at .6% up from the previous month.

RESOLUTION NO 18 7/2009

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Gunther

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves the attached budget transfers for fiscal year end 2008/2009.

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

Discussion ensued regarding the various transfers.

Facilities Committee – Trustee Hopson, Chairman

A. Electric

RESOLUTION NO 19 7/2009

Introduced by: Mayor Lobene

Seconded by: Trustee Rauber

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves Burchcrest Tree Service to perform the removal of a tree on Union Street in the amount of \$990.

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

B. Other (Drainage, Franchise)

No board action required.

Public Works Committee – Trustee Rauber, Chairman

A. Highways/Garage

No Board action required.

B. Public Services (Refuse, Recycling, Parks)

No Board action required.

Public Safety Committee – Trustee Gunther, Chairman

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A. Fire Department

No Board action required.

Mayor Lobene announced that the Fire Department has moved into their new building.

B. Police

No Board action required.

Human Resources Committee – Trustee Gunther, Chairman

No Board action required.

Economic Development Committee – Mayor Lobene, Chairman

Mayor Lobene informed the Board that there is a new owner of the florist. Morgan Management will be at the next ARB meeting to present their new sign for the plaza.

Trustee Nellis-Ewell asked for discussion regarding the bicycle lane on Union Street between the RR Bridge and Canal Bridge.

Mayor Lobene explained the proposed project and that the Board felt that the proposed area is too narrow. Mayor Lobene continued that she received an invoice from SRF for the planning work done for the lane. Mayor Lobene indicated that she will be debating the invoice.

Green Initiatives (trails, trees, misc.)– Trustee Nellis-Ewell, Chairman

Trustee Nellis-Ewell commented on the Parks and Trails E-News having opportunities for funding for trails and that there might be a potential project for an intern.

Trustee Nellis-Ewell indicated that she continues to work towards a green plan for the Village of Spencerport and should have a draft available for the next workshop meeting.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan requested executive session to discuss a personnel issue.

Clerk Sullivan indicated that she is happy to announce that the office is fully staffed and running smoothly. Karen Kimbler is working hard to get her arms around the treasurer's duties and Pam Gilbert is working hard in the electric billing department. Pam was able to get a complete billing out and is now working on the meter exchange program and collecting on past due accounts.

Mayor Lobene commented that it is nice to hear Pam's voice welcoming customers into the office.

Superintendent of Public Works – Thomas M. West

Superintendent West commented on the following items:

- Potential to purchase a speed measuring device at a discounted price between \$2500 and \$3500 from Northern Supply.
- Prospect Street sewer work will be starting next Thursday, July 9th. Because the Village is completing a portion of the project a \$20,000 saving will be realized.
- Hillside Drive is nearing completion and milling & paving will take place late August.
- Union Street is on schedule but work will not be done during Canal Days.
- Bulk pick-up is next week.
- Contract will be signed this week to discard the brush pile
- Work continues to have Gollel to rebuild the pump station on Ballard Avenue.

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- Thanked Karen for her help with the budget transfers.

Superintendent of Electric – Owen McIntee

- One outage reported last Thursday in the Meadow Drive area
- RG&E announced rebates for purchasing gas appliances and will incorporate information into the power to save program.
- Meter exchange program continues.
- Thanked Pam and Karen for all of their hard work.
- Pole replacements are taking place on Union Street to make ready for the new Unity Health Facility on Union Street and Big Ridge Road.
- Fibertech requested placement of their lines on our utility poles.
- PSC service charges will be added on the electric bills.

Attorney – Richard J. Olson

No Board action required.

Attorney Olson commented that work continues with the customer on Ogden Parma TL RD and other areas that are served by SME but are in RG&E's area.

Administrative Committee – Mayor Lobene, Chairman

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 July 1, 2009

RESOLUTION 20 7/2009

Introduced by: Mayor Lobene
Seconded by: Trustee Gunther

ADOPTING LOCAL LAW 4/2009

Whereas, the Village Board has before it a Local Law entitled "**A Local Law to Establish Stop Signs at the Intersection of Prospect Street and Parkhurst Drive in The Village of Spencerport**" which, if adopted, will amend Schedule IX of Section 130-44 of the Village Code "STOP SIGNS" and establish stop signs on Prospect Street, Northbound at Parkhurst Drive and Southbound on Prospect Street, at Parkhurst Drive; and

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

Whereas, this action is a "Type II" action under the State Environmental Quality Review Act and 6NYCRR615.5(c)(16) 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 #4/2009 "A Local Law to Establish Stop Signs at the Intersection of Prospect Street and Parkhurst Drive in The Village of Spencerport"

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 Aye
Carol J. Nellis-Ewell, Trustee Aye

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Charles R. Hopson, Trustee	Absent
Fritz Gunther, Trustee	Aye
Joyce Lobene, Mayor	Aye

RESOLUTION NO 21 7/2009

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

Resolved that the Board of Trustees of the Village of Spencerport hereby approves attendance by any planning or zoning board member to the NYCOM Planning and Zoning Summer School Friday, August 7, 2009 at Erie Community Collage. Cost not to exceed \$70 per person.

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

Mayor Lobene has talked to SRF regarding the East Avenue Study and the team from SRF indicated that the Draft Final Report will be ready and distributed for comments after July 4th.

Trustee Rauber commented that the Village Board may want to consider establishing a matching grant fund.

Unfinished Business

Trustee Nellis-Ewell commented that she respects the work that the Governor does and we should give him the benefit of the doubt.

Mrs. Quigley asked if any decision had been made regarding garage sales.

Mayor Lobene responded that a decision had not been made.

Trustee Nellis-Ewell commented that she appreciated the comments during the public hearing and that work will be done to the garage sale code to make it more appropriate.

New Business

Trustee Rauber commented that he and Trustee Nellis-Ewell attended a ribbon cutting at the Lakeside Hospital Urgent Care Center at 42 Nichols Street.

Trustee Nellis-Ewell thanked Superintendent McIntee for his help with the electric service for the urgent care facility.

Trustee Rauber announced that the Spencerport Depot and Canal Museum received an honorable mention for the Erie Canalway Heritage Award of Excellence. This application was submitted by Historian Carol Coburn with assistance from Clerk Sullivan.

Mayor Lobene commented that she spoke to the 4th graders at Canalview School and had a great experience.

Bills

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

General Fund	\$ 66,757.37
Electric Fund	\$ 57,539.29
Sewer Fund	\$ 23,900.78
Trust Fund	\$ 0
Capital Fund	\$ _____

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TOTAL: \$ 148,197.41

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, July 2009 be approved as audited.

Adjournment

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the regular meeting be adjourned to executive session to discuss personnel issues at 8:20 p.m.

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the executive session be adjourned to workshop session at 9:00 p.m.

Motion was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously that the workshop session be adjourned at 9:00 p.m.