

VILLAGE OF SCOTTSVILLE  
BOARD OF TRUSTEES MEETING

Minutes of Meeting  
Tuesday, September 9, 2008

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

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

Present: Deputy Mayor Paul Gee-presiding, Trustees Rick VenVertloh (arrived at 7:08 P.M.), Lino Contestabile (left at 7:20 P.M.), and Charles Bryant.

Excused: Mayor Michael Souers

Also Present: Treasurer Beverly Martin, DPW Deputy Supt./WWTP Chief Operator Steve Farrell,

APPROVAL OF MINUTES

MOTION – Approve Tuesday, August 12, 2008 Minutes

Made by Trustee Contestabile seconded by Trustee VenVertloh to approve the Tuesday, August 12, 2008 Village Board minutes as submitted.

VOTE: 3-0. Carried unanimously.

Approval of Monday, August 18, 2008 Minutes to be done later in the meeting for reason of having a proper voting quorum.

Approval of the Monday, August 25, 2008 – Tabled to the October 14, 2008 meeting for lack of 9/25/08 attending quorum.

PUBLIC HEARINGS held off until 6:45 P.M.

PUBLIC BEFORE THE BOARD – None

REPORTS

ATTORNEY PETER SKIVINGTON was not in attendance but submitted his report prior to the meeting, which Deputy Mayor Gee delivered. Items as follows:

License agreements – Thrush & DeStounis

Attorney Skivington has sent license agreements to Nikalaos DeStounis and Christine DeStounis, 49 Browns Grove and Amy and Brad Thrush, 57 Diana Drive to sign re: construction of fences on Village easements. The cost of filing will be covered by the residents and if ever the fences need to be removed it will be at the resident's expense. The following action was taken:

MOTION – Destounis Sewer easements

Made by Trustee Contestabile seconded by Trustee Bryant to approve License Agreements between the Village of Scottsville and Nikalaos & Christine DeStounis, 49 Browns Grove and between the Village of Scottsville and Amy & Brad Thrush to construct fences on Village drainage/sewer easements and to authorize the Mayor to sign the agreements.

VOTE: 3-0. Carried unanimously.

D&D's Survey

Attorney Skivington has been contacted by Attorney Nafus agreeing that his client C. David Hellaby will pay the entire cost of a survey for the 26-28 property on Caledonia Avenue; amount being \$700.00. Attorney Skivington will follow up to get signature on an agreement that they he will pay entire cost.

Spring Basin

Attorney Nafus will give Attorney Skivington a copy of Mrs. Minister's abstract to give to Maiers Land Surveyors.

Fire Dept. SOPs

Per Attorney Skivington: he has reviewed the draft of the Fire Dept. SOPs and finds them to be legal but recommends no action be taken tonight so that minor editing can be done; such as typographical errors etc. The issue will be put on the October agenda.

Swann Scott Crescent court decision

Per Attorney Skivington: the Swann stop work order court issue has been adjourned again because the defendant was not present in court. Attorney Skivington will report with any news on this issue as soon as he gets some.

NESD Contract

Attorney Skivington recommended that the Town of Wheatland NESD contract not be signed until more work is done on it. Town of Wheatland and Town of Chili Fire District contracts are ready to be signed.

VILLAGE CLERK

ELAINE DRISCOLL

Household Hazardous Waster Collection

Per the Village Clerk: the County's Department of Environmental Services (DES) and the Towns of Gates, Chili, Riga and Wheatland and the Villages of Churchville and Scottsville have partnered to hold an appointment-only Household Hazardous Waste collection at the Town of Gates Highway Garage, 475 Trabold Road, on Sat., Sept. 20<sup>th</sup> from 8:00 A.M. to 12 noon. It is for the residents of said Towns and Villages to dispose of their Hazardous waste properly. Each

year the Village and Town advertises the event in the Sentinel and Genesee Penny Saver. To balance out the cost of advertising between the Town and Village, this year the Village needs to pay for the Sentinel publication. Last year we paid for the Genesee Valley Penny Saver publication. The following action was taken:

MOTION: made by Trustee Contestabile seconded by Trustee Bryant to authorize the Village Clerk to advertise in the Sentinel (one week) for the Monroe County Hazardous Waste Collection which includes the Towns of Gates, Chili, Riga and Wheatland and the Village of Churchville and Scottsville, being held at the Town of Gates Highway Garage, 475 Trabold Rd., on Saturday, September 20, 2008 from 8:00 A.M. to 12 noon.  
VOTE: 3-0. Carried unanimously

#### ABS Tax Bill Agreement

Village Clerk Driscoll explained that ABS is the Company that will be printing the 2009-2010 Village tax bills. The following action was taken:

MOTION: made by Trustee Bryant seconded by Trustee Contestabile to authorize the Village Clerk to sign the Agreement between the Village of Scottsville and ABS for printing of the 2009-2010 Village tax bills.  
VOTE: 3-0. Carried unanimously.

#### Advertise Leaf Collection

MOTION: made by Trustee Contestabile seconded by Trustee Bryant to authorize the Village Clerk to advertise the 2008 Fall Leaf Collection in the Sentinel and Genesee Penny Saver.  
VOTE: 3-0. Carried unanimously.

#### BUILDING INSPECTOR

TERRY RECH was not present at the meeting but previously submitted his written report dated: 09/04/08 with six permits listed. Per Deputy Mayor: if there are any questions, email or call Terry directly.

#### WASTE WATER TREATMENT PLANT

CHIEF OPERATOR STEVE FARRELL previously submitted his written report via: email dated September 9<sup>th</sup>, with six bulleted item on it. His report included:

- Annual DMRQA Study 28 is completed – results should be back next month.
- They are flooding the Greenhouse more this year to cut down on sludge hauling costs.
- Jim Luke is taking his WWTP certification test next Monday.
- Gravel Ponds is still dumping regularly – should slow down this month.
- Monroe County still has flow meters in at the plant. One in the wet well and one in the grit chamber. Their numbers are matching up better now with the Villages.
- The plant is running without problems this summer.

#### DEPARTMENT OF PUBLIC WORKS

DEPUTY SUPT. STEVE FARRELL previously submitted his written report (on file), via: email, dated: September 9<sup>th</sup>, with nine bulleted items. Items reviewed were:

- Sign Request - Mrs. Matos, 11 East Genesee Street (the last house on dead end street), has reported continual traffic problems with vehicles turning around in her driveway all the time. There is an actual turn around that could be used, but most use her driveway anyway. She has asked that the Village install some type of sign to stop the driveway turn around traffic. After discussion, consensus of the Board was that Deputy Supt. Farrell make the decision of what sign is used and have it installed.
- Festival – Per Deputy Supt. Farrell: the DPW did a fine job with the Summerfest again this year even with being short staffed.
- Main Street Sidewalk – (East Race bridge to West Race bridge) two pours have been done; job should be complete by the end of the month or early October.
- Ditch on Caledonia Ave. – NYSDOT dug the ditch out on Caledonia Avenue and the Village DPW cleaned the driveway culverts right after. Deputy Mayor Gee asked that the culvert on Roch. St. at Mitch Clancy’s residency be checked out and possibly cleaned. The State may do the cleaning on Roch. Street.
- Chili DPW swept East Genesee St. and Oatka Place last week to ready for oil and stone.
- Summer Employment: Dillion McCarthy started with the Village DPW today as summer help. There are unused summer hours to pay him because one summer employee left early in the season and wasn’t replaced.
- All equipment is being turned over for the Fall and Winter
- DPW Foreman .50 per hour. Deputy Mayor Gee explained to the Board that it was necessary for the Treasurer to know the exact date that the .50 per hour would go to a new foreman. After discussion and review of the August 18<sup>th</sup> and 25<sup>th</sup> minutes, the following action was taken:

MOTION - .50 per hour retro to August 18, 2008 for the new DPW foreman

Made by Trustee Contestabile seconded by Trustee Bryant to make the .50 per hour pay increase for the new DPW foreman retroactive to August 18, 2008.

VOTE: 3-0. Carried unanimously.

PUBLIC HEARINGS

7:00 P.M. – Public Hearing - Appropriation \$12,000.00 to refurbish truck 4616

Deputy Mayor Gee opened the public hearing at 7:00 P.M. by reading the public hearing notice which appeared in the Sentinel: PLEASE TAKE NOTICE that on Tuesday, September 9, 2008 the Board of Trustees of the Village of Scottsville, New York, will hold a Public Hearing at 6:45 P.M. at the Wheatland Municipal Building, 22 Main Street, Scottsville New York, 14546, to consider appropriating an amount not to exceed \$12,000.00 out of the

Fire Truck Replacement Reserve fund to refurbish truck 4616. If passed, the resolution authorizing the appropriation would be subject to a 30 day permissive referendum.

There was no public comment and was closed at 7:01 P.M. Deputy Mayor Gee stated that Treasurer Martin needs to find out if Fire Truck Replacement Reserve Funds can be used to refurbish a truck. The follow action was taken:

MOTION – to appropriate \$12,000.00 to refurbish truck 4616

Made by Trustee Contestabile seconded by Trustee Bryant to appropriate an amount not to exceed \$12,000.00 out of the Fire Truck Replacement Reserve Fund to refurbish truck 4616 if deemed appropriate by the State Comptrollers, subject to permissive referendum.

VOTE: 3-0. Carried unanimously.

7:02 P.M. – Public Hearing - Appropriation \$18,000.00 to purchase a Leaf Vacuum and Recycle Boxes

Deputy Mayor Gee opened the public hearing at 7:02 P.M. by reading the public hearing notice which appeared in the Sentinel: PLEASE TAKE NOTICE that on Tuesday, September 9, 2008, the Board of Trustees of the Village of Scottsville, New York, will hold a Public Hearing at 6:50 P.M., at the Wheatland Municipal Building, 22 Main Street, Scottsville New York, 14546, to consider appropriating an amount not to exceed \$18,000.00 out of the Equipment Replacement Reserve fund to purchase a leaf vacuum and recycle boxes.

There was no public comment and the public hearing was closed at 7:03 P.M. Deputy Mayor Gee commented that we will get up to \$8,000.00 back from Municipal Waste Reduction & Recycling State Assistance Program matching grant. The following action was taken:

MOTION – to appropriate \$18,000.00 to purchase a Leaf Vac & Recycle Boxes

Made by Trustee Bryant seconded by Trustee Contestabile to appropriate an amount not to exceed \$18,000.00 out of the Equipment Replacement Reserve Fund to purchase a leaf vacuum and recycle boxes, subject to permissive referendum. VOTE: 3-0. Carried unanimously.

7:06 P.M. – Public Hearing – Cold War Veterans

Deputy Mayor Gee opened the public hearing by reading the notice that was published in the Sentinel. PLEASE TAKE NOTICE that a Public Hearing will be held by the Village of Scottsville Board of Trustees on Tuesday, September 9, 2008 at 7:00 p.m. at the Wheatland Municipal Building , 22 Main Street, Scottsville NY, to consider a Local Law authorizing a Real Property Tax Exemption for Cold War Veterans, pursuant to Chapter 655 of the Laws of 207, the Cold War Veterans exemption allowable in paragraphs (a) (i) of subdivision 2 of Section 458-b of the Real Property Tax Law is Allowed.

There was no public comment; public hearing closed at 7:07 P.M.

Assessor Murphy had provided a sheet of explanation: the exemption would apply to veterans who served in the U.S. Armed Forces from Sept. 2, 1949 to Dec. 26, 1991. The exemption

provides a basic property tax exemption of 10 percent of assessed value to veterans who served during the Cold War period. The law provides an additional exemption to disabled

veterans, equal to one-half of their service-connected disability ratings. The basic exemption is limited to 10 years, but there is no time limit for the disabled portion of this exemption. In both instances, the exemption is limited to the primary residence of the veteran and is applicable only to general municipal taxes, not to school taxes or special district levies. The following action was taken after discussion:

MOTION – Cold War Veterans

Made by Trustee Contestabile seconded by Trustee Bryant to approve the adoption of a Local Law to authorize a Real Property Tax Exemption for Cold War Veterans, pursuant to Chapter 655 of the Laws of 2007, the Cold War Veterans exemption allowable in paragraphs (2) (i) of subdivision 2 of Section 458-b of the Real Property Tax Law is Allowed.

VOTE: 3-0. Carried unanimously.

Trustee VenVertloh arrived and was acknowledged as present at 7:08 P.M.

REPORTS Cont'd

TREASURER

BEVERLY MARTIN previously provided the Board with copies of abstracts 9 to 12.

Town Supervisor's request Letter

Treasurer Martin passed out copies of a letter from Town Supervisor Dobson asking for a breakdown of NESD and Wheatland Fire Protection costs. Former Treasurer Scantlin had reviewed all these calculations with Supervisor Dobson more than once in the past. Treasurer Martin will respond by letter to Supervisor Dobson reiterating past reviews and explain reasons for any changes.

PAY BILLS

MOTION: Made by Trustee Contestabile seconded by Trustee Bryant to approve bills from August 15, 2008 – September 10, 2008 on abstracts 9 to 12.

VOTE: 4-0. Carried unanimously.

Street Roller & Trailer Purchase

MOTION - Set Public Hearing to Appropriate up to \$9,400.00 – Street Roller & Trailer.

Made by Trustee Contestabile seconded by Trustee Bryant to set a Public Hearing on October 14, 2008 at 6:45 P.M., to consider appropriating an amount not to exceed \$9,400.00 out of the Reserve for Equipment Replacement to purchase a street roller and trailer. Subject to permissive referendum.

VOTE 4-0. Carried unanimously.

APPROVAL OF MINUTES Cont'd:

MOTION – Approve Monday, August 18, 2008 Minutes (Motion made at 7:15

P.M.)

Made by Trustee Bryant seconded by Trustee VenVertloh to approve the minutes of the Monday, August 18, 2008 meeting as submitted.

VOTE: Deputy Mayor Gee – yes  
Trustee VenVertloh – yes  
Trustee Bryant – yes  
Trustee Contestabile – abstained  
Motion Carried 3-0.

#### REPORTS Cont'd

TRUSTEE LINO CONTESTABILE reported:

- the Planning/Zoning Board has sent a letter to the Building Inspector dated: August 27, 2007 (on file), Re: policies/procedures for application deadlines. They are requesting that the Building Inspector review set policies/procedures to avoid further scheduling problems.

Trustee Lino Contestabile left the meeting at 7:20 P.M.

#### TRUSTEE RICK VENVERTLOH

Pump Sta. Update – Per Trustee VenVertloh:

- There was a pump station review meeting on August 18, 2008.
- Trustee VenVertloh has done a five year history of the Pump Station project with his comments and observations. Mayor Souers will use that while working with MRB to create a letter to respond to a letter from the Town of Wheatland dated: June 6, 2008, challenging their use of flow in their calculations etc. After the Mayor returns from a trip after Sept. 14<sup>th</sup>, the letter will be sent. The goal is to respond to the June 6<sup>th</sup> letter and outline what it will take to go forth with this capital project.
- The project is a good opportunity for the Town, but they would have to come up with more money into the project. Growth projections for the Town have been abandoned.
- Trustees should have opportunity to review the letter to the Town before sent.
- Project needs to be wrapped up; it has been going on too long. General consensus of the Board: it's time to end the project.
- Letter from MRB re: Town numbers inflated; should be attached to letter going from the Mayor.

DEPUTY MAYOR PAUL GEE reported:

- Johnson Park Project – Genesee Building Restoration Inc.. is not completing the project timely or sufficiently. They have been contacted numerous times to no conclusion. The State contract dictates that they have to go by the Village schedule. Per Trustee Bryant: a meeting should be scheduled with the general contractor to see how to get the job completed. All problems with the construction were discussed. Per Dep. Mayor Gee: a meeting will be set up after the Mayor returns to town on the 14<sup>th</sup> of Sept. Paul needs the NWBE forms filled out by Genesee Restoration Inc. for the grant. Trustee Bryant has list of work that needs to be done on pavilion.

TRUSTEE CHARLES BRYANT reported:

- Municipal Building signage – Trustee Bryant presented a rendering with four concepts of Wheatland/Scottsville signs for the 22 Main Street building. Office staff had indicated their preferences. Deputy Mayor Gee suggested using the existing pole by the driveway to put a Scottsville sign on.
- Triangle Scottsville Welcome Wall – Trustee Bryant will be meeting with some masons to get brick work bids.

MAYOR MICHAEL SOUERS was not present, but the following items were discussed:

- Code Enforcement Contract - there was discussion re: the new contract costs for the Building Inspector. Per a letter from Peter K. Skivington dated: August 22, 2008, the former agreement provided for the sum of \$20,981.00 as payment by the Village, which was 40% of the salary paid to the Building Inspector. The Town is now seeking 40% of the overall costs for the Code Enforcement Office in the amount of \$45,322.80. All agreed that a breakdown of hours is needed for review. There was question if the Village wanted to continue with the Code Enforcement Town/Village sharing arrangement. It was the consensus that there needs to be more discussion about this matter and perhaps at a special meeting.

#### PARK PERMITS

MOTION: made by Trustee VenVertloh seconded by Trustee Bryant to approve the Johnson Park Permits as follows:

- 1) Brad Whiteside, 120 Windsorshire Dr. Apt. H, Roch.NY – Amy Rose Reunion Sunday, Sept. 14, 2008.
- 2) Morrie Annis, 211 Briarwood La., Picnic, Sunday, Sept. 21, 2008.
- 3) Chad Annis, 211 Briarwood La., Going Away Party, Sat., Sept. 13, 2008

VOTE: 3-0. Carried unanimously.

OLD BUSINESS – None

#### NEW BUSINESS

##### Contract – Town of Wheatland NESD

After discussion and upon prior recommendation of Attorney Skivington, the Town of Wheatland NESD contract was tabled to the October Village Board Meeting.

##### Contract – Town of Wheatland Fire District

MOTION: made by Trustee Bryant seconded by Trustee VenVertloh to authorize the Mayor to sign the contract for Town of Wheatland Fire District coverage for January 1, 2009 – December 31, 2009 in the amount of \$179,797.

VOTE: 3-0. Carried unanimously.

##### Contract – Town of Chili Fire District

MOTION: made by Trustee VenVertloh seconded by Trustee Bryant to authorize the Mayor to sign the contract for the Town of Chili Fire District coverage from January 1, 2009 – December 31, 2009 in the amount of \$22,878.

VOTE: 3-0. Carried unanimously.

ADJOURNMENT

MOTION: made by Trustee Bryant seconded by Trustee VenVertloh to adjourn the meeting at 8:00 P.M.

VOTE: 3-0. Carried unanimously.

Submitted by,

Elaine M. Driscoll  
Village Clerk