

VILLAGE BOARD MEETING
June 1, 2016
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

Craig Byham, Luther Jacobs Way
Doreen Castano, Spencerport Depot and Canal Museum
Owen McIntee, SME Superintendent
Rich McQuilkin, Prospect Street
Joan Quigley, Maplewood Avenue
Eric Stowe, Village Attorney
Jacqueline Sullivan, Village Clerk
Tom West, DPW Superintendent

ANNUAL MEETING

Mayor Penders opened the Annual Meeting at 7:02 p.m.

APPOINTMENTS

The following individuals fulfilling the second year of their appointed two year term expiring March 31, 2017

| | |
|-------------------------|----------------------|
| DEPUTY MAYOR | Carol Nellis-Ewell |
| VILLAGE CLERK | Jacqueline Sullivan |
| VILLAGE TREASURER | Danielle Kruger |
| DEPUTY CLERK | Pamela Gilbert |
| SECRETARY TO THE MAYOR | Margaret Gioia |
| HISTORIAN | Nora Venezky |
| ATTORNEY | Eric Stowe |
| PLANNING BOARD ATTORNEY | Eric Stowe |
| ZONING BOARD ATTORNEY | Eric Stowe |
| BANK DEPOSITORIES | Chase Bank |
| | Key Bank |
| | M & T Bank |
| OFFICIAL NEWSPAPERS | Suburban News |
| | Democrat & Chronicle |

RESOLUTION 1 6/2016

Introduced by: Mayor Penders

Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Mayor's Appointments

| | | |
|--------------------|--------------------------------|-----|
| 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 |

CHECK SIGNING AUTHORIZATION

RESOLUTION 2 6 2016

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees approves the following individuals to have check signing authority for the Village of Spencerport:

Gary Penders, Mayor
Carol Nellis-Ewell, Deputy Mayor
Danielle Kruger, Treasurer

| | | |
|--------------------|--------------------------------|-----|
| 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 |

VILLAGE BOARD MEETINGS

Regular meetings of the Board of Trustees will be held on the first Wednesday of each month at the Village Office, 27 West Avenue, Spencerport, New York at 7:00 p.m.

Workshop meetings of the Board of Trustees will be held the second, third, fourth and fifth Wednesday of each month at the Village Office, 27 West Avenue, Spencerport, New York at 4:30 P.M.

Alternate facility to accommodate disabled persons shall be the Spencerport Fire Department, 175 Lyell Avenue, Spencerport, NY.

PURCHASING POLICY

The Village of Spencerport Purchasing Policy will be reviewed on June 15, 2016 at the workshop meeting.

ADVANCE APPROVAL OF CLAIMS

RESOLUTION 3 6/2016

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Whereas, the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges and others as may be deemed appropriate by the Board, and

Whereas, all such claims shall be presented at the next regular meeting for audit, and

Whereas, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees,

Now Therefore Be It Resolved:

Section 1: That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and others as may be deemed appropriate by the Board and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

Section 2: That this resolution shall take effect immediately.

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| 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 |

ATTENDANCE AT SCHOOLS & CONFERENCES

RESOLUTION 4 6/2016

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance at all schools and conferences for the Village fiscal year 2016-2017 that do not exceed \$200 and one day in duration, provided such schools and conferences are included in the respective Department budget as so approved by the Village Board. Attendance at all schools and conferences must be acknowledged to the Village Board at a Regular meeting of the Village Board.

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| 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

COMMITTEE APPOINTMENTS 2016-2017

FACILITIES COMMITTEE
(Electric, Drainage, Franchises)

Trustee Hopson, Chair
Trustee Wohlers
Superintendent West
Superintendent McIntee
Treasurer Kruger

SEWERS COMMITTEE

Trustee Wohlers, Chair
Trustee Hopson
Superintendent West
Mark Elliott

PUBLIC WORKS COMMITTEE
(Highways/Public Services)
{ Parks, Drainage }

Trustee Kuntz, Chair
Trustee Hopson
Clerk Sullivan
Superintendent West

PLANNING/ZONING/BUILDING CONTROL
(Code Review, Architectural Review)
(Comprehensive Plan Update)

Trustee Nellis-Ewell, Chair
Mayor Penders
John Dole, Chairman, Zoning Board of Appeals
Pam Gilbert, ZBA Secretary
Craig Byham, Chairman, Planning Board
Donna Stassen, PB Secretary

PUBLIC SAFETY COMMITTEE
(Ambulance, Fire, Police)

Mayor Penders, Chair
Trustee Wohlers
Clerk Sullivan
Superintendent West

FINANCE COMMITTEE
(Includes Insurance)

Mayor Penders, Chair
Trustee Nellis-Ewell
Clerk Sullivan
Treasurer Kruger

ADMINISTRATION COMMITTEE

Mayor Penders, Chair
Trustee Nellis-Ewell
Clerk Sullivan
Superintendent West
Superintendent McIntee

ECONOMIC DEVELOPMENT COMMITTEE
(Includes Parking & Traffic)

Trustee Wohlers, Chair
Trustee Kuntz
Clerk Sullivan
Superintendent West

HUMAN RESOURCES/BENEFITS COMMITTEE

Mayor Penders, Chair

Trustee Nellis-Ewell
Clerk Sullivan
Superintendent West
Superintendent McIntee

GREEN COMMITTEE
(Recycling, Refuse)

Trustee Nellis-Ewell, Chair
Trustee Hopson
Superintendent West
Superintendent McIntee
Clerk Sullivan

Mayor Penders closed the annual meeting at 7:08 p.m.

Approval of Minutes

A motion was made by Mayor Penders, seconded by Trustee Hopson and carried that the minutes from the May 4, 2016 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 May 18, 2016 Village Workshop session be approved as read.

Privilege of the Floor

Mrs. Doreen Castano from the Spencerport Depot and Canal Museum explained that Patty Uttaro donated a “Little Free Library” for the depot. Mrs. Castano continued by explaining the concept of the free library and that a small box will be placed outside of the depot for people to borrow and return or donate books.

Resolution 5 6/2016

Introduced by: Mayor Penders
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves of the placement of a donated “Little Free Library” on the property of the Spencerport Depot and Canal Museum.

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|--------------------|--------------------------------|-----|
| 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 |

Administrative Committee – Mayor Penders

Resolution 6 6/2016

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

Be it resolved that the Village of Spencerport Board of Trustees hereby authorized the Mayor to sign the Upstate New York Municipal Workers’ Compensation Program contract provided by Rose & Kiernan,

Inc. 1175 Pittsford, NY 14534 in the amount of \$70,955.00 for workers compensation insurance coverage beginning July 1, 2016 – June 30, 2017 plus a one-time membership fee of \$3,548.00.

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|--------------------|--------------------------------|-----|
| 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

Resolution 7 6/2016

Introduced by: Trustee Wohlers

Seconded by:

WHEREAS, the Village of Spencerport has been identified as a Municipal Separate Storm Sewer System (MS4) under the EPA’s Phase II Stormwater Regulations under the Clean Water Act of 1999, and

WHEREAS, the Phase II Program requires each MS4 to prepare an Annual Report, or contribute to a Joint Annual Report, on the Village of Spencerport’s efforts to protect and improve the water quality of our streams and waterbodies, and

WHEREAS, the public is invited to review the Joint Annual Report and provide input, and

WHEREAS, a Joint Annual Report has been prepared in conformance with the Phase II Regulations by the Stormwater Coalition of Monroe County, and

WHEREAS, the Joint Annual Report must be submitted to the New York State Department of Environmental Conservation offices in Albany, NY by June 1, 2016,

NOW, THEREFORE, BE IT RESOLVED, that the Joint Annual Report is accepted by the Spencerport Village Board and that said Joint Annual Report is available for public review at <http://www.monroecounty.gov/des-stormwater-coalition> and the Spencerport Village Hall

BE IT FURTHER RESOLVED, that all comments on the Joint Annual Report will be incorporated into the 2015-2016 or the 2016-2017 Annual Reports to the NYSDEC.

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|--------------------|--------------------------------|-----|
| 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 – Trustee Nellis-Ewell, Chair

Comments submitted by: Trustee Nellis-Ewell

Architectural Review Board (ARB) / Planning Board (PB) – No meetings May 3 or June 7, 2016

Zoning Board of Appeals (ZBA) – April 21, 2016 meeting cancelled

Per Legal Notice, application of Deanna and Paul Harris, 41 Thorncliff Road, for a temporary special permit and area variance for an in-law apartment (approximately 1008 square feet) at 83 Hawthorne Drive; where all new construction or addition to existing residential structures shall not exceed 700 square feet; and where the gross floor area of the in-law apartment shall not exceed 900 square feet, pursuant to Chapter 340-9-J(2) and 340-9-J(20)(e) in a Residential R-1 District.

Zoning Board of Appeals (ZBA) – Meeting of May 19, 2016

1) Application of Gerald Sage, 48 Evergreen Street, Spencerport, for a special permit to erect an 80- foot privacy fence, and two (2) area variances to erect a privacy fence on the lot line
Pursuant to Chapter 340-32 A (4)(a) and 340-32 A (4)(b) respectively in a Residential R-1 District.

2) Application of Francis J. Maier, 863 Trimmer Road, for a special permit for the conversion of a single-family residence to a two-family residence at 51 Mill Street, Spencerport; whereas; in R-2 Districts only, remodeling or construction of any of the dwellings shall be permitted when a special permit is obtained.
Pursuant to Chapter 340-9-G in a Residential R-2 District.

3) Application of Upstate Vape, 1626 Penfield Road, Penfield for a special permit to operate a retail store in an Industrial (C) District located at 36 Slayton Avenue, Spencerport, whereas, any other industrial use not permitted by Chapter 340-25 may be permitted upon the granting of a special permit, after a Public hearing on notice as hereinafter provided, in accordance with the safeguards and standards set forth in Article IX of Chapter 340-25 R in an Industrial District.

One person spoke against the special permit to operate a retail store.

The Zoning Board of Appeals Chair and Members reviewed each application, citing the SEQRA resolutions and special permits for each of the three applications. All three (3) special permits and two (2) area variances granted.

Next Zoning Board of Appeals (ZBA) Meeting June 16, 2016

Approved minutes posted on VOS website www.vil.spencerport.ny.us

Building Control

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

Code Review

Nothing requiring Board action.

Finance Committee – Mayor Penders, Chair

Resolution 8 6/206

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 transfers for fiscal year ending May 31, 2017.

| June 1, 2016 BUDGET TRANSFER & REVISION Fiscal Year End 5/31/2017 | | | | | | | |
|---|------------|-------------------------------|--|--------------|--------------------------|--|--|
| SPECIAL TRANSFER TO FUND NEW DPW GAS LINE CAPITAL PROJECT | | | | | | | |
| AMOUNT | TO ACCOUNT | | | FROM ACCOUNT | | | |
| \$10,000 | A9950.900 | Interfund Transfer to Capital | | A1620.200 | Shared Buildings Capital | | |
| \$5,000 | G9950.900 | Interfund Transfer to Capital | | G8110.200 | Sewer Admin Capital | | |
| | | | | | | | |
| | | | | | | | |

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

Facilities Committee – Trustee Hopson, Chair

A. Electric

Resolution 9 6/2016

Introduced by: Trustee Hopson
 Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance at the Annual Western Regional Meeting hosted by the Village of Churchville on Wednesday, June 22, 2016. Cost not to exceed \$50.00 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 10 6/2016

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

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the renewal letter regarding the Fixed Price TCC agreement for the contract period expiring October 31, 2017.

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|--------------------|--------------------------------|-----|
| 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

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

Public Safety Committee – Trustee Penders, Chair

- A. Fire Department
- B. Police
- C. Ambulance

Human Resources Committee – Mayor Penders, Chair

Economic Development Committee – Trustee Wohlers, Chair

Green Initiatives – Trustee Nellis-Ewell, Chair

Comments submitted by: Trustee Nellis-Ewell

Researching using goats and/or sheep as lawnmowers.

Village Clerk – Jacqueline Sullivan

Superintendent of Public Works – Thomas M. West

Superintendent West updated the Village Board on various projects

Superintendent of Electric – Owen McIntee

Superintendent McIntee updated the Village Board on various projects

Attorney – Eric Stowe

Unfinished Business

Resolution 11 6/2016

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the trimming of Village Street trees on Harwood Road.

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|--------------------|--------------------------------|-----|
| 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 |

Miscellaneous Activities

Comments submitted by: Trustee Nellis-Ewell

- 1) **Wednesday, May 11** – **Attended 17th Annual Dennis Pelletier Youth Hall of Fame Awards.** These awards direct special attention to those youths who have demonstrated, through contributions to the community and outstanding achievements, their personal growth and development. The 2016 Youth Hall of Fame Inductees are Summer Lara and Brady Shepanski. Mayor Penders provided both with recognition certificates from the Village of Spencerport
- 2) **Tuesday, May 24** – **Village of Brockport Vote on dissolution. Villages and grassroots government endure.**
- 3) **Monday, May 30** – **Annual Memorial Day Community Parade: Village of Spencerport to Brockport Road Memorial Park.** American Legion members presided over a poignant ceremony to honor fallen heroes. We have our freedoms thanks to the brave.
- 4) **Wednesday, June 8-11** – **Annual Spencerport Fire Department Carnival and Parades FUN!!!**
- 5) **Saturday, June 11** – **Spencerport Depot, Museum & Visitor’s Center Seasonal Opening @ 1 PM**

New Business

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

| | |
|---------------|---------------------|
| General Fund | \$ 15,483.09 |
| Electric Fund | \$ 20,576.53 |
| Sewer Fund | \$ 5,676.96 |
| Trust Fund | \$ 2,765.66 |
| Capital Fund | \$ <u>0</u> |
| TOTAL: | \$ 44,502.24 |

Motion was made by Trustee Nellis-Ewell, seconded by Trustee Kuntz and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, June 2016 be approved as audited.

A motion was made by Mayor Penders and carried that the Village Board Meeting be adjourned at 7:46 p.m.