

VILLAGE BOARD MEETING
Minutes
June 13, 2012

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Mayor Lobene

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor

Carol J. Nellis-Ewell, Trustee

Gary Penders, Trustee

Fritz Gunther, Trustee

BOARD MEMBERS ABSENT

Theodore E. Rauber, Trustee

OTHERS PRESENT

Charles Hopson, Maplewood Avenue

Owen McIntee, Electric Superintendent

Joan Quigley, Maplewood Avenue

Tom West, DPW Superintendent

APPROVAL OF MINUTES

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell and carried that the minutes of the regular meeting May 2, 2012 be approved as read.

A motion was made by Mayor Lobene, seconded by Trustee Nellis-Ewell and carried that the minutes of the workshop meeting May 16, 2012 be approved as read.

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell and carried that the minutes of the workshop meeting May 31, 2012 be approved as read.

PRIVILEGE OF FLOOR

Mr. Charles Hopson, Maplewood Avenue requested an update on the various properties in the Village that are in disrepair.

Mayor Lobene indicated that the property on Brockport Road will be demolished on Monday 6/18 Mayor Lobene added that Mr. Hopson can talk to Kevin Kelly regarding the other properties.

Mr. Hopson commented that he was under the impression that the building on Brockport Road needed to be down by June 5th.

Mayor Lobene indicated that the owner applied for his demolition permit and then contacted Mr. Jack Crooks, building inspector, indicating that his contractor had postponed the demolition date rescheduling it for 6/18.

Mr. Hopson commented that given the time frame the owner should have had someone hired in May.

Mayor Lobene responded that Mr. Hopson should contact Mr. Kelly, Code Enforcement Officer regarding the property.

Mr. Hopson responded that he does not think that we are following our code book closely.

Trustee Nellis-Ewell commented that Mr. Kelly wrote the owner, Mr. Lopresti a letter on June 11; subsequently Mr. LoPresti engaged a contractor. However if the issue of the company not being able to demolish the building continues Mr. Kelly's letter indicated that Emergency Enclosures will be contracted to secure the building.

Mr. Hopson commented that it seems that all of the action appears to be after the fact.

Mayor Lobene agreed with Mr. Hopson however Mr. LoPresti has been contacted to take action on the building.

Trustee Gunther commented that because we are putting stipulations on the need for demolition we are taking action.

Trustee Penders added that the Board has not forgotten about the building.

Trustee Gunther indicated that he agrees with Mr. Hopson and that the Village has set stipulations and that soon the Village will have to take action.

Mr. Hopson indicated that his issue parallels the issue on West Avenue.

Mayor Lobene responded that she will not put a little old lady on the street.

Mr. Hopson indicated that we are not going by the code book.

Trustee Nellis-Ewell questioned the process forward for Mr. LoPresti's property.

Mayor Lobene responded that Mr. Kelly indicated to Mr. LoPresti that if the building is not down by 6/18 Emergency Enclosures will be called.

Trustee Gunther indicated that the process forward sounds reasonable.

Mr. Hopson questioned the progress on 28 N. Union Street clean up indicating that the tree has grown over the debris in the yard.

Mayor Lobene responded that it looks better than it did and have pick up a lot of the debris.

Mr. Hopson indicated that there is a lot of talking going on but no results.

Mrs. Joan Quigley, Maplewood Avenue inquired why there is not a sign at Amity St. and Ballard Avenue for Waterside Lane.

Superintendent West indicated that he will check it out and add the sign.

Mrs. Quigley added as to when the drainage project on Maplewood Avenue will take place.

Superintendent West responded that it has been engineered and that when the equipment and staff at the Town of Ogden are available to assist the project will take place probably closer to fall.

Administrative Committee – Mayor Lobene, Chair

Mayor Lobene commented that the tax bills have been mailed; Al Krause, Ogden Police Officer will be retiring; and a meeting will be held with the DOT regarding the changes to Rts. 31 and 531 on June 20, 2012 at 2:00 p.m.

Sewers Committee – Trustee Rauber, Chair

Trolley Depot – Trustee Rauber, President

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

- A. Planning – Trustee Nellis-Ewell indicated that the Planning Board had no official business to act upon at the June 5th meeting.
- B. Architectural Review – Trustee Nellis-Ewell indicated that the ARB had three sign applications at the June 5th meeting. Bonnie Bishop from Bonnie's Chocolate World who is moving from 409 S. Union Street to 104 S. Union was in for signage. Anthony Prioretti from Two Ton Tony's, Village Woods Plaza 42 Nichols Street was in for signage and both applicants are using the previous owners/location's signage. Maximum size of 25 sq. ft. for these signs was discussed and both applicants were granted certificates of appropriateness. James Peacock, Key Bank proposed replacement signs for the bank; it will be a back lit – led sign and were given a certificate of appropriateness.
- C. Zoning – Trustee Nellis-Ewell indicated that the Zoning Board of Appeals had no official business to act upon at May 17th meeting.

Resolution 1 6/2012

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Penders

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves the Mayor's reappointment of Michael Flavin, 117 Coleman Avenue to the Zoning Board of Appeals to a four (4) year term June 2016.

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

Trustee Gunther questioned if Mr. Flavin wanted to do the job.

Trustee Nellis-Ewell responded he does and that Mr. Flavin has been a board member for several years and that he does a good job and the entire board has their act together.

D. Building Control

E. Code Review - Trustee Nellis-Ewell indicated that Kevin Kelly asked that the code review committee be reconvened when he is feeling better.

Mayor Lobene questioned as to why Mr. Kelly wanted the committee reconvened.

Trustee Nellis-Ewell indicated that she did not ask Mr. Kelly however possibly outstanding issues.

Trustee Gunther questioned if any further action has been taken on the Atlas Gym drainage issue.

Mayor Lobene responded that NYS DOT is taking care of it.

Superintendent West indicated that NYS DOT has been made aware of the issues and is taking action.

Finance Committee – Trustee Penders, Chair

Resolution 2 6/2012

Introduced by: Trustee Penders

Seconded by: Trustee Nellis-Ewell

1. RESOLVED: That, from time to time, Client may obtain any Treasury Management services (“Services”) from M&T Bank with respect to any of the Client’s deposit accounts at M&T Bank or other accounts at M&T Bank over which Client has authority (“Accounts”);

2. RESOLVED: That any officer, representative or agent of the Client designated below (“Client’s TM Signer(s)”) may enter into and deliver to M&T Bank, on behalf of Client for its own affairs or with respect to the affairs of any entity on behalf of which Client is authorized to act, any agreements (including but not limited to the M&T Master Treasury Management Services Agreement), instruments, and other documents which relate to the Services provided or to be provided by M&T Bank with respect to any Accounts;

Karen Kimbler, Treasurer
Joyce Lobene, Mayor
Theodore Rauber, Deputy Mayor

3. RESOLVED: That, except as may be elected by the Client below, any one of Client’s TM Signers is also authorized to: (a) give notices, certifications, directions, and instructions under any such agreement, instrument, or document, (b) to execute or otherwise approve any related documents, and (c) to delegate authority to any other person or entity to act on Client’s behalf in any way with respect to any Services, Accounts or other accounts over which Client has authority, which persons and entities may or may not be signatories on one or more of the Accounts and may or may not have the ability to delegate authority to others. M&T Bank is not obligated to inquire into the circumstances or propriety of any such, notice, certification, direction, instruction or delegation;

~~OPTIONAL ELECTION FOR MULTIPLE TM SIGNERS. (This option is only for Clients who require two or more signers on each legal agreement and Client Election Form.)~~

~~PLEASE CHECK THE BOX BELOW AND INDICATE THE APPROPRIATE NUMBER IF CLIENT WISHES TO REQUIRE MULTIPLE TM SIGNERS TO (1) EXECUTE LEGAL AGREEMENTS AND (2) SIGN CLIENT ELECTION FORMS:~~

~~Notwithstanding the above, at least _____ of Client’s TM Signers listed above, must execute each legal agreement and Client Election Form governing the Services and Accounts.~~

4. RESOLVED: That M&T Bank be and hereby is authorized to rely on these TM Resolutions and the actual or purported signatures of any of Client's TM Signers until M&T Bank's relationship manager for the Accounts has actually received and had a reasonable time to act on written notice from the Client revoking these TM Resolutions or such authority;

5. RESOLVED: That Client hereby ratifies and confirms all: (a) actions taken, (b) notices, certifications, directions and instructions given, and (c) all agreements, instruments, and other documents entered into, which relate to the Services provided or to be provided by M&T Bank with respect to any Accounts, that were given, taken or entered into prior to the date hereof.

6. AND FURTHER RESOLVED: That Client shall defend, indemnify and hold harmless M&T Bank from and against all liabilities, costs, and expenses (including, but not limited to, attorneys' fees and disbursements) incurred by M&T Bank in connection with honoring, or refusing to honor, any signature, instruction, or action of any of Client's TM Signers.

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

Facilities Committee – Trustee Penders, Chair

A. Electric

Resolution 2 6/2012

Introduced by: Mayor Lobene

Seconded by: Trustee Nellis-Ewell

Now therefore be it resolved, that the Village of Spencerport Board of Trustees approves tabling the resolution to authorize the Mayor to sign the inter-municipal agreement with Monroe County Department of Transportation for the Village of Spencerport's contribution to the street lighting project on Lyell Avenue until further information is obtained.

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

B. Other (Drainage, Franchise)

Public Works Committee – Mayor Lobene, Chair

A. Highways/Garage

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

A. Fire Department

B. Police

C. Ambulance – Trustee Penders indicated that he was unable to attend the ambulance meeting this month.

Trustee Nellis-Ewell questioned if the ambulance still needs board members.

Trustee Penders responded that they do not because they amended the bylaws to change the required number of board members from 7 to 5.

Trustee Nellis-Ewell commented that they did get the new ambulance and did not have an open house for the community to see the new ambulance.

Trustee Penders responded that he will let the ambulance know.

Human Resources Committee – Mayor Lobene, Chair

Economic Development Committee – Mayor Lobene, Chair

Mayor Lobene indicated that new bakery will be opening on Union Street and that CSX is asking over \$100,000 for the property that the plaza owners are considering purchasing.

Trustee Nellis-Ewell commented that the sidewalk sale will be going forward and advertisements will be in upcoming issues of the Suburban News; July 9th is the annual canal bike ride with the Chamber of Commerce, Krony's Pizza and Tops sponsoring bottled water.

Green Initiatives – Trustee Nellis-Ewell, Chair

Trustee Nellis-Ewell indicated that she attended the Spring 2012 Regional Local Government Workshop and attended the Energy Efficiency for Local Governments presentation sponsored by NYSERDA; Construction Sites, Land Conservation Options and Perspective on Hydrofracking presentations.

Village Clerk – Jackie Sullivan

Absent

Superintendent of Public Works – Thomas M. West

Superintendent West indicated that Taste of Texas had their back parking lot repaved and it looks excellent. Sewers on Lyell Avenue are being refurbished due to the roadwork; system will be flushed and ready for paving; trees are planted and top soiling is being done. Work continues on the Heritage Trail and completion estimates are being done, the project is on hold temporarily while equipment is being used on other projects. The Town of Clarkson has done some clearing on the trail and a contractor will be in to complete the removal of the brush. Hawthorne Drive and Shop Road work is starting.

Trustee Nellis-Ewell commented that the trees on Lyell Avenue that the residents requested remain have been disturbed and that process is not healthy for the tree; Trustee Nellis-Ewell questioned as to who will be responsible for those trees.

Superintendent West responded that he has spoken to Monroe County and that the project is warrantied however after the warranty is up the Village is responsible for all trees.

Superintendent West responded that Karen Cox is aware of the tree issues and that he will follow up with Attorney Olson.

Trustee Nellis-Ewell requested explanation of the legal regarding the loader in the Suburban News.

Superintendent West responded that due to manufacturer lease agreement changes and emission requirements the manufacturer is requiring that the municipality to obtain sealed bids for the purchase of the current loader prior to taking the current loader as a trade for a 2012 loader per the lease agreement.

Trustee Nellis-Ewell indicated that she does not understand the process.

Superintendent West continued that the State Comptroller is requiring municipalities to obtain bids for the equipment that is leased prior to turning it back into manufacturer.

Trustee Nellis-Ewell indicated that she was unaware we were getting a new loader since it was not in the budget.

Superintendent West further explained the lease program to the Village Board.

Trustee Nellis-Ewell questioned who owns the loader.

Superintendent West indicated that the Village owns the loader.

Superintendent of Electric – Owen McIntee

Safety: The department continues to operate daily/weekly/monthly without any vehicle accidents, property damage or employee injuries. Once again, great safe job guys!!

Operations: We have some follow up to do for the replacement and/or long term maintenance with our VBU 115kv switches at the substation. We are also looking at different manufacturers and pricing for a future replacement of the lightning arrestors on #2 transformers. We will be reviewing these with engineers to determine best course of action this summer.

We continue with our Itron Meter Replacement program, purchasing Radio Demand meters every couple of months. Another delivery is due in next week.

Some material types (secondary and primary wire) have been ordered with regard to the new Distribution Circuit 41-32 Tie project on Prospect and Nichols Street. Project time lines and details are forthcoming.

SME Crew continues to rebuild and replace poles on a routine basis. This week we have been working in the Villager Apartments on Brockport Road.

SME Crew has been assisting the Village of Churchville line crews with their primary voltage conversion and is scheduled to go there next Wednesday for additional shutdowns.

New projects in design and waiting for joint utility design approvals are;
Parkview Apartment on Big Ridge Road.
Brockport Road Townhomes.

Currently waiting to hear back from Monroe County on the Lyell Avenue Street Lighting pole /fixture and the associated pricing, necessary for the authorization of the IMA.

Other: Our NYPA/IEEP Attic Insulation program will come to a close shortly, fulfilling our 40 home commitments. The intent will be to budget directly from our IEEP account and complete 12-15 homes next winter.

Our recent quarterly conference call with all the IEEP members took place last week. We reviewed the current matrix initiatives and discussed future energy savings ideas such as retrofit and rebuilds of “walk in coolers” with LED lighting and cooling component replacements. The Village of Bergen is conducting a pilot program with this and will assess the results later this fall.

Chris has completed the development and organization of 12 storm kits. These storm kits have various line work material supplies stored in large bins. SME would provide these to local mutual aid crews here in the event of a major storm. These kits are stored upstairs in building 6, are ready to go if necessary and provide a proactive approach to customer electric restoration.

Superintendent McIntee commented that the above report had been sent to the Village Board, and continued by reviewing the report. Superintendent McIntee described the lighting design for the Brockport Road housing development and completed an electrical walk through for Salvatore’s pizza.

Attorney – Richard J. Olson

Absent

Unfinished Business

Mayor Lobene reviewed the upcoming workshop agenda and stressed the importance of the policy changes including fatigue time.

Trustee Penders added that he and the department heads met and reviewed the fatigue time policy and he feels that it is worded properly to work effectively.

Trustee Gunther indicated that the fatigue time applies only to unscheduled events not scheduled.

Trustee Penders explained that the fatigue time would not be applied if the employee does not work an eight hour shift following day.

New Business

Trustee Nellis-Ewell recognized the recipients of the 13th Annual Spencerport Area Chamber of Commerce Dennis Pelletier Youth Hall of Fame to be Melissa LaCelle, Jordan Scott-Gerkens, Meghan Maier, Elizabeth Pritchard and Bianca Tantalo.

Bills

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

General Fund	\$ 49,600.99
Electric Fund	\$ 29,280.84
Sewer Fund	\$ 26,800.30
Trust Fund	\$ 40.81
Capital Fund	<u>\$ 1468.21</u>
TOTAL:	\$107,191.15

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Penders and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, June 2012 be approved as audited.

Adjournment

Motion was made by Mayor Lobene, seconded by Trustee Rauber and carried unanimously that the regular meeting be adjourned 8:17 p.m.