

**VILLAGE BOARD MEETING
March 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

Owen McIntee, SME Superintendent
Richard Olson, Village Attorney
Joan Quigley, Maplewood Avenue
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent
Participation in Government Students (7)

APPROVAL OF MINUTES

A motion was made by Trustee Rauber, seconded by Trustee Hopson and carried that the minutes of the regular meeting held February 3, 2010 be approved as read.

A motion was made by Mayor Lobene, seconded by Trustee Gunther and carried that the minutes of the workshop meeting held February 17, 2010, 2010 be approved as read. Trustee Rauber abstained.

PUBLIC HEARING – INTRODUCTORY LOCAL LAW 2-2010 – Stop Signs

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

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

SEQR RESOLUTION:

RESOLUTION 106 3/2010

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 #2/2010:

- 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 #2 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

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

Mayor Lobene requested Attorney Olson to explain the State Environmental Quality Review Act (SEQR)

Attorney Olson explained the purpose of the SEQR.

RESOLUTION 107 3/2010

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

Introductory Local Law 2/2010

Whereas, the Village Board has before it a Local Law entitled "**A Local Law to Establish Stop Signs at the Intersection of Land-re Way and Big Ridge Road 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 Land-Re Way Southbound at Big Ridge Road; 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 2/2010 "A Local Law to Establish Stop Signs at the Intersection of Land-Re Way and Big Ridge Road 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
	Charles R. Hopson, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Privilege of the Floor

Mrs. Quigley complimented Superintendent West and his staff for their hard work during the recent snow fall.

Sewers Committee – Trustee Rauber, Chair

Trustee Rauber reported that the sewer casing has been advanced under the canal, the coffer dams have been removed and restoration is taking place.

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

A. Planning
No Board action required.

Trustee Nellis-Ewell commented that the Planning Board had no official business for the month of March

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- B. Zoning
No Board action required.

Trustee Nellis-Ewell commented that the Zoning Board of Appeals did not have any official business but interviewed potential board member Barb Leckinger.

- 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 a special ARB meeting was held at the request of Mayor Lobene regarding the Top's signage on February 18, 2010. After much discussion a compromise was made by allowing the Tops' corporate color of red but the number of signs for placement was reduced.

Mr. and Mrs. Alonci from Grandpa Sam's and Abbotts received approval for their two signs on their building.

Trustee Nellis-Ewell commented that work continues on the comprehensive plan revision and a walking tour was done today with the committee and consultant Roger Brown and should be completed by the end of March.

Finance Committee – Trustee Hopson, Chairman

Trustee Hopson complimented Treasurer Kimbler on a job well done with the budget workshop and supporting documents. Trustee Hopson indicated that she is a breath of fresh air.

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

Mayor Lobene added that she felt that the budget process went very well.

Facilities Committee – Trustee Hopson, Chairman

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

Public Works Committee – Trustee Rauber, Chairman

Trustee Rauber complimented Superintendent West on a job well done with budget preparations for his department.

- A. Highways/Garage
No Board action required.
- 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.

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Human Resources Committee – Trustee Gunther, Chairman

No Board action required.

Economic Development Committee – Mayor Lobene, Chairman

Mayor Lobene commented that all is going as planned in the plaza, work continues as Tim Horton's, and Paradise Bay gift shop closed but a Tuxedo Shop is opening in its place.

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

No Board action required.

Trustee Nellis-Ewell followed up on a plan to purchase programmable thermostats for the DPW and Electric office to help to reduce electric consumptions.

Trustee Nellis-Ewell continued that she met with Mayor Lobene, Clerk Sullivan and the Town of Ogden Recreation Director Peter O'Brian to discuss the to be established advisory board and potential healthy community projects.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan commented on the following items:

- Updated Board on Gross Utility Tax income to be about \$25,000 and will start preparing the required local law documents.
- Receipt of the liquor license renewal for Grandpa Sam's.
- Receipt of the NYCOM Main Street Economic Development Workshop registration form to be held Thursday, April 15 in Utica.
- The proof for the next group of Hometown Heroes has been received and clean up work is being done to the order.
- Preliminary quotes for an update to the website are \$1500 and continued research is being done.

Superintendent of Public Works – Thomas M. West

Superintendent West commented on the following items:

- Staff did an awesome job with snow removal.
- Will be attending advocacy day in Albany Tuesday and Wednesday of next week to secure funds for the CHIPS program.
- Niagara Generation would not continue to chip the brush pile because it had too much dirt in it.
- Building #5 continues to be fixed and redone on the interior and should be complete soon.
- OSHA training will be taking place during the month of March.
- Storm-water coalition will be doing training with staff this month.
- Our annual workers compensation inspection from PERMA was completed and our score improved from last year.

Superintendent of Electric – Owen McIntee

Superintendent McIntee commented on the following items:

- The meter replacement program continues.
- A draft schedule of the meter replacement program has been completed and will be reviewed at workshop.
- Payment for work to be done at the Village Plaza has been received and make ready actions will be completed to get the project started.
- Continue to answer questions of customers regarding high electric bills.
- Attic insulation program is moving forward.

Attorney – Richard J. Olson

Attorney Olson commented on the following items:

- Submitted information regarding the potential local law regarding condominiums. This potential law prohibits existing homes or apartments to be converted into condominiums. Discussion ensued regarding a various types of condominiums and where they would be allowable. Attorney Olson explained that the Village

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does not have to have an industrial zone, however that is where the Village allows the existence of adult entertainment businesses and the Village has to allow a provision for areas of adult entertainment.

Administrative Committee – Mayor Lobene, Chairman

Mayor Lobene asked Trustee Gunther to give the group an update about his trip to Albany.

Trustee Gunther responded that the NYCOM event in Albany was interesting and that Senator Schumer and State Comptroller DiNapoli spoke at the event. The main topic of the event was the village dissolution law and budgeting for tough financial times.

Mayor Lobene acknowledged that the mural is coming along nicely and is being done by a senior at Spencerport Schools. She continued that a meeting was held for the reconstruction of Lyell Avenue last week and is scheduled for 2011 due to easement issues. There will be a meeting on Monday, March 8th at 5:00 p.m. to discuss the future of Spencerport Ambulance with the Town of Ogden and Parma.

Mayor Lobene indicated that at this time the Village will not be pursuing the FEMA drainage grant.

Unfinished Business

Trustee Rauber indicated that the water service for his building at 117 S. Union Street will be done next week.

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:

General Fund	\$ 46,028.70
Electric Fund	\$ 13,745.70
Sewer Fund	\$ 399,607.40
Trust Fund	\$ 342.98
Capital Fund	<u>\$ 21,052.14</u>
TOTAL:	\$480,776.92

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, March 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 8:06 p.m.