

VILLAGE BOARD MEETING
February 19, 2014
Minutes

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Trustee Granger.

BOARD MEMBERS PRESENT

Glenn Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles Hopson, Trustee

BOARD MEMBERS ABSENT

Joyce Lobene, Mayor

OTHERS PRESENT

Craig Byham, Luther Jacobs Way
Gary Inzana, Village Square Management
Ray Kuntz, Jr, Coolidge Avenue
Owen McIntee, SME Superintendent
Rich McQuilkin, Code Enforcement Officer
Joan Quigley, Maplewood Avenue
Jacqueline Sullivan, Village Clerk
Tom West, DPW Superintendent

Approval of Minutes

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell and carried that the meeting minutes from the Village Board meeting on January 8, 2014 be approved as read.

A motion was made by Trustee Nellis-Ewell, seconded by Trustee Penders and carried that the meeting minutes from the Village Board workshop meeting on January 15, 2014 be approved as read.

A motion was made by Trustee Hopson, seconded by Trustee Penders and carried that the meeting minutes from the Village Board workshop meeting on January 22, 2014 be approved as read.

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell and carried that the meeting minutes from the Village Board special meeting on February 6, 2014 be approved as read.

Privilege of the Floor

Mrs. Quigley, Maplewood Avenue questioned if anything was going to be done regarding the hours of the bridge tender for the upcoming canal season. The hours in 2013 were severely shortened.

Trustee Nellis-Ewell responded that Mayor Lobene met with Brian Stratton and John Callahan of the Canal Corporation and that they are aware of the concerns and that while there are additional funds they do not see the bridge tenders hours extended.

Mr. Ray Kuntz, Coolidge Avenue questioned where he could recycle fluorescent light bulbs.

Superintendent McIntee indicated that they can be dropped off at the Village Office.

Administrative Committee – Mayor Lobene, Chair

Resolution 92 2/2014

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Village Clerk to attend the NYCOM Personnel School, Friday, March 14, 2014 from 8 am – 4 p.m. at the Hilton Garden Inn, 800 Pittsford-Victor Road, Pittsford, New York 14534. Cost not to exceed \$110.00.

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

Sewers Committee – Trustee Hopson, Chair

Trolley Depot Report

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

- A. Planning
- B. Architectural Review
- C. Zoning
- D. Building Control
- E. Code Review

Resolution 93 2/2014

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance at the Spring 2014 Land Use Decision Making Training Program to Village, Planning, Zoning Board Members and Support Staff March 17, 19, 27, and 31, 2014. Cost not to exceed \$160.00 per person.

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

Finance Committee – Trustee Penders, Chair

Resolution 94 2/2014

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

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

December 4, 2013 BUDGET TRANSFER & REVISION Fiscal Year End 5/31/2014

AMOUNT	TO ACCOUNT	FROM ACCOUNT
\$3,500	A1325.403 Records Retention Contractual	A1910.402 Insurance SMP/Auto/Umbrella
	Village Portion of Records Retention Project - Construction Costs	
\$3,500	A1620.100 Shared Buildings - Salary	A5110.100 Highways
	Drainage at 27 West Avenue	
\$7,252	A5142.100 Snow Removal - Salary	A8170.101 Leaf Pickup Salary
\$8,000	A5142.100 Snow Removal - Salary	A8540.100 Drainage Salary
	Heavy Snow Year	
\$1,000	A8160.403 Refuse - Equipment/Vehicle Repair	A8160.400 Refuse - Contractual
\$1,000	A8161.401 Recycling - Equipment/Vehicle Repair	A8161.400 Recycling - Contractual

\$2,000	A8170.401 Street Cleaning - Equipment/Vehicle Repair	A8160.400 Refuse - Contractual
\$12,035	A9010.800 State Retirement NYS / Group Life Ins.	A9060.800 Hospital/Medical Insurance
\$2,257	G9010.800 State Retirement NYS / Group Life Ins.	G9060.800 Hospital/Medical Insurance
\$30	G9189.803 CDL/EAP Programs	G9060.800 Hospital/Medical Insurance

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

Treasurer Kimbler explained that while the Village of Spencerport has had a long term relationship with most recently Key Bank previously HSBC Bank Key Bank has instituted a new policy starting February 2014 of charging our municipal accounts services charges totaling and estimated cost of \$10,235.

Treasurer Kimbler presented a comparison of services between Key Bank and M&T Bank. The Village has an established relationship with both banks, Key Bank holds all of the Village's operating accounts and M&T hold the Village's clearing account; both banks are FDIC insured and fulfill the Village's collateralization requirements; both banks offer checking and money market savings accounts at an interest rate of 0.1%; Key Bank offers a CD at a rate of 1.0% for 27 months for \$500K or more; M&T offers a CD at a rate of 0.05% for 7 days to 1 year; both banks offer online banking.

Treasurer Kimbler continued that it is M&T's corporate policy to waive fees for government accounts, M&T will be providing the first order of all checks; M&T does require that persons cashing checks even those drawn on M&T Bank must have an account with M&T (Key Bank will cash VOS checks without the need for the individual cashing the check to have an account). Treasurer Kimbler continued that there will be some transition issues accounts will need to be established, signature cards and access policies will need to be completed. Payroll, credit card, direct debit and Town of Ogden deposit processes will need to be updated.

Trustee Granger asked Treasurer Kimbler's opinion regarding changing banks.

Treasurer Kimbler responded that \$10,000 is \$10,000

Trustee Nellis-Ewell questioned if the no fee policy was ongoing or a "teaser/loss leader" program.

Treasurer Kimbler responded that it is not however if the interest rates increase charges at Key Bank will be offset by interest income.

Clerk Sullivan clarified Trustee Nellis-Ewell's question regarding fees and that Treasurer Kimbler did confirm with M&T and while M&T could not give a firm time from they did indicate that they have not charged fees to government accounts and do not anticipate charging in the future.

Trustee Nellis-Ewell confirmed that all of our funds are insured. Treasurer Kimbler and Attorney Olson explained that funds are insured through FDIC and government securities for the full amount and statements are received regularly per NYS law.

Trustee Granger confirmed that the CD would be an offset to the fees at Key Bank and could the money be moved and still invest in the CD.

Treasurer Kimbler responded that is not an option.

Trustee Granger questioned the length of the process.

Treasurer Kimbler responded approximately 60 days and that payroll and credit card processing would take the longest.

Trustee Penders questioned how many CDs the Village has at this time.

Treasurer Kimbler responded that the Village currently does not have any CDs.

Resolution 95 2/2014

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

Be it resolved that the Village of Spencerport Board of Trustees approved moving all Village operating funds from Key Bank to M&T Bank located in the Village of Spencerport.

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

Facilities Committee – Trustee Hopson, Chair

A. Electric

Resolution 96 2/2014

Introduced by: Trustee Hopson
Seconded by: Trustee Penders

Be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance at the MEUA Winter Engineering Workshop Wednesday and Thursday March 19-20, 2014 located at the Embassy Suite Hotel, East Syracuse, NY for the SME Superintendent and 2 staff members. Cost not to exceed \$201 per person.

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

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Granger, Chair

A. Highways/Garage

Resolution 97 2/2014

Introduced by: Trustee Granger
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the DPW Superintendent's attendance and use of Village vehicle at the 2014 Grassroots Advocacy Campaign for Local Roads & Bridges March 4 -5, 2014 at the Hilton Albany, Albany, NY. All other costs associated with this event will be paid for by the Monroe County Superintendents' Association.

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

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

A. Fire Department

Trustee Penders commented that the fire department through the use of an AED machine saved a gentleman having a heart attack at a 50+ basketball game at the high school.

B. Police

C. Ambulance

Trustee Penders updated that the consolidation of Spencerport Volunteer Ambulance and Gates Volunteer Ambulance is moving forward. At this time local details of the transition are nearly complete and at this time approval from the NYS Attorney General's Office is needed.

Human Resources Committee – Trustee Granger, Chair

Economic Development Committee – Mayor Lobene, Chair

Green Initiatives – Trustee Nellis-Ewell, Chair

Trustee Nellis-Ewell thanked Superintendent Owen McIntee for working with Renewal Rochester to look at our facilities for cost saving green initiatives.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan reported that the Village's electronic recycling program has grown from 2012 to 2013 by 2 ½ times. Revenues are up as well and now because of our volume SunnKing picks up the recycling instead of the Village employees transporting recycling.

Clerk Sullivan continued by questioning the Village Board members if they were interested in bidding out insurance agents.

Trustee Nellis-Ewell indicated that she would be interested in shopping for insurance agencies.

Trustee Hopson indicated that if there was a cost savings.

Trustee Penders indicated that he does not see the need to shop insurance agents.

Attorney Olson commented that the Village's current insurance agent has the expertise to best represent the Village's municipal policies.

Trustee Granger commented that his concern is would it be worth severing the tie to save minimal money.

Trustee Granger suggested that this process be tabled until the Mayor returns.

Resolution 98 2/2014

Introduced by: Trustee Penders

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees approves the purchase of four (4) map cabinets for the records retention project. Cost not to exceed \$6,300.

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

Superintendent of Public Works – Thomas M. West

Superintendent West commented that crews have done a fantastic job on snow removal and all other operations during the excessive snow and cold temperatures. Superintendent West indicated that snow plowing hours including overtime is for this fiscal year has doubled for the entire last fiscal year. Superintendent West commented that despite news report regarding salt the Village has enough salt and will continue to be able to receive salt. Monroe County is moved to single

stream recycling meaning that it no longer needs to be separated, this will save time and equipment for the Village's service.

Superintendent of Electric – Owen McIntee

Superintendent McIntee explained the increased cost of supplemental power need during the extreme cold temperatures and that upcoming electric bills will increase by about 1/3.

Attorney – Richard J. Olson

Resolution 99 2/2014

Introduced by: Trustee Granger
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees shall conduct a public hearing on Introductory Local Law #1-2014 "A Local Law to Amend the Prohibited Uses in the Industrial Zone in the Village of Spencerport" at 7:00 pm. on March 5, 2014.

Be it further resolved, that the Village Clerk is directed to post and publish the required notices as required by law.

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

Unfinished Business

New Business

Clerk Sullivan questioned if the Joint Village, Planning & Zoning Board Meeting scheduled for Wednesday, March 19, 2014 @ 7:00 p.m. is needed due to the owner of the Village Plaza withdrawing his project.

The Village Board of Trustees indicated that this would be discussed at the March 5th Board Meeting when the Mayor returns.

Adjournment

Resolution 100 2/2014

Introduced by: Trustee Granger
Seconded by: Trustee Hopson

Whereas, Section 108(3) of the Public Officers Law exempts "any matter made confidential by federal or state law" from the provisions of the Open Meetings Law; and

Whereas, Section 4503 of the New York State Civil Practice Law and Rules provides for confidential and privileged communications between an attorney and his or her client in the course of professional employment; and
Whereas, the Village Attorney has requested the opportunity to discuss legal matters with his client, the Village Board of Trustees

Now, therefore, be it resolved

That the Village Board enters into a private session with its attorney to discuss legal matters and that in addition to the Village Board of Trustees and the Attorney at 8:10 p.m., the following individuals shall be included:

1. Village Clerk
2. DPW Superintendent

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

Gary Penders, Trustee	Aye
Charles R. Hopson, Trustee	Aye
Joyce Lobene, Mayor	Absent

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Granger and carried unanimously that the executive session be adjourned at 8:50 p.m.

Resolution 101 2/2014

Introduced by: Trustee Granger
Seconded by: Trustee Hopson

Whereas, as the result of an incident occurring on January 20th, 2014, a 2010 Ford Fusion owned by Natalie Kane (or a member of her family) was damaged in a collision with a Village vehicle; and

Whereas, as a result of said incident, the Ford Fusion was damaged in the amount of approximately \$5,000.00; and

Whereas, the owner's insurance company paid all by the \$500.00 deductible amount; and

Whereas, the Village Board of Trustees has reviewed the facts and circumstances surrounding the accident including representations of village personnel made at the time of the accident;

Now, therefore be it resolved:

1. That upon proof of ownership being received, the Village shall reimburse the owner of the 2010 Ford Fusion involved in said accident the amount of \$500.00;
2. That this reimbursement is due to the unique facts and circumstances of this case;
3. That this reimbursement shall not be construed as any admission of liability on the part of the Village, its employees or agents.
4. 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
	Charles R. Hopson, Trustee	Aye
	Joyce Lobene, Mayor	Absent

Motion was made by Trustee Hopson, seconded by Trustee Granger and carried unanimously that the Village Board meeting be adjourned at 8:50 p.m.