

**VILLAGE BOARD MEETING
February 3, 2010**

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Trustee Hopson

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

Michael Ammering, American Legion Post 330
Craig Byham, Luther Jacobs Way
Bob Garlick, Nichols Street
Sandra Hull, Mill Street
Jim Powell, Nichols Street
Joan Quigley, Maplewood Avenue
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent

APPROVAL OF MINUTES

A motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried that the minutes of the regular meeting held January 6, 2010 be approved as read.

A motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried that the minutes of the workshop meeting held January 20, 2010 be approved as read. Trustee Gunther abstained.

PUBLIC HEARING – INTRODUCTORY LOCAL LAW 1-2010 – TAX EXEMPTIONS FOR REAL PROPERTY

Mayor Lobene opened the public hearing at 7:03 p.m. by reading proposed law.

Mr. Craig Byham addressed the Board for clarification on the intention of the proposed law. Mr. Byham added that he interpreted from the legal advertisement in the Suburban News that the proposed law would be addressing the senior citizens exemptions and veterans' exemptions and what are the exact changes.

Mayor Lobene asked Clerk Sullivan to address Mr. Byham's questions.

Clerk Sullivan explained that the proposed local law only adjusts the income levels for senior citizens to be the same as the Town of Ogden. The local law does not change the amount of the veterans' exemptions.

Mr. Byham asked the Board why they would not consider increasing the veterans' exemptions. Mr. Byham added that the Village's exemptions are substantially lower than the Town of Ogden's.

Mrs. Quigley added that the exemptions used to be even.

Mayor Lobene responded that her understanding is that because the Village is smaller than the Town if the veterans' exemptions are increased the taxable value of the Village properties would decrease thus resulting in a tax rate increase.

Trustee Rauber commented that if the veterans' exemptions were increased it would be necessary to reduce services however the senior exemption has already been accounted for in the budgeting process.

Mr. Byham commented "that it seems that we are giving the senior citizens a break on their tax burden and yet the veterans who have given everything to this country and we honor them with the flags on Main Street and then turning our

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back on them implying that they are not as important as the senior citizens you went and fought for this county or whatever you did but it is not as important to us as a community to elevate the levels of the exemptions.”

Mr. Byham further commented “I do not think it is right or fair these young kids have given everything.”

Trustee Nellis-Ewell responded “I continued to support the sacrifices and service of veterans of our country” but the board must look at the issue from all sides and be realistic in the amount of the exemptions.

Mayor Lobene closed the public hearing at 7:10 p.m.

SEQR RESOLUTION:

RESOLUTION 92 2/2010

Offered by: Trustee Rauber
Seconded by: Trustee Gunther

WHEREAS, the Village Board, by authority of 6 NYCRR 617.5(b) has the authority to expand its own list of Type II actions beyond the list of Type II actions presently found in 6 NYCRR 617.5(c).

WHEREAS, the Village Board finds that Introductory Local Law #1/2010:

- a) Does not have a significant adverse impact on the environment based on the criteria contained in 6 NYCRR 6173.7(c) and
- b) Is not a Type I action

NOW THEREFORE, BE IT RESOLVED, that the Village Board classifies the adoption of proposed Local Law #1 of 2010 to be a Type II Action under the SEQR regulations; and be it further

RESOLVED, that a Type II classification concludes the Village Board’s obligations under SEQR.

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

RESOLUTION 93 2/2010

Offered by: Mayor Lobene
Seconded by: Trustee Hopson

WHEREAS, a proposed Local Law 1 of the year 2010 entitled “**A local law providing for Tax Exemptions for Real Property**” was introduced to the Village Board of the Village of Spencerport on the 3rd day of February, 2010; and

WHEREAS, at a meeting of the Village Board held at the Village Hall in the Village of Spencerport, New York on the 3rd day of February, 2010, a public hearing was held at 7:00 p.m. to consider adoption of the proposed Local Law 1 of the year 2010 entitled “**A local law providing for Tax Exemptions for Real Property**”;

NOW THEREFORE, Local Law 1 of 2010 is hereby enacted by the Village Board of 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

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PRIVILEGE OF FLOOR

Mr. Powell addressed the Village Board that he does not understand the increase in the PPA rate.

Clerk Sullivan responded that the office has received several calls this week regarding the PPAC rate. Clerk Sullivan continued that every year at this time the PPAC rate increases considerably because of the high usage of electricity and the cost of additional power that must be purchased for the Village's demand.

Discussion was led by Trustee Nellis-Ewell regarding energy consumption and green initiatives.

Mr. Garlick questioned if Attorney Olson had made any progress from his requested information last month and asked Tom West how much pipe Mr. West bought for the sewer project on Hillcrest Drive.

Mr. Garlick also indicated that in the December 16, 2009 minutes Hillside Drive needs to be changed to Hillcrest Drive.

Discussion ensued regarding condominiums and how they are assessed.

Mr. Mike Ammering, Commander of Ferris Goodridge American Legion Post 330 presented the Village Board a citation of appreciation for the Village Board and all of the men and women that work for the Village of Spencerport that help to support the Ferris Goodridge American Legion Post 330.

Sewers Committee – Trustee Rauber, Chair

RESOLUTION 94 2/2010

Introduced by: Trustee Rauber

Seconded by: Trustee Hopson

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby approves payment application #6 from Angelical Boring Company, Inc. in the amount of \$84,709.09 for Contract B-Bore Canal Boring.

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

RESOLUTION 95 2/2010

Introduced by: Trustee Rauber

Seconded by: Trustee Nellis-Ewell

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby approves payment application #7 from Angelica Boring Company in the amount of \$137,094.50

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 confirmed that the bore under the canal has been completed and the final connections are being made at this time.

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

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- A. Planning
No Board action required.

Trustee Nellis-Ewell commented that she attended the Planning Board meeting on Tuesday, February 2, 2010 where Morgan Management was given contingent final approval for phase 2 and 3 of the Village Plaza.

- B. Zoning
No Board action required.

- C. Building Control
No Board action required.

- D. Code Review
No Board action required.

- E. Architectural Review
No Board action required.

Trustee Nellis-Ewell commented that final approval was given to Spencerport Veterinary Clinic for a new sign to replace the current damaged sign. A Motion for approval was tabled for Tops Market signage and color of the gas station and canopy.

Finance Committee – Trustee Hopson, Chairman

Trustee Hopson acknowledged that the November interest rate for the HSBC Insured Municipal Money Market to be at .6% no change from the previous month.

Facilities Committee – Trustee Hopson, Chairman

- A. Electric
- B. Other (Drainage, Franchise)
No Board action required.

Public Works Committee – Trustee Rauber, Chairman

- A. Highways/Garage

Trustee Rauber handed out to the Village Board a summary of work that was done by the DPW for review and will be further discussed at the February workshop meeting.

- B. Public Services (Refuse, Recycling, Parks)
No Board action required.

Public Safety Committee – Trustee Gunther, Chairman

- A. Fire Department
No Board action required.
- B. Police
No Board action required.

Trustee Gunther indicated that he has put information regarding emergencies in the office lobby for residents to pick up.

Human Resources Committee – Trustee Gunther, Chairman

No Board action required.

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Economic Development Committee – Mayor Lobene, Chairman

Mayor Lobene announced that a Tuxedo shop is moving into the Masonic Temple and that Tim Horton's will be opening in April.

Trustee Nellis-Ewell recapped the recent Spencerport Area Chamber of Commerce awards dinner indicating that Kris Schultz received the business person of the year award and Sandi Valle received the Citizen of the Year award for her work with the Aurora House. Honorable mention was given to Joyce Lobene, Helen Moore and Lynn Bianchi for all of their dedicated service to the Chamber of Commerce.

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

No Board action required.

Trustee Nellis-Ewell reminded the Board and audience that volunteers are needed for the Town of Ogden recreation committee.

Trustee Nellis-Ewell asked if Trustee Gunther would bring materials for her to the legislative meeting he is attending in Albany later this month.

Village Clerk – Jacqueline Sullivan

RESOLUTION 96 2/2010

Introduced by: Mayor Lobene
Seconded by: Trustee Hopson

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby approves the Treasurer's attendance at the NYS OSC Advanced Accounting School June 2-4, 2010. Cost not to exceed \$400.

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

RESOLUTION 97 2/2010

Introduced by: Mayor Lobene
Seconded by: Trustee Hopson

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby authorizes the Treasurer to sign the Collateral Pledge and Control Agreement for public deposits with HSBC Bank and their insurer Chase. The contract has been reviewed and considered acceptable by the Village Attorney.

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

RESOLUTION 98 2/2010

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

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Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the 2010 renewal contract with BMA Consulting Services, Inc. to provide the Village of Spencerport with insurance consulting services. Cost not to exceed \$5,000.

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

RESOLUTION 99 2/2010

Introduced by: Mayor Lobene
Seconded by: Trustee Gunther

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby approves the DPW Superintendent's attendance at an eight (8) week management training course provided by Dale Carnegie Inc. cost not to exceed \$1895.00.

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

Clerk Sullivan commented on the following items:

- Confirmed that Gross Utility tax can be passed on by the utility to the consumer through their bills
- Requested a short workshop to discuss the electric budget process

Superintendent of Public Works – Thomas M. West

Superintendent West commented on the following items:

- Snow removal continues.
- Crews continue to re-skin a storage building at the shop.
- A full review of Dean Toates' progress will be done at the February workshop.
- Kevin Kelly will be attending a training class through the Monroe County Storm Coalition.
- Will be attending advocacy day in Albany for the CHIPS program.
- Putting together a tree trimming bid.

Superintendent of Electric – Owen McIntee

Superintendent McIntee was not in attendance.

Attorney – Richard J. Olson

Administrative Committee – Mayor Lobene, Chairman

Unfinished Business

New Business

Bills

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

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General Fund	\$ 33,138.92
Electric Fund	\$ 70,098.85
Sewer Fund	\$ 11,400.39
Trust Fund	\$ 0.00
Capital Fund	<u>\$242,857.28</u>
TOTAL:	\$357,495.44

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Rauber and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, February 2010 be approved as audited.

Adjournment

Motion was made by Trustee Gunther, seconded by Trustee Hopson and carried unanimously that the regular meeting be adjourned at 8:19 p.m.