

VILLAGE OF SCOTTSVILLE
BOARD OF TRUSTEES MEETING

Minutes of Meeting
Tuesday, February 12, 2008

CALL TO ORDER: Mayor Michael Souers called the meeting to order at 6:32 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

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

Also Present: Attorney Peter Skivington, Treasurer Thomas Scantlin, Deputy Treasurer Beverly Martin, Communication Director Elizabeth Murray, DPW Supt. Henry Taggart, Dog Control Officer Gary Hults, WWTP Operator Steve Farrell (arrived at 7:07 P.M.), residents Chris Chamot and Diana Tears.

APPROVAL OF MINUTES

MOTION: made by Trustee Contestabile seconded by Trustee Gee to approve the minutes of the Village Board Meeting held on Tuesday, January 8, 2008 as written. VOTE: Mayor Souers – yes
Deputy Mayor VenVertloh – yes
Trustee Gee – yes
Trustee Contestabile – yes
Trustee Bryant – abstained
Motion Carried 4-0.

The approval of minutes for the Monday, January 7, 2008 IMA meeting was tabled until the March 11, 2008 meeting for further review.

PUBLIC HEARING – None

PUBLIC BEFORE THE BOARD

Brian Hessel – Woodwise Land Company was present to discuss the possibility of the Village allowing his Company to do tree management on Village property; specifically on the piece of property on Scottsville-Mumford Road that is referred to as the Spring Basin. Mr. Hessel said he will possibly be doing some timber management/work for bordering property owners and has looked at the trees on Village Property. He is at this meeting to make the Village aware there are black walnut trees on the Village property that have harvest value. He asked if the Village Board would consider having his Company do tree assessment and work on the Village parcel; which would include harvesting some of the valuable wood. He didn't have a monetary estimate.

Future uses/plans for the property were discussed and making it “Forever Wild” is a possibility. Mr. Hessel said if the property was made “Forever Wild”, harvesting would be out of the question. After lengthy discussion, each Board member voiced his opinion and consensus was that they are not presently in favor of any harvesting on the property. Mr. Hessel will keep the Board informed re: progress of bordering property owners plans. There has been difficulty getting deed information.

Gary Hults – Scottsville/Wheatland Dog Control Officer

Mr. Hults was present to recommend that the Village Code be changed to limit the number of dogs that residents can house at one time. At present there is no limit in the Town of Wheatland or Village of Scottsville and there are no kennel laws to regulate the number of dogs. He recommends that the Town and Village have the same code. He recommended that there be a limit of three dogs with the fourth needing a special permit. After his presentation it was agreed that Attorney Skivington would talk to the Town of Wheatland Attorney, John Glavin, to draw up a proposal.

Chris Chamot – 101 Heather Lane re: 572 North Rd

Diana Tears – 578 North Rd.

Mr. Chamot and Ms. Tears were here to discuss a sewer problem they had recently on North Road which involved their sewer laterals that go under North Road.

- It appears lines are not connected properly and in disrepair
- It appears sewer line is split from Rochester St. and into a Y after 554 North Road - into a 8” main into the intersection of Browns Ave./Rd.
- TVing of the lines was done and copies of the CD’s were sent to Mr. Chamot and Ms. Tears with copies of the pertinent part of the sewer ordinance for their review.
- Mr. Chamot was told that the entire code is available for review at the Village Office and Scottsville Library. Per DPW Supt.: the map of the laterals is unavailable.
- Village –vs- resident responsibility for laterals was discussed.
- Mr. Chamot asked that this issue be put off another month. He indicated they have contacted an Attorney to look into their situations re: sewer line responsibilities etc., and need more time.
- Mayor has always told them that the laterals are resident’s responsibility and this is not the only location in the Village that laterals go under the road, but also told them the Village will try to remedy the problem as much as legally possible.
- The present Village sewer code was adopted in 1970; long after the North road homes were built.
- Attorney Skivington said the Village can’t aid private parties – it violates the law. After a lengthy discussion, it was recommended if council is retained by Mr. Chamot & Mrs. Tears, he/she should be told to contact Attorney Skivington.

REPORTS

ATTORNEY PETER SKIVINGTON

Property Maintenance Code

- Attorney provided copies of A draft “Property Maintenance”, A local law known as the “Property Maintenance Law of the Village of Scottsville”, modeled after the code in Sweden.
- This law would give the Code Enforcement Officer, together with the Health Dept.-Public Health laws, the ability to remedy certain situations on a regular and adverse basis.
- Lawns (page -4-) allows the village to take action. Before any action is taken, it is advisable to notify our Attorney to get permission from a Judge to take action – If he gives permission that immunizes liability of the Village.
- NYCOM does recommend adopting a property maintenance code to give local officers power to remedy. This gives the village the right to levy costs onto the taxes. This code would supercede any present property code.
- Attorney asked Board read the draft carefully to make any change recommendations before adoption.
- After Attorney Skivington is in contact with Town Attorney Glavin re: dog ordinance; he may research and recommend including the dog ordinance with the property maintenance code. Town and Village dog ordinances should be consistent.
- Issue will be put on the March agenda for review.

ServiceMaster – Union Presbyterian Church sewer backup

- Attorney reviewed the Union Presbyterian Church sewer backup situation and resulting bill. The Village initially agreed to pay the bill from ServiceMaster for cleaning the Church. The bill was submitted to the Village’s insurance co. and was denied. The Church would not submit the claim to their insurance company, rather they served the Village with a Notice of Claim. The Village has now paid the bill.
- Per Mayor Souers: the Board needs to address the issue of how to handle sewer back up issues in the future. Attorney Skivington stated that at present, the law states that it is the resident’s responsibility if there is back up damage – even if a plug is in the main, the Village doesn’t have any responsibility unless prior notice of a problem has been given. All Village staff receiving calls for these situations should relay the message that the DPW will come and unplug the main, but anything that happens on your property is your responsibility and they should notify their homeowners’ insurance company.
- Trustee Gee will research check valve requirements etc. in other villages and possibly draft new wording for the Scottsville Village Code.

Other issues discussed:

- WWTP Inter-municipal Agreement – Pump Sta. – When decisions are made re: pump sta., the tri party agreement will create a lot of work. There will be another review meeting on this issue with MRB Tom Pavone, Town of Wheatland and the Village next Thursday.
- Jamie Swann - Building violations at Scott Crescent house – issue was in Wheatland Court last night. Building Inspector was not present at Court because of injury he received. Mayor Souers explained Terry Rech’s accident with a saw and injury to his hand. It was pointed out that Mr. Swann has another building in the Village with improper permits etc. Per Attorney Skivington: each issue needs to be dealt with individually. He reviewed possible court decisions and remedies. The case will be

handled in the Town of Wheatland Court with Justice Hallock presiding. Attorney Skivington will represent the Village in court. He will try to have a report on the Scott Crescent issue at the next meeting.

- Code Changes: Per Attorney Skivington the code changes are a work in progress.
- D&D's – Per Attorney Skivington D&D's has been purchased with the parking lot discrepancy. After lengthy discussion, it was agreed that an accurate survey is needed for the parcel and D&D's owner David Hellaby needs to get an easement with a hold harmless clause for the Village. Attorney Skivington will pursue the issue.

VILLAGE CLERK

Elaine M. Driscoll

- United Way campaign will run in March. The goal for the Village is 100% participation.

BUILDING INSPECTOR

Terry Rech was not present due to his injury, but previously submitted a January 2008 report (on file) that indicated there were no building permits in January. He had five other activities and three fire inspections listed.

WASTE WATER TREATMENT PLANT

Operator Steve Farrell previously submitted his report dated: February 12, 2008(on file). Items discussed:

- #2 tank is cleaned out & could go on line.
- George Taylor Heating & Cooling was the cheapest quote for 3" pump and furnace replacement.
- Spencerport is allowing their flow meters to remain at the Plant to use thru the Spring of the year.
- Annual Inspection by Craig Jackson-NYSDEC turned out ok.
- Steve is working on a new brush policy. He presented a draft. Board members made recommendations for change which Steve will include in a final draft for adoption. When a new policy is complete, it will be put on the website and perhaps there will be a special mailing to inform the public.

DEPARTMENT OF PUBLIC WORKS

Henry Taggart - DPW Superintendent presented his February 12, 2008 written report(onfile).

Issues reviewed:

- Center Point Transfer Station quote for dumping was provided. Disposal rate showed \$47.00 per ton for one year from 2/6/08 – 2/6/09. Discussion on hauling to continue at the coming budget meeting.
- Recycle Toters – DPW supt. Taggart is looking at recycling toters – vs- boxes. When boxes are filled and the papers get wet they can weigh 75 pounds or more. This creates a safety risk for the crew with heavy lifting. Toters would keep the papers dry and the new packer may have an arm to lift them.
- Municipal Waste Reduction & Recycling Grant – Per DPW Supt. Taggart: the Municipal Waste Reduction & Recycling Grant is to be used for purchase of blue boxes and a leaf

vac. He will order 100 blue boxes at \$6.00 each plus \$150.00 shipping = \$750.00. The price of a leaf vac will be \$14,000. - \$16,000. Treasurer Scantlin will advise DPW Supt. Taggart of quote/bid policy and required grant papers will be sent in.

- Garbage/Trash Toters – DPW Crew has listed addresses that have broken toters. DPW Supt. Taggart has requested replacement of 28 damaged toters to be covered under warranty.
- Coopervision may want to have the Village recycle their paper. DPW Supt. Taggart will investigate to determine quantity of paper they will have and determine the best manner of collection.
- Packer demo – DPW Supt. Taggart invited the Board to attend a demo of the packer he is interested in purchasing from Cyncon. He will advise the Board of the date and time when decided.
- New York State Parks sign has been installed at Johnson Park. Mayor Souers commended the crew on the good job done. DPW Supt. Taggart credited Ken Bohn, DPW employee, for the design.

TREASURER

Thomas Scantlin and Deputy Treasurer Beverly Martin were present.

Pay Bills

MOTION: made by Trustee Contestabile seconded by Trustee Gee to approve bills from 1/18/08 – 2/13/08 on abstracts 30 to 33.

VOTE: 5-0. Carried unanimously.

Transfer of funds in Trust & Agency Fund

Treasurer Scantlin explained that the funds he is proposing to take out of the Trust & Agency Fund is money from forfeited bids and swimming pool deposits. It will be used for the Deputy Treasurers salary.

MOTION: made by Trustee Gee seconded by Trustee Bryant to transfer \$4,050.00 from 30 to the General Fund. VOTE: 5-0. Carried unanimously.

2007 – 2008 Budget Modification

MOTION: made by Trustee Gee seconded by Deputy Mayor VenVertloh to approve the proposed modification to the current 2007-2008 Village Budget dated: 2/12/2008; total increase in appropriations (1325.1) \$4,050.00; total increase in Revenues (5031) \$4,050.00. VOTE: 5-0. Carried unanimously.

Monroe County Quarterly Sales Tax

Treasurer Scantlin reported that the quarterly Monroe County Sales Tax check came in the amount of \$106,584.00. It is up 4.4% over last year

Budget Work Session

Per Mayor Souers: There will be a budget work session Saturday, February 16, 2008 at 8:00 A.M. at the Fire Facility; EMS Rescue Squad at 9:00 A.M. and Fire Dept. 10:00 A.M.

Blue Cross/Blue Shield

Treasurer Scantlin reported he will be meeting with a BC/BS representative next Thursday, February 21, 2008 at 10:00 A.M. to discuss the possibility of the Village changing health care coverage to a different plan. The plan is called "Blue EPO (Exclusive Provider Organization) Balance Option 5. It could save the Village over \$10,000.00 per year and reduce employee payroll deduction over \$600.00 per year without changing benefits to our employees. Treasurer Scantlin will remind the Board Members of the presentation date if they would like to attend.

Monroe County Cooperative Energy Procurement Program

Mayor Souers read a notification from Dawn C. Staub, Monroe County Purchasing Manager, dated: January 31, 2008 for renewal of the current contract for the procurement of Natural Gas. Treasurer Scantlin indicated he has been very satisfied with the energy program. The following action was taken:

MOTION – MC Cooperative Energy Procurement Program Renewal

Made by Trustee Contestabile seconded by Trustee Bryant to authorize the Mayor to sign the contract with Monroe County Cooperative Energy Procurement Program for participation in the program for the period of April 1, 2008 through March 31, 2009. VOTE: Mayor Souers – yes
Deputy Mayor VenVertloh – yes
Trustee Contestabile – yes
Trustee Bryant – yes
Trustee Gee – abstained
Motion Carried 4-0.

Treasurer Scantlin commented that training for the Deputy Treasurer is progressing. Ms. Martin will be doing the payroll from now on. Ms. Martin commented to the Board Mr. Scantlin does so much more work than anyone is aware of.

COMMUNICATION DIRECTOR

Elizabeth Murray reported:

- Website – data report: January had most activity on site; most hits are on Tuesdays; most popular item is the Calendar. The Master Plan, recycling calendar and meeting minutes will be put on the website.
- Trustee email addresses are set up. Ms Murray explained various ways of using the set up. She will contact Pin Point to have spam blockers set up as the Village Office is.
- Employee Appointments – After discussion it was decided that Mayor Souers will appoint employees for the positions of WWTP Chief Operator, Deputy DPW Superintendent, and DPW Superintendent at the March meeting to assure that an accurate announcement can be included in the Spring (April 1st) Newsletter.
- Housing Council - Trustee Gee reported having attended a Housing Council (Non profit) presentation re: Foreclosure – abandon Houses loose tax money etc. He would like to have information put in the newsletter directing financially troubled people to where they can get help. He will provide the information to Ms. Murray.
- Sentinel Article opportunity – The Sentinel has offered Trustee article space in the Sentinel. It will be open to all the municipalities they cover in their paper. The purpose is to have Trustees write about the projects they are working on. This is to introduce the

Trustees and show what they are doing in their communities and their particular interests. Trustee Bryant will do an article in March highlighting the Historic Preservation Ordinance; others to Trustees to follow. Ms. Murray will proof the articles if desired.

- Earth Day and Brighton Environmental Task Force Presentation – Earth Day will be April 19, 2008. Ms. Murray reported that she has gotten the Village, Town and School on board for Earth Day and the Brighton Green Environmental Task Force Presentation. She will schedule a date for Brighton’s eco program presentation. Town Councilman-Henry Williams is the lead person for Earth Day for the Town of Wheatland. Youth Assets will be involved. Town Highway Supt. Hazelton will coordinate activities, such as clean up etc.
- Full Moon Series – the dates for the Series are June 14 & July 12. There was discussion of preferred types of music for the Full Moon Series and the need to hire the bands soon so advertising can be included in the newsletter. Country and Classical Rock music were identified as most popular. Trustee Gee and Ms. Murray will decide who to hire and get contracts.
- Other Discussions
 - Summer Festival – handling of the Summer Festival funds will be discussed at the Sat. Budget meeting
 - Democrat & Chronicle – Ms. Murray is still working on the D&C “A Day in the Life of” article concept. Trustee Gee suggested it may be more tempting for the paper if several small towns/villages were included in one article.
 - Main Street Planning – Mayor Souers will meet with Ms. Murray Re: going forward with Main Street Planning and go over the upcoming newsletter.

TRUSTEES

DEPUTY MAYOR RICK VENVERTLOH

Safety Officer Job Description

Deputy Mayor VenVertloh had provided copies of a draft job description for a Safety Officer. The Mayor and Trustees discussed different ways the responsibilities could be handled and the manner of pay for the job. Deputy Mayor VenVertloh will continue to work with DPW Supt. Taggart on the job description taking into consideration tonight’s discussion. DPW Todd Schwasman has been named as safety officer 1/1/2008. The following actions were taken:

MOTION – Safety Officer stipend

Made by Trustee Contestabile seconded by Deputy Mayor VenVertloh to approve a .50 per hour stipend for a Safety Officer designation at the DPW.

VOTE: 5-0. Carried unanimously.

MOTION – Safety Officer Stipend retroactive to 1/1/2008

Made by Trustee Contestabile seconded by Trustee Gee to make the .50 per hour stipend for the Safety Officer effective January 1, 2008.

VOTE: 5-0. Carried unanimously.

Multi-Modal Grants

Deputy Mayor VenVertloh has contacted DOT for understanding of multi-modal policy. A project needs to be identified that the Village would like to do then contact Senator Alesi or Assemblyperson Susan John to ask for money and find out what is a typical range would be to ask for. Deputy Mayor VenVertloh suggested that a reforestation initiative may be a favorable project. Sidewalks were another project possibility. He will continue to pursue multi-modal money.

TRUSTEE PAUL GEEBlock Grant

Trustee Gee has finished the Community Development Block Grant application for \$45,000. He identified projects: replacement of Main St. sidewalk from East Race bridge to Wyvil Avenue and widening Johnson Park driveway to accommodate pedestrian travel – wheelchair accessible etc. It will be sent out tomorrow.

Municipal Waste Reduction & Recycling State grant

Trustee Gee is working on completing necessary paper work for the Municipal Waste Reduction & Recycling State grant that we will be using for a leaf vac and recycling boxes.

NYCOM

Trustee Gee will be attending the NYCOM Legislative Meeting in Albany, February 24-26, 2008. He has an appointment to meet with Susan John and Jim Alesi on the 26th.

Village Election

Trustee Paul Gee and Trustee Charles Bryant reported that they have filed their petitions with Monroe County for the Village of Scottsville election on Tues., March 18, 2008. Their chosen party names are: Trustee Gee – Village Advocate and Trustee Bryant – Building Scottsville.

Johnson Park Pavilion Project

At present there are about six bids packages out for the Johnson Park Pavilion project. Timeframe for the work has to be decided for supplemental information to the bidders. The village crew will tear the roof off the pavilion. Lion's may do painting. The bids will determine if the roof will be asphalt or tin. The contract work needs to be done by May 15th.

TRUSTEE LINO CONTESTABILE

No report.

TRUSTEE CHUCK BRYANT

Trustee Bryant reported that the Certified Local Government Program is coming along. He has secured five members: Delores Loftus, Barb Chapman, Ginny Hallock, Chuck Bryant and Carl Schoenthal. The importance of presenting the program as a positive benefit to the community is crucial. Public Information meetings are important.

MAYOR MICHAEL SOUERS

Main Street Planning

Mayor Souers reported that the Main Street kick-off meeting has been held. Small group meetings will be held to identify short term goals. There will be a charette type of information meeting on May 10, 2008 to inform people of what has transpired to date and what we are looking for in the future.

Pump Station Update

Mayor Souers said a meeting will be set up with WWTP employee Steve Farrell and MRB Tom Pavone to compare flow numbers that the Village has, compared to what is in the BBL report. There will then be a meeting with the Town of Wheatland to determine their necessary numbers in this project. The necessity for the Town of Wheatland to participate at a much higher level than they have indicated was discussed. The problem is the Town is not projecting any growth. With the current Town numbers, it was suggested the project not go forth. Treasure Scantlin has been asked to do some cost comparisons to have ready for the meeting with the Town. It was indicated that with reducing I&I and no town growth, the Plant would be ok as is. It was pointed out that the cost for the IMA-pump sta. has drastically increased since inception and the County should not be strung along if there is no commitment. Attorney Skivington said the cost per taxpayer should be looked at.

POD

Mayor Souers advised Attorney Skivington that there will be necessary Inter-municipal Agreements between the Town of Wheatland and Village of Scottsville in case of emergency for such thing as shared DPW, Code Enforcement Officer, etc. There will also be other agreements necessary; example with Busters Food Market for food and gas etc. Attorney Skivington will research this issue to determine a course of action. Some shared equipment agreements are already in place.

NEW BUSINESS

Business Continuity Plan

Mayor Souers explained the need to adopt the Business Continuity Plan. It is part of the emergency preparedness plan which essentially names who is in charge and what assets are available and that we are in agreement to the Plan.

MOTION: made by Trustee Contestabile seconded by Trustee Gee that the Village Board agrees to and adopts the “Business Continuity Plan” presented by our Disaster Coordinators, to be used in our “Emergency Preparedness Plan.”

VOTE: 5-0. Carried unanimously.

PARK PERMITS

MOTION: made by Trustee Gee Seconded by Trustee Contestabile to approve the following four Park Permits:

- 1) Jerry Gallo, 50 Main St., Sun., Aug. 17, 2008 – Family Picnic
- 2) Nancy Merritt, 24 Wyvil Ave., Sun., June 8, 2008 – Family Picnic
- 3) Tom Scantlin (Lion’s Club), Sat., Feb. 16, 2008 – Volleyball Tourn.
- 4) Steve Farrell, 62 Main St., Sat., Aug. 9, 2008 – Class Reunion

VOTE: 5-0. Carried unanimously.

ADJOURNMENT

MOTION: made by Trustee Gee seconded by Deputy Mayor VenVertloh o adjourn the meeting at 10:40 P.M. VOTE: 5-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll
Village Clerk