

**MINUTES OF PUBLIC HEARING ON LOCAL LAW NO. 1 – 2007  
HELD APRIL 2, 2007**

Present: Nancy W. Johnsen, Mayor  
Michael W. Murphy, Trustee  
William F. Henry, Trustee

Absent: None

Others: Dominic Lisi, Douglas Burton, Gary Bogner, Richard Cirulli, Chris Nill,  
Andrea Tillingast, Matt Schaertl, Vincent DelGatto, Patricia Ayers

Recording: Angela D'Arduini, Clerk

Mayor Johnsen called the public hearing to order at 7:00 PM. She read the Notice of Public Hearing on proposed Local Law No. 1 – 2007 entitled **A LOCAL LAW TO AMEND CHAPTER 100 OF THE VILLAGE CODE ENTITLED, "ZONING" OF THE VILLAGE OF MANCHESTER, COUNTY OF ONTARIO, STATE OF NEW YORK.**

No one present spoke for or against the Local Law.

The public hearing was adjourned at 7:05 PM.

**MINUTES OF PUBLIC HEARING ON BUDGET HELD APRIL 2, 2007**

Present: Nancy W. Johnsen, Mayor  
Michael W. Murphy, Trustee  
William F. Henry, Trustee

Absent: None

Others: Dominic Lisi, Douglas Burton, Gary Bogner, Richard Cirulli, Chris Nill,  
Andrea Tillingast, Matt Schaertl, Vincent DelGatto, Patricia Ayers

Recording: Angela D'Arduini, Clerk

The public hearing was called to order by the Mayor at 7:05 PM. No one present spoke for or against the budget.

The public hearing was adjourned at 7:10 PM.

**MINUTES OF REGULAR AND ORGANIZATIONAL MEETING HELD APRIL 2, 2007**

Present: Nancy W. Johnsen, Mayor  
Michael W. Murphy, Trustee  
William F. Henry, Trustee

Absent: None

Others: Dominic Lisi, Douglas Burton, Gary Bogner, Richard Cirulli, Chris Nill,  
Andrea Tillingast, Matt Schaertl, Vincent DelGatto, Patricia Ayers

Recording: Angela D'Arduini, Clerk

The meeting was called to order at 7:10 PM by Mayor Johnsen. The clerk led the Pledge of Allegiance. Minutes of the meeting held on March 5, 2007 were read and a motion was made by Trustee Murphy, seconded by Trustee Henry to approve the minutes as presented. Bills were authorized for payment on Abstracts of Audited Vouchers #32, General Fund totaling \$29,733.39; #33, Water Fund totaling \$21,646.03; #34, Sewer Fund totaling \$1,187.73. A motion was made by Trustee Murphy, seconded by Mayor Johnsen to accept the Treasurer's Report for the month of February 2007 unanimously approved subject to audit.

**LOCAL LAW NO. 1 – 2007**

The following resolution was introduced by Trustee Henry, seconded by Trustee Murphy who moved its adoption:

**WHEREAS**, proposed Local Law No. 1-2007 was introduced at a meeting of the Board of Trustees, and

**WHEREAS**, a public hearing has been held thereon the 2<sup>nd</sup> day of April 2007, at which time all interested persons were given an opportunity to be heard thereon.

**NOW, THEREFORE, BE IT RESOLVED**, that Local Law No. 1-2007 be enacted as follows:

**A LOCAL LAW TO AMEND CHAPTER 100  
OF THE VILLAGE CODE ENTITLED, “ZONING”  
OF THE VILLAGE OF MANCHESTER, COUNTY  
OF ONTARIO, STATE OF NEW YORK**

A copy of said Local Law is appended hereto and made a part hereof.

(See attached Local Law No. 1 – 2007)

The above resolution was put to roll call vote which resulted in the following:

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

The resolution was thereupon declared duly adopted.

**2007 – 2008 BUDGET – RESOLUTION NO. 3 FOR 2007**

The following resolution was offered by Mayor Johnsen, seconded by Trustee Murphy and carried to wit:

**WHEREAS**, the budget for the 2007-2008 fiscal year has been prepared by the Board of Trustees of the Village of Manchester, and

**WHEREAS**, no interested taxpayer of the Village of Manchester voiced any objection to the budget offered;

**NOW, THEREFORE, BE IT RESOLVED**, that the budget be adopted as follows:

	<b>GENERAL</b>	<b>WATER</b>
Appropriations and other Budgetary Provisions	\$877,908	\$253,153
Less Estimated Revenue	\$456,913	\$188,500
Appropriated Cash Surplus	\$121,566	\$ 64,653
Balance to be raised by		
Real Property Tax Levy	\$299,429	

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

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

The resolution was thereupon declared duly adopted.

**CHIEF OF POLICE**

Mayor Johnsen conveyed condolences to the family of William F. Dean upon his death on March 6, 2007. He had been employed by the Village since November 1965.

## **CERTIFICATE OF APPRECIATION**

Mayor Johnsen presented a Certificate of Appreciation to Gary Bogner for his many years of faithful service to the Village of Manchester as Chairman of the Planning Board.

## **LIBRARY DIRECTOR**

Andrea Tillinghast, new director of the Red Jacket Community Library spoke to the board on behalf of the Board of Trustees of the library. Each of the board members and clerk received a copy of the library's Annual Report for 2007 and their Long Range Plan for 2007-2009. The long range goals include assisting the Village of Manchester in meeting the goals of its Strategic Plan which will improve the entire community and offering history and genealogy services that address the need of community residents to know and better understand personal or community heritage. Andrea is welcome to suggestions and encourages calls and e-mails.

## **FREDERICK'S PROPERTY – Brownsfield Site**

The village received a check for reimbursement from State Assisted Contract No. C302654 for \$90,283.54. A final request for reimbursement from State Assisted Contract No. C301640 was submitted on March 16, 2007.

## **WILD WATER DERBY**

Matt Schaertl attended the board meeting. Derby plans are moving along smoothly. He asked if the board had any last requests. The Mayor requested that a flagman be stationed at the pullout on Vanderwall Drive. Participants may register on line at [wildwaterderby.com](http://wildwaterderby.com).

## **BID AWARD – Pedestrian/Bicycle Pathway System – RESOLUTION NO. 4 FOR 2007**

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

### **WHEREAS:**

1. In order to advance the development of a project known as the "Manchester Gateway" Pedestrian/Bicycle Pathway System, the Village prepared and disseminated a formal Request for Qualifications (RFQ) for engineering and design services on February 6, 2007;
2. By February 28, 2007, the response deadline stipulated in the aforementioned RFQ, the Village had received a total of nine (9) different proposals from as many different firms, all of which are listed on the NYSDOT Region 4 LDSA list which was current as of that date;
3. A Consultant Selection Committee comprising the members of this board, plus local resident Chris Nill and NYSDOT Region 4 TEP Coordinator Steve Beauvais, diligently reviewed and evaluated all nine (9) proposals received, rating them in accordance with selection criteria that were mutually agreed upon by the Committee;
4. Having reviewed and rated all proposals received, the Committee members agreed to a short list of three (3) top-rated finalists, and invited representatives of these firms and their proposed subcontractors to an interview session which was held on Wednesday, March 28, 2007;
5. Following the interviews with the RFQ finalists the Consultant Selection Committee exercised due diligence in reviewing the outcomes of said interviews in combination with the written proposals, and unanimously decided to recommend to the Village Board that it ratify the selection of Fisher Associates of Rochester and their designated subconsultant for engineering and design of the Manchester Pathway system.

**NOW, THEREFORE, BE IT RESOLVED THAT**, this board, having expressed its satisfaction that all due diligence requirements pertaining to the consultant selection process were met or exceeded, approves the recommendation of the Consultant Selection Committee and hereby orders that a notification of final selection be transmitted to Fisher Associates of Rochester, NY, for the engineering and design of the Manchester Gateway Pedestrian/Bicycle Pathway System.

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

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

The resolution was thereupon declared duly adopted.

#### **PEDESTRIAN/BICYCLE PATHWAY – RESOLUTION NO. 5 FOR 2007**

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

**WHEREAS**, the Village of Manchester has received a grant of federal aid for the improvement of a street or highway not on the State highway system, as described in the Standard Federal-Aid Highway and Marchiselli-Aid Local Project Agreement annexed hereto between the New York State Department of Transportation and the Village of Manchester; and

**WHEREAS**, this Board wishes to proceed with said grant for the construction of the Manchester Gateway Pedestrian/Bicycle Pathway System;

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

1. The Mayor of the Village of Manchester is authorized to execute all agreements, certifications and reimbursement requests on behalf of the Village of Manchester in connection with said Manchester Gateway Pedestrian/Bicycle Pathway System project.
2. The Village of Manchester understands and accepts the stipulations of the aforementioned agreement including its associated schedules, appendices, exhibits and attachments.
3. The Village of Manchester confirms that it has appropriated the funding necessary to deliver the project as described in Schedule A of the aforementioned agreement, namely at a cost of \$759,924.00, with total Federal cost being \$607,924.00 and total Local cost being \$152,000.00.

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

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

The resolution was thereupon duly adopted.

#### **CITIZENS ADVISORY COMMITTEE – (Pedestrian/Bicycle Pathway)**

Chris Nill addressed the board. He stated that the Citizens Advisory Committee for the Pathway met. He said it was a good meeting, but he was disappointed that only three people attended. More members are needed. Their next meeting is April 19<sup>th</sup> at 7:00 PM.

#### **FARMINGTON PROPERTIES LLC**

Mark Poretta, President of Farmington Properties LLC presented a proposal to the board for possible development of lands located in the Town of Farmington. He is requesting water and sewer from the Village of Manchester. The board is opposed to selling water/sewer services to and out-of-village user and will only do so if the land is annexed into the Village. Mr. Poretta is in favor of the annexation and asked if the Village would write a letter to the Town of Farmington considering consenting to the annexation. If the Town of Farmington does not permit the annexation, the Village will not persure the development. Mayor Johnsen will ask Attorney Tyo to draft a letter.

## **WEBSITE**

The board discussed researching different websites in the surrounding municipalities. Trustee Murphy has offered to do the research.

## **ROUNDHOUSE PROPERTY**

The former railroad roundhouse property is in very poor condition and recently the village received a request to take action under its unsafe buildings law to remove a part of the building which may be a danger to trespassers. On behalf of the village, Attorney Tyo has written a letter to the New York State Department of Environmental Conservations with questions regarding the environmental issues with this property. To date, he has not received a response. He has written a second letter.

## **APARTMENT COMPLEX – State Street**

The village board received a letter from John Barry, Four Clovers, Inc. regarding building requests for his proposed apartment complex. The first request is to waive the Village recreation fee of \$100 per unit which would total \$7200 for the project. In lieu of this fee they are offering aid to be used to finance equipment and labor for general upgrades to the Fire Department ball fields and the Manchester Family Park. The second request is for a reduction in building permit fees from \$0.15 per square foot to \$0.05 per square foot. They feel the permit fee is abnormally large for a special use residential project of this size. A discussion was held and the board decided to ask Attorney Tyo to research the Village Code and see if there are any provisions in the code which would allow the waiver of the recreation fee or the reduction in the building permit fee. Attorney Tyo will respond to John Barry with his findings.

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

Respectfully submitted,

Angela D'Arduini  
Clerk/Treasurer