

VILLAGE OF SCOTTSVILLE
BOARD OF TRUSTEES MEETING

Minutes of Meeting
Tuesday, February 9, 2010

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 Paul Gee, Trustees Rick VenVertloh, Lino Contestabile and Elizabeth Murray.

Also Present: Attorney Peter Skivington, Treasurer Beverly Martin, DPW Deputy Supt./Chief Operator WWTP Steve Farrell, Communication Director Edie Cornish, Dave Willard MRB, Sara Stevens – Main St. Committee, Jim Clark, Ruth Thompson, Thomas Nersinger residents, and recording secretary Elaine Driscoll Village Clerk.

APPROVAL OF MINUTES

MOTION – Approval of Tuesday, January 12, 2010 Meeting

Made by Deputy Mayor Gee seconded Trustee VenVertloh to approve the minutes of the Tuesday, January 12, 2010 Village Board Meeting as submitted.

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

PRESENTATION

DAVE WILLARD – MRB was present to address the Board re: MRB proposal, dated: February 9, 2010, for Professional Services to do the NYS Local Government Efficiency Grant Application for the pump station project. Per Mayor Souers: He and Attorney Skivington met with the Town of Wheatland Supervisor and Town Attorney Glavin yesterday. They are in support of the Village applying for this grant and would be co-applicants. They will ask that a Resolution be adopted at their meeting this week. There is also a joint Town/Village meeting this Wednesday at which this topic will be discussed. It will necessary for the Village to pass a resolution as well. Mr. Willard will provide copies of required Town/Village resolutions tomorrow. Per Attorney Skivington: the Village can adopt the resolution at their Saturday, February 13th meeting. There will be a meeting with Monroe County re: the pump station, at City Place on Friday. Mr. Willard will find out what the time frame is for award notifications. After review the following actions were taken:

MOTION – Accept MRB proposal for professional services for the LGE grant.

Made by Trustee VenVertloh seconded by Trustee Murray to accept the proposal from MRB dated: February 9, 2010 for professional services related to the NYS Local Government Efficiency Grant Application for the Pump Station Project in the amount of \$1,800.00.

VOTE: 5-0. Carried unanimously.

MOTION – Set Public Hearing \$1,800.00 – MRB (LGE) grant application

Made by Trustee Contestabile seconded by Trustee Murray to set a Public Hearing on March 9, 2010 at 6:45 P.M. at the Village Board Meeting to consider transferring funds out of the Waste Water Treatment Plant Reserve Fund to pay MRB for doing the LGE grant application in an amount not to exceed \$1,800.00. Subject to a 30 day permissive referendum.

VOTE: 5-0. Carried unanimously.

PUBLIC HEARING – Consider allowing the Village Clerk/Appointed Village Officers to reside outside Village limits.

Mayor Souers opened the public hearing at 6:45 P.M. by reading the public hearing notice that appeared in the Sentinel: to consider a Local Law allowing the Village Clerk position to be held by a person who is not a resident of the Village of Scottsville, provided that such a person resides in the County of Monroe and within a five (5) mile radius of the Village Offices and to also consider allowing that any appointed Village Officer need not be a resident of the Village of Scottsville, provided that a person who is appointed Village Officer resides in the County of Monroe. The title of the law would be Village Clerk/Appointed Village Officers Residency. Mayor Souers pointed out that the requirement for the Village Clerk to live in the Village has become antiquated. The Village Clerks no longer work out of their homes and people all drive to job destinations in today's world. The issue came up now in cite of the present Village Clerk becoming an age for possible retirement. This law would make an easier transition if, in the future, a good applicant came along that didn't live in the Village. This seemed to be an appropriate time to update the law. There was no public comment. The public hearing was closed. The following action was taken:

MOTION – Local Law – Village Clerk/Appointed Village Officer Residency

Made by Trustee Contestabile seconded by Trustee Murray to adopt Local Law #1 – 2010 allowing that:

- A. Notwithstanding the provisions of Article 3 of the Village Law, the Office of Village Clerk may be held by a person who is not a resident of the Village of Scottsville, provided that such person resides in the County of Monroe and within a five (5) mile radius of the Village Offices.
- B. Notwithstanding the provisions of Article 3 of the Village Law, any appointed Village officer need not be a resident of the Village of Scottsville, provided that the person who is appointed Village officer resides in the County of Monroe.

VOTE: 5-0. Carried unanimously.

PUBLIC HEARING – Approp. \$37,319.71 to Purchase one ton dump truck

Mayor Souers opened the public hearing at 6:50 P.M. by reading the public hearing notice that appeared in the Sentinel: to discuss appropriating \$37,319.71 out of the Equipment Replacement Reserve for the purchase of a one ton Ford F450 to replace the current 1992 one ton dump. Resident Jim Clark asked how many miles the present dump truck has. DPW Deputy Supt. Farrell indicated it is a diesel and has approx. 60,000 miles on it and should be a favorable item when put out to bid. There being no more public comment, the public hearing was closed.

MOTION – Approp. \$37,319.71 to Purchase one ton dump truck

Made by Trustee Contestabile seconded by Deputy Mayor Gee to approve the appropriation of an amount not to exceed \$37,319.71 from the Equipment Replacement Reserve for the purchase of a one ton Ford F-450 to replace the current 1992 one ton dump.

VOTE: 5-0. Carried unanimously.

PUBLIC BEFORE THE BOARD

Thomas Nersinger, 109 West Cavalier Road was present to point out troubled sewer drainage in the area of Cavalier Rd/Browns Ave. Residents in the area have had sewer back-ups in their basements numerous times. Mr. Nersinger believes that something is going into the sewer that shouldn't; such as material from a home business or there is something wrong with the tile. DPW Deputy Supt. indicated that TVing in that area couldn't be done in the past because the camera was too big. The DPW does regular maintenance on the line in that area which goes from the Cavalier tract along the Castle property on Maple and down Wyvil. It was decided that Skanex will be contacted re: TVing this area of sewer line.

REPORTS

ATTORNEY PETER SKIVINGTON reported:

- Farm Animals local law – Attorney Skivington cited an email written by Leslie Wagar, Chairman of the Planning Board, dated: February 04, 2010 (on file). Since the Planning/Zoning Board meeting on January 14, 2010, the members have had additional discussion re: required lot size etc. They have asked that they be granted additional time for review at their February meeting to further address the lot size issue and possible options to regulate chicken harboring. Handling the chicken harboring issue with a “special exception use permit” with conditions was discussed. If it was a “Permitted Use”, one of the conditions could require an annual renewable permit, thus not having the permit go with the property as it would with a Special Exception Use Permit. Final decision was that Trustee Contestabile will take the issue back to the Planning Board for further review and recommendation. It was agreed that setting the public hearing for the “Farm Animal” local law will be tabled.
- Wireless Telecommunication Facilities law – Attorney Skivington previously provided copies of a Chapter 127 – Wireless Telecommunications Facilities local law draft which is consistent with the Town of Wheatland's law. The following actions was taken:

MOTION – Wireless Telecommunication Facilities Law

Made by Trustee VenVertloh seconded by Trustee Contestabile to set a Public Hearing on March 9, 2010 at 6:50 P.M. to consider adopting a Local Law – Chapter 127 for Wireless Telecommunications Facilities.
VOTE: 5-0. Carried unanimously.

- 21 Scott Crescent – papers will be ready before March to progress with a decision/for house removal. Attorney Skivington will meet with Code Enforcement Officer Rech on this issue. To stop this action, the owner would have to show cause as to why removal shouldn't happen.
- Matoes – 13 East Genesee St. – an abstractor is working to establish the Village lines. When Attorney Skivington gets clarification he will bring it back to the Board for review and then work with the Matoes to solve the problems.

Attorney Skivington left the meeting at 7:10 P.M.

COMMUNICATION DIRECTOR

EDIE CORNISH reported:

- POD information is on the web under Village departments with an application for volunteers and is also on facebook.
- WCCS Drama club - village ad has been submitted. Edie will email copies to the Board.
- Face Book monitoring has increased.
- Front Entrance Plaque – input is needed from the Mayor & Board re: wording etc.
- Emergency Preparedness information placement on the web was discussed; Edie will review possibilities. The necessity of updating the village website was discussed. Edie will review possible changes.
- Scottsville Newsletter article submissions should be to Edie by March 1st; to come out April 1st. Upon suggestion from Ruth Thompson, resident, Edie will pursue using an electronic list to email newsletters to people who want to receive it in this fashion. It would save on postage.

VILLAGE CLERK – ELAINE DRISCOLL reported:

- March 16, 2010 Election - Today was the last day for Election nominating petitions to be filed. Official word of who the candidates are for the election has not been released yet.

BUILDING INSPECTOR – TERRY RECH was not present. His written report was previously submitted with two (2) permits listed (on file). Mayor Souers reported on the following building issues:

- 1 Main Street – Bldg. Insp. Rech has had an inspection of the premises, and is waiting for recommendations from the engineer.
- Sign Ordinance - Building Insp. Rech is doing a letter to go to Business owners with signs that are not in compliance. When the code was adopted, business owners were given 5 years to bring their sign into compliance. The Legion has a sign committee working on an appropriate sign design for their location.

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVEN FARRELL previously submitted his report via: email with seven items listed (on file). He briefly reviewed each item and commented that overall the plant is running well and the flows are below average for this time of year.

DEPARTMENT OF PUBLIC WORKS

DEPUTY SUPT. STEVEN FARRELL previously submitted his report via: email with seven items listed (on file). He also reported:

- Digital speed limit sign – was placed on Rochester Street and Caledonia Ave. Steve reviewed the speed record. On Rochester Street most were within the speed limit, but there were a few with excessive speeds (75 – 85 mph) between the hours of 9:00 – 10:00 A.M. During the same time 24 cars were clocked at 46 mph. The sign has proven to be an excessive speed deterrent however. Steve may share the numbers with the Sheriff's dept. Steve pointed out that the State Troopers are on regular patrol in the Village as well. The sign is being borrowed from another municipality, but can be purchased off state bid list for \$3,600.
- Trees – Steve Smith (East River Ground Services) has removed three trees for the Village at a lower cost than Terry Tree would have been. Dep. Supt. Farrell will request an insurance certificate from Steve Smith. Terry Tree will still be tree trimming for us.
- Gas Charge at Busters – Dep. Supt. Farrell will provide a list of vehicles that could take advantage of charging gasoline at Busters during an emergency and submit to the Clerk.
- National Grid – Laurie Mastin – Dep. Supt. Farrell has been in contact with Ms. Mastin. Re: Light poles on Main Street. She has suggested that the Village apply for a NYSERDA grant and take complete ownership of the wiring on Main Street as Avon has recently done. Grants are available if you are going to save energy by going to energy efficient fixtures. The Village would keep paying the same electricity bill; they will provide electric fixtures that will save electricity until it is paid for. Dep. Mayor Gee, Trustee Murray and Dep. Supt. Farrell will meet to do an application.
- Property Maintenance Law – citing some recent excessive trash situations, Dep. Supt. Farrell was reminded that the property maintenance law could be implemented at these

times. Costs for such pick-ups can be charged back to the property owner on their tax bill. Steve first tries to deal with these situations by talking to the property owner and have them pay for the extra pick up, which generally works peacefully.

TREASURER

BEVERLY MARTIN provided copies of an Abstract of Audited Vouchers dated: Jan. 2010-Feb. 2010(on file). The following action was taken:

- Pay Bills

MOTION: made by Trustee seconded by Deputy Mayor Gee to approve bills from 1/15/2010 – 2/10/10 on abstracts 28 to 30.

VOTE: 5-0. Carried unanimously.

- Set Budget Session Dates

MOTION: made by Deputy Mayor Gee seconded by Trustee Murray to set budget sessions for: February 13, 2010 – 8:00 A.M.

February 20, 2010 – 8:00 A.M.

at the Wheatland Municipal Building in conference room B.

VOTE: 5-0. Carried Unanimously.

The consensus of the Board was that they would like to have a final draft of the budget at the February 20th meeting so a public hearing can be advertised for the March 9th Village Board Meeting.

TRUSTEE REPORTS

DEPUTY MAYOR PAUL GEE reported:

- CDBG Grant Application – Dep. Mayor Gee is finalizing the CDBG (Community Development Block Grant) application for Johnson Park improvements to re-due the basketball court, ice rink, put in a skateboard park and possibly a kitchen in the pavilion. He would like to get the park to compare to Monroe County Parks/pavilions which can be rented during the winter. The application needs to be filed by Friday.

TRUSTEE RICK VEN VERTLOH reported:

- Scott Crescent Bridge Yellow Flag Letter – Trustee VenVertloh provided a draft letter to be sent to NYS DOT acknowledging the receipt of the letter from Christopher Reeve, P.E., Regional Structures Management Engineer dated: October 1, 2009 re: General Bridge Inspection Inventory and Load Rating, Yellow Structural Flag Notice – Notification No. 40090038. The draft outlines the plans for replacement of the bridge on Scott Crescent. Mayor Souers will review and mail appropriately. It will be on file in the Village Office. It was pointed out that the bridge is posted 4 ton and is a one way, which forces heavier vehicles to go over the bridge. Replacement of the bridge should happen in 2012 on the TIP schedule. Since only a yellow flag has been placed on the bridge, and not a more serious red flag, it indicates the bridge doesn't have big safety issues. The bridge is annually inspected by the State.

TRUSTEE LINO CONTESTABILE reported:

- “Thursday – Chickens – Be There”. Trustee Contestabile will report at the Saturday meeting re: the Planning/Zoning Board’s review of the “Farm Animal Local Law”.

TRUSTEE ELIZABETH MURRAY reported:

- Main Street Committee – the last meeting was on January 14th. The group met with Robert Boyd on Sat., January 30th to review his proposal, brainstorm and go over goals. There was good attendance and was a constructive session. Mr. Boyd will process all the information received at the meeting to accomplish a marketing plan. He will meet with the Main Street Committee on March 20th – 10:30 /A.M. – 12:00 Noon to look at his final draft. There is a Main Street meeting this Thursday, Feb. 11th from 6:00 – 8:00 P.M. There will be a presentation from 7:00 0 8:00 P.M. by a representative from Mark IV Construction re: mixed usage possibilities for projects they have done.
- Farmers Market – On January 18th there has been a meeting with representative of the Chamber, Legion and Shelly from the ice-rink to discuss collaborating on a Main Street Farmers Market. The ice rink will continue to have their market on Sunday 9:00A.M. – 1:00 P.M., but are still supportive and interested in having second farmers market in the Village on Main Street. They indicated there may be opportunities for joint advertising. In the future a “main street farmers market” will be a top agenda item for the Main Street Committee meetings.
- The Main Street News – Winter 2010 – is ready to be copied and sent to Main Street business owners and residents.
- Chamber of Commerce – No report
- Forestry – Trustee Murray will reschedule the meeting that was cancelled.
- Wheatland Economic Development – At the joint Town/Village/School meeting tomorrow night Trustee Murray will ask for an agenda item to be added: an update on the adoption of the economic development study.
- Grant Writing Workshop – Trustee Murray attended a grant writing workshop today which was very good. She indicated it will help with the street lighting grant application.

MAYOR

MICHAEL SOUERS reported:

- 383, 386 and 251(triangle) – Mayor Souers met with DOT Carl Kumpf re: Rochester Street resurfacing project for next summer. They and DOT Landscaping Engineer Jon Harmon, will meet again this Friday (time to be decided), to discuss options for redesigning the curb/devils strip/parking area from south of Second Street to the front of Chase Bank. Per DOT: the utilities in front of the bank (fire hydrant, pole etc.) need to be moved. Mr. Harmon is the person to be worked with to add desired crosswalks etc. for Main Street Improvements. Mayor Souers will email everyone with the time of the meeting Friday.

- Grace Episcopal Church – Per notification via letter dated: February 5, 2010 from New York State Office of Parks, Recreation and Historic Preservation, the Grace Episcopal Church has been nominated to be on the Nation and State Registers of Historic Places (letter on file).
- Hazard Mitigation – As a result of Monroe County Public Safety Hazard Mitigation training in December, EMS Chief Jarrett, Fire Chief Emerson and the Mayor have drafted recommendations to be compiled into our Emergency Plan. Approval of the Plan will be at a future meeting.
- NYCOM Legislative Winter Training will be held February 21 – 23, 2010. The newly elected officials will be encouraged to attend the Spring Training.
- Sponsorship of Senior Class members to go on Habitat for Humanity trips. There was question of how the Village could legally set up a scholarship to help sponsor students going on such trips. This issue will be researched.

PARK PERMITS

MOTION: made by Trustee Contestabile seconded by Trustee Murray to approve the Johnson Park Permits as listed:

- 1) Scottsville Lions Club – Ruth Thompson, 15 Scott Crescent – Sat., Feb. 20, 2010 – Snowball Volleyball Tournament.
- 2) Scottsville Lions Club – Ruth Thompson, 15 Scott Crescent – Thur., June 10, 2010 – Lion’s meeting.
- 3) Henry Taggart – 30 E. Grenadier Rd., - Graduation Party – Sat., July 24, 2010.
- 4) Kathy Harmon – 6766 Byron Holley Rd. – High School Reunion – Sat., July 31, 2010.

VOTE: 5-0. Carried unanimously.

OLD BUSINESS

Village Health Insurance Options – Per Mayor Souers: it has generally been decided that the Village Health Plan will be changed to a “Healthy Blue Choice” policy with a possible option of an HSA. This issue will be further discussed at the budget work session.

NEW BUSINESS

Pump Station Project

Mayor Souers submitted notes from a meeting held on February 8, 2010. The attendees at the meeting were the Wheatland Supervisor Linda Dobson, Town Attorney John Glavin, Village Mayor Michael Souers and Village Attorney Peter Skivington. Topic: Rural Development Agency approved a 38 year loan to the Village for the Pump Station Project, at an interest rate of 4%, in the amount of \$3,990,000.00. After deducting the County Portion of the project cost, we would divide the cost share equally by the total number of sewer units. Advantages of the RDA Loan were listed. The present contract for service between the Village and the NESSD were discussed and outlined. The Town wants to be charged by flow in the NESSD and may explore metering the flow (notes on file). It was suggested that Legislator Jeff Adair be asked to attend the joint meeting of Town/Village/School tomorrow night at 6:30 P.M.

ADJOURNMENT

MOTION: made by Trustee Contestabile seconded by Deputy Mayor Gee to adjourn the meeting at 8:45 P.M.

VOTE: 5-0. Carried unanimously.

Respectfully submitted by,

Elaine M. Driscoll
Village Clerk