

## MINUTES OF REGULAR BOARD MEETING HELD JUNE 1, 2009

Present: Nancy W. Johnsen, Mayor  
Gary J. Bogner, Trustee  
William F. Henry, Trustee

Absent: None

Others: Dick Coffey, Judy Robinson, Chad Romeiser, Dick Cirulli, Fred Ornt.

Recording: Rita J. Gurewitch, Clerk/Treasurer

The meeting was called to order at 6:00 PM by Mayor Johnsen. The Clerk led the Pledge of Allegiance. Minutes of the meeting held on May 4, 2009 were read and approved as presented. Bills were authorized for payment on Abstract #12 of Audited Vouchers, General Fund totaling \$24,353.78; Water Fund totaling \$5,586.16; Sewer Fund totaling \$50,073.71; CDBG totaling \$0.00 and TEP totaling \$0.00. The treasurer's report May was approved subject to audit.

### **CAR SALES – 3 SOUTH MAIN STREET – FREDERICK ORNT**

Mr. Ornt addressed the Board stating that he was hurt and shocked that after 20 years of owning property in the village that the village would restrict the number of automobiles that could be sold at his location at 3 South Main Street. A discussion followed on the number of cars allotted for the space available. Mayor Johnsen stated that Mr. Ornt is not being singled out, but the allotted cars for his space are 12 and he has 13 which don't meet village code. Mr. Ornt believes it's not right to regulate his business. He feels that it is an infringement of trade. As of today's date, there are only 12 cars on his property and his dealer's license is current. Trustee Henry informed Mr. Ornt that he has a right to earn a living and the property has been improved. Trustee Henry also stated the cars displayed are a better quality and it looks nice. The discussion continued and it was determined that with cars coming and going, it is a fluid situation that the average number of automobiles will be 12. No action taken.

### **MANCHESTER FAMILY PARK**

Trustee Henry met with Game Time (NYS Contract) representative Linda Culliton and went over park regulation and possible new purchases to further the upgrading of the Manchester Family Park. The large metal slide has been removed. Trustee Henry drew diagrams showing display of additional equipment and boundaries. He spoke with DPW Supervisor Jeff Liberati to free the area over the storm water drainage pipe to allow access when working on replacing that drainage line. Trustee Henry that we may want to re-do the tennis courts next year.

### **TEP GRANT – PEDESTRIAN/BICYCLE PATHWAY**

The Board received Fisher Associate Monthly Progress Report #15 dated May 27, 2009.

- US Army Corp of Engineers requests a wetland delineation report
- Updated the construction cost estimate
- ROW negotiations are still in progress
- Possible condemnation necessary
- Design budget for Fisher Associates has been exceeded due to the level of effort associated with resolving design issues and property owner concerns. Current coverage is \$22,091.00
- Possible to apply for additional funding under the Transportation Improvement Program (TIP)
- Need a meeting to discuss a Supplemental Agreement

Trustee Bogner will talk with all involved and discuss the above issues.

### **HOWARD STREET**

An informational meeting was held on Wednesday, May 27<sup>th</sup> at 7:00 pm to discuss parking on Howard Street and possibly making it a One-Way street. Three e-mails were received from residents on Howard Street and two residents were in attendance. Also represented was the fire department, the police department, school bus drivers and the department of public works. Trustee Henry opened the informal meeting stating that no decisions will be made that evening. The Board is just seeking input. He stated the options are 1) no change; 2) one-way street from Route 21 to Merrick Avenue; 3) No parking on either side of the street; 4) No parking on one side of the street. After discussing the above, Trustee Henry thanked those attending and stated he would report back to the Board.

Trustee Henry reported the above to Mayor Johnsen and Trustee Bogner. There have been no accidents and very few complaints. Many residents of Howard Street prefer to have the street remain as it is. After discussing Howard Street and the informational meeting that was held, Trustee Henry recommended no change at this time.

### **SEASONAL EMPLOYEES**

The question of Jury Duty was raised in the case of summer employees. If a seasonal employee is called for Jury Duty, the policy that is for all employees is applicable. *Jury Duty/Subpoenaed as a witness – leave with pay. A notice or statement must be submitted for all such periods of absence.*

An opening has occurred in the summer recreation program as Michael Walker will not be hired. The village has two active applications and the Board asked the clerk to contact Zachary Anderson first, as his application has an earlier date than Sean Sutton, who is to be contacted if Mr. Anderson is unavailable.

### **VILLAGE 'BRUSH' POLICY**

The Village will pick up brush the third Thursday of each month from April to November. Throughout the village brush is being placed to the curb side without regard to the day of the month.

The Mayor directed the clerk to send a letter to those that may not be aware of this village policy.

### **INTERMUNICIPAL AGREEMENT/BUILDING INSPECTOR-CODE ENFORCEMENT OFFICER**

The Board reviewed the Intermunicipal Agreement for the Building Inspector-Code Enforcement Officer that includes the Villages of Clifton Springs, Shortsville, Manchester and the Town of Manchester. The expenses for which are split as follows: Town of Manchester 45%; Village of Clifton Springs 25%; Village of Shortsville 15%; Village of Manchester 15%. A motion was made by Trustee Bogner to accept the agreement as written, seconded by Trustee Henry, voted on and unanimously carried. The agreement shall continue for a period of four (4) years until July 1, 2013.

### **YOUTH AGREEMENT – TOWN OF MANCHESTER**

The 2009 Youth Agreement with the Town of Manchester was given to the Board and signed by Town Supervisor, William J. Eddinger, Jr. The Town chose to enter this agreement to obtain the maximum benefits for its youth and will provide a varied recreation program for children school age through High School, for both male and female, ages 5 through 19 years living in the rural area. The Town of Manchester will submit \$2,766.67 toward the Village Youth Recreation Program for the period from January 1, 2009 to December 31, 2009.

### **MANCHESTER FAMILY PARK RECREATION PROGRAM – BUS TRANSPORTATION**

Trustee Henry attended a meeting with the Shortsville Village Board. Representatives from RJ School and the Board of Education were present. A discussion was set forth concerning bus transportation for swimming lessons and field trip. The buses and drivers are provided by the school. In the recent past there was no cost except for the bus drivers. After further study, it was determined that a charge for use is advised. Under consideration is a \$2.50 per mile charge, plus a rate for the bus driver to be paid by the school. Another consideration is a flat charge of \$5.00 per mile including the bus driver. The school will inform us of their decision this month.

### **TREE COMMISSION – TREE CITY USA RECERTIFICATION**

The Mayor and Clerk met with Arborist Steve Lidie, dba The Arbour Barber, to discuss the village trees and reviving the Tree Commission. Mr. Lidie has agreed to be the specialist on the commission. See Chapter 92 TREES in the Village Code Book.

### **COMMUNITY OF CHURCHES – BENNETT BUILDING**

A letter was received from Sandra E. Worboys, Food Cupboard Coordinator, occupying space in the Bennett Building, asking to form a Coat Closet for those in the community in need. They would like to put one in the space (already there) between the cupboard and the existing loan closet equipment. A motion was made by Mayor Johnsen to allow the Coat Closet, seconded by Trustee Bogner, voted on and unanimously carried.

**DIVISION FOR YOUTH**

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

**WHEREAS**, the New York State Division for Youth offers funds each year; and

**WHEREAS**, it is necessary to apply for these funds through the Ontario County Division for Youth:

**NOW, THEREFORE, BE IT RESOLVED**, that the board hereby authorizes Mayor Johnsen to execute all necessary documents.

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

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

The resolution was duly adopted.

**US SENATE – LETTER FROM SENATOR SCHUMER – APPROPRIATION REQUEST**

The Village received a letter stating they regret that the \$175,000 for the State Street Drainage Project has been denied funding. The letter also stated that the projects that were denied, if re-submitted next year will be given preference.

**DPW REPORT**

Supervisor Liberati is on vacation, no report at this time.

**POLICE REPORT**

Police report was distributed to the board and will be placed on file in the clerk’s office.

**FIRE DEPARTMENT – Chief Romeiser reported:**

- The MFD is applying for federal assistance in purchasing 22 air packs and 14 sets of turn out gear
- Still inquiring for variety of new vendors
- There is corrosion noted on Truck 1731; may cost approx. \$8-10,000.
- Call report distributed and on file in clerk’s office

**PUBLIC COMMENTS:**

Mr. Cirulli had a question of the wetlands along the trail project. He also asked if Old Castle is bonded now that it has been heard that they will be leaving. The answer wasn’t known at this time. A brief discussion occurred concerning the “Coat Closet”.

Ms. Frederick commented and voiced concerned on her observation of Mr. Ornt’s (see CAR SALES above) treatment by the Board.

The meeting was adjourned on motion at 8:00 PM.

Respectfully submitted,

Rita J. Gurewitch  
Village Clerk/Treasurer