

VILLAGE BOARD MEETING
Minutes
November 6, 2013

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Mayor Lobene.

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor
Glenn Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee

BOARD MEMBERS ABSENT

Charles Hopson, Trustee

OTHERS PRESENT

Craig Byham, Luther Jacobs Way
John Cohen, Director Ogden Farmers' Library
Jill Cordts, Amity Street
Dan Goodison, Café Macchiato, Union Street
Ray Kuntz, Jr, Coolidge Avenue
Steve Lingard, Crossgates Road
Joan Quigley, Maplewood Avenue
Libby Robinson, Ogden Center Road
Jacqueline Sullivan, Village Clerk
Tom West, DPW Superintendent
Ron White, Hawthorne Drive

APPROVAL OF MINUTES

A motion was made by Trustee Granger, seconded by Trustee Nellis-Ewell and carried that the minutes of the regular board meeting October 2, 2013 be approved as read.

A motion was made by Trustee Penders, seconded by Trustee Granger and carried that the minutes of the workshop meeting October 16, 2013 be approved as read.

A motion was made by Trustee Nellis-Ewell, seconded by Trustee Granger and carried that the minutes of the workshop meeting October 23, 2013 be approved as read.

Privilege of the Floor

Mr. John Cohen, Director – Ogden Farmers' Library introduced himself and reviewed the services and upcoming programs that will be featured at the library.

Mr. Ray Kuntz, Coolidge Avenue commented that the red lights at the Page/Countryside store look good and he thinks that it is ridiculous for someone to complain about the lights and that it is a waste of time mowing of the property at the end of West Avenue and Amity Street that was a field prior to the abandon project. Mr. Kuntz continued that while he is all for Christmas on the Canal he wanted to confirm that the reason the Village does not financially support the event is under the advice of the Village Attorney.

Mayor Lobene indicated that was correct.

Mr. Kuntz questioned if businesses were only allowed to have one "A frame" sign to advertise their business.

Trustee Nellis-Ewell indicated that was correct and that the Code Enforcement Officer should follow up with the business if the signs are not code compliant.

Mr. Dan Goodison, Union Street questioned that status of the two hour parking in the municipal lot on West Avenue and Church Street and emphasized the importance of the two hour parking.

Trustee Nellis-Ewell responded that the local law process must be followed to legally post the lot for two hour parking.

Further discussion ensued regarding the need for two hour parking in that lot.

PROCLAMATION

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

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

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

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

NOW, THEREFORE, we the Spencerport Village Board do hereby proclaim official recognition of October 28 – November 1, 2013 as

SCHOOL BOARD RECOGNITION WEEK

Dated this 6, day of November, 2013

Spencerport Village Board

Joyce Lobene, Mayor
Glenn Granger, Trustee
Carol Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles Hopson, Trustee

Resolution 61 11/2013

Introduced by: Trustee Granger
Seconded by: Trustee Penders

Whereas, New Cingular Wireless PCS, LLC (“AT&T”) is requesting a building permit for installation of equipment on the existing tower owned by Crown Castle International at 501 West Avenue; and

Whereas, the height of the existing tower is not changing; and

Whereas, the SEQRA Short Environmental Assessment Form has been completed pursuant to §617.5 [C](1) of the regulations; and

Whereas, Section 6409 of the Middle Class Tax Relief and Jobs Creations Act of 2012 codifies how local municipalities must handle certain requests for modification of existing wireless facilities and requires approval if a proposed modification if there is no substantial change; and

Whereas, this board has reviewed the application to determine if there are any substantial changes proposed.

Now, therefore, be it resolved:

Section 1. That the Village Board of the Village of Spencerport determines that the changes proposed to the Crown Castle Telecommunication facility located at 500/501 West Avenue Village of Spencerport are not substantial.

Section 2. That in accordance with Section 6409 of the Middle Class Tax Relief and Jobs Creations Act of 2012, the application is hereby approved.

Section 3. That this resolution shall take effect immediately.

Vote of the Board:	Glenn C. Granger, Trustee	Aye
	Carol J. Nellis-Ewell, Trustee	Aye
	Gary Penders, Trustee	Aye

Resolution 62 11/2013

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Penders

Be it resolved that the Village of Spencerport Board of Trustees hereby approves to surrender the 2013/2014 unpaid village taxes to Monroe County in the amount of \$32,400.86.

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

Sewers Committee – Trustee Hopson, Chair

Trolley Depot Report

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

- A. Planning
- B. Architectural Review

Trustee Nellis-Ewell commented that the following businesses received certificates of appropriateness for their signage application: Big Ridge Holdings, Page Countryside, and Shultz Associates. In addition Mr. Schultz indicated that two hour parking would help the lack of parking in his parking lot.

- C. Zoning
- D. Building Control
- E. Code Review

Mayor Lobene indicated that the issue with the fence at Mr. Matthew Brooks' (McColley's Pub) property has been resolved.

Trustee Granger responded that the issue is not resolved and that the property owner had no intention to take down the fence and now he is asking for an extension.

Trustee Granger made a proposal that the Village Board rescind Mr. Brooks' permission to have the fence.

Mr. Goodison questioned what the issue is.

Trustee Nellis-Ewell indicated that Assistant Building Inspector Jack Crooks and Code Enforcement Officer Kevin Kelly issued a memo the Village Board regarding the fence located on the sidewalk at McColley's Pub owned by Matthew Brooks recommending that the Village board grant a stay of the agreement for the fence until December 15, 2013. Mr. Brooks indicated that he will provide the Village Board with a proposal outlining a strategy for the fence, protection of pedestrian traffic and bringing the out swinging entry doors into code compliance.

Trustee Granger commented that Mr. Brooks is going to submit a plan, not remove the fence.

Trustee Penders indicated that alcohol cannot be sold or consumed in a public sidewalk café and that the façade of the building was changed to allow for this café.

Mr. Goodison indicated that he does not understand the snow remove issue with the fence when there is less space to remove snow from sidewalks in other areas of Union Street.

Superintendent West explained the snow removal process and that the area in question has a tendency to have an abundance of snow accumulation making it difficult to remove with the proximity of the fence.

Mr. Goodison indicated that Mr. Brooks is willing to remove snow in front of his building.

Superintendent West was not aware of Mr. Brooks' intentions.

Mr. Goodison added that he feels that this is an obstruction of the promotion of business. Mr. Goodison summarized that Mr. Brooks is adding to the business of the Village and the Village Board continually says no to Mr. Brooks.

Trustee Granger indicated that there is more information to the situation.

Discussion ensued regarding the fence and the promotion of business.

Resolution 63 11/2013

Introduced by: Trustee Penders

Seconded by: Trustee Granger

Be it resolved that the Village of Spencerport hereby approves allowing Mr. Matthew Brooks, DBA McColly's Pub to continue to have the fence located on the sidewalk outside of his property until December 15, 2013.

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

Finance Committee – Trustee Penders, Chair

Resolution 64 11/2013

Introduced by: Trustee Penders

Seconded by: Trustee Nellis-Ewell

November 6, 2013 BUDGET TRANSFER & REVISION Fiscal Year End 5/31/2014

AMOUNT	TO ACCOUNT		FROM ACCOUNT	
\$13,000	A5110.402	Highway - Road Materials	A8540.400	Drainage Contractual
\$1,000	A8170.401	Street Cleaning Equipment/ Vehicle Repair	A8540.400	Drainage Contractual
\$66,331	G8120.200	Sewers Capital	G2665.000	Sale of Equipment
(\$66,331)	A5110.200	Highways - Capital	A2665.000	Sale of Equipment

To recognize sale of old Loader and full value of purchase of new loader - Sewer Portion

(\$47,500)	A3089.000	State Aid - Other	A1325.403	Clerk Treasurer Records Management
\$26,149	A3089.500	State Aid - SARA	A1325.403	Clerk Treasurer Records Management
		To recognize reduced Grant awarded for Records Retention		

Any spending not covered by Grant will be budget-transferred from other 2013-14 budget items per Village Board action 10/3/13

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

Trustee Penders indicated that the Village Board will be meeting next Wednesday to review the response plan to the OSC's recommendations regarding the fund surplus.

Facilities Committee – Trustee Hopson, Chair

- A. Electric
- B. Other (Drainage, Franchise)

Public Works Committee – Trustee Granger, Chair

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

Public Safety Committee – Trustee Penders, Chair

- A. Fire Department

Trustee Penders indicated that the Fire Department will be staying under the 2% tax cap for the upcoming year.

- B. Police
- C. Ambulance

Trustee Penders commented that he attended the SVA meeting and they continue to operate efficiently.

Human Resources Committee – Trustee Granger, Chair

Resolution 65 11/2013

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the hiring of Richard McQuilkin, 34 Prospect Street, Spencerport, NY in the position of Code Enforcement Assistant – Part-time with a salary of \$20.00/hr. This position takes effect immediately.

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

Resolution 66 11/2013

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the hiring of Elizabeth Venezky as the temporary Records Retention Clerk with a salary of \$22.00/hr. Hours not to exceed 440 for the entire project. This position takes effect immediately.

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

Economic Development Committee – Mayor Lobene, Chair

Mayor Lobene indicated that Butterfly Kisses candy shop is open on Amity Street.

Green Initiatives – Trustee Nellis-Ewell, Chair

Subject: Report on Green Refuse Truck

According to the Village of Spencerport Major Equipment Project Summary, 2013-2014 Budget, the refuse truck is due for replacement. \$216,000 is estimated as the replacement cost.

Goal: Save fuel and cut emissions by purchasing an economical, reliable refuse truck

- Focus continues on “green” vehicles – commercial, municipal and personal models.
- To gain basic knowledge, hours were spent to research, read and review options.
- From sustainability and equipment activities, we gained more knowledge on types of trucks: Compressed Natural Gas (CNG), 2) Electric/Hybrid and 3) Hydraulic Hybrid (chassis retrofitted). In June, Superintendent West and I toured the new CNG installation (\$!M) at local Suburban Disposal Company.
- 1) and 2) need expensive infrastructure: fueling, charging stations (limited number, most not open to the public) and training. BAE Systems, Bosch, Eaton, Parker-Hannefin, and Peterbilt were contacted: companies, reps, references.
- Some municipalities have implemented green vehicles, mainly large fleets in major cities. Traditional vehicles can be converted to CNG, but few systems have been approved for vehicles over 14,000 lbs. (EPA working on).
- Our analysis determined frequent “stop & go” of Village refuse routes made Hydraulic Hybrid the best choice. Data indicates fuel savings of 30%, but we estimated conservatively at 15-20%.
Sources:
 - U.S. Department of Energy, Energy Efficiency & Renewable Energy, Alternative Fuels Data Center www.afdc.gov
 - Clean Cities Guide to Alternative Fuel and Advance Medium- and Heavy-Duty Vehicles
- Funding might be available from various grants. New York Governor Cuomo’s “Cleaner, Greener Communities” applies to smaller vehicles. **Overall a “green” truck must offer reasonable payback and ROI.** Examples: Village of Fairport considered a Hydraulic Hybrid; chassis cost alone was \$275,000. Truck prices range from \$220,000 (same specs?) to \$388,000 (New Haven, Connecticut).

Conclusion - Hydraulic Hybrid Technology

*** Purchase not recommended at this time**

- Still new (getting better)
- Range of specs (extensive)
- Expensive to purchase (variable)
- Locked into manufacturer service (not local)
- Unknown maintenance record
- Unproven performance in smaller New York municipalities, particularly New York winters

In summary, it is important to advise taxpayers the Village of Spencerport did due diligence to this green project. Thank you to Superintendent West for being open-minded and helpful, by making numerous phone calls and sending follow up e-mails to gather information that enabled careful assessment.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan commented that an all staff meeting is scheduled for Friday, November 8, 2013; ribbons will be placed on the light poles for Veterans Day and work on the records room continues.

Superintendent of Public Works – Thomas M. West

Superintendent West commented that storm damage clean up continues; residential brush pick up will be through 11/22; Church Street parking is completed adding four spots to the area.

Superintendent of Electric – Owen McIntee

Attorney – Richard J. Olson

Unfinished Business

New Business

Bills

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

General Fund	\$ 99,448.24
Electric Fund	\$ 42,861.97
Sewer Fund	\$ 15,993.56
Trust Fund	\$ 1,781.83
Capital Fund	<u>\$ 1,655.04</u>
TOTAL:	\$161,740.64

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, November 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 8:30 p.m. executive session to discuss employee issues.

Motion was made by Trustee Granger, seconded by Trustee Penders and carried unanimously that the executive session be adjourned at 9:00 p.m.