

**VILLAGE BOARD WORKSHOP MEETING**  
**September 21, 2011**

**CALL TO ORDER:** 4:30 p.m.

**BOARD MEMBERS PRESENT**

Joyce Lobene, Mayor  
Theodore E. Rauber, Trustee

Gary Penders, Trustee  
Fritz Gunther, Trustee

**BOARD MEMBERS ABSENT**

Carol J. Nellis-Ewell, Trustee

**Others Present**

Jack Crooks, Building Inspector  
Kevin Kelly, Code Enforcement Officer  
Owen McIntee, SME Superintendent  
Richard Olson, Village Attorney  
Kris Schultz, Schultz and Associates  
Jackie Sullivan, Village Clerk  
Tom West, DPW Superintendent

**BI/CE/FM**

Mr. Kevin Kelly reported that he has been working with the Code Review Committee regarding trailers and parking on the lawns.

Mr. Kelly continued that he has issued 6 temporary sign permits and has had the broken table removed from the Abbots yard area;

A full inspection has been completed at the Bad Apple Bistro; working with SFD to update their business directory; letters have been sent to 2 residents regarding unregistered vehicles; responded to an inquiry from a resident regarding the certificate of occupancy for the two houses on Evergreen Street and they do have the certificates of occupancy; a letter has been sent to Mike Prognos to complete the entry way to CJ's Pub;

Two appearance tickets were issued to the Short's on Amity Street for junk cars and the general condition of the property. Attended court for the Amity Street property and the general condition of the property has improved but informed the judge that he stores his dialysis equipment in the junk van;

Grandpa Sams was notified that the "catering" sign must be removed and Abbots was notified that the "open" sign needed to be removed;

Continued to deal with overweight containers and that tagging system to inform residents that their trash containers are overweight; progress is being made on the Maplewood Avenue property clean up continues and is looking much better;

A stop work order was posted on a tree trimming project on Maplewood Avenue that was near the primary electric wires and Terry Tree Service finished the project;

Tim Horton's was informed to reduce the amount of their false alarm calls;

Talked with Kris Schultz about reorganizing the West Avenue parking lot to increase spaces by eight; Parkhurst Drive and Village Trail properties have been cleaned up;

Fire Marshall, Jim McKinney and Mr. Kelly completed the fire inspection for the new location of Pontillo's Pizza questions arose regarding the integrity of the fire barrier between the units because a fire inspection was not done prior to the renovations. Mr. Kelly continued that he will be requesting a letter from the contractor with a detail explanation of the work that was completed and the integrity of the fire barrier.

Mr. Kelly continued that he has been in contact with CSX and they are looking into the Union Street and Washington Street Bridges;

The owner of Hartfield's Garage is concerned that he will lose business due to the construction on Lyell Avenue and requested to put a sign up at the corner of Rt. 31 and Prospect Street with an arrow towards his garage; Mr. Kelly responded that the request is outside the realm of his authority and suggested that he talk to the Zoning Board of Appeals.

Mr. Jack Crooks reported that the Dollar Tree renovations are taking place;

Met with Superintendent McIntee at 9 Canalside Drive regarding the installation of a shed and the proximity of the electrical wires; work continues on the Canaside Drive drainage issues;

Planning for development of the Visca property located in the Town adjacent to the Village line is beginning;

The Brockport Road LoPresti project is ready to go except for a few easement issues;

Proposed sale of the T&C building on Union Street for an office building; a ticket needs to be issued to Kravetz's reality regarding their direct drainage of water to Union Street and the zoning of their fire alarm system.

### **Village Attorney**

Attorney Olson indicated that he continues to work on the Village litigation issues.

Mayor Lobene questioned the status of the Hogan litigation issue.

Attorney Olson responded that the case is in front of Judge Barry at this time.

Attorney Olson indicated that he has reviewed the proposed Village Comprehensive Plan and that it looks good and added formal comments included in the draft packet.

### **RESOLUTION 45 9/2011**

Introduced by: Mayor Lobene

Seconded by: Trustee Rauber

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves the SME Superintendant to attend the 2011 IEEP Annual Meeting September 29 and 30, 2011 in Syracuse, NY. Cost not to exceed \$119.00

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

Mayor Lobene commended Superintendent West and Clerk Sullivan for their work to reduce the price of the NYCOM Conference by \$50 per night.

**RESOLUTION 46 9/2011**

Introduced by: Trustee Penders  
Seconded by: Trustee Rauber

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves the DPW Superintendent’s attendance at the 2011 NYCOM Annual Public Works Training October 24-26, 2011 in Saratoga Springs, NY cost not to exceed \$750.00.

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 47 9/2011**

Introduced by: Trustee Gunther  
Seconded by: Trustee Penders

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves applying to the NYS Canalway Grant Program for funding for the following projects: Municipal Parking Lot Expansion, East Avenue Heritage Trail Project and Community Wi-Fi total grant not to exceed \$300,000.

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

**RESOLUTION 48 9/2011**

Introduced by: Trustee Rauber  
Seconded by: Trustee Penders

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves contracting with Schultz Associates to assist in the NYS Canalway Grant Program Submission. Cost not to exceed \$3,000.00

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 49 9/2011**

Introduced by: Trustee Rauber  
Seconded by: Mayor Lobene

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves assigning Schultz Associates to provide design, engineering, cost estimates, construction observation including the permitting process to complete the Force Main/East Avenue restoration project pending the expiration of the permissive referendum time limit associated with the release of

Village Funds for the project. Engineering costs not to exceed \$60,000.00 without additional Village Board Approval.

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

Mr. Kris Schultz of Shultz Associates led the group in a review of the layout of the East Avenue pedestrian trail and the proposed grant application for the completion of the East Avenue pedestrian trail.

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the workshop meeting be adjourned at 5:57 p.m.