

VILLAGE BOARD WORKSHOP MEETING
July 21, 2010

CALL TO ORDER: 4:30 p.m.

BOARD MEMBERS PRESENT

Joyce Lobene, Mayor

Carol J. Nellis-Ewell, Trustee

Charles R. Hopson, Trustee

Fritz Gunther, Trustee

BOARD MEMBERS ABSENT

Theodore E. Rauber, Trustee

Others Present

Jack Crooks, Building Inspector

Owen McIntee, DPW Superintendent

Richard Olson, Attorney

Jackie Sullivan, Village Clerk

Tom West, DPW Superintendent

BI/FM/CE

Mr. Crooks, Building Inspector made the following comments:

- Plaza fueling station is coming along and everything is testing appropriately.
- Road work outside of the plaza on Rt. 259 is being planned.
- C of O's issued for Bowery Street and West Avenue
- Normal amount of decks and an increased amount of pool permits have been issued.
- Working with Planning Board and developer for a project on Brockport Spencerport Road.
- Addition of antenna on the water tower from Clearwire.

Clerk Sullivan commented that Monroe County Water Authority has the approval authority for the water tower. MCWA is taking care of all approvals and lease agreements resulting in an additional \$800 per month for rent.

Mr. Kevin Kelly, Code Enforcement Officer made the following comments:

- Complaint from resident regarding the weeds along the RR track embankments; handled with CSX and the weeds are being removed.
- Renovations were attempted by a contractor for 51 West Avenue; resident has been billed for one day of work and renovations have not taken place at the property.
- A water issue has been resolved on Nicole Drive.
- Parkhurst Drive property was inspected and no issues were found.
- Highview Drive property was cited for uncut grass.
- Met with CSX and the Village can paint the bridge if a hold harmless agreement is signed.
- West Avenue property is being monitored due to an unfinished porch.
- Kirkgate property was cited for the installation of a pool without a permit.
- Mill Street property received a letter regarding garage that was damaged by fire.
- C of O was issued for the new consignment shop located at the former Spencerport Insurance Building on Union Street.
- Letters were given to all businesses regarding not parking in front of their stores to allow for customers to park.
- Parking ticket was issued for a car blocking the sidewalk on Canal Road.

Attorney Olson made the following comments:

- Ownership of pump station is complete for the Mayor's signature and will be forwarded to the board members so that a resolution can be approved authorizing the Mayor to sign the documents.

RESOLUTION NO 14 7/2010

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Hopson

Be it Resolved, that the Board of Trustees of the Village of Spencerport authorizes the Mayor to sign the easement release for 44 Morningside Drive upon Superintendent West's approval.

Vote of the Board:	Theodore E. Rauber, Trustee	Absent
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Clerk Sullivan explained to the Trustees that there are outstanding engineering bills for the Gollel Development and that she is requesting authorization to make application to the letter of credit for the total of these bills.

Attorney Olson indicated that the Village should try to obtain payment through the letter of credit for these bills.

Scott DeHollander reported to the Village Board that surveying companies have been contacted to complete survey work to start designing the docks. Mr. DeHollander indicated that the pricing was within estimated limit of \$3,000. Mr. DeHollander further explained scheduling and completion of the survey work.

Mayor Lobene questioned that when the engineering is complete will the construction costs be determined.

Mr. DeHollander indicated that they would and it is part of the permitting process.

Discussion ensued regarding the existing dock.

Mayor Lobene questioned if floating docks were considered.

Mr. DeHollander indicated that the floating docks would not work well with the electrical and water hook ups and that the grant was written for stationary docks. Mr. DeHollander further explained that we will be determining if water connections will be available.

Mayor Lobene asked the completion date.

Mr. DeHollander indicated that spring construction is a target date.

Clerk Sullivan indicated that Schultz and Associates were not asked to prepare a survey proposal and questioned if the Board wanted her and Mr. DeHollander to ask Schultz and Associates to prepare a proposal.

Mayor Lobene indicated that she would like to hear from the other Trustees.

Trustee Hopson, Gunther and Nellis-Ewell indicated yes.

Mr. DeHollander indicated that he would ask Schultz and Associates for a proposal.

Mr. DeHollander indicated that a final walk through of the pump station will be completed on Friday, July 23, 2010. This is required for the release of contractors' final payments.

Clerk Sullivan explained that the next steps for the NYS retirement incentive is that the Village would need to hold a public hearing for the introductory local laws. Clerk Sullivan further explained that true costs are difficult to establish until the eligible employee determine if they are retiring.

RESOLUTION NO 15 7/2010

Introduced by: Mayor Lobene
Seconded by: Trustee Nellis-Ewell

Be it Resolved, that the Board of Trustees of the Village of Spencerport approves setting a Public Hearing for Introductory Local Law 5-2010 A Local Law electing a retirement incentive program Part A-Chapter 105, Laws 2010 on Wednesday, August 4, 2010 at 7:00 p.m.

Vote of the Board:	Theodore E. Rauber, Trustee	Absent
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

RESOLUTION NO 16 7/2010

Introduced by: Mayor Lobene
Seconded by: Trustee Hopson

Be it Resolved, that the Board of Trustees of the Village of Spencerport approves setting a Public Hearing for Introductory Local Law 6-2010 A Local Law electing a retirement incentive program Part B-Chapter 105, Laws 2010 on Wednesday, August 4, 2010 at 7:00 p.m.

Vote of the Board:	Theodore E. Rauber, Trustee	Absent
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

RESOLUTION NO 17 7/2010

Introduced by: Trustee Nellis-Ewell
Seconded by: Trustee Hopson

Be it Resolved, that the Board of Trustees of the Village of Spencerport authorizes withdrawing \$35,316.57 from the Spencerport Development Letter of Credit for unpaid engineering invoices.

Vote of the Board:	Theodore E. Rauber, Trustee	Absent
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

Trustee Hopson made a motion to go into executive session to discuss employee issues at 5:30 p.m. seconded by Mayor Lobene and carried unanimously.

A motion was made by Trustee Nellis-Ewell, seconded by Trustee Hopson and carried unanimously to adjourn the executive session to workshop session at 6:00 p.m.

Superintendent West made the following statement:

“I would like to take a moment and clarify a statement that was made at the July 7th 2010 Village of Spencerport Board meeting. It was stated that the Schultz agency had quoted the engineering for a sidewalk project to be around \$12-\$1,300, but that they billed the Village about \$4200. The actual quote and purchase order for this project was for \$2,452.50. Once the project began additional services were required and the Village of Spencerport sent an additional purchase order to the Schultz agency in the amount of \$872.00 this resulted in a purchase orders for this project totaling \$3,324.50.”

“At that time the actual total invoice charges were \$4,472.00. Since that date, additional invoices have come into the Village bringing the project total to \$6,773.50. After a conversation with the agency in June about the high cost for the project Kris Schultz did withdraw an invoice that totaled \$897.50, making the total cost of the project \$5,876.00.”

“This was a project requiring Schultz to communicate with the NYS DOT and comply with changes required by that agency, which was clarified on the second purchase order. While there were changes made by DOT during the project which required further communication, it was not clear that Schultz would send additional bills.”

“Kris Schultz shared with me that he was very angry about my remarks at that meeting. It was not my intention to purposefully insult his name or the name of his agency. When I was asked for my opinion on a project that required integrated communication between the Thruway Authority, the Army Corps of Engineers and the Village of Spencerport, I felt that sharing this situation with the Board would be beneficial.”

“In the future I would recommend that the Village adjust its purchase order policies to include a “not to exceed” amount.”

Mayor Lobene thanked Superintendent West for his statement.

Superintendent West commented to the Board that he was approached by the Rotary to place a storage shed at the WWTP. Superintendent West asked the Board if they wanted other not for profits to be allowed to put sheds on Village property.

Clerk Sullivan commented that insurance maybe an issues but more importantly that if the Village allows one not for profit to place a shed on Village property the Village would have to allow all not for profits the same opportunity.

Mayor Lobene commented that the Village allows Canal Days and Christmas on the Canal to store items at the WWTP.

Superintendent West added that this is a locked facility.

Trustee Gunther commented that there should be some kind of policy as to who can store items at the WWTP.

Superintendent West clarified that Canal Days and Christmas on the Canal are Village events and that the Rotary is independent of the Village.

Trustee Nellis-Ewell commented that she feel that the Village should not expand their storage facilities to include any other organizations other than Canal Days and Christmas on the Canal.

Mayor Lobene indicated that a letter should be sent to the Rotary to inform them that they cannot have space for a shed.

Superintendent West indicated that he would talk to Alice from the Rotary to let her know that the Village will not be adding any more sheds.

Discussion ensued regarding use of the WWTP property.

Mayor Lobene directed Superintendent West to inform Alice and the Rotary that they cannot use our property for storage.

Superintendent West explained that his expectation for the WWTP area is to rent out the office space.

Superintendent West reported that work continues on Thorncliff Drive and hand sanitizers have been installed in the port a potties along the canal.

Clerk Sullivan informed the Board that a letter was received and is in the Board members mailboxes regarding a request from Ogden Rentals, Inc. for the property located at 115 Clark Street to be rezoned from commercial to residential.

Discussion ensued regarding rezoning.

Mayor Lobene commented that she does not have a packet ready regarding preservation districts and that the packet will be ready for discussion at the August 4th meeting.

Discussion ensued regarding painting the railroad bridge.

RESOLUTION NO 18 7/2010

Introduced by: Trustee Gunther

Seconded by: Trustee Nellis-Ewell

Be it Resolved, that the Board of Trustees of the Village of Spencerport approves the attached Electric Accounts to be written off as uncollectible in the amount of \$19,314.46

Vote of the Board:	Theodore E. Rauber, Trustee	Absent
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

RESOLUTION NO 19 7/2010

Introduced by: Mayor Lobene

Seconded by: Trustee Nellis-Ewell

Be it Resolved, that the Board of Trustees of the Village of Spencerport approves the Spencerport Volunteer Fireman's Association Drill Team Competition on Saturday, August 7, 2010 starting at 10:00 a.m. at 500 West Avenue, Spencerport, NY.

Vote of the Board:	Theodore E. Rauber, Trustee	Absent
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye

Fritz Gunther, Trustee	Aye
Joyce Lobene, Mayor	Aye

RESOLUTION NO 20 7/2010

Introduced by: Trustee Nellis-Ewell
Seconded by: Trustee Hopson

Be it Resolved, that the Board of Trustees of the Village of Spencerport authorizes withdrawing \$34,316.57 from the Spencerport Development Letter of Credit for unpaid engineering invoices.

Vote of the Board:	Theodore E. Rauber, Trustee	Absent
	Carol J. Nellis-Ewell, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Fritz Gunther, Trustee	Aye
	Joyce Lobene, Mayor	Aye

A motion to adjourn the workshop session was made by Trustee Gunther, seconded by Trustee Hopson and carried unanimously at 7:05 p.m.