

**Village Board  
Annual Meeting Minutes  
April 9, 2019**

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

Absent: Treasurer, Maryalice Edwards

Guests: Gary Oakden, Neil Hauser

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

**Code Enforcement Report**

Code Enforcement: Mike Lissow reported that McDonald's Restaurant will start a major renovation starting in the near future. This includes the interior and exterior as well as the parking lot and sidewalks.

Portable signs: At the Village and Town joint Board meeting on April 2nd, a portable sign was discussed. Mike Lissow explained under the Village Board, these signs are not permitted. Mike stated an exception can be added to the code, to include advertisement for Village events.

**Public Works Report**

Solar eclipse: In April of 2024, Parma will be the centerline for a solar eclipse. There is the possibility that many people will come to our area, and the preparations that will be needed to accommodate a large influx of visitors. The county will be holding meetings to discuss community impacts. Mike McHenry will be attending the first meeting on Monday 4/15 at the Rochester Museum & Science Center.

Summer Help: Mike McHenry will be advertising for summer help, one includes a lawn/park maintenance mowing positions. He also noted summer hours will begin on May 6th, Monday - Thursday 7-4:30 p.m. and Friday 6-3:30 p.m. These hours will remain in place through August 30th.

**Resolution** to authorize the DPW Superintendent to seek bids for the purchase of concrete for the 2019-2020 budget year. Motion made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously 5-0.

**Resolution** to authorize the DPW Superintendent to hire MRB Group to create bids and the specification package for the annual sanitary sewer relining project of Grove and Heinz Streets. The cost not to exceed \$6,000. Motion made by Trustee Zabelny, seconded by Trustee Fowler. Carried unanimously 5-0.

**Resolution** to authorize the DPW Superintendent to hire MRB Group to create bids and specifications for the standby generator for the Village DPW building. The cost not to exceed \$14,500. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously 5-0.

Community Development Block Grant: In February, we submitted an application for ADA compliant sidewalks in the Short Hills subdivision. On March 28th, Monroe County notified the Village that they have received an update to eligible census tracts; this neighborhood is longer considered Low to Moderate income. A new application was submitted for Unionville Station for 17 ADA compliant sidewalks in the amount of \$38,725.84.

### **Manager's Report**

Community Center: Shari Pearce has been made aware of a situation within the building. A private Karate business has been subletting the auditorium from Recreation. Karate class is being held for one hour under Recreation, however, for three additional hours are private lessons. Trustee Gates recuses himself from any discussion regarding this issue as he is related to the business owner. Trustee Fowler suggested all karate classes enroll under Recreation. The board agreed to have the Recreation Director address this issue.

NYSERDA: Shari explained the application has been approved and a \$5000 payment will be coming in the next few weeks. We are now considered a Clean Energy Community and will be eligible to apply for future NYSERDA grants.

Land Use Reserve: Shari is working with Dan Bryson at Lacy Katzen to create the documentation necessary to establish a Reserve Account for future land. This item was budgeted in the 2018-2019 fiscal year. Once the reserve is created, the monies will be deposited into the account.

NYCOM spring conference: Shari Pearce and Maryalice Edwards are seeking authorization to attend this year's conference, May 5th and 6th. The first class begins on Sunday at 2 p.m., due to their weekend plans; Shari is asking to drive her own vehicle due to their location and the driving distance.

**Resolution** to authorize the Village Manager and Treasurer to attend the spring NYCOM conference on May 5<sup>th</sup> and 6<sup>th</sup> in Cooperstown, NY and to use the Village Manager's personal vehicle and to receive reimbursement for her mileage. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Liability Insurance: Shari reported this year; we are seeking bids for liability insurance. She explained the process was quite involved. This is expected to be completed in June.

Computer Upgrades: New computers have been ordered, once they are installed, everyone will receive an upgrade to Windows 10 and Office 365 which includes a new email program. The Servers will be ordered and mapped out for installation. A data conversion involving the Springbrook software will be done as the last phase, likely in late fall.

Tax Rate Decrease: This year, the tax rate will decrease by .10 per \$1,000 valuation. The tax levy number was not carried over from the previous year. The Village remains well under the NYS tax cap.

### **6:00 p.m. Public Forum**

Sharon Rhodey, 2 Peach Blossom Rd South. She has a large tree in her yard that has been deemed as "dangerous". The Village staff was notified by a neighbor that is concerned the tree will fall onto her property and cause major damage. Ms. Rhodey explained she cannot afford to have the tree removed. Mike McHenry received documentation from Flower City Tree Surgeons that the tree is a safety concern and the cost to remove it will be approximately \$10,000. The board explained to her that because the tree is on private property and has been classified as a public safety hazard, it must be removed at her expense. It was suggested Ms. Rhodey contact her insurance company for their assistance. She will speak to Mike Lissow with the outcome by Friday, April 12th. The board advised Ms. Rhodey that if she cannot pay to have the tree removed, the issue will be brought before the Parma Town Court. The board thanked Ms. Rhodey for her cooperation.

### **Public Hearing**

#### **Local Law #3, 2019**

A LOCAL LAW TO ESTABLISH UNIFORM POLICIES AND PROCEDURES FOR THE DEPLOYMENT AND INSTALLATION OF "SMALL CELL WIRELESS TELECOMMUNICATIONS FACILITIES"

Mayor Lee opened the public hearing for comment at 6:05 p.m. There were no public comments; therefore Mayor Lee closed the public hearing at 6:06 p.m.

Monroe County Department of Planning returned their comments as follows:

1. The clear zone implies that new poles may not go in any right-of-way.
2. See attached for MCDOT policy regarding non-distribution utility poles.
3. This project was not sent to the following agencies for review: MC Dept of Health, NYS DEC, NYSDOT, MC Dept of Environmental Services, Div of Pure Waters

*A copy of the comments are included at the end of these minutes.*

**Resolution** to approve Local Law #3, 2019 to establish uniform policies and procedures for the deployment and installations of “small cell wireless telecommunications facilities”. Motion made by Trustee Speer, seconded by Trustee Fowler. Carried unanimously, 5-0.

Gary Oakden, 6 Shirleen Drive, commented that he applauds the board for putting a small cell plan into place. He stated he is aware that the FCC ties the boards' hands and he has health concerns about 5G technology. Shari explained local officials would have more regulations when this technology comes out. Shari explained this policy is required in place by 4/15 in order for the Village to have any control pertaining to aesthetics and rent control. There was a continued discussion regarding health concerns and Mr. Oakden will pass them along to Shari.

Historian: Dave Crumb explained he is writing a book on the timeline for Hilton and Parma. On May 18th, the Historical Society celebrates its first 50 years, an event will be held at the Hilton Exempt Club. Dave is seeking funds from the Village and Town for his publication; it will be available for purchase to the public. The board appreciates preserving the history of Hilton Parma and feels the community will also value the publication.

**Resolution** to authorize the Treasurer to expend \$1000 to the Historian for the printing and distribution of the Hilton Parma Timeline book; the monies to be taken from the contingency fund. Motion made by Trustee Fowler, seconded by Trustee Gates. Carried unanimously, 5-0.

**Resolution** Mayor Lee made a motion to reappoint Richard LaForce to a five year term to the Zoning Board of Appeals beginning April 1, 2019-March 31, 2023, seconded by Trustee Gates. Carried unanimously, 5-0. The oath of office was issued by Mayor Lee.

### **Proposed Budget**

**Resolution** to adopt the annual budget for fiscal year 2019-2020 was made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0. The tax rate will decrease \$.10 to \$.57/thousand. Total budget amount as follows:

General	\$ 3,107,436
Water	\$ 584,353
Sewer	\$ 401,176
Capital	\$ 228,500
<b>Total</b>	<b>\$ 4,321,465</b>

**Annual Resolutions:**

**Resolution** that the following banks are hereby designated as the official depositories for the Village of Hilton: Canandaigua National Bank, First Class and M&T Bank. Motion made by Trustee

**Resolution** that Westside News is hereby designated as the official newspaper of the Village of Hilton. If it is found, however, that another newspaper is needed, then the Democrat and Chronicle is also designated as the official newspaper for the Village of Hilton. All public notices are also displayed on the website. Motion made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

**Resolution** that the Village Board will meet on the following dates at 5:00 p.m. Motion made by Trustee Zabelny, seconded by Trustee Gates. Carried unanimously, 5-0.

<b><u>2019</u></b>	<b><u>2020</u></b>
April 9	January 7
May 7	February 4
June 4	March 3
July 2	April 7
August 6	
September 3	
October 1	
November 5	
December 3	

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

**The Mayor to make the following appointments:**

Vice Mayor	Jim Gates
Zoning Board Liaison	Jim Gates
Personnel Liaison	Joe Lee, Andy Fowler
Village Budget Liaisons	Shannon Zabelny, Andy Fowler
Hilton Parma Recreation Liaison	Andy Fowler
Enhancement	Joe Lee and Larry Speer
Public Relations	Joe Lee and Shari Pearce
Newsletter	Joe Lee and Shari Pearce
Fire Commissioners Liaison	Mike Lissow
School Board Liaisons	Joe Lee and Shari Pearce
Chamber of Commerce	Joe Lee and Shari Pearce
Historian	Dave Crumb
Assistant Historian	Chuck Nichols
Registrar of Vital Statistics	Shari Pearce
Deputy Reg. Vital Statistics	Amy Harter and Maryalice Edwards
Community Development	Shari Pearce and Mike McHenry

Records Retention Officer  
Shared Services Team  
Community Center Supervisor  
Special Police Committee  
Safety Team Com Center

Social Media  
Environmental Committee  
Town of Parma Liaison  
Master Plan Committee

Shari Pearce and Amy Harter  
Joe Lee and Mike McHenry  
Shari Pearce and Keith Brown  
L. Speer, M. McHenry, J. Lee, S. Pearce  
Joe Lee, Mike Lissow, Keith Brown, Shari Pearce,  
Shannon Zabelny  
Shari Pearce, Debbie Jones, Andy Fowler  
Larry Speer, Andy Fowler, Mike McHenry, Shari Pearce  
Larry Speer  
Joe Lee, Shannon Zabelny, Shari Pearce, Mike  
McHenry, Mike Lissow

**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 Speer, seconded by Trustee Fowler. 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 medical insurance charges

**Resolution** to approve the fee schedule as amended. Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously, 5-0.

**Resolution** to reimburse officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village based on the rates published and approved by the IRS. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

**Resolution:** to authorize the following petty cash funds: \$125.00 for water & general transaction. Said funds shall be located in the Village Office, 59 Henry Street and the following employees shall have access to these funds: Shari Pearce, Maryalice Edwards, Amy Harter, Debbie Jones and Vicky Taylor. Motion made by Trustee Zabelny, seconded by Trustee Speer. Carried unanimously, 5-0.

**Resolution** that the procurement policy shall be renewed for one year with no changes. Motion made by Trustee Speer, seconded by Trustee Gates. Carried unanimously, 5-0.

**Resolution** that the online banking policy shall be renewed for one year with no changes. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

**Resolution** that the credit card policy shall be renewed for one year with no changes. Motion made by Trustee Zabelny, seconded by Trustee Gates. Carried unanimously, 5-0.

**Resolution** that the social media policy shall be renewed for one year with no changes. Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously, 5-0.

**Resolution** that the Facebook policy for the Village of Hilton shall be renewed for one year as amended. Motion made by Trustee Speer, seconded by Trustee Fowler. Carried unanimously, 5-0.

**Resolution** that the investment policy for the Village of Hilton shall be renewed for one year as amended. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

**Resolution** that the travel policy for the Village of Hilton shall be renewed for one year with no changes. Motion made by Trustee Zabelny, seconded by Trustee Gates. Carried unanimously, 5-0.

**Resolution** to accept the Water Billing Procedures/Policy for 2019-2020 as amended. Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously, 5-0.

**Resolution** to renew the following leases with tenants in the Hilton Community Center: Motion made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Hilton Community Child Care  
Apple Festival  
Life Quest Church  
Food Shelf

**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 \$ 225.00 per hour. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

**Resolution** to continue our participation in the self-insured Upstate NY Municipal Workers' Compensation Program. The Village Board hereby designates Shari Pearce as the Plan Director; Maryalice Edwards as the Alternate Director; and Mike McHenry as the Plan Facilitator. Motion made by Trustee Zabelny, seconded by Trustee Gates. Carried unanimously, 5-0.

**Resolution** to approve the use of Village streets for the Memorial Day parade on May 27, 2019. Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously, 5-0.

**Resolution** to hire MRB Group as the Village Engineer at a base rate of \$195.00 per hour. Motion made by Trustee Speer, seconded by Trustee Fowler. Carried unanimously, 5-0.

**Vouchers**

Trustee Gates made by the motion to approve the vouchers including the following add on:  
HCSD \$3,306.45 Seconded by Trustee Fowler. Carried unanimously, 5-0.

Prepaid	\$ 9,891.01
T&A	\$ 26,332.18
General	\$ 43,180.27
Water	\$ 33,671.77
Sewer	\$ <u>2,903.92</u>
Total	\$115,979.15

**Minutes**

**Resolution** to approve the meeting minutes of March 19, 2019 as presented, motion made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

**Adjournment**

Motion to adjourn at 7:45 p.m. made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Respectfully Submitted,

Amy Harter  
Deputy Clerk

**Online Banking/Electronic Transactions and Wire Transfers**

The Board has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions. The Treasurer, with a separate established user name and password, will have the authority to process online banking transactions. The Village Clerk, with a separate established user name and password, will be responsible for online banking transactions in the event the Treasurer is not available. Monthly all online banking activity will be reviewed and reconciled with the monthly bank statement. Online banking will only take place on secure computers located inside the Village Office.

Authorizations and transmitting function will be done by the Treasurer. Interfund transfers (between funds) are confirmed using confirmation page and reconciled monthly with the bank statement.

All wire transfers from one bank to another will be authorized by the Treasurer and confirmed by Village Clerk and the designee.

# **Credit Card Policy**

## **April 2019**

### Credit/Purchasing Cards

The Village of Hilton issues credit cards to department heads for the purchase of items necessary to carry on the business of the Village. Credit cards are to be used only if the vendor will not invoice the Village and will not accept a Purchase Order from the Village to complete the transaction. Individual items purchased by the Superintendent of Public Works with a credit card shall not exceed \$5,000. Individual items purchased for all other departments of the Village by the Village Manager shall not exceed \$3,500. Total combined cards not to exceed \$7,500.

The following general rules apply to the use of the cards:

- All purchases are subject to the Village's Procurement Policy.
- Cards shall not be used for personal purchases of any kind. Use of the cards for personal purchases or expenses with the intention of reimbursing the Village is prohibited. Personal liability for such purchases will be immediately made and the loss of credit card privileges will result from such circumstances.
- All receipts related to a purchase need to be approved by the department head within three days of the purchase or return to work if used for Village business travel.
- All receipts must be forwarded to the Village Treasurer immediately following approval.
- If a receipt for proper documentation is not available to submit, the cardholder must provide a written statement that includes a description of the item, date of purchase, merchant's name, and an explanation for the missing support documentation that shall be approved by the department head and submitted to the Village Treasurer within three days of the purchase.
- Use of the New York State Tax Exempt form will apply to all purchases.
- Card holders will verify that the goods or services are allowable. Lack of proper documentation or authorization may result in the loss of the Village issued credit card and/or personal liability.
- All purchases made with these cards shall be paid for within the grace period to avoid interest charges or penalties to accrue.
- Misuse of a Village credit card by an unauthorized employee may result in loss of the credit card and/or disciplinary action up to and including termination of employment.
- Cardholders are responsible for determining if the intended purchase is within the cardholder's credit card limit.

- Cardholders are responsible for managing any returns or exchanges to obtain proper credit for returned merchandise. The cardholder should contact the vendor to obtain instructions for returns and make sure the proper credit is applied to the card on which it was charged. No cash refunds are allowed.
- Cardholders shall take measures necessary to safeguard the security of the credit card and the card number.
- Lost or stolen cards must be reported to the Village Manager immediately after discovery.
- Periodic review may be conducted of both the card activity and the receipt retention by the Village and the auditors employed by the Village.
- Upon separation of employment, cardholders shall surrender their Village credit cards to the Village Manager on or before the last day of work and prior to the payment of final compensation.

By signing below the cardholder agrees to follow the above requirements for the use of a Village credit card.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## **Village of Hilton Facebook Standard**

### **Purpose**

Facebook is a social networking site. Businesses and governments have joined individuals in using Facebook to promote activities, programs, projects and events. This standard is designed to assist the Village government in driving traffic to its website, [www.hiltonny.org](http://www.hiltonny.org), and to inform more people about Village activities. These standards should be used in conjunction with the Village of Hilton Social Media Policy. As Facebook changes these standards may be updated as needed.

### **Content**

1. Type of 'pages'
  1. The Village will create 'pages' in Facebook not 'groups.' Facebook 'pages' offer distinct advantages including greater visibility, customization and measurability. Related community pages are unofficial representations of village business created by Facebook. Community pages will currently be accepted as is unless there is a copyright/trademark issue.
  2. For 'type' description, choose 'government.'
2. Boilerplate
  1. The Facebook page's cover and profile images will be standardized where possible with the website images and the village logo will be added to the cover photo.
  2. Comments are prohibited on the Facebook Page. The resident or concerned party can send an email through the Village of Hilton website or call the office for questions or concerns.
3. Link to the Village
  1. A link to [www.hiltonny.org](http://www.hiltonny.org) will be included on the Page Info page.
4. Page administrators
  1. The Village Clerk or designated office personnel is responsible for monitoring the Facebook page. Posts should be approved by the Mayor or a designated alternate.
  2. A designated office employee is responsible for making sure content is not stale.
5. Comments and Discussion Boards
  1. All Comments will be monitored by the administrator and be removed if necessary .
6. Style
  1. The Village Facebook page will be consistent with Village branding.
  2. Administrators will use proper grammar and standard AP style, avoiding jargon and abbreviations. Facebook is more casual than most other communication tools but still represents the Village at all times.

## 7. Applications

1. There are thousands of Facebook applications. Common applications can allow users to stream video and music, post photos, and view and subscribe to RSS feeds. While some may be useful to the page's mission, they can cause clutter and security risks.
2. An application should not be used unless it serves a business purpose, adds to the user experience, comes from a trusted source and is **approved** by the Village Clerk and the Mayor.
3. An application may be removed at any time if there is significant reason to think it is causing a security breach or spreading viruses.

### Archive

1. The Facebook page will be set up in conjunction with a designated Village e-mail account.
  2. Content on the Facebook page will not constitute items of official record. All communication will represent or reiterate existing items of record. This disclaimer will be presented on the Facebook page as well as the Village of Hilton Social Media Policy available at [www.hiltonny.org](http://www.hiltonny.org).
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VILLAGE OF HILTON  
PROCUREMENT POLICY

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 are 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 and 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:

Shari Pearce, Village Manager/Clerk  
Mike McHenry, Superintendent  
Maryalice Edwards, Treasurer  
Debra Jones, Clerk III

Keith Brown, Asst. Supt  
Jim Liese, Mechanic  
Amy Harter, Deputy Clerk

## **Village of Hilton Social Media Policy**

### **Purpose**

To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, Village of Hilton departments may consider using social media tools to reach a broader audience. The Village encourages the use of social media to further the goals of the Village and the missions of its departments, where appropriate.

The Village of Hilton has an overriding interest and expectation in deciding what is published on behalf of the Village on social media sites. This policy establishes guidelines for the use of social media.

### **General**

1. All Village of Hilton social media sites posted by departments, will be subject to approval by the Mayor.
2. The Village of Hilton website [www.hiltonny.org](http://www.hiltonny.org) will remain the Village's primary and predominant internet presence.
  1. The best, most appropriate Village of Hilton uses of social media tools fall generally into two categories:
    1. As channels for disseminating time-sensitive information as quickly as possible (example: emergency information).
    2. As marketing/promotional channels which increase the Village's ability to broadcast its messages to the widest possible audience.
  2. Wherever possible, content posted to Village of Hilton social media sites will also be available on the Village's main websites.
  3. Wherever possible, content posted to Village of Hilton social media sites should contain links directing users back to the Village's official websites for in-depth information, forms, documents or online services necessary to conduct business with the Village of Hilton.
3. As is the case for Village of Hilton's primary website, [www.hiltonny.org](http://www.hiltonny.org), a designated office employee shall be responsible for the content and upkeep of any social media sites on behalf of the Village government.
4. Wherever possible, all Village of Hilton social media sites shall comply with all appropriate Village of Hilton policies and standards.
5. Any exceptions will be approved by the Village Clerk and subject to review by the Village Mayor and the appropriate department liaison.
6. Village of Hilton social media sites shall comply with Hilton Code of Ethics and administrative polices and New York State Election law.
7. The Village of Hilton will follow all records management requirements laid out in the New York State MU-1 schedule as they pertain to the content, related to Village business, maintained in a social media format.
8. Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between Village government and members of the public.
9. The Village reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.

10. The Village will approach the use of social media tools as consistently as possible, enterprise wide.
  11. All new social media tools proposed for Village use will be approved by the Village Board.
  12. Administration of Village of Hilton social media sites.
    1. The Village Clerk will maintain a list of social media tools which are approved for use by the Village.
    2. The Village Clerk will maintain a list of all Village of Hilton social media sites, including login and password information. Departmental representatives will inform the Clerk of any administrative changes needed to the sites and will provide relevant content for posting.
    3. The Village must be able to immediately edit or remove content from social media sites.
  13. For each social media tool approved for use by the Village the following documentation will be developed and adopted:
    1. Operational and use guidelines
    2. Standards and processes for managing accounts on social media sites
    3. Village and departmental branding standards
    4. Standards for the administration of social media sites
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### **Water Billing Procedures for 2019-2020**

Bills are generated in the Village Office by our billing clerk. Meter reads are gathered by sending a post card to our residents which they complete and return back to us.

Reads are entered, those missing reads are estimated by our system. This is usually calculated by taking three previous readings and averaging them.

All billing reports are read by the billing clerk. The due date for the bill is at least three weeks later.

Bills are mailed to reach resident.

Our rates are set annually by the Village Board, refer to the fee schedule.

A fee of \$25 for each account that fails to provide a reading after two cycles. This will be reimbursed after readings are obtained.

A meter reading charge of \$25 for the DPW to read a meter will be assessed each time a resident requests a meter reading (excluding physically disabled).

Penalties are assessed at 10% of the current bill. This is calculated after the due date and a late fee notice is mailed to the resident.

Water service is shut off in October when the account is in arrears for two billing cycles and attempts to make payment arrangements fail. Delinquent water bill amounts will be placed on the village tax bill if they remain unpaid as of April 1<sup>st</sup>.

## **INVESTMENT POLICY FOR THE VILLAGE OF HILTON 2019-2020**

- I. SCOPE: This investment policy applies to all moneys and other financial resources available for investment on our behalf.
  
- II. OBJECTIVES: The primary objectives of the Village of Hilton's investment activities are, in priority order:
  - a) To conform with all applicable federal, state and other legal requirements;
  - b) To adequately safeguard principal;
  - c) To provide sufficient liquidity to meet all operating requirements; and
  - d) To obtain a reasonable rate of return
  
- III. DELEGATION OF AUTHORITY: The Village Board of Trustees responsibility for administration of the investment program is delegated to the Village Clerk who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.
  
- IV. PRUDENCE: All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Hilton to govern effectively. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.
  
- V. DIVERSIFICATION: It is the policy of the Village of Hilton to diversify its deposits and investment by financial institution, by investment instrument, and by maturity scheduling.
  
- VI. INTERNAL CONTROLS: The Village Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies up to the following maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
M&T Bank	\$ 100,000
Canandaigua National Bank	\$ \$4,000,000
NYCLASS	\$ 2,000,000

VIII. COLLATERALIZING OF DEPOSITS: In accordance with the provisions of General Municipal Law, 10, all deposits of the Village of Hilton, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation;
2. Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys;
3. Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank; and
4. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

IX. SAFEKEEPING AND COLLATERALIZATION: Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure the Village of Hilton deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Village of Hilton to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Village of Hilton, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village or its custodial bank. The custodial agreement shall provide that securities held by the bank or trust company, or agent of a custodian for, the Village of Hilton, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Village of Hilton a perfected interest in the securities.

X. PERMITTED INVESTMENTS: As authorized by General Municipal Law, 11, the Village of Hilton authorizes the Village Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- a. Special time deposit accounts
- b. Certificates of deposit
- c. Obligations of the United States of America

All investment obligations shall be payable or redeemable at the option of the Village of Hilton within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Hilton within two years of the date of purchase.

XI. UNAUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS: The Village of Hilton shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the Village of Hilton conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Village of Hilton. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Village Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS: The Village Clerk is authorized to contract for the purchase of investments:

- a. Directly from an authorized trading partner.
- b. By participation in a cooperative investment program with another governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Village Board of Trustees.
- c. By utilizing an ongoing investment program with an authorized tracking partner Pursuant to a contract authorized by the Village Board of Trustees.

All purchased obligations, unless registered or inscribed in the name of the Village of Hilton, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Hilton by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, 10. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Village of Hilton, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Village of Hilton a perfected interest in the securities.

**Fee Schedule Effective April 1, 2019**

**\*\*\*Not for profit organizations will receive a \$30.00 credit applied to any building permit fee**

<u>Type of Permit:</u>	<u>Per Sq. Ft.</u>	<u>Minimum</u>
<b>I. Residential:</b>	<b>(Price includes Certificate of Occupancy)</b> For first dwelling unit. All others at \$40.00	
Dwelling Area	\$ .12 rounded to nearest whole \$	No minimum - n/a
Unfinished Area	\$ .12	No minimum - n/a
Non-Dwelling Area	\$ .12	No minimum - n/a
<b>II. Non-Residential</b>	<b>(Price includes Certificate of Occupancy)</b>	
<i>New Building:</i>		
First 5000 sq. ft.	\$ .12	\$150.00
All over 5000 sq. ft.	\$ .10	
<i>Additions/Remodel:</i>		
First 5000 sq. ft.	\$ .12	\$75.00
All over 5000 sq. ft.	\$ .10	
<b>III. <u>Other Permits</u></b>	<b>(Price includes Certificate of Compliance)</b>	<b><u>Fees</u></b>
Additions		\$ 75.00
Conversion to habitable space		\$ 75.00
Additional Certificate of Occupancy (Applies to multiple units)		\$ 40.00
Open or enclosed porch/sun room		\$ 75.00
Open or covered deck		\$ 75.00
Pergola		\$ 40.00
Demolition		\$ 30.00
Minor structural improvements		\$ 30.00
Major structural improvements		\$ 50.00
Garage		\$ 75.00
Addition to garage		\$ 75.00
Storage shed		\$ 30.00
Swimming pool (above ground)		\$ 40.00
Swimming pool (in ground)		\$ 100.00
Fences		\$ 30.00
Commercial Satellite Antennas		\$ 100.00 per application
Antenna Tower		\$ 50.00 plus \$2/vertical ft.
Fireplace, wood stove, gas fireplace		\$ 50.00
Fire Alarm System		\$ 50.00
Fire Suppression System		\$ 50.00
Floodplain development permit		\$ 75.00
Handicap Ramp		No charge
Standby generator		\$ 40.00
Sign		\$ 30.00
Additional signs (On Same Application)		\$ 20.00

Small Cell Facility Permit Fees.

- (1) In order to ensure that the limited private use of the public right-of-way authorized herein does not become an additional cost to the Village, it is hereby determined by the Village Board that the following fees shall be charged to small cell permit applicants and small cell permit holders which fees may be modified by the Village on an annual basis.
- (2) Small Cell Permit Application Fee: \$250 (non-refundable) due to the Village Building Department upon submittal of a completed application. Applicant shall also be responsible for paying a review fee reimbursing the Village for all reasonable and necessary engineering, administrative and legal fees incurred by the Village in reviewing and inspecting an application.
- (3) Annual Small Cell Permit Fees:
  - (a) For placement on Existing Private Utility Poles, buildings, infrastructure, property or Village right-of-way - \$500 per year per pole.
  - (b) For placement on Existing Village-owned buildings, utility poles, infrastructure or property - \$750 per year.
  - (c) For placement of new poles in the Village right-of-way - \$1,000 per year per pole.
- (d) Fee start date: The annual permit fee shall be payable January 2 of the year following installation. Failure to pay the annual permit fee shall result in the imposition of a 5% penalty fee, additional collection fees if necessary, and suspension or revocation of the permit

**Penalty fee:**

If a building permit is not obtained as required by the Village Zoning Ordinance for any structure, addition or change of use, the Code Enforcement Officer shall double the permit fee. This fee is applicable to the current owner of the property, regardless if the improvement was undertaken by the previous owner or not.

**IV. Miscellaneous:**

Vendor's permit –parades	50.00/day per company (up to 4 individuals on a permit
Vendor's permit – door to door sales	\$ 50.00/day for profit organizations
Vendor's permit – not for profit organizations	No Charge
Vendor's License - ice cream sales/food cart	\$ 150.00/per truck/cart p/Season (Apr-Oct)
Copies made for the public	\$ .25/per page
Code Book	At cost
Subdivision Specs	\$ 40.00

Tax Search	\$ 25.00
Additional copies requested of C.O's	\$ 25.00
Handicap parking sign	\$ 35.00
History books-Hilton USA	\$ 10.00
History books-First Families	\$ 20.00
Hilton 1965 Fire DVD	\$ 15.00
Checks returned for Insufficient funds	\$ 20.00 () Per NYS law
Recreation Fee	\$450.00/per unit
FOIL Documents	\$ .25/per copy

**V. Zoning Board Fees:**

Application and Public Hearing	\$100.00
Conditional Use/Variance each occurrence	\$100.00
Application for Site Plan Review	\$200.00 (Once Scheduled)
Special Meeting Request for Zoning	At Cost
Village Engineer	At Cost
Village Attorney	At Cost

**Village Board Fees:**

Application to Rezone Property	\$200.00
Application for Subdivision	\$200.00

**VI. Inspection Fees:**

Building Inspector	\$40.00/hr
Fire Marshall	\$40.00/hr

<b>VII. <u>Public Works Charges</u></b>	<b><u>RATE</u></b>
Supervision	At cost
Labor	At cost
Equipment per NYSDOT & MCDOT rate schedule	
Sewer machine	\$35.00/hr, plus labor
Sidewalks, owners request	at cost
Sidewalks, Village maintenance	no fee
Towing fee	At cost plus \$50.00
Property maintenance violations	\$100.00 plus labor, equipment and legal cost per occurrence.

**VIII. Dumpster Rentals:**

6 yard	\$ \$100
9 yard	\$ \$125
10 yard	\$ \$135
Extra week	\$ 20.00 extra with no dump
Extra dump	Cost of dumpster
Roofing and demolition/construction material	\$ 20.00 additional
Concrete Box	\$ 10.00
Cardboard dumpster	\$ 3.00/yard

**Commercial customers with Dumpsters**

Dumpster rentals	\$ 15.60/cubic yard
Extra dumpster pickup	¼ of monthly charge

**Restaurants-Dumpster Rentals**

Dumpster Rentals	\$ 18.60/cubic yard
Extra dumpster pickup	¼ of monthly charge

**Apartment Complexes – with or without dumpsters**

Dumpster Rentals	\$ 15.60/cubic yard
Curbside	\$ 9.60/cubic yard

**Containers:**

96 Gallon Carts: For all multi-residential and residential uses: \$60.00/each  
(Amended 2/5/08)

Additional carts over one per multi-residential property as determined by the Superintendent of Public Works \$ 12.50/month/per cart

Recycling Boxes: \$ 10.00  
New Residents no charge

**Other Refuse Charges:**

**A. Residential Users:**

Three standard containers/week - weight not to exceed 25 pounds each - no charge  
Each standard container over three per week - red standard sticker must be attached.

**Cost of Stickers:**

Standard	\$ 1.00/each
Bulk items	\$ 5.00/each
Refrigerants	\$12.00/each
Standard item (non-compliance)	\$ 5.00/each
Bulk item " "	\$10.00/each
Appliance pick up	no charge
Electronic Waste Fine/Penalty	\$25.00

**B. Multi-Residential Users**

1. If standard containers are used:

Three standard containers per week/per premise - - no charge (weight not to exceed 25 pounds each) Each standard container over three per week - red standard sticker must be attached.

**OR**

2. If dumpster(s) are used:

a) \$ 15.60 per cubic yard charge

**C. Commercial Users:**

1) For commercial properties with less than 20 units:

a) If standard containers are used:

Three standard containers per week/per premise - - no charge (weight not to exceed 25 pounds each) Each standard container over three per week - red standard sticker must be attached.

**OR**

b) If dumpster(s) are used: \$ 15.60 per cubic yard charge

2. For commercial properties with 20 or more units:

a) One dumpster is required for every 20/units and a \$ 15.60per cubic yard charge

Dumpster cleaning	\$100.00 per cleaning
Recycling Containers (96/gallon)	\$2.00/month

**IX. Sewer Fees:**

**CHARGES**

Out of district residential customers	\$ 250.00 /annually
Residential, single family homes	\$ 150.00/annually
Out of district multi residential/duplex	\$ 300.00/annually
Multi-Residential properties with two or more units:	\$37.50 per 15,000 gal of water minimum of \$ 300.00/per year
Churches	\$ 37.50 per 15,000 gal of water minimum of \$ 300.00/per year

**Sewer Fees:**

**CHARGES**

Commercial	\$ 37.50 per 15,000 gal. of water with a minimum of \$ 300.00/per year
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Townhouses and apartment complexes  
that have one meter for multiple units  
 (Cedar Hill, Village II, Unity Health)

\$ 37.50 per 15,000 gal

Townhouses and apartment complexes  
 that have one meter per unit

\$ 150.00/annually/per unit

**Out of district residential  
 in the Pending North Parma Station**  
 (Maintenance and cost associated with  
 Lift station)

**\$ 300.00**

**New Sewer Connection Fees**

Property within Village limits  
 Residential use (per unit charge)  
 Commercial/Industrial use

\$250.00, plus cost of installation per connection  
 \$350.00, plus cost of installation per connection

Property outside the Village limits  
 Residential use (per unit charge)  
 Commercial/Industrial use

\$1,000.00  
 \$2,000.00

**X. Water Fees:**

New installation  
 Water account charge  
 Final readings  
 Water meters 5/8" x 3/4"  
 Water meters 1" and larger  
 Frozen meters 5/8" x 3/4"  
 Frozen meter 1" and larger  
 Disconnect/Reconnect fees  
 Consumption Fees:

Time & materials +10%  
 \$ 15.00  
 \$ 25.00  
 \$100.00  
 At Cost +15%  
 \$100.00  
 At Cost +15%  
 \$ 30.00 each time  
 \$ 3.49/per thousand plus \$.22 per day, Village  
 \$ 3.83/per thousand plus \$.23 per day, Outside customers

Sprinkler Connection  
 Per hydrant:

\$120.00/annually  
 \$200.00/annually

Daily water rate based on meter size

1"	\$ .30
1.5"	\$ .40
2"	\$ .65
3"	\$2.74
4"	\$2.74
6"	\$5.49
8"	\$5.49
10"	\$8.12

**XI. Parks: (Rent of Jennejahn Lodge):**

\$190.00 per occasion Friday – Sunday and Holidays  
 \$ 50.00 Full-time Village Employees and Village Board members (limited to one time per year)

Discounted rate for any reservation booked Monday through Thursday:  
There will be no special consideration on reduced rates for non-profit groups.

\$155.00 per occasion Monday - Thursday  
\$ 50.00 Full-time Village Employees and Village Board members (limited to one time per year)  
All holidays will be charged the weekend price

**XII. Operating Permits:**

The Code Enforcement Officer may charge up to \$50.00 per inspection if any of the following organizations or place of assembly are found to be in violation of the NYS Building & Fire Code 3 times or more.

A LOCAL LAW TO ESTABLISH UNIFORM POLICIES AND PROCEDURES FOR THE DEPLOYMENT AND  
INSTALLATION OF “SMALL CELL WIRELESS TELECOMMUNICATIONS FACILITIES”

BE IT ENACTED by the Village Board of the Village of Hilton as follows:

**SECTION 1. Purpose:**

The purpose of this Local Law is to establish uniform policies and procedures for the deployment and installation of small cell wireless telecommunication facilities (small cell facility) in the Village of Hilton, which will provide a public health, safety, and welfare benefit consistent with the preservation of the integrity, safe usage, and visual qualities in the Village. Any installation of a small cell facility shall require a building permit from the Village after being reviewed and approved by the Village of Hilton Zoning Board of Appeals.

**SECTION 2. Definitions:** As used in this Article the following terms shall mean and include:

**ACCESSORY EQUIPMENT**

Any equipment servicing or being used in conjunction with a wireless telecommunications facility or wireless support structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds.

**ANTENNA**

A system of electrical conducts that transmits or receives electromagnetic waves or radio frequencies signals. Such waves shall include but not be limited to radio, television, cellular, paging, personal telecommunications services (PCS) and microwave telecommunications.

**BASE STATION**

A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

- (i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- (ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).
- (iii) The term includes any structure other than a tower that, at the time the relevant application is filed with the Village of Hilton pursuant to this section, supports or houses equipment described in paragraphs (i) through (ii) of this section that has been reviewed and approved under the applicable zoning or siting process, even if the structure was not built for the sole or primary purpose of providing such support.
- (iv) The term does not include any structure that, at the time the relevant application is filed with the Village of Hilton under this section, does not support or house equipment described in paragraphs (i) through (ii) of this section.

**COLLOCATION**

The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

**DISTRIBUTED ANTENNA SYSTEM (DAS)**

A network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.

**ELIGIBLE FACILITIES REQUEST**

Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.

## **ELIGIBLE SUPPORT STRUCTURE**

Any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the Village of Hilton.

## **SMALL CELL WIRELESS TELECOMMUNICATIONS FACILITY OR SMALL CELL FACILITY**

Small cells are low-powered wireless base stations that function like cells in a mobile wireless network, typically covering targeted indoor or localized outdoor areas ranging in size from homes and offices to stadiums, shipping malls, hospitals, and metropolitan outdoor spaces. A small cell facility meets both the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet; and (ii) all other wireless equipment associated with the facility is cumulatively no more than 17 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

## **SUBSTANTIAL CHANGE**

A modification substantially changes the physical dimensions of an eligible support structure (tower or base station) if it meets any of the following criteria:

- a. The mounting of the proposed antenna on existing towers, other than towers in the public right-of-way, would increase the existing height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; for other eligible support structure, it increases the height of the structure by more than 10% or more than 10 feet, whichever is greater;
- b. The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter;
- c. The mounting of the proposed antenna would involve adding an appurtenance to the body of existing towers, other than towers in the public right-of-way, that would protrude from the edge of the towers more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet, except that the mounting of the proposed antenna may exceed the size limits herein if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable;
- d. The mounting of the proposed antenna would involve excavation outside the current existing structure site, defined as the current boundaries of the leased or owned property surrounding the existing structure and any access or utility easements currently related to the site;
- e. The modification defeats concealment and/or stealth elements of the support structure; or
- f. The modification does not comply with prior conditions of the approval for the existing structure and/or site; provided, however, that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified above.

**TOWER**

Any structure built for the sole or primary purpose of supporting any licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services, including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

**UTILITY POLE**

A pole or similar structure that is used, in whole or in part, for the purpose of carrying electric distribution lines or cables or wires for telecommunications, cable or electric service, or for lighting, traffic control, signage, or a similar function regardless of ownership, including Village-owned poles. Such term shall not include structures supporting only Wireless Telecommunication Service Facilities.

**WIRELESS TELECOMMUNICATIONS SERVICES FACILITY**

A structure, facility or location designed or intended to be used as, or used to support, antennas. It includes, without limit, freestanding towers, guyed towers, monopoles, small cell telecommunications facilities on utility poles in the public right-of-way or property of the Village of Hilton or of another municipal corporation with the Village of Hilton and similar structures that employ camouflage technology, including but not limited to structures such as a multistory building, church steeple, silo, water tower, sign or other similar structures intended to mitigate the visual impact of an antenna or the functional equivalent of such. It is a structure intended for transmitting and/or receiving radio, television, cellular, personal telecommunications services, commercial satellite services or microwave telecommunications, but excluding those used exclusively for dispatch telecommunications, or exclusively to private radio and television reception and private citizen’s bands, amateur bands, amateur radio and other similar telecommunications.

**WIRELESS TELECOMMUNICATIONS PROVIDER**

A wireless telecommunications infrastructure provider or a wireless telecommunications services provider.

**SECTION 3: Conditional Use Permit:**

A. A Conditional Use Permit approval by the Zoning Board of Appeals is required for the following uses. All permit applications must comply with the requirements set forth in the Village of Hilton code.

- (1) A substantial change to an existing tower or base station, unless the Building Inspector has determined it is a modification to be reviewed by the Zoning Board of Appeals.
- (2) Any other application for placement, installation, collocation or construction of transmission equipment that does not constitute an Eligible Facilities Request.
- (3) Placement of new antenna on an existing tower or base station that results in a substantial change to the tower or base station.
- (4) Installation of equipment on a pole, located at an elevation less than 15 feet from the ground.
- (5) Installation of a small cell facility on a pole located within 20 feet of a dwelling unit.

B. Small Cell Permit from the Zoning Board of Appeals.

- (1) No person shall install a small cell facility without first filing a small cell facility application and obtaining a small cell permit from the Zoning Board of Appeals.

- (2) The Zoning Board of Appeals shall approve a small cell permit application concerning any eligible facilities request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure. An applicant shall assert in writing that its request is considered an eligible facilities request. The Zoning Board of Appeals may require the applicant to provide documentation or information only to the extent reasonably related to determine whether the request meets the requirements of an eligible facilities request.
- (3) The Zoning Board of Appeals may issue a Conditional Use Permit for the following:
  - (a) Collocation of a small cell facility or DAS facility on an existing tower, utility pole or streetlight not exceeding 30 feet in height on public or private property. Collocation of small cell facility or DAS facility on an existing tower, utility pole or streetlight exceeding 30 feet in height shall require special permit approval.
  - (b) Collocation on existing buildings within the Village of Hilton.
  - (c) Installation of a monopole or utility pole for small cell or DAS facility in the public right-of-way that does not exceed 30 feet in height.
- (4) Small cell permit application for Zoning Board of Appeals approval.
  - (a) The small cell permit application shall be made by the wireless telecommunications provider or its duly authorized representative and shall contain the following:
    - (b) The applicant's name, address, telephone number, and e-mail address.
    - (c) The names, addresses, telephone numbers, and e-mail address of all consultants, if any, acting on behalf of the applicant with respect to the filing of the application.
    - (d) A general description of the proposed work and the purpose of the work proposed.
    - (e) Identify and disclose the number and locations of any small cells that the application has installed or locations the applicant has considered in the past year for small cell infrastructure within the Village and those submitted or anticipated to be submitted within a one-year period.
    - (f) A description of the anticipated maintenance needs, including frequency of service, personnel needs and equipment needs, and the potential traffic safety and noise impact of such maintenance.
    - (g) Any amendment to information contained in a small cell permit application shall be submitted in writing to the Village within 30 days after the change necessitating the amendment.
- (5) A wireless telecommunications provider shall pay to the Village an application fee and administrative fee as set forth in this section.
- (6) A wireless telecommunications provider is authorized, after 30 days written notice to the Village Building Inspector, to remove its facility at any time from the rights-of-way and cease paying the Village the administrative fee.

C. Location of small cell facility approved by the Zoning Board of Appeals.

- (1) The following locational priorities shall apply in the order specified, consistent with the Village's obligation to create the least amount of adverse aesthetic impact and to preserve the scenic values of the Village:
  - (a) On the roof of any Village-owned or federal, state or local government-owned buildings or structures.
  - (b) Location on privately-owned buildings.
  - (c) Location on an existing Village-owned utility poles.
  - (d) Location on Village-owned infrastructure on private poles.
  - (e) Location on Village-owned property, where there is no existing pole.
  - (f) Location on privately-owned utility poles.
- (2) If the proposed site is not the highest priority listed above, then a detailed explanation must be provided as to why a site of higher priority was not selected. The person seeking such an exemption must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site and the hardship that would be incurred by the applicant if the permit were not granted for the proposed use.

D. Small Cell Facility Permit Fees.

A fee schedule shall be established by resolution of the Village Board of Trustees of this Village. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of building permits, amended building permits, renewed building permits, certificates of compliance, temporary certificates, and other actions of the Code Enforcement Officer described in or contemplated by this chapter.

E. Zoning Board of Appeals requirements as to aesthetics and neighborhood impact mitigation for small cell permits.

- (1) In order to preserve the character and integrity of Village neighborhoods, the Village finds that the following requirements are essential to protect the public health, safety and welfare, and scenic preservation.
  - (a) New small cell facilities shall not be located in the Central Business District Zone, unless the applicant demonstrates to the Zoning Board of Appeals' satisfaction that the selected site is necessary to provide adequate service.
  - (b) New small cell facilities shall include stealth technology designs, unless the Zoning Board of Appeals makes a written determination that such designs are not feasible.
  - (c) The Zoning Board of Appeals may consider alternative locations for equipment, whether pole mounted or ground mounted.

- (d) All small cells placed on any roof shall be set back at least 15 feet from the edge of the roof along any street frontage, unless the Zoning Board of Appeals makes a written determination waiving the setback requirement.
  - (e) The Zoning Board of Appeals shall consider all impacts to site lines and aesthetic views.
  - (f) Except within the public right-of-way, all proposed poles, pole equipment and enclosures shall comply with the designated setback requirement.
  - (g) Up to two (2) small cells will be allowed per utility pole if technically feasible and if in the determination of the Zoning Board of Appeals there are no safety or aesthetic concerns. Small cells must be designed and placed in an aesthetically pleasing manner to the reasonable satisfaction of the approving agency.
  - (h) No small cell placement shall be allowed on ornamental street lighting poles as determined by the Building Inspector.
  - (i) No small cell facilities shall obstruct pedestrian or vehicular vehicle traffic in any way.
  - (j) In no event shall any utility pole or wireless telecommunication support structure as of May 1, 2019, installed in the public right-of-way, exceed 30 feet in height, unless permit approval is obtained from the Zoning Board of Appeals. A shorter pole may be required if the initial proposal is deemed out of character with the neighborhood as determined by the Zoning Board of Appeals.
  - (k) Each new small cell facility, including antennas or other associated equipment, installed in the public right-of-way shall not exceed more than ten (10) feet above the existing utility pole or wireless telecommunications support structure on which it is being located, unless permit approval is obtained from the Zoning Board of Appeals.
- F. The Secretary of the Zoning Board of Appeals shall transmit a copy of the Zoning Board of Appeals decision to the Town of Parma Tax Assessor to better assess the utility infrastructure for wireless telephone facilities.
- G. Duration. Construction pursuant to a small cell permit issued by the Zoning Board of Appeals under this section must be commenced within twelve (12) months of issuance of the small cell permit and diligently pursued thereafter, or such small cell permit shall expire.
- H. Routine Maintenance and Replacement. An application shall not be required for: (i) routine maintenance; and (ii) the replacement or upgrade of a small cell facility with another small cell facility that is same as or smaller in size and height at the same location.
- I. Information Updates. Any amendment to information contained in a small cell building/work permit application shall be submitted in writing to the Village within thirty (30) days after the change necessitating the amendment. On an annual basis, the wireless telecommunications provider shall provide a list of existing small cell locations within the Village.
- J. Removal, relocation or modification of small cell facility in the public right-of-way.
- (1) Notice. Within ninety (90) days following written notice from the Village, the wireless provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any small facilities within the public right-of-way whenever the Village has determined that such removal, relocation, change or alteration is necessary for the construction, repair, maintenance, or installation of any Village improvement in or upon, or the operations of the Village in or upon, the public right-of-way.

- (2) Abandonment of Facilities. Upon abandonment of a small facility within the public right-of-way of the Village, the wireless provider shall notify the Village within ninety (90) days. Following receipt of such notice, the Village may direct the wireless provider to remove all or any portion of the small cell facility if the Village, or any of its departments, determines that such removal will be in the best interest of the public health, safety and welfare.

#### **SECTION 4. Repeal**

To the extent they pertain to Small Cell Wireless Telecommunications Facilities, all ordinances, local laws and parts thereof that are inconsistent with this Local Law are hereby repealed.

#### **SECTION 5. Numbering for Codification**

It is the intention of the Village of Hilton and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Hilton; that the sections and subsections of this Local Law may be re-numbered and re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the words "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

#### **SECTION 6. Severability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included there, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt therefrom.

#### **SECTION 7. Effective Date**

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State.



Department of Planning & Development
Monroe County, New York

Cheryl Dinolfo
County Executive

Jeffrey R. Adair
Director

To: Village of Hilton Village Board
From: Steve Olufsen, Planner II
Date: April 8, 2019
Subject: Local Law #3, 2019
Local Law for small cell wireless telecommunication facilities
MCDP&D Response to Development Review Referral (HL19003Z)

Review Authority and Response:

General Municipal Law: [X] Section 239-m (Zoning)
[ ] Approval [ ] Modification [ ] Disapproval [ ] Comment [X] No Comment
[ ] Section 239-n (Subdivision)
[ ] Approval [ ] Modification [ ] Disapproval [ ] Comment [ ] No Comment
County Charter: [ ] Section C5-4.A (Airport)
[ ] Approval [ ] Approval with Conditions [ ] Disapproval
[ ] Section C5-4.C (Advisory Review)
[ ] Approval [ ] Modification [ ] Disapproval [ ] Comment [ ] No Comment

Referred to the Development Review Committee (DRC) (If yes, DRC Project Review Report attached):
[X] Yes [ ] No

MCDP&D Comments:

The Monroe County Department of Planning and Development has reviewed this application and does not have any comment. Please refer to the attached Project Review Report for the complete list of Development Review Committee comments.

If you have any questions regarding this review, please contact me at (585) 753-2027 or solufsen@monroecounty.gov.

Attachment

xc: Development Review Committee
Village of Hilton

CityPlace 50 West Main Street • Suite 8100 • Rochester, New York 14614
(585) 753-2000 • fax: (585) 753-2002 • www.monroecounty.gov • e-mail: mcplanning@monroecounty.gov

PROJECT REVIEW REPORT  
Monroe County Development Review Committee

April 8, 2019

Subject: Attachment to File HL19003  
Local Law #3, 2019

The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that require appropriate action PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL.

(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Questions should be addressed to the appropriate DRC agency.)

1. The clear zone implies that new poles may not go in any right-of-way. (B)
2. See attached for MCDOT policy regarding non-distribution utility poles. (B)
3. This project was not sent to the following agencies for review. Applicants should verify with these agencies that they do not have jurisdictional requirements for this project. (A, C, D, E)

- (A) - Monroe County Department of Health, John Frazer, 753-5476  
(B) - Monroe County Department of Transportation, John Raymond, 753-7711  
(C) - New York State Department of Environmental Conservation, Division of Environmental Permits, 226-5400  
(D) - New York State Department of Transportation, Zachary Starke, 272-3472  
(E) - Monroe County Department of Environmental Services, Division of Pure Waters, Richard Bianchi, 753-7614



## Department of Transportation

*Monroe County, New York*

Cheryl Dinolfo  
*County Executive*

Timothy P. Frelier, P.E.  
*Director*

### MEMORANDUM

**TO:** ENGINEERING POLICY BOOK

**FROM:** Brent H. Penwarden III, P.E. - *Chief of Traffic Operations & Permits*

**DATE:** January 24, 2018

**SUBJECT:** NON-DISTRIBUTION UTILITY POLE POLICY

Monroe County's preference is to not have any new poles installed in the Right-of-Way. However, for "non-distribution" purposes which are purposes other than public distribution purposes that provide service to the majority of the public; electric, telephone, cable TV, etc., if the applicant can demonstrate that replacing or utilizing an existing pole is not possible or feasible, we will consider allowing a new pole in the Right-of-Way, provided our Highway Access Guidelines and the following are complied with:

1. Any applications for new utility poles not intended for public distribution must secure the appropriate municipal approvals, if required, before Monroe County will accept an application to install one in the Right-of-Way.
2. Any new poles not intended for public distribution shall be:
  - Installed as far as practicable off the traveled way.
  - Shall not be taller than any existing poles adjacent to the proposed location. (maximum 65')
  - Shall not be installed unless existing fixed objects (poles, trees, fences, hydrants, etc.) exist at the same or at a closer distance from the traveled way.
3. The maximum diameter of any new poles not intended for public distribution shall not exceed 18 inches at the base.
4. Any new poles not intended for public distribution shall be direct buried, with no foundation, unless an exception is justified, and agreed to by the Director of Transportation or his/her designee.

If you have any questions, or require any additional information, please call me at 753-7733.

Distribution: Tim Frelier, John Raymond, Yilmaz Demirbas, Dave Pettis, Joyce Cordello, Tony Halaris, Mike Slattery, Tom Cesario, Don Crumb, Charles Johnson

U:\DESKTOP\MISC\Non-Distribution Utility Pole Policy.doc

Village of Hilton  
Travel Policy  
Updated 9/6/2016

Travel by Board Members and appointed officials of the Village of Hilton will be allowed under the following policy:

1. Any Village Employee must complete the Travel and Conference Request and obtain the Mayors signature.
2. Any travel expenses for which reimbursement is requested and allowed shall be for actual and necessary expenses incurred when conducting business for the Village and will be approved on the following basis.
  - a. Mileage - rates as approved by IRS.
  - b. Parking - necessary parking.
  - c. Tolls - for bridges, thruway charges, etc.
  - d. Meals - reimbursed subject to the IRS per diem rate
  - e. Lodging – arrangements will be made by the Village Clerk, Village Treasurer or Village Manager.
  - f. Miscellaneous - per receipt if for business purposes.
3. Whenever practical, travel shall be approved in advance by the Village Board.
4. Reimbursement procedure. Upon completion of the travel a statement of all expenses with receipts shall be submitted to the Board who shall authorize the reimbursement to the employee.
5. Unauthorized expenses. Expenses such as alcoholic beverages, valet, laundry services, newspaper, entertainment expenses, or for other personal items will not be reimbursed.
6. Whenever possible, Village employees shall drive village vehicles. If a village vehicle is not available, the employee may drive their personal vehicle but the Village shall not be held liable for any damages that may happen to their vehicle, pay for any of the employee's insurance deductible.

**Village of Hilton  
Travel and Conference Request**

Employee Name \_\_\_\_\_

Destination address \_\_\_\_\_  
\_\_\_\_\_

Dates of Travel \_\_\_\_\_  
\_\_\_\_\_

Office/Community Center    DPW    Village Board    ZBA    Other

Travel companion?    Yes    No   Will the Village vehicle be used?    Yes    No

Please list those traveling in the vehicle, including yourself:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Hotel Needed?    Yes    No   If yes, how many nights? \_\_\_\_\_ Cost per night \$ \_\_\_\_\_

**Personal vehicle mileage and tolls**

Mileage will be calculated by the Treasurer through Google Maps. Starting point will be 59 Henry Street.

Total Miles \_\_\_\_\_ x \_\_\_\_\_ + Parking fees \$ \_\_\_\_\_ = Total \$ \_\_\_\_\_  
IRS Rate

**Village Vehicle - Reimbursed with receipts**

Gas \$ \_\_\_\_\_ Tolls \$ \_\_\_\_\_ + Parking fees \$ \_\_\_\_\_ = Total \$ \_\_\_\_\_

**Meal Reimbursement**

Maximum rate per day equal to current federal allowance for City. Rate will be agreed upon prior to travel. Use the following web site [www.gsa.gov](http://www.gsa.gov) and click PER DIEM RATES. \$ \_\_\_\_\_

When meal packages are included in the cost of the hotel accommodations or conference fee, no other meals will be reimbursed. All reimbursement requests must be accompanied by an itemized receipt.

**Special Note: No Alcohol will be reimbursed.**

Employee Signature _____	Date _____
Supervisor Signature _____	Date _____
Mayor Signature _____	Date _____