

**VILLAGE OF MANCHESTER
MINUTES OF THE BUDGET PUBLIC HEARING AND
REGULAR/ORGANIZATIONAL VILLAGE BOARD MEETING AND
PUBLIC HEARING ON RESERVE FUND
HELD AT 8 CLIFTON STREET, MANCHESTER NY
ON APRIL 01, 2013**

MINUTES OF PUBLIC HEARING ON BUDGET HELD APRIL 01, 2013

Present: Nancy W. Johnsen, Mayor
Lynda J. Butler, Trustee
William F. Henry, Trustee

Absent: Debra Gulvin-Chase, Deputy Clerk/Treasurer, Jeffrey P. Liberati, DPW Supervisor, Richard Coffey, Police Chief, Harry Bowker, Fire Chief

Others: Patrick Nicoletta, MRB Group; David Klock, Alfred Rodgers

Recording: Rita J. Gurewitch, Clerk/Treasurer

The Mayor led the Pledge of Allegiance to the Flag.

The public hearing was called to order by the Mayor at 6:00 PM. The clerk read the Budget Hearing notice that was in the Daily Messenger on March 20, 2013.

A discussion followed on the proposed budget. After discussing the budget, Mayor Johnsen asked three times if anyone present wanted to speak on the tentative budget.

No one present spoke for or against the budget.

The public hearing was closed at 6:05 PM.

MINUTES OF PUBLIC HEARING ON USE OF MONEYS IN RESERVE FUND

Present: Nancy W. Johnsen, Mayor
Lynda J. Butler, Trustee
William F. Henry, Trustee

Absent: Debra Gulvin-Chase, Deputy Clerk/Treasurer, Jeffrey P. Liberati, DPW Supervisor, Richard Coffey, Police Chief, Harry Bowker, Fire Chief

Others: Patrick Nicoletta, MRB Group; David Klock, Alfred Rodgers

Recording: Rita J. Gurewitch, Clerk/Treasurer

The public hearing was called to order by the Mayor at 6:06 PM. The clerk read the Reserve Fund Hearing notice that was in the Daily Messenger on March 20, 2013.

A discussion followed on the proposed use of funds in the Building and Additions Reserve to pay a portion of the cost of building improvements to the village hall and fire department. After a brief discussion, Mayor Johnsen asked three times if anyone present wanted to speak on the use of reserve funds.

No one present spoke for or against the use of reserve funds.

The public hearing was closed at 6:10 PM.

MINUTES OF REGULAR AND ORGANIZATIONAL MEETING HELD APRIL 01, 2013

Present: Nancy W. Johnsen, Mayor
Lynda J. Butler, Trustee
William F. Henry, Trustee

Absent: Debra Gulvin-Chase, Deputy Clerk/Treasurer, Jeffrey P. Liberati, DPW Supervisor, Richard Coffey, Police Chief, Harry Bowker, Fire Chief

Others: Patrick Nicoletta, MRB Group; David Klock, Alfred Rodgers

Recording: Rita J. Gurewitch, Clerk/Treasurer

The meeting was called to order at 6:11 pm by Mayor Johnsen.

OATH OF OFFICE – TRUSTEE

Lynda J. Butler was appointed by Mayor Johnsen and sworn in as Trustee for the remaining term of Gary J. Bogner to expire on March 31, 2014.

The minutes of the regular meeting held on March 04, 2013 were read and approved upon motions from Trustee Henry and Trustee Butler. The February Treasurer’s report was reviewed and approved upon motion from Trustee Henry, seconded by Trustee Butler, subject to audit, voted on and carried unanimously. Bills were authorized for payment on Abstract #11 of Audited Vouchers, General Fund totaling \$70,503.66; Water Fund totaling \$28,974.55; Sewer Fund totaling \$2,402.59; CDBG totaling \$0.00 and TEP totaling \$0.00.

2013-2014 VILLAGE BUDGET – RESOLUTION NO. 2 - 2013

The following resolution was offered by Trustee Henry, seconded by Trustee Butler and carried to wit:

WHEREAS, the budget for the 2013-2014 fiscal year has been prepared by the Board of Trustees of the Village of Manchester,

WHEREAS, no interested taxpayer of the Village of Manchester voiced any objection to the budget offered;

NOW, THEREFORE, BE IT RESOLVED, that the budget be adopted as follows:

	GENERAL	WATER SEWER	
Appropriations and other Budgetary Provisions	\$1,175,919	\$238,900	\$291,600
Less Estimated Revenue	\$ 656,800	\$197,000	\$265,500
Appropriated Cash Surplus	\$ 191,418	\$ 41,900	\$ 26,100
Reserves	\$ 55,000		
Balance to be raised by			
Real Property Tax Levy	\$ 330,701		

The above resolution was put to roll call vote, which resulted as follows:

Mayor Johnsen	Voting	“AYE ”
Trustee Butler	Voting	“AYE”
Trustee Henry	Voting	“AYE”

The resolution was thereupon declared duly adopted.

A motion was made by Mayor Johnsen, seconded by Trustee Henry and carried by unanimous vote that the clerk be instructed to forward a copy of the itemized budget to the New York State Office of the State Comptroller as required by law.

A motion was made by Mayor Johnsen, seconded by Trustee Henry and carried by unanimous vote that the annual organizational transcript be adopted for the 2013-2014 fiscal year.

CAPITAL FUND RESERVE MONEYS – RESOLUTION NO. 3 - 2013

The following resolution was offered by Trustee Butler, seconded by Trustee Henry who moved its adoption:

WHEREAS, the Village of Manchester held a public hearing to use money in the Building and Additions Reserve Fund; and

WHEREAS, no spoke against the use of said funds;

BE IT RESOLVED, that the Village of Manchester be able to use said funds up to \$ 150,000.;

BE IT FURTHER RESOLVED, that any unused portion of moneys is returned to the Building and Addition Reserve Fund.

The resolution was put to roll call vote which resulted as follows:

Mayor Johnsen	Voting	“AYE”
Trustee Henry	Voting	“AYE”
Trustee Butler	Voting	“AYE”

The resolution was duly adopted.

VILLAGE HALL/FIRE DEPARMENT BUILDING RENOVATIONS – ADVERTISE to BID

Patrick Nicoletta from MRB showed the design plan to the Board for the building upgrades. All materials capable of re-cycling and/or “scrapped” will be done. The Village will need to hire a “Clerk-of-the-Works” to oversee the project. A motion was made by Trustee Henry to Advertise to Bid Building Renovations, seconded by Trustee Butler, unanimously carried.

RESOLUTION NO. 4 – 2013 RESOLUTION TO ACQUIRE TITLE TO LANDS WITHIN THE PUBLIC RIGHT OF WAY OF MERRICK CIRCLE AND RAILROAD AVENUE

The following resolution was offered by Trustee Butler, who moved its adoption, seconded by Trustee Henry:

WHEREAS, the Village has prescriptive rights of way by operation of law over lands commonly known as “Merrick Circle” and “Railroad Avenue”; and

WHEREAS, the Village is desirous of acquiring legal title to all of the lands forming the public streets and rights of way known as “Merrick Circle” and “Railroad Avenue”; and

WHEREAS, there are two parcels of land lying within the public street and right of way known as “Railroad Avenue” to which the Village of Manchester does not have title by recorded deed or other instrument; and

WHEREAS, the Village of Manchester contemplates improving the said public streets and rights of way known as “Merrick Circle” and “Railroad Avenue”, and renaming said public streets and rights of way; and

WHEREAS, efforts by the Village have not been successful to obtain deeds of conveyance from the owners of the two parcels to which the Village does not have title by recorded deed or other instrument; and

WHEREAS, it is in the interest of the public that the Village of Manchester own legal title to the streets which it maintains, Merrick Circle and Railroad Avenue being among them; and

WHEREAS, the Village intends to pursue its rights to acquire legal title to all the existing public rights of way known as “Merrick Circle” and “Railroad Avenue” for the purposes stated herein; and

WHEREAS, it is necessary under the Eminent Domain Law that the Village obtain an appraisal of the value of the lands in question;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village shall hire an appraiser to determine the value of such part of the lands owned by Sherburne DG, LLC, parcel no. 32.17-2-12.110 and Steven Hawkins, parcel no. 32.17-2-42.180, each of said parcels being depicted upon the map annexed hereto.
2. Upon receipt of said appraisals, the Village Attorney shall, on behalf of the Village of Manchester, offer to the owners of the above-mentioned parcels the highest appraised value for the same, in writing, in accordance with the provisions of the Eminent Domain Law.
3. It is determined that the acquisition of said parcels is de minimis, as provided by Eminent Domain Law §206(D), and therefore exempt from the requirement of a public hearing under Article 2 of the Eminent Domain Law, said determination being based upon the fact that the Village and the general public have for decades utilized the lands in question for a public street and right of way.

4. Should the written offer of acquisition by the Village of Manchester be rejected by the owners of the parcels in question be rejected, then the Village Attorney shall be and hereby is authorized to commence proceedings under the Eminent Domain Law to acquire title the minimum area of said parcels necessary for the public right of way and street presently known as "Railroad Avenue".

The above resolution was put to a roll call vote as follows:

Mayor Johnsen	voting	"AYE"
Trustee Butler	voting	"AYE"
Trustee Henry	voting	"AYE"

The resolution was duly adopted.

TRAIL COMMITTEE

There will be a Trail Committee meeting on April 03, 2013 at 6:30 here at the Village Hall. A discussion followed and only action taken was to purchase another picnic table.

SUMMER PARK RECREATION PROGRAM

A motion was made by Mayor Johnsen and seconded by Trustee Butler, then carried, to hire the following for the positions for the summer park recreation program:

Rachel Bardun at the rate of \$12.00 per hour for Recreation Leader
Anthony Palmeri at the rate of \$9.50 per hour for Recreation Assistant
Megan Hotchkiss at the rate of \$9.00 per hour for Recreation Assistant

The Park Program will begin July 8, 2013 through August 23, 2013 at the Manchester Family Park on West Avenue. The Swimming Program will run July 22nd to August 1st, along with scheduling field trips and park events.

RESOLUTION NO. 5- 2013

VILLAGE OF MANCHESTER CREDIT CARD POLICIES AND PROCEDURES

The following resolution was offered by Trustee Butler, seconded by Trustee Henry who moved its adoption:

WHEREAS, the Village of Manchester recognizes that credit cards are an essential requirement for certain transactions; and

WHEREAS, it is also recognized the Board of Trustees must carefully monitor the use of credit cards to prevent the possibility of fraud and abuse, therefore,

BE IT RESOLVED, that the Village of Manchester Credit Card Policy be as follows:

GENERAL GUIDELINES:

Any credit card issued to the Village of Manchester is to be used solely for the use and benefit of the Village of Manchester.

Use of the Village Credit Card for personal purposes is prohibited.

Any purchases made with a credit card must be made in accordance with the village purchasing/procurement policy as well as this policy.

Authorized Users:

The Board of Trustees, Department of Public Works Maintenance Supervisor, Village Clerk/Treasurer (aka Village Clerk), Deputy Village Clerk/Treasurer and others designated by the Village Clerk, are authorized to utilize village credit cards.

The Village Clerk is authorized to allow other staff to use Village credit cards at her discretion as necessary. Card must be obtained from the Clerk and returned promptly after use.

Limits and Restrictions:

Village credit cards shall not be utilized for cash advances, items for personal use, or any product, service or fee that would not be authorized pursuant to the Village Purchasing/Procurement Policy.

The Village of Manchester is tax exempt and it is the responsibility of the user to ensure that sales tax is not charged.

Receipts/Statement Reconciliation:

All credit card users are required to submit receipts for all purchases to be matched to the credit card statement, vouchered and audited by the Village Board.

All credit card balances shall be paid in full by the Village of Manchester before the due date.

Credit Card Maintenance and Housekeeping:

Staff shall review and cancel any credit card that is no longer used or needed.

Lost or stolen credit cards shall immediately be reported by the user to the credit card issuer and appropriate authorities.

The Village of Manchester does not intend to acquire or earn cash back, miles or other rewards that may accrue as a result of use of a credit card. If any such rewards are accrued they are the sole property of the Village of Manchester and shall be used for the Village of Manchester. Rewards may not be used by individuals for personal purposes.

Failure to comply with the Village of Manchester Credit Card Policy and Procedures:

Failure to comply with the above guidelines for use of the Village of Manchester credit card may result in disciplinary action.

BE IT FURTHER RESOLVED, that the Village Clerk keep a copy of this Resolution on file at the Clerk’s Office for public examination; and be it further

RESOLVED, that a copy of this resolution be forwarded to all employees of the Village of Manchester.

The resolution was put to roll call vote which resulted as follows:

Mayor Johnsen	Voting	“AYE ”
Trustee Henry	Voting	“AYE”
Trustee Butler	Voting	“AYE”

The resolution was duly adopted.

**RESOLUTION NO. 6-2013
POLICY FOR CELLULAR (CELL) PHONE USE
VILLAGE OF MANCHESTER**

The following resolution was offered by Trustee Henry, seconded by Trustee Butler who moved its adoption:

WHEREAS, the Village of Manchester recognizes that cell phones are an essential piece of equipment to enhance communication relating to everyday Village of Manchester activities, and

WHEREAS, it is also recognized the Board of Trustees must carefully monitor the use of cell phone, therefore,

BE IT RESOLVED, that the Village of Manchester Cell Phone Use Policy be as follows:

The Village of Manchester will provide cell phones for the Department of Public Works.

Each employee who carries a Village of Manchester cell phone is expected to take proper care of the phone and keep it in good working order.

Each employee who is provided a cell phone shall limit personal use.

Each employee engaging in village business using a cell phone or similar device that is supplied by the village, or while driving a village supplied vehicle, participating in cell phone use while driving, is prohibited.

Employees who violate this policy will be subject to disciplinary actions.

BE IT FURTHER RESOLVED, that the Village Clerk keep a copy of this Resolution on file at the Clerk’s Office for public examination; and be it further

RESOLVED, that a copy of this resolution be forwarded to all employees of the Village of Manchester.

The resolution was put to roll call vote which resulted as follows:

Mayor Johnsen	Voting	“AYE”
Trustee Henry	Voting	“AYE”
Trustee Butler	Voting	“AYE”

The resolution was duly adopted.

**RESOLUTION NO. 7-2013 COMPUTER SYSTEMS/INTERNET/ON-LINE SERVICE
VILLAGE OF MANCHESTER**

The following resolution was offered by Trustee Butler, seconded by Trustee Henry who moved its adoption:

WHEREAS, the Village of Manchester recognizes that COMPUTER SYSTEMS/INTERNET/ON-LINE SERVICES are an essential requirement for municipal operations and transactions; and

WHEREAS, it is also recognized the Board of Trustees must carefully monitor the use of computers to prevent the possibility of illegal use and abuse, therefore,

BE IT RESOLVED, that the Village of Manchester COMPUTER SYSTEMS/INTERNET/ON-LINE SERVICES Policy be as follows:

POLICY STATEMENT: The purpose of this policy is to provide guidance for the use of Village-owned computer systems and internet/on-line service.

COMPUTER SYSTEMS:

Property: All computer systems, hardware, software and files are the property of the Village of Manchester.

Authority: The Board of Trustees and Village Department Heads have the authority to inspect the contents of any computer equipment, data/files, or electronic mail (e-mail) of any village owned computer in the normal course of their supervisory responsibilities.

Usage: All computer systems, hardware and software provided to an employee are provided for the purpose of aiding that employee in the performance of the employee’s job functions. All hardware and software is to be supplied by the Village of Manchester. No unauthorized or unlicensed hardware or software may be used or installed on any Village-owned computer. Any hardware or software necessary to perform job duties should be requested of the employee’s Department Head and presented to the Village Board of Trustees.

Using Village computers, internet, and official work hours for personal email, “surfing”, Facebook, etc. is highly discouraged.

Prohibited Uses: In addition to the guidelines set forth above, the following uses of Village-owned computers and equipment are prohibited.

- Any illegal activity;
- Threats or harassment;
- Slander or defamation
- Transferring of obscene or suggestive messages of graphical images;
- Any unauthorized commercial activity;
- Accessing or attempting to access the data/files of another person;
- Using or aiding in the unauthorized use of another person’s password;
- Harming or destroying data/files (other than editing or deleting information in the normal course of one’s job duties);
- Use of non-business software;
- Installation or use of any hardware or software not owned by the Village;
- Installation or use of Village-owned hardware or software for any use that is not Village related business;

- Installation or use of any unauthorized or unlicensed hardware or software;
- Installation of any software containing viruses.

This list is meant to be illustrative and not all-inclusive.

Internet/on-line service:

Eligibility – Internet/on-line service is provided to employee workstations as needed.

“Netiquette” (internet etiquette) – Employees are expected to communicate in a manner that will reflect positively on both themselves and the Village of Manchester.

Prohibited Uses – In addition to the prohibitions set forth above, any activities prohibited for any other general computer user are also prohibited with respect to internet/on-line service usage.

Reliability – The Village of Manchester is not responsible for loss or damage to a user’s data or for the reliability of information that is obtained via the internet/on-line service. Also, this information must be used in accordance with applicable copyright laws.

Security – There is no guarantee of privacy of data/files, including e-mail, on Village-owned computers. As stated herein, all files are subject to inspection by The Board of Trustees and Department Heads. All computers must be password protected.

Procedure – Anyone with information as to a violation of this policy is to report said information to the employee’s Department Head. Once the employee’s Department Head is informed of the violation, a formal process, consistent with disciplinary action and/or applicable law, will begin.

BE IT FURTHER RESOLVED, that the Village Clerk keep a copy of this Resolution on file at the Clerk’s Office for public examination; and be it further

RESOLVED, that a copy of this resolution be forwarded to all employees of the Village of Manchester.

The resolution was put to roll call vote which resulted as follows:

Mayor Johnsen	Voting	“AYE ”
Trustee Henry	Voting	“AYE”
Trustee Butler	Voting	“AYE”

The resolution was duly adopted.

DPW REPORT

- The Chamber of Commerce Wild Water Derby will be on Saturday April 27th. It ends at the bridge on Clifton Street. Rafts will be allowed to disembark at the village barns on Vanderwall Drive.
- Preparations have begun for Opening day for RJ Jr Baseball on May 5th.

POLICE REPORT:

- March 2013 Police report is on file in the clerk’s office.

FIRE DEPARTMENT:

- No report at this time

The next regular Village Board meeting will be on Monday, May 06, 2013 at 6:00 pm.

The meeting was adjourned upon motion at 8:15 PM.

Respectfully submitted,

Rita J. Gurewitch
Village Clerk/Treasurer