

VILLAGE OF MANCHESTER
MINUTES OF REGULAR MEETING ON HELD JUNE 7, 2010

Present: Nancy W. Johnsen, Mayor
William F. Henry, Trustee
Gary J. Bogner, Trustee
Debra Gulvin-Chase, Deputy Clerk/Treasurer
Richard Coffey, Police Officer
Chad Romeiser, Fire Chief

Absent: Jeffrey P. Liberati, DPW Supervisor

Others: Richard Cirulli; Andrea Tillinghast, Library Director; Holger Stave, McMillan Holdings LLC;
Marty and Jane McMillan, McMillan Holdings, LLC

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

The meeting was called to order at 6:00 PM by Mayor Johnsen. The Clerk led the Pledge of Allegiance to the flag. The minutes of the regular meeting held on May 03, 2010 and the special meeting held on May 07, 2010 were read and approved upon motion from Trustee Bogner, seconded by Trustee Henry. The Treasurer's report was discussed and a motion was made by Trustee Henry, seconded by Trustee Bogner to accept the Treasurer's Report for the month of April, subject to audit, unanimously approved. Bills were authorized for payment on Abstract #1 of Audited Vouchers, General Fund totaling \$41,231.84; Water Fund totaling \$1,230.93; Sewer Fund totaling \$928.83; CDBG totaling \$0.00 and TEP totaling \$0.00.

HIGHWAY GARAGE EXPANSION TO BONDING – RESOLUTION No. 7 – 2010

Trustee Henry presented the following resolution and duly moved that it be adopted and was seconded by Trustee Bogner:

BOND RESOLUTION DATED JUNE 7, 2010 OF THE VILLAGE BOARD
OF TRUSTEES OF THE VILLAGE OF MANCHESTER, NEW YORK,
AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE
CAPITAL IMPROVEMENTS, AUTHORIZING THE ISSUANCE OF BOND
ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE
EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING
OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of capital improvements authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law; and

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated there under ("SEQRA"), has completed its environmental review and, on September 14, 2009, has duly issued a negative declaration with respect to the unlisted action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED by the Board of Trustees of the Village of Manchester, New York (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Manchester shall undertake the acquisition and construction of capital improvements, to include an expansion to the existing Highway Facility (pole barn structure)(such building being at least a class "C" (neither fireproof nor fire-resistant) building as defined in Subdivision 11 of Paragraph a of Section 11.00 of said Local Finance Law), demolition of the office space of the old Wastewater Treatment Plant building, building and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$255,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$355,000 and said amount is hereby appropriated therefore. The plan for financing of said purpose is to provide (i) \$255,000 by issuance

of obligations as herein authorized and (ii) up to \$100,000 to be appropriated from the existing buildings and additions reserve fund.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 12 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will not be in excess of five years to be measured from the date of the bonds or the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier, (c) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds, (d) the notes authorized by this resolution shall mature within one (1) year from the date of their issuance, or as otherwise permitted by law, (e) said notes are not issued in anticipation of bonds for an assessable improvement, and (f) prior to the issue of the bonds or notes herein authorized, there will be provided the appropriate amount of current funds required by Section 107.00 of the Local Finance Law, if any.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the issuance of said bonds and bond anticipation notes and to prescribe the terms, form and contents of said bonds and bond anticipation notes, subject to the provisions of this resolution and the Local Finance Law of New York, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for and determinations with respect to, credit and liquidity enhancements, if any, and to sell and deliver said bonds and bond anticipation notes subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief financial officer. The Village Treasurer and the Village Clerk are hereby authorized to sign by manual or facsimile signature any bonds and bond anticipation notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and bond anticipation notes the corporate seal of the Village of Manchester and to attest the same.

Section 7. The faith and credit of the Village of Manchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all taxable real property of said Village, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 8. This resolution, or a summary hereof, shall be published in full by the Village Clerk of the Village of Manchester together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES

3

NAYS

0

Mayor Johnsen voting "AYE"

Trustee Henry voting "AYE"

Trustee Bogner voting "AYE"

The Board directed the clerk to publish the estoppel notice together with the full Bond Resolution in the Daily Messenger.

As the Buildings and Addition is a "Type" reserve (for types of improvements) and not "Specific", authorization for expenditure from this fund is subject to permissive referendum in accordance with Article 9 of Village Law. The Board directed the clerk to post and publish a notice to set forth July 12, 2010 the resolution to adopt the use of funds up to \$100,000. to be appropriated from the existing buildings and additions reserve fund.

MANCHESTER FAMILY PARK – SUMMER HIRES

Sean Sutton notified the clerk that he was offered an intern position with DOW Chemical in the field that he is studying for college. He apologizes for having to decline the Co-Recreation Leader position. The Board reviewed the remaining applications. It was determined that Drew Bardun be hired as Recreation Assistant at \$9.00/hr. Stephanie Hotchkiss' position will be changed from Co-Recreation Leader at \$10.50/hr. to Recreation Leader at \$11.50/hr.

GREASE – SEWER SYSTEM

A report was given that the Wastewater Treatment Plant has an accumulation of grease at the pump station located on Route 96. The levels are rising and could interfere with the pumps. The grease has been removed and the Board directed the clerk to send letters to the Lehigh Restaurant, Manchester Mart, McDonalds, Lester's Coffee Shop, Timber Creek Tavern and Bliss Food Mart reminding to have grease interceptors /collection devices and procedures in place. Future inspections from the Code Enforcement Officer will be scheduled.

DIVISION OF YOUTH - RESOLUTION NO. 8-2010

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

Whereas, the New York State Division of 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 of Trustees hereby authorizes Mayor Johnsen and/or Deputy Mayor William Henry to execute all necessary documents.

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

Trustee Henry	Voting	"Aye"
Trustee Bogner	Voting	"Aye"
Mayor Johnsen	Voting	"Aye"

The resolution was duly adopted.

Trustee Henry departed the meeting at 6:35 pm for another obligation.

RED JACKET COMMUNITY LIBRARY – 2010 ANNUAL REPORT

Library Director, Andrea Tillinghast-Thompson, presented the annual report for the community library. The operating budget was \$147,354. The number of people served totaled 36,452, offering books, audiobooks, videos and DVD's, video games, magazines and newspapers, along with providing sponsored programs. (see attached pamphlet)

TEP TRAIL

A resident that lives along the proposed trail stated a concern in regard to its use prior to being constructed. Trustee Bogner and Mayor Johnsen will look into this concern and contact the homeowner.

49 NORTH MAIN STREET – MARTY MCMILLAN

Mr. McMillan addressed the Board to inform them of his plans for the old school property located at 49 North Main Street. He is envisioning a “multi venue destination facility” running from April to October as the “Old School Vendor’s Market”. It would include an outside “flea market” and inside “high end antiques” vendors inside with admission to get onto the property. Mr. McMillan proceeded in telling the Board some of his plans for the property, one which is to surround it with rose filled fencing. Mr. McMillan also pointed out that the “asbestos has been all removed”. Mr. Holger Stave, representing McMillan Properties, LLC, stated they are ready to work with the architect and the NYS Department of Transportation (DOT). He also stated the he will be working with Code Enforcement Officer (CEO) Steve DeHond in preparation for the next Planning Board meeting.

DPW REPORT

- No report due to DPW Supervisor on vacation.

POLICE REPORT:

- Roundhouse discussion
- Red Jacket Rotary donated an Automated External Defibrillator (AED) at the cost of \$1,644.78. Training will be arranged.
- Restitution for Fireman’s Park is “in process”.
- There will be police coverage for the concerts.
- May Police report on file in the clerk’s office.

FIRE DEPARTMENT:

- 15 calls
- 1731 out two weeks for maintenance, inspection and repair
- Purchased 3 sets of Turn Out Gear
- The Fire Department will assist with the Concerts
- The Board will be reviewing a Motor Vehicle Report (MVR) policy for obtaining MVR reports.

The meeting was adjourned upon motion at 8:35 PM.

Respectfully submitted,

Rita J. Gurewitch
Village Clerk/Treasurer

