

**Village Board of Trustees
Meeting Minutes of October 5, 2010**

Present: Mayor Lee, Trustees Horylev, Gates, Speer, Bimmler
Village Manager, Janet SurrIDGE
Superintendent of Public Works, Mike McHenry
Village Clerk, Shari Pearce
Code Enforcement Officer, Mike Lissow
Village Treasurer, Maryalice Edwards

Guests: Carm Carmestro, Dave Wright, Troy Prince, Richard LaForce

Mayor Lee called the public meeting to order at 5:00 p.m. with the pledge of allegiance to the flag.

Public Forum

Troy Prince, 68 Flynnwood Dr, was present to request use of the property at 135 South Ave, for a Chicken BBQ Fundraiser to be held on October 21st. The proposed time of the event is 3:00 p.m. -7:30 p.m. Charlie's Chicken will be cooking, setting up the trailer and grill. The Junior Varsity and Varsity Basketball Team will be selling the tickets. Most of the tickets will be presale. There will be traffic control at the entrance and exit. General discussion followed.

Resolution to authorize use of the property at 135 South Avenue for a Chicken BBQ to be held on October 21st. Trustee Gates made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

Richard LaForce, 350 South Ave, was present to request permission to use the illumined sign and property at 135 South Ave. He stated the reason is for a fundraiser for Gabrielle Mattioli, who passed away from a brain tumor. The fundraiser is to help build a community park in her memory to be located in All Seasons Subdivision. Mr. LaForce stated the benefit is being held on October 16, 2010 and he would like to use the sign for approximately one week.

Mayor Lee stated the sign that Mr. LaForce is requesting belongs to the Town of Parma Recreation Department. The Village Board cannot grant permission for the sign; however, they can discuss use of the property. General discussion followed on the location of the sign. The Village Board concluded they do not want to set a precedent and open themselves up to further requests at the location of 135 South Ave.

The board determined they would allow the sign to be located at the Community Center property, 59 Henry Street for a period of one week prior to the event. The board directed Mr. LaForce to seek approval from the Recreation Department for the sign.

The public portion of the meeting was closed at 5:15 p.m.

Code Enforcement

- NIMS: Mr. Lissow is requesting approval to designate himself as the Principal Coordinator for overall jurisdiction wide NIMS implementation and to designate Mike McHenry as the Point of Contact for the Department of Public Works. Mr. Lissow remarked he has started to do the required 2010 update. He stated there is not too much work involved with this update.

Resolution to designate Mike Lissow as the Principal Coordinator for overall jurisdiction wide NIMS implementation and to designate Mike McHenry as the Point of Contact for the Department of Public Works. Trustee Gates made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

- Two-Way Radios: Mr. Lissow has begun researching what needs to be done to comply with the new regulations and he found that the Village does not have a current license, which we need to have in order to start the process. The proposed fee for a new license is \$820.00. Mr. Lissow is requesting approval for this amount to proceed with obtaining a new license.

Resolution to approve \$820.00 for a license fee to start being compliant with the current regulations, the funds are to be taken out of the contingency fund. Trustee Horylev made the motion, seconded by Trustee Gates. Carried unanimously 5-0.

- 291 East Ave, Mr. Lissow requested an appraisal from Metro Appraisals to determine the value of the property. The report indicated a value of \$1,600.00. General discussion followed. The board decided to offer the property to the Masonic Temple for \$2,000.00, which includes the appraisal fee.

Resolution to offer the property at 291 East Ave to the Masonic Temple for a price of \$2,000.00. Trustee Speer made the motion, seconded by Trustee Horylev, carried unanimously 5-0.

Public Works Report

- DPW Addition: Mr. McHenry explained the recent construction that is going on with the addition. He mentioned that he utilizes the DPW employees when needed in order to reduce costs. The general public has mentioned that the new addition blends in nicely with the existing building. The contractor's completion of the project is still anticipated to be early November. Mr. McHenry is requesting approval to pay D'Agostino Contractors the following amount for completion of work to date.

Resolution to pay D'Agostino \$105,597.25, to be paid from the Capital Fund. Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0.

- Sanitary Sewer Project: Mr. McHenry stated the project began on September 25th and is moving right along. Mr. Brown and himself are performing all the required inspections. The project is anticipated to be completed in November. Seeding and grading may not be completed until next spring.
- Hale Haven/Underwood Ave: Paving was completed on September 20th.

- Community Center: Mr. McHenry noted there was a fire on one of the exterior lights behind the Community Center. He stated the lights are in rough shape and they only get used approximately four days a year. He is recommending we remove the lights since use of the lights is minimal and the cost to replace or repair them is high. General discussion followed.

Resolution to remove the exterior lights behind the Community Center. Trustee Horylev made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

- New Employee: Mr. McHenry noted he is working on a new job description for the new parks employee that will be starting in January, 2011.
- Monroe County Intermunicipal Agreements: Mr. McHenry presented a revised agreement with the County of Monroe, for Fleet Services, Machinery, Tools, Equipment and Services Sharing Access and Sale of Alternative Fuels. This agreement was approved by the Village Board March of 2009 and there are four revisions to the agreement. He is requesting approval of the following revisions:
 - Adding MCC, Municipal Corporations and Public Authorities
 - Amended Resolutions approving the revisions
 - Rate changes from \$55.00 to \$65.00 per hour in the Consideration Section
 - Automatic Renewal, instead of upon written consent, in the Term Section

Resolution to accept the changes for the Intermunicipal Agreement, and any other amendment thereto, with the County of Monroe to utilize the Monroe County Fleet services for mechanical, preventative maintenance and body work to its fleet vehicles at a cost of \$55 per hour, plus parts, and further authorizing the Mayor to execute said agreement. Motion was made by Trustee Speer, seconded by Trustee Bimmler. Carried Unanimously 5-0.

Resolution: Whereas the Village may be desirous of having Monroe County's Department of Transportation provide transportation signs and markings for roads within the jurisdiction of the Village, be it resolved that the Village Board will enter into the following agreement with Monroe County for said services if and when needed and further authorizing the Mayor to execute said agreement Motion made by Trustee Bimmler, seconded by Trustee Horylev. Carried unanimously 5-0.

Clerk's Report

- Community Center-Boiler Repairs: Mrs. Pearce noted the boilers have been serviced and are ready for the heating season.
- Insurance Consultant: The management team had a meeting with Mr. Nathaniel Garfield, who is the Director of Employee Benefits for American Portfolios. He discussed the many services he can provide if the Village hires him as their broker.

The team has another interview to conduct on Friday, October 8th with Mr. Tom Augustini. He works for Haylor, Freyer & Coon, Inc. After that interview, the team will be making a recommendation to the board.

- Hilton Education Fundraiser: The Hilton Education Committee is having their annual event on January 22, 2011 to help support technical, cultural and academic programs and is requesting a donation. Last year, the Village donated one reservation at the Jennejahn Lodge.

Trustee Speer stated he has an objection with this donation. He stated the Scout groups have asked for donations in the past year and the board stated they do not want to set a precedent, so they denied the requests. He feels we should be consistent with all groups. He is recommending we do not approve this request to be fair to all non-profit groups.

General discussion followed. The board concluded and agreed with Trustee Speer's recommendation. This is a cost to tax payers and we can no longer provide the lodge at no charge. We should also be consistent with all requests for donations from non-profit groups.

Resolution to deny the request for a donation for the Hilton Education Foundation annual Silent Auction to be held January 2011. Trustee Gates made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

Village Manager

- Financial Plan for the Public Works Addition: Mrs. Surridge gave a detailed PowerPoint presentation illustrating the project costs, revenue sources, fund balances and payment options on a five year bond schedule. Mrs. Surridge stated if we use other revenue sources to lower the amount bonded, the Village could reduce the amount we borrow from a \$250,000.00 bond to \$115,000.00. She reviewed with the board what that bond schedule would be. General discussion followed. The board concluded they are in favor of reducing the amount the Village has to borrow and paying cash for a portion of the project. Discussion also took place on borrowing a sum of money from the Electric Fund to help offset the amount borrowed. This would be an internal loan and would be paid back to the Village within a five year period at zero percent interest. The board was in favor of an internal loan. Mrs. Surridge is recommending the following resolutions be approved.

Resolution Whereas, a bond resolution was passed by the Village Board on May 25, 2010 to finance up to \$250,000 for the costs a DPW addition, Now, therefore, be it resolved that the Village Treasurer shall only borrow \$115,000 due to the fact that certain changes have occurred within the 2010-11 budget and those changes are providing a means for us to pay cash for some of the project costs. Motion made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0.

Resolution: To void two Resolutions adopted in April and August, 2010 by the Board of Trustees which established an incorrect budget for the Capital Projects Fund regarding the DPW addition. At those times, the project costs were estimated. Trustee Horylev made the motion, seconded by Trustee Bimmler. Carried unanimously 5-0.

Resolution that a new Capital Projects Budget is hereby established as follows:

H510 Revenues:	\$260,350
H5730 Bond Note	\$115,000
H5031 Transfer from General	\$145,350

Resolution that our fixed rate electric price for 2011 shall be \$.065 per kw. Motion made by Trustee Bimmler, seconded by Trustee Gates. Carried unanimously 5-0.

- Energy Services Group (ESG): Mrs. Surrige stated this group has been our consultant since the inception of our program. Their contract expires on 12/31/10 so she has discussed a renewal with them. They started out billing the Village a rate of \$2.00/MW, then it was reduced to \$1.50/per MW and now their proposed fee for another two years has been lowered to \$1.35. Mrs. Surrige is requesting authorization to renew the contract for the price noted above for a two year period .

Resolution to approve the following amendment to the agreement with Energy Services Group, and to renew said contract for an additional two year period commencing on 1/1/2011 and ending on 12/31/2012. Motion made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0.

THIRD ADDENDUM TO THE SERVICES AGREEMENT

THIS IS THE THIRD ADDENDUM (“THIRD ADDENDUM”) TO THE Services Agreement (“the Agreement”), dated November 7, 2006 between The Village of Hilton, subsidiaries & JV partners (“Customer”), and Energy Services Group, Inc., is entered into on October 4, 2010. Client and ESG are also referred to in this Third Addendum individually as a “Party” and collectively as the “Parties.”

WHEREAS, ESG and Client are Parties to the Agreement;

WHEREAS, the Parties wish to amend the Agreement to revise certain responsibilities, as set forth below;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

1. Modify the Agreement to remove in the entirety the following items:

ESG Self-Supply-Services Responsibility Matrix		
Function	ESG	CLIENT
Invoicing		
Facilitate presentation of invoices to Client (energy supply, utility, ISO, ESG services)	X	
Payment of Client invoices (energy supply, utility, ISO, ESG services)		X
Operational Interfaces & Reporting		
Provide Energy Schedule Report	X	
Provide Summary Costs Report	X	
Provide ISO Settlement Variance Report	X	
Provide CFD reporting	X	

2. Modify Schedule 8 – Volumetric Fee Scale to include revised pricing as outlined below:

Tiers (Mwh)	Pricing/Mwh
0 – 1,800	\$1.35
> 1,800	\$1.00

3. Modify Section 2.1 to extend term for a period of two years from original termination date, The revised termination date will be effective January 1, 2013 unless earlier terminated in accordance with the provisions of Section 9 hereof.
4. Unless expressly changed by this Third Addendum, all other terms of the Agreement shall remain in full force and effect.
5. This Addendum may be executed in multiple counterparts, including facsimile counterparts, each of which shall be deemed an original, but all of which together shall constitute one in the same instrument.

Resolution to enter into a Power Swap Confirmation Agreement with Constellation Energy Commodities Group for calendar year 2011 with the following terms: Hourly quantity 2 MW; Total quantity 17,520 MW; Fixed price \$39.00; Trustee Gates made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

Vouchers

Resolution to approve the abstract of vouchers with the following additions: Rick Bjornholm, \$353.04, Richard LaForce, \$70.44, Monroe County Water, \$23,849.98. Totals as follows:

General fund	\$	65,575.75
Water fund	\$	26,369.23
Sewer fund	\$	41,431.82
Prepaid	\$	128,611.75
Capital	\$	670.28
T&A	\$	10,624.87
Total	\$	273,283.70

Motion made by Trustee Bimmler, seconded by Trustee Horylev. Carried unanimously 5-0.

Minutes

Resolution to approve the meeting minutes of September 7, 2010 as corrected. Trustee Bimmler made the motion, Trustee Speer seconded the motion. Carried 5-0.

Make a Difference Day

Resolution to donate \$500.00 to support Make a Difference Day to be held on October 23, 2010. Trustee Horylev made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

Hilton Parma Recreation Halloween Festival

Resolution to authorize use of the Community Center and grounds as well as Village Streets for the annual parade. The Village approves and grants authorization to close the streets as deemed necessary when the parade is commencing. Trustee Speer made the motion, seconded by Trustee Bimmler. Carried unanimously 5-0.

Shared Services

Resident Carol Fishbaugh wrote a letter to the Village stating her support of the Shared Service Committee and the proposed new salt shed. She stated the current condition of the old bus garage located on Grove Street is unsightly and she is in full support of proceeding with a new building and cleaning the area up.

There being no further business, the meeting was adjourned at 6:45 p.m.

Respectfully Submitted,

Shari Pearce. Village Clerk