

**Village Board Meeting
Minutes of March 3, 2020**

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

Absent: Trustee Speer

Guests: Tom Venniro, Recreation Director, Neil Houser, Sherry Farrell, John Corcoran,
Linda Viney, Maureen and Paul Spindler, Angela Eicholtz, Mark Greisberger

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

Recreation Report

Tom Venniro gave his report including upcoming events. The Income Tax Preparation appointments are full for the rest of the season, the department is referring those interested to other towns that offer this service.

Code Enforcement Report

52 Underwood: The contractor has completed the scope of the work on the house. The porch was removed, and the roof has been tarped. This is an improvement but more work to the roof needs to be done. The contractor had stated previously that he will be in contact with Monroe County to determine if the homeowner is eligible to obtain additional funds to make further repairs.

Treasurer's Report

Fourth Quarter Sales Tax: Maryalice Edwards reported the payment of \$ \$374,687.25 was received, this was \$ \$21,004.29 more than this time in 2019.

Budget: Maryalice Edwards reported the process is going well. The first budget meeting is scheduled for Wednesday, March 18, 2020.

Resolution to authorize the Treasurer to renew the CD's for 90 days at 1.12% with Canandaigua National Bank. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 4-0.

Public Works Report

Generator: Mike McHenry reported the North Greece Fire District is selling a 125 KW generator and he would like to make an offer to purchase it for the Community Center.

Resolution to authorize the DPW Superintendent to make an offer to the North Greece Fire District not to exceed \$8,000. Trustee Gates made the motion, seconded by Trustee Zabelny. Carried unanimously, 4-0.

DPW: The oil separator located in the building needs maintenance. In the event of a oil spill inside the garage, this equipment separates oil from going into the sanitary sewer. Mike McHenry recommends hiring MRB Group to devise a plan to make the necessary repairs to the equipment.

Resolution to authorize the DPW Superintendent to hire MRB Group to devise a repair plan for the oil separator at a cost not to exceed \$6900. Motion made by Trustee Fowler seconded by Trustee Zabelny. Carried unanimously, 4-0.

Jennejahn Lodge: The renovations are going well. Mike McHenry reported he is very pleased with the progress thus far.

Personnel: DPW employee Russ Zurick suffered an injury while skiing and is expected to be out of work until at least April 14th.

Water: Mike has received quotes to replace six fire hydrants, the hydrants are antiquated, and parts are unavailable. This was a budgeted item in the 2019-2020 budget year.

Manager's Report

Personnel: A Community Center staff member has taken a leave of absence due to a family emergency. Shari Pearce has the shifts covered for the short term and will be keeping the board updated.

Village Election: There has been a change in staff within the County. Shari is awaiting information from the person responsible on the upcoming election. There was a brief discussion about election signage. Shari explained election signs must be 100' from public property on election day.

Comprehensive Plan: The next meeting is scheduled for March 12th, it is likely that the Public Hearing for the final plan will be held in May with the final plan will be ready in June.

Special Police: There are three members in training currently. One more person will be meeting with Craig Burritt, if he joins the team it will bring the total number to nine members. The purchase of a vehicle was discussed by the Village Board at the January meeting, it will need to be discussed with all the municipalities involved.

Workers Comp: Shari explained the Village will receive a refund of \$68,004.00. She suggested the board considers splitting the amount equally and depositing into the Worker's Comp reserve and the Henry Street reserve. The board will discuss this at the March 18th meeting.

Meeting change: The Village Manager is seeking to change the meeting to June 9th.

Resolution to change the June meeting to June 9, 2020, motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 4-0.

Jim Gates: Trustee Gates is not seeking re-election after 24 years of service to the Hilton Board of Trustees. Shari thanked Jim for all that he's done for the board and the Hilton community. Each board member echoed these sentiments. Best wishes Jim!

Public Forum

Mayor Lee declared the meeting open to for public comment at 6:00 p.m.

St Leo's: Shari explained Larry Schwind ESQ, Lacy Katzen gave his opinion regarding the conceptual application to rezone residential property owned by St. Leo's to construct a 50 unit two story, senior living building. The Zoning Board of Appeals granted a variance to allow 4.03 acres to be considered for PRD-S at the November 12, 2019 joint meeting with the Village Board.

Mr. Schwind explained that approval is null and void. This will be noted in the ZBA minutes of their next meeting. Since the Village Code states 15 acres of land is required to zone property as Planned Residential for Seniors, the Village Board cannot consider such an application. The applicant can seek a modification to the PRD-S code; however, the Board is reminded that the code cannot be changed for a particular project. The applicant can apply for rezoning to Multi-Residential.

Mark Greisberger stated he is prepared to seek Multi-Residential for this project to move forward. Their intention was to seek rezoning of PRD-S which would allow the use of the exiting church on the property, MR zoning would not allow the former church to be utilized. It was briefly discussed that the former church property could be re-subdivided. That suggestion will be investigated.

Mr. Greisberger stated the senior living within Hilton is what people are looking for. He said he Village Board can make changes to the Zoning Code, just as Unity Health did for their Senior apartments in the 1990's. He provided a seven-page document pertaining to spot zoning and how New York courts are unlikely to reverse cases against spot zoning if they are carefully thought out and well-reasoned. Mr. Greisberger explained he was a practicing attorney for several years and the Village Board should not be afraid of litigation.

John Corcoran, 31 Hillside Drive, Vice President and Chairman of the Board of the Parma Hilton Historical Society. He read the following statement "We are thrilled to have the former church preserved. As such I am doubly thrilled to see we can have our original church building preserved through the efforts of the current developer. We have a proposal from a known local group which has shown a willingness to adjust and accommodate as is feasible. As I understand it if the old church goes down then many of the restrictions they're currently working under go away. Sad but possible. If we try their patience to the point where they abandon interest in this project we will start over with other interested parties, of whom there are several. I think that without a doubt the St. Leo's property will be sold, the question is then to whom, and how will they utilize it. If a major corporation (Wendy's, Dollar Store, Ruby Tuesday's) gets interested in this property (there are already nearby commercial properties) now we're dealing with some big league legal teams who eat small entities like us for lunch every day. What if one of these major players challenges our decisions time after time and drags out the legal wrangling until the Village of Hilton or others goes bankrupt defending themselves in court? If they wear us down, then we might wind up with a place with a brightly lit parking lot doing business at all hours. I suggest we work amicably with our current proposal before we shoot ourselves in the foot by being obstinate."

Maureen Spindler, 175 Lake Avenue, she stated she appreciates the applicants attempt to talk with the neighbors, she has a meeting scheduled with them on March 4th. She is in favor of keeping the old church.

Fr Joe Catanise, he explained when the decision was made to sell the property, they didn't want to sell to just anyone. When they found out there is a lack of senior housing it seemed like a win for the Village. The congregation of St. Leo's will get involved with these residents, he said they are the largest faith community in the Village.

With all persons being heard, Mayor Lee closed the meeting for public comments at 6:35 p.m.

Resolution to hold a special meeting to discuss this proposal on April 1st, motion made by Trustee Gates, seconded by Trustee Zabelny. Carried unanimously 4-0.

Zoning Board of Appeals: The board discussed adding two alternate members to the ZBA, which is permitted by our by-laws. The board is supportive of this action.

Citizen of the Year

This year there were seven nominations for Citizen of the Year. The board unanimously agreed to select Mr. James Mullen posthumously. Sadly, Jim passed away in 2019. His family will be notified of this honor.

Liaison Reports

Trustee Fowler noted that the Friends of Hilton Parma Recreation offered a Bingo Night held in the Ingham Room, Andy noted the Community Center staff did a great job and the event was a success.

Vouchers

Trustee Gates made the motion to approve the vouchers with the additions: SG Security \$675.00, WM Recycling \$134.70, Lamont \$105.50, Jim Gates \$1682.35, seconded by Trustee Fowler, carried unanimously, 4-0.

| | |
|---------|---------------------|
| Prepaid | \$ 8,040.73 |
| T&A | \$ 27,528.62 |
| General | \$ 71,669.50 |
| Water | \$ 34,886.42 |
| Sewer | \$ 3,889.51 |
| Capital | <u>\$ 26,940.32</u> |
| Total | \$172,955.10 |

Minutes

Trustee Fowler made the motion to approve the February 4th meeting minutes as presented, seconded by Trustee Gates, Carried unanimously, 4-0.

Adjournment

There being no further business, Trustee Gates, motioned to adjourn at 6:50, seconded by Trustee Zabelny, Carried unanimously 4-0.

Respectfully Submitted,

Amy Harter, Deputy Clerk