

**PUBLIC HEARING AND  
REGULAR BOARD MEETING HELD DECEMBER 07, 2009**

Present: Nancy W. Johnsen, Mayor  
William F. Henry, Trustee  
Debra Chase, Deputy Clerk/Treasurer  
Jeffrey Liberati, DPW Supervisor  
Richard Coffey, Police Officer

Absent: Gary J. Bogner, Trustee

Others: Richard Cirulli

Recording: Rita J. Gurewitch, Clerk/Treasurer

**PUBLIC HEARING**

The Public Hearing was opened at 6:00 pm. The clerk read the legal notice for the public hearing that appeared in the Daily Messenger on November 19, 2009 regarding the Over 65 tax exemptions for the 2011-2012 year. Mayor Johnsen asked if anyone had any questions or comments.

There were no comments for or against.

The Public Hearing was closed at 6:09 pm.

**REGULAR MEETING**

The meeting was called to order at 6:10 PM by Mayor Johnsen. The Clerk led the Pledge of Allegiance to the flag. Minutes of the November meeting were read and approved by motion from Trustee Henry. There was no Treasurer's report at this time. Bills were authorized for payment on Abstract #7 of Audited Vouchers, General Fund totaling \$28,996.99; Water Fund totaling \$526.28; Sewer Fund totaling \$373.19; CDBG totaling \$0.00 and TEP totaling \$87.50.

**RESOLUTION No. 12-2009 - REAL PROPERTY TAX EXEMPTION FOR PERSON OVER 65  
FOR THE VILLAGE OF MANCHESTER, NEW YORK FOR THE 2011-2012 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	19,599.99	45%
19,600.00	20,599.99	40%
20,600.00	21,599.99	35%
21,600.00	22,499.99	30%
22,500.00	23,399.99	25%
23,400.00	24,299.99	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 in the following:

Mayor Johnsen	Voting	“AYE”
Trustee Bogner	ABSENT	
Trustee Henry	Voting	“AYE”

The resolution was thereupon declared duly adopted.

#### **49 NORTH MAIN STREET – MARTIN MCMILLAN**

Mayor Johnsen reported on her meeting that occurred on December 3<sup>rd</sup> with representatives of the Dept of Transportation, Ontario County Planning Dept., Village of Manchester Planning Board, and Code Enforcement. The determination from the data collected is that further information is needed before the Village of Manchester will write a letter of support for Mr. McMillan to the DOT. Mayor Johnsen directed the clerk to write a letter to Mr. McMillan explaining the need for more information.

#### **TEP GRANT - PEDESTRIAN/PATHWAY**

Permit authorizations have been received from the NYS Dept. of Environmental Conservation. After the construction bid has been awarded the *Notice of Intent to Commence Work* needs to be signed and returned to the DEC.

#### **HIGHWAY FACILITY EXPANSION**

Documents have been received from Stuart Brown Associates to be signed and returned to submit with the Village’s pre-application for a Rural Development Loan for the Pole Barn Expansion Project. Mayor Johnsen is to sign necessary papers.

MRB reported that the projected costs have increased from approximately \$294,000. to \$355,000.

#### **STATE STREET DRAINAGE PROJECT**

The Village of Manchester will re-submit to Senator Schumer’s office the State Street Drainage Project for appropriations.

#### **SILVER STAR BANNER DAY**

A request was received from Silver Star Families organization to declare May 01, 2010 as Silver Star Banner Day. This would be a day set aside to honor the wounded and ill military veterans by showing appreciation for their sacrifices.

Mayor Johnsen directed the clerk to contact the local American Legion to gather more information.

#### **ONTARIO COUNTY YOUTH PROGRAM**

The Clerk informed the Board of a new application process required by the OCYB (Ontario County Youth Bureau) in receiving funds. The Clerk state the assistance through the years has dropped from \$1200 per year to approximated \$500 per year to date and that the intensive administrative costs may not be cost effective. After a brief discussion it was determine to continue to file for assistance for the Manchester Summer Recreation Program. The clerk will attend a briefing of the new application process with OCYB on December 14<sup>th</sup>.

## **DPW REPORT**

- Pump house roof has not been completed. Materials need to be purchased for contractor.
- The ornamental street lighting at the former bridge project area on Route 21 is still not operating properly. The project has not been officially signed over the street lights to the village. Bergman Associates on the project stated that if the problems are due to poor installation, the request to fix them can go back to the installers, if just that the bulbs need changing, the village can do it. DPW will replace bulbs and make a determination.
- Tractor Trailer truck knocked down wires and hit an RGE pole at the pump station. Preview charges relating to this accident as the village shouldn't have to pay for this.

## **POLICE REPORT**

- The Monthly Police Report for October was distributed to Board and will be placed on file in the Clerk's office.
- Reimbursement has not been received for the park vandalism and field damage. Officer Coffey will check on this.
- Trustee Henry asked if any complaints were received concerning the Round House and none were received. The Round House is checked on regularly.

## **FIRE DEPARTMENT**

### **TOWN OF FARMINGTON – FIRE CONTRACT AGREEMENT**

A three year agreement (\$37,000 for 2010; \$42,000 for 2011; \$45,000 for 2012) was proposed by the Town of Farmington for assisted fire protection in their district by the Manchester Fire Department

A motion was made by Trustee Henry, seconded by Mayor Johnsen, to accept the agreement proposed by the Town of Farmington for the fire protection contract. Voted on and unanimously carried.

### **TOWN OF MANCHESTER – FIRE CONTRACT AGREEMENT**

The current contract with the Town of Manchester does not expire until 2010.

The next regular meeting of the Board of Trustees will be Monday, January 04, 2010 at 6:00 pm. The meeting was adjourned upon motion at 7:20 PM.

Respectfully submitted,

Rita J. Gurewitch  
Village Clerk/Treasurer