

Village Board of Trustees
Meeting Minutes of September 6th, 2011

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

Guests: Glenn Mullen, Carm Carmestro, Tom Scheg

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

Public Forum

Glen Mullen - 7 Doud Circle: Mr Mullen was present to discuss the 4 wheelers that are going up and down Applewood Lane and Hillside Drive. They create a lot of noise and leave mud in the street. Mr Mullen has talked with the parents of the youths driving the 4 wheelers but they claim they have permission to ride in the field east of the Village. He's also talked with the Monroe County Deputies but so far the situation is not improving. Mayor Lee stated that he will contact the Captain of C-Zone to discuss this problem.

Code Enforcement

Mr Lissow reported on a few miscellaneous items. He's been spending most of his time working with the Village Manager on planning & zoning issues which will be reported later in the meeting.

Public Work's Report

- **Resolution** to authorize the Supt to purchase a pickup truck off of state bid at a price of \$21,280.81. Motion made by Trustee Speer, seconded by Trustee Bimmler. Carried unanimously 5-0
- Miscellaneous items were reported: Community Center maintenance, sidewalks, sanitary sewer project, the security system at the Jennejahn Lodge, a NYS DEC inspection at the Public Works garage, and parking lot maintenance.
- **Resolution:** WHEREAS, the Village of Hilton has gathered information and prepared the Monroe County Pre-Disaster Mitigation Plan; and
WHEREAS, the Monroe County Pre-Disaster Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and
WHEREAS, the Village of Hilton is a local unit of government that has advertised this plan on the Village's website as a means to give the citizens an opportunity to comment and provide input on the Plan and the actions in the Plan; and
WHEREAS, the Village of Hilton has reviewed the Plan and affirms that the Plan will be updated no less than every five years;
NOW THEREFORE, BE IT RESOLVED by the Village Board of the Village of Hilton to adopt the Monroe County Pre-Disaster Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan. Motion was made by Trustee Horylev, seconded by Trustee Bimmler. Carried unanimously 5-0

Clerk's Report

Mrs Pearce was not able to attend due to illness. Mrs Surridge gave her report.

Computer system: We are having problems with the 3 new computers that were purchased with the Windows 7 Operating System because they are not compatible with our Springbrook Software. Mrs Surridge stated a proposal has been received from Springbrook that outlines the costs to upgrade to a version that will work with Windows 7 but it's very expensive. General discussion followed. No action was taken at this time, but the office team will look into the possibility of arranging a payment plan with Springbrook or see if other options are available.

Public hearing

At 6:05 pm Mayor Lee opened a public hearing to consider the adoption of Local Law #3 2011. There were no comments from the public or the Board so the hearing was immediately closed.

Resolution to adopt Local Law #3 2011 which shall read as follows: Motion made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0

Section 24-209 of the Zoning Local Law, Uses prohibited in all districts, is hereby amended as follows:

Section 1: Delete subsection D, "Installation and use of auxiliary service equipment within the setback" which reads:" No auxiliary equipment, including but not limited to air conditioners, air compressors, water pumps, electric generators, and the like, shall be located in a Setback, as defined in Section 24-1402 of the Village Code, if it is greater than 3 HP, if it exceeds 4 feet in height from ground level and/or if it emits a sound level in the air which, as measured at the property lines, is in excess of sixty-five-seventy (65-70) decibels on the A-weighted scale between the hours of 7:00 a.m. and 8:00 p.m. and in excess of fifty (50) decibels on the A-weighted scale between the hours of 8:00 p.m. and 7:00 a.m."

Section 2: Insert a new subsection D, entitled "Sidewalks" to read as follows: "Obstructing the free passage of a public sidewalk in any manner or by any means is prohibited."

Section 3: This local law shall become effective upon publication and filing with the Secretary of State.

Village Manager

- 98 South Avenue: Mrs Surridge stated the Hilton Big M is going out of business on 9/27/11 but TOPS Market is opening on 9/28/11. We have also learned that the entire plaza has been sold to Benderson Development, including the HSBC bank property. As far as we know, all of the businesses in the plaza will remain as is, but we anticipate Benderson Development will propose major changes to the exterior façade.
- Planning Board:
 - Due to the changes taking place at 98 South Avenue, Mrs Surridge mentioned that we have to appoint more people to the Planning Board since we only have two members serving on that Board (Bob Hunte & Mike Lissow). She contacted former Planning Board member John Steinmetz and asked if he'd be willing to rejoin the Board for a temporary term of office. John stated he'd be happy to help out the Village in this time of need. The Board was very thankful for John's help.
 - Mrs Surridge discussed some other research she did with the Village Attorney regarding the possibility of appointing Village Officials to the Planning Board. Since we do not have any applications on file from interested and experienced citizens who could serve on this Board, this approach could be another way for us to fill the remaining two vacant seats. The two officials she's recommending is the Village Clerk and the Superintendent of Public Works. Attorney Schwind and the NY Conference of Mayors both confirmed that the Village Board can make these appointments. Discussion followed.

- Attorney Schwind has prepared the proposed local law that we'd have to adopt to abolish the Planning Board. It was distributed to the Board for review and discussion. The Board indicated that our goal should be to implement this law in January, 2012. In the meantime, we will continue to provide training to the Zoning Board about their future responsibilities.
- **Resolution** to accept the resignation from Jim Jackson as a member of the Planning Board effective immediately. Motion was made by Trustee Horylev, seconded by Trustee Bimmler. Carried unanimously 5-0
- **Resolution** to appoint John Steinmetz to the Planning Board for a temporary term of office, and to appoint him Chairman of that Board. Motion was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0
- **Resolution**: Whereas, the Village Board is aware of potential site plan applications that may be received for new construction, and
Whereas, there are only 3 members on the Planning Board at this time, and
Whereas, the Village Board determines that it is imperative to fill the two remaining seats on the Planning Board as soon as possible, and
Whereas, the Village Attorney has investigated the legality of Village Officials serving on a Planning Board and has found no reason why this is not an authorized action,
Now, therefore, be it resolved, that Shari Pearce and Mike McHenry are hereby appointed to the Planning Board for a temporary term of office.
Be it further resolved that the residency requirement for Planning Board members is hereby temporarily waived. Motion was made by Trustee Speer, seconded by Trustee Gates. Carried unanimously 5-0
- Zoning Board:
 - Due to the resignation of Jim Jackson, Mrs Surridge mentioned that we now have 6 members who can serve on the "new" Zoning Board after the Planning Board is abolished. Recently, the Village Board adopted a resolution to keep a 5 member Zoning Board plus two alternates. She questioned if the Board wanted to amend this resolution. The Board stated that we should still establish the two alternate positions even though we may only fill one position at this time. Furthermore, Mrs Surridge stated that member Patricia Holenbeck has agreed to stay on the Zoning Board so she will not become an alternate member after all.
 - Training: The Board reviewed the agenda for the NY Planning Federation Conference which is scheduled to be held in October. Everyone was very disappointed with the topics to be discussed. Lengthy discussion followed. It was agreed that for this year only, we will not send Planning & Zoning Board members to this conference, but instead we will provide in-house training utilizing the Village Attorney, Village Engineer and Steinmetz Planning Group.
- **Resolution** to acknowledge that the Monroe County Community Development grant amount will be \$25,050, not the \$40,000 amount that we accepted in July, 2011. Motion made by Trustee Horylev, seconded by Trustee Gates. Carried unanimously 5-0.
- **Resolution** to adopt the following travel policy: Motion was made by Trustee Horylev, seconded by Trustee Gates. Carried unanimously 5-0

Travel by Board Members and appointed officials of the Village of Hilton will be allowed under the following policy:

1. Any travel expenses for which reimbursement is requested and allowed shall be for actual and necessary expenses incurred when conducting business for the Village and will be approved on the following basis.
 - a. Mileage - rates as approved by IRS.
 - b. Parking - necessary parking.
 - c. Tolls - for bridges, thruway charges, etc.
 - d. Meals - reimbursed subject to the IRS per diem rate
 - e. Lodging – arrangements will be made by the Village Clerk, Village Treasurer or Village Manager.
 - f. Miscellaneous - per receipt if for business purposes.

2. Whenever practical, travel shall be approved in advance by the Village Board.
 3. Receipts or other documentation should be submitted for all expenses but if receipts are lost, a statement attesting to the charges may be accepted.
 4. Reimbursement procedure. Upon completion of the travel a statement of all expenses with receipts shall be submitted to the Board who shall authorize the reimbursement to the employee.
 5. Unauthorized expenses. Expenses such as alcoholic beverages, valet, laundry services, newspaper, entertainment expenses, or for other personal items will not be reimbursed.
- **Resolution** to hire Bill Schubert as a part time maintenance worker at the Community Center at the rate of \$12.00/hour. Motion was made by Trustee Speer, seconded by Trustee Bimmler. Carried unanimously 5-0.

Vouchers

Resolution to approve the abstract of vouchers with one addition: Milton Cat \$121,152.00.
Totals by fund:

General	\$177,684.38
Water	\$ 40,262.12
Sewer	\$ 121.20
Gas/Electric	\$ 2,873.38
T/A	\$ 11,316.43
Prepaid	<u>\$145,498.70</u>
Total	\$377,756.21

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

Minutes

Resolution to approve the meeting minutes of August 2, 2011. Motion was made by Trustee Speer, seconded by Trustee Horylev. Carried 4-0-1. Trustee Bimmler abstained since he was absent at that meeting.

Historian

Resolution to authorize the Historian to purchase some Civil War memorabilia for the sum of \$500 and to pay for these items from his savings account. The 2011-12 budget is hereby revised by increasing Acct A7510.4. Motion was made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0.

Zoning Board

Resolution to hire Steinmetz Planning Group to revise our sign ordinance and to provide training services to the Zoning Board since they are assuming the duties and responsibilities of the Planning Board. He shall be compensated at the rate of \$100 per hour and the cost shall not exceed \$2,000. Motion was made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0.

Resolution to hire Attorney Larry Schwind and MRB Group to provide training services to the Zoning Board for a cost not exceed \$2,000. Motion was made by Trustee Bimmler, seconded by Trustee Speer. Carried unanimously 5-0.

Resolution to appoint Thomas Scheg as Vice Chairman of the Zoning Board. Motion was made by Trustee Horylev, seconded by Trustee Gates. Carried unanimously 5-0

10 Canning Street

Resolution to allow Harris-Wilcox Inc. to use village property at #10 Canning Street on a date to be announced in October 2011 to display items that are being put up for sale by an adjacent homeowner on East Avenue. Motion was made by Trustee Speer, seconded by Trustee Gates. Carried unanimously 5-0

Executive Session

Motion to enter into Executive session at 6:45 pm was made by Mayor Lee, seconded by Trustee Speer. Carried unanimously 5-0.

Motion to exit out of executive session at 7:00 pm was made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

Meeting adjourned

Janet Surrige
Village Manager