

VILLAGE OF SCOTTSVILLE
BOARD OF TRUSTEES MEETING

Minutes of Meeting
Tuesday, April 14, 2009

CALL TO ORDER: Mayor Michael Souers called the meeting to order at 6:46 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

Present: Mayor Michael Souers, Deputy Mayor Paul Gee, Trustees Rick VenVertloh, Lino Contestabile and Charles Bryant.

Also Present: Treasurer Beverly Martin, DPW Deputy Supt./WWTP Chief Operator Steve Farrell, Attorney Peter Skivington, Residents Tracy Miceli, Denise Walzer, Eileen Lawler and Julie Bower.

APPROVAL OF MINUTES

MOTION – Approve Tuesday, March 10, 2009 Minutes

Made by Trustee VenVertloh seconded by Deputy Mayor Gee to approve the Tuesday, March 10, 2009, Village Board Meeting minutes as submitted.

VOTE: 5-0. Carried unanimously.

PUBLIC HEARING – 2009-2010 Village of Scottsville Budget

Mayor Souers opened the Public Hearing at 6:46 P.M. for Review and Adoption of the 2009-2010 Village of Scottsville Budget as advertised in the Sentinel. Copies of the Budget were provided with Summary of the proposed 2009-2010 Budget:

- Total General Budget \$1,176,570
- Total Sewer Budget \$335,796
- General Fund Tax Rate Per Thousand of Assessed Valuation will be \$4.93 which is unchanged from the current Village Budget.
- The Sewer Fund Quarterly Rents have remained unchanged @ 60.00 per Quarter per unit.
- Due to Change in the assessed valuation from last year, most tax payers will see approximately 5.9% increase in their village property tax.
- Most village employees will receive 3.0% cost of living increase.
- Per Mayor: The Village will get \$40,000 less from Monroe County Sales Tax revenue this year. He thanked all Departments for working to keep their budgets the same as last year. He also thanked Treasurer Martin for a good job getting the budget together.

Public Comment

Julie Bower, 24 Scott Crescent would have liked to see cuts in the budget. She also stated feels that assessments should come down instead of up as they have. It was recommended she talk to the Assessor on this issue.

Being no more public comment; the public hearing was closed and the following action was taken:

MOTION – Adopt 2009 – 2010 Budget

Made by Deputy Mayor Gee seconded by Trustee VenVertloh to approve the adoption of the 2009-2010 Village of Scottsville Budget as submitted by Treasurer Beverly Martin.

VOTE: 5-0. Carried Unanimously.

PUBLIC BEFORE THE BOARD

Julie Bower, 24 Scott Crescent: cited the letter, dated: March 24, 2009, signed by Denise Walzer, Eileen Lawler, Tracy J. Miceli and herself and pictures she brought into the Village office re: complaining of the poor property condition at 21 Scott Crescent, owned by Mr. & Mrs. Jamie Swann. Attorney Skivington indicated he did receive the letter and pictures of Mr. & Mrs. Swann's property and sent a letter to Mr. Swann's Attorney with the pictures indicating the order to clean up the property. Mr. Swann's Attorney responded by saying that when the stop work order was placed on the construction, it forbade Mr. Swann to go back on the property. Bldg. Inspector Rech will modify the stop work order so clean up can be done. If there is no clean up by May, the Bldg. Insp. will go forth with implementing the Property Maintenance Code. Attorney Skivington reviewed the options of the Zoning Board on this issue. The residents reported that there has often been a licensed commercial vehicle at the 21 Scott Crescent premises. It will be reported to the Bldg. Inspector to check. The residents present indicated that they did not have a problem with the zoning issue for the porch not having proper set back as long as the house it is finished by a certain time. Attorney Skivington recommended they tell the zoning board.

Eileen Lawler, 18 Scott Crescent is concerned re: the condition of the foundation of the unfinished house at 21 Scott Crescent since it has at idle for so long. She was assured the Bldg. Insp. would be inspecting that again. Since the foundation is below flood level, it needs to be fixed.

Attorney Skivington will notify the residents' present re: what Zoning decisions are made. Mayor Souers thanked those present for attending the meeting to voice their concerns.

Sara Stephens, 60 Diana Drive was interested in knowing where the Waste Water Treatment Plant pump station project stood. Sara is a member of WAG (Wheatland Advocacy Group). WAG's goal is to keep our school. Mayor Souers and the Board reviewed where we are presently with the project including I & I considerations, etc. Mayor Souers said he would be happy to speak with WAG at one of their meetings.

REPORTS

ATTORNEY PETER SKIVINGTON reviewed:

- Swann issue in front of Zoning Board: Attorney Skivington was unable to attend the Zoning Board meeting on the Swann issue, but believes there is an accurate map now that was required. Neighbor Ernie Finland agrees with the provided map. The map shows that they don't need a variance. Mr. & Mrs. Swann are working with their engineer to correct other concerns. Wheatland Town Court re: Stop Work Order. Next Court date on

this issue is May 4th: at which there should be a trial or a plea. Sentencing may not be that night.

- Letter from Scottsville Planning/Zoning Board: The letter dated: April 14, 2009; signed by Timothy Sands, Zoning Board of Appeals Chairman and Leslie Wagar, Planning Board Chairwoman, pointed out that the Village of Scottsville Code of Ordinance does not prohibit having chickens in the Village. The Planning/Zoning is requesting that the Village of Scottsville Code be updated to prohibit livestock/fowl etc. in the Village to reflect the best interest of the residents of the Village of Scottsville in the future. The only way the Village can control people having animal/fowl etc. is if someone needs a building permit (Accessory Use Variance). Trustee Gee reminded the Board that the Dog Warden also requested that the Code of Ordinance be updated to control the number of dogs that could be harbored in the Village. The issue was tabled to give time to get information from other Villages/Mayors re: their codes on this issue.
- Workers Comp. Bill – Attorney Skivington has looked over a recent bill that Treasurer Martin received for Workers Comp. In 2004 the Village joined the Monroe County Group for Workers Comp. Because of claims through the years, the bill has climbed to \$105,000 to be paid over three year period. It was Board consensus that the Treasurer should wait until December 1st to pay the bill this year in the amount of \$35,000.00 for the 1st year. Treasurer Martin said that Dan Power from Workers Comp. is willing to come to talk with the Village Board.
- Supplemental Regulations for the “Main Street” Central Business District and Design Guidelines – the updated copy was reviewed and some changes made. Per Attorney Skivington the Supplemental Regulations is not a local law and can be done by resolution. He will make changes according to tonight’s review and provide accurate copies to be sent to General Code.

MOTION – Adopt Supplemental Regulations for Main Street

Made by Trustee Bryant seconded by Trustee Contestabile to adopt the “Supplemental Regulations for the “Main Street” Central Business District and Design Guidelines – Village of Scottsville with modifications on page 9 items 20 and 11: regulations to be inserted.

VOTE: 5-0. Carried unanimously.

- Johnson Park Pavilion – Genesee Building Restoration Inc.
Attorney Skivington reviewed the contract for Johnson Park Pavilion rehabilitation. After discussion it was the consensus of the Board that Attorney Skivington will write a letter to Genesee Building Restoration Inc. ordering that the work be finished by April 29, 2009 and inform them that MRB will be doing a final inspection on April 30th because the park opens on May 1st. After this point the Village will start procedure to enforce the contract if necessary.

VILLAGE CLERK – ELAINE DRISCOLL

- Designation of Meeting Dates – Per Village Clerk Driscoll, at the April Organizational meeting a motion was made to set a date each month to hold a “work session” as needed. According to NYCOM “work session” is not a legal meeting. Therefore the following action was taken:

MOTION – Designation of Meeting dates

Made by Trustee Contestabile seconded by Trustee Bryant to designate the second Tuesday of each month as the regular meeting date; Fire Commissioners Meeting to start at 6:00 P.M. and Village board Meeting to start at 6:30 P.M.

VOTE: 5-0. Carried unanimously.

- United Way – Per Village Clerk Driscoll; the campaign is going well. It will be completed tomorrow and report of the outcome will be presented at the May meeting.

BUILDING INSPECTOR TERRY RECH was not present at the meeting but had previously submitted his report dated: 04/01/2009 with three listings (on file).

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVE FARRELL previously submitted his report via: email, dated April 14th (on file). Chief Operator Farrell reviewed:

- Flows were above normal this past month, but slowly returned to normal.
- Brian Vattimo from New York Power Authority was a speaker at a recent class that Chief Operator Farrell and Operator Luke attended re: Odor control and funding for wastewater treatment plants. They have asked Mr. Vattimo to do a free energy audit at the WWTP. They fund projects and the money saved over a period is what pays for the project. NY Power will pay for machinery; there is no capitol investment. More details to come.
- The reed bed is going good. The old reeds have been cut and removed from the greenhouse. The new crop should start growing soon.
- Gravel Ponds has started to dump at the Plant. The charge is \$42.00 per 1000 Gals. It brings in approx. \$3,000.00 per year.
- A damage claim has been submitted to National Grid. There was a power surge on 2/14/09 which did about \$4,000.00 damage. A surge protector from M&S Controls is being priced.
- The County is still picking up flow data for the WWTP each month.
- Churchville Insurance Agency is looking at values assessed on Village Building to check accuracy. They are also working on a list of equipment for coverage.

DEPARTMENT OF PUBLIC WORKS

DEPUTY SUPERINTENDENT STEVE FARRELL previously submitted his report via email, dated: April 14th (on file). Items discussed:

- Grenadier drainage pipe repair - They have power flushed pipes in the Grenadier track. There are breaks in pipes. They will add 50' of pipe. It should improve drainage in that area.
- Painting Exterior of Johnson Park Pavilion - All metal is in for Johnson Park and will be installed soon. They met with the Lions Club of Scottsville to inspect the exterior painting job. Deputy Mayor Gee showed two estimates he got from Sean Daily Contracting (\$4,385.00 and \$3,250.00), and dcc Construction (\$6,565.81). The Lions Club of Scottsville is interested in volunteering to do the work if we pay for the materials. There was discussion re: who should be awarded the job. The Lions Board still needs to approve doing the job. They will let Trustee Gee know. They have a million dollar liability coverage when doing these types of projects. General consensus of the Board was to have the Lions do the work if their Board gives approval. There should be a 30 day time limit for completion. The DPW will hold off doing the soffits until the other work is done.
- Driveway into Johnson Park – The driveway has been dug at Johnson Park and soon will be ready to be paved. Deputy DPW Supt. Farrell gave Deputy Mayor Gee a Suit Kote estimate for a complete job of paving the Johnson Park driveway for approximately \$9,000.00 which is well within the grant money amount.
- Bobcat – will be delivered this week.
- Garbage Truck – the decision to purchase the 2007 Labrie Automatic “Helping Hand” body mounted on a 2007 Freightliner Ms Chassis has been made. The DPW crew have all done a demo with the truck and agree it is the best one.

MOTION – Accept Bid from Joe Johnson – Packer 2007

Made by Trustee Contestabile seconded by Deputy Mayor Gee to accept the bid of \$181,575.00 from Jo Johnson Equipment USA, Inc. for 2007 Labrie single arm automated packer subject to the motion to transfer an amount not to exceed \$182,000.00 from the Equipment Replacement Reserve Fund.

VOTE: 5-0. Carried unanimously.

MOTION – Set Public Hearing to Appropriate Funds for Labrie Packer

Made by Trustee Contestabile seconded by Trustee Gee to set a public hearing on Tues., May 12, 2009 at 6:45 P.M. to consider appropriating funds for the purchase of a 2007 Labrie single arm automated packer from the Equipment Replacement Reserve fund in an amount not to exceed \$182,000.00.

VOTE: 5-0. Carried unanimously.

- Earth Day is Sat., April 18th. Marcy McCall, Wheatland Earth Institute, will have volunteers to help. DPW will be on duty as well. At the electronics recycling collection there will be a charge of \$10.00 per T.V. and \$5.00 per monitor. Collection will be from 9:00 A.M. – 12:00 Noon.
- Village Streets Listing for paving – DPW Deputy Supt. Farrell provided a listing “V. Scottsville Surface Treat (stone & oil) 2009” of streets and prices. He also provided a listing of streets and prices done in 2008.
- Purchase of 1 ton dump and Mower – the DPW will soon be ordering a 1 ton dump and mower. The dump truck will cost approx. \$40,000.00 which will be replacing the 1992 1 ton truck. It is time to purchase according to the rotation schedule. They are looking at a Ford diesel on State Bid. The current truck will be put out to bid or auctioned.

- X Mark Mower Purchase – Set Public Hearing

MOTION – Set Public Hearing to Approp. \$8,500.00 for X Mark Mower

Made by Deputy Mayor Gee seconded by Trustee Bryant to set a Public Hearing at 7:00 P.M. on Tuesday, May 12, 2009 to consider appropriating an amount not to exceed \$8,500.00 from the Equipment Replacement Reserve Fund for the purchase of an X Mark laser zero turn mower, subject to a 30 day permissive referendum.

VOTE: 5-0. Carried unanimously.

- Tree on East Genesee St. – The tree issue has been resolved with Ms. Eastman on East Genesee St. A copy of the arborist report was sent to her and some wood from the tree was given to her.
- Disability – There was a lengthy discussion re: is light duty appropriate for an employee who is waiting for knee surgery. Consensus of the Board is that the employee should not be on premises and be told to stay home until there is clarification re: disability.

TREASURER BEVERLY MARTIN

- Pay Bills

MOTION: made by Trustee Contestabile seconded by Trustee Bryant to approve bills from 3/13/2009 – 4/15/09 on abstracts 33 to 36.

VOTE: 5-0. Carried unanimously.

- Budget Modification – submitted by Treasurer Martin

MOTION: made by Trustee Contestabile seconded by Trustee Bryant to approve the proposed modification dated: 4/14/2009 to the current 2008-2009 Village Budget; General fund, Total increase in appropriations \$12,426.14, Total increase in Revenues \$12,426.14.

VOTE: 5-0. Carried unanimously.

- The Board commended Treasurer Martin on doing a nice job on preparing the budget this year.

TRUSTEE RICK VENVERTLOH

- Trustee VenVertloh urged that when the Mayor speaks to the WAG Committee re: WWTP pump sta./I & I, he relay the official position of the Village as outlined in the letter to Jason Kennedy, Monroe County Pure Waters, dated: Sept. 30, 2008.

DEPUTY MAYOR GEE

- Deputy Mayor Gee reminded the Board of the Main Street Economic Development conference on Thursday, April 30th. It costs \$95.00 per person to attend. Mayor Souers, Deputy Mayor Gee and Trustee Bryant indicated they would like to attend.

TRUSTEE CONTESTABILE

- No Report – His report issues were previously discussed in the meeting.

TRUSTEE BRYANT

- Trustee Bryant attended a Chamber of Commerce Meeting. At that meeting Geoff Woerner recommended that the Village discuss local business in the newsletter – suggested doing profiles etc. Trustee Contestabile will talk to Matt Jamesson re: creating a Village link to the Chamber.

MAYOR MICHAEL SOUERS

- Mayor Souers met with Haskell Monument Works to order a Village plaque to hang in the entrance. It will be the same style as the Town of Wheatland plaque presently hanging in entrance. The Village sign be on the left side of the entrance coming in from Main Street. It will be 18” x 24”, bronze and cost approximately \$1,100.00.

PARK PERMITS

MOTION: made by Trustee Contestabile seconded by Deputy Mayor Gee to approve the Johnson Park Permits as listed:

- 1) Rob Burns, 424 Middle Rd., Sat., June 20,2009 – Birthday Party.
- 2) Steve Farrell, 62 Main St., - Sun., Aug., 23, 2009 – D&D Volleyball Picnic.
- 3) D&D Volleyball League May-Aug., Tuesday Nights.

VOTE: 5-0. Carried unanimously.

OLD BUSINESS

- Design Guidelines Central Business District – has been approved.
- Site Development Plan Regulation – More work to be done on this.
- Supplemental Regulations for Central Business District and Design Guidelines – completed.

NEW BUSINESS

- Memorial Day Parade & Services, Monday, May 25, 2009 at 9:00 A.M. start at T.J. Connor School. Village Board will march. Wear tie (jackets optional).
- Municipal Solutions Inc., Mary Chappell
Mayor Souers reviewed the meeting he had with Mary Chappell – Municipal Solutions Inc., and Dave Willard & Jim Peet – MRB re: Rural Development Funding possibilities for the Village. Mary Chappell indicated that Rural Development has a lot of grant money to give out and thinks the Village has a good chance of qualifying for grants for the Proposed Sewer Improvement Project. Upon the Mayor's request she is going to write a pre-application for the Village to determine funding eligibility. The pre-application rates the Village. Example: If you tell them your I & I project is estimated at \$800,000.00, and you have \$330,000.00 in reserves and are looking for \$500,000.00, they will write back within two weeks and let you know how much they will give you in grant money and low interest loans. You then decide if you want to go through a full grant proposal which costs \$1,500.00 to have Municipal Solutions Inc. do it.. Mayor Souers has authorized her to write the pre-application letter so we can find how we can pay for the project. Ms. Chappell suggests waiting until we hear from them before we put our bid package together for the first phase, because you don't want to do phase one and spend \$250,000.00 then only apply for the remainder of money; you want to apply for the whole amount of the project. MRB will wait but have the bid package ready to go this summer. The pre-application response should be back by this time next month. After that the Village Board would have to approve having Ms. Chappell write the full grant proposal. She also thinks the Pump Station project is another Rural Development grant possibility. The Village would need to become lead agency rather than Monroe County, to apply for the Pump Station project grant money.

ADJOURNMENT

MOTION: made by Deputy Mayor Gee seconded by Trustee Contestabile to adjourn the meeting at 10:05 P.M.

VOTE: 5-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll
Village Clerk