

**VILLAGE OF MANCHESTER  
MINUTES OF THE REGULAR VILLAGE BOARD MEETING  
HELD AT 8 CLIFTON STREET, MANCHESTER NY  
ON OCTOBER 07, 2013**

Present: Nancy W. Johnsen, Mayor  
William F. Henry, Trustee  
Lynda J. Butler, Trustee  
Jeffrey P. Liberati, DPW Supervisor  
Richard T. Coffey, Police Chief  
Harry Bowker, Fire Chief (tardy)

Absent: None

Others: Roger Lonneville, Clerk of the Works; Patrick Nicoletta, MRB Group; Anthony Cirulli

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

The clerk led the Pledge of Allegiance to the Flag. Mayor Johnsen called the meeting to order at 6:00 pm.

The minutes of the regular meeting held on September 09, 2013 were read and a correction to the adjournment time to 6:55 pm was made and otherwise approved upon motion from Trustee Henry and seconded by Trustee Butler and unanimously carried. The minutes of the special meeting held on September 25, 2013 were approved upon motion by Trustee Butler, seconded by Trustee Henry and unanimously carried. The August Treasurer's report was reviewed and approved upon motion from Trustee Henry, seconded by Trustee Butler, subject to audit, voted on and carried unanimously. Mayor Johnsen made a motion to transfer \$4,834.83 from Contingency A1990.4 to Tax Refund A1964.4 to cover Old Castle East tax refund, seconded by Trustee Butler, voted on and unanimously carried.

Bills were authorized for payment on Abstract #5 of Audited Vouchers, General Fund totaling \$138,098.03; Water Fund totaling \$25,752.44; Sewer Fund totaling \$487.06; Trust & Agency totaling \$14,811.80; CDBG totaling \$0.00 and TEP totaling \$0.00.

#### **VILLAGE HALL/FIRE STATION UPGRADE**

Roger Lonneville, Clerk of the Works, updated the Board on the progress of the project. The clerk's office will be shut down on October 8<sup>th</sup> as contractor's will be shutting down electricity to the building. Completion has moved up to the end of October. Next contractor meeting date is October 23<sup>rd</sup> at 9:30 am.

#### **LEHIGH AVENUE WATER TANK**

Patrick Nicoletta, from MRB Group, stated that repairs on the tank will begin next week. The contractor stated that he would remove the cell tower and paint the areas disturbed during dismantling. The Board asked Mr. Nicoletta to receive a written quote from Global Contractors. Monitoring of the Lehigh Tower is mandatory from the NYS Department of Health.

#### **SPRINT-NEXTEL CELL TOWER SITE – LEHIGH AVE WATER TOWER**

Nextel Site ID: NY5304 (on Lehigh Ave Water Tank), are going to decommission this site due to technological reasons. They have hired Squan Solutions and Pyramid Network Services to assist with the decommissioning program. Initial contact has Sprint requesting the Village to possibly keep the equipment on site and they would be willing to offer the Village a onetime payment of \$7,500 to keep all equipment on site except for the radios/batteries. The Board requested a counter offer of \$14,000. Sprint has agreed and sent a termination agreement. All papers will be forwarded to the village attorney for review.

The tank repair contractor quoted \$13,900 to assist in the removal of equipment. No action taken at time.

#### **RESOLUTION NO. 14-2013 – RESOLUTION OF PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 1-2013**

At a regular meeting of the Board of Trustees of the Village of Manchester, held at the Village Hall, 8 Clifton Street, Manchester, New York, on the 7th day of October, 2013.

PRESENT: Nancy W. Johnsen, Mayor  
William F. Henry, Trustee  
Lynda J. Butler, Trustee

**WHEREAS**, a Local Law, being proposed as Local Law No. 1 for the Village of Manchester, 2013 was introduced at this meeting by a member of the Board of Trustees:

**“LOCAL LAW TO AMEND THE ZONING CODE OF  
THE VILLAGE OF MANCHESTER CHAPTER 100 THEREOF  
ENTITLED ZONING AND SECTION 100-31 ENTITLED ZONING MAP”**

**WHEREAS**, as it pertains to parcels of land owned by the Village of Manchester, et.al.(Schedule A attached) and

**WHEREAS**, the Village Board of the Village of Manchester, pursuant to Village Code Section 100-7.C, requested and received comments from the Village Planning Board prior to scheduling a Public Hearing; and

**WHEREAS**, the proposed zoning map modification is consistent with the Village’s Comprehensive Plan; and

**WHEREAS**, this introductory Local Law No. 1-2013 is on file in the Village Clerk’s Office for public inspection during regular business hours, and

**WHEREAS**, this Board desires to hold a public hearing with respect to the adoption of said Local Law, and this Notice is being provided pursuant to Section 100-7.D of Chapter 100 of the Manchester Village Code, the New York State Village Law, and Section 20 of the New York State Municipal Home Rules Law.

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by this Board with respect to the adoption of the aforesaid Local Law at the Village Hall, 8 Clifton Street, Manchester, New York, on the 4th day of November, 2013 at 6:15 pm., An opportunity to be heard in regard thereto will then and there be given. Written comments may also be directed to the Manchester Village Clerk, 8 Clifton St., PO Box 188, Manchester NY 14504 on or before 4:30 pm on the 4<sup>th</sup> day of November, 2013, and it is further

**RESOLVED**, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law and that copies of this Resolution be mailed to property owners within 500 feet of the proposed rezoning, and that the property be posted with signs 4’ x 2’ advertising the time and date and nature of the Public Hearing pursuant to Section 100-7.D.

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

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

The resolution was duly adopted.

**SCHEDULE A** TAX MAP PARCEL NUMBERS - CURRENT OWNER NAME - CURRENT ADDRESS

31.20-1-4.000	Village of Manchester	State Street	FRNT 103.04’ X DPTH 319.35’
32.13-1-9.000	Village of Manchester	N Main Street	FRNT 120.00’ X DPTH 75.45
32.13-2-74.000	Village of Manchester	West Ave	3.30 ACRES
32.14-1-53.000	Village of Manchester	S Main Street	FRNT 93.00’ X DPTH 132.00’
32.14-1-54.100	Village of Manchester	8 Clifton Street	2.50 ACRES
32.14-1-55.100	Village of Manchester	Clifton Street	1.20 ACRES
32.17-1-28.100	Village of Manchester	West Ave	7.80 ACRES

32.18-1-2.100 Village of Manchester Land along outlet 17 ACRES

32.18-1-29.000 Village of Manchester S Main Street FRNT 44.30 X DPTH 60.00

32.18-1-58.200 Village of Manchester RR Vacant E of Main Street 1.10 ACRES

31.20-1-1.000 James R., Jean M. Corino 153 State Street FRNT 80.' X DPTH 188.00'

31.20-1-2.000 Frances M. Lucci-Lippa 151 State Street FRNT 70.' DPTH 220.00'

31.20-1-3.000 Richard J., Sharon H. Cirulli 149 State Street FRNT 119.' X DPTH 296.30'

32.18-1-26.000 Village of Manchester Trail Permanent Easement 1,570+/- sf

32.18-1-26.000 Catherine Woodworth 107 S Main Street FRNT 50.26' X DPTH 423.00'

32.18-1-27.000 Village of Manchester Trail Permanent Easement 2465.9 +/- sf

32.18-1-27.000 Catherine Woodworth 107 S Main Street FRNT 80.77 X DPTH 423.00'

32.18-1-28.000 Village of Manchester Trail Easement 1,990.1 +/- sf

32.18-1-28.000 Alice Eagley LE 105 S Main Street FRNT 64.50' X DPTH 423.00'

32.18-1-30.000 Village of Manchester Trail Permanent Easement 3,788.9+/- sf (Gemcole Properties)

32.18-1-31.000 Village of Manchester Trail Permanent Easement 1,464.3+/- sf (S. Perryman)

32.18-1-35.112 Village of Manchester Trail Permanent Easement 4,229.5+/- sf (B. Mott)

32.10-1-10.100 Village of Manchester Trail Permanent Easement 16,963.5+/- sf (Abbott's Cuz Inn, Inc.)

32.10-1-1.220 Village of Manchester Trail Permanent Easement 18,832.3+/- sf & 25,702.2 =/- sf ("

32.10-1-5.000 Village of Manchester Trail Permanent Easement 4,593.5 +/- sf (Abbott Bros)

32.14-1-57.000 Village of Manchester Trail Permanent Easement 2,127.4 +/- sf (B. Pitcher)

32.10-1-1.110 Village of Manchester Trail Permanent Easement 3,554.+/- sf (M-M MHP LLC)

32.17-2-1.100 Village of Manchester Trail Permanent Easement 3,519.3 +/- sf (Niagara Mohawk)

32.17-2-45.000 Village of Manchester Trail Permanent Easement 7,566. +/- sf (Ontario Co.)

32.14-1-63.100 Village of Manchester Trail Permanent Easement 15,516.80 +/- sf (C. Duerr)

44.06-2-1.100 Village of Manchester Trail Permanent Easement 31,514.9 +/- sf ( H & J Bliss Realty)

32.17-2-13.000 David E., Michelle M. Bowser 123 Merrick Ave 0.13 ACRES

32.17-2-14.000 David E., Michelle M. Bowser 123 Merrick Ave FRNT 50.00' X DPTH 84.00'

32.17-2-16.000 Jeffrey J. Wegman 111 Merrick Ave FRNT 67.60' X DPTH 115.65'

**RESOLUTION NO. 15-2013 – RESOLUTION OF PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 2-2013**

At a regular meeting of the Board of Trustees of the Village of Manchester, held at the Village Hall, 8 Clifton Street, Manchester, New York, on the 7th day of October, 2013.

PRESENT: Nancy W. Johnsen, Mayor  
William F. Henry, Trustee  
Lynda J. Butler, Trustee

**WHEREAS**, a Local Law, being proposed as Local Law No. 2 for the Village of Manchester, 2013 was introduced at this meeting by a member of the Board of Trustees:

**A LOCAL LAW TO OVERRIDE THE TAX  
LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

**AND WHEREAS**, this Board desires to hold a public hearing with respect to the adoption of said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by this Board with respect to the adoption of the aforesaid Local Law at the Village Hall, 8 Clifton Street, Manchester, New York, on the 4th day of November, 2013 at 6:15 pm., and it is further

**RESOLVED** that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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

Mayor Johnsen	Voting	"AYE"
Trustee Henry	Voting	"AYE"
Trustee Butler	Voting	"AYE"

The resolution was duly adopted.

#### **NEW HIRE – CLEANER**

The Mayor approved the hiring of Linda A. Rider to clean the village hall. This is a part-time cleaner position through Civil Service. She is to receive \$20.00/hour.

#### **PUBLIC COMMENT:**

#### **CHICKENS:**

A letter was received from Deborah Frederick of 76 State Street, stating that she would like the Board to consider allowing residents of the village the option to raise chickens for personal use. She would like a change to Village Code to allow raising a few chickens. Some villages have changed their code to allow chickens. No action was taken at this time and tabled for further research.

#### **DPW REPORT**

- Hydrants done on Howard Street, State Street. Edgemere next.
- Leaf Vacuum begins before Halloween
- Sewer lateral completed to concession stand

#### **POLICE REPORT:**

- September Police report on file in clerk's office. 55 calls with 14 property checks.

#### **FIRE DEPARTMENT:**

- No monthly report was given for August.
- Discussion about the purchase of a new fire truck. No action taken.

The next regular Village Board meeting and Public Hearing(s) will be on Monday, November 04, 2013 at 6:00 pm.

The meeting was adjourned upon motion at 7:00 PM.

Respectfully submitted,

Rita J. Gurewitch  
Village Clerk/Treasurer