

VILLAGE OF SCOTTSVILLE
BOARD OF TRUSTEES MEETING

Minutes of Meeting
Tuesday, June 8, 2010

CALL TO ORDER: Mayor Paul Gee called the meeting to order at 6:30 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

Present: Mayor Paul Gee, Deputy Mayor Leslie Wagar, Trustee Elizabeth Murray and Trustee Richard Clark (appointed after approval of minutes).

Absent: James Clark

Also Present: Treasurer Beverly Martin, Attorney Peter Skivington, Tom Knitter Zoning Board alternate, DPW Supt/WWTP Chief Operator Steven Farrell, Ruth Thompson, Chris Chamot, Eagle Scouts Jordan Woodruff and Billy Williamson and recording secretary Elaine Driscoll Village Clerk.

APPROVAL OF MINUTES

MOTION – Approval of Tuesday, May 11, 2010 Vill. Bd. Meeting Minutes

Made by Deputy Mayor Wagar seconded by Trustee Murray to approve the minutes of the Tuesday, May 11, 2010 Village Board Meeting with 1 change:
Page 5 – under Deputy Mayor Leslie Wagar’s report - Planning/Zoning Board, the 5th item beginning with “The original idea----” be removed completely.

VOTE: 3-0. Carried unanimously.

MOTION – Approval of Thursday, May 27, 2010 Year End Meeting

Made by Trustee Murray seconded by Deputy Mayor Wagar to approve the minutes of the Thursday, May 27, 2010 year end Village Board Meeting as submitted by the Village Clerk.

VOTE: 3-0. Carried unanimously.

MAYORAL APPOINTMENT OF TRUSTEE TO THE VILLAGE BOARD AND SWEARING IN – Richard (Rick) Clark.

Mayor Gee introduced Richard (Rick) Clark as his choice to fill the vacancy of the Trustee seat that was left when he was elected Mayor. Mayor Gee asked for a motion of approval and the following action was taken:

MOTION – Approve the appointment of Richard (Rick) Clark as Trustee

Made by Deputy Mayor Wagar seconded by Trustee Murray to approve the Mayoral appointment of Richard (Rick) Clark, 234 Briarwood Lane, as Village Trustee to fill the vacancy of Paul Gee until the 2011 Village Election.

VOTE: 3-0. Carried unanimously.

Mayor Gee invited Rick to the bench to be sworn in and finish the meeting as Trustee.

Mayor Gee did the swearing in of Richard Clark and he then signed the Oath of Office book. Rick Clark resides at 234 Briarwood Lane, Scottsville, NY 14546.

BID OPENING – 1992 1 Ton Dump Truck

Mayor Gee opened the bid process for the 1992 Ford F-450 – 1 Ton dump Truck at 6:45 P.M. by reading the Notice to Bidders that appeared in the Sentinel and Genesee Valley Penny Saver. There were two bids received which the Mayor opened and read:

- 1) Randy Rodger – [Tel:#732-3130](tel:732-3130) - \$1,355.00.
- 2) Kenneth Bohn – 87 Smith St., Mumford NY - \$3,758.99

Mayor Gee acknowledged that Kenneth Bohn is an employee, but submitted his bid appropriately. The following action was taken:

MOTION – Accept bid for 1992 Ford F-450 – 1 Ton dump Truck

Made by Deputy Mayor Wagar seconded by Trustee Murray to accept the bid for the 1992 Ford F-450 – 1 Ton Dump Truck, from Kenneth Bohn, 87 Smith Street, Mumford NY in the amount of \$3,758.99.

VOTE: 4-0. Carried unanimously.

The two bidders will be notified as to who won the bid and the winner will have 30 days from the notice to make full payment and take possession of the truck.

PRESENTATIONS

Mayor Gee introduced two Eagle Scouts; Jordan Woodruff who will do his presentation of refurbishing the Main Street Benches as his Leadership Service Project and Billy Williamson who will do his presentation of clearing the aqueduct area in Canawaugus Park.

Jordan Woodruff, Eagle Scout from Scottsville Troop #372 presented his written plan describing how he will accomplish the refurbishment of the Main Street Benches (plan on file). He plans to complete the project by Summer Festival. The Board generally approved the plan, asking that he coordinate with DPW Supt. Farrell for supplies and getting help when necessary; such as transporting the benches etc. He will also be in contact with the Village Clerk to get names etc. for project notification of residents. Chris Chamot, Eagle Scout leader will provide a Boy Scouts of America Insurance Certificate.

Billy Williamson, Eagle Scout presented his written plan describing his intent to restore the aqueduct between the George Bridge and Route 251 (plan on file). He had a laptop to show his power point presentation. He will need to work with the DPW to remove trees etc. and work with the Scottsville Lions Club to coordinate with a project they will be doing in the park. It was also recommended that he be in contact with the DEC because of possible environmental changes and consider getting a history plaque for the area or replace the one that is in the possession of the DPW. Mayor Gee asked that Trustee Murray be Administrative Contact for the Eagle Scouts and DPW Supt. Farrell the work contact; they agreed.

PUBLIC BEFORE THE BOARD – None

REPORTS

ATTORNEY PETER SKIVINGTON reported:

- License Agreement – Fence for Kakaranatzas
Mayor Gee reviewed the history of Mr. Kakaranatzas's desire to build a fence along the Village's sidewalk easement or redirect the sidewalk off his property. He has decided to leave the sidewalk where it has always been and applied permit to have a fence on Village easement. As was previously agreed, the Village Clerk contacted Mr. Kakaranatzas's neighbor Mr. Sutherland re: plans for the fence and he found no problem with a license agreement being given for the fence. The following action was taken:
MOTION: made by Deputy Mayor Wagar seconded by Trustee Murray to approve a permit and authorize the Mayor to sign the license agreement for Thomas Kakaranatzas, 77 Diana Drive to erect a fence 3' off the edge of the paved sidewalk within the Village easement and prior to C of C being issued by the Building Inspector, the license agreement will be filed with the County Clerk.
VOTE: 4-0. Carried unanimously.
- Assessment reduction – Court Order – Southwestern Limited Partnership
Scottsville Hollow – Attorney Skivington explained the Court Ordered tax assessment change of Scottsville Hollow. The court orders are pursuant to RPTL 581-a and CPLR 3212. The first court order dated 4/13/10 indicated the assessment on Scottsville Hollow was going from \$1,170,000. to \$105,000. for the 2009 tax roll. After the assessor's appeal, the court order dated: 5/26/10 changed the assessment from \$105,000. to \$360,000. for three years, at which time it will be re-examined according to rental income statements. Because Scottsville Hollow receives federal funding a new law allows them to be taxed on income rather than property assessment. This assessment reduction has changes our tax rate per thousand from \$4.93 to \$4.95. Our roll was changed in time to have the proper amount on their tax bill. DPW Supt. Farrell pointed out that the Village DPW does collection at Scottsville Hollow and doesn't at other locations. Attorney Skivington will investigate this issue.
- Bond Counsel for Pump Sta. Project – James Coniglio, Esq. has submitted a proposal for bond counsel for the Pump Sta. Project, but the timing to secure bond counsel is not ready yet. It will be revisited after the Public Information Meeting.

EXECUTIVE SESSION

Attorney Skivington asked to go into executive session. The following action was taken:

MOTION: made by Trustee Murray seconded by Deputy Mayor Wagar to enter executive session at 7:16 P.M. to discuss a real estate matter and a contract litigation issue.

VOTE: 4-0. Carried unanimously.

MOTION: made by Trustee Murray seconded by Deputy Mayor Wagar to adjourn executive session and return to regular session at 7:43 P.M.

VOTE: 4-0. Carried unanimously.

- Farm Animal Local Law:

Attorney Skivington cited the letter dated: June 1, 2010, from the Planning/Zoning Board which recommends a local law for farm animals that prohibits farm animals in the Village of Scottsville; in part “No person shall own, harbor, keep or maintain farm animals within the Village of Scottsville. Farm animals shall include, but shall not be limited to: chickens (hens and roosters), goats, cattle, horses, donkeys, mules, ponies, fowl, water fowl, peacocks, turkeys, swine, sheep, lamas, ostriches, emus, poisonous snakes.

Mayor Gee reviewed the concept previously discussed of having a mayoral approval permit for people who want to harbor chickens.

There was discussion re: requirement of lot size to harbor chickens. A lot size listing, provided by Terry Rech, Building Inspector was reviewed. It listed 123 parcels in the Village that are 1/3 acre, and 152 that are 1/2 acre. There was suggestion that perhaps an even larger than 1/2 acre lot size requirement should be considered.

Tom Knitter indicated he was present to represent his position as part of the Planning/Zoning Board. He discussed the Farm Animal Local Law that the Planning/Zoning Board recommended, pointing out that the newly recommended law is basically the same as the first one they recommended to prohibit farm animals/chickens in the Village. He explained how the chicken issue began several years ago; in view of the bird flu dilemma, the Mayor charged the Planning/Zoning Board to review the issue of farm animals in the Village. Tom gave a complete history of the work that has been done by both the Village Board and Planning/Zoning Board to develop a Farm Animal Local Law that would look out for the total welfare of the community. Tom, being a Planning/Zoning Board member for 14 years, feels the Planning/Zoning Board has been generally very lenient through the years, but now needs to draw the line with this issue; keep the Village residential and farm animals on farms. He pointed out that the Planning Board once agreed to a draft law that was submitted on 9/8/09 by Attorney Peter Skivington (on file) that allowed domestic chickens with conditions. They wanted it to be a permitted use rather than a Special Exception Use Permit.

After considerable discussion and the Board members giving their reactions re: allowing/prohibiting chickens in the Village, Mayor Gee entertained a motion to hold a public hearing on the recommended Farm Animal Local Law submitted by the Planning/Zoning Board on June 1, 2010. The Village Board would hold a public hearing on the recommended Farm Animal Local Law submitted by the Planning/Zoning Board which

prohibits farm animals in the village. If it is voted down after the public hearing, Attorney Skivington will have another draft law that a public hearing can be set for at the August meeting. It will be the draft law that the Planning/Zoning Board submitted 3/2/10; which is permitted use with conditions.

MOTION – Set Public Hearing – Farm Animals

Made by Deputy Mayor Wagar seconded by Trustee R. Clark to set a public hearing on Tuesday, July 13, 2010 at 6:45 P.M. to consider adopting a Local Law on Farm Animals as drafted by the Village Attorney.

VOTE: Mayor Gee – yes
 Deputy Mayor Wagar – yes
 Trustee R. Clark – yes
 Trustee Murray – no
 Motion Carried 3-1.

COMMUNICATION DIRECTOR

EDIE CORNISH was absent. Trustee Murray reported on Edie's behalf.

- Website changes are being worked on.
- Edie needs biographies for the website for Jim Clark and Rick Clark.

VILLAGE CLERK

ELAINE DRISCOLL

- Tax & Sewer Bill Collection began on the 1st of June. The roll was received in a timely fashion considering the assessment change for Scottsville Hollow held up the process. This is the first year that Monroe County did our roll and it worked extremely well.

BUILDING INSPECTOR TERRY RECH was not in attendance but had provided his written report dated 5/1/10 to 5/31/10 with three (3) permits listed (on file).

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVE FARRELL previously submitted his written report with seven (7) information items listed, dated: June 8th, 2010 (on file). Items discussed:

- Toters will be put in Canawaugus Park for trash collection again this year. Last year they were found in the creek etc., but they are trying it again.
- Still flooding the Greenhouse 2-3 times a month. Gets rid of approx. 9,000 gals. of sludge each month.
- Gravel Ponds is still dumping at a good rate this month.
- Painting is being done to the remaining parts of the plant that weren't finished last year.

DEPARTMENT OF PUBLIC WORKS

SUPERINTENDENT STEVE FARRELL previously submitted his written report with nine (9) information items listed, dated: May 11th, 2010 (Corrected to June 8th) (on file). Items discussed:

- Schooling DPW Supt. Farrell attended the Asso. of Towns Highway School training in Ithaca. He found the training valuable. He reviewed the classes he attended.
- Tree Planting Request – Norma Maier, Second Street, has requested permission to plant 2 oak trees in the Village right-of-way on the North side of the street. Consensus of the Board after discussion was that the Board is not against her planting the trees, but DPW Supt. Farrell should have Terry Trees view the location and make a recommendation of the viability. DPW Supt. Farrell will advise Ms. Maier what the recommendations are and if it is ok to plant the trees.
- Browns Avenue to Genesee Street sidewalk is complete. When school is out of session, they will be starting to install the sidewalk on Browns Avenue along the East side.
- The CHIPS program was approved last night. We should get approx. \$23,000.
- Main Street Flowers are in the new flower planters. They are purchasing a new/bigger water tank to do all the flowers on Main Street – planters and hanging baskets.
- The DPW tilled the Community Garden again and have purchased a water tank for garden use. This should end the DPW's involvement for this year which seems to have been excessive. He advised that the money for the tank should not come out of DPW working budget. The following action was taken after discussion:

MOTION – Set Public Hearing to appropriate \$5,000.00 from Main St. Dev. Reserve for planters and watering tank.

Made by Trustee Murray seconded by Trustee R. Clark to set a Public Hearing on Tuesday, July 13, 2010 at 7:00 P.M. to consider appropriating an amount not to exceed \$5,000.00 from the Main Street Development Reserve for Main Street planters and watering tank, subject to permissive referendum.

VOTE: 4-0. Carried unanimously.

Per Mayor Gee: personal equipment shouldn't be used for Village work; it opens a liability.

- Summer Help – Per DPW Supt. Farrell: summer help started. Alexander Williams started a week early because the funds were available. Alexander Williams and Alexander Ronnenberg are rehires from last summer and Tyler Merritt is new this year. They will all be going back to school in September and will work up to August 21st.
- Disability – DPW Supt. Farrell reported that Todd Richardson was due back to work from his feet operation on June 7th, but now his return date has been pushed back to July 5th. He recommended that there be more discussion re: a new disability policy that when a person is out on disability, they would just get disability pay. Currently the employee receives full pay and there is no incentive to come back to work. The policy will be reviewed by Mayor Gee, Treasurer Martin and DPW Supt. Farrell in the future.

- Speed bump/humps – Mayor Gee advised DPW Supt. Farrell that the purchase of 4-5 speed bumps/humps was approved. Steve stated that both come with regulations and he will look at the best option.
- Posted Sign – DPW Supt. Farrell was advised that the posted sign is missing from Village property behind Rodwins on Main Street. There have been problems with young people camping on that property and causing noise problems etc. Steve will replace the posted sign.

TREASURER BEVERLY MARTIN provided copies of the Abstract of Audited Vouchers dated: May – June 2010.

Pay Bills

MOTION: made by Deputy Mayor Wagar seconded by Trustee Murray to approve bills from 5/21/10 – 6/9/10 on abstracts 43 to 46.

VOTE: 4-0. Carried unanimously.

New York State and Local Retirement System has offered a 2010 Retirement Incentive Program. It is necessary for the Village to enact a Local Law to adopt the 2010 New York State Retirement Incentive Program by August 31, 2010. The State strictly outlines the steps that need to be taken to accomplish the Village offering it to employees who qualify. The State will send a list of qualified employees. With Attorney Skivington's advisement, the following action was taken:

Retirement Incentive

MOTION – Set Public Hearing for Local Law For Retirement Incentive

Made by Deputy Mayor Wagar seconded by Trustee Murray to set a public hearing on Tues., July 13, 2010 at 7:15 P.M. to consider a Local Law to adopt the 2010 New York State Retirement Incentive Program.

VOTE: 4-0. Carried unanimously.

TRUSTEE REPORTS

DEPUTY MAYOR LESLIE WAGAR reported:

- Lot Size List - Building Inspector provided the listing from GIS, of parcels in the Village that are 1/3 and 1/2 acre to use as information for proposed Farm Animal Local Law.
- Planning/Zoning Board is working on normal summer type applications from the Building Inspector.
- Planning/Zoning Board will be interviewing four applicants for the open position on their Board. They will make recommendation for appointment to the Village Board.

TRUSTEE ELIZABETH MURRAY reported:

- Main Street Committee has a scheduled meeting on June 24th with Consultant Robert Boyd. On July 27th there will be a meeting with area fishing expert, Tom Wermuth, and

Jeff Pierce who has experience with fishing derbies etc. It may open up the possibility of having a big fishing derby at some point in area streams. Also Andrew Meier from a company named “Renewal” will attend. His company does restoring & revitalization of Main Streets with Historic integrity. On August 16th the meeting will focus on Main Street business property owners in conjunction with winter holiday events and other events.

- “Changemakers” grant application was submitted in April. They had 358 applications for the grant. The finalist will be announced tonight.
- Festival – Per Mayor Gee indicated there is still question if the Festival will take place or not, because of low volume of vendors and sponsors as a result of letters for applicants being misdirected. If it does take place, the hours previously decided were between 12:00 Noon to 10:00 P.M. They would have a fishing derby, 5K race, parade in the evening and fireworks at the end. After their next meeting, there will be a definite answer re: if it will be held or not.
- Farmers’ Market will start on June 23rd from 4:00 P.M. to 7:30 P.M. The full moon concerts, sponsored by the Village, will be the last Wednesday of every month (June, July, August and September). Posters have been designed and will be distributed.
- Main Street planters are in place and planted. They have received favorable comment.
- Rt. 383/386 resurfacing project – re: Jon Harmon and Carl Kumpf have made it sound promising that when the resurfacing project is done this year, improvements can be made to give more shoulder space in front of the Christmas and Beyond Shop. It would give more space between the road pavement and the pedestrians.
- Chamber of Commerce (sponsor of the Farmers’ Market) and Legion (host of the Farmers’ Market) have agreed to have one table at the Farmers’ Market that community organizations can book for one week, free of charge, to do various things, such as: fund raisers, registration for new members etc. This is an opportunity for the organizations to showcase for free.
- Fire Company Fund raising – Trustee Murray will be meeting with Frank Wunder re: writing a letter for their fund raiser. Fund raising generally begins in August.
- Main Street portfolios are being developed for Main Street business properties that are for rent or sale to help fill vacancies and encourage new businesses. Trustee Murray is working with Mitch Alepoudakis owner of Mitchell George Associates on Church Street behind the Scottsville Diner. He has asked if it could become a residential apartment. Mr. Alepoudakis will be encouraged to continue working with Building Inspector and Planning/Zoning. Property lines in the parking area behind the businesses in that area are being analyzed. The concept of the Village having a lease agreement in that area which could provide some off street parking was discussed.

Mayor Gee called a five minute break.
Attorney Skivington left the meeting.

MAYOR PAUL GEE reported:

- Disability – Mayor Gee will be working with Treasurer Martin and DPW Supt. Farrell on the Disability issue.
- Pump Station
MOTION – Set Public Information Meeting – Scottsville Regional Sanitary Sewer Pump Station and Force Main
 Made by Trustee R. Clark seconded by Trustee Murray to set a Public Information meeting for the Scottsville Regional Sanitary Sewer Pump Station and force Main Project, on Monday, June 21, 2010 at 7:00 P.M. at Wheatland-Chili Central School in the auditorium at 940 North Road.
 VOTE: 4-0. Carried unanimously.
- Contract – Stu Brown to do SEQRA (State Environmental Quality Review Act) and NEPA (National Environmental Protection Act). – Tabled
- Contract with Mary Chappell Municipal Solutions Inc. for financial advisement for Pump Station Project – Tabled.
- Village Entrance Signs – Mayor Gee has reviewed design. Edie is getting quotes on 4 entrance signs. Mayor to email design to Elaine & Rick. Issue tabled to July.
- Park Grant – Mayor Gee explained that to receive grant money for the park, a Parks Master Plan can't be older than five years old. The present Parks Master Plan was adopted June 8, 2004; therefore he will update the plan and set a special meeting for adoption.

PARK PERMITS

MOTION: made by Deputy Mayor Wagar seconded by Trustee R. Clark to approve the Johnson Park Permits as listed:

- 1) Danielle Titus, 564-2 Robert Quigley Dr., Sat. June 26, 2010 – Graduation Party.
- 2) Giuseppe Micchia (Amy), 21 Diana Drive, sun., June 13, 2010 – Birthday Party.
- 3) Jill Elliott, (SAA) 374 South Rd., Wed., June 9, 2010 – SAA Picnic.

VOTE: 4-0. Carried unanimously.

OLD BUSINESS – None

NEW BUSINESS – None

ADJOURNMENT

MOTION: made by Deputy Mayor Wagar seconded by Trustee Murray to adjourn the meeting at 9:55 P.M.

VOTE: 4-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll
Village Clerk