VILLAGE BOARD MEETING
December 5, 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
Craig Byham, Luther Jacobs Way
Owen McIntee, SME Superintendent
Joan Quigley, Maplewood Avenue
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 Hopson and carried that the minutes from the November 7, 2018 Village Board Meeting be approved as presented.

A motion was made by Mayor Penders, Seconded by Trustee Kuntz and carried that the minutes from the November 21, 2018 Village Board Meeting be approved as presented.

Privilege of the Floor

Administrative Committee – Mayor Penders

Mayor Penders made a motion seconded by Trustee Wohlers to set aside a page in the minutes as a memorial to remember William "Bill" Rutter as Village Planning and Architectural Review Board Member from July 3, 2008 – November 2018 and his passing on November 15, 2018.

Mayor Penders made a motion seconded by Deputy Mayor Nellis-Ewell to set aside a page in the minutes as a memorial to remember Helen E. "Betty" Spencer as a long time Village resident, community activist and married to a direct descendent of Spencerport founder and name sake Daniel Spencer and her passing on November 22, 2018.

Resolution 69 12/2018

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

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the 2019Intermunicipal Agreement with the Town of Ogden for Building Department Inspection Services in the amount of $38,500.00.

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

Sewers Committee – Trustee Wohlers, Chair

Planning/Zoning/Building Control – Deputy Mayor Nellis-Ewell, Chair
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/Planning Board (ARB/PB) ~ December 4, 2018
No Applications, No Business

Zoning Board of Appeals (ZBA) ~ Meeting November 15, 2018
Application: Village Woods-Cook representing University of Rochester
Special permit to operate a Health Care Facility at 42 Nichols Street, Spencerport, NY 14559
Use shall be permitted in all B District categories, subject in each case to granting of special permit by Zoning Board of Appeals, after Public Hearing, as provided in Article IX pursuant to Chapter 340-19 B (8) in B-3 District.
Disposition: Resolution/s, Special Permit approved

Tabled from October 18, 2018
Appeal of determination re: 155 Maplewood Avenue, Spencerport, NY 14559
Appeal by: Kevin & Lisa Watson, 150 Maplewood Avenue, Spencerport, NY 14559
Past and future use of separate building at 155 Maplewood Avenue. Village of Spencerport codes and processes in place. ZBA Board provided detailed information from Code Enforcement Officer (no issues).
Disposition: As previous determination/Resolution/s

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

Code Review – Code Review Committee meeting November 27:

- ARB fast-track process, follow-up meeting December 17 (criteria discussion)
- Casual application: proposed fee per Resolution
- Animals (various): Applicable Code Chapter 115, 340-28 reviewed; Resolution for Public Hearing for proposed change to Local Law

Local Laws enacted to protect and promote the health, safety and welfare of the people of the Village of Spencerport. Committee considers like codes, fees and processes as befit Village characteristics, its environment and limitations. Thank you to Attorney Stowe for expeditiously preparing the Resolution and proposed Local Law change.

Code Enforcement Officer McQuilkin submits regular reports at workshops.

Resolution 70 12/2018

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

Be it resolved by the Village of Spencerport Board of Trustees that the Fee Schedule of the Village of Spencerport is amended to include a $450 fee for any reviews required under Chapter 148 of the Code of the Village of Spencerport: Excavations, Grading and Filling and authorized by Section 148-6 of the Code of the Village of Spencerport.

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 12/2018

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

Be it resolved that the Village of Spencerport Board of Trustees approves conducting a Public Hearing for Introductory Local Law 1-2019 "Animal Control" on Wednesday, January 2, 2018, 7:00 p.m. at the Village Office, 27 West Avenue, Spencerport, New York.

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 12/2018

Introduced by: Mayor Penders
Seconded by: Trustee Wohlers
Be it resolved that the Village of Spencerport Board of Trustees hereby denies permission to harbor a pig to Tara Fix at 4 Bauer's Cove, Spencerport, New York.

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

Finance Committee – Mayor Penders, Chair

Resolution 73 12/2018

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

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

December 5, 2018 BUDGET TRANSFER & REVISION Fiscal Year End 5/31/2019					
AMOUNT	**TO ACCOUNT**		**FROM ACCOUNT**		
$800	A8161.401	Recycling - Equip/Vehicle Repair	A5110.200	Highways - Equip/Capital	
$22,300	A8560.400	Shade Trees - Contractual	A5110.200	Highways - 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

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)

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

Nothing requiring Board action

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

Submitted by: Deputy Mayor Nellis-Ewell

Tuesday, November 13 – 10:00 AM Emergency Preparedness Meeting with Town of Ogden called by Officer Brett ~ Village of Spencerport: Mayor, Deputy Mayor, Clerk and Superintendents participated

Tuesday, November 21 – * VETERANS * of Ogden/Spencerport (and spouses) honored at Spencerport Area Chamber of Commerce luncheon; presentation by Veterans Service Agency; well-attended, with Mayor Penders, represented Village of Spencerport

Tuesday, November 27 – 8:45 – 9:30 AM Meeting of CSX (abutments) Design/Sign Committee: Chair: Terry Werth, Joyce Arnold, Joan Quigley, Richard LaCroix with Spencerport Central Schools Assistant Superintendent for Instruction: Ty Zinkiewicz, plus 3 Graphic Arts students interested in the project; stressed maintenance and practicality (landscaping)

Tuesday, November 27 – 2:00 PM, Code Review Committee met

Sunday, December 2 – 1:30 – 6:30 PM ~ 23rd Annual Christmas on the Canal, nice weather brought out many in the community who enjoyed entertainment, horse-drawn hayrides, caroling and shopping. Christmas tree lighting @ 5:30 PM, followed by candlelight stroll throughout the Village of Spencerport

Friday, December 7 – Remembrance of Pearl Harbor

Tuesday, December 11 – 3:00 – 9:00 PM Annual Election of the Spencerport Fire District VOTE – One Commissioner, 5-year term, commencing January 1, 2019, ending December 31, 2023
VOTE @ Fire Station # 1, 175 Lyell Avenue, Spencerport

Tuesday, January 22 – Spencerport Central School District Budget Focus Group meeting, January to April

R.I.P. President George Herbert Walker Bush, statesman of the world

Community Events on **www.spencerportchamber.org**

Bills

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

General Fund	$ 133,923.47
Electric Fund	$ 119,990.06
Sewer Fund	$ 27,483.32
Trust Fund	$ 3,882.83
Capital Fund	$ 0
TOTAL:	**$285,279.68**

Post Audit

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

A motion was made by Mayor Penders, seconded by Deputy Mayor Nellis-Ewell and carried that the Village Board Meeting be adjourned at 7:40 p.m.