

VILLAGE OF SCOTTSVILLE  
BOARD OF TRUSTEES MEETING

Minutes of Meeting  
Tuesday, October 12, 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 James Clark and Trustee Richard Clark.

Absent: Trustee Elizabeth Murray.

Also Present: Treasurer Beverly Martin, Communication Director Edie Cornish, DPW Supt/WWTP Chief Operator Steve Farrell, Todd Richardson DPW, Dave Willard MRB, Rick VenVertloh and Lisa Compton Oatka Creek Watershed Committee and recording secretary Elaine Driscoll Village Clerk.

APPROVAL OF MINUTES

MOTION – Approval of Tuesday, September 14, 2010 Village Board Meeting Minutes

Made by Trustee J. Clark seconded by Deputy Mayor Wagar to approve the minutes of the Tuesday, September 14, 2010 Village Board Meeting submitted by the Village Clerk with one correction on page 4 – under MOTION – Public Parking Signage – should read “seconded by Deputy Mayor Wagar”.

VOTE: 4-0. Carried unanimously.

MOTION – Approval of Thursday, September 30, 2010 Village Board Meeting Minutes

Made by Deputy Mayor Wagar seconded by Trustee R. Clark to approve the minutes of the Thursday, September 30, 2010 Village Board meeting as submitted by Trustee Elizabeth Murray.

VOTE: 4-0. Carried unanimously.

PRESENTATIONS

**Todd P. Richardson – 25 Years Service**

Mayor Gee announced that Todd Richardson was here to receive a Certificate of Appreciation for his 25 years of service to the Village of Scottsville in the Department of Public Works and also receive a 25 Year Certificate from the New York State Conference of Mayors (NYCOM) for 25 years of public service. Todd came forward to receive his certificates after which the following action was taken:

MOTION – Appreciation to Todd P. Richardson for 25 Years Service

Made by Deputy Mayor Wagar seconded by Trustee J. Clark to recognize with appreciation Todd P. Richardson for his 25 years of service to the Village of Scottsville as laborer in the Department of Public Works, employment date: April 1, 1985.

VOTE: 4-0. Carried unanimously.

**Oatka Creek Watershed Committee Inc. – Rick VenVertloh and Lisa Compton**

Rick VenVertloh – Chairman, and Lisa Compton – Secretary of the Oatka Creek Watershed Committee, Inc. were present. Previously provided by the committee was a Fall 2010 Newsletter with an Outreach Program Schedule and Watershed Symposium Black Creek & Oatka Creek brochure (with a registration form attached) for Thursday, October 28, 2010. They are doing power point presentations to all municipalities in the Watershed to re-introduce the communities to the Watershed planning process. They are a 501C3 not for profit organization. The power point presentation was shown with photos of many areas of Oatka Creek. Rick explained that a new project has begun; it is inter-municipal planning for Black and Oatka Creek Watersheds. The project includes the preparation of the Watershed Management Plan. It has been in the works a long time, but funds weren't available. The Environmental Protection Fund has given a grant to fund the project. The Town of Wheatland is the municipal sponsor. The Genesee Regional Planning Council will conduct most of the work. Project advisory committees have been set up to help; one being the Oatka Creek Committee. Towns and Villages will be asked to help with information, providing Village codes for review in reference to providing protections for water quality, etc. In 2003 and 2005 the Village of Scottsville made resolutions to endorse Watershed planning. In 2010 they are asking that we help the Genesee Regional Planning Council to develop the Plan. The completed document will provide realistic strategy and can help communities preserve clean water and help to apply for grants. There are 22 Towns and Villages that are represented in the watershed for Oatka Creek. The Board thanked Rick and Lisa for their presentation.

PUBLIC BEFORE THE BOARD

Dave Willard MRB presented copies of a Village of Scottsville Sewerage System Comparison Study dated: October 2006 – MRB Group Project No. 191724, a Village & Town NESS Household Estimated Yearly Sewer Rate Comparisons (Total Sewer Rate – MCPW O&M, Village Collection O&M, & Debt Service) – Year 2011- 2051 and a Village of Scottsville Regional Pump Station and Force Main Estimated Professional Service Expenditures to Complete first Project Phase – October 7, 2010 (on file). After a short review and discussion re: the 2006 Sewer Comparison Study, the WWTP Upgrade Alternative and sewer cost comparison graph etc., it was decided to have a special work session for review.

MOTION – Set up review meeting on Monday, November 1, 2010 – 5:00 P.M.

Made by Trustee R. Clark seconded by Trustee J. Clark to schedule a meeting on Monday, November 1, 2010 at 5:00 P.M. to review the Pump Station Project, WWTP Upgrades and upcoming project charges.

VOTE: 4-0. Carried unanimously.

REPORTS

ATTORNEY PETER SKIVINGTON was not present. Mayor Gee addressed the following issues:

### National Grid Settlement Agreement

Mayor Gee reviewed the issue of Local Municipal Gross Receipts Tax. Attorney Skivington provided an Revised Settlement Agreement dated: September 2, 2010 that he recommended the Village Board approve and authorize the Mayor to sign. The agreement incorporates all the provisions of NYCOM's recommendations and does not require the Village of Scottsville to make any refunds for any improperly collected tax levied against National Grid. The following action was taken:

#### MOTION – Approve National Grid Settlement Agreement

Made by Trustee R. Clark seconded by Trustee J. Clark to approve and authorize the Mayor to sign the Settlement Agreement between Niagara Mohawk Power Corporation d/b/a National Grid dated: September 1, 2010, for the gross utility tax overpayment issue.

VOTE: 4-0. Carried unanimously.

### Farm Animal Local Law – Final Draft

The Board reviewed the draft that Attorney Skivington provided which included recommended changes. It was cited that this draft did not include the recommendation, from the Planning/Zoning Board to include: Single Family dwelling only. No two family or multi-family lots permitted with a minimum ½ acre lot and that under 54-24 (J) the word hens should be changed to chickens. All agreed and the following action was taken:

#### MOTION – Adopt Farm Animal Law

Made by Trustee J. Clark and seconded by Deputy Mayor Wagar to adopt the last draft of the Farm Animals Local Law Chapter 54 Article III with Attorney's addition to 54/24 "Single Family dwelling only. No Two family or multi-family lots permitted with a minimum ½ acre lot" and 54-24(J) change the word hens to "chickens".

VOTE: 4-0. Carried unanimously.

The Village Clerk will contact Attorney Skivington to do changes and provide clean copy to file.

### COMMUNICATION DIRECTOR

EDIE CORNISH reported:

- Photo Gallery has been added to the website and is working on the capability of putting captions under the pictures.
- POD/CERT – Edie recommended that local organizations, such as the Legion Auxiliary be asked to get involved with POD. Mayor Gee reviewed CERT (Citizens Emergency Response Team) as well, saying that there are many different tasks that could arise during an emergency that pre-trained volunteers could help with.
- Newsletter – the Fall/Winter Newsletter has gone out. There were a couple problems with the printing of this newsletter which Edie will look into. She was under the impression that Whole Earth did the printing in house, but in fact, Patrick Printing did the work for them. There was a spacing problem and a folding problem that she will address.

### VILLAGE CLERK

ELAINE DRISCOLL asked that the following actions be taken:

MOTION - Monroe County – Delinquent Tax Collection

Made by Trustee J. Clark seconded by Deputy Mayor Wagar to authorize Monroe County to collect the Village of Scottsville's 2010-2011 delinquent taxes under Real Property Tax Law Section 1442. Village Clerk will submit a certified copy of the resolution to Linda Pelusio, Assistant Treasurer of Monroe County.

VOTE: 4-0. Carried unanimously.

MOTION – Village Election Tuesday, March 15, 2011 – Advertise

Made by Deputy Mayor Wagar seconded by Trustee J. Clark to authorize the Village Clerk to send the General Election Notice of Offices to be filled in 2011 election Tuesday, March 15, 2011 to Monroe County Board of Election and advertise the same in the legal paper.

VOTE: 4-0. Carried unanimously.

MOTION – Village Election Polling Place Designation – Senior Center

Made by Deputy Mayor Wagar seconded by Trustee J. Clark to authorize the Village Clerk to send the Polling Place designation: Wheatland Municipal Building, 22 Main Street – Senior Center, to the Monroe County Board of Election for the Tuesday, March 15, 2011, 12:00 Noon – 9:00 P.M., Village Election.

VOTE: 4-0. Carried unanimously.

2011 Recycling Calendar – drafts of the calendar were given to the Board for change suggestions before the November Board Meeting. The final will be printed directly after the November meeting. And given to Cub Scout Troop 140 by the end of November for delivery.

BUILDING INSPECTOR

TERRY RECH was not present but had submitted his written report with (3) three building permits listed (on file).

WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVE FARRELL previously provided his written report with six items of interest listed, via: e-mail, dated October 12, 2010(on file) and also reported the following:

- NYSERDA Money – as stated in item 5 on his written report, NYSERDA has money to offer. They will come to the plant to do a study. He has information on blowers & pumps that will help the plant if it stays open. NYSERDA offers a 50% payback on the blower and the other 50% is usually paid back within 2 years from the savings on electric usage.
- Dave Lucas meeting – WWTP Chief Operator Farrell will meet with Dave Lucas, who was the Chief Operator at Van Lare Plant for years to talk about ideas for the plant. He is very familiar with our plant.
- Roof repair – the roof leak previously discussed has been found to be due to a faulty drain and has been repaired in house, saving a lot of money.

DEPARTMENT OF PUBLIC WORKS

SUPERINTENDANT STEVE FARRELL previously submitted his written report via: e-mail, with 10 item of interest listed, dated: October 12, 2010 (on file).

- Leaf Collection has begun and brush collection stopped for the winter months. If brush is put out, a notification flyer will be handed out. They can bring brush to the garage during working hours. They have rebuilt the leaf box that is on the truck.
- Trees & Brush Clean out – the DPW has cleaned out the overgrown willow tree near Housing Opportunity. A tree was removed on Genesee Street. DPW Supt. will stay in contact with Mr. Norris re: this tree. Oak trees will be planted where trees have been removed: 2 on Genesee Street, 1 on Rochester Street and 1 on Browns Avenue.
- Sewer Plug at the old DPW Garage on Caledonia Ave. – This area has been found to have an unusual pipe connection that usually creates the plug. This will be one area that Skanex will TV with some of the money left from the grant.
- Johnson Park Rentals – the Park has officially closed for the season, but will be used on the 22<sup>nd</sup> for a T.J. Conner storytelling program.
- NYCOM Conference – Steve will be attending a NYCOM Conference in Lake Placid next week. Ken Bohn will be in charge.
- Cell Phones – DPW Supt. Farrell has taken a smaller plan with Verizon for crew and himself which will save approx. \$100.00 per month.
- 14 Hanford Ave. – Rei Pizarro drainage was discussed. DPW Supt. Farrell said the first thing that needs to be done is to TV the lateral. In the past Mr. Pizarro has been told this and has been given prices to have the work done. The lateral is historically the resident's responsibility. There was discussion re: the possibility of Village taking over part of the line. Easements would be needed; the lateral goes through a lot that could be a building lot and would only be a couple feet down. The cost of 200' of sewer lateral was priced in the past at \$12,000. To \$15,000. DPW Supt. Farrell warned that if the Village assumes any financial responsibility for this lateral it would be setting precedence. Mayor Gee's concern is that this lateral is unusually long for one resident to be responsible for. He recommended that DPW Supt. Farrell investigate costs and design for the Village to take over part of the lateral.
- Mark Coons, 9 Sanhurst Drive – DPW Supt. Farrell reported that the drainage at #9 & #11 Sanhurst has been completed with the Village providing material. The DPW had some of the materials in stock and purchased approx. \$300.00 worth. Mr. Coons had the work done.

TREASURER

BEVERLY MARTIN provided copies of the Abstract of Audited Vouchers for September-October 2010 (on file) and reported:

- Pay Bills  
MOTION: made by Trustee R. Clark seconded by Deputy Mayor Wagar to approve bills from 9/24/2010 – 10/13/2010 on abstracts 14 to 17.  
VOTE: 4-0. Carried unanimously.
- FEMA Grant money received – Treasurer Martin reported that the FEMA grant money for Air packs has come in the amount of \$64,000.00. \$62,000.00 will pay for the air packs and \$2,000.00 will go into the Equipment Account.
- 1990 Pumper Truck Refurbishment update – Mayor Gee, Treasurer Martin and Chief Emerson met re: financing of the 1990 Pumper Truck Refurbishment. The Treasurer is getting clarification on Bond Anticipation Notes from the bank, but believes they are not for improvements. Chief Emerson doesn't have a set amount for the cost of refurbishment yet. It is being considered to update the truck to make road worthy without a total refurbishing. Truck 4613 needs to be replaced next year. Treasurer Martin warned that the reserve accounts cannot be depleted because our reserve accounts have given us a good Moody Report. Whether refurbishment is done on the truck or not, it must meet NFPA Standards.

DEPUTY MAYOR LESLIE WAGAR reported:

- Planning/Zoning Board has one application in front of them for a resident in the Rochester Street Historic District for removal of a front door. The Rochester District Advisory Board has reviewed it and has no problem with removal.
- Zoning Board of Appeals Chairman – The Zoning Board of Appeals has named Tom Knitter Chairman until his term is completed. He will fill the vacancy of deceased Tim Sands.
- Planning/Zoning Board Member – an ad has appeared in the Sentinel and Genesee Valley Penny Saver that the Village of Scottsville is receiving applications for membership on the Planning/Zoning Board. Deadline for application acceptance is October 29, 2010.

TRUSTEE ELIZABETH MURRAY was not present, but previously submitted a written report dated: October 12, 2010 which outlined the Main Street Committee: October 16 business meeting, Signage & Scottsville Midweek Farmers' Market, and Forestry Committee projects (on file). Items discussed:

- Forestry - Tree Survey – Rick VenVertloh and Trustee Murray drew up a tree survey Request for Proposal and provided a list of arborists for the RFP to be sent to (on file).

MOTION – RFP for Tree Survey

Made by Deputy Mayor Wagar seconded by Trustee J. Clark to authorize the Mayor to sign and send Request for Proposals to get prices on doing a tree survey.

VOTE: 4-0. Carried unanimously.

TRUSTEE JAMES CLARK reported:

- Canawaugus Park looks good. There was question about what bench will be installed at the park. The DPW may have two stored at the garage or the alternative is for the DPW to build a concrete version that they have a form for. The concrete bench would be cheaper. DPW Supt. Farrell will give prices etc. at the next meeting.
- Johnson Park – Trustee J. Clark met with Burnwell Propane re: possible propane tank installation at Johnson Park re: placement & size of tank and costs etc. He will price electric costs too. Heating with a fireplace insert or wood was discussed. Gas would be expensive and would have to go out to bid. All aspects of plans for winterizing the pavilion are passed by the Building Inspector, Terry Rech to follow codes. The Lions would do furnace work at the pavilion. If the ice rink is done at the Park, Wheatland Recreation has offered to run a skating program. If the Pavilion is winterized, rental cost would need to be adjusted because of the added cost to the village.

TRUSTEE RICHARD (RICK) CLARK

No report. He will be on the NESD panel.

MAYOR PAUL GEE reported:

- Contract with Mary Chappell Municipal Solutions Inc. for financial advisement for Pump Station Project – tabled.
- Monroe County Recycling Advisory Committee  
MOTION – Committee Member – Michael Souers  
 Made by Trustee J. Clark seconded by Deputy Mayor Wagar to approve the Mayor's appointment of Michael Souers to the Monroe County Recycling Advisory Committee.  
 VOTE: 4-0. Carried unanimously.
- Stuart I. Brown – Proposal for SEQRS/NEPA – Mayor Gee read the proposal from Stuart I. Brown dated: October 5, 2010 and recommended that the proposal for additional Environmental Services for Rehabilitation of Northeast Trunk Sewer be approved. It is a new component of the Regional Sanitary Sewer Pump Station & Forcemain project. The following action was taken:  
MOTION – Stuart I Brown Proposal for SEQRS/NEPA  
 Made by Trustee R. Clark seconded by Trustee J. Clark to approve the proposal dated: October 5, 2010, from Stuart I. Brown Associates, Inc. for SEQRS/NEPA – additional Environmental Services for Rehabilitation of Northeast Trunk Sewer and authorize the Mayor to sign the agreement in an amount not to exceed \$2,500.00.  
 VOTE: 4-0. Carried unanimously.
- Main Street Committee meeting will be held on Saturday, October 16, 2010 at 9:00 A.M. – 12:00 Noon, Conference Room A.

OLD BUSINESS

Park Bench refurbishing project – Trustee J. Clark reported that Eagle Scout Jordan Woodruff will not be doing his Eagle Scout project of refurbishing the Main Street park benches; Rush Stevens will pick up this project and will do a presentation at the November meeting. Trustee J. Clark will talk to Billy Williamson to see how he has progressed with his Eagle Scout project of clearing of the aqueduct area in Canawaugus Park.

EXECUTIVE SESSION

MOTION: made by Trustee J. Clark seconded by Deputy Mayor Wagar to go into executive session at 8:30 P.M. to discuss a real estate matter.

VOTE: 4-0. Carried unanimously.

MOTION: made by Trustee R. Clark seconded by Trustee J. Clark to adjourn executive session and return to regular session at 8:38 P.M.

VOTE: 4-0. Carried unanimously.

21 Scott Crescent Property – Jamie Swann – Petition

MOTION – Sign Petition Village of Scottsville - Vs - Jamie Swann

Made by Deputy Mayor Wagar seconded by Trustee J. Clark to approve the Mayor to sign the petition submitted by the Village Attorney, in the matter of The Village of Scottsville (Petitioner) –vs- Jamie Swann (Respondent) in reference to Jamie Swann, 21 Scott Crescent.

VOTE: 4-0. Carried unanimously.

ADJOURNMENT

MOTION: made by Deputy Mayor Wagar seconded by Trustee J. Clark to adjourn the meeting at 8:42 P.M.

VOTE; 4-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll  
Village Clerk