

***Village Board of Trustees  
Meeting Minutes of November 7th 2006***

Present: Mayor Larry Gursslin  
Trustees Horylev, Speer, Gates & Lee  
Janet Surridge, Clerk-Treasurer  
Tom Tilebein, Supt of Public Works

Guests: Joe Sciortino, Kris Schultz, Keith O'Toole, Dana Brunett, Mike Lissow, cub scouts and their troop leaders, Dave McCracken, Richard Petty, and Jim Beehler who joined the meeting at 6:50 pm.

Mayor Gursslin called the meeting to order at 5:00 p.m. followed by the pledge to the flag.

**Cub Scouts:**

Cub Scouts were present to observe the meeting. Mayor Gursslin spoke to them about the functions of the Village.

**Unionville Station Subdivision**

Kris Schultz, engineer and Joe Sciortino, developer were present to talk with the Board about plans they'd like to make to expand Unionville Station. They said in about 3 years the subdivision will be completed so they are looking ahead and are considering more development on the adjacent parcel to the south, which is equal in size to what has already been developed. Mr Schultz said they are not asking for annexation as he is aware from the previous annexation that the Town would probably not support it. However, in order to develop the parcel they would need access to the Village sewer system so if there is a way to do that without annexation, they would like to explore that.

Questions arose on access to this parcel. Trustee Gates stated that more development would increase traffic considerably for the existing residents. He asked if there is a way to access to Burritt Road? Discussion followed.

Mayor Gursslin reported that he had asked Mr Tilebein to prepare preliminary information on the potential effect more development would have on our sanitary sewer system and refuse collection. His report was reviewed.

In conclusion, the Board said they were in favor of continuing this discussion as it has a lot of merits for our community. Mr Schultz stated he will be making this same presentation to the Town Board very soon.

**Request for Annexation**

Attorney Keith O'Toole was present representing Jim & Sue Beehler who own a vacant parcel of land known as #610 Burritt Road. A petition for annexation was submitted to the Board along with an outline of the annexation procedures. Mr O'Toole stated the parcel is about 45 acres and is located on the southwest corner of Unionville station. Mr Beehler would like to develop more senior housing but prefers to take the step and annex the parcel into the Village before they spend any engineering fees on designing a new subdivision.

Trustee Gates mentioned his same concern about the need for another access road for Unionville. Mr O'Toole will relay this concern to Mr Beehler and get an answer for the Board.

**Resolution** to acknowledge the annexation petition submitted and to authorize Mayor Gursslin to work with the Town of Parma to schedule a joint public hearing. Motion was made by Trustee Speer, seconded by Trustee Gates. Carried unanimously 5-0

### **Gazebo Sound System**

Richard Petty from Triple A Sound Service was present at the request of Trustee Lee who has been investigating the costs to install a permanent sound system in the gazebo. Mr Petty reviewed the specifications of his system, said it has an expansion capability and a 5 year warranty. Mayor Gursslin explained our budget constraints and asked if the net 30 days could be extended. Mr Petty said he would hold his price for 6 months. The Board will include this expense in the budget draft for next year and see if we can afford it. A decision was tabled until then.

### **Public Works:**

**Resolution** to revise the fee schedule for the sale of 95 gallon carts from \$65.00 to \$50.00 which is due to the substantial price reduction we achieved by buying through the City of Rochester. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 5-0

**Resolution** to designate the Canning Street & Upton Street extensions as public streets. Motion was made by Trustee Lee, seconded by Trustee Speer. Carried unanimously 5-0

**Resolution** to schedule a public hearing and create a local law to revise the Traffic Control Ordinance to place stop signs at Hazen Street/Upton Street and at Canning/Upton Streets. Motion was made by Trustee Lee, seconded by Trustee Horylev. Carried unanimously 5-0

38 East Avenue update: Mr Tilebein reported that crews have completed the paving for the new parking lot and it was opened to the public on November 1<sup>st</sup>.

U.S. EPA Requirements for public water systems: Mr Tilebein informed the Board that new requirements go into effect in November, 2007 for sampling our system for byproducts of chlorination. We will have to take more samples than before which will cost the Village an additional sum of \$3,200/per year.

MCWA has informed us that a new 12" supply line to East Avenue has been designed and scheduled for installation. As a result, the Village will be charged a \$3.00/per day meter charge or \$90.00/month added to our monthly wholesale bill. It is also expected that our out of district customers on Bennett Road will probably connect to the new system and become MCWA customers.

### **Clerk-Treasurer:**

**Resolution** to terminate our agreement with Latitude Technologies for EDI services, effective 12/31/06. Motion was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0

**Resolution** to hire Energy Services Company for electricity consultation, scheduling and EDI services for the period 1/1/07 through 12/31/08 as per the terms of their contract. Motion was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0

Municipal Electric enrollment: Mrs Surridge asked the Board if they wanted to cap the number of new customers we are enrolling from the Town of Parma? The answer was up to 2,000 customers however it is unlimited for commercial accounts.

Revenue anticipation note: Mrs Surridge discussed projected revenues and expenses for the electric utility. Under our new method of buying electricity directly from the NY ISO, our monthly payment for the supply will be due by the 15<sup>th</sup> of the month. We do not bill our customers until the 15<sup>th</sup> of the month because of the delay in receiving the meter readings from RG&E. This is going to cause a cash flow problem for the utility and to resolve it, Mrs Surridge proposed that we obtain a revenue anticipation note for one year. The funds would be used to supplement our cash flow and we will include a fee in our monthly prices to offset the interest cost of the loan.

**Resolution** to authorize the issuance of a revenue anticipation note in the amount of

\$200,000 for the purpose of providing funds necessary to cover the purchase of electricity prior to the collection of revenue from customers. Said note shall be repaid in one year. Motion was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously

Intermunicipal Agreements: The Board reviewed the agreements our attorney prepared for Parma, Webster and Pittsford. It is unknown at this time whether the Villages of Webster and Pittsford will enroll their facilities in our electric program. Mrs Surridge stated she has a meeting with them on November 17<sup>th</sup> to review the program.

**Resolution** to enter into an Intermunicipal agreement with the Town of Parma to supply electricity and billing services to their residents and businesses, in accordance with the shared services authorization in the General Municipal Law. Motion was made by Trustee Gates, seconded by Trustee Lee. Carried unanimously 5-0

**Resolution** to enter into an Intermunicipal agreement with the Villages of Webster and Pittsford to supply electricity to their facilities if they should decide to participate in our Municipal Electric program. Motion was made by Trustee Gates, seconded by Trustee Lee. Carried unanimously 5-0

M&T Bank: Mrs Surridge reported that M&T has been charging the Village quite a bit of money in service charges since we switched our accounts over to HSBC in June. She has been unable to get the charges waived and asked the Board if we should close out the two accounts we still have at M&T. Discussion followed. Mayor Gursslin would like to contact the branch manager first to see if he could intercede on our behalf. If that fails, he would be in favor of closing those accounts.

**Resolution** that Mayor Gursslin and Janet Surridge are authorized to make contact with M&T to see if our checking and savings accounts can be free of service charges and to ask them to allow us to place our funds into CD's for better interest rates. If they do not approve our request within one weeks' time, Mrs Surridge is authorized to close those accounts. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0

**Resolution** to amend the investment policy as follows: Section VII Designation of Depositories:

M&T Bank	maximum amount to be on deposit	\$ 250,000	
HSBC Bank	" "	" "	\$1,500,000
Citizen's Bank	" "	" "	\$ 500,000'

Motion to approve was made by Mayor Gursslin, seconded by Trustee Horylev. Carried unanimously 5-0

The Board discussed whether or not we should create a new policy to make landlords responsible for unpaid electric charges but more time is needed to study the idea.

### **Code Enforcement**

Mr Lissow reported on progress he's making on the proposed local law for which the Board had a public hearing on last month. He has had meetings with other town and village code enforcement officials. The goal is to propose a new law that is consistent for every municipality. He will have a proposal for the Board to review in December.

### **Economic/Community Development**

Dana Brunett has been acting chairman of the EDC committee since we severed our contract with Clark-Patterson Associates. He has had two meetings with the committee members so far and discussed what it is they want to accomplish. They will be updating our website to give out information to businesses that might want to relocate or start up here. General discussion followed. Mr Brunett intends to make a monthly report to the Board to keep them informed.

**Resolution** to appoint David McCracken to the Economic Development Committee, effective 11/1/06. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0

### **Purchase of Street Lighting System**

Mr Tilebein reported that after meeting with RG&E officials and engineering staff to review the service point locations, there was a great deal of discussion regarding the exact location of the service point disconnect which is the physical location that separates RG&E facilities from the Village of Hilton system via a fuse installed in a "handhole" or underground manhole. RG&E states that this location must be out of their utility easement (on the house side of the sidewalk) and in the area between the sidewalk and the street (our ROW). RG&E stated that this is required by the PSC tariffs. In reviewing the available options for installing these devices, it became evident that if we have to relocate the wires to the street side of the sidewalk each underground light connection will require a splice in the existing power line. This is not an acceptable practice for a reliable lighting system and would be subject to failures in the future. Mr Tilebein has called the Public Service Commission and asked if the tariff was for new construction only or if it also included existing facilities. The PSC is looking in to this matter.

### **Community Center Drainage**

Mr Tilebein recommended that due to the current condition of the Community Center field, which was damaged as a result of a very wet, rainy Apple Festival weekend, we should install drainage prior to grading & seeding which will cost about \$1,500 for materials. This is not a budgeted item but the Board agreed with his recommendation and authorized him to schedule the work to be done.

Trustee Lee, who is also President of the Apple Festival Committee, said that the Apple Fest will make a donation to the Village for the \$1,500. The Board was very appreciative of this donation.

### **Vouchers**

**Resolution** to approve the vouchers as submitted, with the changes and corrections noted  
Amounts are as follows:

General fund:	\$197,886.93
Water fund	\$ 24,410.22
Sewer fund	\$ 379.06
Capital fund	\$ 15,000.00
Electric fund	\$ 509.82
Prepaid	\$364,132.04
T&T fund	<u>\$ 14,893.49</u>
Total	\$617,211.56

Motion to approve was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0

## Minutes

**Resolution** to approve the meeting minutes of October 3<sup>rd</sup> as corrected. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 5-0

**Resolution** to approve the meeting minutes of October 12<sup>th</sup> 2006. Motion was made by Trustee Gates, seconded by Trustee Speer. Carried 4-0-1 Trustee Horylev abstained as he was absent.

**Resolution** to approve the meeting minutes of October 17<sup>th</sup> 2006. Motion was made by Trustee Speer, seconded by Trustee Horylev. Carried 4-0-1 Trustee Gates abstained as he was absent.

## Land Development Regulations

**Resolution** to adopt the new Land Development Regulations for new construction in the Village as prepared by Supt Tom Tilebein. Motion was made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0

## 38 East Avenue

Mr Tilebein stated that we have not closed on the sale of the front part of this lot to Mr Hoefler for his Pontillo's Pizza business. A pre-construction meeting was held recently and the driveway from East Avenue to the municipal parking lot at the rear was discussed. Once the new building has been constructed with the driveway entrance, Mayor Gursslin recommended that the Village should accept dedication of the driveway as well as a portion of Dr Scheg's driveway at #50 East Avenue and make it public property. Discussion followed.

**Resolution** to agree to terms of obtaining complete ownership of the proposed driveway that connects East Avenue to the new municipal parking area behind 38 East Ave once the new building has received it's Certificate of Occupancy. Motion was made by Mayor Gursslin, seconded by Trustee Speer. Carried unanimously 5-0

**Resolution** to purchase a certain portion of the driveway owned by Daniel Scheg at #50 East Avenue for \$1.00 which will be used for public ingress and egress to the municipal parking lot and furthermore we agree to terms that the Village will be responsible for removing the tree only if it becomes a public safety issue. The Village shall be pay for legal fees and engineering costs. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0

## Home of the Champions Signs

Mayor Gursslin asked the Board what the criteria is if a community organization wants to be placed on the new "Home of the Champions" signs. The Board replied that the signs are only for athletic teams that have achieved either state or national champion status.

## Senior Housing Local Law

The Board reviewed our local law that grants a 5 year tax exemption on a sliding scale to the new homeowners in Unionville Station Subdivision. The original purpose of the exemption was to promote senior housing. The Board feels this exemption is no longer needed due to the success of Unionville Station.

**Resolution** to authorize the Clerk-Treasurer to create a local law that would abolish the senior housing tax exemption, to be effective with the next tax year, and to schedule a public hearing when necessary. This exemption is being abolished for new homes constructed. If a person is already receiving the exemption, it may continue for the full five years as originally granted. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0

## Unpaid taxes

**Resolution** to transfer all unpaid property taxes outstanding as of November 1, 2006 to Monroe County for payment. Total taxes due \$8,755.57 plus interest of \$569.13. Motion was made by Trustee Gates, seconded by Trustee Lee. Carried unanimously 5-0

### **Post Office Property**

Mrs Surridge reported that we received documents from Christa Construction asking us to allow our ground lease for the Post Office site to be assigned to a new limited liability company. It is not quite clear what it is they are doing so more investigation is needed.

**Resolution** to authorize Mayor Gursslin to sign the documents that would assign our Ground Lease from HPO, LLC to VHCP, LLC subject to our attorney's approval. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0

### **Sign Committee**

**Resolution** to appoint Mary Horowitz to the sign committee, effective 10/30/06. Motion was made by Trustee Speer, seconded by Trustee Lee. Carried unanimously 5-0

### **Zoning Board**

**Resolution** to accept the resignation from James Buongiorne from the Zoning Board of Appeals, effective immediately. Motion was made by Mayor Gursslin, seconded by Trustee Gates. Carried unanimously 5-0

### **Purchase of property**

Mayor Gursslin reported that he attended the Monroe County auction intending to purchase #28 Sunny Slope which is the open space that was supposed to be dedicated to the Village in the Turtle Creek Subdivision. There were no bidders on this property so he didn't bid either. Instead, he sent a letter to Monroe County asking for them to sell us the property for \$1.00.

### **Moratorium**

Mrs Surridge reported that after reviewing the Board's resolutions to create two moratoriums last month with the attorney, she was informed that the legal process to establish a moratorium is by local law not a resolution. General discussion followed.

**Resolution** to authorize the Clerk-Treasurer to prepare two local laws to establish a moratorium on building permits for outside wood boilers and converting garages to living space. Motion was made by Mayor Gursslin, seconded by Trustee Speer. Carried unanimously 5-0

The Board entered into executive session at 8:15 p.m. to discuss wages & benefits for 2007-08. Executive session ended at 9:30 p.m. and the meeting was adjourned.

Janet Surridge  
Clerk-Treasurer