

VILLAGE BOARD WORKSHOP MEETING
February 16, 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

Craig Byham, Luther Jacobs Way
Scott DeHollander, MRB Group
Pam Gilbert, Deputy Clerk
Karen Kimbler, Village Treasurer
Owen McIntee, Electric Superintendent
Richard Olson, Attorney
Kris Schultz, Shultz and Associates
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent

Attorney Olson made the following comments:

- Work continues on the pending litigation with the Canal Landing Subdivision.
- Work continues to close the transfer of the pump station to Monroe County; should close by April 2011.
- A letter has been sent to the federal agency that regulates the rail road; strongly recommended that the Village not spend public funds on the local rail road bridge.

Trustee Nellis-Ewell questioned if the moratorium was nearing expiration.

Attorney Olson responded that he believes that it ends in March and he will take a look at it this week.

Trustee Rauber commented that Mr. John Penna, Esq. is now on the Spencerport Depot and Canal Museum Board and has made some revisions and will be submitting them to Attorney Olson.

RESOLUTION 121 2/2011

Introduced by: Mayor Lobene

Seconded by: Trustee Hopson

Now, therefore, be it resolved that the Village of Spencerport Board of Trustees hereby awards the automatic swing door controls bid to Imperial Door Controls, Inc. in the amount of \$3,780.00. This bid is fully reimbursable by Monroe County's community Development Block Grant program.

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 122 2/2011

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

Now, therefore, be it resolved that the Village of Spencerport Board of Trustees hereby acknowledges Mr. Gary Penders' letter indicating that he will be retiring effective May 31, 2011.

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 123 2/2011

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

SEQR RESOLUTION

***DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE
ON
VILLAGE OF SPENCERPORT CANAL BOAT DOCK PROJECT***

WHEREAS, the Village of Spencerport Village Board (hereinafter referred to as Village Board) has determined the above referenced Action to be an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Village Board has reviewed and accepted the Environmental Assessment Form on the Action prepared by the MRB Group, P.C; and

WHEREAS, the Village Board has completed the public review and comment period provided for under the SEQR Regulations; and

WHEREAS, the Village Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Village Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Environmental Assessment Form.

NOW THEREFORE BE IT RESOLVED, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Village Board does hereby make a Determination of Non-Significance on said Action, and the Village Mayor is hereby directed to sign and issue the Negative Declaration form as evidence of the Village Board determination of environmental non-significance.

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

Mayor Lobene explained that she, Trustee Gunther and Attorney Olson attended a meeting last week and the Village has received the latest draft of the inter-municipal agreement. Mayor Lobene asked Trustee Gunther to further explain the meeting.

Trustee Gunther commented that he is not against the process however what control will the towns and village have on the spending of the tax dollars.

Mayor Lobene responded that there would be an advisory board with members from each town and village.

Attorney Olson commented that some control of finances is based on the amount of expenditures. Attorney Olson continued that the SVA Staff would be allowed to spend up to \$10,000 for equipment without board approval.

Trustee Gunther confirmed that the board would then be involved in the budget process and any expenditure over \$10,000.

Attorney Olson indicated that is correct and that this agreement can be cancelled at any time.

Mayor Lobene commented that she will be distributing additional information to the rest of the Board.

Trustee Nellis-Ewell indicated that she feels there needs to be more discussion on the agreement.

Mayor Lobene indicated that she agrees and will forward the new information she has to the Trustees.

Mayor Lobene explained that SCS would like to start their Homecoming Parade at the DPW Shop due to the increasing size of the parade.

Superintendents McIntee and West indicated that it would not be a problem.

Clerk Sullivan indicated that the Homecoming Parade organizers will need to submit a parade permit with the route for approval by the Village Board.

Mayor Lobene commented that last Wednesday Julian Adams from the NYS Historic Preservation Department spoke at the Depot regarding the development of a Historic Preservation District in the Village. Mayor Lobene continued that she has talked with Mayor May of Fairport and feels that Spencerport should model their program after Fairport's since it is a middle of the road program.

Trustee Gunther asked if the residents wanted the preservation district.

Attorney Olson explained that a preservation board would work independently of all other boards and that if a resident wanted to change something on the exterior of their home such as siding or the roof they would be to present their changes to the preservation board.

Trustee Nellis-Ewell indicated that she attended the meeting presentation by Julian Adams at the Spencerport Depot and Canal Museum and while it was an informative overall presentation it was not specific enough for clear understanding of the three levels/options. The presentation was unclear as to whether the process was objective or subjective and that 75 CLG's exist throughout NYS with the heaviest districts in the Buffalo and Hudson Valley regions however they are not designated by level. Trustee Nellis-Ewell continued that there is a variance process to the Historic Preservation Commission by proving a hardship such as cost of the repairs thus not totally safeguarding against demolition. Trustee Nellis-Ewell expressed the following concerns regarding the establishment of the Commission: qualifications are light, no prior board experience necessary, what are the expectations and who creates them, accountability, interaction

with other boards, will there be a Village Board liaison, suggested board size was 7-9 members, future cost of training, record keeping, legal representation and impact on future budgets. Trustee Nellis-Ewell explained that the ARB/Planning Board members have experience, knowledge and training and may serve on the commission but laws and regulations can be complex and would need to keep Board and Commission matters separate. Trustee Nellis-Ewell added that the Village already has Development and Design Regulations along with the Comprehensive Plan to guide residents with their properties. Trustee Nellis-Ewell also commented that when Mr. Adams was asked if there were contractor certifications regarding historical preservation that could possibly drive repair/renovation costs up; Mr. Adams indicated that there is not a contractor certification process. Trustee Nellis-Ewell indicated that she is not convinced of significant benefits to the tax payer and how the program would be marketed or implemented however the program does make the area available to grants and supports green initiatives. Trustee Nellis-Ewell closed by commenting that the matter deserves careful consideration and thought.

Mayor Lobene thanked Trustee Nellis-Ewell for her report and commented that members of the board do need to have some experience and the criteria was outlined in the provided materials.

Trustee Gunther confirmed that the preservation board is separate from all other boards and would need a liaison.

Mayor Lobene indicated that the Village does not have to do everything outlined in the provided materials. Mayor Lobene asked the Board to read the materials and further discussion would take place next month.

Trustee Gunther questioned if the Planning and Zoning Boards have some control over the buildings.

Craig Byham commented that the Architectural Review Board does have some input to the look of the building in the business district only. Mr. Byham indicated that the ARB could act as the historic preservation board.

Attorney Olson commented that the appeal process is not clear.

Mayor Lobene responded that ARB could act as the preservation board however there are clear guidelines for each board.

Trustee Gunther questioned what is being preserved.

Mayor Lobene responded any properties fifty years or older.

Superintendent McIntee, Treasurer Kimbler and Deputy Clerk Gilbert presented to the Village Board the results of the rate case study that was completed by staff and Bill Freitag of BST. The study indicated that SME is in need of an additional \$283,000 to meet all future financial commitments and repay a short term loan from the General Fund. This would result in a 15.1% increase to the base electric rate resulting in an approximate 9.9% increase to the customer's bill. Upon Board approval the presented rate case would be presented to the Public Service Commission and they would determine the percent of increase that would probably be less than the requested rate of 15.1%.

Trustee Gunther acknowledged that the electric department is in need of a rate increase based on the reported financial information however he feels that 15.1% is too high due to short term debts maturing in two to three years.

RESOLUTION 124 2/2011

Introduced by: Mayor Lobene

Seconded by: Trustee Rauber

Now, therefore, be it resolved that the Village of Spencerport Board of Trustees hereby approves submitting the Spencerport Electric Rate Case Study to the Public Service Commission to be considered for a 15.1% increase in the base electric rates.

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

A motion to adjourn the executive session was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously at 5:35 p.m.

A motion to adjourn the executive session to workshop was made by Trustee Rauber, seconded by Trustee Hopson and carried unanimously at 7:29 p.m.

A motion to adjourn the workshop meeting was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously at 7:30 p.m.