

VILLAGE BOARD MEETING
April 3, 2013

Mayor Lobene called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was led by Trustee Hopson

Attorney Olson administered the oath of office to newly elected board members; Mayor Joyce Lobene and Trustee Charles Hopson

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor

Carol J. Nellis-Ewell, Trustee

Gary Penders, Trustee

Charles Hopson, Trustee

BOARD MEMBERS ABSENT

Glenn Granger, Trustee

OTHERS PRESENT

Craig Byham, Luther Jacobs Way

Nancy Heneman, Lyell Avenue

Carol Hopson, Maplewood Avenue

Christy Hopson, Maplewood Avenue

Ryan Hopson, Maplewood Avenue

Glen Jeter, Birdsong Terrace

Glen Jeter, Jr. Birdsong Terrace

Kevin Kelly, Village Code Enforcement Officer

Karen Kimbler, Village Treasurer

Ray Kuntz, Jr., Coolidge Avenue

Owen McIntee, SME Superintendent

Richard McQuilkin, Prospect Street

Richard Olson, Village Attorney

Joan Quigley, Maplewood Avenue

Ted Rauber, Ballard Avenue

David Spencer, West Avenue

Jackie Sullivan, Village Clerk

Ted Walker, Maplewood Avenue

Tom West, DPW Superintendent

David Wohlers, Clark Street

PRIVILEGE OF FLOOR

Mr. Ted Walker, Maplewood Avenue and former Mayor congratulated the newly elected Board members and gave special thanks to Ted Rauber for his many years of service as Trustee for the Village of Spencerport.

PUBLIC HEARING – 2013/2014 Tentative Budget

Mayor Lobene opened the Tentative Budget Public Hearing at 7:06 p.m. Mayor Lobene then turned the meeting over to Mrs. Karen Kimbler, Village Treasurer. Treasurer Kimbler made the following comments:

- **General Fund** is budgeted to spend \$2,335,074 on all municipal areas, including recycle, for the 2013-14 fiscal year. This year we have continued to streamline the budget to minimize budgeted contingencies and to keep the tax levy within the state-mandated property tax cap.
- The spending will be sourced by \$1.1 million of outside revenues, \$466 thousand of fund balance, and the remaining \$703 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 treatment process to Monroe County.
- 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, \$140.06 per unit for debt service and \$2.69 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.
- The board has chosen not to pursue a rate increase to our electric customers in 2013.

Wages were increased by 2% across the board to match Cost of Living (COLA). General Fund salaries increased less than 2% overall, with raises partially offset by lower budgeted overtime hours. Sewer salaries increased less than 1%. The budgeted annual salary for the Mayor is \$10,200 and \$5,734 for each of the Trustees. Planning and Zoning Board member compensation was also increased for the first time in several years.

Benefits, led by State Retirement costs, hospital and medical insurance, and workers compensation costs, are expected to be up almost 6% over 2012-13 budget.

The 2013-14 General Fund tax rate is \$3.47, up 0.6% from the 2012-13 tax rate of \$3.45. The new tax levy is well within the 2% cap recently imposed by NY State. For an average household with property assessed at \$100,000 the increase on your bill would be \$2.

The Recycle charge per unit goes down \$3.

Sewer fund operations costs increased from \$2.64 to \$2.69 per thousand gallons. On average usage of 49 thousand gallons, this will increase the tax bill by \$2.45.

Last year started by applying accumulated leftover project expenses to help defray the capital charges on your tax bill. The impact this year vs. last is an increase of \$1.63 per unit which is significantly below the amount originally projected for debt payment.

Overall, an average home tax bill will be \$3 higher in the new budget than in last year's budget.

The history of the General Fund tax levy, the decisions that have impacted it were reviewed. From 2003 to 2006 the tax levy increased as the investment was made in repairing infrastructure. From 2006 through the present there were attempts to keep the tax rate as flat as possible, with some blips in the up and down direction here and there. Overall, the total levy increase over those 7 years has reflected the national cost of living increase of 15%, or just over 2% per year. We have made significant strides to repair and replace, and are positioning ourselves to move into the maintenance mode – not at the level of the 1990's that was insufficient, but at a level that will support itself over time.

Over the same period we have significantly reduced the amount of General Fund debt, and have maintained healthy fund balances and reserves. The financial focus has been to manage the fund balance to reserve for future needs and to provide a buffer for unexpected and rising uncontrollable costs. While many municipalities in New York State are currently experiencing fiscal stress, some severe, Spencerport is currently in pretty good financial health.

General Fund expenditures in more detail:

Administration, for both the office and the Public Works departments, makes up about 22%, or 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 (Liability and Vehicle costs up 10% each year – rising costs)
- News Publications/legal notices
- Data Processing
- Communications expense
- Legal costs
- Accounting
- Government reporting
- Engineering costs and
- Project development and management

The Clerk's office has applied for a NYS grant to update record retention with the objective of organizing and safeguarding your public records. That project is assumed in the budget.

The other three quarters of the budget support services direct to the community, as follows:

Highways: Is traditionally one of the largest spending areas of our service cost due to work on our roads program, and this year is 18% of the total net spending.

It covers: paving, road repairs, vehicles, materials, labor, less NYS CHIPs funding.
It also includes debt service payments on past highway equipment purchases.

Streets improvements program for next year includes needed curbs, gutters and drainage on Kirkgate and Pinecrest, as well as ongoing slurry seal and maintenance work on other streets.

We are nearing completion of our streets rebuilding 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 resurfacing and maintenance rather than total rebuild.

Additionally, in the upcoming year we will continue to reserve for the significant potential expense associated with a future major project to rebuild Brockport Road.

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.

Sidewalks: We propose to extend our Route 31 sidewalk plans by installing new sidewalk from the east to the west entrances of Harwood Road. The extent and timing of this work will depend on approval of a submitted state grant request.

Refuse: Is our largest service cost area this year. It includes the cost of Labor, vehicles & disposal fees for regular and periodic bulk pickup, less any fees charged out. This year we plan a major purchase - a new refuse truck to replace an aging unit. A large portion of the cost, a little over half, will come out of our vehicle reserves. We also plan to sandblast and paint the other refuse truck to extend its life.

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 employees, and make up approximately 7% of the budget.

Parks: have been major focus areas for the past 3 years. With the completion of the new docks and as we complete the Heritage Trail projects, we will take a financial break from capital projects in parks this year. (No new money) Costs budgeted for 2013-14 in this area are for maintenance of existing outdoor spaces and the purchase of a new mower and trailer, and represent 5% of total spending.

Other

The budget supports the central garage that keeps our vehicles in order at a lower cost than paying outside services. A newer used truck purchase is budgeted as replacement for our aging mechanics truck this year.

Also included in the budget is the cost of events and celebrations, such as our summer concert series and Canal Days, 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.

The Village Board is very much aware of the financial pressures in our day that our residents are experiencing, and realize that Village taxes add to those pressures. The Village Department Heads and employees seriously look at ways to reduce costs, defer expenses where it is prudent, and to increase revenues other than by increasing taxes. They put as many of those ideas as can be managed into practice, both in the budgeting process and in the actual spending during the year. However, we continue to see rising costs of services and materials and imposed state and federal mandates in the future which must be recognized and budgeted for.

The current budget is the Board's attempt to balance

- the maintenance of our existing services and infrastructure and
- progress toward the goals outlined in the Village's comprehensive plan
- with fiscal prudence.

Mr. Ted Walker, Maplewood Avenue questioned if any additional debt will be assumed in this budget.

Treasurer Kimbler responded that no new debt will be assumed, at this time there are two borrowings that are being paid a combined General and Electric Fund consolidated debt and the capital Sewer Fund debt.

Mr. Jeter, Birdsong Terr. questioned if the Village has considered refinancing the Sewer borrowing due to interest rates declining.

Treasurer Kimbler responded that the Sewer borrowing is a federally funded and cannot be refinanced and that the interest rate is approximately 3%.

Mr. Dave Spencer, West Avenue questioned the need for the pump station at the DPW facility.

Superintendent West explained that it is an E1 pump station to be installed from the DPW facility to Evergreen Street and is a new DEC regulation for the floor drains in the facility to be connected to it and possible decommissioning the septic system at the site.

Mr. Walker questioned the financial balance of the WWTP project.

Treasurer Kimbler responded that some portions of the project came in under budget for example the Trolley Blvd portion of the project and other areas of the project were over budget such as the bore under the canal in addition fund balance has allowed for supplemental payments to the debt.

Mr. Walker questioned if the number of employees has increased or decreased.

Superintendent West responded that the number of employees has not changed and one summer help has been added. Superintendent McIntee responded that the number of employees has not changed.

Mayor Lobene thanked the staff for their work on the budget.

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell to close the public hearing at 7:45 p.m.

Mayor Lobene opened the Annual Organization Meeting at 7:47 p.m.

A motion was made by Mayor Lobene, seconded by Trustee Penders to close the Annual Organizational Meeting at 7:55 p.m.

APPROVAL OF MINUTES

A motion was made by Trustee Nellis-Ewell, seconded by Trustee Penders and carried that the minutes from the March 6, 13, 20, 2013 be approved as read.

Administrative Committee – Mayor Lobene, Chair

Resolution 83 4/2013

Introduced by: Mayor Lobene

Seconded by: Trustee Nellis-Ewell

Now, therefore, be it resolved:

That the Village of Spencerport Board of Trustees hereby adopts the “Tentative 2013-2014 General, Sewer, and Electric Fund Budgets” as the Final Budgets for the Village Fiscal year ending May 31, 2014. The amount for the General Fund to be raised from taxes is \$631,974 with a tax rate of \$3.47 per thousand assessed valuation; a Recycling fee of \$49.75 per unit; and a Sewer User Fees of \$2.69/1000 gallons of water used for operation and maintenance costs and \$140.06 per unit for capital costs.

| | | |
|--------------------|--------------------------------|---------|
| Vote of the Board: | Glenn C Granger, Trustee | Absent |
| | Carol J. Nellis-Ewell, Trustee | Aye |
| | Gary Penders, Trustee | Aye |
| | Charles Hopson, Trustee | Abstain |
| | Joyce Lobene, Mayor | Aye |

Sewers Committee – Trustee Hopson, Chair

Trustee Hopson deferred comments to Superintendent West.

Trolley Depot Report

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

A. Planning

- B. Architectural Review – Trustee Nellis-Ewell commented that it is appropriate to credit Administrative Assistant & ARB/PB Secretary Donna Stassen who advocated an ARB fee. Since implementation, for the period of Apr 2011-Feb 2013, a fee of \$35 per applicant has resulted in revenue totaling \$945 for VOS and its taxpayers. Please note my sincere appreciation to Donna Stassen for her initiative.

Ann Howell – Nationwide Insurance, 162 South Union Street

Application for permanent sign to replace existing banner; corporate logo and colors Nationwide company went on-line for Village of Spencerport Code specs Sign size to be 70" x 36", total 19.5 sq. ft. (Code allows 20 sq. ft.); not to be backlit. **ARB Board recommended change from cedar-panel to aluminum panel** (for durability). Disposition: Certificate of Appropriateness issued

Donna Heiler – Wylie E. Chayote, 42 Nichols Street, Suite 9 (Village Woods Plaza)

Mexican & specialty American food, Former Chilango's location; Application for permanent sign to be placed over large window area; Previously approved sign size 8' x 2' = 16 sq. ft., made of pressure-treated wood Monument sign (at Route 31) still shows Chilango's; though not on this application, ARB Board allowed replacement (to lessen confusion); Applicant had multiple submissions – submission # 3 with black background and orange-gold block lettering Sign size to be larger up to 20 sq. ft. (as Code allows); **ARB Board recommended aluminum panel (for durability) with scalloped edges (for consistency with other Village Woods Plaza signage)**; **Note:** Applicant must return for lighting; ARB suggested gooseneck lights (to match Lakeside Urgent Care); cut sheet specs must accompany application; Disposition: Certificate of Appropriateness issued

C. Zoning

Application of Matt Brooks, 89 South Union Street – aka Irish Pub, etc.

Public comments from Mr. Ross Gates/owner Galley Restaurants and Mr. Gary Inzana/Village Square M management & Developers, owner Spencer's Landing;

Disposition: Zoning Board discussed each, then approved all four:

1. Apt. /special use permit – 600 sq. ft.
2. Irish pub operation/special permit – 60-person capacity
3. Parking/variance – public parking within 500 ft.
4. Fence/special permit, seasonal removal
For 4. /Fence, Atty. Stowe asked for a hold harmless agreement (he will check verbiage) and contingency/satisfaction of the Supt.'s five conditions.

Written confirmation from Building Inspector and Fire Marshall that the side passageways deemed designated fire lanes. Above are highlighted summaries: After approval by the respective Boards, minutes of said meetings to be posted on VOS Web Site: www.vil.spencerport.ny.us

D. Building Control

- E. Code Review Committee: To be reconvened with the return of Code Enforcement Officer Kevin Kelly. Committee meets as issues are identified. Mayor Lobene has an item related to decks in the CBD (Central Business District). Mr. Kelly has submitted his Annual Report 2012 (for Code Enforcement) dated April 2, 2013 to the Mayor and Board of Trustees that details his varied activities.

Finance Committee – Trustee Penders, Chair

RESOLUTION 84 4/2013

Introduced by: Trustee Penders
Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees approves the following budget transfers.

| <u>Amount</u> | <u>To Account</u> | <u>From Account</u> |
|---------------|---|--|
| \$6,000 | A5142.400 Snow Removal Contractual | A5142.402 Snow Removal – Deicing Matls |
| \$5,000 | A8161.401 Recycling Equipment Vehicle Repairs | A8161.400 Recycling Contractual |

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|--------------------|--------------------------------|--------|
| Vote of the Board: | Glenn C Granger, Trustee | Absent |
| | Carol J. Nellis-Ewell, Trustee | Aye |
| | Gary Penders, Trustee | Aye |
| | Charles Hopson, Trustee | Aye |
| | Joyce Lobene, Mayor | Aye |

Facilities Committee – Trustee Hopson, Chair

A. Electric

RESOLUTION 85 4/2013

Introduced by: Trustee Penders
Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees approves Superintendent McIntee’s attendance at the MEUA Semi Annual Meeting Wednesday, April 17 and Thursday, April 18, 2013 in Syracuse, NY. Cost not to exceed \$231.00.

| | | |
|--------------------|--------------------------------|--------|
| Vote of the Board: | Glenn C Granger, Trustee | Absent |
| | Carol J. Nellis-Ewell, Trustee | Aye |
| | Gary Penders, Trustee | Aye |
| | Charles Hopson, Trustee | Aye |
| | Joyce Lobene, Mayor | Aye |

RESOLUTION 86 4/2013

Introduced by: Trustee Penders
Seconded by: Trustee Nellis-Ewell

WHEREAS, the Village Board of Trustees of the Village of Spencerport, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 17 and April 18, 2013 to be held at the Embassy Suites Hotel, 6646 Old Collamer Rd., East Syracuse, New York, 13057 and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Owen McIntee be and is hereby designated as the accredited delegate of the Village of Spencerport, New York.

| | | |
|--------------------|--------------------------------|--------|
| Vote of the Board: | Glenn C Granger, Trustee | Absent |
| | Carol J. Nellis-Ewell, Trustee | Aye |
| | Gary Penders, Trustee | Aye |
| | Charles Hopson, Trustee | Aye |
| | Joyce Lobene, Mayor | Aye |

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Granger, Chair

A. Highways/Garage

RESOLUTION 87 4/2013

Introduced by: Mayor Lobene
Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees authorizes the Mayor to sign the 2013 Annual Storm Water Report MS4 Municipal Compliance Certification Form.

| | | |
|--------------------|--------------------------------|--------|
| Vote of the Board: | Glenn C Granger, Trustee | Absent |
| | Carol J. Nellis-Ewell, Trustee | Aye |
| | Gary Penders, Trustee | Aye |
| | Charles Hopson, Trustee | Aye |
| | Joyce Lobene, Mayor | Aye |

RESOLUTION 88 4/2013

Introduced by:
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees approves hiring Norm Lessord, III, Spencerport, NY as a seasonal employee starting April 15, 2013 – December 6, 2013 at a salary of \$12.00/hour pending pre-employment drug screening.

| | | |
|--------------------|--------------------------------|--------|
| Vote of the Board: | Glenn C Granger, Trustee | Absent |
| | Carol J. Nellis-Ewell, Trustee | Aye |
| | Gary Penders, Trustee | Aye |
| | Charles Hopson, Trustee | Nay |
| | Joyce Lobene, Mayor | Aye |

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

Trustee Penders commented that he would defer comments until next month.

- A. Fire Department
- B. Police
- C. Ambulance

Human Resources Committee – Trustee Granger, Chair

Economic Development Committee – Mayor Lobene, Chair

Trustee Nellis-Ewell commented that Mayor Lobene conducted the Village of Spencerport CBD Businesses-Community Seasonal Update – meeting March 25, 2013; Mayor Lobene distributed seasonal calendar of activities/events for 2013; also bridge details/updates. Trustee Nellis-Ewell provided Village Plaza & Church Street parking updates.

Green Initiatives – Trustee Nellis-Ewell, Chair

Trustee Nellis-Ewell made the following comments:

Village Day of Caring scheduled for May 11, 2013; Co-ordinated by Donna Stassen and DPW Supt. Tom West with Village employees; Heritage Trail Phase II – Hardscaping & Landscaping bid/quote process underway
The Village of Spencerport Heritage Trail project, already funded by a matching grant, supports the local economy by attracting people to the area, and enhances our community by creating a healthy place to exercise, gather, recreate and relax; GTC/FLRDC Multi-County Sustainability Consortium continues – Broad Strategies developed, Specific Projects submitted; Public Hearings completed; Wrap-Up meeting being scheduled (end of April, early May)

Village Clerk – Jacqueline Sullivan

Clerk Sullivan publically thanked Treasurer Kimbler for her work on the budget and tonight’s presentation. Clerk Sullivan also congratulated Deputy Gilbert for receiving her Notary Public License; Monroe County tax surrender has been received; Village will be having a community shredding and an electronics drop off day on Saturday, May 11th from 9 a.m. to Noon at the DPW Shop during the Day of Caring activities.

Superintendent of Public Works – Thomas M. West

Superintendent West commented that due to advocacy day communities across the state will receive increased CHIPS funds; plow damage repair and road work will be starting and all materials for the Heritage Trail Phase II have been ordered and the specifications for landscaping are being completed. Superintendent West added that a potential plan for additional parking on Church Street is being developed.

Superintendent of Electric – Owen McIntee

Superintendent McIntee indicated that a new switch for the substation has been received and plans for installation are underway; final installation of electronic meters has been completed special thanks to crews and Deputy Clerk Pam Gilbert and Union Street line and pole replacement continues; attic insulation program completed on 40 homes last year have realized a 12% savings on energy usage.

Attorney – Richard J. Olson

Unfinished Business

New Business

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 | \$ 83,105.72 |
| Electric Fund | \$ 36,410.86 |
| Sewer Fund | \$ 47,281.67 |
| Trust Fund | \$ 163.70 |
| Capital Fund | <u>\$200,785.77</u> |
| TOTAL: | \$367,747.72 |

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Hopson and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, April 2013 be approved as audited.

Adjournment

Motion was made by Trustee Penders seconded by Trustee Nellis-Ewell and carried unanimously that the regular meeting be adjourned 8:25 p.m.