

VILLAGE OF SCOTTSVILLE
BOARD OF TRUSTEES MEETING

Minutes of Meeting
Tuesday, December 9, 2008

CALL TO ORDER: Mayor Michael Souers called the meeting to order at 7:03 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

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

Absent: Trustee Charles Bryant

Also Present: Treasurer Beverly Martin, DPW Deputy Supt./WWTP Chief Operator Steve Farrell.

APPROVAL OF MINUTES

MOTION – Approve Tuesday, November 11, 2008 Minutes

Made by Trustee VenVertloh seconded by Deputy Mayor Gee to approve the Tuesday, November 11, 2008 Village Board meeting minutes with one correction on page 3, vote on MOTION: \$3,000. out of Contingent Fund for Code Enforcement should have been: 3-1 Mayor Souers – no, Deputy Mayor Gee – yes, Trustee VenVertloh – yes, Trustee Bryant – yes; Motion carried 3-1.

VOTE: Mayor Souers – yes
Deputy Mayor Gee – yes
Trustee VenVertloh – yes
Trustee Contestabile – abstained
Motion carried 3-0.

PUBLIC HEARING – None

PUBLIC BEFORE THE BOARD – None

REPORTS

ATTORNEY PETER SKIVINGTON was not present. Mayor Souers spoke with the Attorney before the meeting and reported the following on his behalf:

- Swann Stop Work Order Violation: Mr. Swann was slated to go to court last Monday re: Stop Work order on Scott Crescent property. Before the court date Mayor Souers, Attorney Skivington, Terry Rech, Mr. & Mrs. Swann, his Attorney and Engineer met to go through the list of problems with the Scott Crescent property and try to find the best

way to correct them. Instead of going to court, Mr. Swann's Attorney wanted to look at the overall list of problems to determine what could be done to remedy before they went to court. The court date was postponed another month. Attorney Skivington has not heard anything from them as of tonight. The many issues that need to be resolved include:

1. Stop work order violation.
2. Side setback needs to be verified.
3. Front set back – needs variance if 6 ft. porch is constructed.
4. Structure is below flood level.

Per Trustee Contestabile: Mr. Swann has had several years to resolve these situations; there should be no more negotiations. Per Mayor Souers: everyone knows Mr. Swann is in violation of the stop work order. Mr. Swann and his Attorney are trying to come to some terms where, once the Judge makes the determination that his is in violation, they will have an action plan in place when they go to the Planning/Zoning Board to resolve the problems. Attorney Skivington is doing a letter to Mr. Swann's Attorney to inform them that the issue must be heard at the next court date – no more adjournments. Mayor Souers will clarify with Attorney Skivington what the options are if Mr. Swann and his Attorney don't show at the next court date. It was the consensus of the board that the next court date must be held firm. Per Trustee Contestabile: this issue has come to be an undue burden to the Village with the work required by the Village Building Inspector and Village Attorney. It was suggested that Mr. Swann be made to pay all Attorney Fees.

VILLAGE CLERK

ELAINE DRISCOLL

Mayor Souers reported that he has asked that two issues be investigated by the Village Office:

1. Credit Card Use in the Village Office (per an article in the Churchville Newsletter: they have just begun accepting credit cards). The Village Clerk will see what their arrangement entails.
2. The Genesee Region Clean Communities (GRCC) coalition - Monroe County Refueling Station. Mayor Souers sent an application to sign up as a member of GRCC in October as a result of Mayor Souers and Henry Taggart attending a seminar at the Monroe County refueling Station. There has been no feedback since it was sent in on 10/6/08. The Village Clerk will check on the status and see what the next steps should be.

BUILDING INSPECTOR

TERRY RECH previously submitted his written report with four permits listed (on file). He was not present. The following issues were discussed via: Mayor Souers:

- Swann Property: Building Inspector Rech is in agreement that too much time has been spent on Swann's Scott Crescent construction issues. He is adamant that the Village should not take a soft position on resolving Swann's issues. Building Inspector appears at every court appearance that Mr. Swann has.
- Sewer Hookup at 88 Scottsville-Henrietta Rd. Because his septic system needs replacing, the owner of 88 Scottsville-Henrietta Rd.(rt. 253 South side) has requested a sewer hookup into the village sewer line. He owns two houses in that area, but at present

is asking for only one hookup; a second hook-up may be requested in the future. Per Mayor Souers: the hook-up would not be in the force main location. WWTP Chief Operator Farrell and MRB reviewed and approved a drawing and work is being done on their line. It will add one sewer unit. Terry Rech questioned the approval process for such an addition. The owner's property abuts the village easement. There was question if the State owned any part of the land that the new sewer line connection would go over. A hook-up fee is \$400. Trustee VenVertloh suggested that the whole issue of sewer connections and the fee schedule be updated. Mayor Souers reported that, along those lines, the Community Gospel Church on Browns Road is close to revisiting the issue of wanting to hook into the village drainage line. A study has been done for the Gospel Church by MRB to determine if the village lines could accept their drainage. They will probably be asking for Board approval to hook into the Village line soon. Since the Village doesn't have an 'out of district' user charge in the fee schedule, it will be necessary for the fee schedule to be updated. The Board agreed, in theory, to allow the sewer connection at 88 Scottsville-Henrietta Road if all requirements are met. Approval for the connection will be decided at the January meeting. Mayor Souers will follow up with Building Inspector Rech on the particulars.

- GPS survey: Per Mayor Souers via Terry Rech, a Monroe County person is coming out tomorrow to loan the Town and Village a GPS survey for approximately 1 week to 10 days. Highway Supt. Hazelton will do GPS in the NESD first and then the DPW will do manholes. It takes only a few minutes per manhole. The Village was going to have to hire someone to do this project, but using the County, it will be free with the use of one of our crew. Monroe County can do 500 manholes in a day or two. Deputy DPW Supt. Farrell will attend the meeting with the Monroe County person at 8:00 A.M. tomorrow morning to see how the equipment works.

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVEN FARRELL previously submitted his report via: email dated: December 9th(on file) with five items listed. He verbally report:

- County has removed their flow meters at the Plant. Some data has been given to them concerning actual flow of the Plant during October and November.
- Freezing of the waste line at the Plant has been a problem. It takes 1 hour to thaw the waste line. It has always been a problem but they have been able to remedy it by throwing ice melts in the line and using a blow torch to thaw it.

DEPARTMENT OF PUBLIC WORKS

DEPUTY SUPT. STEVEN FARRELL previously submitted his report via: email dated: December 9th(on file) with 10 items listed. He verbally reported as follows:

- Leaf season ends this Friday. Next year they would like to end at least a week earlier.
- Salt Order: the DPW had 105 ton of salt delivered. This is ½ of their order.
- Recycling Decals: the Garbage truck has the new recycling decals on it now to avoid confusion of residents.
- Garbage Truck Accident: the rear of the Garbage truck was hit. A lady in a car crashed into the truck trying to go around it. There were no injuries. This is the 3rd time the truck has been hit in the rear. A check from the woman's insurance company will be coming in

the amount of \$687.50 for repairs to the truck. Steve will give the Village Clerk a copy of the accident report.

- Garbage Truck Purchase: DPW Deputy Supt. Farrell presented a brochure showing a garbage truck they suggest purchasing. They are interested in purchasing a used 2004 Mack demo truck which is now available. It has a Heil body, side arm, low entry cab, with 10,000 miles. Price is around \$150,000; new it would run \$220,000-\$240,000. Seneca Falls has the same truck. They suggest keeping existing truck to get dumpsters since the demo truck won't do dumpsters. Extra cost of keeping both trucks was discussed. Equipment replacement was discussed. Per Dep. Supt. Farrell: much of the Village equipment; such as the 1992 dump truck needs replacing. All agreed a purchasing schedule needs to be put into place and adhered to. The possibility of applying for a recycling grant for a truck instead of a loader was considered.
- New Sign: A "churches" sign is up at the East end of Second St. directing West.
- Sweeper Purchase: Per Ken Bittner of Monroe County: roll over money from CHIPS may not be available next year. DPW Dep. Supt Farrell is entertaining the purchase of a sweeper that could be used for various jobs in winter & summer. The Village has \$8,000. remaining in CHIPS money. Steve is getting sweeper prices. \$8,000.00 won't pay for the entire purchase. Payment options were reviewed by Treasurer Martin. Money could come out of the operating budget then put back. The concept of a sweeper purchase was acceptable to the Board.
- Christmas Decorations: Lights and wreaths are up on Main Street and a tree is lit on the Main/Rochester triangle. Just lights, no wreaths, are on the bridge. It is a safety issue trying to hang wreaths on the pole bracket outside the bridge.
- DPW Employment: After a lengthy discussion re: unemployment claims and rules & regulations, the consensus of the Board was to keep DPW employee Dillon McCarthy employed until Dan Walzer returns to work on December 29, 2008 from a knee operation even though hours and funds for summer help has ended. The Village has received a notice from NYS Unemployment that the Village will be paying benefits to past summer employee Greg Dunn. The Board agreed that Treasurer Martin should send in a protest for Village unemployment payment for him and wrong reported hours of employment. She will also get information on unemployment rules and regulations. Deputy Mayor Gee encouraged Treasurer Martin to get legal advice re: unemployment from NYCOM.
- Smoke Testing: Per Mayor Souers: in the final draft of the I&I report there is a section of violations found when smoke testing was done with recommendation of how to correct them. Work needs to start to make corrections. DPW Deputy Supt. indicated that some corrections have already been done. There was question as to whose job it is, DPW or Code Enforcement Officer, to oversee the violations. The Mayor & DPW Deputy Supt. will go through the list of violations to make that determination.
- Monroe County Recycling Advisory Committee

Upon a recent email received from the President of the Monroe County Association of Villages, Mayor Souers explained that he has volunteered to provide a member for the Monroe County Recycling Advisory Committee to represent the Association of Villages. Options for membership were: The DPW Deputy Supt., a Village Board member, or a member of Wheatland Earth Institute. After discussion it was decided the Mayor will try to get a member of the Wheatland Earth Institute to participate. Deputy Mayor Gee will consider doing it if Wheatland Earth Institute declines. If neither ends up being able to participate, DPW Deputy Supt. Farrell will be required to attend the monthly meetings at the Recycling Center. Mayor Souers will find out tomorrow if anyone from Wheatland Earth Institute will do it. He will then make the decision for membership. He feels it is important to have a say in what is going on at the County level.

TREASURER

BEVERLY MARTIN

- PAY BILLS

MOTION: made by Trustee Contestabile seconded by Trustee VenVertloh to approve bills from 11/21/2008 – 12/10/2008 on abstracts 20 to 22.

VOTE: 4-0. Carried unanimously.

- BUDGET MODIFICATION 2008-2009

MOTION: made by Trustee Contestabile seconded by Deputy Mayor Gee to approve the proposed modification to the current 2008-2009 Village budget dated: 12/9/2008; Total increase in appropriations General Fund \$19,049.51. Total Increase in Revenues Government Aid \$19,049.51 as submitted by Treasurer Martin.

VOTE: 4-0. Carried unanimously.

- Chase Check Return Policy

Treasurer Martin explained that JPMorgan Chase recommends discontinuing the return of cancelled checks to the Village. She has talked to the NY State Comptrollers Office and they indicated the only thing that needs to be done to make the change is a motion made by to Board to allow it.

MOTION: made by Trustee Contestabile seconded by Deputy Mayor Gee to approve the discontinuation of receiving cancelled checks back in our JP Morgan Chase N/A statement.

VOTE: 4-0. Carried unanimously.

- MedEx Meeting

Tresurer Martin reported that the Village Office Staff and Chief Jarrett will meet for instruction with a MedEx representative this Thursday at 10:00 A.M.

TRUSTEES

TRUSTEE RICK VENVERTLOH

Trustee VenVertloh passed out and explained a Transportation Improvement Project (TIP) sheet for the Scott Crescent Bridge Replacement over the Millrace. Points of interest:

- \$38,000. is obligated for bridge project from Federal money.
- the State starts the process.
- initial project proposal comes from DOT.
- the local project Engineer is Bryan Sherman Tel: 272-3423.
- local share is 20% - Federal Share is 80%.
- Village share may have to be paid up front.
- Village needs to hire an Engineer to do detail design(will be given list of consultants to choose from – can choose off list or advertise & include those not on the list).
- State will tell us what the next step is.
- Mayor Souers met with Treasurer Martin and past Treasurer Scantlin to review reserves available for future projects. During the budget process, a “Reserve for Bridge” should be set up.
- in kind services can be supplied.
- sewer betterment could be done under the Race with Main Street project.
- I&I project should be defined & TVing completed. A special meeting will be scheduled on that issue.
- Next step: Per Trustee VenVertloh: wait to hear from the State re: Scott Crescent Bridge. Trustee VenVertloh will continue to advise the Board re: next steps and future opportunities.
- Bridge project could be as soon as this coming summer.

- Sewer Plant Project

Trustee VenVertloh advised that a meeting be held with the new Director of Pure Waters to give him a clear summary of the Sewer Plant Project and let him know where the project stands. It was agreed that the Mayor will meet with Trustee VenVertloh and Attorney Skivington to get a punch list together for the Sewer Plant; such as completing I&I project agreements, etc.

- Town/Village Meeting

Village Attorney Skivington, Mayor Souers, Town Attorney Glavin and Supervisor Dobson met last week to discuss:

- Code Enforcement Contract
- North East Sewer District Contract

No decisions were made. Trustee VenVertloh strongly recommended that the Town be asked to formally record their positions on these matters. Work will continue with the Town on these unresolved issues.

DEPUTY MAYOR PAUL GEE reported:

- He has submitted for reimbursement of \$8,000. for recycling grant.
- He has submitted for the seconded payment for Johnson Park. Karen Ferguson said the application looked good and we should receive a check for \$23,100. in about a week.
- He has talked to MRB Carl Schoenthal re: project scope to do Browns Avenue sewer lines. Browns Avenue would qualify for the right area for the Community Block Grant.

- Mayor Souers will let Deputy Mayor Gee know if he should go to the Monroe County Recycling Advisory committee meeting.
- Johnson Park site inspection – last Monday Butch from Genesee Building Restoration, Mayor Souers and Trustee Bryant did an inspection of Johnson Park Pavilion and signed off on the bathrooms. Gable repairs are necessary. It will take a month to get materials. Per Deputy Mayor Gee. Karen Ferguson of the Parks Dept. has to come out to do final inspection. General Building Restoration submitted scope of work dated: December 8, 2008 which reduces the contract for work deleted (not installing the sink), in the amount of \$480.00(on file).

TRUSTEE LINO CONTESTABILE reported:

- Trustee Contestabile attended the Planning/Zoning Board meeting on Thur., November 13, 2008 and charged the Planning/Zoning Board with doing a review of current zoning regulations and possibly make changes based on the Main Street Study done by Stuart L. Brown Associates, Inc. They are to look at design and decide on changes that can be made now, They will start the process in January.
- Mayor Souers will schedule a joint meeting of the Planning/Zoning Board, Main Street Committee and Ed Flynn to get everyone on the same page.

MAYOR MICHAEL SOUERS reported:

- Fire Dept. Holiday Parade will be held Friday, December 12, 2008,
- GPS survey: Mayor Souers, Trustee VenVertloh, Carl Schoenthal and Dave Willard of MRB met re: the I&I study. The GPS proposal came back showing that it should be done with a survey grade GPS. Before Mayor Souers and Trustee VenVertloh knew Monroe County would help with the project they considered suggesting hiring MRB to get it done properly. Mayor Souers will now contact Carl Schoenthal informing him that Monroe County will be providing it.
- The “Shared Municipal Services Grant” was discussed with Carl Schoenthal. He and Mayor Souers agreed it doesn’t fit the WWTP project and what the State is looking for. The grant would rather fund a study to get rid of our plant - not keep it. Consensus of the Board was this is not a grant to apply for.

NEW BUSINESS – None

OLD BUSINESS – None

ADJOURNMENT

MOTION: made by Trustee Contestabile seconded by Deputy Mayor Gee to adjourn the meeting at 9:58 P.M. VOTE: 4-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll, Village Clerk