

VILLAGE BOARD MEETING
Minutes
May 4, 2011

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Trustee Gunther

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor
Theodore E. Rauber, Trustee

Gary Penders, Trustee
Fritz Gunther, Trustee

OTHERS PRESENT

Glenn Granger, Village Walk Circle
Owen McIntee, Electric Superintendent
Richard Olson, Village Attorney
Kris & Glynn Schultz, Schultz Associates
Joan Quigley, Maplewood Avenue
Jackie Sullivan, Village Clerk
Ginny Swarthout, Unique Shop
Tom West, DPW Superintendent
Participation in Government Students (3)

BOARD MEMBERS ABSENT

Carol J. Nellis-Ewell, Trustee

APPROVAL OF MINUTES

A motion was made by Trustee Rauber, seconded by Trustee Penders and carried that the minutes of the regular meeting April 6, 2011 be approved as read.

A motion was made by Trustee Penders, seconded by Trustee Rauber and carried that the minutes of the annual organizational meeting April 6, 2011 be approved as read.

A motion was made by Trustee Rauber, seconded by Trustee Penders and carried that the minutes of the workshop meeting April 20, 2011. Trustee Gunther abstained.

PRIVILEGE OF FLOOR

Mrs. Ginny Swarthout reviewed the guidelines associated with the Spencerport Village Dumpster Art Contest sponsored by the Canal Days Committee. Mrs. Swarthout asked the Board for any suggestions regarding the contest and added that the artists would be required to seal the dumpsters after they are painted.

Mayor Lobene asked if Mrs. Swarthout had contacted the businesses that have dumpsters to see if they would be willing to participate in the contest.

Mrs. Swarthout responded that she had spoken to a few business owners and that they were interested in the contest.

Trustee Rauber questioned how the artists felt about the one year warranty on the painting.

Mrs. Swarthout responded that the guidelines indicate a one year warranty and the artists would be made aware of the warranty conditions.

Administrative Committee – Mayor Lobene, Chair

Resolution 172 5/2011

Introduced By: Mayor Lobene
Seconded By: Trustee Gunther

Now, therefore, be it resolved:

That the Village Board hereby approves the Canal Days sponsored Village of Spencerport Dumpster Art program as per the attached guidelines.

Vote of the Board: Theodore E. Rauber, Trustee Aye
Carol J. Nellis-Ewell, Trustee Absent
Gary Penders, Trustee Aye
Fritz Gunther, Trustee Aye
Joyce Lobene, Mayor Aye

Resolution 173 5/2011

Introduced By: Mayor Lobene
Seconded By: Trustee Rauber

Now, therefore, be it resolved:

That the Village Board hereby approves assigning Trustee Penders as Chair to the Public Safety Committee

Vote of the Board: Theodore E. Rauber, Trustee Aye
Carol J. Nellis-Ewell, Trustee Absent
Gary Penders, Trustee Aye
Fritz Gunther, Trustee Aye
Joyce Lobene, Mayor Aye

Mayor Lobene indicated that Dr. Robert Sudlow presented a signed petition from the neighbors regarding an additional stop sign at Morningside Drive and Hawthorne Road because of increased traffic. Mayor Lobene added that a resident from Deerborne Lane contacted her regarding speeding traffic and questioned if a “children at play” sign could be installed.

Superintendent West indicated that our insurance company does not endorse the installation of those signs.

Mayor Lobene reported that the dedication of the new dock will be June 11th at 2:00 p.m.

Sewers Committee – Trustee Rauber, Chair

Trustee Rauber commented that there is nothing requiring Board action and the DPW crews are working on the dock project at this time.

Trolley Depot – Trustee Rauber, President

Trustee Rauber commented that the group is looking at potentially growing the foot print of the building and the possibly increasing the library facilities. The group is also reviewing the grant opportunities available.

Mayor Lobene questioned if a room could be developed to be large enough to have a public meeting and be handicapped accessible.

Trustee Rauber responded that space is limited and size of the room maybe restricted.

Mr. Granger suggested bringing back the bridge tenders building back to the Village.

Trustee Rauber responded that the bridge tenders building is being considered.

Mayor Lobene added that she, Clerk Sullivan and Superintendent West met with the Canal Corp. last week and the Canal Corp. indicated that grant monies maybe available for project on the canal.

Mr. Kris Schultz discussed the potential of 4000’ of trail to connect the south side of the canal west to the Canal Landing professional buildings on Spencerport Road.

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

A. Planning

Trustee Gunther reported that the Parkview Big Ridge Holdings, LLC presented their building plan at the Public Hearing. The plan was tabled by the Planning Board until the next meeting.

Trustee Rauber questioned if the attorney was present and were any comments made by her.

Trustee Gunther responded that she did make mention of easements, parking and green space.

Superintendent McIntee indicated that Monroe County had not submitted their comments regarding the project.

Attorney Olson clarified that prior to the Planning Board approving the project the Monroe County has 30 days to submit comments.

- B. Architectural Review
- C. Zoning
- D. Building Control
- E. Code Review

Finance Committee – Trustee Penders, Chair

Trustee Penders explained that he has met with Treasurer Kimbler to review the fiscal responsibilities of the Village Board and that it was determined that the Village treasurer’s work should be reviewed by an outside firm. The firm that has been suggested is Raymond F. Wager and that all accounts and accounting practices including bank reconciliations, balance sheets, receivable and payables, budget status reports for overspent budget lines, unusual revenue sources, do to’s/do from’s and fund balance and reserves will be reviewed for inconsistencies and/or concerns.

Trustee Penders further explained that by completing these external reviews on an annual basis will decrease the Village’s potential for being audited by the State Comptroller’s Office.

Mayor Lobene asked Clerk Sullivan for her opinion on an external review of the Village’s financial books being completed.

Clerk Sullivan responded that she and Treasurer Kimbler have discussed the annual review of the Village’s financial books and that it is an excellent process to confirm that all financial transactions are consistent.

RESOLUTON 174 5/2011

Introduced by: Trustee Penders
Seconded by: Trustee Rauber

Be it resolved that the Village of Spencerport Board of Trustees approves the annual review of the Village of Spencerport accounting practices by Raymond F. Wager CPA not to exceed \$6000.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Facilities Committee – Mayor Lobene, Chair

- A. Electric

Mayor Lobene congratulated the Village staff for the hard work on the docks and that the electric crews have been working hard.

- B. Other (Drainage, Franchise)

Public Works Committee – Trustee Gunther, Chair

- A. Highways/Garage

Trustee Gunther indicated that excellent progress continues on the dock and is coming along nicely.

- B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

A. Fire Department

Trustee Penders met with Commissioners Spencer and McQuilkin and will be attending the next commissioners meeting.

B. Police

C. Ambulance

Trustee Penders commented that he attended the Ambulance Board meeting and explained that a \$35 per parcel fee was suggested and the State Comptroller’s Office indicated that a per parcel fee could not be implemented and that a charge based on assess value would need to be implemented for an ambulance district.

Trustee Penders continued that the service area that SVA is covering may not be able to be considered an ambulance district. At this time an RFP is being established to retain a law firm to take the necessary steps to form an ambulance district.

Trustee Rauber thanked Trustee Penders for his report and that it is a breath of fresh air.

Human Resources Committee – Trustee Gunther, Chair

Trustee Gunther requested executive session to discuss an employee issue.

Economic Development Committee – Mayor Lobene, Chair

Green Initiatives – Trustee Nellis-Ewell, Chair

Mayor Lobene asked Superintendent West how the rain barrels are coming.

Superintendent West indicated that classes are being conducted at SCS for residential implementation of rain barrels.

Village Clerk – Jackie Sullivan

Resolution 175 5/2011

Introduced By: Trustee Rauber

Seconded By: Trustee Penders

Now, therefore, be it resolved:

That the Village Board hereby approves the Ferris Goodridge American Legion Post #330 Memorial Day Parade Monday, May 30, 2011 from 9:00 a.m. – 11:00 a.m.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Resolution 176 5/2011

Introduced By: Trustee Gunther

Seconded By: Trustee Rauber

Now, therefore, be it resolved:

That the Village Board hereby approves the attached property maintenance and refuse amounts to be re-levied on the property owner’s 2011/2012 Village Taxes.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent

Gary Penders, Trustee	Aye
Fritz Gunther, Trustee	Aye
Joyce Lobene, Mayor	Aye

Resolution 177 5/2011

Introduced By: Trustee Penders
Seconded By: Mayor Lobene

Now, therefore, be it resolved:

That the Village Board hereby approves the hiring of Sara Venezky from May 2011 through September 2011 at an hourly rate of \$9.00.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Resolution 178 5/2011

Introduced By: Trustee Rauber
Seconded By: Trustee Penders

Now, therefore, be it resolved:

That the Village Board hereby approves the hiring of Calvin Zimmerman from May 2011 through September 2011 at an hourly rate of \$12.00.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Clerk Sullivan commented that the year-end Village Board Meeting will be Tuesday, May 31, 2011 4:00 p.m.; reimbursement paperwork has been submitted and accepted for the docks; the balance of the CDBG program will be able to be applied to the ADA ramps and path to the docks; and the department of state will be contacted to potentially reconfigure the grant to help pay for lighting and some of the proposed walking trail; Margaret Gioia is making significant progress and has really stepped up her game.

Superintendent of Public Works – Thomas M. West

Superintendent West thanked Clerk Sullivan for her help with the dock project. Superintendent West continued by describing the pathway reconstruction and the overall progress of the dock construction.

Mayor Lobene added that Crane Hogan has done an excellent job on the project.

Superintendent West continued that crews are completing bulk pick up this week. Modifications have been done to the refuse truck for the toters and all dumpsters have been repaired and that John Stassen has done an excellent job with these repairs. Repairs on the Gazebo will be starting next week.

Superintendent of Electric – Owen McIntee

Superintendent McIntee indicated that his monthly report and a summary of the MEUA Annual meeting were emailed to the Village Board.

Superintendent McIntee explained that Fairport's rear lot pole setter is available for purchase and that this piece of equipment is beneficial to SME because of the high percentage of back yard infrastructure and has been borrowed from Fairport on many occasions for setting poles.

Trustee Gunther questioned if \$5000 was the minimum bid.

Superintendent McIntee responded that he does not know what the minimum bid is but feels that the item can be purchased for about \$5000.

Mayor Lobene questioned why Fairport is getting rid of their old pole setter.

Superintendent McIntee indicated that old pole setter was not able to work with Fairport's voltage and a much larger type of pole setter is needed in Fairport.

Trustee Rauber commented that this piece of equipment is extremely useful to SME.

Mayor Lobene questioned if this piece of equipment is in good working order.

Superintendent McIntee confirmed that the equipment is in good working order.

Trustee Penders commented that SME has many aged poles and that a pole setter would be a safer method of installing and/or replacing utility poles.

Resolution 179 5/2011

Introduced By: Trustee Rauber

Seconded By: Trustee Penders

Now, therefore, be it resolved:

That the Village Board hereby authorizes the Spencerport Municipal Electric Superintendent to bid to purchase a rear lot pole setter from the Tietsworth Auction not to exceed \$10,000

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Absent
	Gary Penders, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Attorney – Richard J. Olson

Resolution 180 5/2011

Introduced by: Trustee Rauber

Seconded by: Trustee Penders

**INTRODUCTORY LOCAL LAW #5-2010
VILLAGE OF SPENCERPORT, MONROE COUNTY**

**A LOCAL LAW TO AMEND THE DOCK USAGE LAW
OF THE VILLAGE OF SPENCERPORT**

WHEREAS, the Village Board has before it a proposed Local Law to amend the Dock Usage Law to include the newly constructed dock near the Spencerport Depot & Canal Museum; 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 18th day of May, 2011, at 6:00 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	Absent
	Gary Penders, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Attorney Olson requested executive session to discuss litigation.

Unfinished Business

New Business

Bills

Motion was made by Trustee Gunther, seconded by Trustee Rauber and carried unanimously that the monthly bills be paid as audited in the following amounts:

General Fund	\$ 47,040.79
Electric Fund	\$ 20,444.83
Sewer Fund	\$ 9,293.84
Trust Fund	\$ 238.96
Capital Fund	<u>\$ 3,847.13</u>
TOTAL:	\$80,865.55

Motion was made by Trustee Gunther, seconded by Trustee Penders and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, May 2011 be approved as audited.

Adjournment

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the regular meeting be adjourned to executive session to discuss employee issues and litigation at 8:23 p.m.

Motion was made by Trustee Gunther, seconded by Trustee Rauber and carried unanimously that the executive session be adjourned at 8:50 p.m.