**VILLAGE BOARD MEETING**
**July 11, 2018**
**Minutes**

Mayor Penders called the meeting to order at 7:00 p.m. followed by the pledge of allegiance.

**BOARD MEMBERS PRESENT** **BOARD MEMBERS ABSENT**
Gary Penders, Mayor
Carol J. Nellis-Ewell, Deputy Mayor
David Wohlers, Trustee
Charles Hopson, Trustee
Ray Kuntz, Trustee

**OTHERS PRESENT**
David Connors, Maplewood Avenue
Sherie Connors, Maplewood Avenue
Holly Magin, Maplewood Avenue
Joan Quigley, Maplewood Avenue
Marcie Rush, Maplewood Avenue
Lori Stone, S. Union Street
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 unanimously that the Village Board Year End meeting minutes from May 30, 2018 be accepted as presented.

A motion was made by Mayor Penders, seconded by Trustee Hopson and carried unanimously that the Village Board meeting minutes from June 6, 2018 be accepted as presented.

A motion was made by Mayor Penders, seconded by Deputy Mayor Nellis-Ewell and carried unanimously that the Village Workshop meeting minutes from June 20, 2018 be accepted as presented.

**Privilege of the Floor**

Mrs. Marcie Rush addressed the Village Board regarding a letter addressed to the Village Board from residents of Maplewood Avenue regarding 155 Maplewood Avenue and a second residential dwelling located on the property.

Village Attorney Eric Stowe clarified that the only action the Village Board took regarding 155 Maplewood Avenue was authorizing Attorney Stowe to sign a letter memorializing Building Inspector Patrick Smith's decision to grant a Certificate of Compliance for the second residential dwelling located at 155 Maplewood Avenue.

Attorney Stowe further explained that if the residents had concerns about the Building Inspector's decision they could appeal that decision to the Village Zoning Board.

Discussion ensued regarding the property and the neighborhood.

**Administrative Committee** – Mayor Penders

**Resolution 23 7/2018**

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Spencerport High School Homecoming Parade, September 22, 2018 from 12:30 p.m. – 2:00 p.m. Parade route is from 500 West Avenue to Spencerport High School, 2707 Spencerport Road. West Avenue, Union Street and Lyell Avenue will be closed for the duration of the parade.

| | | |
|---|---|---|
| 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 24 7/2018**

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Assembly Permit from the Canal Days Committee for 2018 Canal Days to be held July 28 and 29, 2018. Union Street from Amity Street to West Avenue will be closed from July 27 – 29, 2018.

| | | |
|---|---|---|
| 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

A. Planning

B. Architectural Review

C. Zoning

D. Building Control

E. Code Review

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.

**Architectural Review Board/Planning Board (ARB/PB) ~ No Meeting July 3, 2018**

**Zoning Board of Appeals (ZBA) ~ Meeting June 21, 2018**
Per published Legal Notices, agenda and minutes: I did not attend.

- **Application of James and Candice White, 20 Laurelcrest Drive, Spencerport, NY 14559**

Special permit: Allow approximately 16 ft privacy fence, on property located at same. Pursuant to 340-32 A(4)(a) in an R-1 Residential District.
*Disposition: Special permit granted*

- **Application of Jason Ramble, 44 Mill Street, Spencerport, NY 14559**

Special permit and two (2) area variances: Install approximately 153 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 10 ft (variance #2). Pursuant to 340-32 A(4)(a) & (b) and 340-32 A(4)(b) in a Residential District.
*Disposition: Special permit granted; area variances granted*

- **Application of Melissa Brongo, 90 Parkhurst Drive, Spencerport, NY 14559**

Special permit and two (2) area variances: Install approximately 329 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 for the side and 8.7 ft for the rear lot line (variance #2). Pursuant to 340-32 A(4)(a) & (b) and 340-32 A(4)(b) in a Residential District.
*Disposition: Special permit granted; area variances granted*

- **Application of Scott Corey, Spencerport Masonic Temple Association, Spencerport, NY 14559**

Special permit to operate a deli/pizza shop in a Commercial B-1 District located at 131 South Union Street, Spencerport, NY 14559
Whereas this use may be permitted after a Public Hearing, as provided by Article VI, Chapter 340-21 B(1).
Comments regarding representation details.
*Disposition: Application tabled*

- **Application of Vincent Paolotto II, 27 Coolidge Avenue, Spencerport, NY 14559**

Special permit and two (2) area variances: Install approximately 194 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 6.4 ft for the rear lot line (variance #2). Pursuant to 340-32 A(4)(a) & (b) and 340-32 A(4)(b) in a Residential District.
*Disposition: Special permit granted; area variances granted*

**July 19, 2018 meeting ~ 2 new Applications; Area Variance for garage addition setback; Special Permit and 2 Area Variances for privacy fence; Tabled application from June, Spencerport Masonic Temple Inc. (represented by Scott Corey) Special Permit to operate a deli/pizza shop**

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

**Code Review – Code Review Committee met June 13**
* Basketball hoops – in right-of-way, NYS Highway Law checked – Letter used for occurrences
* Review of Peddling Permits/Process
Sewer issue/Process – DPW Supt. to summarize
Driveways – Impervious vs. pervious surface – applicability and percentages
Board roles & responsibilities – activity, efficiency, resources, training

Code Enforcement Officer McQuilkin submits regular reports at workshops.

**CURRENT & FUTURE Events**

**June 6 – June 10** – Annual Spencerport Fire Department Carnival
Great weather Saturday brought many people! Success!

**Monday, June 18** – 11:30 AM ~ Tour of Village of Spencerport by Bernabi 2nd graders
They visited Lift Bridge Tender's Tower and Spencerport Depot/Museum & Visitor's Center. Children, teachers and parents gathered at the Memorial Gazebo for a "Lunch and Learn" about Village Government.

Everyone at the Village of Spencerport is busy working efficiently for YOU!

*Who?* Mayor and 4 Trustees (elected to four year terms), Mayor appoints Deputy Mayor

*What?* Committees (like homework assignments)

- Important: 22-25 dedicated employees work safely to provide services for YOU
- Village Office Staff – help the public: answer questions, handle bills and payments, benefits and payroll, arrange training, retain records and rules, support ARB/Planning Board and Zoning Board of Appeals
- Spencerport Municipal Electric – keep lights on, manage and maintain energy and power for cooling and heating
- Department of Public Works – fix streets and sidewalks, pick up garbage and recycling, take good care of our gardens, parks, and trees, and plow snow and salt roads

*How?* Budget is a plan to follow for one year. What happens to tax money? We are careful with it (like an allowance: some spent, some saved).

*When?* Founded in 1867, 150 th year birthday in 2017 Happy Birthday!

*Where?* Village Office, 27 West Avenue; Spencerport Municipal Electric & Department of Public Works, 500 West Avenue (garages to maintain and store equipment and trucks)

We are proud to be a Green, Clean Energy Community!
Electric vehicle charging stations, hybrid vehicles, LED lighting, solar panels

**Sunday, June 24** – 1:00 PM Dedication of the stunning Memorial and Patio at the Spencerport Exempts Club

**Thursday, June 28** – 6:00 PM With Mayors Penders, attended Rotary Club of Spencerport installation dinner at Braemar Country Club

**Wednesday July 4** *** Happy Independence Day * United States of America!**
Boaters from Buffalo docked by gazebo – Village of Spencerport as a destination: "Very welcoming..."

Monday, July 9 – 10 AM – 2 PM Cycling the Erie Canal, Parks & Trails NY ~ 700 bicyclists reach Spencerport

- Free COLD water donated by Krony's & Tops Friendly Markets; ice from Spencerport Fire Department
- Spencerport Area Chamber of Commerce created new sign with directions to amenities and businesses
- Past President David Haines coordinates donations, plus brings and sets up chairs, tables and tubs
- Community volunteers: Ogden Special Police Officer Kathy Campbell, Depot/Museum/Visitor's Center Director Simon Devenish, Don Fernberg, Fred & Rosanne Holbrook, Ron and Johanna

White with special helpers, Evelyn & Samantha Clyde, Mayor Penders & Deputy Mayor Nellis-Ewell

- An economic development opportunity – brochures and handouts provided to riders from DE, IL, MI, NH, NJ, NY, the Bronx, Canada & more
- Lots of compliments about the Village of Spencerport and Western New York

**Saturday & Sunday, July 28 & 29 Annual Canal Days, Village of Spencerport** – 10 AM – 5 PM
Meander through Arts & Crafts, Vendors ~ Support Local Businesses & Services ~ Entertainment ~ Food ~ Savor & Sip Wine
SATURDAY – Classic Car Show @ American Legion, Trimmer Road
SUNDAY – Canaligator race on the Canal
Community Events on www.spencerportchamber.org

**Finance Committee** – Mayor Penders, Chair

**Resolution 25 7/2018**

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the below budget transfers.

**July 11, 2018 BUDGET TRANSFER & REVISION Fiscal Year End 5/31/2018**

| AMOUNT | TO ACCOUNT | | FROM ACCOUNT | |
|---|---|---|---|---|
| $162 | A1650.400 | Communication - Contractual | A1680.400 | Data Processing - Contractual |
| $2,952 | A1989.100 | Gov't Support/Vac/Sick/Holiday | A1325.100 | Clerk/Treasurer - Salary |
| $21 | A3620.400 | Safety Inspections - Contractual | A3620.100 | Safety Inspections - Salary |
| $380 | A7110.100 | Parks - Salary | A7110.200 | Parks - Equip/Capital |

| | | |
|---|---|---|
| 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 26 7/2018**

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Whereas, the Village of Spencerport previously established a capital reserve fund known as "General Fund Reserve Fund" pursuant to the provisions of Section 6-c of the General Municipal Law for financing

the cost of reconstruction or betterment of any Village owned assets and to finance the cost of construction or acquisition of any buildings, equipment or other items deemed necessary by the Village Board and

Whereas, the Village Board of Trustees of the Village of Spencerport deems it necessary to expend an amount not to exceed $55,100.00 for installing a natural gas generator at the Department of Public Works Facility.

NOW THEREFORE BE IT RESOLVED:

That the Village Treasurer be and is hereby directed to remove from the General Fund Reserve Fund an amount not to exceed $55,100.00 the purpose of installing a natural gas generator at the Department of Public Works.

This resolution is adopted subject to permissive referendum.

| | | |
|---|---|---|
| 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 27 7/2018**

Introduced by: Mayor Penders
Seconded by: Trustee Hopson

Whereas, the Village of Spencerport previously established a capital reserve fund known as "Sewer Fund Reserve Fund" pursuant to the provisions of Section 6-c of the General Municipal Law for financing the cost of reconstruction or betterment of any Village owned assets and to finance the cost of construction or acquisition of any buildings, equipment or other items deemed necessary by the Village Board and

Whereas, the Village Board of Trustees of the Village of Spencerport deems it necessary to expend an amount not to exceed $25,190.00 for installing a natural gas generator at the Department of Public Works Facility.

NOW THEREFORE BE IT RESOLVED:

That the Village Treasurer be and is hereby directed to remove from the Sewer Fund Reserve Fund an amount not to exceed $25,190.00 the purpose of installing a natural gas generator at the Department of Public Works.

This resolution is adopted subject to permissive referendum.

| | | |
|---|---|---|
| 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 |

**Facilities Committee** – Trustee Hopson, Chair

A. Electric

**Resolution 28 7/2018**

Introduced by: Trustee Hopson
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the SME Superintendent to advertise for a municipal line worker. Advertisement will be in the Suburban News, Village website and any industry appropriate outlet.

| | | |
|---|---|---|
| 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 |

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

**Village Clerk** – Jacqueline Sullivan

**Superintendent of Public Works** – Thomas M. West

**Superintendent of Electric** – Owen McIntee

**Attorney** – Eric Stowe

**Unfinished Business**

**New Business**

**Past and Future Events** – Deputy Mayor Nellis-Ewell
Comments submitted by: Deputy Mayor Nellis-Ewell

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**Bills**

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

| | |
|---|---|
| General Fund | $ 97,452.29 |
| Electric Fund | $ 31,380.48 |
| Sewer Fund | $ 5,961.07 |
| Trust Fund | $ 4,073.33 |
| Capital Fund | $ 26.66 |
| **TOTAL:** | **$138,898.83** |

Motion was made by Trustee Hopson, seconded by Trustee Wohlers carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, July 2018 be approved as audited.

A motion was made by Mayor Penders, seconded by Trustee Kuntz and carried that the Village Board Meeting be adjourned at 8:07 p.m.