

VILLAGE BOARD WORKSHOP MEETING
August 18, 2010

CALL TO ORDER: 4:30 p.m.

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

Kevin Kelly, Code Enforcement Officer
Owen McIntee, DPW Superintendent
Richard Olson, Attorney
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent

Virginia Hart, Big Ridge Road
Rose VanVelson, Big Ridge Road
William VanVelson, Big Ridge Road
Barb DiVencenzo, Big Ridge Road
Jim Uschold, Big Ridge Road
Jesse Gunther, Big Ridge Road
Mary Ann Gunther, Big Ridge Road
Alex Gunther, Big Ridge Road
Debbie Carey, Big Ridge Road
Gary Inzana, Gillett Road
Douglas Brown, Big Ridge Road
Rick Lynch, Big Ridge Road
Val Visca, Big Ridge Road
Melinda Skinner, Cottage Street
Lawrence Hart, Big Ridge Road
Kris Schultz, Schultz and Associates
John Sciarabba, Land Tech

Various residents from Big Ridge Road and the surrounding areas expressed their opinions regarding the proposed road to be constructed for the Parkview Senior Development. The general opinion of the group is that they do not want a road constructed.

Mr. Lawrence Hart, 8 Big Ridge Road submitted the following comments in writing:

“Previously I reported traffic on the waste water treatment road going to soccer games at the Terry Taylor Elementary School. – 84 vehicles going in and 84 vehicles going out in a period of less than 2 hours.

A “No Trespassing – Private Road” sign was installed. This did not stop all of the soccer traffic but, the traffic was reduced.

If this road is used as an access road, all of the soccer traffic will return in addition to the traffic to and from the senior housing.

If the other proposed access road (22 Big Ridge Road) is used, the soccer traffic on the current waste water treatment road can be controlled.

The Parkview project lies entirely outside of the Village of Spencerport borders. The Village won't benefit from this project in any way. Actually, the project will negatively affect all of the village residents by an increase in their electric bills.

The developers of this project want you to inconvenience your constituents for their financial benefit.

You are not obligated to provide them with an access road to make their housing units more attractive to potential buyers.

If you do, they will sell all of the housing units' then move on to another project and leave your constituents to deal with all of the problems that are caused by this road and the extra traffic on Big Ridge Road.

If they really need another access road, they can connect to Land-Re way at the existing Unity Health Building."

Mr. Sciarabba explained to the residents the proposed street off of Union Street to access the senior project.

Trustee Rauber commented that the formal process for this development is that the Town of Ogden conducted a public hearing regarding the development that was open for public comment.

A resident commented that at the Town of Ogden meeting the developer indicated that they would like to have a roadway on Big Ridge Road but if they could not they could have a roadway to Union Street.

Mr. Sciarabba commented that the project has three options. Option A being the Village private drive; Option B Lot 22 on Big Ridge Road; Option C being coming up with another access point. Mr. Sciarabba continued that during the rezoning process the Town of Ogden requested a traffic study to determine the best access point for the project and that the determination was either the Village private drive or Lot 22.

Mr. Sciarabba indicated that what he would like to get out of this meeting is how the residents would like to see in the development of the roadway as it pertains to Option A or B.

Trustee Rauber questioned that if Option A was chosen what would be the status of the gate?

Mr. Sciarabba responded that he has been in contact with Monroe County Pure Waters and that the installation of a gate to their facility would be acceptable.

Trustee Rauber commented that the gate may help to ease Mr. Hart's mind regarding parking on the road for soccer games.

Mr. Sciarabba indicated that landscaping would be done for Mr. Hart's property.

A resident commented that with either Option A or B a through street would cause traffic that does not want to wait for the light at the corner to cut through thus decreasing safety.

Mr. Sciarabba indicated that the roadway through the senior division will be a winding road thus slowing traffic.

Mr. VanVelson inquired as to the ability for the project to have a roadway to the northwest end of the project.

Mr. Sciarabba commented that a challenge is working with NYS DOT and the need for turning lanes and the need for one centralized access.

Mr. Lynch commented that with the development of this project housing assessments in the area will be increasing however with the installation of either roadway the true value of the houses in the area will decrease. Mr. Lynch continued that he is not in favor of either option.

Mr. Doug Brown requested that each Board member observe how much traffic travels on Big Ridge Road.

Mrs. Gunther inquired if the developer has considered compensating the residents for the development of the roadway.

Mr. Sciarabba indicated that it would be possible to install some plantings that would shield the traffic from Mrs. Gunther's property.

Trustee Gunther asked if the traffic study included LandRe Way.

Mr. Sciarabba responded that it did include LandRe Way.

Mayor Lobene questioned if the senior project was considered when the traffic study was completed.

Mr. Sciarabba responded that it did.

Trustee Nellis-Ewell asked the residents as to who was in favor, not in favor or moving the roadway to another area.

The majority of the group indicated that they do not want the roadway on Big Ridge Road.

Discussion ensued regarding the project.

BI/FM/CE

Code Enforcement Officer Kevin Kelly made the following comments:

- Legal steps are taking place regarding the Billings property on West Avenue.
- Continued removal of inappropriate signs throughout the Village of Spencerport.
- Sited 9 Kirkgate for the debris around the property and the installation of a pool. The tenant and the property owner were sited. Pool was removed and debris was cleaned up.
- Hillside Drive resident was asked to remove a boat and trailer; resident complied.
- Atlas Fitness continues to have severe drainage issues and have not connected to the state drainage system to date.
- Followed up on unregistered vehicle complaints.
- Sign on 66 Nichols Street will be removed within two weeks.
- Appearance tickets were issued to Mary Dodds regarding her Mill Street property; property is being cleaned up at this time and court is scheduled for August 30th.
- 255 S. Union Street continues to be a problem; property owner had put out a refrigerator with the door still on it; follow up was done and door was removed.
- Received a complaint from a resident regarding her neighbor's walnut tree dropping walnuts on her deck.

Attorney Olson made the following comments:

- Set backs are of a concern on Northrup Creek drive specifically pertaining to the development of a roadway.
- The NYS Comptroller has the paperwork for the transfer of ownership of the sewer pump station from Spencerport to Monroe County.

- Contacted Monroe County PW regarding a letter outlining outstanding items at the pump station.

Mayor Lobene opened the public hearing for Introductory Local Law 7/2010 by reading the local law at 5:50 p.m.

Mayor Lobene closed the public hearing at 5:55 p.m.

The following official action took place:

RESOLUTION NO 29 8/2010

Introduced by: Trustee Gunther
 Seconded by: Trustee Hopson

RESOLUTION ADOPTING LOCAL LAW

Whereas, the Village Board has before it a Local Law entitled "A Local Law to Make East Avenue and Slayton Avenue Two Way Streets; to Restrict Westbound Traffic on Slayton Avenue from Turning Left on to Union Street and to Eliminate the No Right Turn Restriction of South Union Street and West Avenue" which, if adopted, will amend Chapter 130 of the Village Code; 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 #__6__2010 "A Local Law to Make East Avenue and Slayton Avenue Two Way Streets; to Restrict Westbound Traffic on Slayton Avenue from Turning Left on to Union Street and to Eliminate the No Right Turn Restriction of South Union Street and West Avenue".

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	Nay
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

RESOLUTION NO 30 8/2010

Introduced by: Mayor Lobene
 Seconded by: Trustee Rauber

Be it Resolved, that the Village of Spencerport Board of Trustees hereby approves attendance of Liz Venezky at Microsoft Excel Training September 20 & 21, 2010. Cost not to exceed \$178.00

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

Trustee Hopson explained that he met with Treasurer Kimbler and Clerk Sullivan to discuss the current financial consultants to the Village and that the addition of Raymond Wager's group on an as needed basis would be helpful to the Village. Trustee Hopson continued that Treasurer Kimbler and the Village staff are going to take a more active role in the budgeting process possibly reducing the cost associated with the use of Fiscal Advisors.

RESOLUTION NO 31 8/2010

Introduced by: Trustee Hopson
Seconded by: Trustee Rauber

Be it Resolved, that the Village of Spencerport Board of Trustees hereby approves contracting with Raymond F. Wager, CPA, PC for accounting assistance on an as needed basis under the discretion of the Village Treasurer and/or Village Clerk. Annual cost not to exceed \$6,000.

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 NO 32 8/2010

Introduced by: Trustee Gunther
Seconded by: Trustee Hopson

Be it Resolved, that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the NYPA Initial Customer Installation Commitment.

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 NO 33 8/2010

Introduced by: Mayor Lobene
Seconded by: Trustee Rauber

Be it Resolved, that the Village of Spencerport Board of Trustees hereby approves the attendance of any Village, Planning Board or support staff member, not to exceed three people, to the NYS Planning Federation Annual Conference September 26th – 28th, 2010 in Lake Placid, NY. Cost not exceed \$510 per attendee.

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 NO 34 8/2010

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

**INTRODUCTORY LOCAL LAW #8-2010
VILLAGE OF SPENCERPORT, MONROE COUNTY**

**A LOCAL LAW TO ESTABLISH A MORATORIUM ON THE CONSTRUCTION OF, USE
VARIANCE OR SITE PLAN FOR, OR THE CONVERSION TO, MULTIFAMILY
DWELLINGS IN THE VILLAGE OF SPENCERPORT**

WHEREAS, the Village Board has before it a proposed Local Law to establish a moratorium relating to multifamily dwellings in the Village of Spencerport; and

WHEREAS, in order to make 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 1st day of September, 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 Aye
Carol J. Nellis-Ewell, Trustee Aye
Charles R. Hopson, Trustee Aye
Fritz Gunther, Trustee Aye
Joyce Lobene, Mayor Aye

A motion to adjourn the workshop session was made by Trustee Gunther, seconded by Trustee Hopson and carried unanimously at 6:30 p.m.