

**Village Board of Trustees  
Meeting Minutes of July 3, 2012**

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

Absent: Trustee Bimmler

Guests: Shannon Zabelny

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

**Public Forum**

Mayor Lee opened the meeting for public comments at 5:00 p.m. There were no comments from the public and the public portion of the meeting was closed at 5:01 p.m.

**Code Enforcement**

- County communications antenna: Mike Lissow reported the antenna is completely installed and the Village Office has not received one complaint or inquiry regarding the antenna.
- Training: Mike Lissow stated this past month two of our Zoning Board members took training with the Town of Parma Zoning and Planning boards. He noted a resolution needs to be approved accepting the training as part of their annual training requirements.

**Resolution** to recognize that Shannon Zabelny and Bob Hunte received 2 hours of training as required by law. Trustee Gates made the motion, seconded by Trustee Speer. Carried unanimously 4-0.

**Superintendent's Report**

- Street Sweeper: Mike McHenry informed the board that the Village of Dundee purchased our old street sweeper for \$18,000.00. He also noted that the former Superintendent, Tom Tilebein, originally informed him that the Village of Dundee was in the market for a used sweeper and initiated the sale. The Board was very appreciative to Tom for doing this.
- Ford 550 Pick-up truck: Mike McHenry requested permission to offer our 1999 Ford pick-up truck for sale to the Town of Parma for a price of \$10,000.00. He remarked the Town is in the market for this type of vehicle and he believes this is a fair price.

**Resolution** to offer for sale our 1999 Ford 550 pickup truck to the Town of Parma for \$10,000.00. Trustee Speer made the motion, seconded by Trustee Fowler. Carried unanimously 4-0.

- Tallwood Concrete Swale Cleaning: Mike McHenry stated our employees have recommended that we rent a piece of equipment (skid steer machine, with tracks) to help clean the concrete swale. This particular piece of equipment will increase the safety, improve the efficiency and reduce the amount of manual labor that it takes to clean the ditch. He noted the machine that is normally used, a motorized wheel barrow, costs \$800.00 and the proposed skid steer machine costs \$1,800.00, which is \$1,000.00 over budget. Mike recommended approval and the board was in favor of this.
- Village Park Use: Mike McHenry has received a request from a Hilton Lacrosse coach, Rob Malyk, who is seeking approval to use the Village Park to run a speed and agility camp for 4<sup>th</sup> – 12<sup>th</sup> graders starting August 6<sup>th</sup> through August 30<sup>th</sup>. Mike McHenry is supportive of this as long as Rob Malyk receives approval from the Hilton-Parma Recreation Department. He also noted this will not have an impact on the DPW.

**Resolution** to authorize Rob Malyck to use the Village Park during the month of August 2012 for the purpose of running a speed and agility camp for students in grades 4–12. This decision is made on the condition that Mr. Malyck meets the same specifications and requirements as if it were a Hilton Parma Recreation sponsored program. Trustee Fowler made the motion, seconded by Trustee Gates, carried unanimously 4-0.

- Peach Blossom Sidewalk Extension: Mike McHenry received a request from a resident, Jim Rice, to install a public sidewalk on his property that would allow pedestrians access to the St Leo's Church. Mr. Rice has several people walking through his property anyway so a sidewalk might be a good idea. Mike McHenry stated he does not support this based on the problems that occurred with the Fraser Drive sidewalk. Also, Jim Rice is currently the owner of that property, which may not be the case in the future. The Village board agreed with Mike McHenry and does not support this request.

### **Clerk's Report**

- Insurance Renewal: Shari Pearce stated the amount of the insurance renewal for the budget year 2012/13 is \$50,639.96. This year, our agent suggested increasing our earthquake coverage; we currently only have coverage for a million dollars and with our entire underground infrastructure (water and sewer mains), it could leave us potentially exposed to a major expense if an event was to take place. The additional cost for a five million dollar policy is \$662.00 annually; which is included in the premium above. The board supports the additional coverage.

**Resolution** to accept the quote from Houston Casualty Insurance in the amount of \$50,639.96 for the term 7/1/12 – 6/30/13. Be it further resolved that the Village Clerk is hereby authorized to bind the necessary coverage. Trustee Fowler made the motion, seconded by Trustee Speer. Carried unanimously 4-0.

- Judgments for Past Due Electric Accounts: Shari Pearce went to the Town Court on June 19<sup>th</sup> and placed judgments on two delinquent accounts. She collected monies from the other four past due accounts totaling \$1,374.97.

Other miscellaneous items were discussed.

### **Manager's Report**

- HD&K Easement agreement: Janet SurrIDGE stated HD&K's attorney revised the proposed easement agreement and it now includes the property owner of #7 Upton Street which it should have all along. However, there's one term that we cannot agree to and she will be working with the attorneys to resolve this. She will update the board next month.
- Shared Services Project/Salt Shed: Janet SurrIDGE stated legal preparation needs to begin on the Intermunicipal Agreement between the Town, School, Fire District and the Village. Larry Schwind, our attorney, has offered to represent both the Village and the Town for one legal fee, with a clause that if we run into a conflict, the Town of Parma would have to get their own counsel. Trustee Speer prefers to have our own attorney and not share with the Town. He feels it would be cleaner for both municipalities to have their own representation. Trustee Gates would like to move forward with utilizing a shared attorney. Janet SurrIDGE does not foresee any major items in the agreement that could not be resolved with one attorney. The remaining board members agreed with using one attorney for both the Town and Village.
- Shared Fuel Island: Janet SurrIDGE stated the School is studying the possibility of relocating their fuel pumps and construct a joint fuel island that could be shared by the Village, Fire District and the Town of Parma. There would be no upfront costs to the Village and we would pay for the cost of the fuel plus a small administration fee (to be determined later). The Village Board is very interested in pursuing this idea.

### **Zoning Board**

**Resolution** to accept the resignation of Dave Wright from the Zoning Board as an alternate member effective immediately. Motion made by Mayor Lee, seconded by Trustee Speer. Carried unanimously 4-0.

### **Minutes**

**Resolution** to approve the meeting minutes of June 5, 2012 as submitted. Motion made by Trustee Fowler, seconded by Trustee Gates. Carried unanimously 4-0.

## Vouchers

**Resolution** to approve the abstract of vouchers with the following additions: Paris Kirwan, \$50,639.96. Totals as follows:

General fund	\$	102,968.43
Water fund	\$	32,974.40
Sewer fund	\$	9,831.09
Gas&Electric	\$	9,851.43
Prepaid	\$	116,823.35
<u>T&amp;A</u>	<u>\$</u>	<u>14,627.80</u>
Total	\$	287,076.50

Motion made by Trustee Gates, seconded by Trustee Fowler. Carried unanimously 4-0.

### RESOLUTION FOR DEDICATION OF PUBLIC STREET

**WHEREAS**, the Village of Hilton is the owner of certain real property in the Village of Hilton, located to the south of East Avenue and extending beyond the existing Canning Street; and

**WHEREAS**, the Village of Hilton has developed said real property for the purpose of extending Canning Street for use by the public as a public street; and

**WHEREAS**, the Village of Hilton now wishes to offer and accept dedication said real property as a public street.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Hilton, in a regular session duly convened, as authorized pursuant to §4-412(7) and §6-612 of the Village Law of the State of New York, that the Board of Trustees does hereby offer and accept dedication as a public street the real property more particularly described as follows: Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 4-0.

*All that tract or parcel of land situated in part of Town Lot's 1, 75 & 76, Township 4, Range's 1 & 4, of the North Section Braddock's Bay Township, Village of Hilton, County of Monroe, State of New York and being more particularly described as follows:*

*Beginning at a point in the southeast right-of-way of East Avenue, said point being 510.51 feet west of the west right-of-way of Canning Street;*

1) *Thence westerly on a bearing of S 70° 49' 55" E a distance of 258.22 feet to a point;*

- 2) *Thence southerly on a bearing of S 19° 10' 05" W a distance of 45.23 feet to a point;*
- 3) *Thence westerly on a bearing of S 70° 49' 55" E a distance of 202.00 feet to a point;*
- 4) *Thence northerly on a curve to the left having a radius of 32.00 feet and a arc length of 50.26 feet to a point;*
- 5) *Thence northerly on a bearing of N 19° 10' 56" E a distance of 11.05 feet to a point;*
- 6) *Thence northerly on a curve to the left having a radius of 86.35 feet and a arc length of 31.46 feet to a point;*
- 7) *Thence northerly on a bearing of N 1° 41' 25" W a distance of 178.21 feet to a point, said point being the southwest corner of the west right-of-way of Canning Street;*
- 8) *Thence easterly on a bearing of N 63° 48' 00" E a distance of 30.00 feet to a point;*
- 9) *Thence northerly on a bearing of N 1° 41' 25" W a distance of 3.71 feet to a point, said point being the southeast corner of the east right-of-way of Canning Street;*
- 10) *Thence easterly on a bearing of N 79° 34' 54" E a distance of 5.76 feet to a point;*
- 11) *Thence southerly on a bearing of S 1° 33' 57" E a distance of 56.08 feet to a point;*
- 12) *Thence westerly on a bearing of S 88° 18' 35" W a distance of 5.57 feet to a point;*
- 13) *Thence southerly on a bearing of S 1° 41' 25" E a distance of 139.16 feet to a point;*
- 14) *Thence southerly on a curve to the right having a radius of 113.65 feet and a arc length of 41.40 feet to a point;*
- 15) *Thence southerly on a bearing of S 19° 10' 56" W a distance of 11.05 feet to a point;*
- 16) *Thence southerly on a curve to the left having a radius of 32.00 feet and a arc length of 50.27 feet to a point;*
- 17) *Thence easterly on a bearing of S 70° 49' 55" E a distance of 158.00 feet to a point;*

- 18) Thence southerly on a bearing of  $S 19^{\circ} 10' 05''$  W a distance of 34.75 feet to a point;
- 19) Thence westerly on a bearing of  $N 70^{\circ} 49' 55''$  W a distance of 387.88 feet to a point;
- 20) Thence southerly on a bearing of  $S 19^{\circ} 10' 18''$  W a distance of 25.00 feet to a point;
- 21) Thence westerly on a bearing of  $N 70^{\circ} 49' 55''$  W a distance of 51.79 feet to a point;
- 22) Thence southerly on a bearing of  $S 19^{\circ} 10' 18''$  W a distance of 53.36 feet to a point;
- 23) Thence southerly on a curve to the right having a radius of 169.46 feet and a arc length of 91.19 feet to a point;
- 24) Thence westerly on a bearing of  $S 64^{\circ} 18' 16''$  W a distance of 77.41 feet to a point, said point being the southeast corner of the south right-of-way of Hazen Street;
- 25) Thence northerly along the east right-of-way of Hazen Street on a bearing of  $N 5^{\circ} 18' 14''$  W a distance of 33.02 feet to a point, said point being the northeast corner of the north right-of-way of Hazen Street;
- 26) Thence easterly on a bearing of  $N 55^{\circ} 00' 06''$  E a distance of 76.71 feet to a point;
- 27) Thence northerly on a bearing of  $N 31^{\circ} 25' 35''$  E a distance of 35.88 feet to a point;
- 28) Thence northerly on a bearing of  $N 19^{\circ} 10' 18''$  E a distance of 67.96 feet to a point, said point being in the south right-of-way of Upton Street;
- 29) Thence westerly along the south right-of-way of Upton Street on a bearing of  $N 70^{\circ} 49' 55''$  W a distance of 333.56 feet to a point, said point being in the southerly right-of-way of East Avenue;
- 30) Thence easterly along the southerly right-of-way of East Avenue a distance of 147.79 feet to a point, said point being the true point and place of beginning.

### **Executive Session**

**Resolution** to enter into executive session at 5:55 p.m. for a real-estate matter pertaining to 10 Canning Street. Motion made by Trustee Fowler, seconded by Trustee Gates. Carried unanimously 4-0.

**Resolution** to exit out of executive session at 6:10 p.m. Motion made by Trustee Fowler, seconded by Trustee Gates. Carried unanimously 4-0.

### **Sale of 10 Canning Street**

**Resolution**: Whereas the Village of Hilton has a contract with Douglas McPherson to sell #10 Canning Street and said contract is contingent upon the Buyer obtaining his development approvals by July 1<sup>st</sup>,

Now, therefore, be it resolved, that since Mr. McPherson has not made an application to begin the process for his development approvals, the Board hereby terminates said contract since the time period for Mr. McPherson to do so has passed. Motion made by Trustee Gates, seconded by Trustee Fowler. Carried 3-1 (Trustee Speer opposed).

**Resolution** to accept the purchase offer from Dr. Scott Overholt that was received on July 3, 2012 for #10 Canning Street subject to the following conditions:

1. The seller shall deposit the sum of \$3,850.00 with his attorney.
2. The offer is subject to the termination of an existing contract the Village has with another buyer for the sale of the property.

Trustee Fowler made the motion, seconded by Trustee Gates. Carried unanimously 3-1 (Trustee Speer opposed).

There being no further discussion, the meeting was adjourned at 6:30 p.m.

Respectfully Submitted,

Shari Pearce, Village Clerk