

Village Board Meeting Minutes
Tuesday, February 4, 2014
5:00 p.m.

Present: Mayor Lee, Trustees, Speer, Bimmler, Fowler, Gates
Village Manager/Clerk Shari Pearce
Village Treasurer, Maryalice Edwards
DPW Superintendent, Mike McHenry
Code Enforcement Officer, Mike Lissow
Deputy-Clerk, Amy Harter

Guests: Shannon Zabelny, Cody Kelly, Tom Venniro

Mayor Lee called the meeting to order at 5:00 p.m. with the pledge of allegiance to the flag followed by a moment of silence.

Code Enforcement Report

- Sprinkler Break: 67 Lake Avenue had significant water damage on January 9, 2014 after a sprinkler pipe burst. Three units were uninhabitable because power was turned off by RG& E.
- Injury: Mike Lissow suffered a knee injury while on an inspection. He has been on light duty but will return to full duty in the next 2 – 4 weeks.
- School Bus Garage Project: Mike Lissow has reviewed the comments from Monroe County Soil and Water Conservation District. He will discuss changes if they come up.

Superintendent's Report

- Monroe County Community Development Block Grant: Mike McHenry explained there is a grant opportunity to make much needed improvements to the Community Center.

Resolution by Trustee Fowler, seconded by Trustee Speer, to accept the following motion: Carried unanimously 5-0.

Whereas the handicap ramp at the north end of the Community Center needs to be repaired and a canopy will be added, and the heating system in the Community Center needs to be repaired, and the entire facility needs to be re-keyed.

Whereas, this project is located in Census Block Group 148.04 which has been deemed by the 2005 U.S. Census Bureau as a low to moderate income area which makes the project eligible for funding under the 2014 Community Development Block Grant program (CDBG) and

Whereas, the project cost is estimated to be \$48,000.00,

Now therefore, be it resolved that the Village Manager is hereby authorized to apply for a CDBG in the amount of \$48,000 to finance the construction costs;

Be it further resolved that the Village Board of the Village of Hilton has reviewed the SEQR form and makes the following determination: The Village Board of the Village of Hilton will act as lead agent and hereby declares that the proposed action will not result in any significant adverse environmental impacts. Therefore, this is a Type II Unlisted Action.

- Salt and snow removal: Mike McHenry gave an update on the amount of salt and runs done for the season thus far. The DPW is using leftover salt from last year and to date, have not purchased any salt since December 2012. Mike noted that by sharing the salt supply with the Town of Parma, the Village will save approximately \$6000 annually.
- Old Hojack Lane: Last fall, the road was oiled and stoned, however, it is peeling. Suit Kote has been contacted and will repair the surface this spring at no charge to the Village. Mr. McHenry noted we will not use this process in the future as it does not adhere to the surface.
- Employee update: Jeff Pearce will return to unrestricted duty in the next few weeks. He suffered an off duty hand injury.
- Inclement Weather: During the month of January, temperatures dropped considerably. Mike McHenry made adjustments to workflow of his department for the safety of the employees. He thanked his staff for their hard work in those difficult conditions.

- Concrete Bid: Mike McHenry reported that bids for concrete shall be sought in the near future for the 2014-2015 budget year.

Resolution: to authorize the Superintendent to seek bids for the supply of concrete for the 2014-2015 budget year. Motion made by Trustee Speer, seconded by Trustee Fowler. Carried unanimously, 5-0.

- Recycling: Mike McHenry explained that Monroe County will be making changes to the recycling program. More information will be supplied as it becomes available.

Treasurer's Report

- Election Inspectors: Maryalice Edwards explained that Monroe County will reimburse the Village for the cost of election inspectors. They will also reimburse us for all legal notices pertaining to the election.

Resolution to authorize the Treasurer to pay the election inspectors \$10 per hour from 11:00 a.m. – 10:00 p.m. per Monroe County. We will have four inspectors at a cost not to exceed \$440.00. Motion made by Trustee Speer, seconded by Trustee Gates. Carried unanimously 5-0.

Manager-Clerk's Report

- Budget meetings: Shari Pearce asked the Board to choose two dates for the special budget meetings. These dates will be advertised in the Suburban News.

Resolution to authorize the Manager-Clerk to advertise for the upcoming budget meetings on March 13th at 5:00 p.m. and 18th at 7:00 p.m.

- Records Grant: Shari Pearce reported the office is moving forward with the project. Our first group of files are near completion and are available to the staff through email while they are at Rochester Rehabilitation.
- Handbook changes: Shari Pearce provided the information to our employees that anyone hired by the Village after January 1, 2014 will receive three different benefits than current employees as follows:
 1. The maximum vacation time will be 5 weeks after 20 years of service
 2. After 6 months of service, the employee will receive one week of vacation time, and after 12 months of service, receive the second week of vacation. This is for the first year of employment only.
 3. New employees will be provided with twelve weeks of sick time every three years.

Resolution to authorize the Village Manager to modify the Employee handbook noting these changes, motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0.

- 33-41 East Avenue refund discussion. Shari Pearce explained that this customer has submitted a written request for an additional credit of \$1752.00. This is based on an extra refuse cart that he has been billed for since 2004. A credit of \$672.00 has already been given to the property owner in January for this issue. This account was research extensively by Shari Pearce and Maryalice Edwards. After much discussion, Trustee Gates suggested we refund an additional \$1032.00 on the residents account.

Resolution to authorize the Village Manger to post a credit in the amount of \$1032.00 to Mr. George Edelman's account Motion made by Trustee Gates, seconded by Trustee Fowler. Carried 4-1, Trustee Speer opposed. He feels that the resident should carry more of the responsibility of not checking his bill in a timely manner.

6:00 p.m. Public Forum

Mayor Lee opened the meeting for public comments at 6:00 to to consider Local Law #1, 2014, to amend the following:

- Section 24-1401 – Word Usage – moved from the back of the Zoning Code to the beginning under the General Provisions, new section # 24-210
- Section 24-1402 – Definitions – moved from the back of the Zoning Code to the beginning under General Provisions, new section #24-211. Also a change to an existing definition and a new definition added.
- Chapter 2A – Architectural Design District – Changes include removal of Commercial, Industrial, Light Industrial and Limited Commercial Districts, leaving only the Central Business District to be reviewed. Limited changes to the review process as well.
- Section 24-305 – Commercial District – Changes to the dimensional requirements.
- Section 24-306 – Industrial District – Changes to the dimensional requirements.
- Section 24-307 – Light Industrial District – Changes to the dimensional requirements.
- Section 24-310 – Limited Commercial District – Changes to the dimensional requirements and site plan approval.
- Section 24-311 – Central Business District – Changes to the site plan approval.

The following letter was submitted in its entirety from Larry Gursslin, 165 West Avenue as follows:

“The purpose of this communication is to express my comments as a concerned citizen of the Village of Hilton, regarding the proposed local law on Feb. 4th, 2014. I wish to have these comments read into the minutes after the public hearing is opened. Furthermore, I would kindly ask Joe or Mike if you would have a copy of Chapter 2A, 2A1, 2A-3, and 2A-5 for each board member prior to the public hearing.

Comments from Larry Gursslin: First and foremost I would like to extend my appreciation to Mike Lissow for keeping me informed on the proposed law. On the new chapter 24-211, DWELLING UNIT. I would ask Mike Lissow, Can you limit the number of people in a unit, via the NYS Residential Building Code ? If the answer is yes, then I support the change. If the answer is no, then I would oppose the change to omit (1) one family for residential purposes, as it allows unlimited people.

ARCHITECTURAL DESIGN DISTRICT: Chapter 2A Relative to "IF" the law is ultimately approved in its current writings, then I suggest the wording in 2A-1 Legislative Intent, omit the words "community (2) " and insert the words "central business district". More descriptive.

2A-3 Review Commission (ZBA) "IF" the law is ultimately approved in its current writings, I suggest the complete deletion of this section. The reason for this suggestion is that the ZBA is not currently following this section of the Village Code, law, and no provisions or leadership are currently being given to uphold it. (see below).

2A-5 Certificate of Approval "IF" the law is ultimately approved in its current writings, I suggest the complete deletion of this section. Once again, as I mentioned at the July 2013 VB mtg, and again on July 24, 2013 at a special meeting with Mayor Lee, Mike Lissow and Sheri Pearce, if the law is not being followed, if procedures are not in place to implement this section of the law, if nothing is going to be done, then omit it.

Under 2A-3 and 2A-5, there are no approvals noted, nor certificates issued for the recent improvements of the 1) Hardware store, 2) The chicken coop at 10 Canning Street, 3) The change from Wilson Farms to Seven Eleven, 4) or the new deli, Jo, Joe's on main street. Why leave these sections in if they are not going to be used as designed ?

On a personal note. The reason I'm taking time to express my comments is because I have seen the positive affects of this law. Let me provide some brief reasons before you vote and my suggestion. Three previous major buildings with street-scape are located in the Limited Commercial District. In the early 1980's, Mr. Dave Montrello was seeking a building permit to demolish part of the historic railroad depot. This permit was denied due in part to 2A-3 and 2A-5. This action saved the large overhang of the depot which kept its architectural design in tact for the most part. With no law in place for the LC district, the next owner could do what ever he/she desired to the building.

the second building/structure is that of McDonalds, also in the LC district. The original plans given to the planning board with two attorneys and its owner present, showed the "basic" design of a McDonalds. Once again, due to the property being in the architectural district, Chairman Bernbeck was able to show them a design he personally picked up in Mass. and expressed the desire for this style, which we have today. It only took 15 min for the design agreement. A similar one was then constructed on Long Pond in Greece.

When Barry Klock sought approval of the Wilson farm building, his father, John, a respected community minded resident and neighbor, showed a flat roof building, with a large air conditioner on top, like the K and K's that were being built. Again, all it took was some additional communication of the A-district to have Mr. Klock agree that a Cape Cod building would appear better looking. This too being in the LC district.

In conclusion, my brief three samples show how it, the district has worked in the past. It should continue to do so in the future as well . Therefore, my proposed resolution to the VB would be to table the decision at this time for further review of including the LC district, and to discuss between Mike Lissow, ZBA Chairman Richard Bjornholm, and the ZBA liason, the merit of keeping Sec 2A-3, and Sec 2A-5, which some members of the ZBA are not even aware of.”

Trustee Speer commented that Mr. Gursslin provided excellent examples and appreciates comments from the public. Mayor Lee wishes to thank Mr. Gursslin for being a concerned village taxpayer.

A general discussion of Mr. Gursslin’s suggestions followed. The Board agreed that it is necessary to review how to best define “one family”. Mr. Gursslin also recommended that a certificate be sent out on approvals made by the Zoning Board of Appeals. Mike Lissow explained we have always mailed a letter within 5 days notifying applicants of the ZBA’s decision. Mike Lissow will speak to the village attorney and provide feedback to the Board.

With all persons being heard, Mayor Lee closed public forum at 7:40 p.m.

Recreation Report

Tom Venniro, Recreation Director introduced himself to the board as the new director and thanked the Village Board for their support. He reported that he is pleased with the progress he is making thus far and looks forward to a continued good working relationship with the Village.

Vouchers

Prepaid:	\$205,421.85
T&A:	\$ 34,269.98
General	\$ 58,069.20
Water	\$ 57,959.90
Sewer	\$ 632.34
Electric	<u>\$ 480.25</u>
Total	\$356,833.52

Resolution to approve the vouchers for payment with the addition as follows: \$32.20 Mountain Glacier, \$29,258.74 for Excellus Blue Cross and Blue Shield made by Trustee Speer, seconded by Trustee Bimmler, 5-0.

Minutes

Resolution to approve the meeting minutes of January 7, 2014 as presented, motion made by Trustee Bimmler, seconded by Trustee Speer. Carried unanimously 5-0.

Executive Session

Motion made by Trustee Speer to enter into Executive Session at 7:40 p.m. to discuss a legal matter, seconded by Trustee Fowler. Carried unanimously 5-0.

Motion made by Trustee Gates to exit Executive Session at 8:00 p.m. Seconded by Trustee Speer. Carried unanimously 5-0.

There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Amy Harter, Deputy Clerk