

**Village Board of Trustees  
Meeting Minutes of February 1, 2011**

Present: Mayor Lee, Trustees Horylev, Gates, Speer, Bimmler  
Village Manager, Janet Surridge  
Superintendent of Public Works, Mike McHenry  
Village Clerk, Shari Pearce  
Code Enforcement Officer, Mike Lissow

Guests: Carm Carmestro, Tom Scheg

Mayor Lee called the public meeting to order at 5:00 p.m. with the pledge of allegiance to the flag.

**Public Forum**

Mayor Lee opened the meeting to the public at 5:01 p.m.

Tom Scheg, 137 South Avenue, he is representing the Hilton Exempt Club and asked if there was a response from FEMA regarding their request to place a sign on the Village's property at 135 South Avenue. Mr. Lissow stated FEMA may allow the sign to be placed on the property; however, applications must be submitted and approved by FEMA. Mr. Lissow will be starting the application and review process with the State.

**Code Enforcement**

- Sidewalks: Mr. Lissow stated Trustee Horylev requested he look at revising the sidewalk ordinance to add language to prohibit vehicles from blocking the sidewalks. Trustee Horylev noted this winter he has noticed cars blocking the sidewalks, which prohibit the clearing of snow for the DPW and creates a dangerous situation for pedestrians. Mr. Lissow stated after researching other Village's sidewalk ordinances, he would like to propose an updated law for the board to review at the April meeting.
- Hillside Drive Fire: Mr. Lissow stated there was a house fire this past weekend that started in the garage. The homeowners are displaced until the remodeling is completed.
- Fire Marshall: Mr. Lissow is concerned with some of the emergency enclosure companies that secure homes after a fire. These companies are approaching homeowners during a fire and being aggressive about obtaining their business to secure their homes. He noted this is becoming a problem within the County. He discussed with the board the possibility of these companies having to apply for a vendors permit through the office. This way, if the Village has any concerns or receives any complaints, we will have their information on file and would have the authority to revoke their permit. The board was supportive of this concept.

**Public Works Report**

- Sewer Machine: Mr. McHenry requested approval to buy a part to fix the sewer machine. The cost is not to exceed \$6,200.00. He noted the sewer machine is ten years old with a fifteen year replacement schedule. A new machine has been quoted at \$45,000.00; he recommends repairing the existing machine.

**Resolution** to authorize the Superintendent of Public Works to purchase a new pump for the sewer flushing machine at a cost not to exceed \$6,200 and to authorize the Treasurer to amend the Sewer Fund 2010-11 budget by transferring this sum from the contingency account. Trustee Horylev made the motion, seconded by Trustee Gates. Carried unanimously 5-0.

- Concrete: Mr. McHenry requested the board to allow him to solicit bids for concrete for the 2011 season.

**Resolution** to authorize the Superintendent of Public Works to solicit bids for the supply of concrete for the 2011-12 fiscal year. Motion made by Trustee Bimmler, seconded by Trustee Horylev. Carried unanimously 5-0.

- Monroe County Hazardous Collection: The Village will be hosting this year's Hazardous Waste Collection on June 18, 2011.
- Palmyra Auction: Mr. McHenry requested approval to send three pieces of equipment to the auction on May 14, 2011.

**Resolution** to authorize the Superintendent to send the 1998 Ford Taurus, 1999 Dodge 2500 pickup and the 1990 International Dump Truck to be sold at the Palmyra Auction in May, 2011. Trustee Speer made the motion, seconded by Trustee Bimmler. Carried unanimously 5-0.

- Emerald Ash Borer: Mr. McHenry reported Asst. Superintendent Keith Brown has done extensive research on the disease that is affecting ash trees in our region and other areas. There are 109 ash trees in the Village that could possibly be affected. This is approximately 5% of our tree inventory. Mr. Brown's recommendation is to continue monitoring the trees and inspect for infestation. Mr. McHenry requested approval for Mr. Brown to attend a Ash Tree Care seminar to be held in Batavia at a cost of \$35.00.

**Resolution** to authorize the Treasurer to expend \$35.00 for Keith Brown to attend an Ash Tree seminar. Trustee Speer made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

#### **Clerk's Report**

- **Records Grant:** This was a crucial month to get the grant application completed. Donna Curry and Shari Pearce worked very hard along with the grant writer to complete everything by the February 1<sup>st</sup> deadline. The one change that took place is the Town is now the lead agency. The reason for this is the Town has the largest volume of records and whoever has the most need, becomes the lead agency. The announcement for the grant awards will be in the spring.
- **Time Warner Cable:** Mrs. Pearce reported she spoke with our insurance consultant, Tom Augustini, and he had some very good information regarding municipal contracts with Time Warner Cable Company. Apparently, the Village may not be receiving all the monies that they are entitled to. Mrs. Pearce will be researching this and will have a proposal for the board to review next month.

#### **Village Manager**

- Annexation Study: Mrs. Surrige distributed to the board an extensive study on the cost of annexation and the effects it could have on the Village. The board reviewed the results which indicated the Village is at capacity with the services offered and it is not cost effective to annex additional property in the Village at this time.
- Monroe County Community Development Grants: Mrs. Surrige requested approval for two separate grant applications; the first would be for slip lining the sewer mains on the east side of South Avenue from Raintree Lane to Cedar Terrace. The second grant is for the repair/replacement of the handicap ramp at the south entrance of the Community Center.

**Resolution:** Whereas approximately 1,000 L.F. of sanitary sewer main located on the east side of South Avenue needs to be repaired, and

Whereas, this project is located in Census Block Group 148.04 which has been deemed by the 2005 U.S. Census Bureau as a low to moderate income area which makes the project eligible for funding under the 2010 Community Development Block Grant program (CDBG) and

Whereas, the project cost is estimated to be \$65,000 plus \$12,000 for engineering fees,

Now therefore, be it resolved that the Village Manager is hereby authorized to apply for a CDBG in the amount of \$40,000 to finance this project with the Village of Hilton's share being \$37,000 which would be budgeted in the 2011-12 fiscal year.

Be it further resolved that the Village Board of the Village of Hilton has reviewed the SEQR form prepared by the Village Manager and makes the following determination: The Village Board of the Village of Hilton will act as lead agent and hereby declares that the proposed action will not result in any significant adverse environmental impacts. Therefore, this is a Type II Unlisted Action.

The resolution was passed with a motion from Trustee Larry Speer, seconded by Trustee Walter Horylev and it was duly carried unanimously 5-0.

**Resolution:** Whereas the handicap ramp at the south end of the Community Center needs to be repaired, and

Whereas, this project is located in Census Block Group 148.04 which has been deemed by the 2005 U.S. Census Bureau as a low to moderate income area which makes the project eligible for funding under the 2010 Community Development Block Grant program (CDBG) and

Whereas, the project cost is estimated to be \$20,000 ,

Now therefore, be it resolved that the Village Manager is hereby authorized to apply for a CDBG in the amount of \$17,000 to finance the construction costs; the Village of Hilton will provide the labor & equipment to demolish the existing block wall & concrete ramp.

Be it further resolved that the Village Board of the Village of Hilton has reviewed the SEQR form prepared by the Village Manager and makes the following determination: The Village Board of the Village of Hilton will act as lead agent and hereby declares that the proposed action will not result in any significant adverse environmental impacts. Therefore, this is a Type II Unlisted Action.

The resolution was passed with a motion from Trustee Larry Speer, seconded by Trustee Walter Horylev and it was duly carried unanimously 5-0.

- **Water Rates:** Mrs. Surrige reported Monroe County has announced the wholesale rates have increased from \$1.67/per thousand to \$1.75 per thousand, which is a 4.8% increase. Mrs. Surrige is concerned with the amount of water loss in the system in the past few years. She is recommending the board not set the water rate until the budget is complete.
- **Traffic Control:** The board discussed the upcoming festivals and traffic control services. Since the Village can obtain services for traffic control from the Monroe County Sheriff's Department; the Village no longer needs services from the Parma Special Police for traffic control. Mrs. Surrige will communicate this to each organization that holds a parade/event in the Village.

**Public Hearing 6:00 p.m.**

Mayor Lee opened the public hearing at 6:00 p.m. to consider the adoption of Local Law #1, 2011 to amend the Cross Connection Ordinance.

There were no comments from the public. The public hearing was closed at 6:01 p.m.

**Resolution** to adopt Local Law #1, Cross Connection Ordinance with the changes below: Motion made by Trustee Horylev, seconded by Trustee Bimmler. Carried unanimously 5-0.

Chapter 5A of the Hilton Code, entitled “Cross Connection” is hereby amended as follows:

Section 1: Section 5A-3 (A) Responsibility: Replace the words “Village Administrator” with “Village Board” throughout the entire paragraph. In the 2<sup>nd</sup> sentence, replace the words “his/her” with “its.”

Section 2: Section 5A-4 (A) (1) in the first sentence replace the word “Village” with “Village Board’s delegated agent” In the third sentence, change “Village” to “Village Code Enforcement Officer”

Section 3: Section 5A-4 (A) (2) in the first sentence replace the word “Village” with “Village Board’s delegated agent”

Section 4: Section 5A-4 (A) (3) replace “Village” with “Village Board”

Section 5: Section 5A-4 (A) (4) replace “Village” with “Village Board or its delegated agent”

Section 6: Section 5A-4 (A) (5) replace “Village” with “Village Board”

Section 7: Section 5A-4 (B) (4) replace “Village” with “Village Board or its delegated agent”

Section 8: Section 5A-4 (B) (8) replace “Village” with “Village Board or its delegated agent”

Section 9: Section 5A-5 Records and Reports - replace “Village” with “Village Board or its delegated agent”

Section 10: Section 5A (B) (8) add the words “Fire or Domestic Service” after “The owner shall install a”

Section 11: This local law shall become effective upon publication and filing with the Secretary of State.

**Resolution** that Superintendent Mike McHenry is hereby appointed as the Village Board’s designated agent to enforce our Cross Connection Local Law. Trustee Speer made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

**Vouchers**

**Resolution** to approve the abstract of vouchers with the following additions: Keith Brown \$9.30, Karla Lissow, \$3,000.00, Town of Parma, \$1,424,60. Totals as follows:

General fund	\$	57,594.07
Water fund	\$	25,104.04
Sewer fund	\$	419.91
Gas&Electric	\$	270.84

Capital	\$	3,000.00
Prepaid	\$	236,551.17
T&A	\$	12,929.10
Total	\$	336,949.23

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

### **Minutes**

**Resolution** to approve the meeting minutes of December 14, 2010 as written. Trustee Gates made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

**Resolution** to approve the meeting minutes of January 4, 2011 as written. Trustee Bimmler made the motion, seconded by Trustee Horylev. Carried unanimously 5-0.

### **Recreation Commission**

**Resolution** to reappoint Kay Dodds to the Hilton-Parma Recreation Commission; his term is effective 1/1/2011-12/31/2014. Trustee Horylev made the motion, Trustee Speer seconded the motion. Carried unanimously 5-0.

### **Joint Meeting**

After discussion, it was suggested to cancel the joint meeting between the Village and Town Boards due to the limited discussion agenda items. If the Town concurs, the meeting will be cancelled and advertised by the Village Clerk.

### **Upstate Worker's Compensation**

**Resolution** to appoint Janet Surrige to represent the Village of Hilton on the Board of Directors of the Upstate NY Municipal Worker's Compensation self insured program, and to appoint Shari Pearce as Alternate Director and Mike McHenry as Facilitator. Trustee Horylev made the motion, seconded by Trustee Gates. Carried unanimously 5-0.

### **10 Canning Street**

Mrs. Surrige requested the following resolutions be approved. She has negotiated agreements with Frank LePore, Carm Carmestro and Joe Sciortino for the sale of 10 Canning Street. The plan has been reviewed with our Village Attorney, Larry Schwind

**Resolution** to amend the Purchase & Sale Contract with Joseph Sciortino who is purchasing #10 Canning Street as follows: The land on the east side of Canning Street which is being used for parking is hereby removed, (referenced as Lot #1 on the attached map). The Village will subdivide the parcel before closing. The Village will sell an additional 49.5 feet of land along the east side of Upton Street which can be developed for future parking. This exchange of land does not affect the agreed upon purchase price. Trustee Horylev made the motion, seconded by Trustee Bimmler. Carried unanimously 5-0.

**Resolution** to transfer the land on the east side of Canning Street, referenced as Lot #2, to Carm Carmestro and to provide an instrument survey map. In lieu of money, Mr Carmestro must agree to terminate the existing Boundary Line & Easement Agreement which is a deed restriction attached to #10, #11 & #50 Canning Street. The Village Board hereby agrees to pay up to \$1,000 towards Mr. Carmestro's legal fees to conclude this transfer. Trustee Bimmler made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

**Resolution** to transfer the land on the northeast side of Canning Street which is being used for parking, referenced as Lot #3, to Frank LePore and to provide an instrument survey map. In lieu of money, Mr LePore must agree to terminate the existing Boundary Line & Easement Agreement which is a deed restriction attached to both #10, #11 & #50 Canning Street. Motion made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0.

### **Hilton Community Childcare**

Mrs. Surridge stated the Daycare owners asked if the board would consider an every other month rent payment instead of every month. The board discussed and denied their request.

### **Apple Festival**

**Resolution** to authorize use of the loop located on South Avenue during the Apple Festival on October 1st and 2nd of this year to allow the visitor transport buses to turn around. The Village Board also grants permission to use the Hilton Community Center building and grounds. Motion made the Trustee Speer, seconded by Trustee Bimmler. Carried unanimously 5-0.

### **Executive Session**

A motion was made by Trustee Speer that the Village Board enter into executive session at 7:15 p.m. to discuss a personnel matter. Trustee Gates seconded the motion, carried unanimously 5-0.

A motion was made by Trustee Speer to exit out of executive session at 8:00 p.m. Trustee Horylev seconded the motion. Carried unanimously 5-0.

There being no further business, the meeting was adjourned at 8:00 p.m.

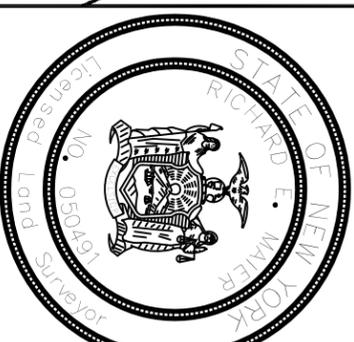
Respectfully Submitted,

Shari Pearce, Village Clerk



**ENGINEERS**

240 COMMERCE DRIVE  
ROCHESTER, NY 14623  
PHONE (585) 359-7540  
FAX (585) 359-7547



**ABSTRACT REFERENCES:**  
NOTE THIS SURVEY IS SUBJECT TO ANY FACTS WHICH A COMPLETE AND UPDATED ABSTRACT OF TITLE MAY REVEAL.

**DEED REFERENCES:**  
LIBER 9821 OF DEEDS PAGE 23  
LIBER 8363 OF DEEDS PAGE 676

**MAP REFERENCES:**  
LIBER 318 OF MAPS PAGE 50  
UNRECORDED MAP 1991 PAGE 7

**CERTIFICATIONS:**  
ITS SUCCESSORS AND/OR ASSIGNS

EAST AVENUE

139 EAST AVE  
N/F RAYMOND J. MILLER  
TAX ACC NO. 32.06-03-004

147 EAST AVE  
N/F MARCIE L. ELLINWOOD  
TAX ACC NO. 32.06-03-006

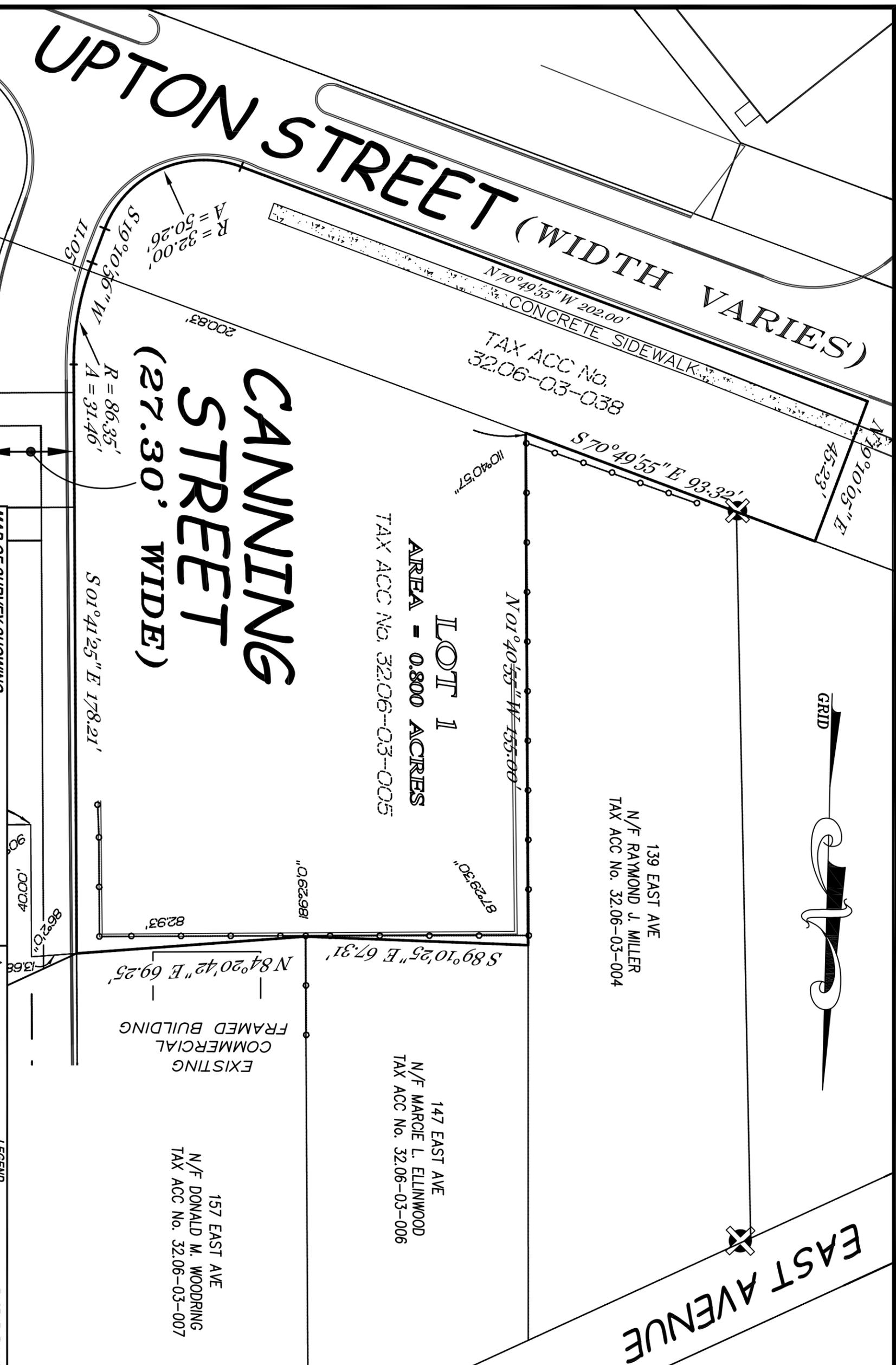
157 EAST AVE  
N/F DONALD M. WOODRING  
TAX ACC No. 32.06-03-007

EXISTING  
COMMERCIAL  
FRAMED BUILDING

LOT 1  
AREA = 0.800 ACRES  
TAX ACC NO. 32.06-03-005

**CANNING STREET**  
**(27.30' WIDE)**

UPTON STREET (WIDTH VARIES)



**MAP OF SURVEY SHOWING:  
PROPOSED LOT 1  
OF THE  
PROPOSED CANNING STREET SUBDIVISION**

SITUATED IN PART OF  
TOWN LOTS 75, TOWNSHIP 4, RANGE'S 1 & 4 NORTH SECTION OF  
THE BRADDOCK'S BAY TOWNSHIP SEAT TRACT OF THE PHELPS AND  
GORHAM PURCHASE VILLAGE OF HILTON  
COUNTY OF MONROE STATE OF NEW YORK

"UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW"

SCALE: 1" = 30' DATE: 2/23/10 JOB NO.: 11-015 T.M. NO.:



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 240 COMMERCE DRIVE  
 ROCHESTER, NY 14623  
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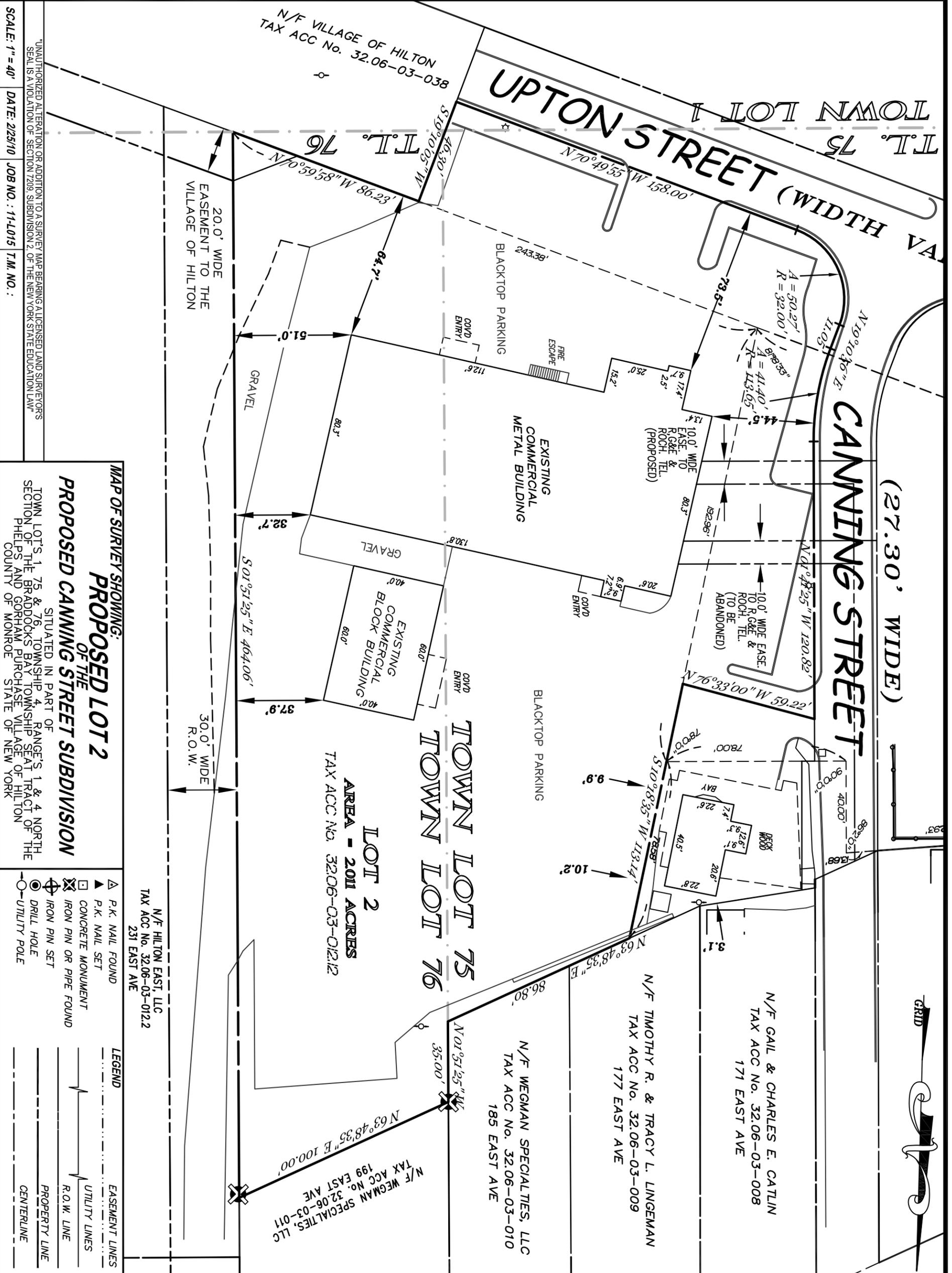


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 LIBER 9821 OF DEEDS PAGE 23  
 LIBER 8363 OF DEEDS PAGE 676  
 LIBER 9182 OF DEEDS PAGE 76

**MAP REFERENCES:**  
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 UNRECORDED MAP 1991 PAGE 7

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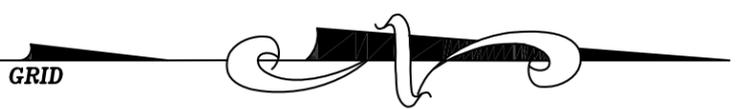


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**DEED REFERENCES:**  
LIBER 9952 OF DEEDS PAGE 228  
LIBER 9821 OF DEEDS PAGE 23

**MAP REFERENCES:**  
LIBER 318 OF MAPS PAGE 50  
UNRECORDED MAP 1991 PAGE 7

**CERTIFICATIONS:**  
ITS SUCCESSORS AND/OR ASSIGNS



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SCALE: 1" = 20'    DATE: 2/23/10    JOB NO.: 11-L015    T.M. NO.:

**MAP OF SURVEY SHOWING:  
PROPOSED LOT 3  
OF THE  
PROPOSED CANNING STREET SUBDIVISION**

SITUATED IN PART OF TOWN LOTS 75, TOWNSHIP 4, RANGE 5, 1 & 4 NORTH SECTION OF THE BRADDOCK'S BAY TOWNSHIP SEAT TRACT OF THE PHELPS AND GORHAM PURCHASE VILLAGE OF HILL TON COUNTY OF MONROE STATE OF NEW YORK

LEGEND	
	P.K. NAIL FOUND
	CONCRETE MONUMENT
	IRON PIN OR PIPE FOUND
	IRON PIN SET
	DRILL HOLE
	UTILITY POLE
	EASEMENT LINES
	UTILITY LINES
	R.O.W. LINE
	PROPERTY LINE
	CENTERLINE