

VILLAGE BOARD WORKSHOP MEETING
October 21, 2009

CALL TO ORDER: 4:30 p.m.

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor

Charles R. Hopson, Trustee

Fritz Gunther, Trustee

BOARD MEMBERS ABSENT

Theodore E. Rauber, Trustee

Carol J. Nellis-Ewell, Trustee

Others Present

Owen McIntee, Electric Superintendent

Jackie Sullivan, Village Clerk

Tom West, DPW Superintendent

Richard Olson, Attorney

Jack Crooks, Building Inspector

Larry Fenity, Architect

Trustee Gunther reviewed the process and outcomes of the meetings of the health care committee. Trustee Gunther indicated that the group would like to be allowed to offer two health care programs the current program and a high deductible/health care savings account program to employees. Trustee Gunther further explained that by offering the two programs employees would have options as to how they would like to manage their health care.

Discussion ensued regarding steps forward and Trustee Gunther indicated that rates would not be available until early December and at that time a formal meeting will be coordinated for the staff.

BI/FM/CE – Monthly Report

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

- Reviewed the history and condition of the 51 West Avenue.

Attorney – Monthly Report

Attorney Olson commented on the following items:

- A meeting took place with MRB, Village Staff and Angelica to discuss the process forward to complete the bore and to determine the cause of the blockage. Mr. Cartwright of Angelic thinks that he has hit something made of wood. A determination needs to be made as to whether the cause of the blockage is something unknown in the canal or that the boring head was faulty. Attorney Olson indicated that the Village and Angelica will agree on an amount of \$65,000 that Angelica will refund the Village if the blockage is the fault of the boring head. If the blockage is a naturally occurring item no refund will be received. The blockage will be reviewed by MRB/Angelica and Bob Anderson from Randsco Pipeline.
- Work continues with EFC regarding the ownership of the pump station.
- Work continues with RG&E regarding borderline tap agreements.

Mayor Lobene indicated at 6:00 p.m. that Mrs. Billings of 51 West Avenue did not appear to address the Village Board regarding the order that was served to her regarding the repair of the porch located on the front of her house.

Attorney Olson continued that in most cases the condition is not fixed it is usually removed.

Mayor Lobene questioned if there is more than \$20,000 of work to be done on the porch and can our DPW staff do the work.

Jack Crooks responded that it would not be a good idea for DPW staff to work on this project and that professional carpenters should be hired.

Attorney Olson recommended that Larry Fenity spec out the project.

Larry Fenity briefly described the process of spec(ing) the project.

Discussion ensued regarding the porch and the property

The following official action took place:

Resolution 61 10/2009

Introduced by: Mayor Lobene
Seconded by: Trustee Gunther

Whereas, on October 7, 2009 this Board passed a Resolution and Order directing repairs to real property located 51 West Avenue (Tax Acct. #087.13-1-2); and

Whereas, pursuant to said Resolution and Order, Donna Billings was personally served with a copy of the Notice of Determination of Unsafe or Dangerous Building, the Resolution and Order and the reports on which it was based, such personal service having been made on October 13, 2009;

Whereas, pursuant to that Resolution and Order, a hearing held before the Village Board in relation to such dangerous or unsafe building at 6:00 PM on October 21, 2009 at the Village Hall, 27 West Avenue, Spencerport, New York; and

Whereas, neither Donna Billings nor a representative appeared

Whereas, Lawrence Fenity, a licensed Architect confirmed his prior written opinion as to the unsafe nature of the structure; and

Whereas, this action is a Type II Action under the State Environmental Quality Review Act and not subject to review thereunder.

Now, therefore, be it resolved:

Section 1. That the prior Order and Resolution of this Board made on October 7, 2009 is ratified and confirmed;

Section 2. That in the event of neglect or refusal by the owner to commence work to comply with the order to secure or demolish and remove the building before November 13, 2009 and, if commenced, failure to complete said work on or before January 13, 2010 the Building Inspector is directed to have said repair work done and the expenses there of shall be assessed against the land on which it is located and, in addition thereto, may institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. That a copy of this Resolution shall be mailed to the property owner via first class mail within five (5) days.

Section 4. That this resolution shall take effect immediately.

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

Adjournment

Motion was made by Mayor Lobene, seconded by Trustee nellis-Ewell and carried unanimously that the meeting be adjourned at 7:00 p.m.