

**MINUTES OF PUBLIC HEARING FOR OVER 65 EXEMPTION AND  
REGULAR BOARD MEETING HELD DECEMBER 01, 2008**

Present: William F. Henry, Deputy Mayor  
Gary J. Bogner, Trustee  
Debra Gulvin-Chase, Deputy Clerk/Treasurer  
Jim Goodall, Fire Chief  
Jeff Liberati, DPW Supervisor

Absent: Nancy Johnsen, Mayor; Richard Coffey, Police Officer

Others: Anthony DelGatto

Recording: Rita J. Gurewitch, Clerk/Treasurer

The public hearing was called to order by the Deputy Mayor Henry at 6:00 PM. The clerk read the hearing notice that appeared in the newspaper for Real Property Tax Exemptions for persons over sixty-five years of age. Anthony DelGatto asked if the exemption (if income qualified) can be given if only one spouse is over 65 and the other is not. According to the resolution, one or more persons, where one of whom is sixty-five year of age are eligible for consideration of exemption. No one else spoke for or against the Real Property Tax Exemptions for persons over sixty-five years of age.

The public hearing was closed at 6:05 PM

The meeting was called to order at 6:06 PM by Deputy Mayor Henry. The Clerk led the Pledge of Allegiance. Minutes of the November meeting were read and approved as presented. No treasurer's report was given at this time. Bills were authorized for payment on Abstract #7 of Audited Vouchers; General Fund totaling \$ 77,682.38; Water Fund totaling \$10,107.16; Sewer Fund totaling \$53,360.89; CDBG totaling \$51,649.63; and TEP funds totaling \$19,446.57.

**RESOLUTION No. 17-2008 - REAL PROPERTY TAX EXEMPTION FOR PERSON OVER 65 FOR THE VILLAGE OF  
MANCHESTER, NEW YORK FOR THE 2010-2011 TAX YEAR**

**RESOLVED, AND BE IT ORDAINED**, by the Board of Trustees of the Village of Manchester as follows:

Section 1. Real Property owned by one or more persons one of whom is sixty-five years of age, or real property owned by husband and wife, one of whom is sixty-five years of age or over shall be exempt from taxation to the extent of fifty per centum of the assessed valuation thereof:

Section 2. No exemption shall be granted:

- a) if the income of the owner or the combined income of the owners of the property exceeds the sum of Twenty-Four Thousand Two Hundred Ninety-Nine and 99/100 Dollars (\$24,299.99) for the twelve consecutive months immediately preceding the date of making application for exemption. Where title is vested in either the husband or the wife, the combined income may not exceed such sum. Such income shall include Social Security and retirement benefits, interest, dividends, rental income, salary or earnings, and income from self-employment, but shall not include gifts or inheritance; and
- b) unless the title of the property shall have been vested in twenty-four months prior to the date of making application for exemption; and
- c) unless the property is used exclusively for residential purposes; and
- d) unless the real property is the legal residence of, and is occupied in whole or in part by the owner or by all of the owners of the property.

Section 3. As allowed by Section 467D of the New York State Real Property Tax Law, a sliding scale income level will be allowed as follows:

If income is More Than / but this amount is Less Than /	% of deduction allowed
18,600.01	45%
19,600.00	40%
20,600.00	35%
21,600.00	30%
22,500.00	25%
23,400.00	20%

Section 4. Application for such exemption must be made by the owner, or all of the owners, of the property, on forms to be furnished by the Town of Manchester Assessor, and shall furnish the information and be executed in the manner required or prescribed in such forms, and shall be filed in the office of the Town of Manchester Assessor at least ninety days before the day of filing the final assessment roll.

Section 5. Any conviction of having made any willful false statement in the application for such exemption shall be punishable by a fine of not more than One Hundred Dollars and shall disqualify the applicant from further exemption for a period of five years.

Section 6. This resolution will remain effective until it is amended by resolution of the Village Board of Manchester, NY from said date. The above resolution was put to roll call vote which resulted as follows:

Deputy Mayor Henry	Voting	"AYE"
Trustee Bogner	Voting	"AYE"
Mayor Johnsen	Absent	

The resolution was duly adopted.

**CLOVER CROSSINGS PARK (FKA PADDOCKS OF FL) AGREEMENT**

Anthony DelGatto addressed the Board stating the John Barry of Clover Crossings approached him to construct the grill that was specified in the park agreement. Since the amended deadline to have the concrete base poured by November 30<sup>th</sup> is approaching, Mr. DelGatto requested that due to the late notice of the request and weather conditions that would affect the quality of the grill, he prefers to construct the grill all at the same time in the spring and would like an extension to complete it. Deputy Mayor Henry made a motion to grant the time extension stating that the grill must be completed by May 1, 2009. If a minimum cement yardage is needed, then

permission is granted to connect the grill area to the building pavilion area with a sidewalk pathway. Seconded, by Trustee Bogner, voted on and carried. The Board told Mr. DelGatto to see Code Enforcement Officer, Steve DeHond and to get the building permit for the early.

**NEW YORK MUNICIPAL INSURANCE RECIPROCAL (NYMIR)**

The clerk met with the NYMIR representative and a quote for the village property, casualty and liability insurance, is underway.

**TEP GRANT – Resolution No. 18 - 2008 – DESIGN APPROVAL**

After reviewing all documentation currently concerning the Manchester Gateway Pedestrian/Bicycle Pathway System; Trustee Bogner introduced the following resolution for Design Approval, seconded by Trustee Henry who moved its adoption:

WHEREAS: The design provides for construction of a 10-foot-wide stone dust pedestrian/bicycle shared use pathway along the west side of the Canandaigua Outlet and will run north-south between Water and NYS Route 96. Approximately 575 feet south of Route 96 the trail will turn west and will proceed westerly to Route 21 terminating at the existing sidewalk on the east side of Route 21, approximately 200 feet south of NYS Route 21/Route 96 intersection. A new trail segment will also be constructed along the north side of NYS Route 96 from the Friendly Village Mobile Home Park to the Route 21/Route 96 intersection. If funding permits, a new sidewalk will be constructed along the north side of Water Street to connect the trail to Route 21/Main Street. Access to the trail will also be provided from the Village Center along Route 21 via a new stairway from the existing municipal parking lot down to the trail, and from Clifton Street where the trail crosses the street just east of the Village Hall and the estimated construction cost is \$406, 260; and

WHEREAS: A document has been prepared known as the Scope Summary Memorandum – Design Document for the “Manchester Gateway” Pedestrian/Bicycle Pathway PIN 4760.35.321; and

WHEREAS: This Scope Summary Memorandum has been prepared to document the engineering studies completed and to inform all interested parties of the social, economic and environmental issues pertaining to the Manchester Gateway System within the Village of Manchester; and

WHEREAS: In the Scope Summary Memorandum the design is consistent with the American Association of State Highway and Transportation Officials (AASHTO) “Policy on Geometric Design of Highways and Streets, 2001” and AASHTO’s “Guidelines for the Development of Bicycle Facilities, 1999” as well as the NYSDOT Highway Design Manual (HDM); and

WHEREAS: This project is federally funded and the Federal Highway Administration has concurred in writing on November 25, 2008 that the project meets the requirements for a Categorical Exclusion with Documentation and that significant environmental affects will not result; and

WHEREAS: This project is considered a Class II Action under USDOT regulations, 23 CFR 771, and has been evaluated in accordance with Part 15, Title 17 of the Official Compilation of Codes, Rules and Regulations of New York State (17 NYCRR, Part 15) and is considered an Unlisted Action and the Village of Manchester’s State Environmental Quality Review Full Environmental Assessment determination of no significance as stated in the minutes on October 6, 2008; and

NOW, THEREFORE, BE RESOLVED, the Board of Trustees of the Village of Manchester, as lead agency, has determined on the basis of reviewing all data presented hereby **grants design approval** of the Manchester Gateway Pedestrian/Bicycle Pathway System; and

BE IT FURTHER RESOLVED, that Design Approval constitutes the Village of Manchester’s decision to proceed with construction of the project.

The above resolution was put to roll call vote, which resulted in the following:

Deputy Mayor Henry	Voting	“AYE”
Trustee Gary Bogner	Voting	“AYE”
Mayor Nancy Johnsen	Absent	

The resolution was thereupon declared duly adopted.

**RESIGNATION OF PART-TIME HEALTH OFFICER**

The Board received a resignation letter from Ms. Donna Smith effective December 31, 2008. She stated that due to her now living in Florida for the winter months she wouldn’t be able to fulfill the duties of health officer effectively. The Board accepted her resignation and will begin to look into a replacement health officer.

**REPORTS:**

**DPW** – The Voyager gasoline cards are now being fully utilized and the tanks are empty. Trustee Bogner motioned that the Kerosene tank be moved to the Joint Sewer Treatment Plant, seconded by Trustee Henry, voted on and carried. The other tanks will be cleaned appropriately and re-cycled.

**POLICE** – See written report on file in the clerk’s office. Snowmobile complaints are prevalent recently.

**FIRE DEPT** – See written report on file in the clerk’s office. The grant will be closed out by the end of this month. Insurance will be removed from the old brush truck and the gas card returned.

No public comments presented.

The meeting was adjourned on motion at 6:50 PM.

Respectfully submitted,

Rita J. Gurewitch  
Clerk/Treasurer