

**VILLAGE BOARD MEETING**  
**February 4, 2015**  
**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  
Ray Kuntz, Trustee

**BOARD MEMBERS ABSENT**

**OTHERS PRESENT**

Jim Barton, West Avenue  
Craig and Pat Byham, Luther Jacobs Way  
Scott Clyde, Coventry Drive  
Lou Grammatico, Kirkgate Drive  
Owen McIntee, SME Superintendent  
Richard McQuilkin, Prospect Street  
Joan Quigley, Maplewood Avenue  
Eric Stowe, Village Attorney  
Jacqueline Sullivan, Village Clerk  
Ted Walker, Maplewood Avenue  
Tom West, DPW Superintendent  
Ron White, Hawthorne Drive  
David Wohlers, Clark Street

**Approval of Minutes**

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell and carried that the meeting minutes from the January 7, 2015 Village Board Meeting be approved as read.

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell and carried that the meeting minutes from the January 21, 2015 Village Workshop Meeting be approved as read.

**Public Hearing**

Mayor Granger opened the public hearing for Introductory Local Law 1-2015 "A Local Law to legislate the parking and storage of commercial and recreational vehicles in residential districts" at 7:03 p.m.

Mayor Granger closed the public hearing for Introductory Local Law 1-2015 at 7:04 p.m.

Mayor Granger opened the public hearing for Introductory Local Law 2-2015 "A Local Law to legislate the storage and removal of solid waste" at 7:04 p.m.

Mr. Ted Walker, Maplewood Avenue – Mr. Walker indicated that he has 3 comments regarding the proposed local law. Mr. Walker commented that the legislative intent does not talk about making it easier for the Village employees from an efficiency and safety standpoint. Mr. Walker asked if that is the point behind this proposed local law so that the employees do not have so much to lift and it is quicker and easier for them to do? Is this what this is really about? Or to force everyone to use a toter because arbitrarily you think a toter is the right way to go?

Mayor Granger responded that initially we talked about the efficiency of the toter.

Mr. Walker commented that efficiencies should be added to the legislative intent.

Trustee Penders commented that it is a much neater process keeping the crows and animals out of the garbage.

Mr. Walker questioned if there was any consideration of the placement of one bag with a weight limit on it for residents who do not have a lot of garbage.

Trustee Penders commented the employees would be lifting again.

Mr. Walker continued that his thought was that if someone only has a small bag each week that would be eliminated by this new legislation.

Mayor Granger commented that one could let the toter sit until it is full.

Mr. Walker responded that waiting could lead to hygiene issues.

Trustee Nellis-Ewell commented that smaller toters were considered however smaller toters would eliminate uniformity and cost as much as the large toters.

Mr. Walker commented that the definition for putrescible be added to the code.

Mr. Craig Byham, Luther Jacobs Way commented that he echoes the sentiments of Mr. Walker that we only have one little bag and would like to see an option for that to be available. Not only we not fill up a toter in a month it takes up a great deal of space in the garage and would like to see that or provisions for me to use a smaller toter. Mr. Byham added that he thinks toters are great and would like some consideration for residents that do not need a large toter. Mr. Byham added that both Suburban Disposal and Boon and Son give the customers a toter.

Superintendent West responded that both companies charge a service fee of \$2.00 for the toters.

Mrs. Pat Byham, Luther Jacobs Way added that on a windy day those toters still blow around and that would not happen with one bag out there.

Mr. Ron White, Coventry Drive questioned if the legislation and any provisions in it provide as to where the toter should be stored and is there a time limit as to how long the toters can be out after they are emptied.

Trustee Nellis-Ewell responded that should be taken in after they are picked up similar to the recycling boxes.

Mr. White responded that they cannot be put out 24 hours prior to pick up there should be similar verbiage indicating that they should be brought in 24 hours after pick up. In addition where should they be stored possibly in the garage to behind the set-back.

Discussion ensued regarding the storage of the toters.

Trustee Nellis-Ewell stated the considerations/purposes of the proposed local law are safety, efficiency and uniformity.

Mr. Byham commented that the proposed legislation indicated that bulk refuse will be picked up monthly.

Mayor Granger responded that we will not be going back to monthly bulk pick up and it will be revised in the proposed legislation.

Mr. Walker questioned if savaging needs to be in the local law even though it is difficult to enforce.

Mayor Granger responded yes.

Mr. Walker questioned how the Village of Spencerport will notify the residents of this change.

Mayor Granger responded that information will be in the newspaper, website and included in the electric bills.

Mr. Scott Clyde, Coventry Drive commented that he has lived in other areas and smaller toters were used and did not detract from the uniformity. Mr. Clyde questioned if there was a long term efficiency plan developed.

Superintendent West responded that 43% of the Village has purchased toters however an efficiency plan has not been formally developed at this time.

Building Inspector Smith state as background, it was brought to the attention of the Code Review Committee that the potential addition of 80 units from a proposed development would mean more effort and time for Village employees providing garbage services.

Discussion ensued regarding uniformity, smaller toters and the process of picking up garbage.

Mayor Granger closed the public hearing at 7:32 p.m.

**Privilege of the Floor**

**Administrative Committee** – Mayor Granger

**Resolution 80 2/2015**

Introduced by: Mayor Granger

Seconded by: Trustee Kuntz

**Whereas**, the Village Board has before it a Local Law entitled “A Local Law to legislate the parking and storage of commercial and recreational vehicles in residential districts”.

**Whereas**, the Village Board has, on this date, held a public hearing to consider said proposed Local Law; and

**Whereas**, this action is a "Type II" action under the State Environmental Quality Review Act and 6NYCRR615.5(c)(16, 20 & 27)) and not subject to review pursuant to SEQRA; and

**Whereas**, the notice of this hearing was duly published and posted as required by law;

**Now, therefore, be it resolved:**

**Section 1.** That the Village Board of the Village of Spencerport hereby enacts Local Law 1-2015 “A Local Law to legislate the parking and storage of commercial and recreational vehicles in residential districts”

**Section 2.** That the Village Clerk is ordered to publish a legal notice indicating the adoption of this Local Law as required by law and to file a copy of this Local Law with New York State as required by law.

**Section 3.** That this Local Law shall take effect as provided by law.

**Section 4.** That this resolution shall take effect immediately.

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

**Sewers Committee** – Trustee Hopson, Chair

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

Comments submitted by Trustee Nellis-Ewell

***Architectural Review Board (ARB) / Planning Board (PB)***

No business for Architectural Review Board meeting February 3.

Chair Wohlens rescheduled the Planning Board meeting to February 10 to accommodate the SEQR process related to Unfinished Planning Board business: Application of Pelusio Spencerport LLC, 26 Slayton Avenue, Spencerport, NY 14559, Mavis Tire Center site plan. The interested parties agreed to the February 10 meeting date.

**Zoning Board of Appeals (ZBA)**

No business for the Zoning Board of Appeals meeting January 15. Next meeting February 19; Legal Notice would be published in *Suburban News*.

**Building Control**

Building Inspector Patrick Smith and Code Enforcement Officer Rich McQuilkin report at VOS workshops.

**Code Review**

Public Hearings

- 1) Local Law 1-2015, Parking and Storage of Recreational and Commercial Vehicles in Residential Districts. Resolution 2/2015 passed.
- 2) Proposed Local Law 2-2015 Storage and Removal of Solid Waste (“toters”). Public comments noted. Tabled; Code Review Committee to reconvene.

**Finance Committee** – Trustee Penders, Chair

**Resolution 81 2/2015**

Introduced by: Trustee Penders

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approved the below budget transfers.

<b>February 4, 2015 BUDGET TRANSFER &amp; REVISION Fiscal Year End 5/31/2015</b>				
<b>AMOUNT</b>	<b>TO ACCOUNT</b>		<b>FROM ACCOUNT</b>	
\$140	A1950.400	Taxes and Assessments on Property	A1910.400	Insurance, Public Officials Bonds
\$5,375	A5142.200	Snow Removal Equipment <i>Originally budgeted in Highway account, should be Snow</i>	A5110.200	Highway Equipment
\$5,385	A8170.101	Leaf Pick-up Salary	A8540.100	Drainage Salary
\$10,000	A5110.100	Highways Salary	A8540.100	Drainage Salary
\$17,000	A8560.400	Shade Trees - Contractual	A5110.402	Highway Road Materials
\$6,857	A9010.800	State Retirement NYS	A1910.402	Insurance Auto/Umbrella
\$2,191	A9010.800	State Retirement NYS	A1910.400	Insurance, Public Officials Bonds
\$6,634	A9010.800	State Retirement NYS	A9060.800	Hospital & Medical Insurance
\$15,682				
\$2,025	G9010.800	State Retirement NYS	A1910.402	Insurance Auto/Umbrella
\$638	G9010.800	State Retirement NYS	A1910.400	Insurance, Public Officials Bonds
\$1,626	G9010.800	State Retirement NYS	A9060.800	Hospital & Medical Insurance
\$4,289				

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

Ray Kuntz, Trustee                      Aye  
Glenn C Granger, Mayor                Aye

**Facilities Committee** – Trustee Hopson, Chair

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

**Public Works Committee** – Trustee Kuntz, Chair

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

**Resolution 82 2/2015**

Introduced by: Trustee Kuntz  
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves Superintendent West to attend the 2015 Grassroots Advocacy Campaign for Local Road & Bridges, Hilton Albany, Albany, NY March 3, 4 &5, 2015. There will be no cost to the Village for this conference.

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

**Resolution 83 2/2015**

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves Superintendent West to attend the 2015 PERMA Annual Conference May 21, 22 & 23, 2015 at the Sagamore Hotel & Resort, Bolton Landing, Lake George, NY. There is no cost to the Village for this conference.

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

**Public Safety Committee** – Trustee Penders, Chair

- A. Fire Department

Trustee Penders commented that he will be attending the district commissioners meeting on Thursday night.

Mr. McQuilkin commented that the fire department will be picking up the ladder truck this week from being repaired.

Trustee Nellis-Ewell questioned if our local representatives should be contacted regarding the tonnage limit on the Union Street Bridge in an effort to get a timeline as to when repairs will be completed.

Discussion ensued regarding the Union Street bridge repairs and condition.

B. Police

C. Ambulance

### **Human Resources Committee** – Mayor Granger, Chair

Mayor Granger indicated that it was brought to his attention that there is a policy in place and once we bring people in we keep them in.

Trustee Hopson responded that there was some concern that we brought people in during the worst part of the storm and then released them to go home.

Further discussion ensued regarding the policy and process.

Mrs. Byham questioned if staff are sent home do they just get the day off or do they use available time off.

Mayor Granger responded that the office staff was released with pay for the day.

Clerk Sullivan confirmed that the Mayor has the authority to close the office.

### **Economic Development Committee** – Trustee Nellis-Ewell, Chair

Comments submitted by Trustee Nellis-Ewell

#### ***Update/Highlights***

- **February 4** – Spencerport Area Chamber of Commerce (SACC) Board meeting

1) The Board reiterated its commitment to community economic development; Contact: SACC Economic Development Chair Ron White.

2) The Board voted to donate \$1,000 as a sponsor of the popular Spencerport Erie Canal-side gazebo Summer concerts to be held on Sundays during the 2015 season.

- **February 5** – I will attend the Finger Lakes Regional Economic Development Committee

(FLREDC) Kick-off Meeting, Director Vincent Esposito, Finger Lakes Economic Development (9-County Region). Last year I participated on the Sustainability Workgroup.

#### **Quick Summary: New York State of Opportunity**

- Governor Cuomo has advised \$500 million is available to seven regions in an Upstate Revitalization Competition.

Themes are as follows: 1) niche industries, 2) infrastructure needs, and 3) jobs creation. The Rochester-area focus is: 1) Anti-Poverty Task Force, 2) High-Speed Broadband and 3) Investment in Nano-Technology.

- Governor Cuomo, when speaking at SUNY Brockport, listed these key priorities: 1) Economic Opportunity for All, 2) Improve and Reform the Educational System, 3) Ensure Justice in Perception and Reality, and 4) Restore Public Trust.

- **February 3** – I attended the Urban-Suburban (U-S) Public Information Night # 3

- Spencerport Central School District Superintendent Michael Crumb presented data/research as the basis for his recommendation to implement U-S in Fall 2015. Invited participants provided their experiences with, and perspectives on, the U-S Program.

- Public comments were heard from 42 speakers; for and against, some reasonable, some not.

- U-S Program would begin with 18 students, increasing over time to 72 in Grades 1, 2 and 6. Declining enrollment is a factor; per Google, Spencerport student enrollment is 1,600 (in 2007).

- **Next step:** Board of Education/School Board Meeting, Cosgrove Middle School, February 24 @ 7 PM. It is a public meeting with public comments limited to ½ hour.

### **Green Initiatives** – Trustee Nellis-Ewell, Chair

**Village Clerk** – Jacqueline Sullivan

**Superintendent of Public Works** – Thomas M. West

Superintendent West commented that crews have been working on removing snow during the storm keeping roadways clear and currently are hauling snow and opening up sidewalks.

**Superintendent of Electric** – Owen McIntee

Superintendent McIntee commented that 10 municipal crews were assembled and staged for the Long Island winter storm last week and these mutual aid events will continue to happen. Billing is being completed at this time for reimbursement. The small business LED lighting program continues with work being done most recently at Texas BBQ Joint and Erie Canal Animal Hospital.

**Attorney** – Eric Stowe

**Unfinished Business**

**New Business**

**Bills**

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

General Fund	\$ 59,037.05
Electric Fund	\$ 67,270.15
Sewer Fund	\$ 5,456.80
Trust Fund	\$ 2,525.98
Capital Fund	<u>\$ 0</u>
<b>TOTAL:</b>	<b>\$ 134,289.98</b>

Motion was made by Mayor Granger, seconded by Trustee Kuntz and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, February 2015 be approved as audited.

**Adjournment**

A motion was made by Trustee Hopson, seconded by Trustee Penders that the meeting be adjourned to executive session to discuss personnel matters at 8:05 p.m.