VILLAGE BOARD MEETING
June 5, 2019
Minutes

Mayor Penders called the meeting to order 7:00 p.m. followed by the Pledge of Allegiance.

Board Members Present
Gary Penders, Mayor
Carol Nellis-Ewell, Deputy Mayor
Charles Hopson, Trustee
Ray Kuntz, Trustee
David Wohlers, Trustee

Others Present
Craig Byham, Luther Jacobs Way
Owen McIntee, Electric Superintendent
Caitlyn Nowak, Forest Creek Drive
Joan Quigley, Maplewood Avenue
Eric Stowe, Village Attorney
Jacqueline Sullivan, Village Clerk
Tom West, DPW Superintendent
Madison Zara, Gates Greece Townline Road

Mayor Penders called the annual meeting to order at 7:02 p.m.

Annual Meeting

ANNUAL ORGANIZATIONAL MEETING
Minutes
June 5, 2019

SWEARING IN

Carol Nellis-Ewell, Trustee
David Wohlers, Trustee

APPOINTMENTS

The following individuals are appointed for a two-year term expiring March 31, 2021

DEPUTY MAYOR	Carol Nellis-Ewell
VILLAGE CLERK	Jacqueline Sullivan
VILLAGE TREASURER	Danielle Kruger
DEPUTY CLERK	Pamela Gilbert
DEPUTY TREASURER	Kimberly Sawyer
SECRETARY TO THE MAYOR	Margaret Gioia
ATTORNEY	Eric Stowe
PLANNING BOARD ATTORNEY	Eric Stowe
ZONING BOARD OF APPEALS ATTORNEY	Eric Stowe
BANK DEPOSITORIES	Chase Bank

	Key Bank
	M & T Bank
	Canandiagua National Bank & Trust
OFFICIAL NEWSPAPERS	Suburban News
	Democrat & Chronicle

RESOLUTION 1 6/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Mayor's Appointments

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

CHECK SIGNING AUTHORIZATION

RESOLUTION 2 6/2019

Introduced by: Trustee Penders
Seconded by: Trustee Hopson

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, Trustee	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 5, 2019

ADVANCE APPROVAL OF CLAIMS

RESOLUTION 3 6/2019

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

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, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Ray Kuntz, Trustee	Aye
	David Wohlers, Trustee	Aye
	Gary Penders, Mayor	Aye

ATTENDANCE AT SCHOOLS & CONFERENCES

RESOLUTION 4 6/2019

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance at all schools and conferences for the Village fiscal year 2019-2020 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, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Ray Kuntz, Trustee	Aye
	David Wohlers, Trustee	Aye
	Gary Penders, Mayor	Aye

A motion was made by Mayor Penders and carried unanimously that the annual meeting be adjourned to the regular meeting at 7:08 p.m.

Approval of Minutes

A motion was made by Mayor Penders, seconded by Trustee Hopson and carried that the minutes from the Village Board Meeting – May 1, 2019 be approved as read.

A motion was made by Mayor Penders, seconded by Trustee Wohlers and carried that the minutes from the Village Board Workshop Meeting – May 15, 2019 be approved as read

A motion was made by Mayor Penders, seconded by Deputy Mayor Nellis-Ewell and carried that the minutes from Village Board Year End Meeting – May 31, 2019 be approved as read.

Privilege of the Floor

Administrative Committee – Mayor Penders

Resolution 5 6/2019

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the amended wording to the CSX Maintenance Agreement and will be forwarding it to CSX for approval.

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

Resolution 6 6/2019

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

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes Village Clerk, Jacqueline Sullivan to be a voting member of the Upstate New York Municipal Workers Compensation Program.

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

Resolution 7 6/2019

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes DPW Superintendent Tom West to be the Alternate Voting Member and Facilitator of the Upstate New York Municipal Workers Compensation Program.

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

Sewers Committee – Trustee Wohlers, Chair

Resolution 8 6/2019

Introduced by: Trustee Wohlers
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby accepts MRB Group's recommendation to award the Village Walk Sanitary Pump Station Improvements contract to Connors Haas Inc.; 6337 Dean Parkway; Ontario, NY in the amount of $74,494.00 and authorizes the Mayor to sign the Notice of Award.

Vote of the Board:	Carol J. Nellis-Ewell, Trustee	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

Submitted by: Deputy Mayor Carol J. Nellis-Ewell

Architectural Review/Planning Board (ARB/PB) ~ No meeting June 4, 2019

ARB/Planning Board Meeting ~ April 2, 2019

Planning: Linda Gibbardo, 194 South Union Street, Spencerport, NY ~ VIC's Site Plan ~ Commercial to Residential. Discussion re: Renovation plans: location of dumpster, parking spaces and tables, (covered) stairway and safety.

ARB: Linda Gibbardo, Alteration or repair: Door, windows, external covered stairway, railing, paved area for two parking spaces, etc.
Disposition: Resolutions with contingencies ~ ongoing

Zoning Board of Appeals (ZBA) Meeting ~ <u>April 18, 2019</u> ***Minutes are <u>18 pages</u>***
1) Alanna Dalby, Furry Paws Pet Salon: Special Permit to operate a pet grooming/dog day care business in an Industrial District, 42 Slayton Avenue, Spencerport, NY 14559, whereas this use shall be permitted when a Special Permit is obtained from the Zoning Board of Appeals pursuant to Chapter 340-R.
Disposition: Resolution passed unanimously

2) Benjamin Bruton, Bruton Guitars: Major Home Occupation Permit to operate a custom guitar building and repair business in an R-1 Residential District located at 63 Kirkgate Drive, Spencerport, NY 14559, whereas this use may be permitted when a Home Occupation Permit shall be obtained from the Zoning Board of Appeals pursuant to Chapter 340-46.
Disposition: Application denied (business established already; parking and sign comments)

3) John Hale, 2800 Nichols Street, Spencerport, NY 14559: Special Permit and three (3) Area Variances to install approximately 233 feet of privacy fence on the property lot line, on property located at same, whereas a Special Permit shall be obtained from the Zoning Board of Appeals for a privacy fence; and whereas, any privacy fence shall not exceed a total length of 65 feet on one lot, and shall not be nearer to side lot line or rear lot line than the required setback, respectively pursuant to 340-32 (4) in a Residential District.
Disposition: Resolutions passed unanimously
*****

Zoning Board of Appeals (ZBA) Meeting ~ <u>May 16, 2019</u>
1) Kevin Denton & Mandy Behe, 105 Coolidge Avenue, Spencerport, NY 14559: Special Permit and one (1) Area Variance to install approximately 164 feet of 6 feet tall privacy fence, on property located at same, whereas a special permit from the Zoning Board of Appeals shall be required for a privacy fence; and whereas, any privacy fence shall not exceed a total length of 65 feet on one lot, and shall not be line than respectively pursuant to 340-32 A (4)(a) and 340-32 A (4)(b) in a Residential District.
Disposition: Resolutions passed unanimously

2) Linda Gibbardo 194 South Union Street – Vic's Ice Cream Shop Special Permit: Allow residential use of second floor, secondary to primary commercial use of building in Commercial B-2 District / <u>340-19 (B)</u>
- Also existing ramp to exist within one (1) foot of property line
Disposition: Resolutions with contingencies
* Applicant continues to address contingencies as requested

Building Control – Building Inspector Smith meets with Mayor Penders as scheduled.
Code Enforcement Officer McQuilkin reports at workshop meetings.
Code Review – Continuing review of Food Trucks, Peddling, related fees; process improvements

Finance Committee – Mayor Penders, Chair

Resolution 9 6/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby acknowledges the receipt and review of the Village of Spencerport Procurement Policy as presented

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

Resolution 10 6/2019

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

Be it resolved that the Village of Spencerport Board of Trustees hereby acknowledges the receipt and review of the Village of Spencerport Investment Policy as presented

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

Resolution 11 6/2019

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

Be it resolved that the Village of Spencerport Board of Trustees herby authorizes the Village Treasurer to invest $960,000 of the General and Sewer Reserve Funds in a three (3) month US Treasury Bill with M&T Bank at an interest rate of 2.23%.

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

Resolution 12 6/2019

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the Village Treasurer to invest $235,000 of the General and Sewer Reserve Funds in a three (3) month Certificate of Deposit with Canandaigua National Bank and Trust at an interest rate of 2.1%.

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

Facilities Committee – Trustee Hopson, Chair

A. Electric

Resolution 13 6/2019

Introduced by: Trustee Hopson
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the attendance of SME Superintendent at the APPA National Conference; June 9-12, 2019 at the Austin Convention Center; Austin, Texas. All travel and conference costs to be paid by MEUA.

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

Resolution 14 6/2019

Introduced by: Trustee Hopson
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the attendance of three (3) SME Employees to attend MEUA Meter School June 17-18, 2019 in Fairport, NY. Cost to be $25.00 per person.

Vote of the Board:	Carol J. Nellis-Ewell, Trustee	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 15 6/2019

Introduced by: Trustee Kuntz
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves hiring Paige Lincourt as Summer Help at a rate of $12.00 per hour; starting Monday, June 10, 2019.

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

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

Village Clerk – Jacqueline Sullivan

Superintendent of Public Works – Thomas M. West

Superintendent of Electric – Owen McIntee

Attorney – Eric Stowe

Unfinished Business

New Business

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

Wednesday, May 8 – 5:30 PM Dennis Pelletier Youth Hall of Fame Awards
Sponsored by: Spencerport Area Chamber of Commerce, Spencerport Federal Credit Union, Spencerport Central School District & Monroe County Legislator Mike Zale
Congratulations! Victoria Caton ~ Hunter Charron ~ Mary Daley

Tuesday, May 21 – 8:30 AM Spencerport Depot/Museum & Visitors Center Board Meeting
Director Simon Devenish reported on activities, plans and various statistics (50 volunteers currently); 2019 focus on history and museum
Completed working lift bridge model on display

School Budget and Proposition passed, about 800 votes total; Gary Bracken and Greg Kincaid re-elected Board members.

Wednesday, May 22 –
11:00 AM Older American Celebration for Older American Month @ Ogden Senior Center
Display of artistic, creative talents – carvings, handicrafts, photography and more
12:45 PM Monroe 2-Orleans BOCES WE-MO-CO Showcase of Skills
Tour with demonstrations by Building Trades, Food Services @ Nourish Bistro & Personnel Services ~ NEW dental training area
Careers and life-skills taught by dedicated teachers

Monday, May 27 – 9:00 AM Village of Spencerport Annual Memorial Day Parade
Followed by commemorative ceremony led by Ferris-Goodridge American Legion Post @ Memorial Park
With gratitude, we honor those who gave the ultimate sacrifice for their country

June 5 – 8 – Spencerport Volunteer Firemen's Carnival
Wednesday – Kiddie Parade; *Thursday – THE BIG PARADE 7 PM*
FOOD, FUN, RIDES & MUSIC at the Carnival Grounds by the Erie Canal, day & night as scheduled

June 16 – August 25 – 2019 Village of Spencerport "Music on the Canal" CONCERT Series
Sundays 6:30-8:30 PM at the Clyde W. Carter Memorial Gazebo (no concerts July 28 or August 11)
Complete details on **www.vil.spencerport.ny.us**

Monday, June 17 – 9:30 AM Bernabi students visit Spencerport Depot/Museum & Visitors Center to learn about the Village of Spencerport

Wednesday, June 19 – 4:30 -6:30 PM (prior to Village Board Meeting)
NOTE: Location, Spencerport Fire Station #1, 175 Lyell Avenue
259 Lift bridge OPEN HOUSE / INFORMATIONAL MEETING
~ hosted by NYS DOT & Village Board ~ PUBLIC invited to discuss upcoming bridge closing starting July 9th

Bills

A motion was made by Deputy Mayor Nellis-Ewell, seconded by Trustee Kuntz and carried that the bills for the Month of June 2019 be paid as presented in the amounts of:

General	$46,898.36
Electric	$38,327.75
Sewer	$10,571.73
Trust	$ 2,091.20
Capital	$ 0.00
Total	$97,889.04

Post Audit

A motion was made by Deputy Mayor Nellis-Ewell, seconded by Trustee Wohlers and carried that the post audit be approved for June 2019.

A motion was made by Mayor Penders, seconded by Trustee Kuntz and carried that the regular meeting be adjourned to executive session to discuss real estate negotiations and acquisition at 7:43 p.m.

A motion was made by Mayor Penders, seconded by Trustee Wohlers and carried that the executive session be adjourned at 7:55 p.m.to the regular meeting.

A motion was made by Mayor Penders, seconded by Deputy Mayor Nellis-Ewell and carried that the regular meeting be adjourned at 7:56 p.m.