

## REGULAR BOARD MEETING HELD JANUARY 05, 2009

Present: Nancy W. Johnsen, Mayor  
William F. Henry, Trustee  
Debra Gulvin-Chase, Deputy Clerk/Treasurer  
Richard Coffey, Police Officer  
Jeff Liberati, DPW Supervisor  
Jim Goodall, Fire Chief  
Harry Bowker, FD President

Absent: Gary J. Bogner, Trustee

Others: Richard Cirulli, Matt Schaertl, Chris Nill, Judy Robinson

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 to the Flag. Minutes of the December public hearing and meeting were read and approved as presented. The treasurer's report was approved upon motion, subject to audit. Bills were authorized for payment on Abstract #8 of Audited Vouchers; holding payment to Churchville Fire Equipment until Trustee Henry meets with Fire Chief; General Fund totaling \$ 34,072.94; Water Fund totaling \$21,356.87; Sewer Fund totaling \$574.41; CDBG totaling \$0.00; and TEP funds totaling \$0.00.

### PART-TIME HEALTH OFFICER

Mayor Johnsen motioned to contact Registered Nurse, Carole Kern, who is presently the Town of Manchester's Health Officer, to see if she would consent to being the Village of Manchester's part-time health officer for a yearly salary of \$500.00, seconded by Trustee Henry, and unanimously carried.

### NYS LOCAL GOVERNMENT EFFICIENCY GRANT (LGEG) – RESOLUTION NO. 1 FOR 2009

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

#### WHEREAS:

- 1) For the past twenty-three years, the Village of Manchester has cooperated with the neighboring Village of Shortsville in operating and maintaining a sewage collection and treatment system that serves both villages, and has acted as a co-equal partner with said Village in the administration of a Joint Sewer Commission, under terms set out in an Intermunicipal Agreement adopted on May 4, 1971, and revised on May 23, 1985.
- 2) The sewer system serving the Villages of Manchester and Shortsville is currently experiencing significant problems of infiltration/inflow and general maintenance of sewerage transmission infrastructure which are seriously taxing the capacity as well as the efficiency of the wastewater treatment plant;
- 3) The aforementioned issues will necessitate a significant investment in engineering studies and capital equipment in order to solve outstanding sewerage transmission issues and improve overall efficiency while maximizing the opportunities for area-wide economic and infrastructure development;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

- 1) The Village of Manchester Board of Trustees approves and endorses the filing of a joint application to the New York State Local Government Efficiency Grant Program in order to secure funding to help defray the cost of a project to be known as "Intermunicipal Monitoring, Studies and Capital Equipment for Joint Sewerage Management." In said project the Village of Manchester and Shortsville will a) undertake a joint storm sewer study to plan for the reduction or elimination of prevailing infiltration and inflow problems; b) install three flow meter stations which are recommended under NYCRR Part 750 regulation in order to accurately monitor stormwater inflows and thereby control their impact on the joint sewer system; and c) purchase a truck-mounted sewer cleaner for the efficient maintenance of sewage transmission infrastructure;
- 2) The Village of Manchester shall be officially named as the Lead Applicant for the purposed of filing a Local Government Efficiency Grant application, and as such recognizes and accepts the responsibilities associated with Lead Applicant status;
- 3) The Village of Manchester Board of Trustees designates Mayor Nancy W. Johnsen as the Lead Applicant Contact Person who is hereby authorized to submit an application the NYS Local Government Efficiency Grant Program for the 2009 program year, and is furthermore authorized and empowered to execute all financial and administrative processes relating to said grant program, with the understanding that the aforementioned Contact Person may from time to time act through her designees, Rita J. Gurewitch, Clerk/Treasurer of the Village of Manchester, and Sandy Liberty, Deputy Clerk/Treasurer of the Village of Shortsville;

- 4) The amount of the total Local Government Efficiency Grant request shall not exceed two hundred seven thousand nine hundred dollars (\$207,900.00), and the Village of Manchester hereby registers the agreement with the Village of Shortsville that the Manchester-Shortsville Joint Sewer Commission, comprising in its membership the elected officials of the Villages of Manchester and Shortsville, shall commit a sum of less than twenty-three thousand one hundred dollars (\$23,100.00) to be disbursed from the Sewer Commission Fund, which amount shall fulfill the required ten percent local match for LGEG funding.

The above resolution resulted in a roll call vote which resulted as follows:

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

The resolution was thereupon duly adopted.

**NYS DEPT OF ENVIRONMENTAL CONSERVATION REMEDIATION FREDERICK PROPERTY AT 147 STATE STREET, SITE NO. B00131-8; CONTRACT: C302654, AMENDMENT NO. 1 RESOLUTION NO. 02 FOR 2009**

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

**WHEREAS:**

- 1) the New York State Department of Environmental Conservation (hence known as Department) entered into a contract on June 15, 2005 (Original Contract) with the Village of Manchester (hence known as Municipality), in which said contract was duly assigned Contract No. C302654 by the Office of the State Comptroller ( hence known as State Comptroller); and
- 2) there are circumstances necessitating a modification of the Original Contract and the parties desire to amend said Original Contract.

NOW THEREFORE, BE IT RESOLVED, in consideration of the mutual covenants, promises, representations, and conditions made herein, the parties agree as follows:

- (1) Section XVII, entitled “Miscellaneous U.” of the Original Contract is hereby repealed and rescinded in its entirety and is replaced with the following:

U. The term of this Contract shall start on December 22, 2004. This Contract shall end on December 31, 2009. The Municipality agrees to proceed expeditiously with and to complete the Project in accordance with Work Plans approved by the Department, and any revisions thereto, and to carry out its other obligations under this Contract.

- (2) Appendix A dated May 2003 is hereby deleted and Appendix A dated June 2006 is attached hereto.
- (3) This Contract and Amendment No. 1 will be effective upon approval and filing by the State Comptroller in accordance with Section 112 of the State Finance Law.
- (4) Except as specifically modified herein, all terms and conditions of the Original Contract remain in full force and effect.
- (5)

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

Mayor Nancy Johnsen	Voting	“AYE”
Trustee William Henry	Voting	“AYE”
Trustee Gary Bogner	Absent	

The resolution was duly adopted.

**NATIONAL SNO-CROSS CHAMPIONSHIP/SNOWMOBILES**

Matt Schaertl informed the Board that the National Snow-Cross Championship races will be coming to the Finger Lakes Race Track in Farmington next month and is a high public attraction. As some spectator’s may want to ride their snowmobiles to the race site, Mr. Schaertl requested that they be allowed to ride through the village. A discussion then followed as to how snowmobile acceptance within the village could benefit local businesses. Present village code prohibits snowmobiles within the village, therefore, the Board is not able accommodate Mr. Schaertl’s request to allow access of snowmobile riding within the village boundaries.

**ZONING BOARD OF APPEALS**

A letter was received from Tom Coyne that he is withdrawing from his position as a member of the Zoning Board of Appeals due to personal reasons. He stated it has been a pleasure to serve his village. Mr. Coyne’s term expires on March 31, 2009, leaving a vacancy at this time.

The Mayor appointed John Yaccuzo of Newton Street, to be a member of the Zoning Board of Appeals, filling the vacant position left by R. Patrick Beaton, who moved away, for his remaining term to expire on March 31, 2010.

**REPORTS:**

**DPW** – A letter was received from a resident informing the Mayor that his mailbox is being hit by the snow plow. DPW Supervisor stated that that mailbox has not been hit by the plow. It is of poor construction and the weight of the snow is pushing it over. He stated if the village plow actually hits a mailbox we replace it, if the destruction is caused by the weight of ice and snow, we don't. A letter will be sent to explaining mailbox protocol and construction.

The test wells were found at the Frederick Property and testing should be able to resume.  
The small dump truck lost the transmission and needs to be fixed.

**POLICE** – See written report on file in the clerk's office. Snowmobile complaints are still prevalent.

**FIRE DEPT** – See written report on file in the clerk's office.

**PUBLIC COMMENT:**

Mr. Cirulli would like the board to pursue utilizing any financial stimulus that may be forthcoming from the Federal Government. The board informed that all possible avenues are being completed at this time.

Ms. Robinson, who is a Planning Board member, addressed the Board with her aspiration to update the village's code book. It needs to be done as many codes are outdated and other new ones need to be added. The board agreed with Ms. Robinson and stated to contact Code Enforcement Officer Steve DeHond and have the Planning Board appoint her as committee chair for this project. All codes and updates are subject to Board of Trustees approval.

The meeting was adjourned on motion at 7:15 PM.

Respectfully submitted,

Rita J. Gurewitch  
Clerk/Treasurer