

VILLAGE BOARD MEETING
October 7, 2015
Minutes

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

BOARD MEMBERS PRESENT

Gary Penders, Mayor
Carol J. Nellis-Ewell, Trustee
David Wohlers, Trustee
Charles Hopson, Trustee
Ray Kuntz, Trustee

BOARD MEMBERS ABSENT

OTHERS PRESENT

Ken and Penny Arndt, Waterside Lane
Catherine Woznicki, Waterside Lane
Craig Byham, Luther Jacobs Way
Owen McIntee, SME Superintendent
Jack Meritt, Senator Robert Ort's Office
Joan Quigley, Maplewood Avenue
Eric Stowe, Village Attorney
Jacqueline Sullivan, Village Clerk
Participation of Government Students (5)

Approval of Minutes

A motion was made by Mayor Penders, seconded by Trustee Hopson and carried that the minutes from the September 2, 2015 Village Board Meeting be approved as read.

A motion was made by Mayor Penders, seconded by Trustee Wohlers and carried that the minutes from the September 16, 2015 Village Workshop Meeting be approved as read.

Privilege of the Floor

Ken and Penny Arndt, Waterside Lane and Catherine Woznicki, Waterside Lane presented a request to the Village Board for the addition of Dead End signs to the street sign post at the end of Ballard Avenue to deter vehicles from turning around on their private drive (Waterside Lane).

The Village Board indicated that they will add Dead End signs per their request.

Mrs. Quigley questioned what options the Village would be seeking since the Gross Utility Tax was not approved regarding refuse that was quoted in the Suburban News article.

Mayor Penders responded that the Village will be bringing refuse to another location closer to the Village to save wear and tear on the refuse truck however the cost on dump at that location is more than the Mill Seat Landfill.

Mrs. Quigley questioned the purpose of the speed signs.

Mayor Penders responded it was to inform the public of their speed and provides statistics of speeds on the street.

Mrs. Quigley responded that there are still speeders on Maplewood Avenue.

Clerk Sullivan indicated that very few cars exceed the speed limit.

Discussion ensued regarding enforcement.

Mr. Craig Byham, Luther Jacobs Way questioned the assessment process within the town and village. Mr. Byham continued that there are some properties in his neighborhood that have sold for more than the assessed value.

Discussion ensued regarding assessments and property values and budgeting.

Administrative Committee – Mayor Penders

Resolution 51 10/2015

Introduced by: Mayor Penders

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the application from the 2017 Bicentennial/Sesquicentennial Planning Committee for the Spirits of Spencerport – Ghost Walk to be held October 17, 2015. Event is to be located in the central business district along Union Street. No streets will be closed for this event.

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

Resolution 52 10/2015

Introduced by: Mayor Penders

Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the 2016 Inter-municipal agreement with the Town of Ogden for Building Department Inspection Services in the amount of \$36,103.00.

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

Resolution 53 10/2015

Introduced by: Mayor Penders

Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign change orders for the Trolley Depot Decking project up to \$5,000 without prior Village Board approval due to the thirty (30) day project completion timeline.

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

Sewers Committee – Trustee Wohlers, Chair

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

Resolution 54 10/2015

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 Fall 2015 Regional Local Government Workshop Friday November 13, 2015 at the Clarion Hotel, Batavia, NY by any Village Board, Support Board or Support Staff Member. Cost not to exceed \$75 per person.

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

Resolution 55 10/2015

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the 2015 Official Zoning Map for the Village of Spencerport as prepared by MRB Group.

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

Planning/Zoning/Building Control

Liaison Notes – As submitted by Trustee Nellis-Ewell

These general notes serve to inform the Village Board members and staff.

Complete details and minutes will be available on www.vil.spencerport.ny.us

Architectural Review Board (ARB) / Planning Board (PB) – no meeting October 6, 2015

No Architectural Review Board or Planning Board business.

Zoning Board of Appeals (ZBA) – meeting September 17, 2015

Public Hearing, Village of Spencerport Village Office, 27 West Avenue, Spencerport, NY, 14559, 7 PM

Agenda included 2 applications related to “trailer law”

1) Application of James & Jacqueline Lobene, 89 Harwood Road, Spencerport, NY 14559

Special Permit to allow a second ancillary vehicle to be parked at 89 Harwood Drive in the Village of Spencerport, whereas, a maximum of one ancillary vehicle be stored outside on any residential parcel, pursuant to Chapter 340, Article IX, Section 4(E) and an Area Variance to allow this ancillary vehicle to be parked in the side setback, whereas, an ancillary vehicle cannot be stored within the side setback, pursuant to Chapter 340, Article IX, Section 4(d)(1) in a Residential District.

Tabled from August 20,2015 ZBA meeting.

Disposition: Special Permit and Area Variance granted.

2) Application of Ricky J. Chick, 63 Sableridge Court, Spencerport, NY 14559

Special Permit to allow a second ancillary vehicle to be parked on property located at same, whereas, a maximum of one ancillary vehicle may be stored outside on any residential parcel, pursuant to Chapter 340, Article IX, Section 4(E) and two (2) Area Variances to allow both ancillary vehicles to be parked in the side setback, whereas, an ancillary vehicle cannot be stored within the side setback, pursuant to Chapter 340, Article IX, Section 4(d)(1) in a Residential District.

**Reference: Local Law #1-2015 on the Village of Spencerport Website
Disposition: Special Permit and Area Variances granted.**

Building Control

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

Code Review

Organizational Analysis received from General Code. Process: Core Group from the Code Review Committee will meet Thursday to begin Editorial and Legal Analysis. Jacqueline Sullivan, Donna Stassen, Eric Stowe and I will handle the analysis. Time line: 1) Group analysis to be completed by mid-January 2016; 2) Group analysis to be shared with Village of Spencerport Board at January workshop meeting; 3) Analysis to be returned to General Code by late January.

Finance Committee – Mayor Penders, Chair

Mayor Penders indicated that the Board and staff continue to work on next year’s budget to ensure that the Village does not exceed the tax cap.

Facilities Committee – Trustee Hopson, Chair

A. Electric

Resolution 56 10/2015

Introduced by: Trustee Hopson

Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves Superintendent McIntee’s attendance at the NYMPA’s Semi-annual Meeting Wednesday, October 28, 2015 to be held at the Embassy Suites Syracuse, East Syracuse, NY cost not to exceed \$60.00.

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

Resolution 57 10/2015

Introduced by: Trustee Hopson

Seconded by: Trustee Kuntz

WHEREAS, the Spencerport Municipal Electric of the Village of Spencerport, New York, is a municipal member of the New York Municipal Power Agency, and

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

NOW THEREFORE BE IT RESOLVED, that Superintendent Owen McIntee 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
	Charles R. Hopson, Trustee	Aye

Ray Kuntz, Trustee	Aye
David Wohlers, Trustee	Aye
Gary Penders, Mayor	Aye

Resolution 58 10/2015

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 SME Superintendent Owen McIntee and Deputy Clerk Pam Gilbert to attend the MEUA Accounting and Finance Workshop Tuesday and Wednesday, October 20 and 21, 2015. The workshop is to be held at the Embassy Suites, East Syracuse, NY cost not to exceed \$322.00.

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

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Kuntz, Chair

Trustee Kuntz commented that he has reviewed all projects with Superintendent West and that the sewer project on Parkhurst Drive should go according to plan and come in under budget. Trustee Kuntz continued that the Village has done Monroe County road work this season and that he and Superintendent West met with a vendor regarding liquid ice melt.

A. Highways/Garage

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

A. Fire Department

Mayor Penders commented that the Fire District did say under the tax cap and that a new pumper is on order for station 3.

B. Police

C. Ambulance

Human Resources Committee – Mayor Penders, Chair

Economic Development Committee – Trustee Wohlers, Chair

Green Initiatives – Trustee Nellis-Ewell, Chair

Trustee Nellis-Ewell submitted the following comments:

Nothing requiring Board action. Congratulations! Spencerport Municipal Electric (SME) Superintendent Owen McIntee on his selection to serve as Municipal Electric Utilities Association (MEUA) representative. On October 6, MEUA Executive Director Tony Modafferi visited Spencerport to meet with Superintendent McIntee. Since I am an

avid reader of the informative MEUA publication “News and Views”, I appreciate the opportunity to have met the Executive Director also.

Village Clerk – Jacqueline Sullivan

Clerk Sullivan thanked the Board for the opportunity for Donna Stassen and me to attend the NYCOM Fall Training Conference. Clerk Sullivan highlighted that there are some opportunities for shared services with the school district and a possible audit to our utility bills and cable TV franchise agreement to determine over and under payments.

Superintendent of Public Works – Thomas M. West

Superintendent of Electric – Owen McIntee

Superintendent McIntee thanked the Board for the opportunity to serve on the MEUA Board. Superintendent McIntee indicated that work continues on various capital projects throughout the Village along with line school and safety training. Superintendent McIntee commented that work was done behind the scenes regarding the potential of Hurricane Joaquin hitting land.

Trustee Nellis-Ewell questioned if the LED lighting program has ended.

Superintendent McIntee responded that he is still working with businesses to change their lighting and would like to potentially reintroduce an attic insulation program.

Attorney – Eric Stowe

Attorney Stowe commented that work continues to move forward however new mapping and surveying needs to be completed by Schultz Associates at a cost of not to exceed \$950.00.

Resolution 59 10/2015

Introduced by: Mayor Penders

Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes Schultz Associates to perform mapping and survey work and speak directly with the appraiser associated with determining easement values for the properties on Coleman Avenue and Prospect Street. Cost not to exceed \$950.00.

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

Unfinished Business

New Business

Trustee Nellis-Ewell submitted the following comments:

- **October 5, 2015 Mayor Penders and I attended the 2017 Town of Ogden Bicentennial/Village of Spencerport Sesquicentennial Planning Committee meeting.**

Progress continues on events. Importantly, the Committee chose the official logo that was created by Nora Venezky. It notes the dates 1817 (Ogden) and 1867 (Spencerport) and reflects Erie Canal/farming/daylily themes.

Reminder: Ghost Walk through the Village of Spencerport Central Business District to be held Saturday, October 17, beginning at 6:30 PM.

It is the Committee’s first fundraiser; cost is \$5 per person to join the ghosts and ghouls.

- **Upcoming: October 31, 2015 Halloween Day Trick ‘n Treat for Kids ~ 2 – 4 PM**
- Sponsored by Ogden Parks & Recreation and the Spencerport Area Chamber of Commerce.

- Stop by the Depot for a map designating participating businesses in the Village of Spencerport
- Follow the map to visit those businesses that will give costumed kids a piece of wrapped candy or a fun sticker
- When costumed kids enter each business, they should be accompanied by adults.
- As Halloween Day winds down, costumed kids and adults walk to the Ogden Senior Center for a costume contest.

Bills

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

General Fund	\$ 107,630.69
Electric Fund	\$ 317,297.02
Sewer Fund	\$ 5,764.45
Trust Fund	\$ 3,526.33
Capital Fund	\$ <u>0</u>
TOTAL:	\$432,218.49

Motion was made by Trustee Wohlers, seconded by Trustee Hopson and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, October 2015 be approved as audited.

Adjournment

A motion was made by Trustee Kuntz, seconded by Trustee Nellis-Ewell and carried unanimously that the regular meeting be adjourned at 8:05 p.m.