

VILLAGE OF SCOTTSVILLE
BOARD OF TRUSTEES MEETING

Minutes of Meeting
Tuesday, October 13, 2009

CALL TO ORDER: Mayor Michael Souers called the meeting to order at 6:35 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, Deputy DPW Supt./Chief Operator WWTP Steve Farrell, Communication Director Edie Cornish,
Michael Sovereign – Unison Site Manager, resident Wayne Roell.

APPROVAL OF MINUTES

MOTION – Approval of Tuesday, September 8, 2009 Meeting

Made by Deputy Mayor Gee seconded Trustee Murray to approve the minutes of the Tuesday, September 8, 2009 Village Board Meeting with the following correction:

- 1) page 6 – 5th bullet, last sentence should read “Monroe County Sheriff’s Dept. has been notified of the problem.
- 2) page 9 - 1st paragraph – 3rd line, beginning after Per Mayor Souers, should read: “if we didn’t get an I&I project approval we would keep doing what we can. But if we don’t get RDA approval on the Pump Station application, we know it’s going to be cost prohibitive for a 20 year Bond, instead of a 38 yr. bond from RDA.”
- 3) page 9 – 2nd paragraph, line 5 should read “They are proposing a retainer fee of not to exceed \$1,500.00 per month....”.
- 4) page 10 – 1st paragraph, 3rd line should read “The basketball net may be moved...”.

VOTE: 5-0. Carried unanimously.

PUBLIC HEARING – None

PUBLIC BEFORE THE BOARD

Wayne Roell, 117 Heather Lane was present because he is interested in the Forestry Management Committee which he read about in the fall/winter newsletter. On that subject; the following presentation began:

PRESENTATION

Trustee Elizabeth Murray previously submitted minutes from the September 22, 2009 Forestry Management Committee meeting (on file for review) and verbally reviewed the activities of the Forestry Management Committee since the onset. Trustee Murray provided a sign-in sheet for anyone interested in being part of the committee.

Wayne Roell indicated he is willing to work with the Forestry Management Committee. He is a federal employee of the U.S. Forest Service. He works the Western NY territory. He is interested in being involved with the Committee, but travels extensively and will not be able to be at all the meetings. There was discussion of his expertise with trees and vegetation in the area, after which he signed on to be part of the committee. Trustee Murray will fill him in on past meetings and put him on the mailing list. The next meeting of the committee will be at the end of October or first part of November. Mr. Roell was thanked for his interest and future commitment to the project.

UNISON

Michael Sovereign was introduced. He is a local site development manager for Unison Site Management, LLC., 340 Madison Avenue, Suite 12F, New York, NY 10173. He had previously sent a proposal dated: September 3, 2009, for a cell site lease conversion program at 389 Scottsville Mumford Rd. The offer from Unison indicated a lump sum of \$69,680.00. Their offer is to purchase a defined easement for the cell site. Easement area will include additional 15 feet adjacent to the existing ground space (“Additional Space”). Unison will receive the current scheduled rent stream (including escalators) for the term of the easement, and agrees that for all rent over and above this amount received from new tenants located within the Additional Space, Site Owner will collect 50% and Unison will collect 50%. The final amount of the offer is subject to due diligence and confirmation of your monthly rent escalators and site tenants. He reviewed the entire proposal. It was Board consensus to reserve decision, giving Village Attorney Skivington time to review the matter. The Attorney will be in touch with Mr. Sovereign at a later date. Mayor Souers thanked Mr. Sovereign for delivering his presentation to the Board.

REPORTS

ATTORNEY PETER SKIVINGTON was not present at the meeting, but had provided a report to the Mayor, dated: October 12, 2009 (on file), with the following three issues listed:

- Updated contracts to be signed for fire protection for Wheatland and Chili; verbiage changed to reflect separation of Fire Dept. and EMS Rescue Squad.
- Farm Animal local law – Planning Board letter dated: October 5, 2009 – possibly set public hearing. After lengthy Board discussion and some members wanting to allow chickens on properties large enough to accommodate them, it was decided that a public hearing would be set to consider the last draft law that prohibited all farm animals – per Planning Board recommendation and to get public input. The following action was taken:

MOTION – Local Law Public Hearing – Farm Animals

Made by Deputy Mayor Gee seconded by Trustee VenVertloh to set a public hearing on Tuesday November 10, 2009 at 7:00 P.M. to consider a Farm Animals local law, Chapter 54, Article III as submitted by the Village Attorney and Scottsville Planning Board.
VOTE: 5-0. Carried unanimously.

- Letter to Jamie Swann re: 21 Scott Crescent, from Attorney Skivington dated: October 12, 2009(on file), re: 10 day notice requiring plans and specifications for construction. The Attorney's recommendation to the Village Board is that the Village engineers inspect the Scott Crescent property for health and safety concerns, and that the Village receives a written report prior to considering removal/demolition of the structure. After lengthy discussion of the situation and review of Attorney Skivington's letter, it was decided that a meeting will be set up as close to October 22nd as possible, which is the end of the 10 day notice, to discuss this real estate matter.

COMMUNICATION DIRECTOR

Eddie Cornish reported:

- The Fall/Winter 2009-2010 Newsletter is out and has gotten good feedback.
- Ms. Cornish will be meeting with Matt Jamesson re: getting emergency preparedness information on the website.
- Updating the information on the tri-fold is being done. It was recommended that when the document is complete, it be put at the Greater Rochester International Airport, Genesee Country Museum, etc.
- Ms. Cornish is getting prices for Village entrance signs & a plaque to be put placed in the Municipal Building entrance (history of building, date of ownership transfer, etc.) DPW can put the entrance signs up.
- Ms. Cornish will have a Lions Club – Johnson Park article completed by the end of the week.

VILLAGE CLERK

ELAINE DRISCOLL

- Unpaid 2009-2010 Taxes

MOTION – Monroe County to collect 2009-2010 Unpaid Taxes

Made by Deputy Mayor Gee seconded by Trustee Contestabile to authorize Monroe County to collect the Village of Scottsville's 2009-2010 delinquent taxes under Real Property Tax Law Section 1442. The Village Clerk will submit a certified copy of this motion to Linda Pelusio, Asst. Treasurer of Monroe County.

VOTE: 5-0. Carried unanimously.

- Recycling Calendar - Please contact Elaine with any additions or changes for the 2010 calendar ASAP. Deputy DPW Supt. Farrell will get clarification of what plastic recycling numbers will be accepted. At present the calendar indicates only #1 & #2. The calendars need to be to the Cub Scouts the week before Thanksgiving to get them delivered in a timely fashion.

BUILDING INSPECTOR

TERRY RECH was not present, but previously submitted his written report with six (6) permits listed, dated: 9/1/09 to 9/30/09(on file). No questions were posed re: his report.

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVE FARRELL previously submitted his report via: email, dated: October 13th, 2009, with seven item listed (on file). The report was reviewed and the following items were discussed.

- DMR and the LSL Lab testing for the plant passed this year without issue.
- Painting at the plant has been completed.
- Gravel Ponds is still hauling and will be alittle more this month to empty a few of their tanks. Clarification was made that Gravel Ponds does not put chemicals in their tanks which would ultimately be dumped at the plant. Only an anti odor material is used which has no effect on our plant readings.
- The greenhouse is being flooded on a regular basis.
- Past smoke testing was discussed. Deputy Supt. Farrell recalls that only two locations needed attention and both were taken care of. Tom Western from Spencerport contacted Deputy Supt. Farrell; he is ordering a smoke tester that costs approx. \$2000.00. He is offering a inter-municipal agreement to 5 communities to go in on it. The cost to each community would be approx. \$400.00. Dep. Supt. Farrell favors the agreement; more information will follow at a later date.
- Purchasing a GPS to identify manholes, help with the tree survey, etc. was discussed. Deputy Supt. Farrell will look into it.

DEPARTMENT OF PUBLIC WORKS

DEPUTY SUPERINTENDENT STEVE FARRELL previously submitted his written report via: e-mail, dated October 13th, 2009 with seven (7) items of information listed (on file). The following items were discussed:

- Sidewalk project on Beckwith Ave. has been completed. They poured 200 Ft. of sidewalk on Browns Avenue and completed soil & seeding. In the spring they will finish Browns Ave and install a new sidewalk in front of the school. Many residents and the Village Board complemented the DPW for doing a great job.
- Flower Baskets & Banners on Main St. – The flower baskets have been taken down on Main Street. Flags will be left up until after Veterans Day. If necessary, repairs will be made to the Main Street winter banners and put up soon.
- Leaf Pick-up began today. They will do one more sweep to pick up brush.
- Pylons for Johnson Park Driveway will be ordered and installed in the spring. Ideas were discussed re: bike racks, bollards, lighting poles, etc.
- New Garbage truck is working well.

- Seminar - DPW Supt. Taggart and DPW Deputy Supt. Farrell will be attending a NYCOM seminar in Canandaigua next week. Ken Bohn will be in charge.
- Terry Tree will be removing four trees soon, following our present tree policy. DPW Dep. Supt. Farrell will look at the dead tree in front of the Bank for removal.
- Scott Crescent Bridge – A “Yellow Structural Flag” notification was received from the NYS DOT dated: October 1, 2009. This bridge is on the (TIP) Transportation Improvement Program schedule to be replaced. Trustee VenVertloh will make calls to see where the project stands at present.

TREASURER

BEVERLY MARTIN reported:

- PAY BILLS
MOTION: made by Trustee Murray seconded by Trustee Contestabile to approve bills from 9/11/2009 – 10/14/2009 on abstract 13 to 16.
VOTE: 5-0. Carried unanimously.
- Workers Comp. – Treasurer Martin provided explanation and “Workers Compensation and Employers Liability Coverage Document Information Pages” for 2009 and 2010. Workers Compensation went down to \$6,987.00 for the period of 1/1/2010 to 12/31/2010. Reason for the decrease is that reserves have dropped because potential workers compensation losses were taken off.
- New York State and Local Retirement System – Treasurer Martin provided copies of the projection of employer contribution for the February payment due February 1, 2011, which reflects an increase of 38.4% or \$15,157.00. This increase will need to be addressed during the budget process.
- NYCOM Seminar – Treasurer Martin reviewed information she received at classes she attended at the NYCOM Conference in September.
- MRB Retainer Proposal – Per Mayor Souers: the Rural Development I&I improvements grant application that MRB is contracted to do is taking more work than anticipated and now the Pump Station grant application would be even more. It has become more involved than the original contract covered. MRB is asking for a retainer fee of not to exceed \$1,500.00 per month to complete the applications. At a previous meeting it was agreed that the Village could do the retainer agreement, but could be discontinued at any time by either party. MRB is trying to find a way to bill for hours that the RDA grant application contract is not covering. Treasurer Martin is not in favor of retainers. She stated that funds would have to be pulled from reserves. Deputy Mayor Gee indicated he is uncomfortable with approval of a retainer. A supplemental additional services contract was discussed as possibly a better option. Mayor Souers reviewed the status of the I&I Improvement application. It has come back from RD indicating the Village is not eligible. Information for the application is being reworked to be re-submitted. RD has requested additional information numerous times for the Pump Station application, making a lot more work for MRB; thus MRB wants the retainer fee to cover the costs. At a recent meeting, MRB was told that the retainer was acceptable. Trustee VenVertloh

urged that the existing contracts be reviewed to see if the work has been done that was originally agreed upon. If there is justified additional work, they could list the hours and justification for the fees; then the Village could approve it as a supplemental. Mayor Souers will talk to MRB Carl Schoenthal or Dave Willard to get clarification of what work has been done and what was covered in the original contracts, and tell them the Board prefers a supplemental additional services contract rather than a retainer.

TRUSTEE REPORTS

RICK VEN VERTLOH reported:

- North Road Stimulus Project and Rochester Street Sidewalks – Trustee VenVertloh talked with Rob Kozarits MCDOT to get a progress report on the following: the North Road project is going to be in the second round of stimulus funding, possibly in the spring. The County has completed the Design Report which includes our portion of the work, and has been accepted by the State DOT.
- Rochester Street Sidewalks – Trustee VenVertloh spoke with Kevin Miller, Landscape/Environmental group at the NYSDOT regional office on Jefferson Road. The sidewalk project is still a go. The DOT has included it in their program as a priority project/location using annual set aside funds. The State is surveying some areas since they believe there will be some sections (6-8 properties) outside the ROW. The State intends to take care of ROW issues with easements. John Harmon is the landscape architect assigned to the project.
- Clean Water State Revolving Fund: Stu Brown thinks that the Village could get 30 year term for the low interest loans.
- Unified Planning Work Program grant application was addressed. A sheet with ideas for the UPWP was reviewed. It had Route 383/Route386 Route 253 Corridor Study, Pedestrian Land Use Regulations and Overall Pedestrian Plan listed. This grant would fund doing a study and would require a local share. The Main Street triangle was a possibility for a study. This grant is offered annually. There was question, if other than applying for a grant, is there a way to petition for State DOT to do a circulation study? Mayor Souers suggested that the Main Street Committee target getting the triangle on State radar for improvement. They have already gotten signage for the triangle on the radar. More work will be done to find out who the best contacts are to get information on this issue and find out how to petition for a circulation study, etc. Deputy DPW Supt. Farrell has been told that resurfacing of route 383 will be done next year. General consensus was that no application for the UPWP grant would be done this year.

DEPUTY MAYOR PAUL GEE reported:

- Youth Assets – The assets program is going good but due to Town of Wheatland budget concerns they are pulling the Assets Coordinator budget out of the town. They will still

be running the Assets program but without a Coordinator. Deputy Mayor Gee will be looking at grant opportunities through his employment who support such programs. Many grants for this type of program only fund start-up costs, but won't fund the year to year costs.

- Johnson Park Inspection – Deputy Mayor Gee had an appointment scheduled for today for an inspection of Johnson Park with a State Parks representative re: the State Parks Grant, but it was postponed until next week.
- Water Service Line Coverage – a Village resident informed the Village Office that they received a suspicious mailing. It came from “Home Service” signed by Michael Backus, Vice President - Customer Service. Residents are being asked to sign up and pay for a warranty on repair and maintenance on their Water Service Line from the curb or well casing up to their home's foundation wall. There is a monthly charge of \$4.99, Quarterly charge of \$14.97 or Yearly charge of \$59.88. The concept didn't feel right to the resident She fears that many people may pay for something they shouldn't if it is not a valid offer. She wanted to inform the Village that this mailing is in the community. Deputy Mayor Gee will contact will contact the Attorney General to see if this business is valid.

TRUSTEE

LINO CONTESTABILE reported:

- NYCOM MEETING - Trustee Contestabile cited the NYCOM Special Forum on Local Govt. Consolidations and Dissolution meeting being held October 22, 2009 in Central NY. A couple of the Monroe County Village Mayors will be attending a meeting. Mayor Souers said the Monroe County Village Mayors will, as a group, send a communiqué to NYCOM requesting that a meeting on this subject be scheduled in our area. There is a Mayor's meeting this week at which the “Dissolution of Villages” and scheduling a meeting in this area will be topics of discussion. Lino will be in contact with Tom Scantlin re: the report he is doing for the Board about Village services, etc. If a meeting is set up to talk to Tom, Board members will be notified to attend if they wish.
- Downspouts/Gutters drainage – Trustee Contestabile showed concern re: various locations in the Village that pose a problem with gutters & downspouts pouring onto walkways. He will talk to Terry Rech, Building Inspector, to get these problem areas corrected.

TRUSTEE

ELIZABETH MURRAY reported:

- Main Street Committee met on Sept. 10th, 2009. They met with Bob Boyd, Executive Director of the South Wedge Planning Committee on Saturday, October 10th, 2009. Copies of Robert A. Boyd's summary of the meeting were provided (on file). The next meeting of the Main Street Committee is scheduled for October 20, 2009. The committee will look at Mr. Boyd's summary and see where they are headed. They will continue to have planning meetings during the winter. In the Town Economic Development Study there is a lot of discussion re: Main Street within their goals. The topic of public parking has been visited in both the Main Street Study and Town Economic Dev. Study, which has lead to discussion re: parking signage which was

removed during the Wheatland Municipal Building Renovation. The Main Street Committee has offered to work with Town Economic Development to accomplish proper signage.

- Town Economic Development – the final meeting was held on October 5, 2009. A final draft of the study is being put together by a committee which includes David Zorn, that identifies all the goals. When the final draft comes out, Elizabeth will forward copies to the Village Board members. She thinks the Economic Development Study would be a good topic for the Joint Town/Village Meeting. Mayor Souers indicated that perhaps the Joint Town/Village meeting will be scheduled for a November date. He will email the Board Members with possible dates and to get suggestions for agenda items. Mayor Souers pointed out that the good thing that came out of the Village spending money on the Main Street Study was that David Zorn took ideas from the study and incorporated a lot of them into the Economic Development Study; where the Town is acknowledging the ideas.

MAYOR

MICHAEL SOUERS reported:

- National Grid – re: Status of national Grid Payment of Gross Receipts taxes. Per Peter Baynes, NYCOM Executive Director: email dated: Oct. 1st, 2009(on file). The email indicates that we were right and we will be reimbursed for the money that they have not been paying us.
- Rochester Regional Community Design Center – Mayor Souers received an email informing him of the 5th Annual Reshaping Rochester Lecture Series. He thinks the lectures are valuable and questioned if these lectures should be made available to the Planning/Zoning Board members with reimbursement; and would the lectures count for required school hours. The general consensus was that the Village would pay for the members to attend lectures, but they still need to go to school to get their required hours.
- Pathstone Meeting – Mayor Souers reviewed that Pathstone (Briarwood Place) called a meeting with their residents to be held at the Wheatland Municipal Building, It was not very well attended, possibly because the invitations were stuck in the resident's doors and may have blown away. They want to have future meetings on a frequent basis to keep communication open. They will be mailing invitations to them for the next meeting on Wednesday, November 4, 2009 at 6:00 P.M. The conference room at the Wheatland Municipal Building will be scheduled for the meetings because they don't have a location to use on site. The Mayor has also offered the use of the Municipal Building for Pathstones annual registration.
- Public Parking/Pocket Parking - Mayor Souers will be drafting a letter to South side - Main Street property owners stating that the Village is interested in purchasing a piece of property for a pocket park/parking lot area that would have creek access. Such a purchase would tie in with the Main Street Planning and development. He would like to start the process to see if there is any interest in property sale. There was discussion re: Chris Chamot's who is interested in selling his property on rt. 251 beside Canawaugus

Park to the Village. Deputy Mayor Gee indicated that in the future he may be able to do a grant application with State Parks and put in for a property acquisition to purchase Mr. Chamot's parcel. He will write a letter to Mr. Chamot relaying this message.

PARK PERMITS

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

- 1) Kristen Hotaling, 13 Beckwith Ave., Fri., October 23, 2009 – School Story Telling Program.

VOTE: 5-0. Carried unanimously.

NEW BUSINESS

Contract – Youngs Explosives

MOTION: made by Deputy Mayor Gee seconded by Trustee Contestabile 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 21, 2010 in the amount of \$1,500.00.

VOTE: 5-0. Carried unanimously.

Rochester Street Historic District Advisory Board re-appointment – Virginia (Ginny) Hallock

MOTION: made by Trustee Contestabile seconded by Deputy Mayor Gee to approve the re-appointment of Virginia (Ginny) Hallock to the Rochester Street Historic District Advisory Board for a term of five years to expire 2014.

VOTE: 5-0. Carried unanimously.

James Murphy – Assessor

The passing of James Murphy – Village/Town Assessor was acknowledged and viewed as a great loss to the Municipalities. The Village Clerk praised him for his helpful, fair and calming dealings with all our residents. He is and will be greatly missed.

ADJOURNMENT

MOTION: made by Deputy Mayor Gee seconded by Trustee VenVertloh to adjourn the meeting at 10:15 P.M.

VOTE: 5-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll
Village Clerk