

## MINUTES OF REGULAR BOARD MEETING HELD OCTOBER 01, 2007

Present: Nancy W. Johnsen, Mayor  
William F. Henry, Trustee  
Angela M. D'Arduini, Trustee

Absent: None

Others: Judy Robinson, Richard Coffey, Jeff Liberati, Richard Cirulli, Matt Scheartl, Frank & Carol Gorgonzola, Debbie Frederick, Chantel Kincaid, Chris Nill.

Recording: Rita J. Gurewitch, Clerk/Treasurer

The meeting was called to order at 7:00 PM by Mayor Johnsen. The clerk led the Pledge of Allegiance to the flag.

Minutes of the meeting held September 10, 2007 were read and a motion was made by Trustee D'Arduini, seconded by Trustee Henry, to approve the minutes as presented. Bills were authorized for payment on Abstracts of Audited Vouchers #17, General Fund totaling \$61,370.35; #18, Water Fund totaling \$21,419.01; #19, Sewer Fund totaling \$585.99; and #20, Capital Fund totaling \$6,398.32 (CDBG) and \$16,042.77 (TEP). A motion was made by Trustee D'Arduini, seconded by Trustee Henry to accept the treasurer's report for the month of August, unanimously approved subject to audit.

### **RG&E SUBSTATION EXPANSION – STATE STREET**

A notice of intent letter was sent to Mr. Floyd Kofahl, Code Enforcement Officer for the Town of Farmington stating Rochester Gas and Electric is currently negotiating with the Village for the use (or acquisition) of the necessary land required for their proposed expansion at the end of State Street. It is the village's intent to allow RG&E to use (or purchase) the property needed upon reaching a final agreement. Permission was granted to allow RG&E to proceed with obtaining all project approvals and variances from the Town of Farmington and the Village of Manchester for the proposed project that will extend onto the land currently owned by the village.

A preliminary walk through of the property was conducted on September 28, 2007 with Pat Nicoletta from MRB, Jeff Liberati, DPW Supervisor, RGE and Mayor Johnsen. The objective is to move forward and seek council.

### **MICHAEL MURPHY – 4 STATE STREET – MIXED USE REQUEST**

The Village Board continued to review Mr. Murphy's plans to use his home for office space on the first floor, leaving an apartment upstairs, from the previous months meeting. A map was presented with the parking delineations showing the appropriate number and size of parking spaces.

A discussion followed and the subsequent motion was made. Trustee Henry made a motion to allow a mixed use for Mr. Murphy at 4 State Street, seconded by Trustee D'Arduini proceeded by roll call vote: Trustee Henry "AYE", Trustee D'Arduini "AYE", Mayor Johnsen "AYE". The motion was unanimously carried.

### **PAINTING VILLAGE HALL**

A public hearing was held October 02, 2006 to use money in the Building and Additions Reserve Fund and the resolution adopted at that time stated the Village of Manchester could use said funds up to \$50,000. The village hall roof was replaced at a cost of \$29,336., leaving a \$20, 664. balance.

The village received quotes to paint the village hall as follows:

Englehart Painting - \$7,200.  
All Tight Painting Services - \$8,200.  
Patrick J. Cary Painting - \$7,375.

A motion was made by Trustee Henry, contingent that if unable to paint before winter season, that a primer be applied before then, that Englehart Painting be given the contract to paint the village hall, seconded by Trustee D'Arduini, voted on and unanimously carried.

### **TREES – TRIM/REMOVAL**

Jeff was unable to acquire the tree trim/removal or tree supplier information as yet. He will continue looking into it.

### **VILLAGE MONUMENTS**

At the 9/10/07 meeting, Anthony Cirulli, District Commander of the local American Legion, requested a resolution to protect war memorials within the village. The village attorney has responded saying a local law in unnecessary and subject to challenge. Because existing statutes provide adequate protection for existing public monuments, it is his recommendation to the Village Board to decline consideration of the local law proposed by the American Legion. A discussion followed concerning the Design Guidelines currently being established by the village and Mayor Johnsen stated that she would inform that committee to consider a section be incorporated into the Village Design Guidelines for future monuments.

The mayor directed the clerk to write to Mr. Cirulli and convey the above information.

#### **4-CLOVERS CONSTRUCTION**

After consideration for an agreement with 4-Clovers Construction, that was a contingency on the variance granted to a proposed apartment complex to forgo the recreation area on their site plans, the Board of Trustees created a list of proposals for said agreement to make improvements to the Manchester Family Park. The list is as follows: 1. Make the bathrooms ADA compliant; 2. Replace three doors; 3. Resurface open pavilion and bathroom area; 4. Build a masonry grill; 5. Build a small pavilion between the basketball court and existing pavilion. It is understood also that a walkway would be provided from the apartment complex to the family park. A legal agreement has yet to be produced.

The board would like CEO Steve DeHond to research the American Disabilities Act to know what needs to be done for the bathroom improvements at the park.

#### **HALLOWEEN PARADE & TRICK OR TREAT NIGHT**

The Firemen's parade will be held on Wednesday, October 31<sup>st</sup> at 6:30 PM lining up on Howard Street and proceed to the Manchester Fire Department for costume judging. Escort will be provided by village police. Refreshments and prizes will be provided by MFD.

The Village of Manchester proclaims TRICK OR TREAT NIGHT Wednesday, October 31, 2007 from 6:30 – 8:30 PM. The Mayor directed the clerk to run the ad in the Merchandiser to run the week of October 22nd.

#### **FINANCIAL CONSULTING – TEP GRANT**

A proposal was received from Bernard P. Donegan, Inc., municipal finance consultants, for services in connection with the Village's \$759,000 pathway project. After reviewing the proposal, a few questions arose and Trustee Henry and Trustee D'Arduini authorized Mayor Johnsen to inquire about the bond references and to negotiate further.

#### **STATE ROUTES 96/318 CORRIDOR STUDY**

Ontario County Planning is lead agency in studying the corridor along Routes 96 and 318. Mayor Johnsen is on the steering committee for this project.

Each municipality needs to appoint 4 to 6 members to a Focus Group. It's purpose to develop a vision, policy objectives and strategies for each sub-region along the corridor, especially the village's section of Route 96, along with future land use and implementation.

Mayor Johnsen will appoint a fireman, a representative from Friendly Village, Debra Chase, Deputy Clerk, and one other person to be decided.

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

A three year agreement (2008 - \$41,004.00; 2009 - \$43,464.00; 2010 - \$46,072.00) was proposed by the Town of Manchester for the fire contract. The proposal shows a 6% increase per year over the next three years.

A motion was made by Trustee Henry, seconded by Trustee D'Arduini, to accept the agreement proposed by the Town of Manchester for the fire protection contract. Voted on and unanimously carried.

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

A workshop has been scheduled with the Town of Farmington to discuss the fire contract on October 08, 2007 at 7:00 pm.

#### **CORRESPONDANCE**

##### **MANCHESTER-SHORTSVILLE SCHOOL – ROBERT LEIBY, SUPERINTENDENT**

A letter was received from Superintendent Leiby requesting a village ordinance that would prohibit a register sex offender's proximity to parks and schools, unless they are specifically invited to an event by a village, town, or school official.

The board directed the clerk to forward this letter to village attorney, John Tyo.

#### **SOUTH AVENUE – WEIGHT RESTRICTIONS/SIGNAGE**

DPW Superintendent, Jeff Liberati, stated that South Avenue has a weight restriction of 5 tons. He stated that South Avenue can withstand higher tonnage that won't do damage. Some restrictions are difficult to enforce if it pertains to one's livelihood. He will look into weight restrictions.

#### **INTERMUNICIPAL AGREEMENT, POLICE SERVICES**

A draft proposed Intermunicipal Agreement between the Village of Manchester and the Village of Shortsville was presented by Village Attorney, John Tyo. The board will review. A joint meeting will be scheduled for October 16, 2007 at 6:30 pm with the Village of Shortsville to further review and edit as necessary.

## MEETING TIME CHANGE

After consideration that the duration of village board meetings are lengthening in time, a motion was made by Trustee D'Arduini, seconded by Trustee Henry, that the time of meetings for the Board of Trustees be changed from 7 o'clock pm to 6 o'clock pm until further notice. This motion was voted on and carried unanimously.

The November village board meeting will be held on Monday, November 05, 2007 at 6:00 pm.  
The December village board meeting will be held on Monday, December 10, 2007 at 6:00 pm.  
The clerk will notify the Daily Messenger of changes.

## PUBLIC COMMENTS

Richard Cirulli: He would like speakers and microphones present at all meetings. He feels that the minutes are not done correctly. He felt that the Zoning Board of Appeals did not correctly adhere to the proper plans or maps that pertained to the variances granted to Paddocks of the Finger Lakes currently being proposed to the planning board.

Chantel Kincaid: She stated her concerns about the traffic speed on State Street.

Judy Robinson: Stated she went to the informal meeting given by Paddocks of the Finger Lakes concerning their proposed apartment complex and gave comments to the board. She asked if more tax revenue would be acquired by the village if Rochester Gas & Electric's proposed expansion was approved. The board answered yes. She inquired if someone was supervising the Dollar General construction. Mayor Johnsen stated that the Code Enforcement Officer does inspections. Ms. Robinson requested that she would like the village to purchase a display board for plans that are proposed to the planning board.

Deborah Frederick: Stated she liked the small stones at the park and why were the "spring" rides removed from the park. The board explained that they were not safety compliant as the handles could cause injury. Ms. Frederick is concerned with the traffic on State Street. Also, she feels that the proposed plans of Paddocks of the Finger Lakes are too large and concerning the proposed agreement, she would like to see an annual maintenance fee in the agreement because he would have had to maintain a recreation area in the complex anyway.

Chris Nill: Agrees with Ms. Frederick about the annual maintenance fee.

Mayor Johnsen stated the village has not yet signed an agreement with Paddocks of the Finger Lakes and will assess the possibility of an annual maintenance fee into the agreement.

Matt Schaertl: As a Chamber of Commerce representative, Mr. Schaertl announced that the Water Derby, held at the end of April, will be a two day event in 2008. They were thinking of having a steeple chase race on Sunday and would like the board to consider the path along the outlet. As a Town Councilman, Mr. Schaertl stated that former Trustee Michael Murphy said the pathway would be open to snowmobiles. Mr. Nill informed Mr. Schaertl that snowmobiling is a non-sanctioned use for the pathway. The Transportation Enhancement Program (TEP) resolution with the Town of Manchester will be referred to concerning the agreement.

The meeting was adjourned on motion at 9:00 PM.

Respectfully submitted,

Rita J. Gurewitch, Clerk/Treasurer