

**VILLAGE BOARD WORKSHOP MEETING**  
**January 19, 2011**

**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**

Jack Crooks, Building Inspector  
Owen McIntee, Electric Superintendent  
Richard Olson, Attorney  
Jackie Sullivan, Village Clerk  
Tom West, DPW Superintendent

**BI/FM/CE**

Mr. Jack Crooks presented his departmental report for 2010 indicating that 74 permits in total were issued and that 147 field inspections were completed mainly during the plaza construction. Final inspection was completed for 3 Waterside Lane and a C of O will be issued.

Mayor Lobene commented that Wegman's has backed out of the Big Ridge housing project and M&T has one buyer for the Gollel Property on Evergreen Street. Mayor Lobene requested that Mr. Crooks talk to Slayton Place regarding the dumpster enclosure being open all the time.

Mr. Crooks commented that if the two proposed projects on Brockport Spencerport Road and Clark Street do not file their signed plans prior to March 1<sup>st</sup> their plans will be void due to new NYS Storm Water Regulations.

**Attorney**

Attorney Olson commented that the land sale of the cell tower is moving a long and an abstract has been ordered. Work continues on the transfer of the pump station to Monroe County.

Mayor Lobene asked how much longer does the transfer has to go.

Attorney Olson indicated that it should be done by April.

Attorney Olson submitted to the Village Board code revisions to include a provision that when a variance is applied for a instrument survey by a licensed surveyor must be submitted to the Zoning Board of Appeals, a code revision to indicated that the Village will supply materials and labor associated with repairs done in public right-of-way because of work done to residential sewer laterals and privacy fences.

**RESOLUTION 99 1/2011**

Introduced by: Mayor Lobene  
Seconded by: Trustee Rauber

Now, therefore, be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance at the NYCOM Winter Legislative Meeting in Albany, NY February 27-28, 2011. Cost not to exceed \$400.00 per person.

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 100 1/2011**

Introduced by: Trustee Rauber

Seconded by: Trustee Nellis-Ewell

Now, therefore, be it resolved that the Village of Spencerport Board of Trustees hereby approves Tom West's Fred Pryor Seminar Membership in the amount of \$199.

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

Attorney Olson commented on the proposed Spencerport Volunteer Ambulance agreement indicating that he has some reservations regarding the legal issues pertaining to insurance billing and that SVA must bill everyone and that the agreement indicates that if a customer does not have insurance they will not be billed and should people who do not have insurance be subsidized.

Attorney Olson recommended that SVA bill everyone and work though the uncollectable accounts as they are presented. Attorney Olson continued that usually everyone pays their bill.

Trustee Gunther questioned if everyone will be paying the \$35 charge.

Attorney Olson indicated yes.

Attorney Olson continued that these items will be discussed at an upcoming meeting on the 20<sup>th</sup>.

Trustee Rauber commented that he is unclear about the third party billing.

Attorney Olson explained the wording in the proposed agreement and added that the intention of the agreement is that if you do not have insurance you are billed and if you have insurance you do not pay the co-pay the \$35 annual charge covers it.

Mayor Lobene questioned the fee being charged to each apartment unit and that the landlords will not be happy about it and that the commercial and industrial properties will only be charged one unit.

Attorney Olson indicated that this policy should possibly follow the model of the sewer units and have SVA determine the amount of use at apartments and commercial properties.

Attorney Olson will also be questioning how the billing will be done for nonresidents. Attorney Olson further commented that SVA does need to be subsidized beyond the third party billing.

Trustee Nellis-Ewell indicated that information regarding the \$35 calculation needs to be reviewed.

Trustee Rauber agreed with Trustee Nellis-Ewell and further expanded \$35 charge and the revenues it generates.

Mayor Lobene opened the public hearing regarding proposed Local Law 1/2011 at 6:00 p.m. by reading the local law.

There being no comments from the public Mayor Lobene closed the public hearing at 6:02 p.m.

**RESOLUTION 101 1/2011**

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

WHEREAS a public hearing was held the 19<sup>th</sup> day of January, 2011 by the Board of Trustees of the Village of Spencerport, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Village Law of the State of New York;

WHEREAS at said public hearing the Board of Trustees considered the enactment of proposed Local Law No. 1-2011, entitled A LOCAL LAW TO PROVIDE FOR THE RECODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF SPENCERPORT INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE VILLAGE OF SPENCERPORT"; and

WHEREAS all interested persons were given an opportunity to be heard with respect to the enactment of said local law;  
WHEREAS, this action is a Type II action pursuant to 6 NYCRR 617.5(c) (20) and (27) and not subject to SEQRA review; and

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 1-2011 be enacted as follows:

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 to executive session was made by Mayor Lobene, seconded by Trustee Nellis-Ewell and carried unanimously at 6:05 p.m. to discuss personnel issues.

A motion to adjourn the executive session was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously at 7:30 p.m.