

**Village Board
Meeting Minutes
December 7, 2021**

Present: Mayor Lee, Trustees, Farrell, Fowler, Speer, Zabelny
Village Manager Shari Wilson- Pearce
DPW Superintendent Jeff Pearce
Asst Superintendent Chad McManus
Treasurer Maryalice Edwards
Code Enforcement Officer Mark Mazzucco
Amy Harter

Guests: Linda Viney, Sue Butera, Wade Bowen, Kevin Hafner, Carl Cottrone, Jerry Pozzuolo, Richard Popowich, Chris Zastawny,

The meeting was held in person and via Zoom.

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

Recreation Department

Tom updated the board on the Christmas Tree lighting event. It was very well attended.

The Recreation Department received three awards from the Genesee Valley Rec awards. Kathleen Laskey, Joe Battaglia and Tom Venniro were all recognized, congratulations!

Code Enforcement

Zoning Board update: Mark Mazzucco reported on the applications at the November meeting.

Trees: Mark has been notified there are a row of trees to the west of 907 Hilton Parma Corners Road that the Unionville Station Homeowner's Association is concerned about. They feel these trees are dangerous and may cause damage to the property located at 3 Gurslin Lane. Mark has attempted to have the owner of 907 Hilton Parma Corners Road have the trees inspected but he has refused. Mark is recommending a certified tree surgeon/arborist evaluate the trees.

Resolution to hire tree surgeon for evaluation of the trees in question for possible removal or remediation. Motion made by Trustee Fowler, seconded by Trustee Farrell. Carried unanimously, 5-0.

199 East Avenue: This is a vacant house; in late November a significant natural gas leak was discovered, the house was stripped of its copper piping. The Fire Department and RGE responded. Emergency Enclosures secured the house. The homeowner has not responded to Mark's repeated calls and letters. Mark will be posting the house on December 8, 2021 as **uninhabitable**. The homeowner must obtain the proper permits for repairs.

Treasurer

Resolution: In accordance with Section 802 (A) (4) of the Employee Handbook for health insurance, the Village Board hereby establishes that for calendar year 2022, the Village of Hilton will contribute 80% of the annual deductible amount for active fulltime employees. The Treasurer is authorized to deposit the Village's share into the employee's health saving accounts according to the following schedule: Within the first 10 days of each month the Treasurer will deposit the employees pro-rated share of the employer's portion of their health savings dollars. If the employee is in need of the remaining amount of their health savings dollars, the employee must show the Excellus statement indicating they have met the deductible amount prior to the Treasurer depositing the remainder of the health savings dollars. Motion to approve made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Resolution: To renew the CD's for 30 days at .18% with Canandaigua National Bank. Motion made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution: to authorize the treasurer to put the monies from the sale of equipment into the Equipment reserve fund. We received \$53,470 for the sale of the Loader. Motion made by Trustee Farrell, seconded by Trustee Zabelny. Carried unanimously, 5-0.

DPW Superintendent

Resolution to gift the Community Center generator to Town of Parma, Fowler, Speer, carried 5-0. There is no value to the Village for this item.

Cameras: SG Security has completed the installation of cameras throughout the DPW building. They will be working in the Community Center the week of December 27th to install carbon monoxide detectors and smoke heads.

Equipment/DPW: Jeff Pearce gave an update on his department including the inspection of the overhead truck lift and hoist, snow equipment is ready for the season, and the new loader has been delivered.

Employees: Zack Klein has received CDL learners permit. Cody Kelly has been trained on blacktop plant loading and one employee is out due to COVID. The crew participated in a trench safety class. Jeff noted that some of the employees are new to snow plowing and salting routes. This will be a season full of training for them.

Streets: Jeff reported 40 trees have been planted and additional handicap parking was added to the lot near the Hilton Family Diner.

Sanitary Sewers: Fineline Construction inspected a water leak into the manholes from the recent project.

Storm Sewer: A problem was discovered at Lake and Gorton Avenues during a storm line flush. It has been fixed with the help of the Parma Highway Department.

Shared service: Jeff reported on several examples of shared services between, Hilton, HCSD, Parma and Brockport.

Electric vehicle charging station has been completed. The software requires an inspection before it can be utilized. Shari will submit the data to NYSERTA by the end of this month.

Manager's report

Apple Fest: Shari Pearce has received a request to use the building and grounds for their annual event in October 2022. The festival has not been held since 2019.

Resolution to authorize the use of the Community Center buildings and grounds and 135 South Avenue including the installation of banners for the Hilton Apple Fest, October 1st and 2nd 2021. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0

Resolution to close both depts on December 10th at 1 p.m. for a safety meeting. Motion made by Trustee Speer, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution to approve the Holiday Schedule as presented. Motion made by Trustee Zabelny, seconded by Mayor Lee. Carried unanimously, 5-0. *The schedule is posted at the end of these minutes.*

Community Center: Shari reported the carpet in room 207 is about 40 years old, she is recommending it be replaced. The carpet project is underbudget by \$20,000. The board is supportive of the replacement.

Resolution to authorize the Village Manager to replace the carpet in room 207, motion made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Zoning Board: Shari reported an application has been received for the position of alternate member and she will schedule an interview with the applicant.

Election: Shari explained petitions can be obtained at the Monroe County Board of Elections, the contact is Peter Elder. Election Day is March 16, 2022. There are two seats open for Trustee and one for Mayor.

Public Forum 6:00 p.m.

Ward Bowen, Sue Butera 19 Fraser Drive. He is requesting that a tree in front of this house be removed due to the mess the tree makes in the fall. He has offered to pay for the removal and replacement. The board discussed the precedence this may set but realizes the tree is not ideal for the neighborhood. The DPW Superintendent is not in favor of action; stating this would set a precedence and the DPW will be inundated with these requests. Jeff Pearce will provide an estimate to remove the tree. This item will be placed on the January agenda.

Car Show: Kevin Haffen is seeking authorization to use the Village Streets for the 2022 Main Street Car Show on August 22, 2022.

Resolution to allow the use of Village Streets and to authorize the DPW to obtain the necessary permits from the DOT to close specific roads on August 22, 2022 for the car show. Motion made by Trustee Speer, seconded by Mayor Lee. Carried unanimously, 5-0.

Chris Zastawny, owner of 16, 18-20 Main Street. He is considering merging these three parcels to connect the buildings with a vestibule. Shari Pearce explained the action requires approval by the Village Board, and then the Zoning Board would conduct a Site Plan review. Shari also explained there is a strict architectural review requirement on Main Street. It is strongly encouraged that the applicant reviews the Village Code. The Village Board is supportive of combing the lots.

Public Hearing

The Village of Hilton will be holding a public hearing on December 7, 2021, to consider Local Law #5, 2021. Pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Hilton.

**Local Law # 5 of 2021
Village of Hilton, County of Monroe**

**A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of
Licensing and Establishing Retail Cannabis Dispensaries
Within the Village of Hilton**

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Hilton out of hosting retail cannabis dispensaries within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131 which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary Opt-Out

The Board of Trustees of the Village of Hilton, County of Monroe, hereby opts out of allowing retail cannabis dispensaries from locating and operating within the boundaries of the Village of Hilton.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition, or a referendum has been conducted approving this local law.

Mayor Lee opened the public hearing at 6:00.

Shari Pearce explained the board can choose to opt out at this time but may opt in if they decide in the future.

A general discussion took place concerning the possibility of a location that would be suitable for such an establishment since the requirements include a 500' minimum from a school and a 200' minimum from a church. There are five schools and five churches within the Village, there are not many storefronts that fit this criteria.

Carl Cottrone and Jerry Pozzuolo were not in favor of opting in for both Local Law 5, 2022 and Local Law 6, 2022.

Trustee Speer provided a map of the 134th Assembly District which includes Hilton, Greece, Ogden, Charlotte. Trustee Speer stated within this district, there is a maximum number of three establishments allowed.

Trustee Fowler stated the board learned quite a bit more about this proposal within the last week; he is in favor of allowing a dispensary as it is a business that brings jobs and a service to residents with medical prescriptions. He stated the Village has the authority to control the hours of operation, signage and the location.

Trustee Zabelny is in favor of opting out of this local law. She said this is small village, and she does not want to encourage drug use.

Mayor Lee is in favor of opting out of this local law because the state has not come out with a test for impaired driving. He is not interested in the tax revenue does not want to encourage drug use. Mayor Lee stated he supports law enforcement and is of the understanding that they are not supportive of cannabis use.

Trustee Farrell feels she needs more time to review the Local Laws and asked the item to be tabled for the next meeting. The Board agreed. The item will be placed on the December 16th agenda.

Resolution to authorize the Village Manager to advertise a special Village Board meeting December 16th at 4:00 p.m. made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Mayor Lee closed the public hearing at 6:45 p.m.

The Village of Hilton will be holding a public hearing on December 7, 2021, to consider Local Law #6, 2021. Pursuant to Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Hilton. The public hearing will be held in person only in the Ingham Room of the Community Center, 59 Henry Street, Hilton, NY 14468.

Local Law #6, 2021

Village of Hilton, County of Monroe

**A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of
Licensing and Establishing On-Site Cannabis Consumption
Establishments Within the Village of Hilton**

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Hilton out of hosting on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131 which expressly authorizes cities and villages to opt-out of allowing on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis On-Site Consumption Opt-Out

The Board of Trustees of the Village of Hilton, County of Monroe, hereby opts out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of Hilton.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition, or a referendum has been conducted approving this local law.

Minutes

Resolution to approve minutes of November 2, 2021, as amended. Trustee Fowler made the motion, seconded by Trustee Speer, carried 5-0.

Vouchers

Resolution to approve the December vouchers for payment with one addition, Cintas \$92.48, Trustee Speer, made the motion, seconded by Trustee Zabelny, carried unanimously, 5-0.

Prepaid	\$7,346.80
TA	\$31,201.91
General	\$197,799.77
Water	\$56,118.06
sewer	\$47,642.80
capital	<u>\$43,254.70</u>
Total	\$383,364.04

Adjournment

There being no further discussion, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Amy Harter, Deputy Clerk

Holiday	All Departments Closed	Refuse & Recycling
New Year's Day	Friday, December 31, 2021	Not Applicable
Martin L. King	Monday January 17 th	Tuesday, January 18 th
Presidents Day	Monday February 21 st	Tuesday, February 22 nd
Good Friday	Friday, April 15 th	Not Applicable
Memorial Day	Monday May 30 th	Tuesday, May 31 st
Juneteenth	Friday, June 17 th	Not Applicable
Independence Day	Friday, July 1 st Monday, July 4 th	Not Applicable Tuesday, July 5 ^h
Labor Day	Monday, September 5 th	Tuesday, September 6 th
Columbus Day	Monday October 10 th	Tuesday, October 11 th
Veterans Day	Friday, November 11 th	Not Applicable
Thanksgiving	Thursday November 24 th	Wednesday, Nov 23 rd
	Friday November 25 th	Not Applicable
Christmas	Monday, December 26 th	Tuesday, December 27 th
New Year's Day 2023	Monday, January 2, 2023	Tuesday, January 3 rd

In memory of former Trustee and Vice-Mayor, Walt Horylev.