

*Village Board of Trustees  
Meeting minutes of January 8, 2008*

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

Guests: Dave McCracken, Mike McHenry, Steve Fowler

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

**Monroe County Proposal for Sales Tax**

The Board reviewed the proposed Intermunicipal Agreement with Monroe County regarding the sharing of future sales tax revenue. Monroe County has sent this agreement to every Village for execution. Mayor Gursclin informed the Board of the discussions that have taken place at the Association of Mayors meetings. A lot of villages have already executed this agreement.

Mrs Surridge reported on her discussion with County Attorney, Bill Taylor. If the Village does not execute this agreement, the County has no mechanism to send sales tax revenue to Hilton in the future. This is because the County has already made the Intercept Election. Mr Taylor also said that when the County implemented their FAIR plan, only the school districts were affected, not the Towns and Villages so our annual revenue should be the same amount.

Trustee Speer asked the record to show that he is very dissatisfied with the services and communication rendered by Attorney Skivington who was hired by all the Monroe County Villages to represent us on this matter. We had very little communication from him.

**Resolution:** Be It Resolved that Mayor Larry Gursclin is hereby authorized to execute an Intermunicipal Agreement, and any amendments thereto, with the County of Monroe for the provision of funds by Monroe County to the Village of Hilton such that we do not experience any loss of sales tax revenue as a result of the County of Monroe electing the medical assistance reimbursement option and revenue intercept for Medicaid purposes described in Section 2 of Chapter 58 of the Laws of New York 2005. Motion was made by Trustee Gates, seconded by Trustee Lee. Carried unanimously 5-0

For the record, the Intermunicipal Agreement reads as follows:

AGREEMENT BETWEEN MONROE COUNTY  
AND VILLAGE OF HIL TON

THIS AGREEMENT made this \_\_\_day of 2008 by and between MONROE COUNTY, a Municipal Corporation, having its principal office at 39 West Main Street, Rochester, New York 14614 ("County") and VILLAGE OF HILTON, a Municipal Corporation having its principal office at 59 Henry Street, Hilton, New York 14468 ("Municipality").

WIT N E S S E T H:

WHEREAS, the County by Resolution 349 of 2007, adopted by the Monroe County Legislature on September 26,2007, has elected the medical assistance reimbursement option and revenue intercept for Medicaid purposes described in section 2 of chapter 58 of the Laws of New York 2005; and

WHEREAS, the County recognizes the Municipality as a sharing partner in the County share of sales tax revenue; and

WHEREAS, the County recognizes that both parties to this Agreement are entitled to share in sales tax revenue distributed to the County and thereafter may experience a reduction in the sales tax revenue received as a result of the County's election of the intercept described in section 2 of chapter 58 of the Laws of New York 2005; and

WHEREAS, although the County asserts it has no obligation to do so the County desires to make the Municipality whole for any sales tax revenue reduction incurred by the Municipality as a result of the County's election of the intercept described in section 2 of chapter 58 of the Laws of New York 2005; and

WHEREAS, since the inception of sales tax sharing in Monroe County, the County has after receipt of sales tax revenue from New York State, undertaken a calculation pursuant to various applicable contracts and/or statutes in order to distribute sales tax revenue as required pursuant to said contracts and/or statutes; and

WHEREAS, in view of the foregoing, the County has deemed it in the best interests of the County and the Municipality to enter into an Intermunicipal Agreement; and

WHEREAS, the County Executive of Monroe County is authorized to execute this Agreement pursuant to Resolution No. 350 of 2007, adopted by the Monroe County Legislature on September 26, 2007, a copy of said Resolution is attached as Exhibit A; and

WHEREAS, the Mayor of the Village of Hilton, Larry Gursslin, is authorized to execute this Agreement pursuant to a Resolution adopted by the Village Board on January 8, 2008, a copy of said Resolution is attached as Exhibit B.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The County will provide the Municipality with an amount of funds equal to any sales tax revenue reduction incurred by the Municipality as a result of the County's election of the intercept described in section 2 of chapter 58 of the laws of New York of 2005.
2. In no event shall the Municipality receive funds in excess of those the Municipality would have received had the County not taken the election of the intercept described in section 2 of chapter 58 of the laws of New York 2005.
3. The term of this Agreement shall be for the period of time that the Municipality incurs any lost sales tax revenue solely as result of the County's election of the intercept described in section 2 of chapter 58 of the laws of New York 2005.
4. The Municipality shall use any funds received as payment from this Agreement for a public purpose or any other purpose permitted by law.
5. The Municipality shall receive funds to be paid under this agreement as follows;
  - A. The amount of funds to be paid shall be determined as follows:
    - 1) The amount of sales tax revenue that Municipality would have received had the County not elected the intercept should be determined.
    - 2) The amount of sales tax revenue that Municipality receives based on the County allocating and distributing sales tax revenue received from the State following the County's electing the intercept should be determined.
    - 3) The amount to be paid shall be the amount resulting from subtracting A-2 above from A-1 above.
    - 4) In the event that the amount determined in A-3 above is a negative amount, no funds will be paid to the Municipality.
  - B. The Municipality shall receive the funds to be paid under this Agreement as follows;
    - 1) Payments to the Municipality under this Agreement shall be made on the same dates as the County distributes sales tax revenue.
6. This Agreement may be modified or amended only in writing duly executed by all parties which shall be attached to and become part of this Agreement.
7. This Agreement constitutes the entire agreement between the parties hereto for the payments herein to be provided.

### **Hilton Parma Recreation Commission**

Mayor Gursslin informed the Board that there has been a resignation from one member of the Recreation Commission and another member is up for re-appointment. Discussion followed on possible candidates to fill these two positions.

**Resolution** to accept the resignation from Michael Clark as a member of the Hilton Parma Recreation Commission effective 12/31/07. Motion was made by Mayor Gursslin, seconded by Trustee Horylev. Carried unanimously 5-0

**Resolution** to appoint Mary Ann Smith, of 129 Sherwood Drive, to the Hilton Parma Recreation Commission to fill the unexpired term of Michael Clark, subject to her acceptance. Term will expire on 12/31/08. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

**Resolution** to appoint Ann Steinmetz, of 81 West Avenue, to the Hilton Parma Recreation Commission for a 4 year term. Term to expire on 12/31/2011. Motion was made by Mayor Gursslin, seconded by Trustee Speer. Carried unanimously 5-0.

### **Joint Meeting**

Due to unforeseen circumstances, the December 18<sup>th</sup> meeting with the Town of Parma had to be canceled.

**Resolution** to reschedule the special meeting with the Parma Town Board for January 24<sup>th</sup> at 6:00 pm at the Town Hall. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 5-0.

### **2008-09 Budget**

The Board discussed the items that they would like to see included in the next budget.

- A sound system for public meetings.
- Sidewalk maintenance.
- A second sidewalk plow is needed and should be a priority item.
- Enhancement Committee - \$1700 starting budget

### **Election**

**Resolution** that the next village election shall be held on March 18, 2008, the polling place will be at the Hilton Community Center, 59 Henry Street and the voting hours shall be 12:00 noon thru 9:00 p.m. Be it further resolved that there shall be no village registration day since the County of Monroe will provide a list of registered voters. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 5-0

**Resolution** to appoint Muriel Davenport (Chairperson) and Sandy Popowich as election inspectors at the rate of \$9.00/hour. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0

## Vouchers

**Resolution** to approve the abstract of vouchers with the following additions/changes: Hilton Health Care \$20.00. Totals as follows:

General fund	\$ 54,603.15
Water fund	\$ 27,887.45
Sewer fund	\$ 270.20
Electric fund	\$ 103.93
Capital fund	\$ 360.00
T/A fund	\$ 18,474.19
Prepaid	<u>\$217,037.25</u>
Total	\$318,736.17

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

## Minutes

**Resolution** to approve the meeting minutes of November 6<sup>th</sup> 2007. Motion was made by Trustee Horylev, seconded by Trustee Lee. Vote as follows: Mayor Gursslin, Trustees Horylev, Lee and Gates, aye; Trustee Speer abstained. Carried 4-0-1

**Resolution** to approve the meeting minutes of November 28<sup>th</sup> 2007. Motion was made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0

**Resolution** to approve the meeting minutes of December 4<sup>th</sup> 2007. Motion was made by Trustee Lee, seconded by Trustee Speer. Carried unanimously 5-0

## Sunny Slope Open Space:

The Village recently acquired the open space area in the Short Hills Subdivision, which was part of the overall development plan. Mayor Gursslin said the Board now needs to decide what to do with this property. Discussion followed. The Board decided to leave the property in its natural state and not make any changes to the property at this time.

## Code Enforcement

**Resolution** to authorize Mike Lissow & Jim Volkmar to attend the annual FLBOA conference in Henrietta from March 17th-20th at a cost of \$390 each. Be it further resolved that the Clerk-Treasurer is authorized to expend the registration fees. Motion was made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0

## Public Works

- Mr McHenry reported that shelving is needed to store the street lighting supplies we are buying now that we own the system. He can buy used shelving for a very good price and requested approval to make this purchase. The funds could come from the DPW capital account. Discussion followed.

**Resolution** to buy used shelving at a price of \$1,400. Be it further resolved that the budget shall be amended to reflect the expense coming out of the DPW capital account. Motion was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0

- Street lighting project: Mr Tilebein reported that the service point disconnects are about 90% completed. Work has been progressing better than expected.

- Water supplies: Since the Village of Spencerport turned their distribution system over to the Monroe County Water Authority, they have a lot of used meters and other miscellaneous supplies that we could use. Discussion followed.

**Resolution** to authorize the Supt of Public Works to purchase as many water supplies as he deems necessary from the Village of Spencerport so long as the cost does not exceed \$1,200. Motion was made by Trustee Speer, seconded by Trustee Lee. Carried unanimously 5-0

- Water rates: Mr Tilebein informed the Board that the MCWA did not raise the wholesale water rates for 2008. Therefore, he recommended that we keep our price for water at the same level but we should increase our hydrant & fire service fees.

**Resolution** that the price for water shall remain at \$2.58 per thousand gallons, but the hydrant fees shall increase from \$121.76/per hydrant to \$200.00/per hydrant effective January 1, 2008. Motion was made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0

### **Clerk-Treasurer**

- Training: Mrs Surridge stated that the State Comptroller's Office is sponsoring a "Basic Accounting" class that is very reasonably priced. She recommended that we send Deputy Clerk Shari Pearce to this class as part of the office team's cross training program.

**Resolution** to authorize Shari Pearce to attend a basic accounting school as sponsored by the State Comptroller's Office from April 15th-17th 2008 at a cost of \$80.00 plus travel expenses. Motion was made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0

- Hilton Parma Fire District/FEMA grant: Mrs Surridge reported on her progress administering this grant. One of the action items to be completed is to have the Village of Hilton issue a flood plain permit to ourselves. Our Flood Damage Prevention Local Law, adopted in 1987, appoints the Village Administrator as the local administrator of the law. Since we no longer have an Administrator, Mrs Surridge asked the Board to appoint someone else.

**Resolution** to appoint the Supt of Public Works as the official who shall administer the regulations of the Flood Damage Prevention Local Law since the position of Village Administrator has been eliminated. Motion was made by Mayor Gursslin, seconded by Trustee Horylev. Carried unanimously 5-0

***Mayor Gursslin left the meeting at 6:30 p.m.***

- Software: Mrs Surridge presented two cost estimates to revise our billing software and she explained why the changes were needed. The first change would improve how the system stores and calculates canceled electric meter readings. Cost to change the program \$675.00. The second change would be to create a custom report that would provide data on actual charges billed every month according to a date range. The program currently lists budget amounts billed, not actual charges. Cost to make this change is an additional \$900

**Resolution** to authorize Springbrook Software to modify the Utility Billing program as stated above for the total sum of \$1,575 and said expense shall be paid from the Electric Fund. Motion was made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 4-0.

- **Resolution:** Due to the fact that Mayor Gursslin will be out of town the week of January 28th and unable to sign the documents to renew our Revenue Anticipation Note that matures on January 30<sup>th</sup>, the Board hereby authorizes Walter Horylev as Vice Mayor to execute any and all documents necessary to complete the renewal of the bond as previously approved by this board in November, 2007. Motion was made by Trustee Speer, seconded by Trustee Lee. Carried unanimously 4-0

Meeting adjourned at 6:40 p.m.

Janet Surridge  
Clerk-Treasurer