

**Village Board Workshop Meeting  
November 16, 2016  
Minutes**

**BOARD MEMBERS PRESENT**

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

**BOARD MEMBERS ABSENT**

**OTHERS PRESENT**

Craig Byham, Luther Jacobs Way  
Danielle Kruger, Village Treasurer  
Owen McIntee, SME Superintendent  
Rich McQuilkin, Code Enforcement Officer  
Patrick Smith, Building Inspector  
Donna Stassen, Deputy Treasurer  
Eric Stowe, Village Attorney  
Jacqueline Sullivan, Village Clerk  
Tom West, DPW Superintendent

Mayor Penders called the meeting to order at 4:30 p.m.

Mayor Penders commented that a note was received from Mr. Gerry Arnold thanking Superintendent West and crews for cleaning out the creek.

**BI/CEO** (4:30 p.m.-Patrick Smith/Rich McQuilkin)

Building Inspector Smith indicated that shared copies of the Zombie Property Law that the Town recently adopted. Discussions continue regarding 83 Hawthorne Drive and the property is pending receiving C of O; 15 West Avenue is installing their fence along the creek. Mr. Smith indicated upon reviewing the proposed Village Fee schedule update that it would be easier if the Village's fees were the same as the Town because it is harder for the staff at the town to enter different fee amounts.

Deputy Treasurer Stassen requested an interpretation from Building Inspector Smith regarding a customer in the Village office on 11/16/16 requesting rezoning information.

Mayor Penders described the situation with the customer requesting a church to be in a B-1 zoned area. Mayor Penders indicated that he thought the customer could go to the ZBA for a variance to have the church.

Building Inspector Smith indicated that the Town attorney stated that if the permitted used is prohibited the Village would need to change the code.

Attorney Stowe reviewed the applicable code.

Discussion ensued regarding the potential location and it was determined that the potential location is in the building formally rented by Butter Fly Kisses and is owned by Gary Inzana.

Attorney Stowe indicated that he will need to review the Federal Statues regarding religious organizations and land uses.

Deputy Treasurer Stassen commented that they are looking for a direction to allow the church if requested.

Attorney Stowe responded that the potential applicant should contact him to review his intended use of the building and questioned what district churches are allowed.

Deputy Treasurer Stassen responded residential districts.

Attorney Stowe responded that he could get a use variance that are difficult to get.

Mayor Penders indicated this potential applicant will be at privilege of the floor at the December 7<sup>th</sup> Board Meeting.

Code Enforcement Officer McQuilkin reviewed his report to include: 3 fire inspections at Lattimore Physical Therapy, Jeffers and Birnie CPAs and Barton's Parkside Hots food truck; 5 re-inspections at Trolley Museum, Pontillos, Beauty in the Beast, Upstate Vape, Lattimore Physical Therapy; Co detector surveys at Buckman's Car Wash, Top's Fuel Kiosk, Top's Market, Rite Aid, Dollar Tree, LaMont Trophies; (4) bulk issues; (7) brush issues; (10) additional garbage issues; (1) TV w/o a sticker. Various correspondence sent and actions taken to resolve various code issues.

**Attorney** (5:00 p.m. -.E. Stowe)

Attorney Stowe indicated that easements have been filed for the last sanitary sewer easement on Coleman Avenue. Work continues with the filing the dedication of Amity Street and Glen Carin Court associated with Canal Gate, LLC and a review of the Zombie Property Law is being conducted. Work continues with Superintendent West regarding additional easements for storm sewers.

Discussion ensued regarding Northrup Creek Drive's use. It was determined that Northrup Creek is an access road only and will not be used for parking.

### **Discussion**

The Depot will not continue as a lending library.

Clerk Sullivan, Deputy Treasurer Stassen and Superintendent McIntee explained the request to update the electric deposits and payment arrangements.

Suggested deposit increase for new electric customers (rental properties only)

Electric heating customers; from \$100 to \$225

Gas heating customers: from \$50 to \$80

Suggested change to payment arrangements for electric customers

- Updated repayment agreement (attached)
- Obtain additional financial information with the completion of "Customer Financial Status" worksheet

Trustee Nellis-Ewell led discussion regarding updating the Village Fee Schedule updates with proposed updates.

Discussion ensued the various fees and was determined that the proposed fee schedule will be voted on at the December 7<sup>th</sup> Village Board Meeting.

### **Resolution 70 11/2016**

Introduced by: Mayor Penders

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves conducting a public hearing for proposed Local Law 1-2016. "A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c" to be held Wednesday, December 7, 2016 at 7:00 pm. located at the Village Office, 27 West Avenue, Spencerport, NY.

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 77 11/2016**

Introduced by: Mayor Penders  
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes Village Attorney Eric Stowe to send correspondence to the residents at 153 Coleman Avenue and 152 Prospect Street regarding storm sewer easements.

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 72 11/2016**

Introduced by: Mayor Penders  
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the quote from Schultz Associates for survey services associated with 153 Coleman Avenue and 152 Prospect Street regarding storm sewer easements. Cost not to exceed \$1400.00

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

Discussion ensued regarding various Village projects and strategic planning for the upcoming 2017/2018 budget.

A motion was made by Mayor Penders and carried unanimously that the workshop meeting be adjourned to executive session to discuss litigation and personnel matters at 6:10 p.m.

A motion was made by Mayor Penders and carried unanimously that the executive session be adjourned to workshop session at 7:00 p.m.

A motion was made by Mayor Penders and carried unanimously that the workshop session be adjourned at 7:00 p.m.