

**VILLAGE OF MANCHESTER
SPECIAL MEETING HELD NOVEMBER 22, 2017
ALSO MINUTES OF THE REGULAR VILLAGE BOARD MEETING
AND PUBLIC HEARING HELD AT 8 CLIFTON STREET, MANCHESTER NY
ON DECEMBER 04, 2017**

Present: Nancy W. Johnsen, Mayor
William F. Henry, Trustee
Michael J. Buttaccio, Trustee
Jeffrey P. Liberati, Dept. of Public Works Maintenance Supervisor
George C. Hotchkiss, Assistant Dept. of Public Works Maintenance Supervisor
Daniel J. D'Arduini, Motor Equipment Operator

Recording: Nancy W. Johnsen, Mayor

**SPECIAL MEETING
NOVEMBER 22, 2017**

A Special Meeting was held on November 22, 2017 at 10:00 am. The Village Board commended the Department of Public Works employees for their many years of service to the Village of Manchester. The New York Conference of Mayors (NYCOM) issued awards to Jeffrey P. Liberati for 35 (36) years of service, George C. Hotchkiss for 30 (31) years of service, and Daniel J. D'Arduini for 30 (29) years of service. NYCOM recognizes 5 years increments. The Board distributed the awards to the employees and thanked them for their many years of dedication and service to the Village of Manchester.

Meeting was adjourned at 10:20 AM.

**PUBLIC HEARINGS
DECEMBER 04, 2017**

Present: Nancy W. Johnsen, Mayor
William F. Henry, Trustee
Michael J. Buttaccio, Trustee
Richard T. Coffey, Police

Absent: Jeffrey P. Liberati, DPW Supervisor

Others: Ed Ruthven, MFD; Anthony Cirulli, Pauline Sowa, Kathleen Vienna

Recording: Rita J. Gurewitch, Clerk/Treasurer

PUBLIC HEARINGS

Mayor Johnsen opened the 1st public hearing at 6:00 PM. The clerk read the Notice of Public Hearing on proposed Resolution No. 20-2017 entitled "**REAL PROPERTY TAX EXEMPTION FOR PERSON OVER 65 FOR THE VILLAGE OF MANCHESTER, NEW YORK FOR THE 2019-2020 TAX YEAR**" which was printed in the Daily Messenger on November 17, 2017.

Mayor Johnsen asked three times if anyone had any questions or comments.

No one spoke for or against the resolution.

The public hearing was closed at 6:05 PM.

Mayor Johnsen opened the 2nd public hearing to order at 6:06PM. The clerk read the Notice of Public Hearing on proposed **RESOLUTION NO. 21-2016 TO ENACT LOCAL LAW NO. 1-2016 stating A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C**

This notice was printed in the Daily Messenger on November 17, 2017. The Clerk explained the proposed law to those present.

Mayor Johnsen asked three times if anyone had any questions or comments.

No one spoke for or against the resolution.

The public hearing was closed at 6:20 PM.

REGULAR MEETING

The clerk led the Pledge of Allegiance to the flag.

Mayor Johnsen called the regular meeting to order at 6:21 pm.

The minutes of the Regular meeting held on November 06, 2017 were read and approved upon motion from Trustee Buttaccio and seconded by Trustee Henry.

The November Treasurer’s report was approved upon a motion from Trustee Henry, seconded by Trustee Buttaccio, voted on and unanimously carried, subject to audit. Bills were authorized for payment on Abstract #7 of Audited Vouchers, General Fund totaling \$86,636.78; Water Fund totaling \$648.86; Sewer Fund totaling \$59.82 ; CDBG totaling \$0.00 and TEP totaling \$0.00; Trust & Agency Fund \$112,437.23.

Reported – VILLAGE CLOCK AND VETERAN MEMORIAL

A meeting has been set for the clock/memorial committee to meet on Wednesday, December 06, 2017 at 3:00 pm. Previous meeting was November 15, 2017 with ideas presented.

Reported – SANTA AT THE CABOOSE

Trustee Buttaccio reported that Santa was at the Caboose Friday 4:00 pm to 8:00 pm and Saturday Noon to 4:00 pm. Saturday was better attended of the two days. It went well, but may have to advertise more next year.

Reported – BROWNFIELD PROJECT – FREDERICK PROPERTY, STATE STREET

The Village is still waiting to hear from the Department of Environmental Conservation (DEC) as to the next steps we need to take. Village Attorney John Tyo has also made contact with the DEC concerning a meeting.

Approved - RESOLUTION No. 20-2017 - REAL PROPERTY TAX EXEMPTION FOR PERSON OVER 65 FOR THE VILLAGE OF MANCHESTER, NEW YORK FOR THE 2019-2020 TAX YEAR

RESOLVED, AND BE IT ORDAINED, by the Board of Trustees of the Village of Manchester as follows:

Section 1. Real Property owned by one or more persons one of whom is sixty-five years of age, or real property owned by husband and wife, one of whom is sixty-five years of age or over shall be exempt from taxation to the extent of fifty per centum of the assessed valuation thereof:

Section 2. No exemption shall be granted:

- a) if the income of the owner or the combined income of the owners of the property exceeds the sum of Twenty-Four Thousand Two Hundred Ninety-Nine and 99/100 Dollars (\$24,299.99) for the twelve consecutive months immediately preceding the date of making application for exemption. Where title is vested in either the husband or the wife, the combined income may not exceed such sum. Such income shall include Social Security and retirement benefits, interest, dividends, rental income, salary or earnings, and income from self-employment, but shall not include gifts or inheritance; and
- b) unless the title of the property shall have been vested in twenty-four months prior to the date of making application for exemption; and
- c) unless the property is used exclusively for residential purposes; and
- d) unless the real property is the legal residence of, and is occupied in whole or in part by the owner or by all of the owners of the property.

Section 3. As allowed by Section 467D of the New York State Real Property Tax Law, a sliding scale income level will be allowed as follows:

If income is More Than / but this amount is Less Than / % of deduction allowed		
18,600.01	19,599.99	45%
19,600.00	20,599.99	40%
20,600.00	21,599.99	35%
21,600.00	22,499.99	30%
22,500.00	23,399.99	25%
23,400.00	24,299.99	20%

Section 4. Application for such exemption must be made by the owner, or all of the owners, of the property, on forms to be furnished by the Town of Manchester Assessor, and shall furnish the information and be executed in the manner required or prescribed in such forms, and shall be filed in

the office of the Town of Manchester Assessor at least ninety days before the day of filing the final assessment roll.

Section 5. Any conviction of having made any willful false statement in the application for such exemption shall be punishable by a fine of not more than One Hundred Dollars and shall disqualify the applicant from further exemption for a period of five years.

Section 6. This resolution will remain effective until it is amended by resolution of the Village Board of Trustees of Manchester, NY from said date.

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

Mayor Johnsen	Voting	"AYE"
Trustee Buttaccio	Voting	"AYE"
Trustee Henry	Voting	"AYE"

The resolution was thereupon declared duly adopted.

Approved - RESOLUTION NO. 21-2017 TO ENACT LOCAL LAW NO. 1-2017

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

WHEREAS, proposed Local Law No. 1-2017 was introduced at the meeting of the Board of Trustees;

WHEREAS, a public hearing has been held thereon the 4th day of December, 2017, at which time all interested persons were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED, that a Local Law No. 1 -2017 be enacted as follows:

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C

The question of adoption of the foregoing Resolution was duly put to roll call which resulted as follows:

Mayor Johnsen	Voting	"AYE"
Trustee Buttaccio	Voting	"AYE"
Trustee Henry	Voting	"AYE"

The resolution was thereupon declared duly adopted. A copy of said Local Law is appended and made a part hereof.

Approved - LOCAL LAW NO. 1 – 2017 – A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c

Be it enacted by the Village Board of Trustees of the Village of Manchester.

SECTION 1. Legislative Intent

It is the intent of this local law to allow the Village of Manchester to adopt a budget for the fiscal year commencing June 1, 2018 through May 31, 2019 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

SECTION 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty (60%) of said governing body.

SECTION 3. Tax Levy Limit Override

The Board of Trustees of the Village of Manchester, County of Ontario, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2018 through May 31, 2019, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

SECTION 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. Effective date. This local law shall take effect immediately upon its filing with the Secretary of the State of New York.

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

Mayor Johnsen	Voting	"AYE"
Trustee Buttaccio	Voting	"AYE"
Trustee Henry	Voting	"AYE"

The Local Law was thereupon declared duly adopted.

Approved - RESOLUTION NO. 22-2017 – RESOLUTION OF SPECIAL PUBLIC HEARING ON PROPOSED JOINT COMPREHENSIVE PLAN

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 4th day of December, 2017, at 6:00pm.

PRESENT: Nancy W. Johnsen, Mayor
William F. Henry, Trustee
Michael J. Buttaccio, Trustee

ABSENT: NONE

WHEREAS, on Review and Adoption of 2017 Town of Manchester and Villages of Manchester, Shortsville, Clifton Springs, and Hamlet of Port Gibson Joint Comprehensive Plan:

Trustee William Henry offered the following resolution and moved its adoption:

WHEREAS, the Town of Manchester and Villages of Manchester, Shortsville, Clifton Spring and the Hamlet of Port Gibson began a joint comprehensive plan update process in September of 2015, to provide each community with an updated planning document on which future investment and decision-making be based; and

WHEREAS, the ongoing joint comprehensive plan update process under the direction of a Steering Committee has resulted in the Draft 2017 Town of Manchester and Villages of Manchester, Shortsville, Clifton Springs and Hamlet of Port Gibson Joint Comprehensive Plan; and

WHEREAS, the Village of Manchester Board of Trustees has been presented with the Draft 2017 Town of Manchester and Villages of Manchester, Shortsville, Clifton Springs and Hamlet of Port Gibson Joint Comprehensive Plan and has been requested to review and consider said Draft Joint Comprehensive Plan for adoption; and

WHEREAS, the Town of Manchester and Villages of Manchester, Shortsville, Clifton Springs and Hamlet of Port Gibson have arranged to hold a joint public hearing on the Draft Joint Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, a special public hearing on said Draft 2017 Town of Manchester and Villages of Manchester, Shortsville, Clifton Springs and Hamlet of Port Gibson Joint Comprehensive Plan shall be held on the 30th day of January, 2018 at 6:00 pm, at the Town Hall, 1272 County Road 7, Clifton Springs, New York 14432, in the Town of Manchester, Ontario County, and that notice of the time and place of such hearing describing in general terms the Draft Joint Comprehensive Plan shall be published once on or before the 9th day of January, 2018, in the Daily Messenger, a newspaper that circulates in said Village of Manchester.

BE IT FURTHER RESOLVED, that said Draft plan will be available for public review prior to public hearing either at the Town Hall, 1272 County Road 7, Clifton Springs NY or on the project Facebook page (www.facebook.com/manchesterandvillages2017plan).

Seconded by Trustee Michael Buttaccio and duly put to vote, which resulted as follows:

Mayor Nancy W. Johnsen – AYE
Trustee William F. Henry – AYE
Trustee Michael J. Buttaccio – AYE

The resolution was thereupon declared duly adopted.

Discussed - FEE SCHEDULE

The Clerk distributed current fee schedules to Board member and Code Enforcement to have them review if any updates should be adopted. No action taken at this time.

Approved – NYS DISABILITY EMPLOYEE BENEFIT INCREASE FROM \$250/WEEK TO \$300/WEEK (if used)

Denied – OPTED OUT ON THE FAMILY LEAVE ACT

DPW REPORT

- Trustee Buttaccio discussed adding a parking lot for the Bennett Building to the north side. Tree removal would be necessary. No action taken at this time.

POLICE REPORT

- Report on file in the clerk's office
- Discussed Wi-Fi camera for trail.
- Friday meets with Department of Transportation for truck signs.

FIRE DEPARTMENT REPORT

- Report on file in the clerk's office. Copy to Towns of Manchester and Farmington.
- Officer elections will be held tonight

PUBLIC COMMENTS

A special thank you to Red Jacket Rotary for their generous donation to the Village of Manchester's Veteran Recognition Project that will be presented on November 11, 2018. There will be a ceremony honoring all veterans that resided in the Village of Manchester on Main Street.

The next regular Village Board meeting will be on Monday, January 08, 2017 at 6:00 pm.

The meeting was adjourned upon motion at 7:45pm.

Respectfully submitted,

Rita J. Gurewitch
Village Clerk/Treasurer