

REGULAR TOWN BOARD MEETING

March 24, 2010

PLEDGE OF ALLEGIANCE:

I. CALL TO ORDER: (7:00 P.M.)

Board Members Present

Thomas J. Cole, Councilman
David F. Feeney, Councilman
Malcolm E. Perry, Councilman
Thomas J. Uschold

Board Members Absent

Gay H. Lenhard, Supervisor

Others Present

Lynn A. Bianchi, Town Clerk
Daniel Schum, Town Attorney
David Widger, Highway Superintendent
Robert Criddle, Town Assessor
Jack Crooks, Building Inspector
Douglas Nordquist, Chief of Police
Corey McAtee
22 Participation in Government students

Purpose of the Meeting

To audit claims, act on monthly reports and remittances, and to transact such other business which may legally come before said meeting.

DEPARTMENT HEAD REPORTS:

Bob Criddle, Assessor: Good evening. As of July 1 final assessment roll, the total parcel count for the Town of Ogden, including the Village, was as follows over the past five years:

2009:	7,441
2008:	7,441
2007:	7,367
2006:	7,309
2005:	7,257

The 2008 and 2009 numbers are in line with the leveling off of development in recent years.

Total taxable value increased \$11,623,813 or 1.13% over 2008 to \$1,039,815,896. The small increase relative to other years since 2001 reflects a stabilization of property values and the fact that a sizable reassessment project was not undertaken in 2009. There was a significant growth in taxable value since 2001 when the last town-wide assessment update was completed.

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Much of the growth in the tax base has been attributable to new construction, but growth has slowed in the town over the past few years. Eighteen split/merges of tax map parcels were processed. This compares to 23 in 2005, 20 in 2004, and 24 in 2003. Not only does the data indicate a stabilization in the total number split/merges, but the number of parcels involved has decreased significantly due to less residential subdivision development. This is borne out by the significant decrease in approved building lots and building permits for new construction processed by the Building Department.

The number of deeds and residential sales continues to decline due to decreasing sales volume. The deed totals include both arm's length sales and non-sale transfers of ownership. Residential sales volume decreased substantially over the past three years from much higher prior year totals. There continued to be a greater supply of properties for sale and longer marketing times in 2009. However, correctly priced properties are selling within a reasonable marketing time. Values are still increasing although at a more moderate rate of approximately 1%. Stable continues to best describe the local real estate market.

The total number of real property exemptions increased by 67, from 7,444 in 2008 to 7,511 in 2009. STAR and low-income senior exemptions make up the bulk of the total, followed by agricultural exemptions. There were 5,622 total STAR exemptions for 2009 consisting of 4,666 Basic STAR exemptions and 956 Enhanced STAR exemptions.

Unfortunately, in 2009 the state eliminated STAR administrative aid that had been provided to help defray the cost of administering the STAR Program. The STAR administrative aid payment was \$4,121 for 2008.

My office processed 2,000 ± new or annual renewal exemption applications for 2009. Exemption administration is very time consuming and complex, but accurate and fair exemption administration is a major part of ensuring equitable tax burdens. As always, my staff should be commended for handling such a large volume of exemptions in a professional manner.

2009 Accomplishments:

- Continued to provide excellent assessment and exemption administration services to the public. Earned \$31,106 in State Aid for Quality Assessing by successfully participating in the Annual Reassessment Program.
- Processed a courtesy merge of 23 town-owned parcels in Pineway Ponds Park into a single tax map number. Assisted Peter O'Brien, Director of Parks & Recreation, in his attempt to encourage donation of the 11 remaining privately owned vacant parcels within the park to the Town.
- Continued to work with the Village of Spencerport Clerk, Jackie Sullivan, to update the taxation section in the Village Code.

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- Successfully worked with the Monroe County Department of Planning & Development to provide information needed for address appeals and the New Construction Program for the 2010 Census.
- Conveyed to the Village, County and three school districts the necessity to pass a local law or resolution to remove assessment restrictions for their taxing jurisdictions for converted condominiums that give them an unfair advantage relative to conventional single-family ownership.
- Spoke at the April 2009 meeting of the Hickory Hollow Senior Community Homeowners Association.
- Mailed exemptions applications to owners of 196 residential properties without STAR exemptions based on potential qualification for the exemption. This resulted in 87 new STAR exemptions.
- Continued to successfully provide input to the Democrat & Chronicle and other newspapers concerning assessment and exemption administration.
- Elected as Treasurer of the Monroe County Assessors Association.
- Elected to a second two-year term on the Executive Board of the New York State Assessors Association.

2010 Goals:

- Implement Apex sketch software to digitally produce building sketches for property record cards using the department's new laptop computer.
- Implement electronic property record card software using the department's new laptop computer
- Finalize research on scanning existing property cards and other documents on an ongoing basis for computer database storage. The goal is to decrease the need for file cabinet and archive space.
- Continue to analyze agricultural exemptions and farm structure exemptions for accuracy and consistency.
- Continue to analyze the residential percent adjustment as it applies to percentage-based exemptions for sizable parcels for accuracy and consistency.
- Continue to cross train to enhance staffing flexibility, operational efficiency and customer service
- Continue to develop written office policies and procedures.

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Councilman Feeney: Do you still find properties out there selling for more than what they are assessed at? **Bob:** Yes. **Councilman Feeney:** Do you find them not selling for as much as you have them assessed at? **Bob:** Of course. I assess 7,400 parcels, and I cannot be right on every one, but I am balanced and most assessments are at market value. The appreciation is no longer there. At one point in the mid-2000's it was almost 5% a year, Now it is down to 1% a year. Our boom was at 5% a year.

Jack Crooks, Building Inspector: I am just going to go over some of the highlights. A lot of information is in the report.

First of all, numbers for the Village were not included in some of the graphs.

117 South Main Street is the new Spencerport insurance building that was approved last year and we will be issuing a C of O for that this coming week. There is commercial on the first floor, and residential on the second.

407 South Main Street (Tim Horton's) will be opening in April, and we are doing a final on that now.

42 Nichols Street behind McDonald's is Lakeside Urgent Care Facility, now completing its second expansion

Slayton Avenue Plaza:

- Multiple meetings with Morgan Management, Costich Engineering and MRB Engineering (Village Engineer);
- ARB and Planning Board meetings;
- Meetings with utilities, including Spencerport Municipal Electric, Frontier, Fibertech and RG&E;
- Multiple meetings with TOPS management;
- Construction plan and site reviews for new Slayton Place Restaurant;
- Review proposed demo for old restaurant;
- Renovation review of previous IGA facility;
- Review and approval of new TOPS gas dispensing facility;
- Review and approval of proposed new hardware facility;
- Coordinate summer school with Monroe 2 BOCES;
- Completion of Spencerport Fire District Station 1

Town Highlights: 2009 Recap

We have gone from the early 2000's when we were doing 80 to 100 new homes a year to 2008, when we did 27, and this past year has been 17. As a result of that, this Board thought the reduction in revenue and workload would constitute the removal of one full-time person in my department. It really meant some realignments in our department, especially with the secretarial staff. The 1 ½ people we have really had to step up. Michele is doing an incredibly great job. She is good with the public, engineers, builders and everything else. She has done a super job because she is there probably 75% of the day by herself. That is a huge load. She has really stepped up, and I am very proud of it.

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Other things going on in the Town:

- Parkview Project
 - Unity Health Medical Facility
 - Senior Quads by Wegmans
- Advantech, 3850 Buffalo Road
 - 120,000 sq. ft. manufacturing building
- Rochester Midland Corp. moving into 165,000 sq. ft. old Eber Brothers building at Westover Business Park
- Redevelopment of Caldwell Manufacturing building
- Ogden Heights
 - 89 unit affordable Senior apartment building
 - Phase I approval for 30 Senior patio units
- Approval of Somerset Estates, Whittier Road
 - Townhouses, Senior patio homes, assisted living apartments
- Approval of Bella Estates, Union Street and Westside Drive
- Facilitated acquisition of 40+ acre parcel for park land
- Blackwater Crossing
- Square at Ogden Center
 - Lot 1, Monroe County Sheriff station
- Sandy Knoll/Estate Lots/Shady Maple

I think it has been a busy year with a lot of things going on. We have entered into an intermunicipal agreement with the Town of Parma to get some additional help. We have also entered into an intermunicipal agreement with the Village of Spencerport. We are being much more flexible and innovative with our people in what needs to be done.

The Planning and Zoning Board have had some changes in personnel. The Zoning Board wrestled long and hard with that transfer station problem, and I could not be prouder of them. Everyone who had a vote that night stated reasons for their position, aye or nay, with a lot of concern and time spent. They are to be commended on that.

Councilman Cole: It sounds like you have been very busy.

Councilman Feeney: Do you think we should not have let one of your personnel go? I know residential building has died right down, and we, as the Town Board, were looking at that, not realizing the commercial development we had coming. It

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sounds like you are pretty busy. **Jack:** I think that is true, but on the other hand, it is the responsibility of the government. We are not an employment agency, and I think it was a responsible move that the Board made. None of us have a crystal ball. It also pushes us to some of these other opportunities, like the intermunicipal agreement with Parma. They are no different than we are in that they have some slowdown in construction. It is certainly not all that we do in my department, but it is a significant part of the revenue. I think you will find that our expenses are down considerably as a result of those changes, and that is what we should be doing.

Councilman Perry: We are hoping that the economy turns up so that we can replenish your department.

Councilman Cole: Thanks very much, Jack.

Doug Nordquist, Chief of Police: Good evening. Several weeks ago I distributed my goals and objectives and results report for 2009/2010 . Hopefully, you had a chance to go over them. It is the same format that I do every year, a 3 year comparison. I would like to hit some high points of my colleagues in the operation area of the department. Again, I thank Sergeant Krause who maintains our crime stats and does the quality control for what we bring in and what we report to the State and Federal Governments and F.B.I. Tracy Mahoney and I also work together on statistics every quarter.

Calls for service were down 656 this year, for a total of 18,217. Unfortunately, our report crimes went up by 76. Crimes cleared in 2008 were 691, crimes cleared in 2009 were 603. I try to, both financially and operationally, deal in quarters of the year. We were heavily hit in numerous areas within the town and village over and over and over again with larceny of vehicles. Traditionally, this has been a spring type of incident in criminal activity. The majority of vehicles were unlocked. We took on an awareness campaign through our website, Suburban News, D & C, and ramped up our neighborhood watch groups. Many of the incidents occurred in peoples' driveways in the middle of the night. We made several arrests, and different jurisdictions made several arrests, which, in turn, cleared many of our cases. Just when we stopped to catch our breath, we had another new rash of larcenies. We had neighborhood groups, people coming from different areas of the county, and some from the city who specialized in that type of thing. For 8 or 9 months in 2009 we were dealing with this. In 2008 our clearance rate was 62% of all criminal activity reported to us. In 2009, it was 51%. That, too, is the lowest I have reported in the 6 years that I have been here. Fifty one percent was disappointing to me because our standard is so high. However, the national average for crime clearance for part 1 and part 2 crimes falls between 27 and 32%. We are way above the national average, but we did not meet the standard that I had set. We try to incorporate an educational and awareness component with these larcenies that we deal with.

House burglaries are the most serious felonies that we usually deal with, and they are cleared, with a few exceptions. We either make an arrest or another jurisdiction makes an arrest, and then we clear and vice versa. We are very fortunate with our clearance and arrest rate with house burglaries. We are concerned about west of Rt. 259, especially the rural area of town, where many

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residents are not home during the day, and the closest neighbor is not visible from the property or they, too, may be gone.

Felonies reported in 2008 were 194 and in 2009, 195. Our traffic tickets total in 2008 was 2,994 and in 2009, 2670. Officer Marcucci and the department received an award for the largest increase per capita for DWI arrests. In 2008, there were 68 arrests, and 2009 there was 103.

Quality of life is very important to the members of the Ogden Police Department. It is not all about reporting, investigating and solving serious crimes, because we don't have that. Things, such as stolen bicycles and loud parties, which may not be very exciting to someone who studies police work, but it is important to us because it affects the quality of life in the neighborhoods.

I appreciate Mr. Cole meeting with me every three weeks to discuss the operation, administration and finances of the department. I am particularly proud of the philosophy of the Police Department, that being we are not dealing with a bottomless well of money here. The sergeants budget for their overtime, and this is the sixth year that the Police Department has finished under total budget. We, too, lost a vacant position for 2010, and have gone without raises, but I have not heard any comments or complaints. I think everyone realizes the severity of the times and people who are paying our salaries are going through some very difficult times, as well.

Councilman Feeney: I think there are going to be concerns from the residents about needing two forces here in the Town with a new Sheriff's substation going up right down the street. How do you answer to something like that? **Chief Nordquist:** That would be up to the Board. I spent 30 years in the Sheriff's Office assigned to C Zone which covers this area twice, one in Adams Basin and one at the School Administration building on Lyell, both of which are in the town. I am not aware whether that same issue was brought up then. This would be the third time in 36 years that the C Zone station occupied the Village or the Town of Ogden. I know that the Sheriff's Office does not patrol the Town of Ogden, and does not take calls in the Town of Ogden unless we ask them to. Their calls for service for the west side are backlogged. I don't think they are looking to take over. When I was the B Zone Commander for the Sheriff's Department, we did not want to take over the Town of Wheatland because we had enough to do keeping up with our areas. We have done it twice before [inaudible].

Councilman Cole: I really appreciate the job you are doing, Doug. When I read about what is going on in some of the other villages that have Police forces, I realize that not every Police force looks upon the responsibility that they have both as a Police Officer and just financially to a town, that I think this Police Department does, and I appreciate that.

Councilman Perry: The people that I interface with on a daily basis are constantly remarking about your personal presence and how much they appreciate that. I am always glad to hear that. Thank you.

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Dave Widger, Highway Superintendent: Good evening. The Board hears reports from me every other week throughout the year. Our staff was reduced by 3 part-time employees, so we are doing more with less. Our County work has gone down in the last couple of years because of the fuel, asphalt and other prices increasing. There is a big reduction in the amount of fuel being used in the U.S. which results in less asphalt coming from crude oil. When you have less product, prices are much higher. We are looking at a 35% increase in prices over last year, even though we are working with the same budget. We are trying to be more innovative, but I am not sure where we will be in the future. It will be difficult for all towns to maintain the roads with the way it is now. In the past three years our material prices have increased about 280%.

2009 Accomplishments:

- A \$16,000 grant was received from the Storm Water Coalition which allowed us to expand the water quality pond at Maida Drive.
- Widening of old roads built in the 1930's on the west side, with 4 –5 miles left to go over the next 5-6 years.

Councilman Perry: Are we doing that because we know it should be done or is it a mandate? **Dave:** We are doing it because we are losing the roads. They are basically falling apart.

Dave Widger: There are a lot of graphs in my report. We received approximately 7,000 yards of millings with the only cost to us being the stockpiling of the materials. We will be able to utilize this material in future road work projects, saving us some money. We also hauled 7,500 yards of crushed concrete out of Kodak, all approved by the D.E.C. The only cost to us was the hauling, and we will be using this on our roads. These are some of the ways we are saving money, but getting our jobs done also.

2010 Goals:

I am still working on rebuilding of the sanitary pump station at 18 Meadow Drive. We will be getting some estimates and the bid specs together in the next month or two. It will be an expensive job, but needs to be done. It was built in 1956.

We did not add a lot of road miles because there are not many houses being built.

All signage needed in order for the town to be compliant with the Federal MUTCD laws have been purchased and will be installed in 2010. The street signs in the Town have been replaced with the 6" letters because of a Federal mandate. Every other sign in town also has to be replaced, and we got grant money for some of that. We had a little left over money from last year and were able to purchase all our signs. By the end of this season, every speed and yield sign will be new and comply with the required new standards.

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Councilman Cole: Thank you, David. Again, I thank all the department heads for your reports and being brief with them.

II. APPROVAL OF THE MINUTES:

None

III. PRIVILEGE OF THE FLOOR:

None

IV. REPORTS AND REMITTANCES FROM TOWN OFFICERS:

None

V. TOWN AUDITS:

None

VI. CORRESPONDENCE RECEIVED AND FILED:

None

VII. REPORTS FROM TOWN OFFICERS:

Gay H. Lenhard, Supervisor

Absent.

Thomas J. Cole, Councilman

No report.

David F. Feeney, Councilman

I just want to thank everybody up here for their concern over my health and welfare over the last couple of weeks.

Malcolm E. Perry, Councilman

No report.

Thomas J. Uschold, Councilman

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No report.

David H. Widger, Highway Superintendent

No report.

Lynn A. Bianchi, Town Clerk

1. The last 4 weeks I have been teaching Junior Achievement lessons to Mrs. Weckesser's third grade class at Bernabi. This is always very enjoyable for both myself and the children.

Daniel G. Schum, Town Attorney

1. I have been working with Deputy County Attorney Rizzo on the Widger Road tower site. I am pleased to report that we are about 90% there on a new lease agreement with the County. I believe they are going to replace the facility there, which is overburdened and under designed.

VIII. UNFINISHED BUSINESS:

None

IX. NEW BUSINESS:

Resolution #106-3/10

Introduced by Councilman Perry
Seconded by Councilman Uschold

RESOLVED, that the following persons be and hereby are appointed to serve as members of the Advisory Board for the Parks & Recreation Department:

Al Bauer	- term to expire March 31, 2012
Ron Ellis	- term to expire March 31, 2011
Brad Martina	- term to expire March 31, 2011
Donna Pigano	- term to expire March 31, 2011
Dave Schumann	- term to expire March 31, 2012
Mark Seefried	- term to expire March 31, 2012
Angie Shortino	- term to expire March 31, 2011
Kristen Smith	- term to expire March 31, 2012
John Sprague	- term to expire March 31, 2011

Vote of the Board:

Ayes: Cole, Feeney, Perry, Uschold
Nays: None

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Absent: Lenhard

Councilman Perry: We got a memo from Peter. He has been talking about this. He has a little biography of each person who was appointed to it. It is representative of the sports groups and the community at large.

Resolution #107-3/10

Introduced by Councilman Perry
Seconded by Councilman Uschold

WHEREAS, there is a need for seasonal help in the Parks & Recreation Department.

NOW, THEREFORE BE IT RESOLVED:

SECTION I: That the Town Board of the Town of Ogden does hereby approve **rehiring** the following seasonal Parks Laborers, effective April 9, 2010:

Charles Hopson	\$9.79 / hour
Douglas Yockel	\$7.25 / hour
Harold Blakely	\$10.11 / hour

SECTION II: That the Town Board of the Town of Ogden does hereby approve **hiring** the following seasonal Parks Laborers, effective April 9, 2010:

Thomas Smith	\$9.50 / hour
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Vote of the Board:

Ayes: Cole, Feeney, Perry, Uschold
Nays: None
Absent: Lenhard

Resolution #108-3/10

Introduced by Councilman Perry
Seconded by Councilman Uschold

WHEREAS, there is a need for seasonal help in the Parks & Recreation Department.

NOW, THEREFORE BE IT RESOLVED:

SECTION I: That the Town Board of the Town of Ogden does hereby approve **rehiring** the following seasonal Maintenance Laborer, effective May 3, 2010:

Robert Raner	\$10.02 / hour
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Vote of the Board:

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Ayes: Cole, Feeney, Perry, Uschold
Nays: None
Absent: Lenhard

Resolution #109-3/10

Introduced by Councilman Feeney
Seconded by Councilman Uschold

RESOLVED, that the Town Board of the Town of Ogden and the Highway Superintendent be and hereby are authorized to sign the 2010 Agreement to Spend Town Highway Funds for materials as follows:

Matthew Circle	\$ 24,300
Chambers Street	\$ 70,000
Whittier Road	\$ 54,132
Allandale Drive	\$ 3,591
Kaylin Drive	\$ 4,410
Kay Avenue	\$ 1,228
Kress Hill Drive	\$ 12,018
Helmar Drive	\$ 2,206
McLain Drive	\$ 1,254
Harvey Lane	\$ 2,206
Ogden-Sweden TL Road	\$ 2,342
Lyell Street	\$ 25,624
Pinewood Drive	\$ 2,294
Kristin Drive	\$ 2,294
Tyler Terrace	\$ 2,294
West Beaman Road extension	\$ 1,262
Westwind Drive	\$ 5,013
Windmill Trail	\$ 5,719
Northwind Way	\$ 7,320
Southwind Way	\$ 5,719
Windway Circle	\$ 5,491
Vroom Road	\$ 89,000
Blue Heron Drive	\$ 5,719
Hollow Hill Lane	\$ 5,719
Long Bow Circle	\$ 10,752
Adams Trail	\$ 2,287
Barkwood Lane	\$ 8,237
TOTAL	\$362,431

BE IT FURTHER RESOLVED, that this agreement should be signed by the majority of the members of the Town Board, the Town Supervisor, and the Town Highway Superintendent. One copy must be filed with the Town Clerk's Office, one copy filed in the County Superintendent's Office, and one copy filed in the office of the Ogden Highway Superintendent.

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Vote of the Board:

Ayes: Cole, Feeney, Perry, Uschold

Nays: None

Absent: Lenhard

Dave Widger, Highway Superintendent: This is our road program and will be put on our website.

X. ADJOURNMENT:

Resolution #110-3/09

Introduced by Councilman Feeney

Seconded by Councilman Uschold

RESOLVED, that the Regular Meeting of the Town Board of the Town of Ogden be and hereby is adjourned at 7:43 p.m.

Vote of the Board:

Ayes: Cole, Feeney, Perry, Uschold

Nays: None

Absent: Lenhard

Respectfully submitted,

LAB/dmk

Lynn A. Bianchi, Town Clerk