

**Village Board of Trustees  
Meeting Minutes of April 5, 2011**

Present: Mayor Lee, Trustees Horylev, Gates, Speer, Bimmler  
Village Manager, Janet Surridge  
Superintendent of Public Works, Mike McHenry  
Assistant Superintendent, Keith Brown  
Village Clerk, Shari Pearce  
Code Enforcement Officer, Mike Lissow

Guests: none

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

There was no one from the public present to address the board. The public portion of the meeting was closed at 5:01 p.m.

**Annual Resolutions**

**Resolution** to re-appoint Christine Brower to the Planning Board for a five year term which will expire on 3/31/2016. Motion made by Mayor Lee, seconded by Trustee Horylev. Carried unanimously 5-0.

**Resolution** that the following banks are hereby designated as the official depositories for the Village of Hilton: HSBC Bank, Citizen's Bank and M & T Bank. Motion made by Mayor Lee, seconded by Trustee Bimmler. Carried unanimously 5-0.

**Resolution** that Westside News is hereby designated as the official newspaper of the Village of Hilton. If it is found, however, that other newspapers are needed, then the Greece Post and the Democrat and Chronicle shall also be designated as the official newspapers for the Village of Hilton. Motion made by Mayor Lee, seconded by Trustee Bimmler. Carried unanimously 5-0.

**Resolution** that the Village Board will meet on the following dates at 5:00 p.m.:

May 3rd	November 1st
June 7th	December 6th
July 5th	January 3rd 2012
August 2nd	February 7th
September 6th	March 6th
October 4th	April 3rd

If Mayor Lee shall call a special meeting, the notification procedure to the media shall be by telephone or e-mail from the Village Clerk as soon as the meeting is called. Trustee Speer made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

**Resolution** to approve the following appointments: Motion made by Mayor Lee, seconded by Trustee Gates. Carried unanimously 5-0:

Vice Mayor	Walt Horylev
Planning Board Liaison	Jim Bimmler
Zoning Board Liaison	Larry Speer
Personnel Liaisons	Jim Gates
Village Budget Liaison	Jim Gates & Jim Bimmler
Gas & Electric Utility liaison	Larry Speer
Business Assistance Committee Chairman	Walt Horylev
Genesee Transp Council Representative	Walt Horylev
Hilton Parma Recreation Liaison	Joe Lee
Enhancement	Walt Horylev & Joe Lee
Public Relations	Joe Lee
Newsletter/website	Shari Pearce & Debbie Jones
Fire Commissioners Liaison	Larry Speer
School Board Liaison	Joe Lee
Town of Parma Liaison	Walt Horylev and Larry Speer
Chamber of Commerce	Walt Horylev
Historian	David Crumb
Registrar of Vital Statistics	Janet Surridge
Deputy Reg. " "	Shari Pearce & Maryalice Edwards
Community Development	Janet Surridge & Mike McHenry
Records Retention Officer	Shari Pearce
Solid Waste/Recycling	Mike McHenry
Green Energy Coordinator	Larry Speer
Shared Services Team	Jim Gates

**Resolution** that the Board of Trustees hereby authorizes payment in advance of the audit of claims for the following expenditures which are due prior to the regular meeting date of the Village Board. All such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees: Motion made by Trustee Horylev, seconded by Trustee Gates. Carried unanimously 5-0.

- a) Public utility services
- b) Postage, freight and express charges
- c) Monroe County and/or New York State Department of Transportation fees
- d) Blue Cross/Blue Shield & Hartford medical insurance charges
- e) Energy Services Group
- f) UGI for the supply of natural gas.
- g) NY ISO for electricity

**Resolution** to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village at the rate of \$.51 cents per mile. Trustee Gates made the motion, seconded by Trustee Bimmler. Carried unanimously 5-0.

**Resolution:** to authorize the following petty cash funds: \$75.00 for water & general transactions, and \$150.00 for gas & electric funds. Said funds shall be located in the Village Office, 59 Henry Street and the following employees shall have access to these funds: Janet Surridge, Amy Harter, Shari Pearce, Maryalice Edwards, Debbie Jones. Motion made by Trustee Bimmler, seconded by Trustee Speer. Carried unanimously 5-0.

**Resolution** that the following procurement policy shall be renewed for one year with a change on the minimum amounts required for purchasing and name changes. Trustee Speer made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from the administration involved in the procurement process, now, therefore, be it

RESOLVED, that the Village of Hilton does hereby adopt the following procurement policy which is intended to apply to all goods services which are not required by law to be publicly bid.

1. Every major purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract . Once that determination is made, a good faith effort will be made to determine whether it is known or can be reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 104 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases, goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second-hand purchases from another governmental entity. A major purchase is considered anything of value \$1,000.00 or more.

The decision that a major purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods and services will be purchased at the best value and that favoritism will be avoided, except in the following circumstances; purchase contracts over \$20,000 and public works contracts \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.

3. The following method of purchase should be used as a guide when required by this policy in order to achieve the optimum savings:

<u>Estimated amount of purchase contract</u>	<u>Method</u>
Between \$1,000.00 and \$20,000	Written Quotations

<u>Estimated amount of Public Works Contract</u>	<u>Method</u>
Between \$1,000 and \$35,000.00	Written Quotations

A good faith effort shall be made to obtain a reasonable number of proposals or quotations. If the purchaser is unable to obtain proposals or quotations, the purchaser will document the attempt made at obtaining the proposals.

4. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offerer. This documentation will include an explanation of how the award will achieve savings or how the offerer was not responsible. A determination that the offerer is not responsible shall be made by the purchaser.

5. Pursuant to General Municipal Law Section 104-b (2) (f), the procurement policy may contain circumstances when, or type of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Hilton to solicit quotations or document the basis for not accepting the lowest bid:

a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill education, training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Village Board of Trustees shall take into consideration the following guidelines; (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
  - c. Purchase of surplus and second-hand goods from any source. If alternate proposals are required, the Village may purchase surplus and second-hand goods at auctions or through special advertised sources where the best value may be obtained.
  - d. Goods or services under \$1,000. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism. All purchases made for goods and services under \$1,000 in cost shall be made based on the judgment of the purchaser.
6. This policy went into effect April 1, 1997 and is reviewed annually.
7. The following employees and/or their designees are authorized to make purchases:

Janet Surridge, Village Manager  
Mike McHenry, Superintendent.  
Maryalice Edwards, Treasurer  
Sharianne Pearce, Village Clerk

Keith Brown, Asst. Supt  
Jim Leise, Mechanic  
Amy Harter, Clerk III

**Resolution** that the investment policy for the Village of Hilton shall be renewed for one year with no changes as last adopted on April 6, 2010. Trustee Horylev made the motion, seconded by Trustee Gates. Carried unanimously 5-0.

**Resolution** to renew the following leases with tenants in the Hilton Community Center:

Hilton Community Child Care & Via Dance Studio at a rate \$8.34/sq ft;  
Apple Festival \$1339/year  
Church \$6151/year  
Recreation \$15,465/year

Trustee Gates made the motion, seconded by Trustee Bimmler. Carried unanimously 5-0.

**Resolution** to retain the law firm of Lacy, Katzen LLP, and Attorney Larry Schwind on a fee basis when legal advice is needed at a rate of \$195.00/per hour. Motion made by Trustee Speer, seconded by Trustee Bimmler. Carried unanimously 5-0.

### **Minutes**

**Resolution** to approve the meeting minutes of March 1<sup>st</sup>, 22<sup>nd</sup> and 29<sup>th</sup> as submitted. Motion made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0.

### **Vouchers**

**Resolution** to approve the abstract of vouchers as submitted. Totals as follows:

General fund	\$	50,956.65
Water fund	\$	23,741.92
Sewer fund	\$	677.62
Gas&Electric	\$	570.31
Capital	\$	1,786.08
Prepaid	\$	168,730.09
<u>T&amp;A</u>	<u>\$</u>	<u>12,025.84</u>
Total	\$	258,488.51

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

### **Rolling Sign**

Linda Viney submitted a written request to use the Town of Parma's rolling sign and place it on Village owned property at the entrance to the Firemen's Exempt on Friday, July 29<sup>th</sup>. She stated the 1966 Hilton Class will be holding their 45<sup>th</sup> reunion on Sunday, July 31<sup>st</sup> and the sign would make it easier for attendees to locate the entrance to the Exempt Club.

Mr. Lissow remarked he has been working with Mr. Tom Scheg on an entrance sign for the Exempt Club. Mr. Lissow stated FEMA will need to approve the location of their sign before a permanent sign can be installed, however, he will be talking with Mr. Scheg about a possible

temporary location sign until the permanent sign is approved. If they agree to a temporary sign, there would be no need for the rolling sign.

The board tabled this item until the next meeting to give Mr. Lissow the opportunity to discuss a temporary sign with the Exempt Club. The Village Board was supportive of a temporary sign.

### **Parades**

**Resolution** to approve the use of Village streets for the Hilton Firemen's Kiddie parade and Grand parade on July 27<sup>th</sup> and 28<sup>th</sup>. Trustee Speer made the motion, seconded by Trustee Bimmler. Carried unanimously 5-0.

**Resolution** to approve the use of Village streets for the Memorial Day parade on May 30<sup>th</sup>. Motion made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

### **Executive Session**

A motion was made by Trustee Gates that the Village Board enter into executive session at 5:24 p.m. to discuss a personnel matter. Trustee Speer seconded the motion, carried unanimously 5-0.

A motion was made by Trustee Gates to exit out of executive session at 5:30 p.m. Trustee Horylev seconded the motion. Carried unanimously 5-0.

**Resolution** to re-appoint Richard Bjornholm to the Zoning Board of Appeals for a five year term which will expire on 3/31/2016. Motion made by Mayor Lee, seconded by Trustee Horylev. Carried unanimously 5-0.

### **Code Enforcement**

- Training: Mr. Lissow is requesting permission to attend two different training sessions. The first one is the New York State Floodplain and Stormwater Managers Association seminar at a cost of \$70.00. The second is a County Fire Marshall's seminar for a cost of \$75.00. Both classes count toward his training credits that Mr. Lissow is required to obtain each year.

**Resolution** to authorize the Treasurer to expend \$70.00 for Mr. Lissow to attend the NYS Floodplain and Storm water seminar. Trustee Speer made the motion. Seconded by Trustee Gates. Carried unanimously 5-0.

**Resolution** to authorize the Treasurer to expend \$75.00 for Mr. Lissow to attend a County Fire Marshall's seminar. Trustee Bimmler made the motion. Seconded by Trustee Horylev. Carried unanimously 5-0.

## **Public Works Report**

- **Proposed Refuse Fees:** Mr. Brown gave an extensive proposal to the Village Board on changing the current rate structure on how the Village bills commercial refuse. He went through twenty-years of data to devise the most sensible proposal. The board will digest all the information Mr. Brown has given them and make a decision at the April 12<sup>th</sup> budget meeting when the fee schedule is approved. The board thanked Mr. Brown for all the effort he has put into this proposal.
- **Annual Hydrant Flushing:** Mr. McHenry noted the DPW will begin flushing hydrants on April 25<sup>th</sup> through April 29<sup>th</sup>. All hydrant flushing will be done during regular work hours.
- **Shared Services Salt Shed:** Mr. McHenry shared with the board his thoughts on the proposed joint salt shed. He stated the benefits of pursuing the joint salt shed has a savings potential of approximately \$4,500.00 per year based on average usage. The reason for this is the Village currently purchases the salt pre-treated, which is expensive. The new salt shed has the capabilities to treat the salt on site. Mr. McHenry also stated the other issue is the Village's current salt shed building is a twenty-year building that is now twenty-five years old. The reality is the Village would need to build another building in the near future if we do not invest in the shared use salt shed. Mike Henry remarked the current salt shed would be used to house screened topsoil at a greater volume after the new salt shed is constructed. The Village Board was very supportive of the proposed joint salt shed.

## **Clerk's Report**

- **Citizen of the Year:** Discussion took place on the proposed celebration of the Citizen of the Year. The board decided we would honor the 2011 Citizen of the Year on Monday, May 2<sup>nd</sup> at 5:00 p.m. in the board room.

**Resolution** to authorize the Village Treasurer to expend \$ 50.00 to purchase a gift certificate at a local restaurant for the Citizen of the Year. Trustee Horylev made the motion, seconded by Trustee Gates. Carried unanimously 5-0.

## **Manager's Report**

- **Proposed skateboarding local law:** Mrs. Surridge stated Larry Schwind, Village Attorney, has reviewed and made his observations and suggestions on the proposed law. Mrs. Surridge stated if the board approves the proposed law, we can proceed with a public hearing in May.

**Resolution** to authorize the Village Clerk to schedule a public hearing for Local Law #2, Chapter 19C- Skateboarding Law on May 2, 2011. Trustee Horylev made the motion, seconded by Trustee Speer. Carried unanimously 5-0.



- Fraser Drive Sidewalk: Mrs. SurrIDGE stated she received a request from a resident on Cooper Drive to open the pathway between the two houses on Fraser Drive after school and on weekends. The reason for this is it would make it more convenient for the resident's son and the neighborhood children to attend sporting events. Mr. McHenry stated the DPW would have to open and close the gate every weekend and we would have to pay overtime wages to accomplish this. Also, he noted this goes against the philosophy of why the Village Board closed the gate to begin with. The board discussed and decided to leave the gate closed after school hours and on weekends.
- Mrs. SurrIDGE discussed the Architectural Review Code relating to sign approvals.: Mike Lissow has been talking with her for a couple of months on how lengthy it can be for the business people in our Village to obtain a sign permit. . Mrs. SurrIDGE stated she would have a dialog with the Planning Board in the coming month on the current practices and obtain a better understanding on how the process works and report back to the board.
- Shared Services Team: Mrs. SurrIDGE reported Brian Speer, Mike McHenry and herself have been working on the demolition costs for the former bus garage. It is their recommendation that the Village and Town of Parma share 50% of the out-of-pocket expenses as noted below. (The asbestos work began on April 4<sup>th</sup> and is expected to last a week and demolition will begin on April 25<sup>th</sup>.)

**Resolution** that the Village of Hilton will share 50% of the out-of-pocket expenses (landfill & concrete crusher) and up to \$700.00 for the cost to rent an excavator to demolish the building at 40 Grove Street. The building needs to be torn down because this is the location where the new salt shed will be built. (The salt shed is a joint venture involving the Village, Town of Parma and the Hilton Central School District.) Be it further resolved that the Village shall provide labor & equipment at no charge to the Town of Parma. Costs shall not exceed \$3,700.00 and the funds will be obtained from the contingency account. Motion made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

There being no further business, the Village Board adjourned the meeting to attend the informational meeting on the proposed communication tower.

Respectfully Submitted,

Shari Pearce, Village Clerk