

MINUTES OF REGULAR BOARD MEETING HELD NOVEMBER 3, 2003

Present: Philip J. D'Arduini, Mayor
Bruce E. Miles, Trustee
Norman E. Folts, Trustee

Others: Robert Raeman, Richard Cirulli, William Dean

Recording: Angela D'Arduini, Clerk/Treasurer

The meeting was called to order at 7:00 PM by Mayor D'Arduini. Minutes of the meeting held on October 6, 2003 were read and approved as presented. Bills were authorized for payment on Abstracts of Audited Vouchers #16, General Fund totaling \$13,929.61; #17, Water Fund totaling \$769.95; #18, Sewer Fund totaling \$44,614.46.

FREDERICK'S PROPERTY – Brownfields Project

Robert Raeman of Sniedze Associates gave the board an updated report on the Frederick's property. The Site Investigation/Remedial Alternatives Report has been completed and mailed to Gregory B. MacLean of the NYS Department of Environmental Conservation. We should have a decision by March 2004. A remediation plan should be in place after the report has been accepted by NYSDEC.

SNOW REMOVAL ORDINANCE

Trustee Miles asked the Mayor if the Snow Ordinance should be enforced if there is no snow. Mayor D'Arduini stated that the Snow Ordinance is to protect the snow plow operator. After a brief discussion, the decision of the board is to continue enforcement as stated in our ordinance.

WATER OVERCHARGE - CFWD

The clerk told the board that the Canandaigua/Farmington Water District overcharged the Village of Manchester \$11,453.17 for water usage from 6/05/03 to 9/09/03. They can either give us a credit for this amount or send us a refund check. The board opted for a refund check.

ZONING CHANGE REQUEST

The Village Board received a letter from Catherine P. Woodworth, 107 South Main Street requesting a zoning change on her vacant lot from Vacant Industrial to Vacant Residential. The board is receptive to the request, however, her property and her neighbor, Alice Eagley's property are currently all zoned I-2. If a change were to be made, it would have to include both properties. The board would require a letter from Mrs. Eagley accepting this change. The clerk will write a letter to Mrs. Woodworth with the board's decision.

TIME WARNER FRANCHISE AGREEMENT

The clerk informed the board that Deputy Clerk Rita Gurewitch spoke with Carol McTague of the Public Service Commission regarding increasing the franchise fee from 3% to 5%. Ms. McTague stated that the increase would ultimately be passed on to the customer. A motion was made by Trustee Folts seconded by Trustee Miles and carried to request that the franchise fee be raised to 5%.

BAPTIST CHURCH BUILDING FEES

The Baptist Church has applied for a building permit for a 40 X 80 square foot addition. According to our fee schedule, any construction over 144 sq. ft. is \$0.15 per sq. ft. If the structure is devoted solely to religious purposes, the fee is \$.05 per sq. ft. with a minimum fee of \$25.00. Tom Crowell of the building committee is requesting that the Village relinquish the permit fees. A discussion was held and the board's decision is to charge the church according to

our fee schedule. If the addition is to be used solely for religious purposes, then the \$.05 per sq. ft. can be charged.

REQUEST FOR ANNEXATION

The Mayor received a letter from Marty McMillan of McMillan Holdings LLC on behalf of Red Jacket LLC (Mr. Geoffrey Hughes) requesting the annexation of approximately 2.4 acres adjoining the south side of Route 96 which is currently located in the Town of Manchester. The Mayor asked the Clerk to contact Supervisor William Eddinger and ask him how he would like to proceed with this request.

ELECTION

The following resolution was offered by Trustee Folts, seconded by Trustee Miles, who moved its adoption.

WHEREAS, the next general Village election for officers will be held on March 16, 2004; and

WHEREAS, the Board of Trustees must designate by resolution and publish the offices which are to be filled in such election and the term thereof.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees designates the offices as vacant at the end of the current official year to be filled at the Village election to be held on *March 16, 2004* for the following term:

Mayor - four years

Trustee - four years

Section 2. The Village clerk is hereby directed to publish this resolution in full in the Canandaigua Daily Messenger.

Section 3. This resolution shall take effect immediately.

The question of adoption of the foregoing resolution was duly put to a roll call vote which resulted as follows:

Mayor D'Arduini	Voting	"AYE"
Trustee Folts	Voting	"AYE"
Trustee Miles	Voting	"AYE"

The resolution was thereupon declared duly adopted.

UNPAID VILLAGE TAXES

The following resolution was offered by Trustee Folts, seconded by Trustee Miles who moved its adoption:

RESOLVED, that the Board of Trustees of the Village of Manchester hereby request that the County Treasurer of the County of Ontario collect the delinquent taxes of said Village as provided by Chapter 619 of the Law of 1977 adopted by the Board of Supervisors of Ontario County on November 23, 1977 and be it further:

RESOLVED: that the Village Treasurer is hereby directed to transmit to the Ontario County Treasurer a certified copy of this Resolution together with the account and certificate described in sub-division 3 of Section 1436 of the Real Property Tax Law to the Ontario County Treasurer:

Resolution was duly put to roll call, which resulted as follows:

Mayor D'Arduini	Voting	"AYE"
Trustee Folts	Voting	"AYE"
Trustee Miles	Voting	"AYE"

The resolution was thereupon declared duly adopted

(see attached list of unpaid village taxes)

OVER 65

The board set December 1, 2003 at 7:00 P.M. for the Public Hearing for Over 65 exemptions for the 2005-2006 tax year. The clerk will prepare the legal notice and have it published as soon as possible.

A motion was made and carried unanimously to transfer the following:

\$6,705.38 From A3410.4 To A3989.4

The meeting was adjourned on motion at 8:30 PM.

Respectfully submitted,

Angela D'Arduini
Clerk/Treasurer