VILLAGE BOARD MEETING
June 1, 2005

CALL TO ORDER: 7:00 p.m.

The Pledge of Allegiance was led by Mayor Walker.

BOARD MEMBERS PRESENT

Theodore E. Walker, Mayor
Theodore E. Rauber, Trustee
Glenn C. Granger, Trustee
John R. Marello, Trustee

BOARD MEMBERS ABSENT

Steven T. Russell, Trustee

OTHERS PRESENT

Pamela J. Gilbert, Village Clerk
Thomas M. West, Superintendent of Public Works
Keith O'Toole, Village Attorney

Joan Quigley

APPROVAL OF MINUTES

Motion was made by Trustee Granger, seconded by Trustee Rauber and carried that the minutes of the regular meeting held May 4, 2005 be approved as read.

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried that the minutes of the meeting held May 18, 2005 be approved as read.

PUBLIC HEARING

Mayor Walker opened the Public Hearing on the Proposed Local Law 101/2005 at 7:01 p.m.

At this time Mayor Walker gave a brief explanation on this Local Law.

Mayor Walker closed the Public Hearing at 7:05 p.m.

PRIVILEGE OF FLOOR

Joan Quigley – I was wondering if Clerk Gilbert found out anything on the Veteran's Exemption offered on the Village Taxes?

Clerk Gilbert: Attorney Olson and I are looking into it. I will mail you a copy of that section of our code and we will keep you posted.

Sewers Committee – Trustee Rauber, Chairman

Trustee Rauber stated that he and a representative from MRB/group will be attending The Center for Environmental Information meeting June 15, 2005.

Planning/Zoning/Building Control – Trustee Rauber, Chairman

A. Planning

Trustee Rauber informed the board that the Trolley Depot has been moved and grant monies are on the way.

Trustee Rauber stated that at 1 pm on June 6, 2005 will be having a meeting to address the Davison Property that has recently been sold. As there is many acres involved which could challenge our infrastructure. At this meeting we will try and identify what the concerns are from the village. From that try to give direction to our building inspector so that when the developers come in we will be on the same plateau.

B. Zoning

Trustee Rauber stated at the last Zoning Board meeting the owners of Trowbridge Development Court appeared with a request for 14 more apartments.

C. Building Control

Nothing requiring Board action.

D. Code Review

1. Resolution – Local Law 101/2005 – Dock Law.

RESOLUTION 1 6/2005

At a regular meeting of the Village Board of the Village of Spencerport held at the Village Hall, 27 West Avenue, Spencerport, New York on June 1, 2005

Introduced by Trustee Rauber
Seconded by Trustee Granger

RESOLUTION ADOPTING LOCAL LAW

Whereas, the Village Board has before it a Local Law entitled "Local Law on Dock Usage" which, if adopted, sets a maximum period of time for boats to tie up at the canal dock; and

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

Whereas, this action is a "Type II" action under the State Environmental Quality Review Act and 6NYCRR617.5(c)(16) and not subject to review pursuant to SEQRA; and

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

Now, therefore, be it resolved:

Section 1. That the Village Board of the Village of Spencerport hereby enacts Local Law # 1/2005. "Local Law on Dock Usage"

Section 2. 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 3. That this Local Law shall take effect immediately.

Section 4. That this resolution shall take effect immediately.

Vote of Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

2. Resolution Authorizing advertising for Local Law 102/2005 – Sign Law

RESOLUTION 2 6/2005

Introduced by Trustee Rauber
Seconded by Mayor Walker

LOCAL LAW #102-2005

VILLAGE OF SPENCERPORT, MONROE COUNTY

"A LOCAL LAW TO create a new Chapter of the Code of the Village of Spencerport entitled "Sign Law"

WHEREAS, the Village Board has before it a proposed Local Law to create a law on "Sign Law" under the Village Code; and

WHEREAS, in order to make said change, the Village Board of the Village of Spencerport is required to hold and conduct a public hearing thereon;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the Village Board of the Village of Spencerport shall hold and conduct a Public Hearing on the July 13, 2005 day of, at 7:00 p.m. at the Village Office, Village of Spencerport, New York, 14559 to consider the changes which are contained on the attached Local Law; at which Public Hearing all interested persons will be heard concerning the subject matter thereof.

SECTION 2. That the Village Clerk shall cause due notice of such public hearing to be published as required by law.

Vote of Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

3. Resolution Authorizing advertising for Local Law 103/2005 – Sidewalk Café Law.

RESOLUTION 3 6/2005

Introduced by Trustee Rauber
Seconded by Trustee Marello

LOCAL LAW #103-2005

VILLAGE OF SPENCERPORT, MONROE COUNTY

"A LOCAL LAW TO create a new Chapter of the Code of the Village of Spencerport entitled "Sidewalk Café Law"

WHEREAS, the Village Board has before it a proposed Local Law to create a law on "Sidewalk Café" under the Village Code; and

WHEREAS, in order to make said change, the Village Board of the Village of Spencerport is required to hold and conduct a public hearing thereon;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the Village Board of the Village of Spencerport shall hold and conduct a Public Hearing on the July 13, 2005 day of, at 7:00 p.m. at the Village Office, Village of Spencerport, New York, 14559 to consider the changes which are contained on the attached Local Law; at which Public Hearing all interested persons will be heard concerning the subject matter thereof.

SECTION 2. That the Village Clerk shall cause due notice of such public hearing to be published as required by law.

Vote of Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

4. Resolution – Authorizing advertising for Local Law 104-2005.

RESOLUTION 4 6/2005

Introduced by Trustee Rauber
Seconded by Trustee Marello

LOCAL LAW #104-2005

VILLAGE OF SPENCERPORT, MONROE COUNTY

"A LOCAL LAW TO amend Chapter 120 of the Code of the Village of Spencerport entitled "House Trailer Ordinance"

WHEREAS, the Village Board has before it a proposed Local Law to amend a law on the House Trailer Ordinance under the Village Code; and

WHEREAS, in order to make said change, the Village Board of the Village of Spencerport is required to hold and conduct a public hearing thereon;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the Village Board of the Village of Spencerport shall hold and conduct a Public Hearing on the July 13, 2005 day of, at 7:00 p.m. at the Village Office, Village of Spencerport, New York, 14559 to consider the changes which are contained on the attached Local Law; at which Public Hearing all interested persons will be heard concerning the subject matter thereof.

SECTION 2. That the Village Clerk shall cause due notice of such public hearing to be published as required by law.

Vote of Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

E. Architectural Review

Trustee Rauber mentioned that at the June 7, 2005 meeting they will hear the applications from 138 S. Union Street for a sidewalk; 42 Nichols Street, Kravetz Realty for a Markey sign; 44 Nichols Street, McDonald's request to change their color scheme.

Finance Committee – Trustee Russell, Chairman

The Board unanimously acknowledges receipt of monthly investment of consolidated Village funds, Insured Municipal Money Market, HSBC, 2.46%. It is up .33% from prior month.

Mayor Walker acknowledges receipt of the Sales Tax Revenue share for the 1St QTR 2005 in the amount of $175,913.81. This is up $4,093.76 from last year.

Facilities Committee – Trustee Russell, Chairman

A. Electric

Mayor Walker stated that Superintendent Linder is not in attendance tonight but did leave a memo updating the board on projects to date. Mayor Walker read the memo. (Memo is attached)

B. Other (Drainage, Franchise)

Nothing requiring Board action.

Public Works Committee – Trustee Granger, Chairman

A. Highways/Garage

Nothing requiring Board action.

B. Public Services (Refuse, Recycling, Parks)

Nothing requiring Board action.

Public Safety Committee – Trustee Marello, Chairman

A. Fire Department

Nothing requiring Board action.

B. Police

Nothing requiring Board action.

Human Resources Committee – Trustee Granger, Chairman

Trustee Granger stated that the Health Insurance Committee will be meeting June 14, 2005 at 2:30 p.m.

Economic Development Committee – Trustee Granger, Chairman

Trustee Granger stated that the Walking Tour plaques will be put up after the carnival.

Trustee Granger mentioned that this year's Gazebo Concerts start this Sunday, June 5, 2005 at 6:30 p.m.

Village Administrator –

Position is currently vacant.

Village Clerk – Pamela J. Gilbert

1. Update on Financial Software.

Clerk Gilbert mentioned that we have just finished fours days of training on the electric portion of the financial software. Clerk Gilbert further stated that 95% of the bills paralleled. We have found the problems with the other 5% and have made the appropriate corrections. We were very impressed with our trainer, Jen Metro from Harris.

2. Resolution – Authorizing the disposal of Office Equipment.

RESOLUTION 5 6/2005

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes the Village Clerk to properly dispose of all obsolete/outdated office equipment.

Vote of Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

3. Resolution – Amending 2005-2006 Tax Roll.

RESOLUTION 6 6/2005

Introduced by Mayor Walker
Seconded by Trustee Marello

Resolved, that the Board of Trustees of the Village of Spencerport hereby authorizes the Village Clerk to properly dispose of all obsolete/outdated office equipment.

Vote of Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Superintendent of Public Works – Thomas M. West

Superintendent West updated the board on the following:

- Shut down of work at the Unvericht property on Pinecrest. They have not received the proper approvals at this time.
- Household Hazardous Waste will be June 11, 2005 at the Town of Ogden.
- 2005 Sidewalk Replacement Project is complete.
- Update on 2005 Street Improvement Project.

Trustee Rauber: Nice support with the Trolley Depot move. Thank you to you and your department.

Superintendent of Electric – John E. Linder

Not in attendance.

Attorney – Richard J. Olson

Keith O'Toole attended meeting for Richard Olson and had nothing to report.

Administration Committee – Mayor Walker, Chairman

1. Resignation of Village Clerk – Pamela J. Gilbert

RESOLUTION 7 6/2005

Introduced by Mayor Walker
Seconded by Trustee Rauber

RESOLVED, that the Spencerport Village does hereby accept with regret the resignation of Pamela J. Gilbert, Village Clerk, effective June 30, 2005. (Letter of resignation on file in Clerk's Office)

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Mayor Walker: I would just like to go on the record and say that we very much appreciate your sixteen years of dedication to the village. I know it has been a part of your life and we have been part of your life. Through the good times and bad we very much appreciate everything that you have done for us and will continue to do. I know that you will always support us.

Trustee Rauber: You are doing this for all the right reasons.

2. Parade/Assembly – Spencerport Kiddie/Youth Parade – June 15, 2005
Spencerport Grand Parade- June 16, 2005

RESOLUTION NO 8 6/2005

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved that the Village Board hereby approves the applications of the Spencerport Volunteer Fire Department to conduct their Annual Parade and Kiddie Parade on June 15th and June 16th respectively at 7:00 P.M. on the route so delineated on the application.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

3. Resolution – Amending Minutes September 1, 2004.

RESOLUTION 9 6/2005

Introduced by Mayor Walker
Seconded by Trustee Granger

Resolved, the Village of Spencerport Board of Trustees amends the minutes of September 1, 2004 to include approval to purchase an Electric Gator in the amount not to exceed $ 8,000. This purchase was approved at the August 18, 2004 Village Board Workshop. The Village of Spencerport will enter into agreement with the New York Power Authority. The NYPA will provide a 36 month loan through the Authority's Electric Drive Vehicle Program and authorizes the Village Treasurer to sign this agreement. The purchase price of said vehicle will be billed directly to the Village through the monthly New York Power Authority energy invoice.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

4. Resolution – Stand-by Generator Installation.

RESOLUTION 10 6/2005

Introduced by Mayor Walker
Seconded by Trustee Granger

WHEREAS, the Village's Code Enforcement Officer is desirous of establishing a uniform permitting procedure for the installation of Stand-By Electrical Generators to be located in the Village; and

WHEREAS, the Board of Trustees of the Village of Spencerport, in furtherance of protecting the health, safety and welfare of the Village's residents, is desirous of establishing such a procedure; and

NOW, THEREFORE, BE IT RESOLVED, that,

1. A permit requirement is hereby established for the installation of Stand-By Electrical Generators hereafter located with the Village of Spencerport, and
2. The cost of said fee is $75 per permit application and the Clerk is hereby instructed to add this fee to the Village's fee schedule; and
3. In consultation with Spencerport Municipal Electric, the Code Enforcement Officer of the Village of Spencerport is authorized to promulgate regulations for the installation of such Stand-By Generators as may be deemed necessary, from time to time, in order to protect the health, safety and welfare of the residents of the Village of Spencerport.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

5. Resolution – Authorization to sign Hold Harmless & Indemnification Agreement with NYS Rural Waters.

RESOLUTION 11 6/2005

Introduced by Mayor Walker
Seconded by Trustee Granger

WHEREAS, the Village of Spencerport is desirous of receiving the assistance of the NYS Rural Water Association in furtherance work to be performed on the Village's sewer systems; and

WHEREAS, the NYS Rural Water Association is desirous of providing this assistance subject to the Village executing a Hold Harmless and Indemnification Agreement; and

WHEREAS, the Village Attorney has received the draft Hold Harmless and Indemnification Agreement

NOW, THEREFORE, BE IT RESOLVED, that

1. The Mayor of the Village of Spencerport is authorized to execute the Hold Harmless & Indemnification Agreement requested by NYS Rural Water Association; and
2. The Village Clerk is directed to transmit the executed Agreement to NYS Rural Water Association.

Vote of the Board:	Theodore E. Rauber, Trustee	Aye
	Glenn C. Granger, Trustee	Aye
	John R. Marello, Trustee	Aye
	Theodore E. Walker, Mayor	Aye

Unfinished Business

Nothing requiring Board action.

New Business

Mayor Walker stated that he attended an Eagle Scout ceremony at St. John's Church where he presented three inductees. Mayor Walker further stated that he will attend another Eagle Scout ceremony at the White Church this Sunday where he will be presenting to one inductee.

Mayor Walker mentioned that he attending a Safe Parenting Panel Discussion on May 24, 2005 at the Spencerport Schools.

Mayor Walker also attended the Trail System meeting on May 26, 2005 at Pineway Ponds Park.

Bills

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

General Fund	$50,345.62
Electric Fund	$9,879.76
Sewer Fund	$4,253.55
Trust Fund	$0
Capital Fund	$374,953.17
TOTAL:	**$439,432.10**

Voucher Nos. 1-34

Motion was made by Mayor Walker, seconded by Trustee Rauber and carried unanimously that the cash disbursements for the General, Electric, Sewer, and Trust Funds, May 2005 be approved as audited.

Adjournment

Motion was made by Mayor Walker, seconded by Trustee Granger and carried unanimously that the regular meeting be adjourned at 8:02 p.m.

Village Board Meeting
June 1, 2005