Village Board Workshop Meeting
October 16, 2019
Minutes

Board Members Present

Gary Penders, Mayor
Carol Nellis-Ewell, Deputy Mayor
Charles Hopson, Trustee
Raymond Kuntz, Trustee
David Wohlers, Trustee

Others Present

Doug Case, Coleman Avenue
Owen McIntee, SME Superintendent
Eric Stowe, Village Attorney
Jacqueline Sullivan, Village Clerk
Tom West, DPW Superintendent

Public Hearing

Mayor Penders opened the public hearing for Introductory Local Law 5/2019 "A Local Law Establishing Standards for Small Cell Wireless Facilities in the Rights-of Way of the Village of Spencerport Municipal Poles" at 4:30 p.m.; there being no comments Mayor Penders closed the public hearing at 4:31 p.m.

Mayor Penders opened the public hearing for Introductory Local Law 6/2019 "A Local Law to Amend Section 310-48 (Parking at Prohibited Time) of the Village Code of the Village of Spencerport" at 4:31 p.m.; there being no comments Mayor Penders closed the public hearing at 4:32 p.m.

BI/CEO

Mayor Penders indicated that Rich McQuilkin, Joe Munez, Tom Clark and Joe Beretta will be attending the hearing in Williamsville regarding the requested variance from Grandpa Sam's regarding NYS Fire Code regarding Grandpa Sam's fire code requirements for their proposed renovations. Mayor Penders continued that the owners of Vic's Ice Cream have complied with all fire suppression conditions regarding the renovations to the building to include one upstairs apartment.

Trustee Wohlers questioned if the Village will be receiving an annual report from the building inspector.

Mayor Penders responded that he requested that the building inspector attend the next workshop meeting.

Attorney

Discussion ensued regarding the communication and electric areas of the utility poles and charges for attachments to the poles.

Attorney Stowe commented that the developers for 148 S. Union Street have a plan prepared regarding Parking and Snow removal and how would the board like to receive the details of the plan.

Mayor Penders indicated that the developers for 148 S. Union Street should attend the November 20th workshop

Discussion

Discussion ensued regarding the Spencerport Area Chamber of Commerce/Spectrum News Advertising Program. It was determined that Trustee Wohlers would suggest to the chamber that the Village would contribute to the months that a business did not advertise so that the advertising for that month would be for Village of Spencerport in its entirety.

Board Action

Resolution 56 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

WHEREAS, the Village of Spencerport Board of Trustees has before it Introductory Local Law 5-2019; and

WHEREAS, the adoption of a local law requires review under the New York State Environmental Quality Review Act;

WHEREAS, a public hearing has been held this 16th day of October 2019,

NOW THEREFORE Be it resolved that based upon a review of the evidence submitted, the comments at the public hearing and based upon the Village Board's deliberations and review of the short Environmental Assessment Form for the proposed action, the Village Board has determined that the proposed unlisted action will not have a significant impact on the environment and a negative declaration is hereby issued for the Introductory Local Law 5-2019, A Local Law Establishing Standards for Small Cell Wireless Facilities in the Rights-of Way of the Village of Spencerport Municipal Poles"

This notice of this determination of non-significance shall be filed as required by SEQR.

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 57 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Whereas, the Village Board has before it a Local Law entitled Introductory Local Law 5-2019, A Local Law Establishing Standards for Small Cell Wireless Facilities in the Rights-of Way of the Village of Spencerport Municipal Poles"

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 unlisted action under the State Environmental Quality Review Act and the Village Board has adopted a Negative Declaration; 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 Introductory Local Law 5-2019, A Local Law Establishing Standards for Small Cell Wireless Facilities in the Rights-of Way of the Village of Spencerport Municipal Poles"

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 upon filing with the Secretary of State.

Section 4. That this resolution shall take effect immediately.

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 58 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

WHEREAS, the Village of Spencerport Board of Trustees has before it Introductory Local Law 6-2019; and

WHEREAS, the adoption of a local law requires review under the New York State Environmental Quality Review Act;

WHEREAS, a public hearing has been held this 16th day of October 2019,

NOW THEREFORE Be it resolved that based upon a review of the evidence submitted, the comments at the public hearing and based upon the Village Board's deliberations and review of the short Environmental Assessment Form for the proposed action, the Village Board has determined that the proposed unlisted action will not have a significant impact on the environment and a negative declaration is hereby issued for the Introductory Local Law 6/2019 "A Local Law to Amend Section 310-48 (Parking at Prohibited Time) of the Village Code of the Village of Spencerport"

This notice of this determination of non-significance shall be filed as required by SEQR.

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 59 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Whereas, the Village Board has before it a Local Law entitled Introductory Local Law 6/2019 "A Local Law to Amend Section 310-48 (Parking at Prohibited Time) of the Village Code of the Village of Spencerport"

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 unlisted action under the State Environmental Quality Review Act and the Village Board has adopted a Negative Declaration; 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 Introductory Local Law 6/2019 "A Local Law to Amend Section 310-48 (Parking at Prohibited Time) of the Village Code of the Village of Spencerport"

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 upon filing with the Secretary of State.

Section 4. That this resolution shall take effect immediately.

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 60 10/2019

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the proposal for Professional Services from MRB Group for the South Union Street Sidewalk and Curb Improvements in an amount not to exceed $17,100.00

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 61 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the attendance of the SME Superintendent and two (2) SME Linemen to attend the MEUA 2019 November Engineering Workshop; Tuesday and Wednesday, November 5th & 6th, 2019; Embassy Suites by Hilton; Syracuse Density USA; Syracuse, NY.

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 62 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance at the GRFPC Fall 2019 Regional Local Government Workshop; Friday, November 15, 2019; Quality Inn & Suites; Batavia, New York. Cost not to exceed $75.00 per person.

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 63 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Assembly Permit Application from the Spencerport Area Chamber of Commerce for the Village of Spencerport Wine Walk Fundraising and Community Promotion. Saturday, November 16, 2019 from 5:00 p.m. – 9:00 p.m. located in the Village of Spencerport Business District.

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 64 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes Boy Scout Troop 92 to have their trailer for their annual Christmas Tree Sale located at Firemen's Field (75 S. Union Street) from November 19 – December 28, 2019.

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 65 10/2019

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby has determined that it is in the best interest of the Village of Spencerport to continue its participation in the Monroe County Storm Water Coalition and authorizes the Mayor to execute the Storm Water Coalition Intermunicipal Agreement.

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 66 10/2019

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves payment application one (1) from Connors Haas, Inc. for the Village Walk Sanitary Pump Station Improvements per MRB Group's inspections in the amount of $10,650.40.

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

A motion was made Mayor Penders and carried unanimously that the workshop be adjourned to executive session at 5:07 p.m. to discuss litigation.

A motion was made by Mayor Penders and carried unanimously that the executive session be adjourned to workshop at 5:15 p.m.

A motion was made by Mayor Penders and carried unanimously that the workshop be adjourned at 5:15 p.m.