

**Village Board
Meeting Minutes of
June 30, 2015**

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

Guests: Anne Marie St. John, Dave Willard

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

Recreation Department

Gas Grill purchase: Mayor Lee explained the Hilton Parma Recreation Department is seeking the purchase of a grill for their many functions. Mayor Lee would like to share in the cost and the use for the Village as needed.

Resolution to share in the purchase of a gas grill with the Town of Parma Recreation Department not to exceed \$200. This is to be reimbursed to Parma from the general fund. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously 5-0.

Code Enforcement

Carbon Monoxide Law: Mike Lissow explained that NYS has not completed the law to require all commercial buildings to install CO detectors. Once this law is complete, Mike Lissow will contact those affected by this law.

E Code: General Code has provided the Village with the proposed Village Code book which will be available online for easy review. Mike, Shari and Amy have met to review the proposal. Mike presented some changes thus far for the board's approval:

1. Change the word ordinance to law throughout the Village Code
2. Penalties throughout the Village Code standardized to up to \$250 fine and/or up to 15 days in jail.
3. Designate offenses as violations.
4. Under the Code of Ethics:
 - a. Remove reference to volunteer firefighters as employees as the Fire Department is no longer part of the Village.
 - b. Change the amount of a gift from \$25 to \$27 to coincide with General Municipal Law.
5. Under Amusements clarify a minor to be under the age of 18.
6. Under the Environmental Quality review delete the chapter as the Village follows the State Statutory procedures
7. Under Flood Damage Prevention delete fee amount and replace with wording that the fee is included in our fee schedule.
8. Under Parks and Recreation
 - a. Revise the park hours to open at 8 a.m.
 - b. Remove the recreation fee from this chapter and include it under Uniform Construction Codes
9. Under Streets and Sidewalks remove reference to former Village Law.

10. Under Trailers, remove entire chapter and add wording to Zoning that prohibits trailer parks.

11. Under vehicle and Traffic remove duplicate stop signs.

12. Under Zoning

- a. Remove former districts, Flood Hazard Protection District and Residential 2 District.
- b. Under storage of junk, wrecks and/or unlicensed vehicles add except as otherwise permitted, we do allow a permit to be issued for the temporary storage of unlicensed vehicles.

Treasurer Report

Village Tax Bills: Maryalice Edwards explained the due date for taxes is Wednesday, July 1st. As of close of business today, there are 171 properties that have not remitted their payments for an approximate total outstanding of \$88,000.

Superintendent Report

Community Center: Mike McHenry reported the the boilers need repair, this includes: necessary welding of a tube on #2, rear baffle tile repair and perform combustion and control check on both boilers. This work will be performed by Buckpitt & Company at a cost of \$3800. This is a budgeted item.

FOIL Request: Keith Brown has completed this request regarding sewer and water infrastructure and it has been submitted. They have been billed \$398.00 for time spent compiling the information.

Jennejahn Lodge: The DPW worked to scrape and stain the back porch, entrances, shutters and grill area.

Tree removal: Mike McHenry explained there were very large Willow tree branches that had fallen into the creek and removed at the Village Park. This was a safety and flood issue.

6 Wheel Dump Truck: Mike McHenry is seeking to purchase a new dump truck and plow as follows:

- 2016, 7500 International, 6 wheel heavy duty chassis from Regional Truck & Trailer for \$100,533.00.

- Stainless steel dump body, trailer hitch, hydraulic pump, pumping for the dump body and plows, 1 way road plow & frame, a wing plow and frame from Henderson Truck Equipment for \$73,890.00

Resolution to authorize the DPW Superintendent to purchase a 2016 dump truck as noted at a cost of \$100,533.00, motion made by Trustee Speer, seconded by Trustee Fowler. Carried unanimously 5-0.

Resolution to authorize the DPW Superintendent to purchase the snow and salt apparatus as noted at a cost of \$73,890.00, motion made by Trustee Speer, seconded by Trustee Fowler, 5-0.

Sanitary Sewer Bid: Mike McHenry reported Kenyon Pipeline provided the lowest bid for this project. MRB Group submitted a Notice of Award for the contract.

Resolution to authorize the DPW Superintendent to accept the low bid from Kenyon Pipeline Services at a cost not to exceed \$72,925.00. Motion made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Water System Monitoring Plan: Mike McHenry explained Monroe County Health Department requires this plan be submitted every five years. The report has been completed and submitted to their office.

Notice of Claim – 196 Lake Avenue, Mike McHenry, explained a Notice of Claim has been served to the Village, due to damage to the property owner’s sanitary sewer lateral, foundation and driveway. This was due to work done in 1997-1998 from a New York State road project done by the contractor, Catco. Storm Sewers were upgraded at that time. Mike is recommending he work with Mr. LePore to have the lateral repaired by a contractor at the Village’s expense. Mr. LePore is not seeking repair to his foundation or driveway at this time. Mike suggests the costs be taken from the sewer fund.

Resolution to authorize the DPW Superintendent to work with the homeowner to repair the sewer lateral at a cost not to exceed \$5,000. Motion made by Trustee Gates, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Public Forum

Mayor Lee opened the meeting for public comment at 6:09 p.m.

Ann Marie St. John, from Via Dance was present to request a rent extension due to her current situation. Ms. St. John is currently 2.5 months past due in her rent. The Village has given her to June 30th to pay or legal action will begin. She was present to explain to

the board her current situation and her modified business plan and how she plans to become current. She is requesting a payment plan for the back rent. After a general discussion, the board decided to give her a week extension, until 7/7/2015.

Resolution Via Dance must pay \$5,367.53 by 7/7/2015 to avoid further action, motion made by Trustee Zabelny, seconded by Trustee Fowler. Carried unanimously, 5-0.

Manager's Report

Grant possibilities: Dave Willard from MRB Group explained there are two grant applications that we may qualify for through Consolidated Funding Applications. The two projects that would most likely fit into the criteria are the Jennejahn Lodge addition and the Carter Drive culvert project. These applications are due July 31st; Shari Pearce will assist MRB to help reduce the cost.

Resolution to hire MRB for application and grant writing services for the Consolidated Funding Application for the Carter Drive improvements for a cost not to exceed \$3,000 from the contingency fund, motion made by Trustee Gates, seconded Trustee Zabelny. Carried unanimously, 5-0.

Resolution to hire MRB for application and grant writing services for the Consolidated Funding Application for the Jennejahn Lodge improvements for a cost not to exceed \$6500.00 and to invoice the Village hourly for this grant. Monies are to be taken from the contingency fund, motion made by Trustee Speer, seconded by Trustee Fowler. Carried unanimously, 5-0.

Purchase Offer: A purchase offer of \$2,000 has been received for .11 acres of property for 73 Railroad Avenue. This parcel abuts 62 East Avenue and the property owners wish to purchase this land to create a parking area for their home and to mitigate three liability issues. There are three items on this property belonging to the Village of Hilton including an air conditioning unit, a handicap ramp and stairs to a walkout basement. This property is to be re-subdivided. Shari Pearce provided a copy of the purchase offer for the Board's review.

Resolution to accept the purchase of \$2,000.00 for a portion of 73 Railroad Avenue and the buyer to pay for costs associated with the transfer. The Mayor is authorized to sign the closing documents. The motion was made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

SEQR: Mike Lissow explained the Village Board declared themselves as lead agent in June. This is an unlisted action under SEQR, and requires review. Based on the following criteria, a motion for a negative declaration was made by Trustee Speer,

seconded by Trustee Fowler. Carried unanimously, 5-0. This action does not require a Monroe County DRC review based on an Intermunicipal Agreement on file.

Special Village Board meeting: Shari Pearce is seeking authorization to advertise for a special Village Board meeting on July 14, 2015 regarding re-subdivision of 62 East Avenue.

Resolution to authorize the Village Manager to advertise for a meeting of the Village Board on July 14, 2015 to discuss re-subdivision of 62 East Avenue. Motion made by Trustee Speer, seconded by Trustee Fowler. Carried 4-0-1. Trustee Gates abstained; he will be out of town on July 14th.

Tax Cap: Shari Pearce reported there are modifications to the NYS Real Property Tax Cap. This has been recommended by the Monroe County Association of Mayors to show support.

Resolution to support the modifications to the NYS real property tax cap. Trustee Gates, made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

**A RESOLUTION OF THE VILLAGE OF HILTON IN SUPPORT OF
MODIFICATIONS TO THE NEW YORK STATE REAL PROPERTY
TAX CAP**

WHEREAS, on June 24, 2011, New York State (NYS) instituted the Real Property Tax Cap (Tax Cap); and

WHEREAS, the Tax Cap law established a limit on the annual growth of property taxes levied by local governments and school districts to two percent (2%) or the rate of inflation, whichever is less; and

WHEREAS, the Tax Cap applies to all independent school districts and local governments including counties, cities, towns, villages and special districts outside of New York City; and

WHEREAS, exceptions to the tax cap are limited to narrow exclusions arising from significant judgements of tort claims and unusually large year-to-year increases in pension contribution rates; and

WHEREAS, the current Tax Cap legislation is set to expire on June 15, 2016; and

WHEREAS, the Governor's Office would like to extend the Tax Cap for a significant period of time, if not indefinitely; and

WHEREAS, due to the fiscal constraints the Tax Cap places on local governments and the on-going and mandated costs that burden communities throughout NYS, the Village of Hilton would appreciate the opportunity suggest potential modifications to the Tax Cap; and

T&A	\$ 20,290.40
General	\$ 26,055.26
Water	\$ 34,271.90
Sewer	\$ <u>4,078.61</u>
Total	\$ 91,772.11

Minutes

A motion was made to approve the May 12, 2016 joint meeting minutes by Trustee Gates, seconded by Trustee Speer, carried 4-0-1. Trustee Fowler abstained.

A motion was made to approve the May 26, 2015 minutes as amended by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

A motion was made to approve the June 2, 2015 as written, made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Discussion

Trustee Speer explained after having a discussion with a Town Board member, he would like the board to consider utilizing criminal justice students at Monroe Community College.

Vehicle Break-Ins: Mayor Lee has been advised by Captain Inzana from the Sheriff's Department to remind all residents to lock their car doors.

Safety meeting: The meeting was held earlier this month for all employees.

Jennejahn Lodge: Trustee Zabelny complimented the DPW on the clean conditions of the lodge.

Executive Session

Motion made by Trustee Gates to enter into executive session at 7:00 p.m. Seconded by Trustee Speer. Carried unanimously 5-0.

Motion made by Trustee Fowler to exit out of executive session at 7:11 p.m. Seconded by Trustee Speer, carried unanimously 5-0.

Adjournment

There being no further business, a motion was made by Trustee Speer, seconded by Trustee Fowler to adjourn the meeting at 7:12 p.m.

Respectfully Submitted,

Amy Harter, Deputy Clerk