

VILLAGE BOARD MEETING
September 5, 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

Craig Byham, Luther Jacobs Way
Joel Humphrey, Union Street
Owen McIntee, SME Superintendent
Joan Quigley, Maplewood Avenue
Eric Stowe, Village Attorney
Jacqueline Sullivan, Village Clerk
Tom West, DPW Superintendent

Approval of Minutes

A motion was made by Mayor Penders, Seconded by Trustee Wohlers and carried that the minutes from the August 1, 2018 Village Board Meeting be approved as presented.

Public Hearing

Mayor Penders opened the public hearing at 7:02 p.m. by reading Introductory Local Law 1-2018 “A Local Law to Amend Section 340-11 of the Village of Spencerport Code entitled Lot Occupancy”

There being no comments from the public Mayor Penders closed the public hearing at 7:04 p.m.

Privilege of the Floor

Mrs. Quigley asked if the hanging sign outside of the Masonic Lodge with the longitude and latitude of the Village of Spencerport could be updated.

Mayor Penders responded that he would address it.

Administrative Committee – Mayor Penders

Resolution 36 9/2018

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

WHEREAS, the Village of Spencerport Board of Trustees has before it, Introductory Local Law 1-2018 to amend section 340-11 of the Village Code of the Village of Spencerport

WHEREAS, this revision to the Village Code is an unlisted action, requiring review under SEQRA:

NOW THEREFORE BE IT RESOLVED that the Village of Spencerport Board of Trustees declares that introductory local law 1-2018 is an unlisted action, further, that the Board of Trustees declares their status as lead agency, and based upon the information contained in the Short Form Environmental Assessment Form and having considered the comments from the public hearing, the Board of Trustees makes a finding that the adoption will have no significant environmental impact and issues a Negative Declaration.

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 37 9/2018

Introduced by: Mayor Penders
Seconded by: Trustee Hopson

WHEREAS notice of a public hearing was duly given and said hearing duly held on the 5th day of September 2018, to consider the enactment of the local law described below;

WHEREAS, this is an unlisted action under the State Environmental Quality Review Act Regulation 617.5(c)(20)&(27) and does not have any significant environmental impact a negative declaration having been issued;

WHEREAS all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

NOW THEREFORE, BE IT RESOLVED, that Local Law No. 1-2018 be enacted as follows:

A Local Law to amend section 340-11 of the Village of Spencerport Code entitled Lot Occupancy.

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 38 9/2018

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the appointment of Joel Humphrey, 2329 S. Union Street, Spencerport as the Village Historian with an annual stipend of \$350.00.

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

Sewers Committee – Trustee Wohlers, Chair

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

Comments submitted by: Deputy Mayor Nellis-Ewell

Architectural Review/Planning (ARB/PB) & Zoning Board of Appeals (ZBA)
Complete minutes on www.vil.spencerport.ny.us after approval.

Planning Board ~ Meeting August 7, 2018 *Minutes - 12 pages ~ Thank you, Donna Stassen*

Application of David Wohlers, Village Pines project (south end of Coventry Drive)
Annexation to Village of Spencerport in 2015, rezoned PRD (Planned Residential Development) from Residential; Planning Board gave a positive referral to the Village Board for that rezoning.
Andrew Spencer/BME presented Village Pines Section 3 Concept Plan.

Architectural Review Board/Planning Board (ARB/PB) ~ Meeting September 4, 2018
Application of Bob Spencer, Izon (sp.) Associates, 500 South Union Street (northeast corner plaza)
Mr. Spencer plans to paint the building facade; same color over existing vinyl siding, south & west sides, with Sherwin Williams VS paint (for such surfaces). Trim to be repaired and painted white.
Chair Byham asked about north & east sides, cement block surface.
Mr. Spencer did not have this in plans, but will address it – existing color. (application may be amended)
Board asked about roof.
Mr. Spencer stated roofing supplies/suppliers caught up in tariffs; has (green) material; expects to start next week.

Disposition: Certificate of Appropriateness

Board Resolution to review and adopt notification/signage for Public Hearings.

Zoning Board of Appeals (ZBA) ~ Meeting August 16, 2018

Per published Legal Notices, agenda and minutes.

- **Application of Sam and Denise Lana, 122 Coleman Avenue, Spencerport, NY 14559**
Special permit and two (2) area variances: Install approximately 100 ft privacy fence on property lot line (variance #1), whereas any privacy fence shall not exceed a total of 65 ft on one lot and shall not be nearer than the side line or rear line than the required setback, which on this property is 6 ft (variance #2). Pursuant to 342-32 A(4)(a) , 340-32 A(4)(b) and 340-32 A (4)(b) in a Residential District.

Disposition: Special permit granted; area variances granted

- **Application of John Male, 161 Nichols Street, Spencerport, NY 14559**
Special permit and an area variance: Install approximately 260 linear feet of privacy fence, on property located at same, whereas a special permit shall be required for a privacy fence; and whereas any privacy fence shall not exceed a total of 65 ft on one lot.

Pursuant to 342-32 A(4)(a) and 340-32 A(4)(b) in a Residential District.

Disposition: Special permit granted; area variance granted

After the ZBA meeting, Todd Stevenson, Monroe County Department of Social Services presented “An Introduction to Stormwater & Green Infrastructure”. This included Stormwater Pollution, Regulations and

Impact, plus Examples of Green Infrastructure; porous concrete, rain barrels and gardens, swales and more. Good information that relates to aspects of Planning Board site plans and subdivisions as well.

Next meeting: September 20, 2018, if applications

Building Control – Building Inspector Smith meets with Mayor Penders as scheduled.

Code Review – Code Review Committee

Residential Driveways/Lots – One driveway per lot; Impervious vs. pervious surface – no more than 25% of area

Action: Public Hearing for Proposed Local Law this evening (Resolution)

Code Enforcement Officer McQuilkin submits regular reports at workshops.

Finance Committee – Mayor Penders, Chair

Facilities Committee – Trustee Hopson, Chair

A. Electric

Resolution 39 9/2018

Introduced by: Trustee Hopson

Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes Gary Penders, Mayor of the Village of Spencerport to enter into an agreement with the New York State Department of Transportation regarding the State’s construction project Route 259 over the Erie Canal, V. Spencerport; Project Identification No: 4940.06.321.

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 40 9/2018

Introduced by: Trustee Hopson

Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the purchase of a 2018 Mitsubishi Outlander PHEV for the Electric Superintendent in the amount of \$32,017.00 per the NYSERDA Clean Energy Communities grant provisions.

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

- New street trees planted along new sidewalks on Union Street. Smart Growth principles suggest pleasant green streetscapes that encourage residents and visitors to linger and meander, stop and shop.

Compliments to the DPW Superintendent and crew.

- Consider: The first of the 3 R's is **REDUCE**, then REUSE, last RECYCLE.

On average, 5.06 pounds of waste per person is disposed of every day x 321 million of us in the United States alone!

We need to understand recycling is not always the best choice.

We have been made to think putting stuff in that blue box weekly is an answer, even an admirable one.

Can your neighbor use it? Let's try to reduce, please. Thank you.

Village Clerk – Jacqueline Sullivan

Superintendent of Public Works – Thomas M. West

Superintendent of Electric – Owen McIntee

Attorney – Eric Stowe

Attorney Stowe commented that he continues to work on the Canalside Drive easement and the New York State required sexual harassment policy.

Unfinished Business

New Business

Past, Current and Future Events – Deputy Mayor Nellis-Ewell

Wednesday, August 22 –

* Corning Glass Barge: 30-45 minute glassblowing demonstrations, estimate 900 + visitors
* Lois McClure Schooner & C.I. Churchill Tugboat: from the Lake Champlain Maritime Museum
2017 - 300 + visitors; 2018 - 700 + visitors
From Captain & Crew: Thank you Spencerport community for your hospitality!

Friday & Saturday, August 10 & 11, German Fest – Spencerport Exempts Field, 3,000 people attended

Thank you to the community from Chair Michael Reinschmidt (e-mail to Spencerport Area Chamber of Commerce)

Saturday, August 18, Heritage Day – Spencerport Depot/Museum & Visitors Center
Community Displays & Demonstrations, Events & Entertainment, attendance increased by about 40 this year

Monday, September 10 – 9:00 AM ~ Depot/Museum/Visitors Center Board meeting as Village Liaison

Thursday, September 13 – Municipal Electric Utilities Association (MEUA) conference in Buffalo
Spencerport Municipal Electric Superintendent Owen McIntee will be installed as President.
Congratulations!

Saturday, September 22 –

8:30 AM, 5K Kiwanis **Club of Spencerport/Ogden Parks & Recreation, circuitous route, begin at Pineway Ponds Park, through Village and via Trimmer Road, sanctioned event, runners and walkers ~ Followed by Fall Fest**
12:30 PM, Homecoming Parade ~ Spencerport Central School District, Mayor Penders to represent the Village.

Community Events on www.spencerportchamber.org

Bills

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

General Fund	\$ 112,930.34
Electric Fund	\$ 97,345.35
Sewer Fund	\$ 8,305.07
Trust Fund	\$ 3,778.06
Capital Fund	\$ _____
TOTAL:	\$222,358.82

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

A motion was made by Mayor Penders, seconded by Deputy Mayor Nellis-Ewell and carried that the Village Board Meeting be adjourned at 7:50 p.m.