

***Village Board of Trustees***  
***Meeting minutes of August 1, 2006***

Present: Mayor Larry Gursslin  
Trustees Horylev, Gates, Lee and Speer  
Clerk-Treasurer, Janet Surridge

Guests: Mike McHenry, John Lemcke, Rick Bjornholm, and Dave Mc Cracken

The meeting was called to order at 5:00 p.m, followed by the pledge to the flag.

**Fire Department Relocation**

Fire Commissioners John Lemcke and Mike McHenry were present to inform the Board about tentative plans to relocate the Fire Hall. Ever since the major flood in 2004 destroyed a good part of the building, which cost thousands of dollars to repair, the Fire Commissioners have decided to find a new site for the Fire Hall that would not be in a flood plain zone. The location they have chosen is the vacant land owned by St Leo's Church on the corner of Old Hojack Lane and Hale Haven Drive, which is 2.8 acres.

An actual purchase offer to buy this property has not been submitted at this time, however, the Fire Commissioners will be meeting with members of the St Leo's Church within the next few weeks to negotiate a final deal. Before this happens, Mr Lemcke stated the Fire Commissioners are seeking support of the proposal from the Village Board.

Details of the new facility were given along with preliminary architectural sketches of what the building would look like. Proposed size is 30,000 sq ft, compared to the existing structure which is only 15,000 sq ft. Minimal training facilities will be needed on the new site since the Fire Department will retain the property on South Avenue. Funding is by a proposed FEMA grant, and if approved, the old fire house on South Avenue would have to be torn down and the property reverted to park land. If the FEMA grant isn't approved, the old structure would be put up for sale. The siren on the old structure will not be relocated to the new location, which would be a major concern for the residential neighborhood in the Peach Blossom Subdivision.

At the conclusion of the presentation, a majority of the Board members were supportive of the plan, however Mayor Gursslin reserved giving his approval since he still has some unanswered questions.

**Cruise Night**

Mayor Gursslin reported that the Cruise Night endeavor is a success. A lot of people are wandering around looking at the old cars and either eating at our local restaurants or shopping at the stores. A suggestion was made by Mr Kelly Blackburn, who is organizing the events, that the Village should hire a DJ to provide music. General discussion followed. The cost would be \$100 per event.

The Board was concerned about noise and the effect it would have on the neighbors on Railroad Avenue and Underwood Avenue. Funds to pay for this expense would be taken from the Economic Development budget. It was agreed to try two events on a trial basis.

**Resolution** to appropriate a sum up to \$400 and hire Disc Jockey David Smith to provide music for the next four consecutive Cruise Night events. Said services shall be at the rate of \$100 per event, and this approval is subject to a trial basis for two events, after which if there is no objection from the community as to loud noise, then the Clerk-Treasurer is authorized to pay up to \$400 total to Mr Smith. Motion was made by Trustee Horylev, seconded by Mayor Gursslin. Carried unanimously 5-0

### **Code Enforcement:**

**Resolution** to approve Atlantic-Inland Inc as an Electrical Inspector company for the Village of Hilton. Motion was made by Trustee Horylev, seconded by Trustee Gates. Carried unanimously 5-0

### **Public Works:**

Roof bids: The following bids were received on July 20th:

Lake Country Coatings	\$29,500
Monolithic Coatings, Inc	\$32,782
A.W. Farrell & Son Inc	\$42,000
Patterson Stevens, Inc	\$43,900

**Resolution** to award the bid for the roof repair to Lake Country Coatings in the amount of \$29,500. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 5-0.

Summer uniforms: The DPW employees have requested approval to wear shorts on the very hot days, and if approved, would the Village furnish them? Discussion followed.

**Resolution** to appropriate up to \$600 for the purchase of shorts for our DPW employees. Be it known that the employees must get a two year use out of them and they must launder them at home. Motion was made by Trustee Horylev, seconded by Trustee Lee. Vote as follows: Mayor Gursslin, Trustees Horylev, Speer and Lee, aye; Trustee Gates opposed because this is not a budgeted item. Carried 4-1

Eminent domain action: Mr Tilebein reported that we were unable to come to terms with HDK Mold on Upton Street for the temporary easement that would allow the Village to install the underground utilities. At the last moment, changes were requested by HDK to the previously approved document and Mr Tilebein instructed our attorney that the deadline to have this document signed had passed. The road improvements and underground utilities will move forward as planned, however, no work will be done near the HDK property this year.

The Board discussed this problem. Our Eminent Domain action was withdrawn once we learned from our legal counsel that the owners were willing to agree to transfer the property as proposed. Mayor Gursslin offered to make one last attempt to contact the property owner and work out a deal acceptable to both parties. If that fails, the Board will move forward with the Eminent Domain action and get this matter resolved.

38 East Avenue: Mr Tilebein reported that we are waiting for the purchaser to execute the Option to Purchase agreement. All Planning Board approvals have been obtained and construction can start at any time.

### **Clerk-Treasurer:**

**Resolution** to revise the 2006-07 budget as follows: Take the sum of \$29,500 out of the Capital Projects DPW Improvement savings account and appropriate it to H1640.2 to repair the roof. Motion was made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0.

Refuse truck purchase: Mrs Surrige distributed a proposed resolution that our attorney prepared to obtain a bond anticipation note to fund this purchase. Trustee Horylev presented the following resolution and duly moved that it be adopted and it was seconded by Trustee Speer:

BOND RESOLUTION DATED AUGUST 1, 2006 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HILTON, NEW YORK AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF A REFUSE TRUCK, AUTHORIZING ISSUANCE OF A BOND ANTICIPATION NOTE IN AN AMOUNT NOT TO EXCEED \$207,000 IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED by the Board of Trustees of the Village of Hilton, New York (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The acquisition of one (1) International refuse truck (the "Vehicle"), for use by the Village Department of Public Works (hereinafter referred to as "purpose"), is hereby authorized, and serial bonds in the aggregate principal amount of up to \$207,000 for the Vehicle and bond anticipation note in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The maximum aggregate cost to the Village is estimated to be up to \$207,000 for said purpose, and to the extent of available financing, said amount is hereby appropriated therefore. For the purpose and to provide funds to defray the cost of the Vehicle, serial bonds in the aggregate principal amount not to exceed Two Hundred Seven Thousand Dollars (\$207,000) shall be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined and declared that said purpose is one of the classes of objects or purposes described in Subdivision 29 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years for the Vehicle, (b) the proposed maximum maturity of said bonds authorized by this resolution will not be in excess of five years to be measured from the date of the bonds or the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier, (c) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds, (d) the note authorized by this resolution shall mature within one (1) year from the date of their issuance, or as otherwise permitted by law, (e) said note is not issued in anticipation of bonds for an assessable improvement, and (f) prior to the issue of the bonds or note herein authorized, there will be provided the appropriate amount of current funds required by Section 107.00 of the Local Finance Law, if any.

Section 4. The bonds and note authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and note shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of ad valorem taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, from the proceeds of the obligations authorized hereby for expenditures, if any from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the issuance of said bonds and bond anticipation note and to prescribe the terms, form and contents of said bonds and bond anticipation note, subject to the provisions of this resolution and the Local Finance Law of New York, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for and determinations with respect to, credit and liquidity enhancements, if any, and to sell and deliver said bonds and bond anticipation note subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasure, the Village's chief financial officer. The Village Treasurer and the Village Clerk are hereby authorized to sign by manual or facsimile signature any bonds and bond anticipation note issued pursuant to this resolution, and are hereby authorized to affix to such bonds and bond anticipation note the corporate seal of the Village of Hilton and to attest the same.

Section 7. The faith and credit of the Village of Hilton, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and bond anticipation note as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all taxable real property of said Village, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 8. This resolution shall be published in full by the Village Clerk of the Village of Hilton together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation note issued in anticipation of the sale of said serial bonds may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

The motion having been duly seconded, it was unanimously adopted.

Municipal Electric: On October 1st, RG&E will begin another "Voice Your Choice" program to enroll customers for the 2007 year. Mrs Surridge suggested that if the Village Board were to enter in to an Inter-Municipal Agreement with the Town of Parma, we could expand our electric program and enroll Parma residents and businesses. The additional usage could result in a lower price for all. Mayor Gursslin has spoken to Town Councilman Ken Blackburn about this concept and he was in favor of pursuing it. That being said, the Village Board authorized Mrs Surridge to begin work on a campaign to enroll customers in our program that would include Parma. Mayor Gursslin will pursue this with the Town Board.

### **Sign Ordinance**

The Board talked about the need to update our sign ordinance. Rick Bjornholm, who is the Chairman of the Zoning Board, was present to review this item. It was decided to pursue this project and to create a citizen's committee to help formulate the new code. Trustee Horylev will contact possible citizens to serve on the committee and submit their names to the Board at the next meeting.

### **Vouchers**

**Resolution** to approve the abstract of vouchers, with the following change: Increase the estimated amount payable to the MCWA by \$10,000. Totals are as follows

General -	\$106,833.11
Water -	\$ 27,128.55
Sewer -	\$ 293.32
Gas -	\$ 2,553.38
T/A Fund -	\$ 14,249.59
Prepaid -	<u>\$ 71,715.46</u>
Total -	\$222,773.41

Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

### **Minutes**

**Resolution** to approve the meeting minutes of July 11<sup>th</sup> as amended. Motion was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 5-0

### **Request for Stop Sign**

The Board discussed the request to install a stop sign on Raintree Lane at either Archer Drive or Panarites Drive. Mayor Gursslin reviewed the data collected previously from our Speed Monitor trailer which indicated 38 vehicles out of 2,000 total were traveling over 30 mph. The data does not warrant a stop sign. Consensus of the Board is not to install a stop sign but as a courtesy, the Speed Monitor trailer will be placed on Raintree Lane to gather updated statistics.

### **Gazebo Band**

**Resolution** to authorize payment of \$200 to the Gazebo band for providing music and entertainment to our community for the summer of 2006. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

### **2005-06 Snow Plowing Costs**

Mayor Gursslin stated he has been unable to reach a mutual agreement with Carm Carmestro who submitted a bill for \$2,000 for the Village's share of snow plowing services rendered on Canning Street for the winter months of 2005-06. Mayor Gursslin has informed Mr Carmestro that before the Village could pay this bill, we need to have a copy of the snow plowing contract with the vendor who provided the services, and the invoice needed to be itemized showing the dates services were rendered, and the costs associated with each occurrence. If that documentation is submitted, the Village would pay it's share according to the deed restriction for the property the Village owns at #10 Canning Street. Mr Carmestro has not submitted this documentation, therefore, the Board is unwilling to pay the \$2,000 invoice as we would be in violation of the State Comptroller's regulations.

Lengthy discussion followed. The Board is very concerned that if we do come to an understanding very soon, we'll have the same problem for the 2006-07 year and so on. Mayor Gursslin will follow up on this.

### **Canning Street Construction**

**Resolution** to acknowledge the petition dated July 17th from customers who utilize the Fitness Warehouse. These customers are very upset that the proposed road improvements have not been started for the Canning Street area. Motion was made by Mayor Gursslin, seconded by Trustee Horylev. Carried unanimously 5-0

### **Community Development Coordinator**

The Board discussed creating a new position entitled "Community Development Coordinator" which would replace the previous arrangement we had with Clark Patterson Associates for Economic Development Services. Before the Board seeks to hire a person for this role, it was agreed that everyone should sit down and lay out the goals and develop a strategy (i.e. marketing vs grant writing). Mayor Gursslin will work on a proposal for the next meeting.

### **Employee Training**

**Resolution** to authorize Shari Pearce and Maryalice Edwards to attend the NYCOM Fall Clerk's School in Albany from October 4th & 5th at a price of \$500 each plus travel costs. Motion was made by Mayor Gursslin, seconded by Trustee Gates. Carried unanimously 5-0

**Resolution** to authorize up to three members each from the Planning Board & Zoning Board to attend the New York Planning Federation Conference in Saratoga Springs in October at a cost not to exceed \$655/each plus travel expenses. Motion was made by Trustee Speer, seconded by Trustee Lee. Carried unanimously 5-0

**Resolution** to establish the following policy for employee training: “If an employees wishes to stay at a hotel other than what is sponsored as a package deal (meals and accommodations) by the New York Conference of Mayors, the Village will only pay a sum equal to what the NYCOM package for both meals & accommodations. Any costs over and above the allowed amount shall be paid by the employee. Motion was made by Mayor Gursslin, seconded by Trustee Gates. Vote as follows: Mayor Gursslin, Trustees Gates, Speer and Lee - aye: Trustee Horylev opposed as he feels it’s important for members to stay together and meet other officials from other communities. Carried 4-1

### **Village Board Meetings**

**Resolution** that all future meetings of the Village Board up through March 31, 2007 will start at 5:00 p.m. Motion was made by Trustee Gates, seconded by Trustee Lee. Carried unanimously 5-0

### **Executive Session**

Mayor Gursslin made a motion to enter in to Executive Session at 8:00 p.m. Seconded by Trustee Gates.

Executive session ended at 10:15 p.m. The following resolutions were made:

**Resolution** to pay the sum of \$4,000 to Clark Patterson Associates as a 50% compromise to the final invoice they submitted in April for Economic Development Services for the 2005-06 contract term. Motion was made by Mayor Gursslin, seconded by Trustee Lee. Carried unanimously 5-0.

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Meeting adjourned at 10:15 p.m.

Janet Surridge  
Clerk-Treasurer