

VILLAGE OF SCOTTSVILLE
BOARD OF TRUSTEES MEETING

Minutes of Meeting
Tuesday, November 11, 2008

CALL TO ORDER: Mayor Michael Souers called the meeting to order at 7:20 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

Present: Mayor Michael Souers, Deputy Mayor Paul Gee, Trustees Rick VenVertloh, Lino Contestabile (9:33 P.M.), and Charles Bryant.

Also Present: Treasurer Beverly Martin, DPW Deputy Supt./WWTP Chief Operator Steve Farrell, Attorney Peter Skivington & EMS Chief Jarrett.

Chief

MedEx CONTRACT

There was more review of the MedEx issue. The length of the contract was discussed: generally decided a three year contract is preferred. Contracts automatically renew but can be terminated with proper notice. Payment for services rendered by billing agent was reviewed – in contract item #3. Treasurer Martin will meet with Hilton Village Clerk and MedEx owner re: operation /bookkeeping of MedEx funds etc. The following action was taken:

MOTION- MedEx Contract

Made by Deputy Mayor Gee seconded by Trustee VenVertloh to authorize the Mayor to sign the contract with MedEx for ambulance third party billing review from EMS Chief, Village Attorney and final approval by the Village Attorney.

VOTE: 4-0. Carried unanimously.

APPROVAL OF MINUTES

There was discussion re: page 3, second paragraph Frontier Chemical Site Lawsuit: lines 7 & 8 should read: Even though the Village didn't actually landfill and the contractor did, the material came from our Village. There also was discussion re: page 8 - first paragraph – Ameritherm, but no change was made in the minutes. Trustee VenVertloh questioned whether the Village could be lead agency for Ameritherm. Ameritherm needs to get a SPEDES permit. He pointed out many concerns: an environmental assessment review would need to be done. The water that is taken out of the creek has to be within 2 degrees when returned to the creek or it could affect fish/environment. The Village would want to be covered for any future expense. The creek water cooling process would be a benefit to our WWTP as it would cut millions of gallons of water per year from going through our plant. It was agreed that any future action on this issue will be carefully reviewed by the Village Board. The following action was taken:

MOTION – Approve Tuesday, October 14, 2008 Minutes

Made by Trustee Contestabile seconded by Deputy Mayor Gee to approve the Tuesday, October 14, 2008 Village Board meeting minutes with correction on page 3, second paragraph Frontier Chemical Site Lawsuit: lines 7 & 8 should read: Even though the Village didn't actually landfill and the contractor did, the material came from our Village..

VOTE: 4-0. Carried unanimously.

PUBLIC HEARING – Codification Update - \$2,400.00

Mayor Souers opened the Public Hearing at 7:40 P.M. by reading the Public Hearing notice that appeared in the Sentinel which stated that the hearing was to consider appropriating an amount not to exceed \$2,400.00 from the Reserve for Codification to update the Code of the Village of Scottsville, subject to 30 day permissive referendum. Since there was no public comment the hearing was closed and the following action was taken:

MOTION – Codification Update - \$2,400.00

Made by Trustee Bryant seconded by Trustee VenVertloh to approve the appropriation of an amount not to exceed \$2,400.00 from the reserve for Codification to update the Code of the Village of Scottsville, subject to a 30 day permissive referendum.

VOTE: 4-0. Carried unanimously.

PUBLIC BEFORE THE BOARD – None

REPORTS

ATTORNEY PETER SKIVINGTON reported on the following issues:

- The trial date for Mr. Swann re: Stop Work Order issue on Scott Crescent house, is this coming Monday. Mr. Swann & his Attorney have requested a meeting before the trial date to try to come to some resolve. The trial is for the stop work order issue, but there are other issues such as; front set back violation (porch), west side set back closer than should be and house built below flood level. Trustee Bryant said there is some concern about pin shifting. Attorney Skivington will keep the Board updated.
- Code Enforcement & NESD Contracts – Mayor Souers, Attorney Skivington, Supervisor Dobson and Town Attorney Glavin will meet to review the pending Code Enforcement & NESD Contracts. After lengthy discussion on the Code Enforcement issue, the consensus of the Board is that the fairest way to fund the Building Dept. is using Town wide taxes. Paying 1/2 of the Building Inspectors salary was acceptable, but not 1/2 of the Dept. There is no 2008 signed contract. In the 2008 Village Budget there is only \$20,981.00 budgeted for the Building Dept. The Board agrees to pay and added \$3,000.00 in 2008 which would end up being \$23,981.00, and in 2009 pay an added \$6,000.00 which would end up being \$26,981.00 for the Building Inspector's salary. Attorney Skivington indicated he will relay this information to the Town officials. The following action was taken:

MOTION – \$3,000. out of Contingent Fund for Code Enforcement

Fund and
for the

Made by Deputy Mayor Gee seconded by Trustee VenVertloh to approve the Treasurer to remove \$3,000.00 from the Village Contingency add it to the Code Enforcement Officer/Town to pay budget item Code Enforcement Officer/Town of Wheatland.

VOTE: Mayor Souers – no
Deputy Mayor Gee - yes
Trustee VenVertloh – yes
Trustee Bryant – yes
Motion Carried 3 - 1.

VILLAGE CLERK

ELAINE DRISCOLL – No report.

BUILDING INSPECTOR

TERRY RECH was not present at the meeting but had submitted a written report dated 11/05/2008 with three permits listed (on file). Mayor Souers reported for the Building Inspector:

- The owner of 578 North Road, who had been summoned to Court for unregistered vehicles, produced registrations on all vehicles parked in her yard before the appearance date. Ticket was to be dismissed if she provided registration before Court date.
- Per Attorney Skivington: When there is a court date that involves Code Enforcement, Terry Rech does attend.

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVE FARRELL previously submitted his report via: email dated: November 11th with seven items on it (on file). The following items were discussed:

- The Civil Service test that is current on the list is not a waste Water Plant Test, so Jim Luke will not be taking it. The County will notify him when one is posted again.
- The County still has meters in at the plant.
- Gravel Ponds is finished dumping at the WWTP for the season.
- #2 pump has recently been fixed because the shut off flapper arm was broken.
- Since Monroe County may not be taking the plant over, thought is going into upgrades being done at the plant, such as comminutors, blowers and grit chamber.
- Per Steve Farrell: at present the WWTP is running well.

DEPARTMENT OF PUBLIC WORKS

DEPUTY SUPT. STEVE FARRELL previously submitted his report via email dated November 11, 2008 with seven items listed (on file). The following items were discussed:

- The DPW has repaired the Boardwalk wooden rail that was damaged during a windstorm. Mayor Souers asked that a record be kept of the cost of materials &

manpower for repairs to the Boardwalk. He recalled that the State agreed to do major repairs and it would be our responsibility to minor ones.

- Bricks have been replaced and sealed in the retaining wall on Chili Avenue.
- A new leaf box has been built for under \$2000. Leaf season is working well using the two leaf vacs. Generally the whole Village can be picked up in one day.
- The Salter is ready for use and they are getting other equipment ready for winter. They have 90 tons of salt and have 200 tons on order.
- Terry Tree ground all the brush & leaves at the DPW in one day. One of our crew worked with them.
- Drainage on Scott Crescent: There was a meeting with Ernie Fingland, DPW Deputy Supt Farrell and Terry Rech on site. A few ideas were given to Mr. Fingland to help solve the drainage problem. Ernie Fingland is to provide elevation maps for review. Fill has been put in the area for a long time thus creating the problem. The general opinion is that the problem was not created by the Village and no cost to remedy the situation should be accepted by the Village. After Mr. Fingland provides the elevation maps, the issue will be revisited.
- DPW Deputy Supt. Farrell asked that he be allowed to keep his one summer employee on to cover for another employee who is on disability. The disabled employee may return to work after Dec. 2. There was lengthy discussion re: how long a person can work before he is entitled to unemployment benefits. Eligibility for unemployment benefits in relation to the time the summer employee has worked, will be investigated. Consensus was to keep the summer help on as long as we don't get into unemployment jeopardy.
- Holiday Tree on Triangle – Mayor Souers expressed the desire to have the DPW put a holiday tree on the triangle at route 251/Rochester St./Main St. It was agreed it would be nice. The Mayor suggested that the DPW call the local tree farms to see if they could provide a tree.
- The Banners are being taken down soon and lights wrapped in garland will be put up.
- Dep. Supt. Farrell and Mayor Souers reported an emergency tree issue that happened on Oakwood Lane this week. A large tree on private property had been partially cut down and left because the chainsaw was stuck in the trunk. A nearby resident reported possible danger because of the risk of it falling on its own the rest of the way. It most likely would have fallen in the Rochester Street direction over the sidewalk and flying pieces could have flown into the street. The DPW blocked off the sidewalk in that area and the Mayor called the resident to inform him that if he tree didn't take the tree down completely, the Village would have it removed at his expense the next day. The resident took the tree down that afternoon. Attorney Skivington indicated that if a situation like

this is deemed an emergency, the Village can just do what is necessary. There was question of who owned the stone walls in the entrance of Oakwood Lane.

TREASURER

BEVERLY MARTIN previously provided copies of the Abstract of Audited Vouchers dated: Oct. 2008-Nov. 2008.

Pay Bills

MOTION:

Made by Trustee Bryant seconded by Trustee VenVertloh to approve bills from 10/24/08 to 11/12/08 on abstract 17 to 19.

VOTE: 4-0. Carried unanimously.

Worker's Compensation Bill

Treasurer Martin asked that the Board approve payment to worker's compensation for a \$19,514.00 bill. The bill is a result of money paid out by Worker's Compensation for past claims; such as the packer accident a few years ago. She explained that the Village has a Workers Compensation reserve fund especially set up for this purpose. For many years the Village got money back for having no claims and may again in the future. The following action was taken:

MOTION – Workers Comp. bill \$19,514.00

Made by Trustee VenVertloh seconded by Trustee Bryant to pay the Worker's Compensation bill from the reserve fund specifically earmarked for that purpose not to exceed \$19,514.00.

VOTE: 4-0. Carried unanimously.

Sales Tax

Treasurer Martin reported that the Village has received the third quarterly sales tax check in the amount of \$112,893 which is up over \$6,000 from last quarter.

CHIPS

Treasurer Martin reported that on November 7th she sent in for CHIPS reimbursement of \$24,000.

Voucher Use

The Board discussed using vouchers as a tool for paying bills. General consensus was that using the Voucher system provides the best information for the Board members.

TRUSTEES

TRUSTEE VENVERTLOH

- Trustee VenVertloh reported that he reviewed the Genesee Transportation application for grant money which was due by October 24, 2008. He decided there wasn't a planning project at present that would have fit the requirements.

DEPUTY MAYOR GEE

- Trustee Gee reported that tomorrow at 3:30 P.M. He and Trustee Bryant will meet at Johnson Park with the manufacturer of the roofing material to look the job over. MRB was asked to review the bids for this job and it hasn't worked out well. Generally in the bid it states that a contractor needs 5 years experience and has certification in putting up this kind roofing. Genesee Building Restoration workers have indicated this is the first time they have done a Garland roof. Documentation will be done of recommendations by the Garland Company Inc. representative, Josh Pokracki, after the on site meeting tomorrow. Trustee Bryant pointed out that in the project manual Genesee Building Restoration is required to submit three (duplicate) applications for payment along with recent liens etc. Currently there is a bill (one copy) being held by the Treasurer for \$44,228.20. and states that all work has been done. Since they didn't submit a complete application for payment with all documents required; the clock is not ticking for payment yet. Trustee Bryant agreed to do a letter to inform Genesee Restoration re: where payment stands and what the required submittal procedure is, etc.

MAYOR SOUERS

- Wheatland-Chili yearbook ad – A draft of an ad done by the Village Clerk was shown to the Board with a price list for various sizes. The ad would appear in the Wheatland-Chili High School 2008-2009 yearbook. The Board approved the ad as drafted and decided on a 1/4 page for \$90.00. The Board also agreed that if the WCCS boys soccer team wins the State Soccer Championship (which they are now playing in), the Village board will recognize them in some fashion; possibly a plaque.
- Per Mayor Souers: Signs to be installed
 - 1) Sign on Garbage Truck “Recycling” – Because residents recycling being picked up with the garbage truck, they question if recycling is actually being done. There will be a “Recycling” sign put on the side of the packer to alleviate question.
 - 2) Compost Sign – Per Mayor Souers: a sign will be erected at the Village compost piles to read: “Compost for Village Residents Only”.
 - 3) Church Sign – a “Churches” sign will be put up at the end of Genesee Street pointing West as director to hard to find churches.

Trustee Lino Contestabile arrived at the meeting at 9:33 P.M. and was acknowledged as present.

OLD BUSINESS – None

NEW BUSINESS

Youngs Explosives Corp. – 2009 Contract

MOTION:

Made by Deputy Mayor Gee seconded by Trustee Bryant to authorize the Mayor to sign the agreement between the Village of Scottsville and Youngs Explosives Corp. for fireworks at the Scottsville Summerfest on Saturday, August 15, 2009 in the amount of \$1,500.00. VOTE: 5-0. Carried Unanimously.

CPR/AED – Tuesday, December 2, 2008 from 1:00 – 5:00 P.M. Town/Village Office Staff will be taking CPR/AED instruction organized by EMS Chief Jarrett. The offices will be closed during those hours. The cost will be \$10.00 each. The December 2nd class is filled, but EMS Chief Jarrett indicated another class can be set up for a later date if requested. The following action was taken:

MOTION – Village to pay for employees CPR/AED Instruction

Made by Trustee Contestabile seconded by Deputy Mayor Gee to authorize payment by the Village to pay \$10.00 per person for employees taking CPR/AED Instruction on December 2, 2008. VOTE: 5-0. Carried unanimously.

Planning Board Member Re-appointment

Mayor Souers cited a letter written by Leslie Wagar, Chairman of the Village of Scottsville Planning Board, dated November 10, 2009, recommending that Tim Magill be reappointed to the Planning Board. He has indicated to her that he agrees to continue on with his service to the Village Planning Board and the community. The following action was taken:

MOTION – Reappoint Tim Magill as Planning Board Member

Made by Trustee Bryant seconded by Trustee Contestabile to approve the re-appointment of Tim Magill to the Planning Board; term to expire 2015. VOTE: 5-0. Carried unanimously.

ADJOURNMENT

MOTION: made by Trustee Contestabile seconded by Trustee Gee to adjourn the meeting at 9:37 P.M. VOTE: 5-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll
Village Clerk