

VILLAGE OF SCOTTSVILLE
BOARD OF TRUSTEES MEETING

Minutes of Meeting
Tuesday, December 8, 2009

CALL TO ORDER: Mayor Michael Souers called the meeting to order at 6:39 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

Present: Mayor Michael Souers, Deputy Mayor Paul Gee, Trustee Lino Contestabile, Trustee Rick VenVertloh, Trustee Elizabeth Murray and Recording Secretary Elaine M. Driscoll Village Clerk.

Also Present: Treasurer Beverly Martin, DPW Supt. Henry Taggart, Deputy DPW Supt./Chief Operator WWTP Steve Farrell, Communication Director Edie Cornish, recording secretary Elaine Driscoll.

APPROVAL OF MINUTES

MOTION – Approval of Tuesday, November 10, 2009 Meeting

Made by Deputy Mayor Gee seconded Trustee Murray to approve the minutes of the Tuesday, November 10, 2009 Village Board Meeting with two corrections: page 2, 6th bullet – spelling “Geoff” Woerner, page 10 – third bullet under Main Street Committee last sentence should read “displayed with the wagon and will be used annually”.

VOTE: 5-0. Carried unanimously.

PUBLIC HEARING - None

PUBLIC BEFORE THE BOARD – None

REPORTS

ATTORNEY PETER SKIVINGTON was not present because of illness. Mayor Souers reported:

- 21 Scott Crescent Swann Property – Mr. Swann has not given permission to inspect premises as requested by the Building Inspector, so Attorney Skivington is moving forward with paper work at the supreme court level.
- 13 East Genesee St. – Matoes, residents of 13 East Genesee St. want to meet with the Village to review the issue of traffic using their property at the end of East Genesee St. According to their map, the Street ends 20’ before the Greenway Starts, and they want that area closed off. Ownership and property lines need to be verified. It is the only access for the farmer to their fields and the right of way to the greenway. Sewer lines run directly under the area in question. Trustee VenVertloh indicated that someone may have to be hired to do a search and the area be mapped and abstracted. The Greenway may

have complete mapping that would be beneficial. Mayor Souers will talk to Attorney Skivington about this issue.

COMMUNICATION DIRECTOR EDIE CORNISH reported:

- Holiday Events – Ms. Cornish has been working on advertising for the Main Street events will be in the Dec. 9th Sentinel.
- Village Entrance Signage – Ms. Cornish is in the process of getting estimates for Village entrance signs.
- Facebook has been set up, but is accessible through Edie Cornish’s name and then “Scottsville”. She already has 24 friends. It will be a good communication tool in the future.
- Village Plaque – wording for the entrance plaque is being considered – suggestions welcome.

VILLAGE CLERK ELAINE DRISCOLL reported:

- Election Inspectors – The Village Clerk reported that, on advice of Katie O’Neill NYCOM Counsel, a motion needs to be made to allow election inspectors for the village elections to reside in the encompassing Town of Wheatland. Monroe County Board of Election will supply a list of inspectors who have been trained on the new machine that will be used for the March 16, 2010 Village Election, There are not enough inspectors on that list to choose from, who live in the Village. It is required to have four inspectors; two democrats and two republicans. The following action was taken:

MOTION – Election Inspector allowed from Village & Town

Made by Trustee Contestabile seconded by Deputy Mayor Gee allowing the Village of Scottsville election inspectors to reside in the encompassing Town of Wheatland when necessary.

VOTE: 5-0. Carried unanimously.

- Wheatland-Chili HS Class of 2010 – Yearbook Ad

MOTION – Approve yearbook Ad

Made by Deputy Mayor Gee seconded by Trustee Murray to approve placing a Congratulatory Ad in the Wheatland-Chili HS Class of 2010 year book, in the amount of \$90.00 for a ¼ page.

VOTE: 5-0. Carried unanimously.

BUILDING INSPECTOR TERRY RECH was not present at the meeting but had previously submitted his written report dated: 11/1/09 to 11/30/09 with three (3) permits listed (on file).

- Mayor Souers reported that the target date for the 22 Main Street building alarm being activated is January 1st. Terry will instruct everyone as to use. Each person will have their own code. The Clerk will get a list of village employee’s codes to have on file.

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVE FARRELL previously submitted his written report via: email, dated: December 8, 2009 with seven of interest listed (on file). Items discussed:

- Reed bed has been cut and reed removed to compost pile.
- Outages at Plant on 12/5 and 12/6 due to automobile accident on Main Street taking down a pole and replacement the next day. Was necessary to start the plant up after outages.
- Plant is running well.

DEPARTMENT OF PUBLIC WORKS

DPW SUPT. HENRY TAGGART AND DPW DEPUTY SUPT. STEVE FARRELL were in attendance and had submitted a written report via: email, dated: December 8, 2009 with eight (8) items listed (on file). Discussed were:

- Leaf pick-up ended last week. Machines have been cleaned and stored.
- Dump Truck Replacement – the 1992 one ton dump truck is scheduled for replacement. A letter of intent for the purchase of a replacement has been given to Van Bortol Ford to set up ordering – comes with no obligations. Price approx. \$37,029. Supt. and Deputy Supt. recommend putting the old truck out to bid with a March/April target date. They will bring figures to January meeting for a 2010 model truck.
- Plows are ready – Both big trucks are ready to plow and the pick-up has a plow and the mid size dump truck has plow and salter. The bobcat also has a snow blower.
- Holiday lights are up on Main Street. There are trees set up on the triangle and at the Christmas shop. The tree, wagon and etc. for the Main Street display at the Christmas shop, have been donated by Stokoe Tree Farm and put up by the Village crew.
- Flags – Per the DPW: new American Flags will need to be purchased next year from the American Legion. Steve & Dig commended Ms. Patti Colwell for sewing the banners for them when necessary and will see to thanking her.
- Tree Trimming – Terry Trees will trim trees in the village after the New Year. They will begin on Main Street. DPW will coordinate the project with the Forestry Committee. Business owners will be notified. Residents will be notified if trees are to be taken down; not for trimming only.
- Salt Supply – The approximate salt supply for the year is 200 ton. At present we are good with our supply, but will get some delivered after the New Year.
- Bobcat replacement proposal – Brian from Bobcat has offered a plan that would replace our bobcat every year. It costs \$3,000. per year for a new machine annually – does not include attachments and comes with a warranty of 12 months unlimited hours. If the village does the annual \$100. maintenance service on the existing bobcat, it could cost

more than \$1,500. Monetary pros & cons were discussed. This issue will be discussed during budgeting. Mayor Souers has a copy of the proposed agreement.

- Steve & Dig will be working on a winter work schedule. Per DPW Deputy Supt. Farrell: Henry Taggart will be leaving Village employment at the end of this month.

EXECUTIVE SESSION

MOTION: made by Trustee Murray seconded by Deputy Mayor Gee to enter executive session at 7:21 P.M. to discuss a personnel matter.

VOTE: 5-0. Carried unanimously.

MOTION: made by Trustee Murray seconded by Trustee VenVertloh to adjourn the executive session and enter regular session at 7:45 P.M.

VOTE: 5-0. Carried unanimously.

- Holiday Party – the DPW will host a holiday luncheon party Friday December 18, 2009 for all Village Employees, Boards & Retirees. Invitations will be sent via: email.

TREASURER

BEVERLY MARTIN reported:

- Increasing Health Care costs were discussed at length. Treasurer Martin has had contact with our Excellus consultant, Heather Richman, to compare some other plans to what we have. Three different Excellus plans were provided. There was question of what the change of enrollment time would be for the Village. DPW Supt. Taggart requested that the meeting include the employees. The main concern of the employees is that they are now paying 25% of all increases. Treasurer Martin will be in contact with Heather Richman tomorrow to set up a meeting ASAP to review options of other plans which would offer the best possible coverage and value for the employees. It was suggested that plans from companies other than Excellus also be considered.

Trustee VenVertloh temporarily left the meeting room at 8:00 P.M.

- Pay Bills

MOTION: made by Trustee Contestabile seconded by Deputy Mayor Gee to approve bills from 11/20/2009 – 12/9/2009 on abstracts 21 to 23.

VOTE: 4-0. Carried unanimously.

Trustee VenVertloh returned to the meeting at 8:08 P.M.

- Budget Modification – Treasurer Martin provided copies of a proposed modification to the current 2009-2010 budget, dated: 12/8/2009, and explained the activity. The following action was taken:

MOTION – 2009-2010 Budget Modification

Made by Trustee Contestabile seconded by Trustee Murray to approve the proposed modification to the current 2009-2010 Village Budget, dated: 12/8/2009 submitted by Treasurer Martin: General Fund total increase in appropriation \$13,740.62, total increase in revenues \$13,740.62; Sewer fund total increase in appropriations \$6,489.99, total increase in revenues \$6,489.99. (here to attached)

VOTE: 5-0. Carried unanimously.

- NYS Retirement changes – Treasurer Martin reviewed that Governor Paterson has signed into law pension reform legislation that is expected to generate more than \$35 billion in long-term savings for New York taxpayers over the next thirty years. The legislation creates a new Tier V pension benefit plan for civilian employees as well as police and firefighters. The new tier will apply to employees of the state and all localities outside New York City hired after January 1, 2010. Key components of the new law include:
 - Raising the minimum age at which most civilians can retire without penalty from 55 to 62 and imposing a penalty of up to 38% for any civilian who retires prior to age 62.
 - Requiring employees to continue contributing 3% of their salaries toward pension costs so long as they accumulate additional pension credits;
 - Increasing the minimum years of service required to draw a pension from 5 years to 10 years.
 - Capping the amount of overtime that can be considered in the calculation of pension benefits for civilians at \$15,000 per year increasing by 3% annually, and for police and firefighters at 15% of regular annual wages.

The Village's Retirement cost has increased from \$25,541. to \$39,463. For 2010, based on the salary of all employees, the cost will increase from 6.9% to 11.1%. This is a huge budgeting concern.

TRUSTEES

DEPUTY MAYOR PAUL GEE

No Report

TRUSTEE RICK VENVERTLOH reported:

- Scott Crescent Bridge – Trustee VenVertloh has reviewed the letter from NYSDOT dated: October 1, 2009 re: General Bridge Inspection Inventory and Load Rating, Yellow Structural Flag Notice and indicated a follow up letter and fill out the necessary form attached. He will do a letter and the form for the Mayor to sign and call to get clarification re: when money will be received for the project. Financing this project will be discussed during budgeting.

TRUSTEE CONTESTABILE reported:

- The joint meeting with the Village Board and Planning/Zoning Board will be held at the January 14, 2010 meeting of the Planning/Zoning Board. The Chairman of the Planning

Board recommended that no action be taken on the “farm animal” law before the joint meeting. The Planning/Zoning Board does not meet in December.

- Trustee Contestabile may miss some Village Board meetings due to a class he is taking for the next few months, but will keep in close communications of the issues.

TRUSTEE ELIZABETH MURRAY reported:

- Main Street - Trustee Murray provided fliers re: “Celebrate the Season” Main Street events for Dec. 11, 2009. There will be a Firemen’s truck parade. Santa will be let off a Fire Truck at the Municipal Building approx. 6:45 P.M. The Senior Center will be open and serving hot chocolate. Lighting of the tree will be approx. 7:00 P.M. Wheatland-Chili high school choir will be singing at the Scottsville Library. Cookies/Hot Chocolate will be served at the Fire Facility after the parade.
- Eagle Scout – Trustee Murray recently attended a Scout function where it was announced that four scouts are receiving their Eagle Scout certifications. She spoke at the function on behalf of the Old School House and the Village. She will invite the four young men to the next Board meeting to receive recognition documents from the Village. Geoff Woerner, Scout Leader, has asked for projects that Scouts could do to work toward their Eagle Scouts status. Deputy Mayor Gee suggested a clean-up/restoration project in Canawaugus Park by the old lock on the Village side and possibly a history sign could be posted. Trustee Murray will tell Geoff to contact Deputy Mayor Gee to discuss the project.
- Chamber of Commerce – the next meeting will be scheduled for a January date. The Chamber and Stokoes Tree Farm have teamed up to sell wreaths for “Trees for Troops” at the “Celebrate the Season” event Friday night. There will be a tent in Dakin’s parking lot for this sale. Volunteers were requested to work 5:00 – 8:00 P.M.
- Main Street Committee will meet this Thursday.
 - They will be participating in the “Celebrate the Season” event this Friday by providing luminaries to all the businesses on Main Street.
 - Carl Schoenthal and Trustee Murray have approached the Legion re: having a farmers market at the legion. They have been receptive. They will be meeting with the people doing the farmers market at the skating rink. There was discussion re: if held at the Legion, who would be responsible to insure. The Legion will need clarification before they approve. It was advised Attorney Skivington be contacted for clarification of the insurance issue.
- Robert A. Boyd, Executive Director of the South Wedge Planning Committee consulting proposal – Trustee Murray recommended that the proposal from Mr. Boyd be approved. She and Treasurer Martin have met re: funding. There are funds left in the Main Street Fund that could be used for his services. No public hearing would be necessary. Per Trustee Murray: approving this proposal would start some of the actual economic development which was the original intent of the Main Street Study. The following action was taken:

MOTION – Approval of Robert A. Boyd consulting proposal

Made by Trustee Murray seconded by Deputy Mayor Gee to secure the consulting service of Robert A. Boyd for the Main Street revitalization project per his proposal dated: October 31, 2009 to be expensed from the Main Street Reserve account.

VOTE: 5-0. Carried unanimously.

Mayor is to sign the contract and Trustee Murray will inform Mr. Boyd of the approval.

MAYOR MICHAEL SOUERS reported:

- MCSD Captain Al Schulze – Mayor Souers met with Captain Schulze and reviewed recent break-ins, etc., in the area. The importance of calling 911 when anyone sees anything suspicious was stressed. Mayor Souers spoke of some of the incidences that have taken place in this area. It is also important that cars and homes be locked. Although Captain Schulze didn't have any of the reports to look at, he indicated that the break-ins are not necessarily local kids; there has been a lot of this activity across the County. Mayor Souers will be setting up a meeting with key people of the Village/Town/School/Community Watch etc., to discuss ways to end this activity.

OLD BUSINESS

- Farm Animal Proposed Local Law – Tabled to January meeting.
- Unison Proposal for Cell Tower – Mayor Souers met with Sue Marino, “Center for Municipal Solutions” on Nov. 12, 2009 to discuss the options available for the cell tower lease, etc. The present lease agreement with T-Mobile is just for the piece of land the tower is on; the Village does not own the tower, T-Mobile does. Ms. Marino indicated the Unison offer is not a bad offer because the Village will never get more money if there are additions on the tower. The Village could take the money that Unison is offering or just continue getting the present monthly payment. Center for Municipal Solutions recommended, and provided a copy of a local law that should be enacted by the Village before any proposal is accepted, to protect the Village where cell towers are concerned. Michael Sovereign, Unison, is in constant contact with the Mayor, requesting a decision re: their offer to buy the lease. After discussion it was agreed that Mr. Sovereign will be told that the budget process is about to begin and will take three months to complete. During the budget process, the Board will see where additional funds are needed and decide whether or not to accept Unison's offer. The Clerk will send Attorney Skivington a copy of the recommended cell tower “Interim application process for wireless telecommunication facilities” local law for his review and put the issue on the January agenda.
- Rural Development Pre-Eligibility Determination – Mayor Souers reviewed the status of the Rural Development pre-eligibility application for the pump station. He is hopeful that there will be a decision by the end of the year. Per Carl Schoenthal's Update on Sewer Project Schedule, he listed the following steps that will need to be taken:
 - Receive Preliminary Eligibility Determination (PED from Rural Development
 - Prepare outline of costs, timeline and draft Memo of Understandings (MOUs) for involved agencies; review with Village board.

- Schedule key stakeholder meetings to present MOUs to involved agencies – Town/County.
- Pass bond resolution; draft Letters of Intent for RD (to confirm agency involvement).
- Meet all conditions to submit Full Application (environmental, IMAs, and engineering agreements).

Per Deputy Gee: in the end the Village will need to decide about moving forward and looking at funding etc. Mayor Souers may call a special meeting when eligibility letter is received from Rural Development, Jo Ann Keller.

NEW BUSINESS – None

ADJOURNMENT

MOTION: made by Deputy Mayor Gee seconded by Trustee Contestabile to adjourn the meeting at 9:15 P.M.

VOTE: 5-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll
Village Clerk