

VILLAGE BOARD MEETING

Minutes

April 4, 2012

CALL TO ORDER - 7:00 p.m.

The Pledge of Allegiance was led by Mayor Lobene

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

Joe Baretta, Thorncliff Road
Chris Burke, Hillcrest Drive
Craig Byham, Luther Jacobs Way
Barb Kuntz, Coolidge Avenue
Ray Kuntz, Jr., Coolidge Avenue
Owen McIntee, SME Superintendent
Richard McQuilkin, Prospect Street
Peter Meyerhofer, Deerborne Lane
Richard Olson, Village Attorney
Joan Quigley, Maplewood Avenue
Kris Schultz, Schultz Associates
Jackie Sullivan, Village Clerk
Tom West, DPW Superintendent
Dave Wieme, Amity Street
David Wohlers, Clark Street
Participation in Government Students (3)

APPROVAL OF MINUTES

A motion was made by Trustee Rauber, seconded by Trustee Penders and carried that the minutes from the March 7, 2012 be approved as read.

A motion was made by Trustee Penders, seconded by Trustee Rauber and carried that the minutes from the March 14, 2012 workshop meeting be approved as read.

A motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried that the minutes from the March 21, 2012 workshop meeting be approved as read.

PUBLIC HEARING

Mayor Lobene opened the public hearing for the 2012/2013 Tentative Budget at 7:02 p.m.

Mayor Lobene started by introducing Treasurer, Karen Kimbler; SME Superintendent Owen McIntee; DPW Superintendent Tom West; Village Clerk Jacqueline Sullivan and Village Attorney Richard Olson. Mayor Lobene continued that everyone had a hand including the Village Board in putting this budget together and that that everyone worked together to put together a good budget that everyone can live with.

Mayor Lobene asked the audience to hold their questions to the end of the presentation

Mayor Lobene made the following comments:

- General Fund is budgeted to spend \$2,239,202 on all municipal areas, including recycle, for the 2012-13 fiscal year. This year we have continued to streamline the budget to eliminate budgeted contingencies, and to keep the tax levy within the state-mandated property tax cap.
- The spending will be sourced by just over one million dollars of outside revenues, \$507 thousand of our existing or expected fund balance, and the balance of \$699 thousand in taxes and recycle charges.
- We will look at how this stacks up to the current year budget, and to the General Fund in more detail, in just a moment.

- Sewer Fund will have continuing debt service costs for the loan to cover the transfer of the waste processing to Monroe County. However, we will begin in this new fiscal year to use some unspent project funds and built-up fund balance to reduce your cost over time on the tax bill. To this end we are actually setting aside existing funds for future use for debt service.
- Sewer will also have operating costs associated with the collection and transportation of the waste to the county, as well as maintenance work on our collection system as part of our agreement with the county.
- These costs will be covered by user charges, \$138.43 per unit for debt service and \$2.64 per gallon for operating charges.
- Electric costs are primarily the cost of power, system maintenance, and system extension costs. We expect to do some system extensions with new building developments in the franchise area this year. We also plan to invest in a new power loop to act as a backup in certain sections of the village. This will reduce the chance of future extended outages after storms, such as the one we experienced this past year. We also plan to upgrade some antiquated switching components in the substation. Both of these projects are targeted to improve system reliability.
- The board has chosen not to pursue a rate increase to our electric customers through 2012.
- The Electric Fund is projected to have a slightly positive cash flow in the coming year, depending of course on the weather.

I will speak to the savings for an average household with a property assessed at \$100 thousand. In the last column, you will notice that positives are increases in your cost; negatives are decreases in your tax dollars.

You will see that the 2012-13 General Fund tax rate is \$3.45, up just under 2% from the 2011-12 tax rate of \$3.39. The new tax levy is well within the 2% cap recently imposed by New York State. For an average household with property assessed at \$100 thousand, the increase on your bill would be about \$6.

The Recycle charge per unit goes down \$1.

Sewer fund operations costs increased from \$2.50 to \$2.64 per thousand gallons. On average usage of 49 thousand gallons, this will increase the tax bill by \$7.

The capital charge for sewer to pay debt service has been significantly reduced this year. We have started this year to apply accumulated leftover project expenses to help defray the capital charges on your tax bill. The impact this year vs. last is a reduction of \$17 per unit.

Overall, an average home tax bill will be \$6 lower in the new budget than in last year's budget. Now let's return to the General Fund and look at it in more detail. Here you can see a breakout of the expenses budgeted for the upcoming fiscal year. They represent the costs associated with each service provided. You may have had an opportunity to view the Public Works slide show that has been running in the back of the room prior to this meeting. We will run it again at the end. I'd like to review those services and assumptions made for the coming year.

Administration, for both the office and the Public Works departments, makes up less than one quarter of the budget.

It includes the costs of Village Board, office and supervisory personnel, less departmental income such as fees. Beyond that, it also covers: Insurance, News Publications, Data Processing, Communications expense, Legal costs, Accounting, Government reporting, engineering costs and Project development and management. The other three quarters of the budget support services direct to the community, as follows:

Highways: The largest spending of our service cost area. Covers: paving, road repairs, vehicles, materials, labor, less NYS CHIPS funding.

It also includes debt service payments on past road programs and equipment purchases.

Our streets improvements program for next year includes completion of the work on Hawthorne Drive, as well as ongoing slurry seal and maintenance work on other streets. We are nearing completion of our streets improvement program and are pleased with the progress that has been made to bring our roads back into good condition. We have in place a plan for the coming years to cycle back to the beginning of the program, but at a significantly slower rate.

Additionally, in the upcoming year we will be reserving for the significant potential expense associated with a future major project to repave Brockport Road.

In the coming year we also propose to replace two of our aging trucks to improve service efficiency and safety, and to repaint two other trucks to extend their serviceable life.

Drainage: partners with our Highway budget, and includes materials, contracting and labor for the streets program and for routine and emergency drainage maintenance and repairs.

Aside from the streets program, we are also planning to do a drainage project on Maplewood.

Sidewalks: With the completion this spring of our sidewalk from Rt. 259 to Harwood Road, we will take a year off from the sidewalk program and reassess our next steps for the future.

Refuse: includes the cost of Labor, vehicles & disposal fees for regular and periodic bulk pickup, less any fees charged out.

Recycling will continue to be handled by village staff and equipment and is mostly funded by a separate user fee on your tax bill.

Snow Removal, Street Cleaning and Leaf Pickup are services provided by village staff, and make up approximately 7% of the budget.

Parks: continues to be a focus area for us this year. In addition to maintaining existing parks, and in conjunction with the NYS Canal Corporation, we will work on enhancements to the Village portion of the East Avenue Heritage Trail, which was begun this year. The enhancements will be paid from General Fund with matching grant moneys from the State. This project, in cooperation with the Town of Ogden park project, will provide the residents and the visitors to Spencerport with an extended walking trail and other facilities along the canal that tie well into the feedback we received in the Comprehensive Plan survey last year.

Other

The budget supports the central garage that keeps our vehicles in order at a lower cost than paying outside services.

Also included in the budget is the cost of events and celebrations, such as our summer concert series, Canal Days, and Christmas on the Canal, as well as our flags, Home Town Heroes banners and holiday decorations.

The balance of the budget is made up of smaller but important services including the maintenance of shade trees, street lighting, off street parking, zoning, planning, public safety and health, and economic development.

On this slide you will see the budgeted expenditures laid out a little differently, by category rather than by service. You will see that debt service, our most fixed cost, is shown at the bottom in dark blue. Next are employee benefits, then salaries, then all other operating and maintenance costs, such as contracting, materials, consultants, etc. These last two categories for the most part pay for your ongoing services. Lastly is the most discretionary expense, the major equipment and project costs.

Where does the funding come from to pay for these services?

From this chart you see that the major sources of funding are, and have always been, Sales Tax (light yellow), followed by Property Taxes (dark blue). This year property taxes pay for just over 1/4 (27%) of the total budgeted spending. You can see from the chart that property taxes pay for our fixed costs – debt service – as well as employee benefits, and a small portion of wages. Sales tax, along with department earnings and other funding sources, such as franchise payments, pays for much of the rest of our ongoing operating costs.

The Village Board is very much aware of the difficult financial situation the residents, Monroe County and New York State are having. We have worked to reduce the budget in many areas. The Village Department Heads and employees seriously look at ways to reduce costs and increase revenues other than by increasing taxes, and put as many as can be managed into practice. However, we continue to see rising costs of services and materials and imposed state and federal mandates in the future.

We have two flexible sources of funding at this time, other than the fairly restricted tax rate. These are grants and state aid wherever available, and the use of our fund balance, or our Village savings account (Orange Stripe). This current fiscal year we expect to end with a healthy fund balance, which will help to support the projects we are proposing to do in 2012-13. Our financial focus this year has been to manage the fund balance to reserve for future needs and to provide a buffer for unexpected and rising uncontrollable costs.

Mayor Lobene opened the floor for questions:

Mr. Craig Byham, Luther Jacobs Way questioned as to the percentage increase for salaries to the Village Board in the proposed budget compared to the current budget.

Mayor Lobene responded that the increase to the Trustees' salary is 2% and asked Treasurer Kimbler the increase in salary for the Mayor.

Treasurer Kimbler responded that the Mayor's salary increased 47% from \$5800 to \$10,000.

Mr. Byham questioned if the Mayor felt that the salary increase in the Mayor's salary was justified.

Mayor Lobene responded that she spends a lot more time on Village business than mayors have in the past and she feels that the salary increase is justified.

Mr. Byham commented that the Mayor's salary was not brought up in the paper.

Mr. Byham questioned the 2% across the board cost of living adjustment to the employees' salaries because last year at this time the Board indicated that the employees received a 1% cost of living adjustment although residents in the audience spoke up contrary to the increase. Mr. Byham indicated that nothing has changed in regards to the economy and the employees are getting more money. Mr. Byham continued that in addition to the salary increase the cost of the medical insurance has increased around \$10,000 and that is another thing that the residents and tax payers are paying for our employees tacked on to the increase in salaries and he does not think that it is fair.

Mrs. Joan Quigley, Maplewood Avenue indicated that she agrees with Mr. Byham's comments.

Mayor Lobene responded that she had just reviewed about five pages of what the Village has accomplished and hope to accomplish and these things cannot be done without having employees who care about their jobs and do a good job. Mayor Lobene continue that without these employees the Village would have to contract out more work than we do costing much more and the Board felt that it is important to invest in our employees.

Trustee Rauber commented that he agrees with the Mayor and that he has been a Trustee for the past 16 years and the Village has changed from hiring contractors to complete projects such as Coleman and Coolidge Avenue causing the tax rate to increase significantly through 2009. To retraining and re-schooling the employees to bring the work in house and be able to do projects like Brockport Road resulting in a significant savings to the tax payers and it is worth it to the Village to recognize and reward the employees.

Trustee Penders commented that the Village's COLA is lower than the government COLA of 3.7% that the government indicates is needed for a family to stay equal. Trustee Penders continued that he feels that the Board did a good job with salaries and agrees with Trustee Rauber's comments.

Mr. Byham commented that if the Board feels that way about COLA then why does the Mayor get a 47% increase.

Mayor Lobene responded that she does not believe that it is a 47% increase as she was making \$8,000 and the increase would be to \$10,000.

Mr. Byham commented that it is a 23% versus 2%.

Treasurer Kimbler indicated that it was correct.

Mayor Lobene indicated that she was willing to go back to the 2% but the Board felt that she had worked for it.

Trustee Penders commented that the Board was trying to bring the Mayor up to the standards of the surrounding communities; Churchville, Scottsville and Fairport.

Mayor Lobene commented that Scottsville is half the size of Spencerport and the mayor makes \$19,000 per year.

Trustee Rauber commented that Spencerport has the electric franchise and that is an additional responsibility and that the new salary is commiserates with the other Villages.

Trustee Nellis-Ewell read the below statement:

First, let me commend the excellent work of the Village of Spencerport Department Heads and Treasurer who prepared the 2012-2013 Tentative Budgets for Village Board discussion, input, questions and review. The current process is very efficient. With teamwork, we are able to present a budget that focuses on services and savings. It adjusts for increases in costs, yet stays within the 2% cap. Furthermore, the Village board did not need to enact a Local Law that would allow an override for certain expenditures.

Secondly, the facts are that by a line item in the proposed tentative budget shown at the budget workshop on Saturday, March 3, 2012, the Mayor requested an increase in salary to \$12,000. The Deputy Mayor requested documentation, with some later provided to the Board of Trustees for review. At a subsequent workshop discussion, from which the Mayor removed herself, three Trustees agreed to a compromise for an increase to \$10,000. Because elected officials should be

transparently accountable and fiscally responsible, I suggested additional documentation. I then state that I opposed the significant increase, but supported a 2% increase in the salaries for the Mayor and Board of Trustees.

I also asked for a separate resolution to handle the salary matter by vote. However, the salary matter is included in the resolution for the Tentative Budget, which as previously stated is a good one, so with reservation, I voted yes to support the Tentative Budget.

Thirdly, my sincere thank you to the Village employees who use skills and talents daily to provide services to the businesses, residents and visitors in our community, and of course, to the community whom we serve.

Mr. Kuntz, Maplewood Avenue commented that he has been in the construction business for the last 44 years, retired with 40 years of experience in 2008 both in the field and as a supervisor. Mr. Kuntz further commented that he has no problem with the 2% increase to the Village employees and feels that employees need to be recognized for the job that they do and that the Village employees do a great job. Mr. Kuntz indicated that he has only been a resident since July 2011 and is very happy with the services that the Village provides.

A motion was made by Trustee Rauber, seconded by Trustee Penders and carried that the public hearing be closed at 7:30 p.m.

Administrative Committee – Mayor Lobene, Chair

Resolution 117 4/2012

Introduced By:

Seconded By:

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby adopts the “Tentative 2012-2013 General, Sewer, and Electric Fund Budgets” as the Final Budgets for the Village Fiscal year ending May 31, 2013. The amount for the General Fund to be raised from taxes is \$626,562 with a tax rate of \$3.45 per thousand assessed valuation; a Recycling fee of \$51.63 per unit; and a Sewer User Fees of \$2.64/1000 gallons of water used for operation and maintenance costs and \$138.43 per unit for capital costs.

Vote of the Board:

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

Mayor Lobene commented that the Board will be discussing the condition of the property located at 3028 Brockport Road and that she will be recusing herself from the discussion since she worked for the property owner at one time and turned the meeting over to Deputy Mayor Rauber.

Trustee Rauber commented that the Board has been informed by Kevin Kelly, Code Enforcement Officer of the condition of the property.

Mr. Kevin Kelly, Code Enforcement Office read the follow statement:

As you know, the former Helfrich property, currently owned by Ogden Center Development Corp. located at 3028 Brockport Road has been in an advanced state of decay for several years. Numerous attempts to have the various issues addressed have gone unanswered by the current property owner.

It is my obligation as a Code Enforcement Official to bring this matter to your attention as required by the Village Code section 129-4 Investigation and report which states as follows:

“when in his opinion or upon receipt that a building is or may become dangerous or unsafe to any member of the general public; is open at the doorways and windows making it accessible to and an object of attraction to minors under 18 years of age, as well as to vagrants and other trespassers; is or may become a place of rodent infestation; presents any other danger to health, safety, morals and general welfare of the public; or is unfit for the purpose for which it may be lawfully used; the Code Enforcement Official shall cause or make an inspection thereof and report in writing to the board of Trustees of the Village his findings and recommendations in regard to its repair or demolition and removal”.

In accordance with the requirements of the Village code as stated above, my findings are as follows:

1. It is my professional opinion that the barn located at the rear of the property of 3028 Brockport Road in the Village of Spencerport, is dangerous and unsafe to the general public in that the entire structure i.e. doors and windows have been removed making it accessible to the general public.
2. It is an object of attraction to minors under the age of 18 as well as to vagrants and other trespassers.
3. The building poses a threat to the general public and may become more dangerous to fire fighters and police officers (first responders) in the event of a fire.
4. The Ogden Police have responded to incidents regarding the congregation of youths in the barn and around the residence located in the front of the property.
5. The barn is unfit for the purpose for which it may be lawfully used

Therefore, it is my recommendation to the Board of Trustees that they act under Village Code section 129-11 Emergency cases, which provides the following:

“Where it reasonably appears that there is a clear and imminent danger to life, safety and health of any person or property, unless an unsafe building is immediately repaired and secured or demolished, the Board of Trustees may by resolution authorize the Code Enforcement Officer to immediately cause the repair or demolition and removal shall be charged against the land on which it is located and shall be assessed, levied and collected as provided in section 129-10 hereof”.

I am respectfully requesting that the Village Board by resolution deem said structure, the barn, located on the property at 3028 Brockport Road in the Village of Spencerport, as an unsafe structure; and to order the property owner, Ogden Center Development Corp. to commence the removal of said structure within 15 days of the service of notice by the Board of Trustees with all work to be completed within 30 days of the receipt of said notice.

Trustee Penders commented that there is definitely an issue with the property and agrees with Mr. Kelly's report.

Trustee Gunther commented that he agrees as well.

Trustee Nellis-Ewell responded that she is also in agreement with Mr. Kelly's report.

Trustee Rauber asked the Board for the opportunity to be able to talk with Mr. LoPresti, owner of Ogden Center Development Corp. regarding this property and then reconvene the Board to vote on the resolution.

Trustee Nellis-Ewell disagreed with Trustee Rauber's request and indicated that the property owner has been contacted several times by the Code Enforcement Office and has had multiple opportunities to address the issues Mr. Kelly has brought forward tonight.

Attorney Olson commented that this process starts the clock ticking and that there will be a hearing on April 18th to allow Mr. LoPresti the opportunity to address the Village Board. Attorney Olson continued that the resolution that was provided to the Board indicates that Mr. LoPresti will have 30 days to start the work from the time the “order” was served and 60 days to complete the work; should Mr. LoPresti refuse to do the work after 30 days the Village will have a contractor complete the work and levy the cost onto the property tax bill.

RESOLUTION and ORDER 118 4/2012

Introduced by: Trustee Rauber

Seconded by: Trustee Nellis-Ewell

Whereas, the Village Board has before it a written recommendation from Kevin M. Kelly, Village Code Enforcement Officer March 30, 2012 (“the report”) indicating that a barn located to the rear of the property at 3028 Brockport Road (Tax Account No. 086.16-5-21.1) owned by Ogden Center Development Corp., is unsafe as the windows and doors have been removed; it is an object of attraction to minors under the age of 18 as well as to vagrants and other trespassers; that the building poses a threat to the general public and would be dangerous to fire fighters and police officers in the event of a fire and that immediate repair or removal is required; and

Whereas, pursuant to Chapter 129 of the Code of the Village of Spencerport, this Board is authorized after receipt and review of said reports to make a determination that the building is unsafe and to order the necessary repairs of said building; and

Whereas, after review of the reports, the Village Board finds that said building is unsafe within the meaning of Chapter 129

of the Code of the Village of Spencerport; and

Whereas, the Village Board wishes to proceed pursuant to Chapter 129;

Now, therefore, be it resolved:

Section 1. It is hereby ORDERED that Ogden Center Development Corp., the owner of 3028 Brockport Road, Spencerport, New York (Tax Acct. #086.16-5-21.1) correct the deficiencies shown on the reports within the time limits specified in Chapter 129 of the Village Code;

Section 2. It is further ORDERED that a hearing shall be held before the Board of Trustees in relation to such dangerous or unsafe building at 4:30 PM on April 18, 2012 at the Village Hall, 27 West Avenue, Spencerport, New York at which time an officer or representative of Ogden Center Development Corp. will have the opportunity to be heard with respect to this matter.

Section 3. In the event of neglect or refusal to comply with the order to secure or demolish and remove the building, the Board of Trustees is authorized to provide for its repair or demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 4. That a copy of this Resolution, the Notice Pursuant to §129-6 of the Village Code (attached), the report of Kelly and a copy of Chapter 129 of the Spencerport Code shall be served upon the property owner as set forth in §129-7 of the Village Code.

Section 5. That this resolution shall take effect immediately.

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

NOTICE OF DETERMINATION OF
UNSAFE OR DANGEROUS BUILDING

FROM: VILLAGE OF SPENCERPORT BOARD OF TRUSTEES

TO: OGDEN CENTER DEVELOPMENT CORP.

This Notice is served on you in accordance with Chapter 129 of the Village of Spencerport Code and pursuant to a Resolution and Order adopted by the Village Board of Trustees on April 4, 2012.

- (1) Description of the premises:
Barn at 3028 Brockport Road,
Village of Spencerport, Monroe County, New York.
Tax Account Number: 086.16-5-21.1
Record Owner: Ogden Center Development Corp.
Deed: Liber 10857 of Deeds, Page 346
- (2) Statement of the particulars in which the building is unsafe or dangerous:
In accordance with a report from Kevin M. Kelly, Village of Spencerport Code Enforcement Officer dated March 30, 2012 and attached hereto, the building, a barn located in the rear of the property, in its current condition, poses a threat to the general public and to fire fighters and police officers in that it is open and freely accessible to minors, vagrants and other trespassers.
- (3) You are hereby ordered to safely demolish or secure the barn in accordance with all applicable rules, regulations and codes for the said work.
- (4) The securing or removal of such building shall commence within 30 days of the service of this notice and shall be completed within 60 days thereafter unless, for good cause shown, such time shall be extended.

(5) A hearing shall be held before the Board of Trustees in relation to such dangerous or unsafe building at 4:30 PM on April 18, 2012 at the Village Hall, 27 West Avenue, Spencerport, New York at which time you will have the opportunity to be heard with respect to this matter.

(6) In the event of neglect or refusal to comply with the order to secure or demolish and remove the building, after the hearing, the Board of Trustees is authorized to provide for its repair or demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

April 4, 2012

By Order of the Village Board

Mayor Lobene continued indicating that she and Margaret Gioia have completed updating the Hometown Hero list and the banners will be going up in the next couple weeks, Mayor Lobene added that Brian Kolb has been named Soldier of the Year. Mayor Lobene continued that she received correspondence from Brian Stratton, Canal Corp. indicating that the Canal Corp will be installing new signage along the canal in the next year.

Sewers Committee – Trustee Rauber, Chair

Trustee Rauber deferred comment to Superintendent West.

Trolley Depot – Trustee Rauber, President

Trustee Rauber deferred comment to the workshop meeting because the Trolley Board meeting is next week.

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

- A. Planning – Trustee Nellis-Ewell indicated there was no Planning Board business at the ARB/Planning Board meeting held April 3, 2012. The next meeting is May 1st.
- B. Architectural Review –
- C. Zoning – Trustee Nellis-Ewell indicated that the Zoning Board did not meet on March 15, 2012 because there was no activity and are scheduled to meet on April 19th. Trustee Nellis-Ewell commented that she will be traveling from April 18th to May 6th and has asked Trustee Gunther to fill in for her at those two meetings.
- D. Building Control
- E. Code Review – Trustee Nellis-Ewell indicated that the group met to review various property code violations and subsequent to that meeting action was taken by our Code Enforcement Officer. The Code Review Committee is not currently meeting until something happens with the development of the Village Plaza or an issue arises requiring a meeting.

Finance Committee – Trustee Penders, Chair

Trustee Penders commented that he has spoken with Treasurer Kimbler and that our most recent audit indicated that a Trustee should review the general ledger entries and that Trustee Penders would make the review part of his duties as Finance Committee Chair and that the review should be done during the day when Treasurer Kimbler is in the office and Trustee Penders is available during the day. Trustee Penders continued that this could be further discussed at the workshop meeting.

Trustee Rauber thanked Treasurer Kimbler for a nice job on the budget.

Trustee Penders commented that he has discussed some upcoming circuit mapping with Superintendent McIntee that will alleviate a wide spread outage like the one that occurred earlier this year.

Facilities Committee – Trustee Penders, Chair

- A. Electric

B. Other (Drainage, Franchise)

Public Works Committee – Mayor Lobene, Chair

A. Highways/Garage

B. Public Services (Refuse, Recycling, Parks)

Mayor Lobene commented that there is a need for no parking on Martha Street and Amity Street due to the closing of the canal bridge on Main Street.

Trustee Rauber added that because of the volume of cars it is difficult to cross the street with the cars parked on the street

Mr. David Wohlers asked if the stop signs on Martha Street at Amity Street and West Avenue be marked two way stop sign.

Superintendent West responded that the signs are marked.

Trustee Penders asked if there are signs to indicated that “thru traffic does not stop”

Superintendent West responded that he has not seen those signs but will check into them. Superintendent West suggested making those corners a 4 way stop till the bridge is done.

Mrs. Quigley asked if the Mayor has noticed excessive through traffic at the Nothnagle parking lot.

Mayor Lobene responded that she has not noticed however Trustee Nellis-Ewell responded she has.

Mrs. Quigley asked Superintendent West to check with the State to see if they could move the barricade to Amity Street.

Public Safety Committee – Trustee Penders, Chair

A. Fire Department – Trustee Penders commented that he did not attend the commissioners meeting due to a conflict with the Village Board workshop meeting last month.

B. Police – Trustee Penders indicated that he has spoken with the Chief and that there were no incidents or issues to report.

C. Ambulance – Trustee Penders commented that he did attend their meeting and that to date the fund drive has raised about \$33,000 with expenses at \$5,000; down about \$1300 from 2011; their bank account balances are \$151,000 and their yearly debt is about \$50,000 leaving an annual operating balance of \$100,000. Trustee Penders continued that the ambulance does receive insurance revenue for the services they provide. The ambulance collects about 87% of their accounts receivable which is positive. The ambulance will be establishing an EMS alert system to have in people’s homes that will have health information on them for the residents.

Mr. McQuilkin commented that there is a fire commissioners meeting Thursday night.

Trustee Nellis-Ewell commented to Trustee Penders that since he does such a good job with the ambulance report could he do the same for the fire department report.

Trustee Penders indicated that he would do that for the fire department report.

Mr. Kuntz asked if something could be done regarding the speeding on Maplewood Avenue. Mr. Kuntz further explained that there are numerous small children in the area and he is concerned regarding their safety. Mr. Kuntz asked if Superintendent West could look into a rubber speed bump that could be installed seasonally.

Superintendent West responded that the Village’s insurance company advises against installing speed bumps however, the County will be putting up a digital speed limit sign and the police department has indicated that they will have more of a presence in the area.

Mr. Kuntz responded that he feels that those items will not slow down the reckless drivers.

Mayor Lobene commented that the Board and the staff will look into the speed bump issues.

Resolution 119 4/2012

Introduced by: Mayor Lobene

Seconded by: Trustee Penders

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees approves hiring Andrew Brower as a summer laborer at a rate of 10.00 per hour.

Vote of the Board:

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

Resolution 120 4/2012

Introduced by: Trustee Rauber

Seconded by: Trustee Nellis-Ewell

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees approves hiring Joseph Maier as a summer laborer at a rate of 10.00 per hour.

Vote of the Board:

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

Resolution 121 4/2012

Introduced by: Trustee Gunther

Seconded by: Mayor Lobene

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees approves hiring Douglas Tyner, Jr. as a summer laborer at a rate of 10.00 per hour.

Vote of the Board:

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

Mayor Lobene commented that there will be two new pizza places opening Salvator's and Two Ton Tony's.

Trustee Nellis-Ewell commented that Rochester Linoleum and Carpet will be moving to Spencerport.

Green Initiatives – Trustee Nellis-Ewell, Chair

Trustee Nellis-Ewell commented that there is nothing requiring board action and subsequent to the rain barrel class taken last year Superintendent West and staff have installed a rain barrel at the Village Office.

Village Clerk – Jackie Sullivan

Clerk Sullivan indicated there is nothing requiring board action and that all office projects have been completed at this time; computer servers, bathroom and window replacement.

Superintendent of Public Works – Thomas M. West

Superintendent West commented that he has a call into DOT regarding the traffic light on Martha Street; due to the early spring weather staff has been picking up brush and residents can request a truck for brush at no charge; sidewalks on Rt. 31 have been completed; electronics drop off has been received well by the community; 120 ton of salt has been moved to the Village of Scottsville and 100 ton at the Town of Ogden for storage; work continues at the Ballard Avenue pump station; Monroe County will be supplying a vactor truck to clean out the pump stations throughout the Village; will be hauling millings for the Lyell Avenue project for the Heritage Trail project; Parkview Apartments project on Big Ridge Road will be starting this week.

Superintendent of Electric – Owen McIntee

Superintendent McIntee commented that he has nothing requiring Board action; two new employees will be starting line school next week; new circuit will be built to enhance system reliability in the rear lots of the west side of Union Street in the event of an outage; pole replacement continues; flags and banners will be installed in the new few weeks 67 in total; walk through with the owner of Salvator's has been completed.

Attorney – Richard J. Olson

Resolution 122 4/2012

Introduced by: Trustee Rauber

Seconded by: Trustee Nellis-Ewell

Whereas, the Village has been informed by the [New York State Department of Transportation] [New York State Canal Authority] that the bridge on Union Street which crosses the Erie Canal may be closed from April 4, 2012 until May 31, 2012; and

Whereas, §310-33 of the Spencerport Code authorizes the Village Board to alter the parking on Village Streets during times when the board deems it necessary due to repairs or other special circumstances; and

Whereas, the Village Board finds that the closing of the Union Street Bridge is one of the circumstances set forth in §310-33 of the Spencerport Code; and

Whereas, this action is a "Type II" action under the State Environmental Quality Review Act and 6NYCRR617.5(c)(16) and not subject to review pursuant to SEQRA;

Now, therefore, be it resolved:

Section 1. That from April 1, 2012 to May 31, 2012 there will be no parking on the following village streets: Martha St from West Avenue to the Canal Bridge and Amity Street from Union Street to Martha Street

Section 2. That the Superintendent of the Department of Public Works is hereby directed to remove, cover or modify the parking signs and to post special signs to notify drivers of the changes.

Section 3. That, the Village Clerk shall transmit a copy of this Order to the Ogden Police Department, the Monroe County Sheriff and the New York State Police.

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

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

Attorney Olson made the following comments regarding the sale of the Village Pines in relation to the Village Comprehensive Plan:

These are linked together because of the possible scope of a project.

1. Preliminary review of the deeds to the village (1910 and 1930) do not indicate that there were any restrictions placed on the use of the property.
2. Schultz Associates map show that of the 50 acres, approximately ½ is not in wetland areas. This would have to be further delineated by the DEC as they are becoming stricter. Building on much of the remaining land would be challenging due to the slopes and soils.
3. Some alternatives to consider:
 - a. Leave as is. This would be in conformity with the 2002 Comprehensive Plan and the Comprehensive Plan this is under consideration.
 - b. Sell for development. These would be premium lots. This would require a revision to the 2012 Comprehensive Plan prior to adoption.
 - c. If development were allowed it might be a good idea to create a new zoning district which would have larger lots. This could also be done by deed restriction or both zoning changes and deed restrictions.

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	\$ 58,845.57
Electric Fund	\$ 30,395.47
Sewer Fund	\$ 8,339.27
Trust Fund	\$ 663.97
Capital Fund	<u>\$ 9,077.86</u>
TOTAL:	\$107,322.04

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, April 2012 be approved as audited.

Adjournment

Motion was made by Trustee Rauber, seconded by Trustee Nellis-Ewell and carried unanimously that the regular meeting be adjourned at 8:30 p.m.