

**VILLAGE BOARD MEETING
December 1, 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

Scott DeHollander, MRB Group
Owen McIntee, Electric Superintendent
Joan Quigley, Maplewood Avenue
Richard Olson, Village Attorney
Kris Schultz, Black Forest Drive
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent

(5) Participation in Government Students

APPROVAL OF MINUTES

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

A motion was made by Mayor Lobene, seconded by Trustee Nellis-Ewell and carried that the minutes of the workshop meeting held November 17, 2010 be approved as read.

Trustee Gunther questioned whether the Building Inspectors report would be added to the minutes.

Clerk Sullivan confirmed that his report will be attached to the minutes of November 17, 2010.

PRIVILEGE OF THE FLOOR

Administrative Committee – Mayor Lobene, Chairman

Mayor Lobene commented that the Trustees received the proposal for a topographic survey from Schultz Associates. Mayor Lobene continued that prior to the development of a waterfront park at the DPW Site can go further survey work of the area is needed to be done. Mayor Lobene asked if there were any questions regarding the proposals

Trustee Nellis-Ewell questioned if competitive quotes were received.

Mayor Lobene responded no since the dollar value was so small.

Trustee Gunther questioned the reference to the survey work that AJ Barea had completed.

Superintendent West commented that AJ Barea had completed a survey work for the DPW and Mr. Barea was waiting for the electric building to be complete to complete the site survey. Superintendent West indicated that the survey work was forgotten and Mr. Barea was not paid for the survey nor was the survey received.

Kris Schultz added that he and Mr. Barea work closely and Mr. Barea was contact by Mr. Schultz prior to today's submitted proposal for survey work.

Trustee Nellis-Ewell asked for clarification regarding the two options that are available.

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Mr. Schultz responded that the first option is for an instrument survey for accurate perimeter boundary of the entire site and the second proposal a topographic survey of the entire area. Mr. Schultz indicated that both components of the proposal need to be completed to have an accurate survey of the area.

Superintendent West added that the survey is needed for the DPW site.

Trustee Gunther asked if Mr. Barea's bill is outstanding.

Mr. Schultz responded that if Mr. Barea requests payment of his bill prior to completeing work for the Village of Spencerport Schultz Associates will pay the invoice.

RESOLUTION 77 12/2010

Introduced by: Mayor Lobene
Seconded by: Trustee Rauber

Be it resolved, that the Village of Spencerport Board of Trustees hereby approves the proposal submitted by Schultz Associates to provide a perimeter boundary survey and topographic survey for park improvements at the Village DPW site in an amount not to exceed \$4,700.

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

Trustee Nellis-Ewell abstained due to competitive bids not being received as recommended by the NYS Comptroller's office.

Mayor Lobene commented that she has talked with Mayor May of Fairport and Julian Adams from NYSHIPO to meet with the Village Board and people from the community who have shown interest in developing a preservation district. Mayor Lobene added that she and Clerk Sullivan met today with the Landmark Society of Rochester.

Trustee Rauber questioned if Saturday, December 11th was still a tentative date for a meeting.

Mayor Lobene responded that December 11th is the target date and she will follow up with the Board regarding that date.

Mayor Lobene presented the property tax cap resolution recommended by NYCOM

RESOLUTION 78 12/2010

Introduced by: Trustee Rauber
Seconded by: Mayor Lobene

WHEREAS the level of property taxation throughout New York has reached dangerously high levels; and

WHEREAS New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

WHEREAS two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

WHEREAS in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to firefighters and police officers, do not allow local officials to reasonably control the costs such contracts impose on property taxpayers; and

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WHEREAS as a solution to New York's property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS a property tax cap will only work if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees;

NOW, THEREFORE, BE IT RESOLVED by the Village of Spencerport that the Governor of the State of New York and the members of the New York State Senate and New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to provide overdue property tax relief to the residents and businesses of New York.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, Senate Majority and Minority Leaders, Assembly Speaker and Minority Leader, Senator George Maziarz, Member of Assembly William Reilich and the New York State Conference of Mayors.

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

Sewers Committee – Trustee Rauber, Chair

No Board action required.

Trustee Rauber commented that Scott DeHollander will be addressing the Board regarding the WWTP project wrap up.

Scott DeHollander commented that he will be giving the Board an update on the WWTP project, site restoration and sewer mapping. Mr. DeHollander indicated that he has three close-out packets to be completed by the Board. The boring and electric contract will continue to remain open. The HVAC, Force-main and Pump Station contracts will be closed.

Mr. DeHollander commented that the O&M manuals have been received for the HVAC, Force-main and Pump Station and need to be forwarded to Monroe County.

Attorney Olson commented that the O&M manuals should be at the Village Office as well.

Trustee Gunther questioned if Monroe County needed the information on disk.

Mr. DeHollander responded that he is not sure if the County needs the information electronically but some information has been forwarded to the County digitally.

Mr. DeHollander indicated that Angelica Boring had requested to close out their contract and that punch list items have been addressed. At this time a consensus needs to be reached to determine if the contract could be closed.

Mayor Lobene commented that one resident complained that their yard was not restored property.

Both Mayor Lobene and Superintendent West responded that restoration was completed on the property.

Mr. DeHollander questioned if it should be accepted that the work is satisfactory.

Superintendent West commented that he does not feel that there are any outstanding issues.

Trustee Rauber confirmed that if there is any other small issues the DPW could fix the problems.

Mr. DeHollander indicated that he will then process the paperwork to close out boring the contract.

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Mr. DeHollander indicated that work continues to address the vibration issues with the pump station with modifications regarding how, when and what pumps are run at certain peak flow times. Mr. DeHollander explained that this modification is acceptable to Monroe County and that in addition some bracing will be done to the pumps.

Mayor Lobene questioned where we are with Monroe County accepting ownership of the Pump Station.

Attorney Olson indicated that the County has all of our paperwork and we are waiting for a response.

Mr. DeHollander indicated that this project is nearing the end.

Trustee Rauber commented that he is happy that this project will be near completion by the end of 2010.

Mr. DeHollander commented that MRB has been working on sewer term service contracts with the Village of Spencerport and that the average flow rates continue to drop due to the service contracts. At this time the sewer mapping is incomplete but will be completed by the end of December 2010.

Superintendent West added that the mapping will include all of the work the Village staff has done on the sewers and the new developments. GPS coordinates of the sites will be added in 2011.

Mr. DeHollander described the format of the mapping system with one map showing the entire system that is color coded to show the overall condition of system and another map that shows the details of the manholes and pipelines.

Mr. DeHollander added that meeting will be set up regarding the dock project and that he has met with Superintendent West to review the erosion issues with the west side dock and that the east side dock will rest on the steel sheet pilings which will be a better fit and decrease bank erosion.

Trustee Rauber commented that would be a good idea. Trustee Rauber questioned if there will be in kind services for the Village DPW to work on with the construction of the dock.

Mr. DeHollander indicated yes.

Superintendent West commented that the DPW will be doing all of the ground work.

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

- A. Planning
No Board action required.

Trustee Nellis-Ewell commented that planning and ARB met on November 7th and that 3 signs were approved by the ARB for Bonnie's Chocolate World, Fowler's Canaltown Spirits' monument sign and Curves.

- B. Architectural Review
No Board action required.

- C. Zoning
No Board action required.

Met on November 18th and Mr. and Mrs. Coffey of Coolidge Avenue were give a variance for a 6' privacy fence.

Mayor Lobene confirmed that it was a side fence.

Trustee Nellis-Ewell indicated yes.

- D. Building Control
No Board action required.

Trustee Nellis-Ewell indicated that Mr. Crook's submitted report will be added to the November 17th minutes.

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- E. Code Review
No Board action required.

Trustee Nellis-Ewell commented that Code Enforcement Officer Kevin Kelly is back and a Code Review Committee meeting is this Thursday and the group will be reviewing all enacted legislation and upcoming legislation changes. Trustee Nellis-Ewell further commented that skateboarding was discussed at the last meeting and will continue to be an item on the agenda.

Finance Committee – Trustee Hopson, Chairman

Trustee Hopson indicated that no board action is required but confirmed that there will be a budget workshop next Wednesday.

Facilities Committee – Trustee Hopson, Chairman

- A. Electric

Trustee Hopson complimented Superintendent McIntee's recent appointment as treasurer to the IEEP. Trustee Hopson continued that this is a long overdue recognition.

RESOLUTION 79 12/2010

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

Be it resolved, that the Village of Spencerport Board of Trustees hereby approves hiring Christopher Drzewiecki as an Apprentice Lineman with a starting salary of \$17.53 per hour effective January 3, 2011. This position is subject to a one year probationary period starting January 3, 2011 with formal performance reviews conducted at six months and one year of service and Mr. Drzewiecki is required to acquire a CDL endorsement on his NYS Drivers License within 6 months of being employed.

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 indicated that the interview committee consisted of himself, Superintendent McIntee, Clerk Sullivan, SME Foreman Mike Meyers.

Trustee Rauber questioned if any wage increases were communicated to Mr. Drzewiecki.

Superintendent McIntee responded that due to NYS Retirement Incentive requirements his wage will not increase over two years and that Mr. Drzewiecki will be attending line school. Superintendent McIntee further commented that Mr. Drzewiecki training and background as a contract employee for Rochester Gas and Electric made him the best candidate for the position and that he came highly recommended by his supervisors for this position.

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

Public Works Committee – Trustee Rauber, Chairman

- A. Highways/Garage
No Board action required.

Trustee Rauber deferred comments to Superintendent West

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

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Public Safety Committee – Trustee Gunther, Chairman

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

Human Resources Committee – Trustee Gunther, Chairman

No Board action required.

Economic Development Committee – Mayor Lobene, Chairman

Mayor Lobene commented that a ribbon cutting was done for Fowlers Canaltown Spirits and that one is scheduled for Bonnie's Chocolate World for this Saturday.

Mayor Lobene hoped that Bonnie's Chocolate World does not let lost in her location.

Trustee Gunther questioned if the Planning Committee approved her sign.

Trustee Nellis-Ewell commented that the Planning Board did discuss her sign and that color would promote visibility.

Attorney Olson commented that once you go to a place like that you will remember it.

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

Trustee Nellis-Ewell commented that at the Ogden Senior Center meeting next Monday the results of the lighting plan will be communicated to the group along with a HVAC assessment to help to reduce operating costs of the Senior Center. The Comprehensive Plan continues to make progress and a meeting is scheduled for December 9th. Website committee met and if any board member would like to make updates to their trustee page please submit them to Trustee Nellis-Ewell or Clerk Sullivan by Friday, December 10th. Morgan Management was contacted for updates to the plaza monument sign.

Mayor Lobene suggested that Trustee Nellis-Ewell talk directly to Bob Morgan.

Trustee Nellis-Ewell asked Trustee Gunther for a copy of SVA letter.

Trustee Gunther responded that he passed it to the mayor for the file.

Mayor Lobene added that a meeting was held with the Town and SVA regarding a rough draft of an agreement between the municipalities. Each of the municipalities attorneys have the agreement and are reviewing it.

Attorney Olson indicated that the timing of the agreement is a concern.

Trustee Nellis-Ewell commented that the Mayor did call that meeting for an update.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan explained to the Village Board that the due date for the American Express credit card account does not coincide with the timing of the Village's check processing resulting in interest being charge to the account. Clerk Sullivan further explained that Trustee Kimbler reviewed the possibility of using a different credit card and that the HSBC Master Card credit card will work best for the Village.

RESOLUTION 80 12/2010

Introduced by: Trustee Gunther
Seconded by: Trustee Rauber

Be it resolved, that the Village of Spencerport Board of Trustees hereby authorizes the Village Treasurer to open MasterCard credit accounts for the Mayor, Village Clerk, Village Treasurer, DPW and SME Superintendents with HSBC Bank and close all AMEX credit accounts.

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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 explained to the Village Board that the Health Care Committee met to discuss the possibility of the Village self funding dental insurance. The committee agreed that it would be an acceptable program and that Brain Baty the Village's insurance consultant agreed that it is a good way for the Village to save premium dollars. Clerk Sullivan indicated that the Village could potentially save between \$5,000 and \$7,000 self funding dental insurance. Clerk Sullivan further explained that she will be contacting the staff member's dentists for direct billing.

Trustee Rauber commented that dental is a program that can be administered within the Village and is an opportunity for cost savings.

Trustee Gunther questioned if employees are for this program.

Clerk Sullivan responded that staff has not made negative comments regarding the program.

RESOLUTION 81 12/2010

Introduced by: Mayor Lobene

Seconded by: Trustee Nellis-Ewell

Be it resolved, that the Village of Spencerport Board of Trustees hereby approves cancelling the dental insurance contract with Excellus BCBS to self fund dental insurance for all Village employees and retirees.

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:

- Timothy's Law – Village Board requested that Clerk Sullivan obtain price for the added coverage under Timothy's Law for discussion at the 12/15th meeting.
- New Copier has arrived and working
- CJ Hura, SCS graduate and student at Penn State requested permission to do a fundraiser for a Dance A Thon to benefit area children's hospital by collecting money on Union Street this coming Saturday.

Mayor Lobene did think it would be a good idea because we would have to let other schools do it as well.

Trustee Gunther agreed that it would set precedence.

Clerk Sullivan commented that the Firemen and MDA do not ask for permission.

Trustee Rauber indicated that liability could be an issue and defer a decision to work session to understand what was done in other instances.

RESOLUTION 82 12/2010

Introduced by: Mayor Lobene

Seconded by: Trustee Nellis-Ewell

Be it resolved, that the Village of Spencerport Board of Trustees hereby approves allowing CJ Hura to collect money on Union Street Saturday, December 4, 2010.

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

Superintendent of Public Works – Thomas M. West

Superintendent West commented on the following:

- Met with Jack Crooks regarding 42 Nichols Street and tripping hazards due to the drainage hoses in the parking lot and the group will be meeting with the landlord to address the drainage issues.
 - Attorney Olson commented that violations on file and that an engineer has done an extensive study on the drainage. Trustee Rauber commented that the state wanted us to take over the drainage line and that VOS would take it over after NYS tv-ed the lines. And if Tim Horton's tied in 42 Nichols Street should be able to tie in. Mayor Lobene commented that complaints continue to be received from other businesses. Dick Olson complaint letter date back to the 90s
 - Fencing behind the Village Office needs to be fixed and it is owned by Feltner Insurance; a meeting with Pete Feltner took place and Mr. Feltner indicated that he would look into it; Kevin Kelly will issue a letter to Mr. Feltner to follow up.
 - Christmas on Canal will be staffed; Christmas tree is up
 - Will be giving Attorney Olson a copy of Spencerport Fire Department snow plow contract and is signed by the Mayor. \$5000 was billed to SFD on the contract in 2009.
 - Last week for leaf pick up.
 - Storm sewers will be cleaned out.
 - Salting and plowing done today.
 - Kate Belmont is done and Dave Lintz is done this week.

Superintendent of Electric – Owen McIntee

Superintendent McIntee commented on the following:

- Outage occurred at Crossroads Apartments on 11/21.
- Replaced broken pole on Meadow Drive.
- Routine line work continues.
- Christmas decorations are done.
- Mike and Mat will be working on Christmas on the Canal.

Trustee Hopson commented that some of the wreaths are one sided and two sided.

Superintendent McIntee responded that due to the age of the wreaths some look different than others.

Superintendent McIntee added that work order system continues to be working well, he is working with SCS on energy efficiency programs, the attic insulation program continues to move forward and letters will be sent to the targeted customers in the Domus Track next week and work will be scheduled to be done in early February and that the laptop computers are done for the electric crews and in the trucks.

Attorney – Richard J. Olson

Attorney Olson commented that he is meeting with Attorney Field regarding Planning Board process and has ideas for code review committee.

Unfinished Business

New Business

Trustee Gunther commented that GE is stopping production of incandescent bulbs and that the Village does not take CFLs in the garbage.

Superintendent McIntee indicated that Village offers recycling of CFLs and that the mercury levels are low on CFLs.

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	\$ 84,711.77
Electric Fund	\$ 79,474.64
Sewer Fund	\$ 17,061.31
Trust Fund	\$ 185.00
Capital Fund	<u>\$ 8,544.03</u>
TOTAL:	\$189,976.72

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

Adjournment

Motion was made by Trustee Nellis-Ewell, seconded by Mayor Lobene and carried unanimously that the regular meeting be adjourned at 8:37 p.m.