

**VILLAGE BOARD MEETING**  
**October 5, 2011**  
**Minutes**

**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**

Ray Kuntz, Jr., Coolidge Avenue  
Owen McIntee, SME Superintendent  
Richard Olson, Village Attorney  
Jackie Sullivan, Village Clerk  
David Wieme, Amity Street  
Elizabeth Venezky, Thorncliff Road  
Mike Vickery, DPW Foreman

**BOARD MEMBERS ABSENT**

Carol J. Nellis-Ewell, Trustee

Mayor Lobene requested a moment of silence to acknowledge the passing for former Mayor and Past President of Spencerport Fire Department and NYS Volunteer Firemen's Association Edward McKinney, Sr.

A motion was made by Trustee Penders to set a page aside in the meeting minutes to acknowledge mayor McKinney's term of office and the day he deceased. Trustee Rauber seconded the motion and carried unanimously.

**APPROVAL OF MINUTES**

A motion was made by Trustee Rauber, seconded by Trustee Penders and carried that the minutes from the September 14, 2011 regular meeting be approved as read.

A motion was made by Trustee Gunther, seconded by Trustee Rauber and carried that the minutes from the Workshop September 21, 2011 workshop meeting be approved as read.

**PRIVILEGE OF FLOOR**

**Administrative Committee** – Mayor Lobene, Chair

Mayor Lobene introduced Eric Stowe to the Village Board to be the newly appointed Planning and Zoning Board attorney.

**Resolution 50 10/2011**

Introduced by: Mayor Lobene  
Seconded by: Trustee Gunther

Now therefore be it resolved, that pursuant to Section 3-301(2)[c] of the Village Law, the Village of Spencerport Board of Trustees determines that the person or persons holding the position of attorney for the Architectural Review Board, Planning Board and Zoning Board of Appeals shall be deemed a Village Officer and further that this office shall be afforded the defense and indemnification provisions applicable under §18 of the Public Officers 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

**Resolution 51 10/2011**

Introduced by: Mayor Lobene  
Seconded by: Trustee Penders

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves the Mayor's appointment of Eric Stowe, Esq. as attorney of the Architectural Review Board, Planning Board and Zoning Board of Appeals for a term expiring April, 2012. Compensation to be \$100/hr; upon successful reappointment in April 2012 compensation to be increased to \$125/hr.

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

Trustee Rauber read the School Board Recognition week proclamation.

### PROCLAMATION

**WHEREAS**, the citizens of the Village of Spencerport embrace the opportunity to support the observance of School Board Recognition Week; this annual event is celebrated in school districts throughout New York State, and

**WHEREAS**, the members of the Spencerport School Board are an invaluable resource as local decision makers; they respond to the respective needs of their communities, serving the interests of school children and preparing them for the future, and

**WHEREAS**, the men and women serving the people of Spencerport as members of the School Board devote many hours of service to public education and continually strive for improvement, quality and progress in education, and

**WHEREAS**, members of local boards of education throughout New York State merit recognition and commendation for their dedicated service to the people and children of our community, it is fitting to support this annual celebration

**NOW, THEREFORE**, we the Spencerport Village Board do hereby proclaim official recognition of October 17-21, 2011 as

### SCHOOL BOARD RECOGNITION WEEK

Dated this 5<sup>th</sup> day of October, 2011

Spencerport Village Board

Joyce Lobene, Mayor  
Theodore E. Rauber, Trustee  
Carol Nellis-Ewell, Trustee  
Gary Penders, Trustee  
Fritz Gunther, Trustee

Mayor Lobene commented that she, Trustee Penders, and Dave Wieme participated in the NYS Canal inspection with Brian Stratton from Hulberton, NY to Spencerport last week Appointment of Eric Stowe as the Planning Board and Zoning

**Sewers Committee** – Trustee Rauber, Chair

TR Deferred to DPW Foreman

**Trolley Depot** – Trustee Rauber, President

Trustee Rauber indicated that the depot has had almost 3000 visitors and over 89 boaters have been at the docks. Trustee Rauber continued that among the boating community Spencerport is becoming a destination.

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

A. Planning

- B. Architectural Review  
Mayor Lobene indicated that the only application from last night's meeting was a sign for the Dollar Tree Store and it was approved without back lighting
- C. Zoning
- D. Building Control
- E. Code Review

**Finance Committee** – Trustee Penders, Chair

**Resolution 52 10/2011**

Introduced by: Trustee Penders  
Seconded by: Trustee Rauber

Now therefore be it resolved that the Village of Spencerport Board of Trustees approves the following budget transfers for fiscal year end 5/31/2012:

<b>Amount</b>	<b>To Account</b>	<b>From Account</b>
\$32,000	A5110.402 Highways-Road Materials	A5110.400 Highways Contractual
\$9,000	A8540.100 Drainage Salaries	A5110.100 Highways Salaries

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

Trustee Penders commented that the auditor from Raymond F. Wager's office will be in next week for review of the books to fulfill the Board's fiscal responsibilities for 2011.

Mayor Lobene commented that the DPW Staff did a great job on Thorncliff and Brockport Roads.

**Facilities Committee** – Mayor Lobene, Chair

- A. Electric

Mayor Lobene congratulated Superintendent McIntee for being elected President of the IEEP Executive Committee.

**Resolution 53 10/2011**

Introduced by: Trustee Rauber  
Seconded by: Trustee Penders

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves the following Individuals to attend the MEUA Fall Engineering/Accounting and Finance Workshop Wednesday & Thursday, November 9 & 10, 2011: SME Superintendent Owen McIntee, Deputy Clerk Pamela Gilbert, SME Foreman Mike Meyers and (1) Lineman . Cost not to exceed \$600.00.

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

- B. Other ( Drainage, Franchise)

**Public Works Committee** – Trustee Gunther, Chair

Trustee Gunther commented that Thorncliff and Brockport Roads look good.

- A. Highways/Garage
- B. Public Services (Refuse, Recycling, Parks)

**Public Safety Committee** – Trustee Penders, Chair

- A. Fire Department - did not attend fire department meeting
- B. Police

Trustee Penders commented that Ken Olson is on patrol in the business district through the end of the month.

- C. Ambulance

Trustee Penders indicated that he attended last meeting and that the ambulance is going for loan for the new ambulance at Spencerport Federal Credit Union passed a sick leave policy and ambulance board member Nordquist spoke that the meetings need to be more productive with the appropriate people from the ambulance attending the meetings.

**Human Resources Committee** – Trustee Gunther, Chair

Trustee Gunther requested an executive session to discuss a personnel issue.

**Economic Development Committee** – Mayor Lobene, Chair

Mayor Lobene commented that the Dollar Tree store renovations are moving along and will be opening soon.

**Green Initiatives** – Trustee Nellis-Ewell, Chair

**Village Clerk** – Jackie Sullivan

**RESOLUTION 54 10/2011**

Introduced by: Mayor Lobene  
 Seconded by: Trustee Rauber

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves J. William Jewelers assembly permit to conduct a customer appreciation day on Saturday, October 22, 2011 from 9:30 a.m. until 4:00 p.m. with Barton’s Parkside Hots to be located on the side walk between the Galley Restaurant (94 S. Union Street) and J. William Jewelers building (106 S. Union Street)

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 explained to the Village Board on behalf of Superintendent West’s absence the potential of participating in an internship in the DPW Mechanic’s Garage with Jim Spencer of West Avenue. Clerk Sullivan continued that insurance coverage has been reviewed and as a volunteer Mr. Spencer is covered and that Dean Toates, Village Mechanic is comfortable with the program as well.

The Village Board indicated that they felt it would be a great idea.

Clerk Sullivan continued that resolutions for the SEQR process will be prepared for the workshop meeting for phase one of the East Avenue Heritage Trail. A training session was attended on Monday and that two applications are necessary for phase two of the East Avenue Heritage Trail enhancements and the parking lot/drainage issues. I and Superintendent West met with Kris Schultz to review the project and Superintendent West is confident that his crews can build and complete the construction of the trail and phase two if the grant application is acceptable. Clerk Sullivan added that she and Superintendent West are excited about the project and are confident that they will get it completed.

**Superintendent of Public Works** – Thomas M. West

Mike Vickery, DPW Foreman commented in Superintendent West's absence that Thorncliff and Brockport Road along with the Village Office back parking lot are complete. The Gazebo is being painted as this time and work continues on the pavilion as well. Fourteen feet of storm sewer has been replaced on Village Walk. Observation will take place on the Lyell Avenue project due to the Village sanitary sewers being located in the area of the culvert being replaced, should the sanitary sewers be disrupted or damaged the contractors will be replacing the sanitary sewer pipes. Work will restart on the storm sewer inspections including Noble Drive and parks and leaf pick up will begin next week.

**Superintendent of Electric** – Owen McIntee

Superintendent McIntee congratulated Mr. Vickery and Mr. Meyers on a job well done at the Village Walk and Crossroads Apartments projects, reports regarding the various meetings that were attended were submitted to the Village Board and work continues as the Lyell Avenue project, Dollar Tree Store and the attic insulation program is continuing and the Village Office building will be insulated as well. Benchmarking will begin on the homes that were insulated.

**Attorney** – Richard J. Olson

Attorney Olson indicated that there is nothing requiring Board action and that he will be in North Carolina next week.

**Unfinished Business**

**New Business**

**Bills**

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

General Fund	\$100,032.83
Electric Fund	\$ 35,260.88
Sewer Fund	\$ 5,278.96
Trust Fund	\$ 378.62
Capital Fund	<u>10,000.00</u>
<b>TOTAL:</b>	<b>\$150,951.29</b>

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

**Adjournment**

Motion was made by Trustee Gunther, seconded by Mayor Lobene and carried unanimously that the regular meeting be adjourned to executive session to discuss matters of personnel 7:45 p.m.

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the executive session be adjourned to workshop session at 8:15 p.m.

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the workshop session be adjourned at 8:16 p.m.