

VILLAGE BOARD MEETING
September 2, 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
Charles R. Hopson, Trustee
Fritz Gunther, 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
Robert Garlick, Nichols Street
Andy and Cathi Squire, Pinecrest Drive

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried unanimously that the minutes of the regular meeting held August 5, 2009 be approved as read.

There was no workshop meeting held during the month of August.

PRIVILEGE OF FLOOR

Mr. Squire requested privilege of the floor to discuss the location of the storm and sanitary sewers in his yard.

Mr. Squire commented that when the lot directly west of his property was developed a field change was made relocating the storm and sanitary sewer from the lot line to the east further into the Squire's property but within the easement granted to the Village of Spencerport for utilities.

Mr. Squire acknowledged that the sewer is located within the utility easement granted to the Village of Spencerport however, Mr. Squire feels that because the sewer is no longer located on the lot line the lateral sewer connection for the property directly located to the west is trespassing on his property. Mr. Squire further commented that the utility easement is granted to the Village not the neighbors to the west who own the sewer lateral.

Mr. Robert Garlick made additional contributions to Mr. Squire's presentation by sighting several comments from various Planning Board meetings indicating that a lateral connection to the sewer are not to trespass other properties without an easement.

Mr. Squire's closing comments is that he would like the sewer structure moved to the property line or the neighbors to the west are required to request an easement from Mr. Squire for their sewer lateral.

The Village Board of Trustees thanked Mr. Squire and Mr. Garlick for their comments and would be in touch with them by mid October.

Sewers Committee – Trustee Rauber, Chair

Trustee Rauber commented that no action is required at this time. Trustee Rauber indicated that he and Mayor Lobene have met with Angelica Boring to determine the process of the bore under the canal and coordinating the funds for this part of the project. A meeting will be scheduled to review the process and a path forward.

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

A. Planning

Trustee Nellis-Ewell commented that the Spencerport Insurance plan for 117 S. Union Street was approved and all questions and concerns were approved and the project will be moving forward.

Mayor Lobene recommended that Karen Fien of 75 Clark Street, Spencerport, NY be appointed as an alternate member of the Village of Spencerport Planning Board.

RESOLUTION NO 44 9/2009

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Hopson

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves the Mayor's appointment of Karen Fien, 75 Clark Street, Spencerport, NY as an alternate member to the Planning Board.

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

Mayor Lobene commented that the Planning Board has been without an alternate for several months and that Ms. Fien is a welcomed addition.

B. Architectural Review

Trustee Nellis-Ewell indicated that the ARB approved the plan for the building to be located at 117 S. Union Street.

C. Zoning

Mayor Lobene recommended that Paul Lane, 322 Village Walk Circle, Spencerport, NY be appointed as a member of the Village of Spencerport Zoning Board of Appeals. His term is to expire September 30, 2011 and he will fill Barb Strine's vacancy and fulfill her term.

RESOLUTION NO 45 9/2009

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Rauber

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves the Mayor's appointment of Paul Lane, 322 Village Walk Circle, Spencerport, NY as a member of the Zoning Board of Appeals. His term is to expire September 30, 2011.

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

Trustee Nellis-Ewell commented that the Zoning Board granted approval for a reduced number of parking spaces and excessive lot coverage for the project at 117 S. Union Street.

D. Building Control

E. Code Review

RESOLUTION NO 46 9/2009

Introduced by: Trustee Nellis-Ewell

Seconded by: Mayor Lobene

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves conducting a public hearing on Wednesday, October 7, 2009 at 7:00 p.m. regarding introductory local law 8/2009 providing for the prohibition of pawnshops and collateral loan brokerages in certain districts 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
	Joyce Lobene, Mayor	Aye

Trustee Rauber commented that a special crew was needed to be called to clean up a site that had needles and razor blades discarded at the former tattoo/piercing studio located in the Masonic Temple Building. Trustee Rauber indicated that in the future the Board may want to take into consideration some regulations on properties that use biohazards materials.

Trustee Nellis-Ewell commented that work is being done to update a site plan law and the next meeting is scheduled for September 10th.

Finance Committee – Trustee Hopson, Chair

Trustee Hopson acknowledge receipt of monthly-consolidated investment; HSBC Insured Municipal Money Market at .6 % no change from the previous month.

Facilities Committee – Trustee Hopson, Chair

A. Electric

Trustee Hopson indicated that he meets with Superintendent McIntee regularly.

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Rauber, Chair

A. Highways/Garage

Trustee Rauber commented that he toured the area of Prospect Street and Noble Drive and that crews are doing excellent work on the rebuilding of those roads.

Mayor Lobene commented that the residents appreciate the work that DPW and Electric crews do.

Trustee Gunther commented that the work being done on Prospect Street and Noble Drive is extremely interesting.

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Gunther, Chair

A. Fire Department

Trustee Gunther commented that invitations have been sent out for the September 13th dedication of the new firehouse. Trustee Gunther continued that he is attending monthly fire department meetings and is gaining additional knowledge of the operations of the department.

Trustee Nellis-Ewell questioned what are fire department issues?

Trustee Gunther commented that the fire department’s biggest issue is the health of the Spencerport Ambulance and that their service is crucial to the Village.

B. Police

Discussion ensued regarding automobile break-ins.

Human Resources Committee – Trustee Gunther, Chair

Trustee Gunther indicated no Board action is required at this time.

Economic Development Committee – Mayor Lobene, Chair

Mayor Lobene commented that the plaza owners are working on viable tenants and that the Chamber of Commerce has six new members.

Trustee Hopson commented that the new owners of the Barber Shop are thrilled that they moved to Spencerport.

Green Initiatives – Trustee Nellis-Ewell, Chair

Trustee Nellis-Ewell commented that we continue to work on a phased Green plan with the public works and electric department.

Village Clerk – Jackie Sullivan

RESOLUTION NO 47 9/2009

Introduced by: Mayor Lobene
Seconded by: Trustee Hopson

Resolved, that the Board of Trustees of the Village of Spencerport hereby approves the installation of two replacement antennas by Verizon Wireless on the Water Tower located off Nicole Drive.

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

Treasurer Kimbler commented that year end 2009 was favorable in all funds due to control on expenditures.

Trustee Rauber confirmed that the Village started 2010 fiscal year with \$1.2 million.

Treasurer Kimbler commented that 95% of the taxes have been collected, electric revenues are down 20% but the cost of electricity is down 37% for the same period in 2008. No expense accounts are in an overspent position at this time, county sales tax receipts are down about 10% and that we are waiting for \$42,000 in CHIPS funds.

Superintendent of Public Works – Thomas M. West

Superintendent West commented on the following items:

- West Avenue and Union Street water issue will be complete within the next three weeks by NYS.
- Shared services with other municipalities continue.
- Prospect Street has been recycled and installed with assistance from Brockport, Scottsville, Bergen and Churchville, black top will be installed at the end of September. The crews have done an excellent job.
- Ballard Avenue sewer pump station is being designed for installation by Skanex and help from Village crews to save costs.
- Purchased smoke machine for continued work with I&I. The cost of the equipment is shared with Churchville, Scottsville, Hilton, and Brockport.
- Tree on Main Street removed due to falling branches.
- Two dead trees were found on Amity Street and removed; new trees will be planted totaling 28 new trees in 2009.
- The recycling truck continues to have problems with the emission system. Suburban Disposal rented the Village a recycling truck.
- It will be necessary to bid out the labor for the re-roofing of the DPW building.
- Spencerport Fire Department has approached the Village to plow their parking lot; further discussion will take place at the September workshop.

Superintendent West requested executive session for employee issues.

Trustee Nellis-Ewell requested action regarding the broken curb and sidewalk in front Subway and HSBC.

Superintendent of Electric – Owen McIntee

Superintendent McIntee commented on the following items:

- Utility pole hit in plaza by two motor vehicles and there was no damage to the utility pole.
- Meter replacement program continues and will be finalized by the end of October.
- Review of electric fund by BST was favorable. Final report will be completed by next Friday, September 11th.
- Work at Unity Health project continues.
- Work continues at 670 Ogden Parma Townline Road.

Attorney – Richard J. Olson

Attorney Olson is working with RG&E on an agreement for 670 Ogden Parma Townline Road; work continues with Monroe County and Bond Counsel regarding ownership of the WWTP Pump Station and work continues with the Golle and Hogan projects.

Administrative Committee – Mayor Lobene, Chair

Mayor Lobene commented that the concert season has ended and was successful and this past Sunday's concert was attended by the athletes from SCS to promote the fall schedule.

Mayor Lobene, Treasurer Kimbler and Clerk Sullivan will be attending NYCOM Fall Training. Mayor Lobene commented that she will be meeting with Carmella Mantella of the Canal Corp and NYS Attorney General Andrew Cuomo.

Thank you letters were received from Ginny Swarthout and the Canal Days Committee and the German Federation.

Mayor Lobene commented that the Village did not receive approval of their Main Street grant application.

Mayor Lobene continued that directional signs are needed throughout the Village costing \$1300.

Trustee Rauber indicated that \$5,000 is in the budget for signage.

Mayor Lobene will be going forward with the signage.

Mayor Lobene indicated that the President of the School Board has requested permission to paint a gold and blue stripe down Union Street and Lyell Avenue for homecoming.

Superintendent West responded that the school needs permission from NYS and Monroe County to paint any stripes on Union Street.

Mayor Lobene announced that there will be a celebration for September 11th including the dedication of the Hometown Hero Banners. Mayor Lobene further commented that the banners have been well received.

Unfinished Business

Clerk Sullivan explained to the Village Board that Mr. Fitzsimmons did not receive his tax bill and does not believe that he should be required to pay the late charges.

The Village Board agreed that he should be required to pay the late fees.

New Business

Trustee Nellis-Ewell read the following thank you into the minutes:

Kiwanis Club of Spencerport, New York, USA gratefully acknowledges the participation of Village of Spencerport Department of Public Works & Spencerport Municipal Electric Mat Gartz, Nathan Johnson, Owen McIntee, Mike Meyers, Gary Penders, Butch Rypma, Elizabeth Venezky thank you for helping our community and Ogden Parks and Recreation Kids! Kiwanis Bicycle, Fitness and Safety Rodeo – August 6, 2009.

Bills

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

General Fund	\$ 98,365.84
Electric Fund	\$ 43,691.74
Sewer Fund	\$ 115,021.09
Trust Fund	\$ 0
Capital Fund	\$ _____
TOTAL:	\$ 257,078.67

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

Adjournment

Motion was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously that the regular meeting be adjourned to executive session at 9:08 p.m.

Motion was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously that the executive session be adjourned to workshop at 10:00 p.m.

Motion was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously that the workshop session be adjourned at 10:05 p.m.