

**VILLAGE BOARD MEETING**  
**November 4, 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

**BOARD MEMBERS ABSENT**

Charles Hopson, Trustee  
Ray Kuntz, Trustee

**OTHERS PRESENT**

Colin Fleming, Holly Street, Brockport, NY  
Owen McIntee, SME Superintendent  
Jack Meritt, Senator Robert Ort's Office  
Joan Quigley, Maplewood Avenue  
Eric Stowe, Village Attorney  
Jacqueline Sullivan, Village Clerk  
Terry & Roberta West, Coventry Drive  
Tom West, DPW Superintendent

**Approval of Minutes**

A motion was made by Mayor Penders, seconded by Trustee Nellis-Ewell and carried that the minutes from the October 7, 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 October 21, 2015 Village Workshop Meeting be approved as read.

**Privilege of the Floor**

**Administrative Committee** – Mayor Penders

**Resolution 65 11/2015**

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves surrendering the unpaid fiscal year 2015/2016 Village Taxes to Monroe County in the amount of \$17,006.82.

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 66 11/2015**

Introduced by: Mayor Penders  
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the purchase of 46 seasonal banners to replace the holiday wreaths and sprays in the central business district at a cost of \$2,021.50 from Upper Case Design, Inc.; 1255 University Avenue, Suite 250, Rochester, NY.

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

**PROCLAMATION  
SCHOOL BOARD RECOGNITION WEEK**

**WHEREAS**, Governor Andrew M. Cuomo has declared the week of October 26– October 30, 2015 to be School Board Recognition Week; and

**WHEREAS**, the Village of Spencerport Board of Trustees would also like to pay tribute to the Spencerport Central School Board members who set the direction and policy for their school and do their dedication to the children in this area; and

**WHEREAS**, the Village of Spencerport Board of Trustees ask that citizens in the area join them in demonstrating their gratitude to these dedicated individuals.

**NOW, THEREFORE BE IT RESOLVED** that the Village of Spencerport Board of Trustees does hereby recognizes the week of October 26 – October 30, 2015 to be School Board Recognition Week and does recognize the dedication of school board members in the Spencerport Central School District to the children in this area.

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 67 11/2015**

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves payment application one (1) from DioGuardi Const., Inc. 5481 Upper Mt. Morris Road, Mount Morris, NY 14510 in the amount of \$37,211.50 for the Trolley Depot Decking Project contingent upon final inspection from Building Inspector Patrick Smith.

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 68 11/2015**

Introduced by: Mayor Penders  
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the assembly permit from the Christmas on the Canal Committee for the annual Christmas on the Canal Event to be held Sunday, December 6, 2015 from 12:00 p.m. – 6:30 p.m. Road closures will be as follows: Union Street from West Avenue to Amity Street.

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

Trustee Wohlers reported that the monthly flow report was received and flows are within acceptable limits including during rain events.

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

Comments submitted by Trustee Nellis-Ewell

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

Minutes will be available on [www.vil.spencerport.ny.us](http://www.vil.spencerport.ny.us)

**Zoning Board of Appeals (ZBA) – meeting October 15, 2015**

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

**1) Application of George Zaov, 3044 Brockport Road, Spencerport, NY 14559**

Special Permit to erect a 6-foot high privacy fence, 32 feet in length, and nearer to the side lot line located at same, whereas a special permit from the Zoning Board of Appeals shall be required for a privacy fence, pursuant to Chapter 340.32-A (4)(a), and whereas any privacy fence must be located to the rear of the frontline setback and not nearer to a side line or rear line than the required side line or rear line, pursuant to Chapter 340.32-A (4)(b) in a Residential District.

**Disposition: Special Permit granted.**

**2) Application of Richard Mogab, 122 South Union Street, Texas BBQ Joint, Spencerport, NY 14559**

Three (3) area variances for proposed new signs. One variance for three (3) signs, whereas, wall signs are permitted with a maximum of two (2) signs, pursuant to Chapter 259-5 (A)(c)(3); one variance for horizontal sign with a height of 30 inches, whereas horizontal format signs shall not exceed two feet (24 inches) in height, pursuant to Chapter 259-5 (A)(2)(a); and one variance for the vertical format signs sized at 4 feet x 4 feet (16 square feet), whereas, vertical format signs shall not exceed six (6) square feet, Chapter 259-5 (A)(2)(b). This is in a Commercial B-1 District.

**Disposition: Three (3) Area Variances granted.**

\* Next Zoning Board of Appeals (ZBA) meeting November 19, 2015

**Architectural Review Board (ARB) / Planning Board (PB) – meeting November 3, 2015**

No Planning Board business.

U of R Urgent Care & Strong West Internal Medicine – Village Woods Plaza, 42 Nichols Street, Spencerport, NY 14559

**Applicant: Phil Dotson/ID Sign Systems Inc.**

Replace existing signage and add graphics – monument sign and seven other signs, including the entrance, façade and peak of the building. Applicant stated the purpose is to roll out the U of R Urgent Care & Strong West Internal Medicine brand. Also, the monument sign is to direct clients to their exact locations.

Architectural Review Board reviewed each sign. For consistency, to correlate with existing signage, ARB members commented/requested: the monument and facade signs have black borders and scalloped corners, and the peak sign have black borders only. Existing lighting to be used.

**Disposition: Certificate of Appropriateness**

**Texas BBQ Joint, 124 South Union Street, Spencerport, NY 14559**

**Applicant: Richard Mogab**

The applicant appeared at the Zoning Board of Appeals meeting on October 15, 2015, and was granted three (3) variances for signs. For consistency with signage within the Central Business District, ARB members commented/requested: scalloped corners to be on all signs, material to be "aluminum" with PVC core, flush-mounted, using existing lighting. If any lighting added later, it is to be the gooseneck style.

**Disposition: Certificate of Appropriateness**

**Building Control**

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

**Code Review**

The Core Group from the Code Review Committee: Jacqueline Sullivan, Donna Stassen, Eric Stowe and I - met October 8 and 22, and will meet again November 12. The process is to review the Editorial and Organizational Analysis received from General Code of the entire VOS Code Book, each Chapter, Article, word by word, and discussing samples and suggestions from General Code. If necessary, input is requested from experts; for example, Superintendent West on the Chapter on Sewers. Tedious, yet good progress is being made towards the January target date.

**Finance Committee** – Mayor Penders, Chair

**Resolution 69 11/2015**

Introduced by: Mayor Penders

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the below budget transfer.

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

**November 4, 2015 BUDGET TRANSFER & REVISION Fiscal Year End 5/31/2016**

AMOUNT	TO ACCOUNT		FROM ACCOUNT	
\$12,000	A8160.200	Refuse Equipment <i>To offset cost of 96 Gal totes with revenue from sales</i>	A2130.103	Refuse - Toter Sales
\$300	A7110.400	Parks Contractual <i>Increased cost of Gazebo Repairs - Increase transfer from Trust Fund Parks Escrow Account</i>	A5031.000	Transfer from Trust

**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)

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

- A. Fire Department

Mayor Penders reported that the fire department stayed below the tax cap for the 2016 budget.

- B. Police

Mayor Penders reported that Chief Meres reported auto break-ins in the Domus Tract area. Mayor Penders added that these should decrease when all of the new street lights are installed.

C. Ambulance

**Human Resources Committee** – Mayor Penders, Chair

**Resolution 70 11/2015**

Introduced by: Mayor Penders

Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves offering Excellus Simply Blue+ Gold HDHP to the eligible employees of the Village of Spencerport.

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

**Economic Development Committee** – Trustee Wohlers, Chair

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

Trustee Nellis-Ewell reported nothing requiring Board action. SME Superintendent Owen McIntee will provide a report. Already two residents have given a “thumbs up” for LED lighting in the Domus Tract. Thank you for planning, scheduling and implementation by the Spencerport Municipal Electric crew!

**Village Clerk** – Jacqueline Sullivan

Clerk Sullivan commented that the Depot Decking project went well came in below budget and thanked Superintendent West for working on the project as well.

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

Superintendent West commented that the Parkhurst Drive sewer project is complete and the focus from here on out will be leaf pick-up; NYCOM conference was excellent with many informative classes.

**Superintendent of Electric** – Owen McIntee

Superintendent McIntee indicated that Keith Bazon and Chris Drzewiecki have completed apprentice line school and will be graduating this week.

Work continues on the business LED replacement lighting project with Bare Hair Salon; work will begin on reintroducing an attic insulation program to help the total electric customers reduce usage.

Discussion ensued regarding solar panels on the Village Office, attic insulation program and new LED lighting.

**Attorney** – Eric Stowe

Attorney Stowe indicated that he has a signed copy of the IMA with the Fire Department and work continues on the easements on Prospect Street and Coleman Avenue.

## Unfinished Business

## New Business

Comments submitted by Trustee Nellis-Ewell

### Miscellaneous

DPW Superintendent Tom West was recognized with a 15-year plaque by NYCOM.

### Village Activities

- **Town of Ogden Bicentennial/Village of Spencerport Sesquicentennial Planning Committee**

First Event – Ghost Walk through the Village of Spencerport Central Business District held Saturday, October 17 sold out, making it a successful fundraiser.

- **Halloween Day Trick ‘n Treat for Kids**

- Sponsored by Ogden Parks & Recreation and the Spencerport Area Chamber of Commerce.

- 200 + costumed kids and accompanying adults followed the map designating participating businesses in the Village of Spencerport, ending up at the Ogden Senior Center for a costume contest. It was fun!

### **UPCOMING**

- Veterans of Ogden/Spencerport and spouses are invited to a luncheon in their honor, by the Spencerport Area Chamber of Commerce (as published in *Suburban News*)

\* Wednesday, November 18, NOON @ Ferris-Goodridge American Legion Post,

Trimmer Road

**By reservation only** Email [keith.ryan@westsidenewsny.com](mailto:keith.ryan@westsidenewsny.com) **Deadline November 11**

## Bills

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

General Fund	\$ 89,740.33
Electric Fund	\$ 40,503.88
Sewer Fund	\$ 47,484.44
Trust Fund	\$ 2,354.47
Capital Fund	<u>\$ 0</u>
<b>TOTAL:</b>	<b>\$ 180,083.12</b>

Motion was made by Trustee Wohlers, seconded by Trustee Nellis-Ewell 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.