

***Village Board of Trustees
Meeting minutes of December 4th 2007***

Present: Mayor Larry Gursslin
Trustees Horylev, Gates, Speer & Lee
Clerk-Treasurer, Janet Surridge
Supt of Public Works, Tom Tilebein
Code Enforcement Officer, Mike Lissow

Guests: Dave McCracken, Steve Lemmon, Joe Fertitta, Harold Crown, Steve Fowler and a majority of the employees from the Village Public Works Department, all of which joined the meeting at 5:00 p.m. Gary Gay, Ken Sixt, Mark Young & Jeff Sanborn joined the meeting at 7:00 pm.

The meeting was called to order at 4:00 p.m. by Mayor Gursslin, followed by the pledge to the flag.

Resolution to enter into executive session to discuss employee benefits. Motion was made by Mayor Gursslin, seconded by Trustee Horylev. Carried unanimously 5-0

Resolution to end executive session at 5:00 p.m. Motion was made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0

Fraser Drive Sidewalk

Mr Steve Lemmon, who works in the Hilton Central School District's Security Office, was present to discuss the sidewalk adjacent to #24 Fraser Drive. Mayor Gursslin briefly explained to those in attendance the problems that have been occurring such as loitering, foul language, and property damage. Last month, the Village Board was asked by several residents on Fraser & Cooper Drive to close the sidewalk.

Mr Lemmon stated by closing the sidewalk, the problem of the students smoking and loitering will only move to another area, but his office is prepared to deal with that matter. He further stated that if the Village were to close the gate it would not create any problems for the High School or their Transportation Department. He will do whatever he can to assist the Village in solving this problem.

Resolution to install a gate across the sidewalk that runs to the Hilton High School property adjacent to #24 Fraser Drive and to lock said gate during the school year of September 1st - June 20th due to continued abuse of the area and specifically to the adjacent properties by students. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 5-0

Refuse Collection

Last month, the Village Board revised our fee schedule to charge a non-compliance fee of \$150 for any bulk item left at the curb that does not have a refuse sticker attached. This fee is only applicable to multi-residential properties and charged to the property owner.

Landlords Harold Crown & Joe Fertitta were present to talk about our new charges. They had these comments:

Joe Fertitta: He's put a lot of money into his rental properties and the last thing he wants is garbage out front. He experiences problems where other people drop off garbage on his properties and under the new policy he would be charged the penalty. He agrees with the intention, but the fines are too steep.

Harold Crown: Suggested that someone in the Village Office should call the landlord when the garbage is first noticed. He questioned why only multi-residential properties are being targeted? The policy is not fair. He also feels more time should be given to allow the landlord to correct any problem before assessing the fee.

Mayor Gursslin replied it's not always that easy to get a hold of every landlord and it would place a burden on our office staff to make the phone calls suggested by Mr Crown.

Trustee Speer questioned if the landlord could use the security deposit they collect from their tenants to pay for any fines? The reply was there usually isn't any funds left because the tenants either don't pay their rent before they leave or they leave the premises with property damages.

Mr Tilebein explained our current refuse policy as to the timing of when the bulk item is first noticed to the following week when it is collected and fined.

After more dialog, the Board agreed that we need to re-discuss the problem and sit down with some landlords to come up with a better solution. A committee will be formed.

Resolution to suspend the non-compliance fee that was enacted at the November, 2007 meeting until further notice. Motion was made by Trustee Gates, seconded by Trustee Lee. Carried unanimously 5-0

Village employees - health insurance discussion

The Village employees were present to talk with the Board about the new health care plan under consideration. John Burch was the spokesperson. For the most part, the plan is favorable because the Village Board has proposed to fund 90% of the annual deductible for each employee. What about future years? Is the Board willing to fund the same percentage? Mayor Gursslin replied that the Board can not make a decision on future contributions at this time.

John said that the 5% and 15% employee payroll deductions causes a tremendous amount of friction with the employees and asked that the Board consider changing the benefit to a 5% payroll deduction across the Board for all employees.

Trustee Gates offered a compromise to the employees, that being everyone would contribute 10% towards their health insurance. John replied that would cause even more friction which is why this request is not supported unanimously by everyone.

Trustee Horylev stated the Village Board has to be responsible to our tax payers and responsible to our employees. If we can provide good health care that's affordable, we're meeting our objectives. The plan under consideration is a brand new idea and the Board would like to see it continue, however it must be re-evaluated after the first year before any future decisions can be made.

Mayor Gursslin thanked the employees for their input and willingness to take on this new endeavor.

Building Dept

The Board reviewed Mr Lissow's report. There were no action items.

Fire District

Mr McHenry was in attendance to represent the Hilton Parma Fire District as he is Chairman of the Board of Commissioners. He updated the Board on the FEMA grant that was recently awarded to the Village.

Resolution to recognize that the Village of Hilton and the Hilton-Parma Fire District were successful in obtaining a FEMA grant for a total project cost of \$728,880 for the purpose of purchasing and demolishing the building at #135 South Avenue, owned by the Hilton-Parma Fire District, and restoring the land to public open space since it is located in the flood plain zone. Be it further recognized that the municipal cost share for this project shall be 25% or \$182,220 of which 50% is a cash match (\$91,110) and the other 50% shall be in kind services of Village and/or Town of Parma force account labor and equipment. The Hilton-Parma Fire District shall reimburse the Village of Hilton for the 50% cash match. Be it further resolved that the manager for this project shall be Janet Surridge. Motion was made by Trustee Speer, seconded by Trustee Horylev to enter into an agreement with the New York State Emergency Management Office to accept this grant. Carried unanimously 5-0

Mr McHenry then discussed the work he has been doing to apply for a Shared Services Grant from New York State. When the Fire Department is moved to their new location on Old Hojack Lane, they will need to have fuel tanks and pumps. If we can obtain a grant, the funds would be used to upgrade the Village's fuel island and then the Fire District would share the use of them. This grant would save our taxpayers the expense of buying new equipment. The Board felt this is a very worthy project and authorized Mr McHenry to proceed with the application.

Resolution that the Village of Hilton is willing to enter into an agreement to submit a Shared Municipal Services Incentive Grant with the Hilton-Parma Fire District for the purpose of sharing a fuel facility on the grounds of the Village DPW. The lead applicant will be the Hilton-Parma Fire District, and the contact person shall be Fire Commissioner John A. Lemcke, who is authorized to execute all financial and/or administrative processes relating to the 2007-2008 SMSI Grant program. The Co-Applicant shall be the Village of Hilton. The Grant shall be named the Village of Hilton Shared Fuel Island Project, which allows sharing the Fuel Facility with other municipalities by installing the necessary equipment to provide fuel and bill accordingly. The maximum amount of funding requested for this grant is undetermined as quotes are being obtained, however the Village Board recognizes the importance of this grant and authorizes the dollar amount of the grant to be filled in by the Clerk-Treasurer when the costs are known. The 10% local share of the grant will be paid by the Hilton-Parma Fire District out of the annual budget so there is no cost to the Village of Hilton tax payers. Motion to approve was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 5-0

Public Works

Resolution to accept dedication of Section 8 of Unionville Station as per the recommendation of our Superintendent of Public Works. Motion was made by Mayor Gursslin, seconded by Trustee Horylev. Carried unanimously 5-0

Resolution to accept dedication of the roadways in Section 5 of Unionville Station. This does not include full dedication of the subdivision as items remain incomplete. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0

Resolution to release the sum of \$3,000 that the Village of Hilton has been holding in the Trust & Agency Fund as part of the letter of credit for Section 7 of Unionville Station. Said funds shall be returned to Tony Cottrone. Motion was made by Mayor Gursslin, seconded by Trustee Lee. Carried unanimously 5-0.

Resolution to accept the extensions of Canning, Hazen & Upton Streets as public streets. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

Local Law #6, 2007

Mayor Gursslin opened a public hearing at 6:30 p.m. to consider the adoption of Local Law #6 2007 which would amend certain sections of the Zoning Code. There being no one in attendance to discuss this proposal, the hearing was immediately closed. Discussion by the Board followed.

Resolution to adopt Local Law #6, 2007 which reads as follows:

Section 1: Section 24-310 (D) of the Limited Commercial District is hereby amended by adding dimensional requirements for apartments. The proposed change is as follows:

Add paragraph #7, which shall read “ Minimum unit size of apartments:

(a) Efficiency apartments: five hundred fifty (550) square feet.

(b) One-bedroom apartments: seven hundred (700) square feet.

(c) Two-bedroom apartments: eight hundred fifty (850) square feet.”

Section 2: Section 24-309 (D) of the Planned Residential District - Seniors is hereby amended as follows:

Paragraph 1 remove the words “not less than”.

Paragraph 1, subsection (a) shall be deleted in its entirety and replaced with the following: “One (1) story dwelling with one and two bedrooms on the ground floor shall not be less than one thousand twenty (1,020) square feet and no more than one thousand five hundred (1,500) square feet.”

Paragraph 1, subsection (b) shall be deleted in its entirety and replaced with the following: “One (1) story dwelling with three bedrooms or more on the ground floor shall not be less than one thousand one hundred and twenty (1,120) square feet and no more than one thousand five hundred (1,500) square feet.”

Paragraph 1, subsection (c) is hereby amended by adding the words “not less than” after the word “dwelling”.

Paragraph 1, subsection (d) is hereby amended by adding the words “not less than” after the word “dwelling”.

Paragraph 1, subsection (e) is hereby amended by adding the words “not less than” after the word “dwelling”.

Motion to adopt the law was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0

Local Law #7, 2007

Mayor Gursslin opened the public hearing at 6:35 p.m. to consider the adoption of Local Law #7 2007 which would create Chapter 20-A of the Hilton Code and establish storm water regulations. There being no one in attendance to discuss this proposal, the hearing was immediately closed. Discussion followed. The Board thanked Mr Tilebein for his time and efforts to develop this law as he is a member of the Monroe County Storm Water Coalition.

Resolution to adopt Local Law #7, 2007, attached hereto, which establishes regulations for storm water. Be it further resolved that the Supt of Public Works is appointed as our Stormwater Management Officer. Motion to approve was made by Trustee Horylev, seconded by Trustee Gates. Carried unanimously 5-0

Public Works continued:

- Mr Tilebein informed the Board that he has been negotiating the sale of our 1998 Mack refuse truck with the Village of Seneca Falls, as they are no longer contracting with a private hauler. Our truck was taken out of service earlier this year when our new refuse truck was purchased and we have been intending to sell it at the Municipal Auction in May. The estimated value of our truck is about \$18,000 if we take it to auction. Seneca Falls is willing to buy it for \$44,400 if the Village of Hilton allows them to make 12 monthly payments of \$3,700 each. Discussion followed. Before the truck can be sold, the Village needs to put new brakes on it.

Resolution to sell our 1998 Mack refuse truck to the Village of Seneca Falls for the sum of \$44,400. Payment for this vehicle shall be paid to the Village of Hilton in 12 equal installments of \$3,700. Be it further resolved that Mr Tilebein is directed to work with our attorney to prepare a sale agreement. Motion was made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0

- **Resolution** to accept the Monroe County Community Development Block Grant in the amount of \$25,000 to install sidewalks in Hilton Milling Station and to authorize Mayor Gursslin to execute the contract documents. Motion was made by Trustee Horylev, seconded by Trustee Gates. Carried unanimously 5-0

Public forum:

- Gary Gay, Ken Sixt & Mark Young joined the meeting at 7 pm to talk about the refuse penalty enacted on December 1st. Mayor Gursslin explained that the Board voted earlier tonight to suspend the policy until more study can be undertaken. Both Gary & Ken stated they felt it is unfair to single out 30 landlords and treat them differently than the 6,000 people who live in the village. It's discrimination.
- Jeff Sanborn was present to discuss the sidewalk adjacent to his home on Fraser Drive. Mayor Gursslin informed him of the decision that took place earlier tonight. Mr Sanborn was very appreciative of the action we took.

Lacy Lane

Mayor Gursslin stated the fitness equipment and the trail way surface on Lacy Lane is in very poor condition. We need to come up with a plan on how to improve it, such as asphalt, gravel or mulch. This item was tabled until the next meeting. In the meantime, Mayor Gursslin asked his Board members to give this some thought.

Sales Tax Distribution

The Board reviewed a proposal from the County of Monroe to enter into an Intermunicipal Agreement as to the future sharing of sales tax revenue. After a brief discussion, this item was tabled as more information is needed.

Special Meeting

Resolution to have a special meeting with the Parma Town Board on December 18th at 6:00 pm at the Town Hall. Motion was made by Trustee Gates, seconded by Trustee Lee. Carried unanimously 5-0

Vouchers

Resolution to approve the abstract of vouchers with the following additions/changes: Nancy Burrows \$100.00; Caraglio's \$38.18; Hilton Big M \$213.07; Al Howe \$100.00; Carl Johnson \$50.00. Totals as follows:

General fund	\$108,281.67
Water fund	\$ 52,927.39
Sewer fund	\$ 22,405.30
Electric fund	\$ 280.73
T/A fund	\$ 16,418.86
Prepaid	<u>\$178,758.07</u>
Total	\$379,072.02

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

Health Insurance

Resolution that effective January 1, 2008, Section 802A of the Employee Handbook is hereby revised to read as follows:

- 1) The Village will provide full-time employees hired before January 1, 2000 with the Healthy Blue High Deductible Health Plan and the Village of Hilton Self-Insure Dental plan, ninety-five percent (95%) of the premium costs thereof to be paid by the Village and the remaining five percent (5%) of the premium costs thereof shall be paid by the employee by payroll deduction.
- 2) The Village will provide full-time employees hired on or after January 1, 2000 with the Healthy Blue High Deductible Health Plan and the Village of Hilton Self-Insure Dental plan, eighty-five percent (85%) of the premium costs thereof to be paid by the Village and the remaining fifteen percent (15%) of the premium costs thereof shall be paid by the employee by payroll deduction.

Due to the fact that employees must first meet an annual deductible of \$5,200 for a family plan and \$2,600 for a single plan before their medical insurance is triggered, the Village of Hilton hereby directs every eligible employee to establish a Health Savings Account at either HSA Bank or First Niagara Bank, as authorized by the U.S. Medicare Prescription Drug Act of 2003. Motion was made by Mayor Gursslin, seconded by Trustee Horylev. Carried unanimously 5-0

Resolution that upon establishing the employee Health Savings Accounts, the Clerk-Treasurer is authorized to deposit the following sum on January 1, 2008 into each employee account to offset their high annual deductible: Family policy \$4,680; 2 person policy \$4,680; Single policy \$2,340. Total amount to be disbursed shall not exceed \$84,240. Motion was made by Mayor Gursslin, seconded by Trustee Horylev. Carried unanimously 5-0

Resolution that due to the fact that the Village of Hilton will be providing employees with a high deductible health plan in 2008, the existing Flexible Spending Plan shall be amended to become a Limited Flexible Spending Plan in accordance with Internal Revenue regulations. Motion was made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0

Resolution that for any full-time employee who elects not to utilize his or her health insurance coverage as provided by the Village and is entitled to an annual reimbursement of the cost which the Village would have incurred on behalf of the employee, as per Section 802 (b) of the Employee Handbook, the reimbursement shall be computed on both the cost of the Blue Cross Blue Shield insurance and the percentage of contribution the Village of Hilton would have paid into the employee's health savings account had they elected to utilize their health insurance coverage. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 5-0

Meeting adjourned at 8:30 p.m.

Janet Surridge
Clerk-Treasurer