

VILLAGE BOARD MEETING
Agenda
July 10, 2013

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Year End Meeting: May 31, 2013
Regular Meeting: June 5, 2013
Special Meeting: June 6, 2013
Workshop Meeting: June 19, 2013

Public Hearing – Introductory Local Law 2-2013 “A Local Law to Increase Veterans Tax Exemption”

Administrative Committee – Mayor Lobene, Chair

Acknowledge David Wieme’s resignation from the Zoning Board of Appeals

Resolution 7/2013

Introduced by:
Seconded by:

Whereas, the Village Board has before it a proposed Local Law which, if enacted, will be Local Law #2-2013 “A Local Law to Increase Veterans Tax Exemptions for Real Property” ; and

Whereas, the Village Board has, on this date, held a public hearing to consider said proposed Local Law; and

Whereas, the Village Board has considered any public input; and

Whereas, this action is an Type II Action under the State Environmental Quality Review Act Regulation §617.5(c) (20) & (27) and not subject to further review under said regulations;

Whereas, the notice of this hearing was duly published and posted as required by law; and

Now, therefore, be it resolved:

Section 1. That the Village Board of the Village of Spencerport hereby enacts Local Law #2-2013 “A Local Law to Increase Veterans Tax Exemptions for Real Property”.

Section 2. That as set forth in said law this change shall apply to assessment rolls prepared for use on the village tax bills used for 2014-2015 and thereafter.

Section 3. That the Village Clerk is ordered to publish a legal notice indicating the adoption of this Local Law and to file a copy of this Local Law with New York State.

Section 4. That this Local Law shall take effect upon filing with the Secretary of State.

Section 5. That this resolution shall take effect immediately.

Vote of the Board:	Glenn C. Granger, Trustee Carol J. Nellis-Ewell, Trustee Gary Penders, Trustee Charles R. Hopson, Trustee Joyce Lobene, Mayor
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Resolution 7/2013

Introduced by:
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the assembly permit from Spencerport Volunteer Firemen's Association for the Annual Red Onions Drill Team Competition Saturday, August 3, 2013 (rain date Sunday, August 4, 2013) from 11:00 a.m. – 7:00 p.m. at 500 West Avenue, Spencerport, NY.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Resolution 7/2013

Introduced by
Seconded by

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the assembly permit from Spencerport Volunteer Firemen's Association for the NYS Drill Team Captains Association – Old Fashion Drill Saturday, August 10, 2013 8:00 a.m. – Midnight at 500 West Avenue, Spencerport, NY.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Resolution 7/2013

Introduced by:
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the assembly permit from Spencerport Central Schools for the annual Homecoming Parade, Saturday, September 28, 2013 from 12:30 p.m. – 2:00 p.m. West Avenue west to Union Street south to Lyell Avenue to Spencerport High School will be closed for the duration of the parade.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Sewers Committee – Trustee Hopson, Chair

Trolley Depot Report

Planning/Zoning/Building Control – Trustee Nellis-Ewell, Chair

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

Finance Committee – Trustee Penders, Chair

Resolution 7/2013

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the below budget transfer for fiscal year ending May 31, 2014.

July 10, 2013 BUDGET TRANSFER & REVISION Fiscal Year End 5/31/2014

AMOUNT	TO ACCOUNT	FROM ACCOUNT
\$2,500 A7510.400	Historian	A1325.400 Clerk/Treasurer Contractual
\$2,500 A7510.400	Historian	A3089.000 State Aid - Other (Grants)
<i>For "A Walk Thru History" Brochure Project</i>		
\$8,935 A1490.100	Public Works Salaries	A1325.100 Administration Salaries
<i>To put Salary for Liz Venezky in proper department</i>		
\$1,010 A7110.402	Parks Plants & Flowers	A1990.400 Contingency
\$1,000 A7110.402	Parks Plants & Flowers	A2705.000 Gifts and Donations
<i>To fund plants for Area around old RR Bridge</i>		
\$2,400 A1620.100	Shared Buildings - Salary	A5110.100 Highways - Salary
<i>To fund extra work on drainage at 27 West Avenue</i>		
\$200 G9055.800	Disability Insurance	G9050.800 Unemployment Insurance
\$134,337 A5110.200	Highway - Capital	A2665.000 Sale of Equipment
<i>To recognize sale of old Loader and full value of purchase of new loader</i>		

Vote of the Board: Glenn C. Granger, Trustee
 Carol J. Nellis-Ewell, Trustee
 Gary Penders, Trustee
 Charles R. Hopson, Trustee
 Joyce Lobene, Mayor

Resolution 7/2013

Introduced by:
 Seconded by:

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 \$154,224; and

Whereas, this board wished to apply \$120,000 from the General Fund Equipment Reserve for the purchase of a refuse truck.

Now, therefore, be it resolved

1. That \$120,00 be transferred from the General Fund Equipment Reserve to the General Fund for the purchase of a refuse 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: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Facilities Committee – Trustee Hopson, Chair

A. Electric

Resolution 7/2013

Introduced by:
Seconded by:

Be it resolved that the Village of Spencerport hereby approves the SME Superintendent and Deputy Clerk to attend the MEUA Annual Conference August 20-23 in Ellicottville, NY. Cost not to exceed \$707 per person.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Resolution 7/2013

Introduced by:
Seconded by:

Whereas, Spencerport Municipal Electric of the Village of Spencerport, New York is a municipal member of the Municipal Electric Utilities Association of New York State, and

Whereas, the Annual Conference of the Municipal Electric Utilities Association of New York State has been called on August 20, 21, 22 and 23, 2013, to be held at the Holiday Valley, Ellicottville, New York, and,

Whereas, in accordance with the bylaws of the Municipal Electric Utilities Associations of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting.

Now therefore be it resolved, that Owen McIntee be and is hereby designated as the accredited delegate of the Village of Spencerport New York

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Granger, Chair

A. Highways/Garage

Resolution 7/2013

Introduced by:
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees accepts the bid from Milton Caterpillar, 4610 East Saile Drive, Batavia, NY for the 2012 Caterpillar 930K wheel loader for \$132,662.00. Milton Caterpillar was the only bidder.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Resolution 7/2013

Introduced by:
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees authorizes the purchase of a 2014 Cat Loader 930K in the amount of \$139,012.00 plus usage fee of \$10.00/hour for 300 hours totaling \$3,000.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Resolution 7/2013

Introduced by:
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees accepts the bid for curbing, gutter and catch basins as follows:

Concrete Curb 18" per LF	\$23.50
Gutters 30" per LF	\$20.00
Catch Basin	\$300.00 ea.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

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

Human Resources Committee – Trustee Granger, Chair

Resolution 7/2013

Introduced by:
Seconded by:

Be it resolved, that the Village of Spencerport Location code 40290 hereby establishes the follow as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Trustee Carol Nellis-Ewell

standard work day = 6 hours

For her term beginning April 1, 2011 – March 31, 2015

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Economic Development Committee – Mayor Lobene, Chair

Green Initiatives – Trustee Nellis-Ewell, Chair

Village Clerk – Jacqueline Sullivan

Residential electrical inspectors

Resolution 7/2013

Introduced by:
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby acknowledges the receipt of a copy of a letter from the Town of Ogden to New York Electrical Inspection Agency indicating that the Town of Ogden would be taking no action pertaining to New York Electrical Inspection Agency's request.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Resolution 7/2013

Introduced by
Seconded by

Be it resolved that the Village of Spencerport Board of Trustees acknowledges only accepting electrical service related inspections from Middle Department Inspection Agency, Inc. and Commonwealth to be consistent with the Town of Ogden.

Vote of the Board: Glenn C. Granger, Trustee
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles R. Hopson, Trustee
Joyce Lobene, Mayor

Superintendent of Public Works – Thomas M. West

Superintendent of Electric – Owen McIntee

Attorney – Richard J. Olson

Resolution 7/2013

Introduced by

**Village of Spencerport
Uniform Notice of Claim**

WHEREAS, General Municipal Law, §53 requires Villages to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the Village's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a Village is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Spencerport, County of Monroe hereby designates the Secretary of State as the agent for the service of a notice of claim upon the Village, with any such notice of claim served upon the Secretary of State to be mailed to the Village of Spencerport, Attn: Village Clerk , 27 West Avenue, Spencerport, New York 14559.

BE IT FURTHER RESOLVED, that the Village Board hereby directs the Village Clerk to file the required certificate with the Secretary of State informing him or her of the Village's designation and applicable time limitation for filing a notice of claim with the Village on or before July 14, 2013, with a copy of same to be retained as a matter of record and filed with the Village Mayor and Village Attorney.

Vote of the Board: Glenn C. Granger, Trustee
 Carol J. Nellis-Ewell, Trustee
 Gary Penders, Trustee
 Charles R. Hopson, Trustee
 Joyce Lobene, Mayor

Unfinished Business

New Business

Bills

1. Monthly Bills.
2. Post Audit: July 2013

Adjournment