VILLAGE BOARD MEETING
November 6, 2019
Minutes

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

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

Board Members Absent

Others Present
Craig Byham, Luther Jacobs Way
Owen McIntee, SME Superintendent
Joan Quigley, Maplewood Avenue
Eric Stowe, Village Attorney
Jacqueline Sullivan, Village Clerk
Terry West, Coventry Drive
Tom West, DPW Superintendent

Approval of Minutes

A motion was made by Mayor Penders, Seconded by Trustee Hopson and carried unanimously that the Village Board Meeting Minutes from October 2, 2019 be approved as read.

A motion was made by Mayor Penders, Seconded by Deputy Mayor Nellis-Ewell and carried unanimously that the Village Board Workshop Meeting Minutes from September 18, 2019 be approved as read.

A motion was made by Mayor Penders, Seconded by Trustee Wohlers and carried unanimously that the Village Board Workshop Meeting Minutes from October 16, 2019 be approved as read.

Privilege of the Floor

Administrative Committee – Mayor Penders

Resolution 67 11/2019

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the assembly permit from Elaine Spaziano for the annual Christmas on the Canal Celebration on Sunday, December 8, 2019from 12:00 – 7:30 p.m. Union Street will be closed from West Avenue North to Amity Street.

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 68 11/2019

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

PROCLAMATION

WHEREAS, the citizens of the Village of Spencerport embrace the opportunity to support the observance of School Board Recognition Week; this annual event is celebrated in school districts throughout New York State, and

WHEREAS, the members of the Spencerport School Board are an invaluable resource as local decision makers; they respond to the respective needs of their communities, serving the interests of school children and preparing them for the future, and

WHEREAS, the men and women serving the people of Spencerport as members of the School Board devote many hours of service to public education and continually strive for improvement, quality and progress in education, and

WHEREAS, members of local boards of education throughout New York State merit recognition and commendation for their dedicated service to the people and children of our community, it is fitting to support this annual celebration

NOW, THEREFORE, we the Spencerport Village Board do hereby proclaim official recognition of October 21 – October 25, 2019

SCHOOL BOARD RECOGNITION WEEK

Dated this 6th, day of November 2019

Spencerport Village 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

Comments submitted by: Deputy Mayor Nellis-Ewell

Complete minutes on **www.vil.spencerport.ny.us** after approval.

Architectural Review/Planning Board (ARB/PB) ~ no Architectural Review Board business

November 5, 2019 ~ Planning Board meeting

Union Spencerport LLC, 148 South Union Street, Spencerport, NY 14559 – Final Approval
Unfinished business from October 1, 2019 meeting

Kris Schultz, Schultz Associates, presented comprehensive responses to latest comments/questions from David Willard, Village Engineer.

Included: 1) ADA spaces now compliant (with striping); 2) developer responsible for restriping; 3) water service design for Grandpa Sam's neighboring building; 4) DOT review and all correspondence from involved agencies to be provided (to Village Engineer); 5) confirmation that New York State Building Code allows parking spaces under building cover; 6) exterior lighting to recessed at access points (to be compatible with Village street lights); 7) tree removal and replacement per estimate; 8) sprinkler design main coordinates; 9) storm pipe with erosion control; 10) sidewalks to be open during community events. Equipment/Staging area proposed: southeast corner of Village Plaza – pending owner and manager approvals. SFR to present overnight parking plan to Village Board.

Planning Board comments:

Chair Craig Byham stated lights and signs require appearance before Architectural Review Board. Member Scott Clyde stated dates on plans to be updated appropriately – 1 year, mylars to be updated prior to signing.

Preliminary approval, March 5, 2019 Planning Board (site plan); passed unanimously with contingencies.
* Final approval passed unanimously with conditions.

SUMMARY

Zoning Board of Appeals (ZBA) Meeting ~ Meeting October 17, 2019

1) Anna Ritchie, 90 Martha Street, Spencerport, NY 14559: Special Permit and two (2) Area Variances
- to contain dog; recently moved in; unaware of regulations; property surveyed
- Special Permit: to allow approximately 61 ft of 6 ft tall privacy fence, on property located at same – existing l-shaped with gate.
- Area Variances: any privacy fence must be located not nearer to a side-line than the required side line setback pursuant to Chapter 340-32 A (4)(a), Chapter 340-32 A (4)(b), respectively, in a Residential District.

Resolutions: 435, 436 & 437
Disposition: Special Permit & Area Variances approved unanimously

2) Brianne Skivington, 21 Coleman Avenue, Spencerport, NY 14559: Special Permit and three (3) Area Variances
- Special Permit: to replace approximately 114 ft of 6 ft tall privacy fence located on side lot line and near the rear lot line, on property located at same
- Area Variances: any privacy fence must be located not nearer to a side line than the required side line setback pursuant to Chapter 340-32 A (4)(a), Chapter 340-32 A (4)(b), respectively, in a Residential District.

Resolutions: 438, 439 & 440
Disposition: Special Permit & Area Variances approved unanimously

3) Renewal of In-Home Business permit, Pet of Style Grooming, 96 Nichols Street, Spencerport, NY 14559

Applicant Terri Montinorelli no longer offers mobile grooming; in home, one pet at a time (previous permit)
Reference: Chapter 340-49
Disposition: 5-year extension approved unanimously

Building Control	Building Inspector Smith meets with Mayor Penders as scheduled. Code Enforcement Officer McQuilkin reports at workshop meetings.

Code Review – As scheduled: ongoing, process improvements

Finance Committee – Mayor Penders, Chair

Resolution 69 11/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the transfer of $114,892.60 from the General Fund from the sale of equipment to the General Fund Equipment Reserves.

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 70 11/2019

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the transfer of $49,403.90 from the Sewer Fund from the sale of equipment to the Sewer Fund Equipment Reserves.

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 71 11/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

November 6, 2019 BUDGET TRANSFER & REVISION Fiscal Year End 5/31/2020					
AMOUNT	TO ACCOUNT		FROM ACCOUNT		
$340	A1940.400	Land Purchase/Right of way-Contractual	A5110.400	Highways - contractual	
$81,000	A9950.900	Interfund Transfer to Capital	A5410.200	Sidewalks - 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 72 11/2019

Introduced by: Mayor Penders
Seconded by: Trustee Kuntz

Be it resolved, that the Board of Trustees of the Village of Spencerport, pursuant to Section 6-r of the General Municipal Law, establishes a reserve to be known as the ERS Retirement Reserve. The source of funds for the ERS Retirement Reserve shall be from such amounts as may be provided therefore by budgetary appropriation or raised by tax therefore, such revenues as are not required by law to be paid into any other fund or account, such other funds as may be legally appropriated, and amounts transferred from other established reserve funds, as allowed by law.

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 73 11/2019

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the re-surrender of fiscal year 2018-2019 Unpaid Village Taxes to Monroe County to be re-levied on the 2020 combined Town and County tax bills in the amount of $5,967.50.

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 74 11/2019

Introduced by: Mayor Penders
Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the surrender of fiscal year 2019-2020 Unpaid Village Taxes to Monroe County to be re-levied on the 2020 combined Town and County tax bills in the amount of $14,982.14.

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

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Kuntz, Chair

A. Highways/Garage

B. Public Services (Refuse, Recycling, Parks)

Resolution 75 11/2019

Introduced by: Trustee Kuntz
Seconded by: Deputy Mayor Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves charging $50.00 per month for cardboard dumpsters effective 1/1/2020.

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

Public Safety Committee – Trustee Penders, Chair

A. Fire Department

Mayor Penders commented that he attended the OPB meeting and that the training for the new CAD system is 85% complete and will be complying with newly enacted discovery laws regarding criminal cases.

B. Police

C. Ambulance

Human Resources Committee – Mayor Penders, Chair

Resolution 76 11/2019

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers

Be it resolved that the Village of Spencerport Board of Trustees approves continuing with the current health care plan; Excellus Simply Blue Gold 6 HDHP for employees and eligible retirees and will fund employees and eligible retirees HSA for the annual out-of-pocket maximum.

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

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

Mayor Penders indicated that the date for the Chamber of Commerce wine tasting has been changed from November 16th to December 14th. Mayor Penders also commented that he and the electric department demoed colored exterior lighting for the Village Office and will implement IEEP Funds for the purchase of the lights.

New Business

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

CURRENT & FUTURE Events

Wednesday, October 23 – 7:00 PM Attended Town of Ogden Budget Meeting/Public Hearing ~ Finance Director James Butera reviewed $7 M + budget components.
General, part town, highway, drainage

41% Ogden Police Department, 25% Health Care & Retirement, 20% Library & Recreation
$400 K for Ogden Farmers' Library (independent with Board of Trustees, not under Monroe County Library umbrella)

Highlights: Under tax cap.

Though 2018/19 revaluation (= reassessment), "Taxes: $5.59 in Town, $4.05 in Village." Same as 2019.

Health care decrease: -3.9%. Town belongs to a consortium; grandfathered at less than 50 employees (100 + employees currently).

Equipment: $250 K for dump truck and mower; $50 K ea for 2 police vehicles. Phone system to be updated.

Hiring FT Building Inspector.

Resolutions:

- ✓ Place signs in parking lot to prohibit overnight parking.
- ✓ Support - Governor waived marriage license fees for members of Armed Forces.
- ✓ Vacant property registry: Pro Champs – no cost to Town

Monday, November 11 is Veterans Day! Honor Veterans for their Service

Saturday, November 30 – Small Business Saturday 10th Anniversary ~ Support local businesses!

Sunday, December 8 – Annual Christmas on the Canal with caroling and tree lighting in the Village

Check www.spencerportchamber.org for Events

SUCCESSES

Saturday, October 18 & 19 – Annual Spirits of Spencerport GHOST WALK
200 + participants meandered the Village with creepy characters telling stories, true and not so true
Ogden Historical Society Fundraiser

Sunday, October 20 – Kiwanis Club of Spencerport Pasta Dinner @ Spencerport Exempts
250 + dinners sold

Saturday, October 26 – Spencerport Area Chamber of Commerce/Town of Ogden Parks & Recreation
Treat 'n Treat Particpating Village Businesses greeted adults; candy given to costumed children ~ 700 + !!!

Bills

A motion was made by Trustee Kuntz, seconded by Trustee Hopson and carried that the bills for the Month of October 2019 be paid as presented in the amounts of:

General	$ 85,134.05

Electric	$ 67,472.68
Sewer	$ 30,599.68
Trust	$ 3,733.22
Capital	$ 2118.62
Total	$189.058.25

Post Audit

A motion was made by Trustee Kuntz, seconded by Trustee Wohlers and carried that the post audit be approved for November 2019.

A motion was made by Mayor Penders, seconded by Deputy Mayor Nellis-Ewell and carried that the regular meeting be adjourned at 7:50 p.m. to executive session to discuss potential litigation.

A motion was made by Mayor Penders, seconded by Deputy Mayor Nellis-Ewell and carried that the executive session be adjourned at 8:00 p.m. to the regular meeting.

A motion was made by Trustee Kuntz, seconded by Trustee Wohlers and carried that the regular meeting be adjourned at 8:00 p.m.