

**Village Board Workshop Meeting  
January 18, 2017  
Minutes**

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

**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**

Owen McIntee, SME Superintendent  
Rich McQuilkin, Code Enforcement Officer  
Richard Mogab, Texas BBQ Joint  
Patrick Smith, Building Inspector  
Donna Stassen, Deputy Treasurer  
Eric Stowe, Village Attorney  
Jacqueline Sullivan, Village Clerk  
Tom West, DPW Superintendent

Mayor Penders announced that the Union Street canal bridge will be increased to 12 tons with minor repairs to allow for waivers to be issued for emergency vehicles and school busses.

Mr. Richard Mogab addressed the Village Board regarding receiving parking tickets in front of the Trolley Depot for overnight parking. Mr. Mogab requested that more signs be installed and additional parking spaces be allocated for overnight parking in that area.

**Resolution 94 1/2107**

Introduced by: Mayor Penders

Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves four (4) parking spaces located in the Village of Spencerport municipal parking lot directly east of Tax parcel number: 087.09-11-8.1 currently known as Texas BBQ joint.

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

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

Mayor Penders indicated that he, Deputy Mayor Nellis-Ewell, Supervisor Lenhard, Councilman Cole and Building Inspector Patrick Smith met to discuss the Building Inspection Services intermunicipal agreement between the Town of Ogden and Village of Spencerport. Mayor Penders indicated that he and the Deputy Mayor were unclear that Planning Board and Zoning Board applications would be removed from the intermunicipal agreement and administered in the Village office. Mayor Penders asked Mr. Smith to explain why the Town wants to make this change.

Mr. Smith indicated that since he was hired he was asked numerous times to justify the cost of the IMA and even though it was not high on his priority list it was started close to 2 ½ to 3 years ago. It basically started with Jack Crooks to determine if what was being charged for a permit fee was a reasonable cost. Mr. Smith indicated that the costs he has are approximately 2 years old but what popped out was how much the Town gets paid from the Village for the IMA and how much is collected in fees for the Village. Mr. Smith continued that the Town gets paid \$36,000 for the IMA and collected about \$46,000 in fees for the Village. Mr. Smith continued that he never understood why the Town administered Planning and Zoning Board applications and information requests for Village residents. Mr. Smith indicated that the Town would no longer do the Planning and Zoning Board applications as well as property inquiries in an effort to keep the IMA at the same cost.

Mayor Penders commented that at this time we do not have anything to compare the costs to. Mayor Penders indicated that he would like an IMA presented with services to remain the same to be able to compare it to costs if the Village were to administer Planning and Zoning Board applications because added engineering services would be needed.

Deputy Treasurer Donna Stassen who also is the Planning Board Secretary commented that Mr. Smith has the expertise to review an application to ensure that it is correct prior to accepting the application and that she does not have the same expertise.

Deputy Mayor Nellis-Ewell asked Mr. Smith who asked him to justify the cost of the IMA.

Mr. Smith responded that former Mayor Lobene was the first person that asked him to justify the cost of the IMA.

Deputy Mayor Nellis-Ewell commented that she did not think after the initial meeting that Planning Board applications were also included in the potential transfer of services and that she thought it was only zoning applications.

Mayor Penders added that he is interested in the cost of the IMA remaining the same. Mayor Penders further explained that both Donna Stassen and Pam Gilbert do a multitude of other duties that include payroll, accounts payable, accounting, electric billing, collection and accounting. Mayor Penders added that the Town has an entire department dedicated to building inspection and zoning and planning.

Discussion ensued regarding costs and fees that Mr. Smith submitted prior to the meeting.

Deputy Mayor Nellis-Ewell commented that it appears that the Town will be doing less for the same price and the Village will be doing more for the same price however the cost should be reduced to reflect the reduction in services provided by the Town.

Mayor Penders added that fees were increased from 2006 - 2009 to reflect the initial Gollel/Hogan project, the building of the new firehouse and Village Plaza project. In 2010 fees were reduced to reflect the drop in development and that former Code Enforcement Officer Kevin Kelly was performing duties for the Town of Ogden delivering summons throughout the Town. Currently IMA costs have slowly increased to present day. Mayor Penders reiterated that he would like to see an IMA proposal with services remaining the same. Mayor Penders asked if the assistant building inspector could work on Village inspections.

Mr. Smith responded that he could not due to scheduling.

Trustee Wohlers questioned if Mr. Smith continues to receive Planning and Zoning Applications for the Town in his office.

Mr. Smith responded that was correct.

Trustee Wohlers continued that Mr. Smith has the expertise to review the application more so than the personnel at the Village Office.

Mr. Smith responded that the staff in his office accept the applications and do not have any more expertise than the staff in the Village Office. In addition Mr. Smith indicated that he just reads the code book to determine if the application is correct and that anybody can do that.

Mayor Penders responded that the Village would feel more comfortable with an engineer looking at the applications for completeness.

Ms. Donna Stassen added that Mr. Smith has more expertise in this area.

Trustee Wohlers added that he would like to see the Town continue to take Village applications.

Trustee Nellis-Ewell commented that the Village is only 1.3 square miles and that the potential for building inspections is decreasing.

Discussion ensued regarding the calculations of the hours spent on Village business.

Code Enforcement Officer Rich McQuilkin indicated that he completed 6 fire inspections; 2 re-inspections; 14 bulk issues; 2 additional garbage issues; 4 TV's without stickers; 3 C of O inspections;

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

### **Discussion**

#### **Resolution 95 1/2017**

Introduced by: Mayor Penders

Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the carry-over of 3.5 hours of vacation for Greg Dorgan.

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 96 1/2017**

Introduced by: Mayor Penders

Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the carry-over of 2.5 hours of vacation for Calvin Zimmerman.

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

A motion was made by Mayor Penders and carried that the Village Board workshop be adjourned to executive session to discuss litigation at 5:30 p.m.

A motion was made by Mayor Penders and carried that the executive session be adjourned to workshop at 5:40 p.m.

A motion was made by Mayor Penders and carried that the Village Board workshop be adjourned to executive session to discuss employee matters at 5:40 p.m.

A motion was made by Mayor Penders and carried that the executive session be adjourned to workshop at 5:54 p.m.

A motion was made by Mayor Penders and carried that the workshop be adjourned at 5:54 p.m.