

**MINUTES OF PUBLIC HEARING FOR LOCAL LAW NO. 1-2006 AND  
LOCAL LAW NO. 2-2006 HELD AUGUST 7, 2006**

Present: Bruce E. Miles, Mayor  
Nancy W. Johnsen, Trustee  
Michael W. Murphy, Trustee

Absent: None

Recording: Angela D'Arduini, Clerk/Treasurer

The public hearing was called to order by Mayor Miles at 7:00 PM. He read the Notice of Public Hearing on proposed Local Law No. 1-2006 entitled "**A LOCAL LAW TO CHANGE THE LIMITS OF TOXIC SUBSTANCE IN SEWAGE CONCENTRATION**" and Local Law No. 2-2006 entitled "**A LOCAL LAW TO AMEND SECTION 100-29 (Q)(2) OF THE VILLAGE CODE SO AS TO ESTABLISH NEW FENCE HEIGHTS FOR YARDS ZONED IN A RESIDENTIAL DISTRICT.**"

No one spoke for or against the Local Laws.

The public hearing was closed at 7:05 PM.

**MINUTES OF REGULAR BOARD MEETING HELD AUGUST 7, 2006**

Present: Bruce E. Miles, Mayor  
Nancy W. Johnsen, Trustee  
Michael W. Murphy, Trustee

Others: Jeff Liberati, Richard Cirulli, Matt Schaertl, Chris Nill, William Dean, Police Chief, Anthony Cirulli, Tim VanGorder, Bea Robinson, Judy Robinson

Recording: Angela D'Arduini, Clerk/Treasurer

The meeting was called to order at 7:05 PM by Mayor Miles. The clerk led the Pledge of Allegiance. Minutes of the meeting held on July 10, 2006 were read and approved as presented. Bills were authorized for payment on Abstracts of Audited Vouchers #7, General Fund totaling \$15,073.66; #8, Water Fund totaling \$611.72; and #9, Sewer Fund totaling \$47,796.23. The treasurer's report for the month of June was approved subject to audit.

**LOCAL LAW #1 – 2006**

(See attached Notice of Adoption and Local Law)

**LOCAL LAW #2 – 2006**

(See attached Notice of Adoption and Local Law)

**FREDERICK'S BUILDING**

Richard Cirulli addressed the board for a report on the Site Remediation. Arrow Contracting has returned signed Agreements, Change Order No. 1 and the Performance and Payment Bonds. The insurance requirements by NYSDEC have not yet been satisfied. NYSDEC stated that the contractor must provide an OCP policy which Arrow Contracting Inc. has not yet done. Sniedze Associates will not be able to process the Agreement and Change Order No. 1 until the contractor has met NYSDEC's insurance requirements.

**4262 STATE ROUTE 96**

Judy and Beatrice Robinson attended the meeting. Judy said she was searching for information. Her parents have paid taxes for years and she wanted to know what services they received. They did take advantage of the spring clean-up this year and they do have village water. She wanted to know why they do not have sewer. Public Works Supervisor, Jeff Liberati

explained that their property is too low and a pumping system would need to be installed to pump the sewage up into the main. She would be responsible for running the line and installing the pumping system. The village would only connect it to the main. This would be very cost prohibitive. It might be cheaper to install a new septic system. She might discuss annexation into the town with Supervisor William Eddinger.

### **PARKED CARS IN FRONT OF HALSTED-PATRICK FUNERAL HOME**

Anthony Cirulli of 20 North Main Street addressed the board. For the last eight or nine months two or three cars are parked in front of the Halsted-Patrick Funeral Home all the time. He has come close to hitting them when backing out of his driveway on to Main Street. Can NO PARKING signs be put up? The board told Mr. Cirulli that because this is a state highway, the village can not put up the signs. However, he can call the New York State Department of Transportation in Rochester and request that NO PARKING signs be put up.

On behalf of the American Legion, Mr. Cirulli also left a copy of a Resolution regarding the Preservation of Monuments and Memorials that he would like the board to review and possibly adopt.

### **3<sup>rd</sup> ANNUAL BIKE RIDE**

The Chamber of Commerce will be having their 3<sup>rd</sup> Annual Bike Ride on August 11<sup>th</sup> at 7:30 PM. It is for all ages and will begin and end at the Village Hall in Shortsville. There will be two stops to refresh with drinks and snacks. The whole event should last about 1 ½ hours. Matt Schaertl asked the board if they had any questions regarding the event. The board had no questions and said our Police Chief, William Dean would be working the night of the event.

### **GARY BLISS – Bike/ Pedestrian Pathway**

Gary Bliss addressed the board. He shared some of his thoughts regarding the Bike/Pedestrian Pathway and his property along the interceptor line. He showed the board a map of the property in question. Whether it be a ninety-nine year lease, or property acquisition, he would want the ability to tap into the sewer line for future expansion. Chris Nill brought Mr. Bliss up to date on the TEP application and told him the project budget includes money for property acquisition if he sells it to the village. The village will keep in contact with Mr. Bliss on the progress of the application.

### **STORM DRAIN – PRATT RD**

Tim VanGorder of 67 Pratt Road attended the meeting. He questioned the status of the proposed installation of a storm sewer along a section of Pratt Road which includes his property. A motion was made by Trustee Murphy, seconded by Trustee Johnsen and carried to proceed with the project. Public Works Supervisor Jeff Liberati will contact Kenneth Morrison to do the digging and bore under the road to the stream at the culvert.

### **MANCHESTER GATEWAY PEDESTRIAN/BICYCLE PATHWAY SYSTEM**

Chris Nill presented to the board members a two page “WHAT’S IT ALL ABOUT” paper he put together which states a brief overview of the project, the current funding status and a conceptual layout of proposed facilities. He will use this to inform our current legislators of the project and ask for their support.

### **TRANSPORTATION ENHANCEMENT PROGRAM**

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

#### **WHEREAS:**

- 1) The Village recently submitted a Transportation Enhancements Program (TEP) application to the NYS Department of Transportation to secure funding to undertake a vitally important transportation project entitled the “Manchester Gateway Pedestrian/Bicycle Pathway System;”

- 2) In order to meet the local matching funds requirement under said Program, at its regular meeting on Monday, June 5, 2006 this Village Board unanimously passed a Resolution which among other things authorized the expenditure of up to forty thousand dollars (\$40,000) over the fiscal year period 2007-2010;
- 3) The Village subsequently received communications from NYSDOT indicating the need for various project budget increases that are deemed prudent and necessary in order to complete the proposed project in an orderly fashion;
- 4) The Village has revised its TEP project budget estimate in order to address the comments and guidance provided by NYSDOT;
- 5) This Village Board remains strongly committed to undertaking every measure that is reasonable and prudent to insure the success of this proposed TEP project;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1) This Board approves and endorses the filing of certain revisions to the Village's outstanding TEP application in order to address the comments and guidance provided by the regional NYSDOT office, with the understanding that each Board member has had an opportunity to fully review and consider each and every specific revision submitted;
- 2) In keeping with those TEP application revisions alluded to above, and in lieu of its previous commitment to provide a local match for this project, the Village shall commit a total of **sixty thousand dollars (\$60,000)** over the course of the next four fiscal years (2007-2010) for the timely implementation of the proposed TEP project, which amount shall be construed as a portion of the Village's local match for TEP funding.
- 3) This Board further authorizes the commitment of Village force account labor with a total monetary value of approximately thirty-six thousand dollars (\$36,000) from the Public Works Department, which amount shall be construed as an additional portion of the required local match needed to undertake this TEP project;
- 4) This Board reaffirms and continues to endorse all other provisions of its Resolution passed on June 5, 2006, with the sole exception of the commitment of local matching funds cited in said Resolution, which amount is superseded by today's resolution of the Village Board.

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

Trustee Johnsen	Voting "AYE"
Trustee Murphy	Voting "AYE"
Mayor Miles	Voting "AYE"

The resolution was duly adopted.

**PACC (PA CAPITAL CITY) AUTOMOTIVE AND EQUIPMENT CONTRACT**

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

**WHEREAS**, Section 1902 of act 57 of May 15, 1998, (Title 62 Pa C.S. 1902) known as the "Commonwealth Procurement Code", permitting local public procurement units, local municipalities, and authorities to sponsor, establish, participate in, conduct, or administer a cooperative purchasing agreement for the procurement of any goods, materials, equipment, or services with another local public procurement unit. A "local procurement unit" is defined as: any political subdivision, public authority, educational, health, or other institution; and to the extent provided by law, any other entity, including a council of governments or an area government; nonprofit fire, rescue or ambulance company; and any nonprofit cooperation operating a charitable hospital; and

**WHEREAS**, it is hereby deemed to be in the best interest of the Village of Manchester to participate in **PACC (PA CAPITAL CITY) AUTOMOTIVE AND EQUIPMENT CONTRACT**, which is administered by **THE CITY OF HARRISBURG**.

**NOW, THEREFORE, BE IT RESOLVED** by the members of the Village Board, that the Village of Manchester, will participate in PACC Automotive and Equipment Contract, by purchasing supplies, services from the contract and based upon the terms and conditions of the contract and at the same prices. Further, the Village of Manchester will be responsible for the payment of the price directly to the contractor and said expenses directly related.

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

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

The resolution was duly adopted.

### **LEAF PICKER**

Public Works Supervisor Jeff Liberati ordered a new ODC model SCL800TM leaf picker from the ODB Company in Richmond, Virginia to be paid for through the City of Harrisburg’s PACC Automotive and Equipment Company. The cost of the leaf picker is \$23,495. The PACC contract is saving our municipality approximately \$2,300 as well as simplifying the process of purchasing the equipment.

### **HEAVY DUTY DUMP TRUCK**

Jeff Liberati, Public Works Supervisor, talked to Roy Teitsworth, Inc. and our heavy duty dump truck has an auction worth of \$20,000. This is what the Town of Manchester will pay for our truck. A new truck will be purchased from Regional Transportation. An estimated cost is \$125,000. Jeff hopes to use our present dump box and plow on the new truck. He is still getting figures together for leasing the new truck. Jeff recommends going with an eight year lease. The sale of our big dump to the town should cover the first payment on a lease. A motion was made by Mayor Miles, seconded by Trustee Murphy and carried unanimously to go ahead an order the new heavy duty dump truck.

### **FLAG POLES**

Trustee Johnsen told the board that Jim Landon will sell the village no twisting flag poles at cost. She will get a price by the next board meeting.

### **BIKE RACK**

The boy scouts would like a one sided single slot bike rack. Trustee Johnsen will research and order one.

### **DIVISION FOR YOUTH**

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

**WHEREAS**, the New York State Division for Youth offers funds each year; and

**WHEREAS**, it is necessary to apply for these funds through the Ontario County Division for Youth:

**NOW, THEREFORE, BE IT RESOLVED**, that the board hereby authorizes Mayor Miles to execute all necessary documents.

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

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

The resolution was duly adopted.

**SEPTEMBER BOARD MEETING**

The office will be closed on Labor Day, Monday September 4, 2006. The Village Board meeting will be held on Tuesday, September 5, 2006 at 7:00 PM. The clerk will notify the Messenger-Post Newspaper of the change.

The meeting was adjourned on motion at 9:30 PM.

Respectfully submitted,

Angela D'Arduini  
Clerk/Treasurer