

VILLAGE BOARD WORKSHOP MEETING
February 17, 2010

CALL TO ORDER: 4:30 p.m.

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor

Carol J. Nellis-Ewell, Trustee

Charles R. Hopson, Trustee

Fritz Gunther, Trustee

BOARD MEMBERS ABSENT

Theodore E. Rauber, Trustee

Others Present

Craig Byham, Planning Board Member

Jack Crooks, Building Inspector

Kevin Kelly, Code Enforcement Officer

Owen McIntee, DPW Superintendent

Richard Olson, Attorney

Jackie Sullivan, Village Clerk

Tom West, DPW Superintendent

Mr. Jack Crooks, Building Inspector commented that the project on 117 S. Union Street is waiting for water connection and that the building is approximately 80% complete and that per conversations with the contractor the water connection would take place in the next week to ten days and then the process to issue the C of O can begin.

Work has restarted on the Tim Horton's building with an estimated opening date of April 4, 2010.

Mayor Lobene questioned as to who the owner is going to be.

Mr. Crooks responded that he only deals with the contractor.

Mr. Crooks continued that Spencerport Family Medicine has moved to the new Unity Health Building off of Big Ridge Road and an official ribbon cutting is to take place next week.

Slayton Place restaurant has indicated that they are planning to start moving equipment to their new location within the plaza on March 8th.

Mayor Lobene asked the location of the dumpster enclosure.

Mr. Crooks responded that it would be located on the northwest corner of the building.

Mayor Lobene commented that if they put it on that corner it will stick out into the road.

Mr. Crooks continued that the loading dock on the rear of the supermarket building needs to be re-engineered due to the location of a gas line. The gas line cannot be relocated until RG&E receives gas load information from the supermarket.

Superintendent West commented that we will have to keep track of where the contractor connects the drain associated with the loading dock.

Mr. Crooks indicated that the drain must be connected to the sanitary sewers.

Discussion ensued between Mr. Crooks and Superintendent West regarding the why the drain must be connected to the sanitary sewer system.

Mr. Crooks continued that the Lakeside Urgent Care facility located at 42 Nichols Street is expanding by about 1.5 times.

Mr. Kevin Kelly, Code Enforcement Officer commented that he has received plans for the removal and installation of the front porch located at the Billings Property on West Avenue. Mr. Kelly will be soliciting quotes from 3 contractors do have the work completed. Mr. Kelly explained the process and what will be done on the property.

Mr. Kelly was directed to receive quotations for the work and have them ready for presentation and award by the March 17th workshop meeting.

Mr. Kelly submitted and reviewed his annual activity report with the Village Board.

Trustee Nellis-Ewell questioned as to what his most difficult task is?

Mr. Kelly responded that the most difficult hurdle is people's mind set that "their home is their castle" and that they don't see the same issue that the Village does.

Mr. Craig Byham questioned the process of informing the business owner if their sign had not been approved.

Mr. Kelly responded that the code regarding signs is reviewed regularly and is interpreted on a sign by sign basis.

Mr. Crooks commented that because the Board allows him and Mr. Kelly the opportunity to approach each case diplomatically they are able to reach a compromise by all parties involved.

Discussion ensued regarding various properties that have had complaints logged against them and the process taken.

Mayor Lobene commented that she has heard from the Attorney General's office and Senator Maziarz's office regarding the condition of the Railroad Bridge and that both offices are looking at her materials at this time.

Attorney Olson commented that he has been working on various plaza issues and an easement issue with a property on Martha Street that has been taken care of. Work continues with Monroe County and EFC to prove that the Northwest Sewer Quadrant exists. Attorney Olson is aware that the quadrant exists but the documents are required.

Mayor Lobene questioned if anything bad will happen without this documentation.

Attorney Olson responded that unfortunately this process which includes the State Comptroller's office revolves around a check list and that one of items on the check list for EFC funding is that the pump station that is being financed will not be transferred to another owner. At the time of application the Village made the State Comptroller's office aware of the inter-municipal agreement indicating that the ownership of the pump station upon completion of construction will be transferred to Monroe County. The State Comptroller's office advised the Village to sign the document and then apply for permission to transfer the pump station. At this time the Village is taking the necessary steps to complete the transfer of the pump station.

Attorney Olson follow-up on potentially editing our current code to not allow existing properties to be converted into condominiums to take advantage of potential property tax breaks associated with condominium properties.

Mayor Lobene commented that she has spoken to the gentleman from M&T Bank who is handling the Gollel property and that there are two interested parties looking at the property at this time one for the condominium area and one for the single family homes area.

Attorney Olson indicated that he has reviewed the sign code and determined that it is very vague and that it probably would be difficult to uphold in a court case.

Trustee Nellis-Ewell indicated that she believes that this situation would have occurred even if the comprehensive plan was complete.

Trustee Nellis-Ewell asked if there are any actions that the Board should take to make things more clear.

Attorney Olson indicated that he would review some other codes to determine the best course of action.

Mayor Lobene informed all in attendance that if everything does not go as hoped tomorrow night Tops will not be coming to Spencerport and that the Village will probably be in a law suit with Morgan Management the property owner.

Attorney Olson commented that if they did not like the answer of the Planning Board they could appeal to the Zoning Board.

Discussion ensued regarding the appeals process and updating the Village Code Book.

Attorney Olson commented that he and Attorney O'Toole feel that the Zoning Code is the most important part of the code book. Attorney Olson recommended Ron Brandt to review our zoning code.

The following official action took place:

RESOLUTION 100 2/2010

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

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby approves the treasurer's attendance at the annual GFOA Conference March 24-26, 2010 cost not to exceed \$1,000.

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

RESOLUTION 101 2/2010

At a Village Board Meeting at the Village Hall, February 17, 2010

Introduced by: Trustee Gunther
Seconded by: Trustee Hopson

**INTRODUCTORY LOCAL LAW #2-2010
VILLAGE OF SPENCERPORT, MONROE COUNTY**

"A Local Law to Establish Stop Signs at the Intersection of Land-Re Way and Big

Ridge Road in the Village of Spencerport”

WHEREAS, the Village Board has before it a proposed Local Law to amend Schedule IX of Section 130-44 of the Village code “Stop Signs” and establish stop signs on Land –Re Way Southbound at Big Ridge Road and;

WHEREAS, in order to consider said change, the Village Board of the Village of Spencerport is required to hold and conduct a public hearing thereon;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the Village Board of the Village of Spencerport shall hold and conduct a Public Hearing on the 3rd day of March, 2010, at 7:00 p.m. at the Village Hall, 27 West Avenue, Village of Spencerport, New York, 14559 to consider to the attached Local Law; at which Public Hearing all interested persons will be heard concerning the subject matter thereof.

SECTION 2. That the Village Clerk shall cause due notice of such public hearing to be published as required by law.

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

RESOLUTION 102 2/2010

Introduced by: Trustee Nellis-Ewell

Seconded by: Mayor Lobene

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby approves the purchase of a television and DVD player for installation in the Village Office to display current projects and information to residents. Cost not to exceed \$900.

Trustee Hopson questioned if this is something that we need to do at this time.

Mayor Lobene commented that she would have to defer to Jackie since she and the girls put this together.

Clerk Sullivan responded that she and Superintendent West along with Trustee Nellis-Ewell put this proposal together. Clerk Sullivan continued that there were some IT items that were not done this year in her budgets and Superintendent West’s budgets thus allowing this small request to go forward in this fiscal year instead of pushing it off to next fiscal year.

Trustee Nellis-Ewell commented that she had submitted this request as a line item in the 2010/2011 budget but when this was discussed at a staff meeting it was suggested that we do it this year. Trustee Nellis-Ewell further commented that it really could communicate information and it would present our activities to them in a positive manner, including summer music concerts, a vibrant business district, day of caring activities and various other events. This item would be in lieu of a more costly news letter.

Trustee Hopson questioned if this could be done in May or June.

Superintendent West commented that June would be the new budget.

Mayor Lobene questioned if this TV/DVD be put someplace else in the Village that more people would see it.

Clerk Sullivan responded that the Village Office gets a ton of foot traffic.

Superintendent West commented that when he heard about the project he thought it was an excellent idea to convey what we do in our Village to our residents.

Trustee Gunther commented that he thinks that is what a website is for and that this is only a TV and information needs to be plugged into the TV.

Trustee Nellis-Ewell indicated that you do the same thing for a website.

Clerk Sullivan commented that this TV/DVD would be much easier and cheaper than a website and that the elderly people that come into this office are not looking at our website but our residents who come out once a monthly to pay their electric bill and chat would like it and we could possibility stream our website on the TV.

Mayor Lobene questioned if more people are going to see it on the website and that should the money be spent on updating the website.

Trustee Hopson commented that although people come in to pay their electric bill they probably will not watch the TV.

Clerk Sullivan responded that she gets five or six telephone calls a week from people asking how to find information that is on our website now our website is not being used now.

Trustee Nellis-Ewell commented that keeping a website is a time consuming task and the TV would be immediate. Trustee Nellis-Ewell commented that spending money on this compared to other things is much less extravagant.

Superintendent McIntee commented that the information initiative that was done in the office vestibule generated a lot of interest and that the addition of the TV would be a parallel activity to continue to improve communication.

Mayor Lobene commented that agrees that communication is important but want to ensure that the Village is getting the most "bang for their buck".

Trustee Gunther responded that it would be the website.

Clerk Sullivan responded that \$900 is a drop in the bucket when working on the website and that she and Superintendent McIntee met with our webmaster to work on a site revision and that we could easily spend \$9,000 on a website.

Trustee Gunther questioned if other quotes were received and that he get quotes for a lot less.

Clerk Sullivan responded that cost would depend on the caliber of website wanted and that if cost is the driving factor it might be necessary to find another webmaster and that she would look further into it.

Trustee Nellis-Ewell commented that if you look around at other websites ours is more current and robust and that we have to be careful that we get the best value and that the TV is an immediate response. Trustee Nellis-Ewell further commented that possibly one less tool or one less conference could cover the cost of this TV.

Trustee Gunther suggested buying a monitor and key board for residents to have access to the website.

Clerk Sullivan indicated that most of the staff would be able to put together a power point presentation and with the TV/DVD the whole staff could participate in the project.

Mayor Lobene suggested that this resolution be tabled for one month.

RESOLUTION 103 2/2010

Introduced by: Mayor Lobene

Seconded by: Trustee Gunther

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby table resolution 102 2/2010 until March 17, 2010.

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

RESOLUTION 104 2/2010

Introduced by: Trustee Hopson

Seconded by: Mayor Lobene

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby authorizes the village clerk and administrative assistant to attend the Annual PERMA conference May 27 & 28, 2010. Cost not to exceed \$200.

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

RESOLUTION 105 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 attendance of any Village Board Member at the Canal Society of NYS Winter Symposium and Meeting Saturday, March 6, 2010. Cost not to exceed \$50 per person.

Trustee Nellis-Ewell commented that if the budget session continues past February 27, 2010 March 6th would be the next date and how many people would be attending this conference.

Clerk Sullivan responded that pre-registration would not be appropriate because of the potential of an additional budget workshop.

Mayor Lobene commented that she does not expect everyone to go.

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

Trustee Nellis-Ewell requested that when Board members attend a training or conference a short report is shared with the other board members and department heads.

Mayor Lobene commented that it might be necessary with the revisions of the comprehensive plan to rezone the industrial areas of the plaza.

Discussion ensued regarding what kinds of businesses are allowed in an industrial area.

Boy Scout, Jake Kennedy reviewed with the Board his plans to paint the lower level of the Trolley Depot Building and install bathroom stall doors in the men's and women's rooms.

A motion was made by Mayor Lobene, seconded by Trustee Hopson and carried unanimously that the workshop session be adjourned at 7:30 p.m.