

**VILLAGE BOARD WORKSHOP MEETING
December 14, 2011**

CALL TO ORDER: 4:30 p.m.

BOARD MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

Others Present

Owen McIntee, SME Superintendent
Kris Schultz, Schultz Associates
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent

Mayor Lobene called the meeting to order at 4:30 p.m.

Mr. Jack Crooks, Building Inspector commented on that he attended a meeting regarding the Village Plaza expansion with the plaza owners, Schultz Associates, Planning Board Chair, Mayor Lobene, Trustee Nellis-Ewell, SFD Representative, SME Superintendent McIntee and West.

Mr. Crooks further commented that Grandpa Sams is now compliant with their exterior renovations and the "stop work order" has been removed; plans have been reviewed for the housing development on Big Ridge Road and Land-Re Way.

Mr. Kevin Kelly, Code Enforcement Officer commented that the vacant building on the Gollel property located at the end of Amity Street has been secured; contact has been made with CSX regarding the removal of the railroad bridge and the schedule has been pushed to February due the NYS permitting process for the project.

Trustee Gunther questioned the status of the drainage at Atlas Gym.

Mr. Kelly responded that the gym has been notified and it is in their hands and NYSDOT, the Village cannot pursue this matter further due to the water being pumped into a NYS road and drainage.

Trustee Gunther questioned if tickets could be issued.

Mr. Crooks responded that the only tickets that could be issued would be regarding the water levels in the gym.

Trustee Nellis-Ewell asked Mr. Kelly if the exit signs have been repaired at the Ogden Senior Center.

Mr. Kelly responded that all repairs have been made and he will be contacting Mrs. Carol Coburn.

Trustee Penders questioned the sanitary sewer back up that occurred today, indicating that the cause of it was grease from the 500 Union Street Property and shouldn't the property have a grease trap on their sewer line to prevent this type of incident.

Superintendent West indicated that Trustee Penders was correct and the grease traps are routinely inspected by Monroe County Health Department and this incident occurred because of a build up that was removed by a commercial plumber hired by the property owner.

Superintendent West continued that this area is routinely inspected and preventative maintenance is done at a minimum twice a year.

Attorney Olson explained the necessity of the negative SEQRA Declaration for phases one and two of the East Avenue Heritage Trail project.

VILLAGE OF SPENCERPORT

RESOLUTION TO APPROVE ISSUING A NEGATIVE SEQRA DECLARATION

At a meeting of the Village Board of the Village of Spencerport, Monroe County, New York, held at the Village Offices, 27 West Avenue, Spencerport, New York 14559, on the 14th day of December, 2011 at 4:30 PM

PRESENT: Mayor Lobene, Trustees Rauber, Nellis-Ewell, Gunther and Penders

Resolution 76 12/2011

Moved by Trustee Rauber
Seconded by Trustee Penders

WHEREAS, the Village Board of the Village of Spencerport is considering the following action “Heritage Trail and Park Phase I – Trail and Park Construction” (the “Action” or “Project”) to be constructed on land on the south side of the Erie Canal on lands owned by the Village of Spencerport, the New York State Canal Corporation and the County of Monroe as shown on a plan prepared by Schultz Associates, Engineers and Land Surveyors, P.C.; and

WHEREAS, the “Action” is subject to the provisions of the New York State Environmental Quality Review Act (“SEQRA”), and this Board must comply with the provisions of SEQRA; and

WHEREAS, the Village Board has reviewed a long form or “full” Environmental Assessment Form prepared by Schultz Associates, Engineers and Land Surveyors, P.C. acting as consultants for the purpose of assisting the Village Board in making a determination of significance with respect to the project; that is, a determination of whether the proposed project will have a significant adverse impact on the environment; and

WHEREAS, the Village Board has reviewed a draft Negative Declaration – Notice of Determination of Non-Significance prepared by the Village Attorney; and

WHEREAS, the Village Board has reviewed the criteria for determining significance of an action set forth at 6NYCRR §617.7(c); and

WHEREAS, the Village Board believes that the proposed project will not have an adverse environmental impact since the proposed project involves transforming an unused and inaccessible area adjacent to the Erie Canal into an area useable by the public. Further, the area of the project does not at present include any areas which are considered environmentally sensitive; and

WHEREAS, having considered the action consisting of construction of a stone dust walking/bicycling trail, electrical conduit installation, minor drainage improvements, grading and establishment of turf and the environmental impacts associated with such action; and

WHEREAS, by resolution dated November 2, 2011, this Board determined that the action was a Type 1 Action under SEQRA and declared itself to be lead agency; and

WHEREAS, the other agencies listed on part 1 of the Full Environmental Assessment Form were notified of this board's Lead Agency declaration and have either sent letters in support of such designation or failed to respond within the 30 day period.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Spencerport, as lead agency, adopts the findings, conclusions and rationale relating to the probable environmental impacts of the action contained within the attached environmental assessment form and Negative Declaration- Notice of Determination of Non-Significance, and authorizes the Village Mayor to execute the EAF and file the Negative Declaration – Notice of Determination of Non-Significance in accordance with the applicable provisions of law; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Lobene	Aye
Trustee Rauber	Aye
Trustee Nellis-Ewell	Aye
Trustee Gunther	Aye
Trustee Penders	Aye

VILLAGE OF SPENCERPORT

RESOLUTION TO APPROVE ISSUING A NEGATIVE SEQRA DECLARATION

At a meeting of the Village Board of the Village of Spencerport, Monroe County, New York, held at the Village Offices, 27 West Avenue, Spencerport, New York 14559, on the 14th day of December, 2011 at 4:30 PM

PRESENT: Mayor Lobene, Trustees Rauber, Nellis-Ewell, Gunther and Penders

Resolution 77 12/2011

Moved by Trustee Rauber

Seconded by Trustee Nellis-Ewell

WHEREAS, the Village Board of the Village of Spencerport is considering the following action "Heritage Trail and Park Phase II – Trail and Park Enhancements" (the "Action" or "Project") to be constructed on land on the south side of the Erie Canal on lands owned by the Village of Spencerport, the New York State Canal Corporation and the County of Monroe as shown on a plan prepared by Schultz Associates, Engineers and Land Surveyors, P.C.; and

WHEREAS, the "Action" is subject to the provisions of the New York State Environmental Quality Review Act ("SEQRA"), and this Board must comply with the provisions of SEQRA; and

WHEREAS, the Village Board has reviewed a long form or "full" Environmental Assessment Form prepared by Schultz Associates, Engineers and Land Surveyors, P.C. acting as consultants for the purpose of assisting the Village Board in making a determination of significance with respect to the project; that is, a determination of whether the proposed project will have a significant adverse impact on the environment; and

WHEREAS, the Village Board has reviewed a draft Negative Declaration – Notice of Determination of non-Significance prepared by the Village Attorney; and

WHEREAS, the Village Board has reviewed the criteria for determining significance of an action set forth at 6NYCRR §617.7(c); and

WHEREAS, the Village Board believes that the proposed project will not have an adverse environmental impact since the proposed project involves transforming an unused and inaccessible area adjacent to the Erie Canal into an area useable by the public. Further, the area of the project does not, at present, included any areas which are considered environmentally sensitive; and

WHEREAS, having considered the action as detailed in Part I of the Full Environmental Assessment Form and the environmental impacts associated with such action; and

WHEREAS, by resolution dated November 2, 2011, this Board determined that the action was a Type 1 Action under SEQRA and declared itself to be lead agency; and

WHEREAS, the other agencies listed on part 1 of the Full Environmental Assessment Form were notified of this board's Lead Agency declaration and have either sent letters in support of such designation or failed to respond within the 30 day period.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Spencerport, as lead agency, adopts the findings, conclusions and rationale relating to the probable environmental impacts of the action contained within the attached environmental assessment form and Negative Declaration- Notice of Determination of Non-Significance, and authorizes the Village Mayor to execute the EAF and file the Negative Declaration – Notice of Determination of Non-Significance in accordance with the applicable provisions of law; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Lobene	Aye
Trustee Rauber	Aye
Trustee Nellis-Ewell	Aye
Trustee Gunther	Aye
Trustee Penders	Aye

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the workshop meeting be adjourned to executive session to discuss litigation and personnel issues at 5:00 p.m.

Motion was made by Trustee Rauber, seconded by Trustee Gunther and carried unanimously that the executive session be adjourned to workshop at 5:45 p.m.

Resolution 78 12/2011

Introduced by: Mayor Lobene

Seconded by: Trustee Rauber

Be it resolved that the Village of Spencerport Board of Trustees approves hiring Calvin Zimmerman as a full time laborer assigned to the Department of Public Works at a rate of \$13.00/hr with a minimum of a six (6) month probationary period effective January 2, 2012. Upon successful completion of the probation period his rate of pay will be increased to \$13.87/hr.

Vote of the Board:

Theodore E. Rauber, Trustee	Aye
Carol J. Nellis-Ewell, Trustee	Nay

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

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Penders and carried unanimously that the workshop meeting be adjourned at 6:10 p.m.