

VILLAGE BOARD MEETING

August 6, 2014

Minutes

Mayor Granger called the meeting to order at 7:00 p.m. followed by the pledge of allegiance.

BOARD MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

OTHERS PRESENT

John Collins, MRB Group
Jill Cordts, Amity Street
Ron Ellis
James Grassi, Coventry Drive
Owen McIntee, SME Superintendent
Ray Perry, Crown Castle
Joan Quigley, Maplewood Avenue
Ted Rauber, Amity Street
Eric Stowe, Village Attorney
Jacqueline Sullivan, Village Clerk
Thomas West, DPW Superintendent
Liz Venezky, Thorncliff Road
Ron White, Hawthorne Drive
Dave Willard, MRB Group
David Wohlers, Clark Street

Approval of Minutes

Trustee Nellis-Ewell moved that the minutes from the Village Board Meeting on July 2, 2014, Joint Town of Ogden/Village Meeting July 9, 2014 and Workshop Meeting July 16, 2014 be approved. Trustee Penders seconded the motion.

Privilege of the Floor

Mr. Ted Rauber, President of the Spencerport Depot and Canal Museum and Mrs. Doreen Castano, Director of the Spencerport Depot and Canal Museum presented the Village Board with a picture of the Depot decorated for the holidays in 2013 in appreciation of the Village for the- work that they do to support the Depot.

Mr. Rauber added that the Depot entertains about 2500 visitors per year.

Mr. Grassi of Coventry Drive urged the Village to do a cost analysis of the annexation of the Village Pines property and have taken into account all aspects of the annexation.

Mrs. Joan Quigley, Maplewood Avenue questioned if anyone has heard that the Village Plaza is being sold.

Trustee Nellis-Ewell confirmed that Mrs. Quigley meant Village Plaza, not Village Woods Plaza, which has a new owner, and is undergoing renovation.

Mrs. Quigley indicated that the people indicated that they were looking on Lyell Avenue down the tracks.

Mayor Granger stated he (and the Village Board) are not aware of a sale of Village Plaza.

Administrative Committee – Mayor Granger

Mayor Granger indicated that Trustee Penders will be the Deputy Mayor and that Trustee Nellis-Ewell will be Economic Development Coordinator.

Mr. David Willard indicated that MRB group reviewed the application for the installation of Rock Anchors and Bearing Plates at the Crown Castle cell tower located at 500 West Avenue.

Mr. John Collins, MRB Group spoke to the Village Board and Ray Perry from Crown Castle regarding the comments attached to the minutes.

Mr. Perry responded by reading the attached prepared Crown Castle engineering responses and that the biggest outstanding item is #6 and that the Crown Castle engineers have done research and that code F is what should be accepted.

It was determined, based on the need for additional information regarding MRB's outstanding item #6, the resolution to approve the application from Crown Castle was tabled.

Resolution 20 8/2014

Introduced by: Mayor Granger

Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby acknowledges the liquor license application of Richard Reitter, R.T.R-8 Ltd., DBA Snuggery's, 380 S. Union Street, Spencerport, NY and waives the 30-day prior notice.

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

Sewers Committee – Trustee Hopson, Chair

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

The below comments were provided by Trustee Nellis-Ewell

Planning/Zoning/Building Control

Liaison Notes

ARB/PB

Architectural Review Board (ARB) met last evening (August 5)

- Application of Mike Prognio, KASM Bottle and Can Return for wall signage to be located at 45 Nichols Street, Spencerport, NY 14559
Applicant a “no show” so Chair/Board tabled application
- Expected application for new business at 86 South Union Street (Mr. Gates' Building): signage using existing sign; just reversing it, rest stays the same
Chair will review application and proper documentation; approval to be granted if consistent and all in order.
This will enable the business to begin operation without an appearance.

No Planning Board (PB) business on agenda last evening

ZBA

No Zoning Board of Appeals (ZBA) on agenda July 17, 2014

Next ZBA meeting would be August 21, 2014; ZBA business Legal Notice published in *Suburban News*

Building Control

Reports issued by Building Inspector Patrick Smith and Code Enforcement Officer Rich McQuilkin
Presented at VOS workshops

Code Review

Did not meet in July

Ongoing task of reviewing and updating code as well as the complete code review project

Finance Committee – Trustee Penders, Chair

Resolution 21 8/2014

Introduced by: Trustee Penders

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes check signing authority to Glenn C. Granger, Mayor; Gary Penders, Trustee; Karen Kimbler, Village Treasurer at the following financial institutions:

Chase Bank

Key Bank

M&T Bank

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

I certify that Depositor named above has duly authorized the opening of a deposit account pursuant to the agreement on M&T Bank's Commercial Deposit Account Opening Request, and that I am duly authorized to act on behalf of Depositor; that Depositor is:

- an agency or department of the United States,
- an agency, division or department of the State of _____,
- a State of NEW YORK local government entity (county, town, village),
- a school district,
- a fire district, or
- other _____

duly organized and validly existing under the laws of the State of NEW YORK and, if applicable, that the resolutions set forth below or provided separately to M&T Bank have been duly adopted by the Board of Depositor, at a meeting duly called and held on _____; that each of such resolutions is in full force and effect and none has been rescinded, revoked, or modified; and that none of such resolutions nor any action pursuant thereto will violate any law, rule, regulation, charter, by-law or agreement by which Depositor is governed, constituted or bound.

RESOLVED, that:

1. Manufacturers and Traders Trust Company ("M&T Bank"), a New York banking corporation, is hereby designated a depository for this entity (the "Depositor") and the officers or employees named herein or on a Rider hereto are hereby authorized to open one or more deposit accounts from time to time (each an "Account") on behalf of Depositor.
2. M&T Bank may purchase, give credit for, cash, accept, certify and pay from funds on deposit in the Account, without inquiry, all items signed, drawn, accepted or endorsed on behalf of Depositor, whether under a title, the words "Authorized Signature" or otherwise, with the actual or purported facsimile signature of any one of the officials whose names, capacities and specimen signatures appear above or on a Rider hereto, or his or her successor in office (each an "Authorized Signer"), regardless of the circumstances under which the signature shall have become affixed so long as the signature is the actual signature of an Authorized Signer or resembles the facsimile signature of an Authorized Signer previously certified to M&T Bank. Depositor shall indemnify M&T Bank against all claims, damages, liabilities, costs and expenses (including, but not limited to, attorneys' fees and disbursements) incurred by M&T Bank in connection with honoring any signature of any Authorized Signer (including any facsimile signature that resembles the facsimile signature of an Authorized Signer previously certified to M&T Bank) or any refusal to honor the signature of any person who is not an Authorized Signer. Depositor acknowledges and agrees that any requirement of Depositor that any item or other instrument for the payment of money signed, drawn, accepted or endorsed on behalf of Depositor bear the signature of more than one Authorized Signer is solely an internal requirement of Depositor and imposes no duty of enforcement on M&T Bank.
3. Any Authorized Signer may, on behalf of Depositor, transact with and through M&T Bank all such business as he or she deems advisable upon such terms as he or she deems proper, including, but not limited to, obtaining an undertaking and pledge of collateral for uninsured balances in the Account, entering into custodial agreements concerning such collateral, obtaining such loans and other extensions of credit as may be consistent with applicable law, discounting, selling, assigning, delivering and negotiating items, guaranteeing the obligations of others pursuant to applicable law, applying for letters of credit, electronic funds transfers, capital markets products, automated clearing house ("ACH") payments, cash management, trust and investment products and any other services or transactions, and, in compliance with all applicable law and procedures, pledging, hypothecating, assigning, mortgaging, encumbering, granting security interests in and otherwise creating liens upon Depositor's property, whether real or personal, tangible or intangible ("Property"), as security for loans and other extensions of credit, and in connection with any such transaction of business do all acts or other things as he or she shall deem proper including, but not limited to, signing, drawing, accepting, executing and delivering items, guarantees, assignments, pledges, hypothecations, receipts, waivers, releases and other instruments, agreements and documents, making and receiving delivery of Property, accepting, receiving, withdrawing and waiving demands and notices and incurring and paying liabilities, costs and expenses.
4. In the event an Authorized Signer acting on behalf of Depositor shall apply to or contract with M&T Bank for any electronic funds transfer service that M&T Bank may make available to Depositor, including, but not limited to, any service that contemplates M&T Bank's execution of payment orders initiated by Depositor for the wire or ACH transfer of funds to or from an Account of Depositor, such Authorized Signer shall be empowered on behalf of Depositor to designate one or more persons (who may, but need not be, Authorized Signers), each of whom, acting alone, shall be authorized on behalf of Depositor to transmit payment orders to M&T Bank for the transfer of funds to or from Depositor's Account.
5. Each person identified as an Authorized Signer, and each person or persons designated by an Authorized Signer to act on behalf of Depositor (who may, but need not be, Authorized Signers), shall have the power and authority to transact business and bind Depositor through electronic medium (e.g., the Internet) and M&T Bank may rely on any of the following to the same extent as the actual signature and proof of identity of each such person to bind Depositor: any electronic signature or digital signature, under applicable law, of such person; any identifier issued by M&T Bank, its affiliates or any other party (e.g., Personal Identification Number associated with ATM or other card or any access device) to such person; or any other criteria that M&T Bank may reasonably rely on which may serve as an indicator of authentication for such person.

I further certify that each person whose name appears above or on a Rider hereto opposite an office has been duly elected or appointed to and now holds such office of Depositor; that each other person whose name thus appears is acting for Depositor in the capacity opposite such other person's name; and that each signature on this certification or a Rider hereto is a true specimen of the signature of the person whose signature it purports to be.

_____ X _____
 Date Authorized Signature Title

Original - Account Services; Copy - Branch

PA-049B (3/14)

Resolution 22 8/2014

Introduced by: Trustee Penders

Seconded by: Trustee Hopson

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

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

AMOUNT	TO ACCOUNT		FROM ACCOUNT	
\$25	A1620.400	Shared Buildings Contractual	A1490.400	Public Works Contractual
\$161	A1640.400	Central Garage Contractual	A1640.402	Central Garage Consumables

Vote of the Board: Carol J. Nellis-Ewell, Trustee Aye
 Gary Penders, Trustee Aye
 Charles R. Hopson, Trustee Aye

Facilities Committee – Trustee Hopson, Chair

A. Electric

Resolution 23 8/2014

Introduced by: Trustee Hopson

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the attendance of the Deputy Clerk and SME Superintendent at the MEUA Annual Conference, September 9-12, 2014 at The Inn on Lake, 770 South Main Street, Canandaigua, NY; cost not to exceed \$730.00 for the Deputy Clerk and \$110 for the SME Superintendent.

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

Resolution 24 8/2014

Introduced by: Trustee Hopson

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 Annual Conference of the Municipal Electric Utilities Association of New York State has been called on September 9, 10, 11 and 12, 2014, to be held at The Inn on the Lake, Canandaigua, New York, 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, SME Superintendent be and is hereby designated as the accredited delegate of the Village of Spencerport, New York.

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

B. Other (Drainage, Franchise)

Superintendent West commented that in regards to the Maplewood Avenue drainage issue, it was determined by MCWA that the water is not caused by a water main leak and Jeff Netzband, engineer from Foundation Design suggested that the Village take a water sample from each home and the catch basin to test the fluoride levels to rule out municipal water.

Superintendent West continued that he will be taking a water sample and Mr. Netzband also suggested that the Village determine when they stopped drawing water from the local springs for water supply and that in 1966 there were no cattails in the area and that could be a contributor to the drainage issues.

Trustee Nellis-Ewell questioned Superintendent West as to how the residents have been informed of the findings by the engineer.

Superintendent West responded that he has been in contact with Mary and Ed Wiedo and that he and Mayor Granger have been over to the area.

Trustee Nellis-Ewell confirmed that the residents know that Mr. Netzband will be at the Workshop Meeting.

Superintendent West responded that they are aware of the meeting.

Trustee Nellis-Ewell suggested that the Village receive a more formal report from MCWA regarding the Maplewood Avenue drainage issue.

Superintendent West indicated that he will ask MCWA for more information.

Public Works Committee – Mayor Granger, Chair

A. Highways/Garage

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

A. Fire Department

Trustee Penders commented that the IMA for fueling at the DPW has been presented to the board.

B. Police

Trustee Penders indicated that a permit has been submitted to NYS DOT for the relocation of the cross walk on Union Street from the north of Amity Street to the south of Amity Street.

C. Ambulance

Trustee Penders indicated that the signed IMA has been received by the Village.

-Mayor Granger questioned what the plan is for the 9/11 ceremony due to their being problems previous years.

Trustee Penders responded that a few years ago there were issues with prayers that were said at the event and following the ceremony there was vandalism on the Exempts Club and St John's Church. At this time the fire department is the lead agency and that the event is more a military event than a first responders event.

Mayor Granger asked Mr. Stowe his thoughts.

Mr. Stowe responded that the Village should not be involved with the event.

Trustee Nellis-Ewell commented that the fire department should handle the entire event.

Clerk Sullivan questioned who will be organizing the event.

Mayor Granger responded the fire department will take care of it.

Clerk Sullivan explained that the previous Mayor took a very active role in coordinating the event.

Mayor Granger indicated that he would talk to the President of the Fire Department, Sal Muniz.

Ms. Cordts questioned if there has been any consideration of no left turns at Amity and Union Streets.

Trustee Penders responded that left turns are not the issue; the issue is more the placement of the cross walk.

Human Resources Committee – Mayor Granger, Chair

Mayor Granger commented that six (6) applications have been received for the vacant Trustee position and that he would like to do interviews as a group.

The Mayor and Trustees decided that interviews would be done the week of August 18th and an appointment could be made at the September Board Meeting

Economic Development Committee – Trustee Nellis-Ewell, Chair

The below comments were provided by Trustee Nellis-Ewell

Economic Development/Village Activities

Update on recent events

- Tuesday, July 1 – Village of Spencerport and Town of Ogden officials and representatives welcomed the participants in the annual Our Ability bicycle ride
- * Thank you to Village Clerk Jackie Sullivan for arranging healthy refreshments at the Trolley Depot
- Monday, July 14 – Along with the Spencerport Area Chamber of Commerce, the Village of Spencerport welcomed nearly 500 Erie Canal Bicyclists. Spencerport is designated as the lunch stop for the day; greeters helpfully direct riders to local restaurants and businesses. Great PR!
- * Thank you to Krony's Pizza and Tops Village Plaza who provided cold bottled water for riders
- Many positive comments were received from Parks & Trails New York and bicyclists
- Tuesday, July 15 – Dick Smith Kiwanis Memorial – Ogden Parks & Recreation Bicycle & Safety Rodeo
The rodeo focuses on the healthy activity of bicycle riding and safety education. Groups of kids listen to Village employees explain DPW & SME equipment. It is an interactive community outreach opportunity for Village employees. Also, it is positive Public Relations for the Village, alongside Monroe County Sheriff/Zone C Deputy, Mounted Patrol from Mendon stable, Ogden Police & Special Police Departments, Sugar's Bicycle Shop, Spencerport Fire Department and Gates/Spencerport Ambulance. Their presence is sincerely appreciated.
- * Thank you especially to DPW & SME employees and superintendents for their participation
- Monday, July 21 – Ribbon-cutting for Arthur Treacher's located with Salvatore's in Village Plaza
- Thursday, July 31 – Reception for Joyce Lobene was a great success! Many people attended.
- * Special thanks to Village of Spencerport staff
- Wednesday, August 6 – Finger Lakes Regional Economic Development Council (FLREDC) and Workgroup meeting at MCC

For background: Village of Spencerport began attending meetings in 2012, regularly contributing to the Sustainability Workgroup. FLREDC consists of diverse participants from Monroe County, adjacent and related counties: Genesee, Livingston, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates. At the session today, Co-Chairs Joel Seligman and Danny Wegman and Executive Director Vincent Esposito updated over 100 attendees.

Previously the Council identified categorized Workgroups who established criteria, collected projects, then prioritized, ranked and recommended lists for consideration by the Scoring Committee. The semi-final Progress Report and Review were presented. Overall, this is a competition among ten New York State multi-county regions that submit results in Round IV CFA 2014 for money/New York State resources available as announced by Governor Cuomo. FLREDC projects are expected to advance: importantly, workforce training, community development, tourism and small business expansion and – recently a Veterans' Taskforce was established. <<http://www.regionalcouncils.ny.gov>> <<http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/fingerlakes/FLREDCStrategicPlan.pdf>>

Suggestion: Heritage Trail signage with symbols, picnic table & grill – locate in Trolley Depot vicinity – amenities appear to be underutilized

Superintendent West responded that he will get signs indicating the amenities on the trail.

Green Initiatives – Trustee Nellis-Ewell, Chair

Trustee Nellis-Ewell commented that the electric vehicle charging station is installed.

Superintendent McIntee indicated that the charging station is installed, but not operational, however, it will be by the end of the week when final inspections are complete.

Trustee Nellis-Ewell indicated that because we installed the charging station the Village is now a stakeholder in the Genesee Region Clean Communities.

Superintendent McIntee indicated that the Village will receive a \$1000 grant for the charging station.

Trustee Penders questioned the safety of the charging station.

Superintendent McIntee responded that it acts like an extension cord for the vehicles.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan commented that the Village will be receiving \$2800 for replacement of the (3) benches that were stolen from the trail.

Clerk Sullivan commented that NYCOM Fall training school is the week of September 15th and is open to Board members to attend as well. Clerk Sullivan continued that the agenda is similar to last year's agenda and that staff would like to attend next year's training.

Clerk Sullivan indicated that electric collection agency inquired to pursue collection of an outstanding electric account via small claims court due to the individual being employed. Clerk Sullivan indicated that in the past the Village handled small claims court in house.

The Village Board indicated that they would like legal actions to be handled in house.

Superintendent of Public Works – Thomas M. West

Superintendent West commented that paving continues and that help was received from all surrounding towns and villages; drainage issues at 42 Nichols Street continue and that the Village will be responsible for the pipe connecting the catch basin to the easement line; work has started on drainage issues at Rt. 259 and Big Ridge Road by NYS DOT and a contractor will be called to attempt to eradicate the tree roots in the catch basin.

Trustee Nellis-Ewell questioned the status of the solar speed sign.

Superintendent West responded that it has been received and will be installed shortly.

Superintendent of Electric – Owen McIntee

Superintendent McIntee commented that work continues at the substation and underground upgrades in the Kirkgate area; awaiting information from NYSERDA regarding solar upgrades to the Village Office; there will be a LED light bulb give away at the office starting September 2nd that is funded through IEEP funds.

Trustee Penders questioned the status of the new bucket truck.

Superintendent McIntee responded that he has met with the design team at Altec and the truck is to be sent for production soon.

Attorney – Eric Stowe

Attorney Stowe commented that he has been working with Attorney Olson and Attorney Schum regarding Village Pines Annexation; an agreement has been made with Time Warner Cable regarding the updated franchise agreement.

Resolution 25 8/2014

Introduced by: Mayor Granger

Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the franchise agreement to provide cable television services between Village of Spencerport, NY and Time Warner Cable Northeast LLC, DBA Time Warner Cable.

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

Unfinished Business

New Business

Bills

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

General Fund	\$ 132,262.71
Electric Fund	\$ 27,969.43
Sewer Fund	\$ 14,631.33
Trust Fund	\$ 319.49
Capital Fund	<u>\$ 0</u>
TOTAL:	\$175,182.96

Motion was made by Trustee Hopson, seconded by Trustee Penders and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, August 2014 be approved as audited.

Adjournment

A motion was made to enter into executive session to discuss personnel and legal matters by Trustee Nellis-Ewell, seconded by Trustee Penders and carried at 8:30 p.m.

A motion was made by Trustee Penders, seconded by Trustee Hopson and carried that the executive session be adjourned at 9:07 p.m.

A motion was made by Trustee Nellis-Ewell, seconded by Trustee Penders that the meeting be adjourned at 9:08 p.m.