

VILLAGE OF SCOTTSVILLE  
BOARD OF TRUSTEES MEETING

Minutes of Meeting  
Tuesday, August 12, 2008

CALL TO ORDER: Mayor Michael Souers called the meeting to order at 6:37 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(arrived at 6:45 p.m.), Building Inspector Terry Rech

APPROVAL OF MINUTES

MOTION – Approve Tues., July 8, 2008 Minutes

Made by Trustee Contestabile seconded by Trustee VenVertloh to approve the Tuesday, July 8, 2008 Village Board minutes as amended on page 3, last paragraph, second sentence should read “she believes recreational fires in her area are affecting her child”, and third sentence should read “recently she called 911 because there was a fire about 7 houses away from hers which “she believes” bothered her child.

VOTE: Mayor Souers – yes  
Deputy Mayor Gee – yes  
Trustee VenVertloh – yes  
Trustee Contestabile – yes  
Trustee Bryant – abstained  
Motion Carried: 4-0.

PUBLIC HEARINGS – None

PUBLIC BEFORE THE BOARD – None

REPORTS

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVE FARRELL previously submitted the WWTP report via: email, dated: August 12<sup>th</sup>(on file) with eight bulleted items on it. Items discussed:

- Jim Luke to take his certification test Aug. 25 at Avon DEC.
- Toter has been replaced in Canawaugus Park near the bridge.
- Plant is running well at present.

- The County still has meter in place – they have not received any data from them as yet. Mayor Souers indicated he will hold a WWTP work session Aug. 18, 2008 at 7:00 P.M.

Attorney Peter Skivington arrived at the meeting and was acknowledged present at 6:45 p.m.

#### DEPARTMENT OF PUBLIC WORKS

DEPUTY SUPERINTENDENT STEVE FARRELL previously submitted, via: email, his written DPW reported, dated: August 12<sup>th</sup> (on file) with eight items listed which he reviewed. Other discussions:

- Scott Crescent drainage. Drainage back-up in the Scott Crescent area is a problem. There is concern of residents re: bubbling from underground during rain storms. After discussion Trustee Bryant agreed to talk with Herm Yahn, past DPW/WWTP Supt. to acquire information re: the structure of the drainage in that area etc. He will also try to coordinate a meeting to decide how the problem can be remedied.
- Uniform policy. The DPW wants to cancel the current uniform contract and bring back the old policy. Per the Mayor: the issues of the Uniform Policy and the Garbage & Refuse Policy changes will be discussed at the WWTP meeting the Mayor is scheduling for Monday, August 18, 2008 at 7:00 p.m.
- Trustee Gee recommended that a motion be made to purchase the items that will eventually come out of the Recycling Grant money. Purchases have to be made first and then get money back from the grant. Therefore the following action was taken:

MOTION – Set Public Hearing to Approp. \$18,000 for Leaf vac & recycle boxes.

public  
boxes.

Made by Deputy Mayor Gee seconded by Trustee Bryant to set a hearing on Tuesday, September 9, 2008 at 6:50 P.M. to consider appropriating an amount not to exceed \$18,000 out of Equipment Replacement Reserve Fund to purchase a leaf vac and recycling boxes.

VOTE: 5-0. Carried unanimously.

- Johnson Park project

DPW Deputy Supt. Farrell reported that Genesee Building Restoration, Inc. workers have not been working on the park pavilion for a couple days. They now could work during the entire day because Wheatland Recreation has ended. It was pointed out that scrap metal has been left around the pavilion and could be dangerous. DPW unsuccessfully tried to scrape up excess dried grout left by the builder. There are many jobs incomplete. Trustee Gee has spoken to Butch on these issues.

- Chili Avenue Retaining Wall

Per Trustee Bryant: the retaining wall between Hanford Avenue and the railroad bridge has some unattached brick and should be repaired. Steve Farrell and Trustee Bryant will check the site out tomorrow.

- Location of Dumpster at Johnson Park was discussed. Consensus was to leave it where it is now. In the future a cement pad could be poured to set it on with a nice fence enclosure around it. When the contractors are finished with their work on the pavilion there will need to be a plan for cost of finishing; such as painting, using remaining brick from the Fire Facility etc. The Scottsville Lions Club has indicated they will paint the pavilion if the Village buys the materials.
- Youth Court – Per Mayor Souers: there is a new Youth Court coordinator, Mary Pat Gerkin. She has two youths that each needs to do 5 hours of community service. She would like the Village to provide the 10 hours of work for them to do. Consensus of the Board was in favor of providing the work, but a parental consent release form for youth under 18 years of age would need to be signed by the parents before allowing them to work for the Village. Attorney Skivington will draw up a form which will be given to Ms. Gerkin to use. A copy will need to be on file in the Village Office before Youths can start work. She will be informed that she needs to schedule the work directly with the DPW Deputy Supt.
- Town of Wheatland Bid Invitations – (Fairview Drive, Mumford & Rolling Acres).  
Per Mayor Souers: The Town provided the Village with an invitation to bid for the collection of refuse and recyclables. There are three separate areas for bid; Fairview Drive(20 collection units), Mumford(308 collection units), and Rolling Acres(68 collection units). Bids are due by Thursday, September 18, 2008 at 5:00 P.M. There was discussion re: if the Village took on these collections, or a portion of, it would offset some of the cost of a new packer. Copies of the bid packages will be given to Deputy DPW Supt. Farrell and DPW Supt. Taggart for review. The bid invitation will be reviewed at the work session on Monday, August 18 meeting.

#### ATTORNEY

PETER SKIVINGTON reviewed:

- Property Maintenance Code – there was question re: if, through the new property maintenance code, there is a charge put on a property for a Village clean up and does not get paid before the property sells, would the new owner be liable to pay it. In some foreclosure incidences that could happen. The new owner could do a small claim to recap that amount. Any Village property maintenance charge would be handled just like an unpaid sewer charge as far as getting it on the tax roll.
- D&Ds Survey – Per Attorney's letter Dated July 27, 2008, Attorney Matt Nafus has indicated that his client, C. David Hellaby, is willing to pay one-half of the estimated \$700.00 for the cost of a survey of D&Ds/Village property at 26-28 Caledonia Avenue. The Village Board's opinion was that D&D's should pay the entire amount not to exceed \$700.00 for the survey estimated by Maier Land Surveying. Attorney Skivington will inform Attorney Nafus of the Boards opinion.

- Spring Basin Property – Attorney Skivington will get an abstract for the property.
- Swann – Scott Cres. Property – Per Attorney Skivington cited his letter to Terry Rech Dated August 11, 2008 and a letter to Attorney Skivington from Jamie Swann’s Attorney DeMarco dated August 6, 2008, indicating that Mr. Swann would not be hiring an engineer and Attorney DeMarco would not be present for the court appearance on Monday night. After review of the issue, Attorney Skivington said he would be asking Judge Hallock to put the issue of Swann’s stop work order on the trial calendar in September.
- Town/Village Meeting – Per Attorney Skivington, there will be a meeting with Town Attorney, Town Supervisor, Village Attorney and Mayor on Wednesday, August 20, 2008 at 5:00 P.M. to review the Waste Water Treatment Plant issue.

#### VILLAGE CLERK

ELAINE DRISCOLL

#### Cold War Vets Tax Exemption

##### MOTION – Set Public Hearing for Cold War Vets Tax Exemption

Made by Deputy Mayor Gee seconded by Trustee Contestabile to set a Public Hearing on Tuesday, September 9, 2008 at 7:00 P.M. to consider adopting a Local Law to authorize a Real Property Tax Exemption for Cold War Veterans.

VOTE: 5-0. Carried unanimously.

#### Recycling Calendar

Copies of the 2008 Recycling Calendar were given to the Board members to review. Any changes that need to be on the 2009 calendar, must be ready by the end of October for printing. The Cub Scouts need to have them by November 22 to deliver to residents. Revisions of the weekly Refuse and Recycling Collection Policy needs to be completed in order to be inserted in the Recycling Calendar.

#### BUILDING INSPECTOR

TERRY RECH previously submitted his Building Inspector’s Report dated 08/12/2008 with five permits listed and one lined out (on file). Items discussed:

- 14 Oakwood Lane – recently at 14 Oakwood Lane trash & renovation materials were piled along the road and an incident where the debris was tossed into the street; police were called to file a report. Building Inspector Rech wrote a letter to Debra & Jamie Swann, the new owner of 14 Oakwood Lane, telling them they would be subject to a fine if he didn’t dispose of the pile. Debra Swann wrote a response letter dated: August 5, 2008 (on file). There is now a dumpster being used on site.
- Planet Aid – Per Bldg. Insp. Terry Rech Planet Aid requested having clothing bins at 67 Rochester Street and in the parking lot of D&D’s which may be on village property. After discussion and citing the questionable history of Planet Aid and what other communities have done, it was the consensus of the Board that the applications not be approved and no permits be given.

TREASURER

BEVERLY MARTIN submitted copies of the Abstracts of Audited Vouchers (on file). The following action was taken:

Pay Bills

MOTION: made by Trustee VenVertloh seconded by Deputy Mayor Gee to approve bills from 7/16/2008 – 8/13/2008 on abstracts 5 to 8.

VOTE: 5-0. Carried unanimously.

Monroe County Sales Tax

Treasurer Martin reported receiving the Monroe County Sales Tax check in the amount of \$106,811., which is an increase of \$3,400. from last year.

Grant – Chips

Treasurer Martin has sent in for \$26,000. from CHIPS.

Annual Financial Report

Treasurer Martin reported that the Annual Financial Report has been filed and gave copies to the Board for review.

TRUSTEES

RICK VENVERTLOH reported:

- TEP Grant – Trustee VenVertloh indicated that the presentation opportunity heard by a DOT evaluation team for the TEP program went well. He was pleased that the Town of Wheatland Supervisor, Linda Dobson, attended and verbally supported the Main Street Project. Trustee VenVertloh and Mayor Souers reviewed changes in the application that the evaluation team recommended such as increasing engineering costs and right of way acquisitions. Acceptance or denial of the applications is due by December. Notification will come before the budget process. Stu Brown was at the presentation and believes Scottsville has a good chance of being awarded a grant.

DEPUTY MAYOR PAUL GEE reported:

- Johnson Park Pavilion Renovation – Per Dep. Mayor Gee: there have been many concerns about the roof and improvements not being done adequately at Johnson Park. It was agreed that Trustee Bryant will do another check of the project to see how it is progressing.
- DEC Recycle Grant – there was discussion re: items that could be included in the next round of DEC Recycle grant: possibilities such as loader or garbage truck. Could staffing be cut if larger truck is purchased? Businesses that don't recycle now should be encouraged to do so in the future.

TRUSTEE LINO CONTESTABILE reported:

- Issue on Planning Board agenda: Shed permit on Rochester Street in the Rochester Street Historic Dist.
- There will be a tent at the Summerfest to find people to volunteer for POD/CERT.

TRUSTEE CHARLES BRYANT reported:

- He had a very informative meeting with Julian Adams, State Historic Preservation Office re: Certified Local Government. He advised that there be an informational meeting with the Planning/Zoning Board before any Public Hearing. Trustee Bryant will organize such meeting and ask that Mr. Adams be present. It is important that it be known that the Certified Local Government does not take away liberties for residents; it protects their investments.

MAYOR MICHAEL SOUERS reported:

- Town of Wheatland has completed their WWTP study; done by “O’Brian” and supplied the data to the Mayor. A work session will be held for the Village Board.

MOTION – Meeting Monday, August 18, 2008

Made by Deputy Mayor Gee seconded by Trustee Bryant to set a work session on Monday, August 18, 2008 at 7:00 P.M. to review the Pump Station issue.

VOTE: 5-0. Carried unanimously.

- Per Attorney Skivington: the Town of Wheatland has requested a meeting of the Town and Village Attorneys and the Mayor and Supervisor to go over several inter-municipal issues on Wednesday, August 20, 2008 at 5:00 P.M.
- Trustee Contestabile recommended that the Brush Policy be reviewed at a separate meeting, not at the Mon., Aug. 18<sup>th</sup> meeting.
- Per Attorney Skivington: an inter-municipal agreement needs to be signed between the Town of Wheatland and the Village of Scottsville for the utilities cost share. He will review the issue and have new contracts to review and sign.

PARK PERMITS

MOTION: made by Trustee Bryant seconded by Deputy Mayor Gee to approve the Johnson Park Permit for Nichole Trotto for Saturday, August 23, 2008 to hold a Birthday Party. VOTE: 5-0. Carried unanimously.

OLD BUSINESS – NoneNEW BUSINESSScottsville Summerfest 2008MOTION – No Parking

Made by Deputy Mayor Gee seconded by Trustee Contestabile that by order of the Village Board there will be no parking on Main Street between Rochester

Crescent Street and the Easterly Mill Race Bridge with directional cones at Scott from 1:00 a.m. to midnight on Saturday, August 16, 2008.  
VOTE: 5-0. Carried unanimously.

MOTION – Proh. Use of bicycles, skateboards, scooters & rollerblades

Made by Trustee Contestabile seconded by Trustee Bryant that by order of the Village Board the use of the following items are prohibited during the Scottsville Summerfest: bicycles, skateboards, scooters and rollerblades. This prohibition will be on Main Street, between Rochester Street and Easterly Mill Race Bridge from 8:00 A.M. to 11:00 P.M. on Saturday, August 16, 2008.

VOTE: 5-0. Carried unanimously.

MOTION – Parking in Village/Town Parking Lot

Made by Trustee VenVertloh seconded by Trustee Contestabile that by order of the Village Board the only permitted parking in the town Parking lot during the Scottsville Summerfest (Saturday, August 16, 2008 from 8:00 A.M. to 11:00 P.M.) will be emergency vehicles, fire and rescue members personal vehicles, handicapped parking and official village vehicles (garbage truck). Additionally, two (2) traffic lanes will be kept open for tenant and emergency traffic.

MOTION – Main Street Closed

Made by Trustee Bryant seconded by Trustee Contestabile that by order of the Village Board, Main Street (Rt. 383) will be closed from 7:30 A.M. to 10:30 P.M. on Saturday, August 16, 2008 for the Scottsville Summerfest.

VOTE: 5-0. Carried unanimously.

MOTION – Church & Race Streets two-way

order of Made by Deputy Mayor Gee seconded by Trustee Contestabile that by the Village Board, Church and Race Streets will be closed to all traffic except local residents. Two-way access will be from 8:00 A.M. – 7:00 P.M. Saturday, August 16, 2008.

VOTE: 5-0. Carried unanimously.

MOTION – Second Street South Side – No Parking

the Made by Trustee Contestabile seconded by Deputy Mayor Gee by order of the Village Board, Second Street will have no parking on the South side from 8:00 A.M. to 11:00 P.M., Saturday, August 16, 2008.

VOTE: 5-0. Carried unanimously.

ADJOURNMENT

MOTION: Made by Deputy Mayor Gee seconded by Trustee VenVertloh to adjourn the meeting at 9:10 P.M.

All in Favor. Meeting Adjourned.

Respectfully submitted by,

Elaine M. Driscoll  
Village Clerk