

***Village Board of Trustees
Meeting minutes of 11/6/07***

Present:: Mayor Larry Gursslin
Trustees Gates, Horylev & Lee
Clerk-Treasurer Janet Surridge
Supt Tom Tilebein
Code Enforcement Officer Mike Lissow
Absent: Trustee Speer
Guests: Mr & Mrs Albright, Jeff Sanborn, Barb Gyrgur, Dave McCracken, Steve Fowler,
Jim Ingham

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

For the record: Trustee Speer was out of town due to his employment. He participated in the following discussions by telephone:

Community Center/Library proposal

Mayor Gursslin updated the Board on communication that has taken place between Town Board members and interested citizens of our community. We have been told that this item will not be put out for public referendum this month as more information is needed. Discussion followed.

Health Insurance

After Mayor Gursslin met with the personnel committee, it was decided that the Village Board needs to determine if there will be any changes to our health care plan for next year, then that decision would be presented to the employees for further discussion.

According to Excellus Blue Cross, the rates are going to increase approximately 15% next year. The Board discussed several options and then directed Mrs Surridge to meet with our health insurance representative to find out the details of the new plan being offered that could be a savings to our budget.

A tentative workshop meeting for November 28th was set to review that information.

At this time, Trustee Speer no longer participated in the meeting.

Curfew Law

The Board reviewed a letter from the Parma Auxiliary Police that listed a few suggestions on how our curfew law can be improved. There was no one present to discuss this, therefore the action was tabled. However, Mrs Surridge was instructed to send the letter to our attorney for his comments.

Employee Recognition

The Board took a few minutes to say thank you to Jim Ingham, our retired Code Enforcement Officer, and they presented him with a gift of our appreciation.

Public Works

- Budget review: The Board asked Mr Tilebein to explain some of his budget over runs, the most important one being the Canning/Upton Streets project. Mr Tilebein replied that he made an error in his calculations for the blacktop. Discussion followed.
- **Resolution** to hold a public hearing on December 4, 2007 at 6:30 pm to adopt new storm water regulations. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 4-0.
- The Board expressed their appreciation to the DPW team for their cost saving idea to borrow equipment from the Village of Brockport this past month. Good job!

Public Forum

Residents from the Fraser Drive neighborhood were present to tell the Board about these types of problems they have to endure with high school students:

- Use their property as a thoroughfare
- Hang out on the sidewalk adjacent to #24 Fraser Drive which is supposed to only be used as a pathway to school property
- Litter
- Vulgar language
- No parking signs are being ignored
- No code of conduct. Suggested a loitering law that can be enforced.

Jeff Sanborn resides at #24 Fraser Dr with his wife and children. About 60-80 kids congregate every morning on this sidewalk next to their house before school starts to smoke. The reason is because of the School's no smoking on school property policy, yet they don't provide security or supervision for the area. Mr Sanborn stated he doesn't have a problem with the sidewalk as a pathway to and from school, it's the congregating that's a problem. The kids harass others who aren't part of the crowd, they light fires, write graffiti on his fence, plus there is noise and concerns with snowmobiles and ATV use. Pictures were distributed to the Board showing these problems.

Mrs Albright explained that she and her neighbors attended the School Board meeting last night to address this same problem. The reaction they got was the School Board feels this is a village problem.

Mayor Gursslin replied that he discussed these problems today with the Supt of Schools, Mr Dimbleby. "NO Loitering" signs could be installed but the Village does not have a law on the books to enforce it. The School District will be providing a garbage can, (chained to the fence), to help relieve the litter problems, and the Village DPW will empty it weekly.

Mr Sanborn asked "who has the authority to police this sidewalk?" The School Board said it's the Village of Hilton. The neighbors would prefer that the walkway be closed during school hours.

Mayor Gursslin thanked everyone for coming and said that he will address this concern with his Board.

Code Enforcement

- Mr Lissow reported that there aren't any regulations listed in our Code for the Limited Commercial District relative to the size of apartments. This was discovered recently when he was reviewing an application. He recommended that we copy the regulations in the Multiple Residential District. Discussion followed.

Resolution to hold a public hearing on December 4th at 6:30 p.m. to consider a local law to amend Section 24-310 (D) of the Limited Commercial District by adding minimum dimensional requirements for apartments. Motion to approve was made by Trustee Horylev, seconded by Trustee Gates. Carried unanimously 4-0.

- Another discussion took place on the maximum size a house should be in a Planned Residential District -Seniors (PRD-S) The Board used a house on Leith Lane as an example. It received Planning Board approval but the Village Board feels it's way too big for the size of the lot. Discussion took place on what the maximum square footage should be and whether or not that maximum should include sun rooms.

Resolution to hold a public hearing on December 4th at 6:30 p.m. to consider a local law to amend Section 24-309 (1) (a) of the PRD-S District by setting a maximum dimensional requirement of 1,500 sq ft for a one story dwelling, excluding the garage. Motion was made by Trustee Horylev, seconded by Mayor Gurslin. Vote: Mayor Gurslin, Trustees Horylev & Lee, aye; Trustee Gates, opposed because he feels that any sunroom a person may add to their home should not be included in the maximum square footage allowed. Carried 3-1

- Mr Lissow asked the Board to clarify this statement which is part of our annual fee schedule: "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 plus add \$100.00 to the total cost. This fee is applicable to the current owner of the property, regardless if the improvement was undertaken by the previous owner or not." The Board clarified their intention by stating the penalty is to be charged in any situation where an illegal structure has been found, regardless of who owns the property and who built the illegal structure.
- 50 Peach Blossom N: In October, the resident came before the Village Board asking for special consideration on his Halloween display. At that time, the Village Board felt it was a good community event that was drawing people from other parts of the County, so the Board allowed it to remain without going through the conditional use process. Mr Lissow informed the Board that he has received complaints from the neighbors and the Fire Department about traffic, parking and kids hanging around for reasons other than going through the haunted house. The Board instructed Mr Lissow to notify the homeowner that he will have to obtain a conditional use permit next year.

Clerk-Treasurer

- **Resolution** to establish the following fixed rates for the supply of electricity for 2008:
Residential & small commercial accounts @ \$.085/kw
Accounts with an RGE service class of SC3 or SC7 @ \$.087/kw
Accounts with an RGE service class of SC8 or SC9 @ \$.106/kw
Motion to approve was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 4-0.
- **Resolution** to acknowledge the information from Attorney Larry Schwind in regards to our self-insure dental program and that the Village Board makes no change to the existing plan. Motion was made by Mayor Gurslin, seconded by Trustee Horylev. Carried unanimously 4-0
- **Resolution** that the Village of Hilton elects not to enter into a contract for differences with any electricity supplier for the period January 1st - March 31, 2008. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 4-0
- **Revenue Anticipation Note (renewal) resolution** authorizing payment of a revenue anticipation note due on January 30, 2008 and approving the general obligation of a renewal revenue anticipation note to continue the finance of the acquisition of electricity for use by the residents and businesses of the Village of Hilton and Town of Parma, authorizing issuance of a revenue anticipation note (renewal) in an amount not to exceed \$200,000 in contemplation thereof, the expenditure of sum for such purpose, and determining other matters in connection therewith.

WHEREAS, the Board of Trustees (the "Board") for the Village of Hilton (the "Village") determined on November 14, 2000 to purchase electricity ("Electricity") for the purposes of supplying Electricity to the residents and businesses of the Village at a lower cost rate to such residents (the "Electricity Purchase"); and

WHEREAS, the residents of the Village voted on November 14, 2000 to approve the Electricity Purchase and authorized and directed the Village Board to obtain the most equitable financing for the Electricity Purchase, if necessary, and to pledge the faith and credit of the Village for the repayment thereof; and

WHEREAS, the Board determined to expend approximately \$200,000 for the Electricity Purchase, with an amount not to exceed \$200,000 to be financed by the issuance of a revenue anticipation note; and

WHEREAS, a Revenue Anticipation Note dated January 30, 2007 in the amount of \$200,000 (the "Original Note"), and renewals thereof, were authorized by the vote of the Board on December 5, 2006 to finance the Electricity Purchase; and

WHEREAS, the Board has determined to pay the interest due on the Original Note and renew the Original Note in the amount of \$200,000, with an amount not to exceed \$200,000, to continue financing the Electricity Purchase for use by residents of the Village and Town of Parma;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, by the Board of Trustees for the Village of Hilton, County of Monroe, New York, by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The fiscal officer is authorized to pay the interest due on the Original Note to HSBC Bank, N.A. on January 30, 2008.

Section 2. A revenue anticipation note (renewal note) (the "Note") in the aggregate principal amount of up to \$200,000 for the Electricity Purchase is hereby authorized to finance said purpose in anticipation of revenues to be received by the Village for the sale of the Electricity to the residents and businesses of the Village and the Town of Parma. For the purpose and to provide funds to defray the cost of the Electricity Purchase, the Note in the aggregate principal amount not to exceed Two Hundred Thousand Dollars (\$200,000) shall be issued pursuant to the provisions of the Local Finance Law and shall mature one year from the date of issuance of said note.

Section 3. The amount of uncollected revenues against which the Note is to be collected is \$200,000.

Section 4. The fiscal year in which the revenues supporting the Note are due and payable is 2008-2009.

Section 5. The power to further authorize the issuance of said Note and to prescribe the terms, form and contents of said Note, subject to the provisions of this resolution and the Local Finance Law of New York, is hereby delegated to the chief fiscal officer of the Village. The chief fiscal officer of the Village is hereby authorized to sign by manual or facsimile signature any revenue anticipation notes issued pursuant to this resolution, and is hereby authorized to affix to such revenue anticipation notes the corporate seal of the Village and to attest the same.

Section 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such Note as the same respectively become due and payable. An annual appropriation of the revenues collected by the Village for the sale of the Electricity shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 7. This resolution shall be published in full by the Village Clerk of the Village 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 revenue anticipation notes issued in anticipation of the sale of said revenue anticipation notes 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 8. This resolution shall take effect immediately upon its adoption.

The motion was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 4-0

- **Resolution** to amend the 2007-08 budget as follows:

<u>Acct #</u>	<u>Category</u>	<u>Increase</u>	<u>Decrease</u>
A1325.2	Office Equipment	\$ 1,430	
A1420.4	Legal fees	\$20,000	
A1440.4	Engineering	\$ 1,000	
A1620.2	Com Ctr equipment	\$ 1,500	
A1640.4	Garage, equipment	\$ 815	
A5110.4	Streets, Canning St project	\$28,000	
A5142.2	Snow equipment	\$ 200	
A8160.1	Refuse, overtime	\$ 750	
A8160.4	Refuse, repairs	\$ 2,000	
A8540.4	Drainage	\$ 590	
A5110.1	Highway, personnel	\$22,750	
A9089.4	Employees, clothing	\$ 650	
A9030.4	Social Security	\$ 1,740	
A9060.4	Medical	\$ 4,054	
A440	Due from LDC	\$ 9,500	
A1990.4	Contingency		<u>\$94,979</u>
	Total on the expense side	<u>\$94,979</u>	
A4989.4	Com Development grant	\$25,000	
A2412	Com Ctr rent	\$ 4,272	
A2665	Rental of equipment	\$ 6,200	
A599	Appropriated fund balance		<u>\$35,472</u>
	<u>Total on the revenue side</u>	<u>\$35,472</u>	

Net change to budget (\$59,507)

Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 4-0

Vouchers

Resolution to approve the abstract of vouchers with the following additions/changes: Richard Bjornholm \$86.05; Dana Brunett \$700.00; Thomas Tilebein \$30.00; Dakota Grill \$25.00.

Totals as follows:

General fund	\$ 98,098.86
Water fund	\$ 26,831.67
Sewer fund	\$ 381.43
Electric fund	\$ 139.32
Gas fund	\$ 217.00
T/A fund	\$ 15,673.58
Prepaid	<u>\$190,680.65</u>
Total	\$322,022.51

Motion to approve was made by Mayor Gurslin, seconded by Trustee Horylev. Carried unanimously 4-0

Minutes

Resolution to approve the meeting minutes of October 2nd 2007. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 4-0.

Refuse & Fee Schedule

Mayor Gursslin presented a recommendation to the Board on how the Village should charge a penalty to the property owner when their tenants put bulk items at the curb for collection without having the proper refuse sticker attached. He feels that items like couches, appliances and carpet are too frequently seen by neighbors and visitors to Hilton which is unsightly. Lengthy discussion followed.

The Board also talked about the recreation fee that is charged on a building permit for a new home. The Town of Parma charges \$450.00 but Hilton is only charging \$400.00. To be consistent, Mayor Gursslin recommended that we increase our fee to \$450.00.

Resolution to amend the 2007-08 fee schedule effective December 3, 2007 for the following items:

- a) The Recreation fee shall be increased from \$400 to \$450
- b) Section VIII under refuse charges: add a new penalty fee for non-compliance of bulk items of \$150.00 per item for multi-residential users and charged to the property owner.

Motion to approve was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 4-0

Unpaid Taxes

Resolution to surrender the unpaid village taxes for 2007-08 to the County of Monroe for collection, total amount of \$9,838.27 which includes year to date interest. Motion was made by Trustee Gates, seconded by Trustee Horylev. Carried unanimously 4-0

Special Meeting

Resolution to have a special meeting on November 27th at 6:00 p.m at the Town Hall. Motion to approve was made by Trustee Horylev, seconded by Trustee Lee. Vote: Mayor Gursslin, Trustees Horylev & Lee, aye; Trustee Gates abstained as he will be on vacation. Carried 3-0-1

Executive session:

Motion to enter into executive session was made by Trustee Gates, seconded by Trustee Horylev to discuss a personnel issue. Executive session was ended with a motion from Trustee Horylev, seconded by Trustee Gates.

Resolution to hire Jim Liese as a full time employee as he has completed his 90 day probation period. Motion was made by Trustee Horylev, seconded by Trustee Lee. Carried unanimously 4-0

Meeting adjourned at 8:15 p.m

Janet Surridge
Clerk-Treasurer