

**VILLAGE BOARD MEETING**  
**November 2, 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, Deputy Mayor  
David Wohlers, Trustee  
Charles Hopson, Trustee  
Ray Kuntz, Trustee

**BOARD MEMBERS ABSENT**

**OTHERS PRESENT**

Craig Byham, Luther Jacobs Way  
Evelyn Dow, Coleman Avenue  
Owen McIntee, SME Superintendent  
Joan Quigley, Maplewood Avenue  
Eric Stowe, Village Attorney  
Jacqueline Sullivan, Village Clerk  
Terry & Roberta West, Coventry Drive  
Tom West, DPW Superintendent  
Participation in Government Students (6)

**Approval of Minutes**

A motion was made by Mayor Penders, seconded by Trustee Wohlers and carried that the meeting minutes from October 5, 2016 be approved as read.

A motion was made by Mayor Penders, seconded by Trustee Hopson and carried that the meeting minutes from October 19, 2016 be approved as read.

**Privilege of the Floor**

Mr. Gerry Arnold, 52 Village Walk inquired as to when Northrup Creek would be cleaned out.

Superintendent West indicated that it would be cleaned out during the months of November and December. Superintendent West added that the creek would be dug out to allow better water flow and weeds and debris would be removed. In the future annual creek maintenance would be done during the months of November and December.

**Administrative Committee** – Mayor Penders

**Resolution 63 11/2016**

Introduced by: Mayor Penders  
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the request from Boy Scout Troop 92 for an extension of time for the placement of their trailer to be located in Firemen's Field from November 19<sup>th</sup> – December 31<sup>st</sup>, 2016.

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

**Resolution 64 11/2016**

Introduced by: Mayor Penders  
Seconded by: Trustee Hopson

**WHEREAS**, the Village of Spencerport Village Board of Trustees (hereinafter referred to as Village Board) has reviewed the 2016 Local Highway Inventory Listing, prepared by New York State Department of Transportation; and

**WHEREAS**, the Village Board has determined that Glen Cairn Court and Amity Street should be included in the 2016 Local Highway Inventory Listing since they are public roads and are maintained by the Village of Spencerport; and

**NOW, THEREFORE BE IT RESOLVED** by the Village Board that the Village of Spencerport accepts legal, maintenance, and repair responsibility for Glen Cairn Court from Evergreen Street to Hannah Grace Lane, and for Amity Street from Hannah Grace Lane to Evergreen Street.

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

**Resolution 65 11/2016**

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

Be it resolved, that the Village of Spencerport Board of Trustees hereby approves the release of the Letter of Credit pertaining to Canal Landing Subdivision, posted by Canal Gate, LLC, in the amount of \$43,550.00

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

**Resolution 66 11/2016**

Introduced by: Mayor Penders  
Seconded by: Trustee Wohlers

Be it resolved, that the Village of Spencerport Board of Trustees hereby accepts the dedication of Amity Street from Canal Gate, LLC, subject to the following conditions that must be met prior to recording the

deed: Canal Gate, LLC shall pay all recording costs associated with said transfer and Canal Gate, LLC shall provide good and marketable title to the land to be dedicated, said determination to be made by the Village Attorney.

Vote of the Board:	Carol J. Nellis-Ewell, Deputy Mayor	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** – Deputy Mayor Nellis-Ewell, Chair

Comments submitted by: Deputy Mayor Carol J. Nellis-Ewell

**Architectural Review/Planning Boards (ARB/PB) Meeting of November 1, 2016**

Application of Linda Gibbardo, owner  
194 South Union Street, Spencerport, New York 14559  
Village Ice Cream Shop

Applicant operated Abbott's/Spencerport 2005-2011; five-year non-compete clause ended.  
Applicant expects to open seasonal, walk-up only Village Ice Cream Shop Spring 2017.

Fenity Associates Architects plan retains front of building:

- Adds front deck (8 feet x24 feet); material to be pressure-treated lumber, redwood-stained, with railing of square white spindles
- Handicapped accessibility by adding sidewalk that leads to/from existing street sidewalk
- Changes front windows to four white vinyl double-hung
- Adds decorative awnings of Brera Sorbet pattern

Green space in front to remain; later perhaps tables out front (check with Building Inspector)

Building may be re-sided later (color to complement awnings)

Cakes by Karen to occupy back of building

Businesses to use municipal parking; signs to be placed (Ogden Senior Center owns 6 feet from their parking lot north into grassy area)

Applicant to return (to ARB) for sign to be placed on peak of building

Current sign posts to be removed

Disposition: Certificate of Appropriateness granted unanimously.

**Zoning Board of Appeals (ZBA) Meeting of October 20, 2016**

New business

Pursuant to Chapter 340 of the Village of Spencerport, Public Hearing:

Application of Robert G. Male, 2 Jessica Lane, Spencerport, New York 14559

Special Permit to erect a 38 foot privacy fence on property located at 2 Jessica Lane; 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) in a Residential R-2 District.



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

**Resolution 68 11/2016**

Introduced by: Mayor Penders  
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the GASB 45/75 Service Agreement in the amount of \$3,250. Quote in its entirety is attached.

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

**Resolution 69 11/2016**

Introduced by: Mayor Penders  
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves surrendering the unpaid fiscal year 2016/2017 Village Taxes to Monroe County in the amount of \$22,230.33.

Vote of the Board:	Carol J. Nellis-Ewell, Deputy Mayor	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
  
- 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 district exceeded the 2% tax cap.

B. Police

C. Ambulance

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

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

**Green Initiatives** – Deputy Mayor Nellis-Ewell, Chair

Comments submitted by: Deputy Mayor Nellis-Ewell

October 27 – 2 – 4 PM Attended Finger Lakes Regional Development Council Sustainability Group meeting at RIT; ongoing meetings to discuss, review and recommend sustainable projects for Finger Lakes' 9-County area. Communicate established best practices. Co-chaired by: Thomas Mitchell, Bergmann Associates & Nabil Nasr, Golisano Institute of Sustainability.

**Village Clerk** – Jacqueline Sullivan

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

Superintendent West commented that work will continue to promote NYCOM workshops to the other Villages. Rainfall for the month of October was over 4". Removal and replanting of Main Street trees will be happening during the months of November and December.

**Superintendent of Electric** – Owen McIntee

Superintendent McIntee explained the Governor's Clean Energy Standard and a percentage charge will start in January monthly for the next five years to fund new solar projects across New York. Methods of adding it to the electric bills is being determined.

Discussion ensued regarding solar farms.

**Attorney** – Eric Stowe

**Unfinished Business**

Mayor Penders commented that he was appointed as the liaison to the 9/11 commission by the Monroe County Association of Mayors; interviewed by the Terry Taylor School 2<sup>nd</sup> graders; attended the Monroe County Association of Mayors presentation on Zombie Properties; attended the Halloween Safety Meeting and informed the Board and public that the Village of Spencerport ranked 18<sup>th</sup> for quality of life out of 275 towns and villages surveyed.

## New Business

### Current Events – Deputy Mayor Nellis-Ewell

Comments submitted by: Deputy Mayor Nellis-Ewell

October 14 & 15 Spirit of Spencerport Ghost Walk ~ Sold-out successful Bicentennial/Sesquicentennial FUNDRAISER; Next Committee meeting November 7, 7 PM Town of Ogden Community Room - open to all

October 22 – 11 AM Dedication of Memorial plaque to recognize Joyce A. Lobene, Trustee/Mayor, Realtor, Visionary ~ “Someone Special”. Family, friends and officials gathered to honor her many efforts in the community. Refreshments followed. Sponsored by the Canal Days Committee.

October 25 – 6 PM Proclamation from the Village of Spencerport to recognize New York State School Board week October 24-28, 2016. Presented prior to the Spencerport Central School Board meeting.

October 26 – 7 PM Public Hearing, Town of Ogden Tentative and Approved Budget  
Town of Ogden had passed a Local Law to exceed the 2% tax cap. Presentation by Finance Director Paula Parker:

Total \$6.809 M - \$6.763M = \$45,873 difference over cap – increase of 2 cents per 1,000

- Taxes to be: \$5.71 outside Village; \$4.17 within Village

- Health care increase projected: 6.1 %; employee share 90/10

- (Partial) Vehicle replacement schedule; ¾ ton pick-up with plow, dump trucks, police vehicle, etc.

- Highway Superintendent David Widger: Lots of tree work expected because of invasion of emerald ash borer

Workshop included discussion of potential actions and statutes related to solar farms and foreclosed/zombie properties; Public Hearing November 9: Introductory Local Law #4-2016 amending Chapter 144 (Property Maintenance Code) and proposing to enact Chapter 196 (Vacant and Defaulted Mortgage Property Registry)

October 29 – 2 – 4 PM Town/Village Halloween Trick ‘n Treat, \* Safe FUN !

Costumed children visited participating Village businesses for treats

\* 3:30 PM ~ Costume Contest @ Ogden Senior Center

### Future Events

November 4 – 6 – 9 PM Historical Vignette Dinner Theater \$25 pp ~ Whittier Party House

A Bicentennial/Sesquicentennial EVENT BY RESERVATION ONLY Contact: Tel: 797-7247 Sold-out

November 8 – REMINDER: EXERCISE your right to vote ! It’s your voice !

November 11 – Veterans Day – Honor a veteran !

\* ATTENTION Veterans of Ogden/Spencerport

Spencerport Area Chamber of Commerce invites you and your spouse to lunch in your honor

@ American Legion Ferris-Goodridge Post, 691 Trimmer Road

Honor Flight speaker

12:00 – 1:30 PM, Buffet meal provided by Krony’s

By *RESERVATION ONLY* ~ call 352-6691 by November 9th

November 26 – SATURDAY ~ SHOP SMALL ~ SHOP LOCALLY

Small Business Saturday is a National Movement sponsored annually by American Express

Help Small Businesses thrive by dining and shopping in our community!

- Encourage Gift Certificates to support shops and services
- Be Green by using nearby businesses (Save gas or even walk)

Details and resources @ [AmericanExpress.com](http://AmericanExpress.com) (some marketing materials free, including Fed Ex delivery, download/read t's & c's)

**Bills**

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

General Fund	\$ 44,134.82
Electric Fund	\$ 47,402.17
Sewer Fund	\$ 4116.87
Trust Fund	\$ 3062.98
Capital Fund	\$ <u>0</u>
<b>TOTAL:</b>	<b>\$ 98,716.84</b>

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