

**Village Board of Trustees
Meeting Minutes of May 24, 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: Dave McCracken, Pat Hollenbeck, Richard Bjornholm, Richard LaForce, Dave Wright, Tom Scheg, Jim Jackson

Mayor Lee called the special meeting to order at 4:30 p.m. with the pledge of allegiance to the flag.

Public Forum

There was no one present to address the board at this time.

Treasurer's Report

Resolution to amend the 2010-11 budget as follows: Trustee Horylev made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

Increase		Decrease	
General:			
A1-1440-40	Engineering	\$(2300.00)	A-1-1990-40
A1-1460-40	Grant Writing	\$(125.00)	A-1-1990-40
A1-1910-40	Unallocated Insurance	\$(861.00)	A-1-1990-40
A1-1920-40	Municipal Dues	\$(225.00)	A-1-1990-40
A1-3620-40	Building Dept, Other	\$(102.00)	A-1-1990-40
A1-7510-40	Historian, Other	\$(256.25)	A-1-7510-20
A1-7510-40	Historian, Other	\$(207.51)	A-1-7510-10
A2-8160-20	Refuse Equipment	\$(162.00)	A-1-1990-40
Sewer:			
G0-1950-40	Taxes on Property	\$(11.00)	G-1-1990-40
Electric:			
E1-1420-40	Legal	\$(170.00)	E-0-8410-20

Manager's Report

- Architectural Design District: Mrs. Surridge discussed the recent resignations from two Planning Board members, Chairman Mark Hedberg and Christine Brower. She asked the Board if they would be interested in pursuing the creation of a joint Planning and Zoning Board instead of filling the empty seats. The Board stated they are willing to pursue this so we should bring this up later tonight when we have a joint meeting with those boards. Mrs. Surridge and Mr. Lissow then discussed the requirements within the Architectural Review Code that sign applications and exterior changes to commercial properties have to be approved by the Planning Board before a permit can be issued. They talked about the pros and cons of the law. Mrs. Surridge was asked to review this matter with the Village Attorney. A possible solution could be to only require Planning Board approval on properties being used for commercial purposes. Any properties used for residential purposes could be exempt from the law.
- Natural gas program: Mrs. Surridge stated the Village intended that December 31, 2012 would be the proposed date to end our natural gas program with the school district. That date is not beneficial because that is in the middle of the school's fiscal year. Mrs. Surridge's recommendation is to terminate the program as of June 30, 2013, which allows the school a full year's notice to appropriate administration fees that BOCES will charge.

Resolution to close the Municipal Natural Gas Utility program as of July 1, 2013. Motion made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

- North Parma Station: Mrs. Surridge reported Mr. McHenry and Mr. Sciortino had a meeting to discuss the improvements that would have to be made to our sewer system and the potential costs if North Parma Station were to materialize. The next step for Mr. Sciortino is to discuss rezoning with the Town of Parma. If the Town approves his proposal, the Village would move forward and discuss sewer connection details.
- 10 Canning Street: The buyer, Mr. Sciortino, has notified the Village that he is not financially able to proceed with the purchase of 10 Canning Street. The contract stated the closing date was suppose to be on or before May 31, 2011. The board discussed the terms of the contract and concluded the following:

Resolution to terminate the contract with Mr. Joe Sciortino for the sale of 10 Canning Street. The board recognizes that Mr. Sciortino did not follow through on the purchase agreement; therefore, the Village Board is not authorizing the return of the deposit in the amount of \$5,000.00. Motion made by Trustee Horylev, seconded by Trustee Speer. Carried unanimously 5-0.

- Skatingboarding Law: The board discussed the proposed alterations to the skateboarding law and they agree with the recommended changes. Janet Surridge explained to the board she met with the elected spokesperson that appeared at the public hearing and explained the proposed changes.

Resolution to adopt Local Law #2, entitled “Skateboarding Regulations” which reads as follows: Motion made by Trustee Horylev, seconded by Trustee Bimmler. Carried unanimously 5-0.

Section 1: Chapter 19-C, entitled “Skatingboarding Regulations” is hereby created as follows:

19C-1 Definitions:

For the purpose of this chapter, the following terms shall have the meanings indicated

SKATEBOARD - A platform which is mounted on wheels for riding underfoot, or a board with roller skate or similar wheels attached to the underside, with or without a mechanism or other device with which to steer or control the direction of movement thereof while being used, operated or ridden.

19C-2 Use regulated:

- A. No person shall ride a skateboard on public property anywhere in the Village of Hilton without complying with the terms of this chapter.
- B. No person shall ride or propel a skateboard except in a prudent and careful manner and unless such person is capable of sufficient control at all times and unless such skateboard is operated with reasonable regard to the safety of the operator and other persons.
- C. No person shall ride a skateboard upon a public parking area or any other public area within the Central Business District or Limited Commercial District as defined under the Village of Hilton Zoning Code.
- D. No person shall ride a skateboard in a reckless manner on any public sidewalk. No person shall ride a skateboard on a public sidewalk without exercising due care for the safety of other persons using the sidewalk, shall yield the right-of-way to all pedestrians on said sidewalk, and shall give an audible signal before overtaking and passing any pedestrian.
- E. The operator of a skateboard emerging from an alley, driveway or building shall, upon approaching a public sidewalk, yield the right-of-way to all pedestrians approaching on said sidewalk.
- F. No person shall wax or otherwise lubricate any public curb, steps or railings for skateboard purposes or use.

- G. No person shall construct, place or use ramp-like structures on any portion of publicly owned properties. Ramp-like structures shall include all ramp commonly referred to as such, any platforms, any manufactured or contrived surfaces of any and every pattern or configuration and other similar devices and things designed or used for or in conjunction with riding or operating a skateboard

19C-3 posting of regulations at sales or rental locations:

Any commercial establishment in the Village of Hilton selling or renting skateboards shall post a copy of this chapter or a summary of the rules set out in this chapter in a conspicuous place where persons buying or renting skateboards will be likely to see it.

19C-4 Penalties for offenses:

Each violation of this local law shall constitute an offense as defined in the Penal Law of the State of New York and shall be punishable, for each offense, by a fine of not less than \$25 nor more than \$250 for each offense, and a separate offense shall be deemed committed for each violation or, as applicable, a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 2: This local Law shall become effective upon publication and filing with the Secretary of State.

Recognition Awards

Shari Pearce distributed proposed guidelines for recognition awards given to appointed, salaried and hourly employees. These amounts are not going to be inserted in the employee handbook; they are simply a guideline for the board to use. The board agreed on the following guideline amounts:

20 Years of full time service	\$50.00
25 Years of full time service	\$75.00
30 Years of full time service	\$100.00
Citizen of the Year	\$50.00 (each person)
Retirement	\$50.00-200.00 (based on years of service)
Planning/Zoning Board recognition	\$50.00-100.00 (minimum of five years of service)

Vending Permit Fees

Shari Pearce stated she has been approached by Village resident, Carolyn Mount, who owns a mobile food vending and catering business. She is considering placing her concession trailer near the sidewalk across from HSBC bank on South Avenue. She is proposing to operate 4-5 days per week and also participate in community events. A letter was received from Carolyn Mount stating the current permit fee of \$50.00 per day is too expensive and is requesting the board to consider reducing the permit cost. Other surrounding communities have shown interest in her business and their permit fee is considerably less. The board discussed and would consider a reduced permit fee. The board asked the Clerk to contact the Village Attorney and question if anyone is permitted to sell goods on Village property. This item was tabled until the next meeting.

Planning Board Resignations

Resolution to accept the resignations with regret from Mark Hedberg and Chris Brower from the Planning Board, effective immediately. Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0.

Resolution in recognition of the 15 years of service that Mark Hedberg served on the Planning Board and the 5 years of service that Christine Brower served on the Planning Board, the Village Board hereby authorizes the Treasurer to purchase gift cards for Mark Hedberg in the amount of \$75.00 and \$50.00 for Chris Brower. Motion made by Trustee Speer, seconded by Trustee Horylev. Carried unanimously 5-0.

Church Service

Mrs. Surridge stated Life Quest Church group requested to have a service outside at the Community Center Gazebo with a PA system on June 5, 2011. She asked if the board had any objection with this; this is a one time event. There would be singing and music for about an hour. The board had no objection and wished them good weather for the service.

Daycare Playground

Mrs. Surridge stated the Hilton Community Childcare (HCC) playground area did not pass inspection for their license renewal. The fence has very sharp edges along the top rail, the gate is broken and they need to put a substantial amount of mulch inside the gated area. The total cost for the repairs is approximately \$5,000.00. The owners have asked the board to consider allowing the following:

1. A new fence to be installed at HCC expense that is 5' high instead of the existing 4 ft.
2. "No Trespassing Signs" so that the playground will not be open to the public.
3. HCC to remove and retain the fence if they cease business.

The Village Board discussed and agreed with all the items above, including if they cease doing business, the fence can be removed from the Village property, as long as HCC is not in violation of any of the terms of the lease agreement. HCC must remove all playground equipment and mulch and return the property to a grassy area. If HCC should cease doing business and is in default of paying their rent or has caused damage to the Community Center rooms, the fence and playground equipment may not be removed from the Village's property.

Mike McHenry stated the DPW had to trim around the fenced area. He expressed if this is for private use only, the DPW should not maintain it and daycare should be responsible for all outside ground maintenance. Mr. McHenry also noted if the DPW continues to maintain the area around the fence, a charge may be associated with the service.

Creation of a Joint Planning and Zoning Board

The Zoning Board was present along with two Planning Board members for an informational meeting with the Village Board. Discussion took place on the possibility of creating a joint Planning/Zoning Board. Both boards were open to this idea. General discussion followed.

There being no further business, the meeting was adjourned at 6:00 p.m.

Respectfully Submitted,

Shari Pearce, Village Clerk