

**Village Board of Trustees  
Meeting Minutes of January 4, 2011**

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

Guests: Neil Kendrick, Dave Wright, Tom Scheg

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

**Public Forum**

Mayor Lee opened the meeting to the public at 5:01 p.m.

Hilton Exempt Club, 137 South Ave: Mr. Tom Scheg was present to seek placement of a free standing sign to be located on the Village's property at 135 South Avenue. The purpose of the sign is to inform the public of the location of the Exempt Club. Mrs. Surridge stated the property is owned by the Village, however, Federal Emergency Management Agency (FEMA) regulates the property and they have strict rules that need to be followed. Mrs. Surridge will contact FEMA and ask if this type of signage is permitted on the property.

In conclusion, the Village Board has no objection with the sign; if FEMA allows signage on the property, the next step would be to seek approval from the Planning and Zoning Boards.

There being no further public comments, the public portion of the meeting was closed at 5:12 p.m.

**Code Enforcement**

- Building Permits: Mr. Lissow reported permits were down slightly from the year before. He submitted a graph illustrating the total building permits issued in the past six years.

Other miscellaneous items were discussed.

**Public Works Report**

- DPW Addition: Mr. McHenry stated he is waiting for the delivery and installation of the lockers, office and break room furniture.

- Sewer Machine: Mr. McHenry stated that the DPW is approximately three weeks behind on the annual sewer maintenance. They are waiting for parts to be delivered for the high pressure pump on the machine. He noted it is extremely difficult to obtain parts, especially when they are being made and shipped from China.
- Annual Tree Trimming: Mr. McHenry noted the annual tree trimming will begin January 31<sup>st</sup>. He is requesting approval to rent a bucket truck.

**Resolution** to rent a bucket truck to assist in tree trimming for one month starting on January 31<sup>st</sup>. The amount shall not exceed \$2,600.00. This is a budgeted item. Motion made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0.

- Training: Mr. McHenry noted the crew will be attending the required safety training presented by our Workers Compensation provider on January 11<sup>th</sup> and 12<sup>th</sup>.

Mr. McHenry is requesting approval for himself and Doug Jock to attend the Western New York Water Works Conference on February 2, 2011. The cost for the conference is \$20.00 per person, plus a \$5.00 membership fee.

**Resolution** to send employees Doug Jock and Mike McHenry to the Western New York Water Works Conference on 2/2/11 for a cost of \$20.00 per employee, plus a \$5.00 membership fee for each. Motion made by Trustee Horylev, seconded by Trustee Bimmler. Carried unanimously 5-0.

- 2011-2012- Budget Project Ideas: Mr. McHenry has three projects he would like to propose completing within the next year. He requested the board's input on the following projects:
  - Replace Sidewalks on Gorton Avenue
  - Repair the parking lot and sidewalks behind 1 Main Street
  - Remove the mall area in the Hovey Square Parking Lot except for the flag pole.

The board was very supportive of the above projects.

## Clerk's Report

- **Records Grant:** Mrs. Pearce and Donna Curry met with Caroline Gallego on December 28<sup>th</sup> and discussed how to proceed with the grant application. Preliminary results indicate that they will be applying for a Cooperative Project, capping at \$100,000.00. Both the Town and the Village have the same intended goals, so it makes sense to apply for a joint project. Mrs. Pearce noted they will have a better chance of being awarded a grant by applying together.

Other miscellaneous items were discussed.

## Village Manager

- **Shared services project:** The team met with LaBella Associates on December 17<sup>th</sup> and reviewed three proposals received for a Phase II Environmental study. The team awarded the job to LaBella Associates for a cost not to exceed \$11,100.00. LaBella pointed out to the team that the other two proposals did not include any remediation information if contamination was found. If it's not found, LaBella's cost will be substantially less. The team also viewed some conceptual drawings for the salt shed and shared building. Recommendations and comments were given. Mrs. Surridge is very pleased with the progress the team is making.
- **Unionville Station:** At the December meeting, the Homeowner's Association (HOA) presented a petition to the Village Board requesting that the stub street at the end of Leith Lane be "de-mapped." The Village Board and Planning Board have no authority to change a filed subdivision map. However, since the Village of Hilton owns the property, they have the ability (per Chapter 15-C of the Hilton Code) to authorize the conveyance of this property by private sale. Mrs. Surridge spoke with Attorney John Foster, who is representing the HOA, and at first the association wanted to pursue obtaining ownership, but after discussions, they agreed that it is in the best interests of the community to leave ownership with the Village. She stated the board needs to respond to the petition.

The board agrees it is in the best interest to keep ownership of the property with the Village.

- **Employee handbook:** Mrs. Surridge remarked on all the changes that were made and approved at the last meeting that were inserted into the handbook. However, now that the board acknowledges that it is not legal to pay cash to former employees in lieu of their health insurance benefit, Section 802 D has to be revised. Currently, the benefit reads "Notwithstanding the foregoing, if a retired employee resides in such a place as to

no longer be eligible for coverage under the then existing policy provided by the Village, the retired employee shall not be entitled to the foregoing insurance coverage as mentioned above, but instead shall be entitled to reimbursement of 100% of the premium cost of whatever policy is being offered or provided by the Village at that time and for which the employee would have qualified”

**Resolution** to amend Section 802 D of the employee handbook, subject to the employees review and approval, as follows: “Notwithstanding the foregoing, if a retired employee, retired Mayor or retired Trustee who qualifies for health insurance pursuant to Section 802 (D)(1) or 802 (D) (2) and resides outside of the Rochester area and is no longer eligible for coverage under the then existing policy provided by the Village, then the Village will provide a substitute health insurance policy for the benefit of the retired employee, retired Mayor, or retired Trustee and their dependents. The Village will share the cost of a substitute policy as follows: The Village will pay the same amount that it is paying for a Rochester area plan and the retired employee, retired Mayor or retired Trustee shall pay the difference in cost.”

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

- Worker’s Compensation: Mrs. SurrIDGE stated we have received two checks from our UNYMWC self insured program that total \$6,334. The sum consists of reimbursement for startup fees and special refunds of surplus funds based on qualifying members. Mrs. SurrIDGE stated there are two options as to where the money can be placed. The options are:
  - 1) Keep the money in the General Fund to offset an estimated \$10,000 increase of worker’s compensation insurance in next year’s budget;
  - 2) Deposit the money into our Capital Reserve Account. Since we are self insured, we have an exposure of paying out the first \$200,000 of a claim before other insurance kicks in. The balance in the reserve account is \$166,091.

The board agreed that the money be placed into the reserve account.

**Resolution** to authorize the Treasurer to deposit \$6,000.00 into the Workers Compensation Reserve Account. Motion made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0.

- Cross Connection-backflow device: Mrs. SurrIDGE discussed our local law that was adopted in 1986. It states the responsibility of protecting our water distribution system from contamination is the responsibility of the Village Administrator. Mrs.

Surridge looked into the ordinance and reviewed the current businesses that have these devices. She questioned as to why the list was so selective. She discussed this with Mr. McHenry and Mr. Lissow and they did not know the criteria used to force a business to install one. Mrs. Surridge researched with the Monroe County Health, MCWA and the City of Rochester to learn more about the Federal Cross Connection Law. She is recommending the following:

- Compile a list of all the businesses in the Village and conduct a hazard assessment on each.
- Categorize them according to the potential for contamination.
- Those that have a high potential should be required to have a backflow device.

Mrs. Surridge would like to designate Mr. McHenry to administer this project. He has the most knowledge in this area. Mr. McHenry distributed a sample of what the City of Rochester uses for a Hazard Assessment Inspection Site report. He plans to have each business complete this report and he will do a site inspection and determine the risk and need for a back flow device. If the business needs the device, it is the business's financial responsibility to install one.

Mrs. Surridge stated the current local law states the Administrator is the responsible official to administer this law. She is recommending we amend the law to allow the Village Board to appoint the appropriate official each year to administer this ordinance.

**Resolution** to schedule a public hearing to amend the Cross Connection Local Law. Trustee Horylev made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

### **Vouchers**

**Resolution** to approve the abstract of vouchers with the following additions: Ben Lissow \$43.50, Jake Lissow, \$43.50, Mayline Co \$245.70. Totals as follows:

General fund	\$	71,954.18
Water fund	\$	27,663.32
Sewer fund	\$	4,628.60
Gas&Electric	\$	158.44
Prepaid	\$	181,104.50
<u>T&amp;A</u>	<u>\$</u>	<u>11,948.18</u>
Total	\$	303,508.54

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

### **Minutes**

**Resolution** to approve the meeting minutes of December 7, 2010 as corrected. Motion made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

### **Holidays**

**Resolution** to approve the holidays for 2011. Motion made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

Holiday	All Departments Closed	Refuse & Recycling
Martin L. King	Monday, January 17 <sup>th</sup>	Tuesday, January 18 <sup>th</sup>
Presidents Day	Monday, February 21 <sup>st</sup>	Tuesday, February 22 <sup>nd</sup>
Good Friday	Friday, April 22 <sup>nd</sup>	Not Applicable
Memorial Day	Monday, May 30 <sup>th</sup>	Tuesday, May 31 <sup>st</sup>
Independence Day	Friday, July 1 <sup>st</sup>	Not Applicable
	Monday, July 4 <sup>th</sup>	Tuesday, July 5 <sup>th</sup>
Labor Day	Monday, September 5 <sup>th</sup>	Tuesday, September 6 <sup>th</sup>
Columbus Day	Monday, October 10 <sup>th</sup>	Tuesday, October 11 <sup>h</sup>
Veterans Day	Friday, November 11 <sup>th</sup>	Not Applicable
Thanksgiving	Thursday, November 24 <sup>th*</sup>	Wednesday, Nov 23 <sup>rd</sup>
	Friday, November 25 <sup>th</sup>	Not Applicable
Christmas	Monday, December 26 <sup>th</sup>	Tuesday, December 27 <sup>th</sup>
New Years 2012	Monday, January 2 <sup>nd</sup>	Tuesday, January 3 <sup>rd</sup>

### **Employee Health Insurance**

**Resolution** that in accordance with Section 802 (A) (4) of the Employee Handbook for health insurance, the Village Board hereby establishes that the Village of Hilton will deposit 90% of the active employee's annual deductible and 100% of the retired employee's annual deductible into each eligible employee's health savings account for calendar year 2011:

Family plan deductible is \$5,200/per year	Village 90%	\$4,680
	Village 100%	\$5,200
Single plan deductible is \$2,600/per year	Village 90%	\$2,340
	Village 100%	\$2,600

Be it further resolved that the Village Treasurer is authorized to make payments to the employees according to the following schedule:

For the period January 1<sup>st</sup> – May 31<sup>st</sup> Active employee - \$1,950.00/per family plan and \$975.00/per single plan; retired employee \$2,166.66 per family plan (all payable on 1/5/2011)

For the period June 1<sup>st</sup> – December 31<sup>st</sup> Active employee - \$2,730.00/per family plan and \$1,365.00/per single plan; retired employee \$3,033.34 per family plan (all payable on 6/1/2011)

If any eligible employee needs additional funds from the Village prior to June 1<sup>st</sup>, the Treasurer, upon request from the employee, is hereby authorized to make payment to that employee as needed but in no event shall the Village's payment exceed the total amount allowed.

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

### **Personnel**

**Resolution** to grant the following longevity wage increases to these employees, effective 1/1/2011: Chad McManus \$.10/ per hour, Debbie Jones and Russ Zurick \$.14/per hour. Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0.

### **Executive Session**

A motion was made by Trustee Speer that the Village Board enter into executive session at 6:05 p.m. to discuss a legal matter. Trustee Gates seconded the motion, carried unanimously 5-0.

A motion was made by Trustee Speer to exit out of executive session at 6:45 p.m. Trustee Horylev seconded the motion. Carried unanimously 5-0.

Discussion took place regarding a claim received from Mr. Carmestro regarding past expenses he incurred to maintain his parking area located in Canning Street. The board gave Mrs. Surridge authority to pursue negotiations with Mr. Carmestro.

There being no further business, the meeting was adjourned at 6:50 p.m.

Respectfully Submitted,

Shari Pearce, Village Clerk