

VILLAGE BOARD MEETING
June 6, 2018
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

Cindy Carroll-Nolan, Pittsford, NY
Mary Ann Carroll – Maplewood Avenue
Owen McIntee, SME Superintendent
Joan Quigley, Maplewood Avenue
Eric Stowe, Village Attorney
Jacqueline Sullivan, Village Clerk
Tom West, DPW Superintendent

ANNUAL MEETING

Mayor Penders called the annual meeting to order at 7:00 p.m.

APPOINTMENTS

The following individuals are in the second year of their two-year term expiring March 31, 2019

DEPUTY MAYOR	Carol Nellis-Ewell
VILLAGE CLERK	Jacqueline Sullivan
VILLAGE TREASURER	Danielle Kruger
DEPUTY CLERK	Pamela Gilbert
DEPUTY TREASURER	Donna Stassen
SECRETARY TO THE MAYOR	Margaret Gioia
HISTORIAN	Vacant
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

CHECK SIGNING AUTHORIZATION

RESOLUTION 1 6/2018

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

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, Deputy Mayor	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 20, 2018 at the workshop meeting.

ADVANCE APPROVAL OF CLAIMS

RESOLUTION 2 6/2018

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

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.

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

ATTENDANCE AT SCHOOLS & CONFERENCES

RESOLUTION 3 6/2018

Introduced by: Mayor Penders

Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance at all schools and conferences for the Village fiscal year 2018-2019 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.

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

COMMITTEE APPOINTMENTS 2018-2019

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

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

Trustee Kuntz, Chair
Trustee Hopson
Clerk Sullivan

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

Superintendent West

Deputy Mayor 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
Deputy Mayor Nellis-Ewell
Clerk Sullivan
Treasurer Kruger

ADMINISTRATION COMMITTEE

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

GREEN COMMITTEE
(Recycling, Refuse)

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

A motion was made by Mayor Penders and carried unanimously that the Annual Meeting be adjourned at 7:08 p.m.

Approval of Minutes

A motion was made by Mayor Penders, seconded by Trustee Kuntz and carried unanimously that the minutes from the May 2, 2018 Village Board Meeting be approved as read.

A motion was made by Mayor Penders, seconded by Trustee Wohlers and carried unanimously that the minutes from the May 16, 2018 Village Board Workshop Meeting be approved as read.

Privilege of the Floor

Administrative Committee – Mayor Penders

Resolution 4 6/2018

Introduced by: Mayor Penders

Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the donation of \$1000 to Spencerport Canal Days, Inc. for the advancement of economic development.

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 5 6/2018

Introduced by: Mayor Penders

Seconded by: Deputy Mayor Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Assembly Permit for the Town of Ogden Parks and Recreation/Kiwanis Club of Spencerport Pineway Ponds Park 5K run/walk; Saturday, September 22, 2018 from 8:30 a.m. – 10:30 a.m.

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

Resolution 6 6/2018

Introduced by: Trustee Wohlers

Seconded by: Deputy Mayor Nellis-Ewell

Whereas, the Village of Spencerport previously established a capital reserve fund known as “Sewer Fund Equipment Reserve” on April 4, 1989 pursuant to the provisions of Section 6-c of the General Municipal Law for the purpose of financing the cost of reconstruction or betterment of any Village owned assets and also to finance the cost of construction or acquisition of any buildings, equipment or other items deemed necessary by the Village Board and

Whereas, the Village Board of Trustees of the Village of Spencerport deems it necessary to expend an amount not to exceed \$60,300 for the purpose of purchasing a dump truck.

NOW THEREFORE BE IT RESOLVED:

That the Village Treasurer be and is hereby directed to remove from the Sewer Fund Equipment Reserve Fund an amount not to exceed \$60,300 for payments of the purchase of a dump truck.

This resolution is adopted subject to permissive referendum.

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

Planning/Zoning/Building Control – Deputy Mayor Nellis-Ewell, Chair

- A. Planning
- B. Architectural Review
- C. Zoning
- D. Building Control
- E. Code Review

Finance Committee – Mayor Penders, Chair

Facilities Committee – Trustee Hopson, Chair

- A. Electric

Resolution 7 6/2018

Introduced by: Trustee Hopson

Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the letter to Manager of Transmission Congestion Credit Market Operations to renew the nine (9) historic fixed price TCCs for a period of ten (10) years.

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 8 6/2018

Introduced by: Trustee Hopson

Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport authorizes any Board Member, SME and Support Staff to attend the MEUA Western Regional Conference Hosted by Fairport Municipal Electric on June 20, 2018.

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

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Kuntz, Chair

A. Highways/Garage

Resolution 9 6/2018

Introduced by: Trustee Kuntz

Seconded by: Deputy Mayor Nellis-Ewell

Whereas, the Board of Trustees of the Village of Spencerport has heretofore created a General Fund Equipment Reserve pursuant to 6-C of the General Municipal Law, and

Whereas, the current balance of said fund is \$257,091; and

Whereas, this board wished to apply \$140,700 from the General Fund Equipment Reserve for the purchase of a dump truck.

Now, therefore, be it resolved

1. That \$140,700 be transferred from the General Fund Equipment Reserve to the General Fund for the purchase of a dump truck.
2. That this resolution is subject to a permissive referendum as provided by Article 9 of the Village Law.
3. That the Village Clerk is directed to publish the required legal notice of this resolution in the Suburban News.

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 10 6/2018

Introduced by: Trustee Kuntz
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the DPW Superintendent to advertise a Notice to Bidders for the replacement of the roof on the DPW building #1 located at 500 West Avenue.

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 11 6/2018

Introduced by: Trustee Kuntz
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the DEC agreement for access and preliminary investigation activities of the “solid waste site” located at 500 West Avenue, tax parcel #086.11-1-1.

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

B. Public Services (Refuse, Recycling, Parks)

Resolution 12 6/2018

Introduced by: Trustee Kuntz
Seconded by: Deputy Mayor Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the DPW Superintendent to advertise a Notice to Bidders for the removal and construction of stairs along the Heritage Trail Bank located on East Avenue.

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

Public Safety Committee – Trustee Penders, Chair

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

Resolution 13 6/2018

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the Mayor to sign the IMA with Gates Volunteer Ambulances Service for the fueling of ambulances at the DPW.

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

Human Resources Committee – Mayor Penders, Chair

Economic Development Committee – Trustee Wohlers, Chair

Green Initiatives – Deputy Mayor Nellis-Ewell, Chair

Village Clerk – Jacqueline Sullivan

Superintendent of Public Works – Thomas M. West

Superintendent of Electric – Owen McIntee

Attorney – Eric Stowe

Attorney Stowe reviewed the draft letter to Attorney Pike representing the resident of 155 Maplewood Avenue regarding a second residential structure located on the property. Attorney Stowe and the Building Inspector have reviewed the submission and agree that it is a pre-existing nonconforming use and may continue.

Discussion ensued.

Resolution 14 6/2018

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

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes Village Attorney Eric Stowe to send correspondence to Attorney Zachary Pike regarding 155 Maplewood Avenue to confirm

that the second residential structure on the property is permitted and considered a pre-existing, non-conforming use.

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

Unfinished Business

New Business

Current Events – Deputy Mayor Nellis-Ewell

Bills

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

General Fund	\$ 45,341.33
Electric Fund	\$263,834.54
Sewer Fund	\$ 8,114.80
Trust Fund	\$ 3,259.15
Capital Fund	\$ _____
TOTAL:	\$320,549.82

Motion was made by Mayor Penders, seconded by Trustee Wohlers carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, June 2018 be approved as audited.

A motion was made by Mayor Penders, seconded by Trustee Kuntz and carried that the Village Board Meeting be adjourned at 7:48 p.m.