

**VILLAGE OF MANCHESTER  
REGULAR VILLAGE BOARD MEETING  
HELD AT 8 CLIFTON STREET, MANCHESTER NY  
ON APRIL 03, 2023**

Present: Michael J. Buttaccio, Mayor  
William F. Henry, Deputy Mayor, Trustee  
Charles E. Fine, Trustee  
George C. Hotchkiss, DPW Supervisor

Absent: Lee Sanders, MFD;  
Others: Ron Mitchell, RJB; Steven Huber

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

The Clerk led the Pledge of Allegiance to the flag.

**PUBLIC HEARING**

The Public Hearing was opened at 6:00 P.M. by Mayor Buttaccio. The Clerk read the Budget Hearing notice that was posted in the Daily Messenger.

Mayor Buttaccio asked for comments.

Mayor Buttaccio asked three times if there were any questions or comments for anyone to speak on the tentative budget.

No one spoke for or against the budget.

The public hearing was closed at 6:03 PM.

**ORGANIZATIONAL AND REGULAR MEETING**

Mayor Buttaccio opened the organizational and regular meeting at 6:04 pm.

The minutes of the Regular meeting on March 6, 2023 were read. A motion was made by Trustee Henry, seconded by Trustee Fine, to approve the March meeting minutes, unanimously carried. The Organizational minutes were also approved upon motion from Trustee Henry, seconded by Trustee Fine, voted on and carried.

The Clerk presented the March Treasurer's Report. The clerk stated transfers were needed. See motion below. A motion was made by Trustee Fine, seconded by Trustee Henry, to accept the Treasurer's report for February, voted on and unanimously carried subject to audit. Bills were authorized for payment on Abstract #11 of Audited Vouchers, General Fund totaling \$39894.31 ; Water Fund totaling \$32950.94 ; Sewer Fund totaling\$ 4740.43 ; ARPA totaling \$0.00 and Trust & Agency Fund \$11,899.61 ; Capital Bond totaling \$.

A motion was made by Trustee Henry, seconded by Trustee Fine to transfer the following:

\$ 1,000.00 from A1990.4 Contingency to A4010.4 Public Health Contractual  
\$ 2,500.00 from A1990.4 Contingency to A5110.1.Street Personal Service  
\$ 15,000. from A1990.4 Contingency to A.5110.4 Street Contractual  
\$ 5,000. from A1990.4 Contingency to A7110.4 Parks Contractual  
\$ 3,077.27 from A1990.4 Contingency to A7140.4 Playgrounds Contractual  
\$ 1,533.74 From A1990.4 Contingency to A7550.4 Celebrations Contractual  
\$ 1,086.89 from A1990.4 Contingency to A8020.4 Planning Contractual  
\$ 7,578.99 from F1990.4 Contingency to F8320.4 Source of Supply  
\$1,500.00 from F1990.4 Contingency to F8330.4 Purification  
\$10,000.00 from G1990.4 Contingency and \$5,000 from G8120.2 Sanitary Equip to  
G.8110.1

The motion was voted on and unanimously carried.

**Approved - 2023-2024 VILLAGE BUDGET – RESOLUTION NO. 3 - 2023**

The following resolution was offered by Trustee Fine, seconded by Trustee Henry and carried to wit:

**WHEREAS**, the budget for the 2023-2024 fiscal year has been prepared by the Board of Trustees of the Village of Manchester,

**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>	<b>SEWER</b>
Appropriations and other Budgetary Provisions	\$ 1,370,528	\$266,810	\$324,810.
Less Estimated Revenue	\$ 689,291	\$215,000	\$286,700
Appropriated Cash Surplus	\$ 251,069	\$ 51,810	\$ 38,110
Reserves	\$ 15,000		
Balance to be raised by Real Property Tax Levy	\$ 430,168		

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

Mayor Buttaccio	Aye
Trustee Fine	Aye
Trustee Henry	Aye

The resolution was thereupon declared duly adopted.

The Village received “No Designation” on their 2022 Fiscal and Environmental Stress assessment from the Office of the State Comptroller meaning all findings fall within normal limits.

**Approved - RESOLUTION No. 1-2023 – Appraisal of NEWTON STREET EXTENSION THAT IS A PORTION OF 69 CLIFTON STREET**

The following resolution was offered by Trustee Fine, seconded by Trustee Henry and carried to wit:

**WHEREAS**, on December 5, 2022, the Village Board of the Village of Manchester, approved Determinations and Findings concerning the proposed taking by eminent domain of a 0.48 acre portion of 69 Clifton Street, in the Village of Manchester, State of New York (69 Clifton Street being hereinafter referred to as the “Property” and the portion of proposed taking being hereinafter referred to as the “Newton Street Extension”) to permit it to construct a cul-de-sac turn-around at the stub end of Newton Street; and

**WHEREAS**, the Village Board has received an appraisal of the Newton Street Extension prepared by Vincent M. Fischer, a NYS Certified Appraiser and dated March 7, 2023; and

**WHEREAS**, Mr. Fischer’s appraisal determines that the market value approach is the most appropriate method to determine the value of the Newton Street Extension and further determines, in using such method, that the market value of the Newton Street Extension, as of the date of the appraisal, is \$12,300.00; and

**WHEREAS**, Mr. Fischer’s appraisal is the only appraisal the Village has received relative to the Newton Street Extension.

**NOW, THEREFORE, BE IT RESOLVED**, that the aforesaid appraisal of the Newton Street Extension, as prepared by Mr. Fischer and dated March 7, 2023 is found to have been competently prepared and is approved; and be it further

**RESOLVED**, that, because the aforesaid appraisal does not include either severance or consequential damages in its valuation of the Newton Street Extension and because, further, the Newton Street Extension will maintain the Property having direct access to Newton Street and will maintain the Property and the buildings thereon being in compliance with the Village Zoning Law, the Village Board finds that no severance or consequential damages apply to the Property and that the amount of just compensation to be paid for the Newton Street Extension as direct damages, as determined by this resolution, will be sufficient compensation for the acquisition of the Newton Street Extension; and be it further

**RESOLVED**, that the appraised value of \$12,300.00 is hereby determined to represent just compensation for the Newton Street Extension; and be it further

**RESOLVED**, that an abstract of title be obtained of the Property to confirm the owners of the Property and to determine any other persons or entities who might have an interest in the Property; and be it further

**RESOLVED**, that the Mayor of the Village of Manchester is authorized and directed to make a written offer, in accordance with the NYS Eminent Domain Procedure Law, to the owners of the Property, as determined by the abstract of title, to acquire the Newton Street Extension for \$12,300.00; and be it further

**RESOLVED**, that a surveyor be retained at the direction of the Mayor of the Village of Manchester to prepare a survey of the Newton Street Extension and that reasonable notice, as determined by the Mayor of the Village of Manchester, be given to the owners of the Property in accordance with the NYS Eminent Domain Procedure Law.

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

Mayor Buttaccio	Aye
Trustee Fine	Aye
Trustee Henry	Aye

The resolution was thereupon declared duly adopted.

**Approved - RESOLUTION No. 2-2023 – Appraisal of PART OF TAX MAP. 32.18-1-2.100 THAT IS LOCATED AT THE REAR OF 67 S MAIN STREET**

The following resolution was offered by Trustee Fine, seconded by Trustee Henry and carried to wit:

**WHEREAS**, on December 5, 2022, there was a Public Hearing on the Sale of .078 acres (3,413 square feet) of Village Property for the extension of a back yard for 67 South Main Street, in the Village of Manchester, State of New York. The Village Board of Trustees approved the purchase contingent upon an appraisal and any unforeseen events; and

**WHEREAS**, the Village Board has received an appraisal of the .078 acres desired to be purchased by resident and prepared by Vincent M. Fischer, a NYS Certified Appraiser and dated March 7, 2023; and

**WHEREAS**, Mr. Fischer’s appraisal determines that the market value approach is the most appropriate method to determine the value of the said parcel and further determines, in using such method, that the market value of the rear of 67 S Main Street, as of the date of the appraisal, is \$1,672.00; and

**WHEREAS**, Mr. Fischer’s appraisal is the only appraisal the Village has received relative to the Rear property at 67 S Main Street.

**NOW, THEREFORE, BE IT RESOLVED**, that the aforesaid appraisal of the Part of Tax Map 32.18-1-2.100 aka Rear of 67 S Main Street, as prepared by Mr. Fischer and dated March 7, 2023 is found to have been competently prepared and is approved; and be it further

**RESOLVED**, that, because the aforesaid appraisal does not include either severance or consequential damages in its valuation of said property and because, further, the Village Board finds that no severance or consequential damages apply to the Property and that the amount of just compensation to be paid to the Village, as determined by this resolution, will be sufficient compensation for the sale of the Property to Mrs. Gloria Spencer of 67 South Main Street; and be it further

**RESOLVED**, that the appraised value of \$1,672.00 is hereby determined to represent just compensation for the .078 acres of village property behind 67 S Main Street ; and be it further

**RESOLVED**, that the Mayor of the Village of Manchester is authorized and directed to inform Mrs. Spencer of the cost to purchase said Property, her need to have a survey completed, do the lot line adjustment through the Planning Board and then file all with the County Clerk’s Office.

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

Mayor Buttaccio	Aye
Trustee Fine	Aye
Trustee Henry	Aye

The resolution was thereupon declared duly adopted.

**Reported – RED JACKET JR BASEBALL**

Ronald Mitchell, representing RJB, attended the meeting to follow up from last month's meeting. He is wondering if the board had decided if the village will assist them in their project of a soft backdrop and fence. The old fence was removed by Dave Shannon. He donated his time to help RJB. George H. said the water will be turned on and the dirt has been ordered. Day of Pride will be Saturday April 22nd. Opening Day will be May 6, 2023. Parade line up will be at Dollar General around 9:00 am, with the parade starting at 9:30 am and opening ceremonies at 10:00 am at the ballfields. Westplex Drive will be fixed prior to opening day. Concession contact is Michelle Mitchell. A motion was made by Trustee Fine, seconded by Trustee Henry, to pay \$4,500 to Custom Built D&F Inc. to assist in payment of the new fencing, voted on and unanimously carried.

**Reported – LEHIGH VALLEY RAILROAD MEMORIAL PARK**

Mayor Buttaccio stated that the box car repair is slow buy coming along. Insulation is needed along with other fixes. The Manchester Model Railroad Association will be hosting a Car Show at the Manchester Family Park on July 22<sup>nd</sup>.

**Reported - TOWN OF MANCHESTER - VILLAGE WATER CUSTOMERS ON ROUTE 96**

The Board will request MRB Group to assist with meeting with the Town on the water usage. This will be tabled again until more information is available.

**Approved – SPRING CLEAN-UP**

Spring Clean-up will be held May 15<sup>th</sup> and May 16<sup>th</sup>. K & D Disposal will provide the truck and one laborer. DPW Supervisor George Hotchkiss strongly disagrees to continue clean-up as is and wanted it officially in the board minutes that he does not want it. There are too many abuses of the service.

**Reported – TOWN OF MANCHESTER YOUTH AGREEMENT 2023**

Due to the changing of our parks and also recreation program, a new agreement will be drawn up including more than just the youth program. It should be approved next month.

**Approved – MIXED USE APPROVAL FOR 20 SOUTH MAIN STREET**

Marth Udicky, owner of 20 South Main Street, would like to put an apartment over her retail store. Their building would be commercial on the first floor and apartment on the second. According to Municipal Code, the Village Board is responsible for allowing a mixed use for a building. A motion was made by Trustee Henry, to allow the mixed use for 20 S Main Street, and that they have the required off street parking; seconded by Trustee Find, voted on and unanimously carried.

**Reported – WILD WATER DERBY**

An email was received from Matt Schaertl stating that the Wild Water Derby is scheduled for April 29<sup>th</sup>.

1. The Chamber would like to use the village barn property (10 Vanderwall Drive) for the exit as they did years prior. No change.
2. They would like access to the outlet to clear out down trees and limbs.
3. Martha Doody is organizing a new 5K for that day.
4. Have not heard from Canandaigua as to when the water will be dropped.

The Board has concerns about too many ATV's on the trail. There was a discussion on possible permits and applications for park/trail use. The Mayor asked the clerk to check with our insurance agent. The Mayor will contact Matt Schaertl. Matt is also looking into banners for active service members. More information is needed.

**Letter/email read – GRAPE LAKES FAMILY DENTAL - 2 S MAIN STREET**

The Village Board read a letter dated March 27, 2023, from Grape Lakes Dental. Julie Labrecque asked to have the pothole filled at the entrance to her dentist office. The location of the pothole is within the apron to her entrance off of State Street. It has been decided that the apron entrance is her property. If we fix her entrance we would set precedence and would have to repair others. The repair of the pot hole will be Grape Lakes responsibility.

Mr. Jeff DeYoung asked for removal of a village tree at 32 State Street. The DPW will assess the tree and let the Board know its condition.

Charlene Dehn, Manchester-Shortsville Central School District Superintendent, sent an email on March 27, 2023 concerning the safety concerns on Newton Street. She stated that according to Mr. Meilutis, the head mechanic, neither the driver nor the secretary have expressed safety concerns nor have they received parent complaints. They will continue picking up the children at Edgemere Drive. The school

would need to see a dedicated turnaround or a cul-de-sac enabling the bus to complete its path without being required to back up. Once the requirements are met, the Board will notify the Superintendent prior to dedication to assess the site for safety.

Steven Huber\* sent an email on March 28, 2023 to the Village Clerk Treasurer and the Head Mechanic at the bus garage. He is making a public complaint and would appreciate feedback on the Board's findings. Mr. Huber is requesting a comprehensive diagnosis for plans regarding the issues of dead-end road with village limits. He is referring to Smith Place, Bennett Avenue, Moses Road and Smith Terrace. All access private land to turn around. Mr. Huber is present at this meeting and this complaint will be addressed under Public Comment.

#### **Reported – SUMMER RECREATION/SEASONAL LABORER PROGRAM 2023**

Tentative dates for the Rec program are 7/10/23 to 8/18/2023. So far two applications are posted for Rec Leader, Rec Assistant, Seasonal Laborer on Ontario County website. They will be reviewed at the May meeting.

#### **PUBLIC COMMENT –**

Steven Huber\* is stating that he made a formal complaint with no response. He expected some review and answer. The school did, the Village did not. Letters and emails are reviewed at Board meetings. The complaint was received March 27<sup>th</sup>; next Board meeting is today, April 3<sup>rd</sup>. Mr. Huber feels that the four locations are like his and wondered why those locations are not being taken. Trustee Henry said the other places are at status quo and not being addressed at this time. There was a discussion on what initiated the eminent domain process starting on July 11<sup>th</sup>.

#### **DPW REPORT**

- Boy Scout Canoe launch is not safe and not functioning. Needs repair. Scout Leader to be contacted. (repeat)
- Cameras are in at the highway garage and the Mike Griffin Memorial Park.
- Internet is up and running at the Highway garage.
- Bags and Brush pick-up has begun.
- Waiting for 2 summer help, one of them to water flowers.
- Will fix Westplex Avenue by ball fields.
- Research on the speed bumps led to the insurance company and the Department of Transportation not recommending them on a village street.
- There was a discussion on sidewalks.
- The Salt order has been submitted. 400 tons.
- There was a discussion on a new pole barn.

#### **POLICE REPORT**

- Manchester Police Department has been dissolved.
- Police car has been stripped down and ready to go to auction; office needs to be cleaned out.

#### **FIRE DEPARTMENT REPORT**

- Call report for March showed 23 calls and is on file. Copies will be sent to Towns of Manchester and Farmington.
- 1731 Pumper repair is not grant eligible due to age. The Board prefers to repair and not purchase new. Financing is not available at this time.
- 1781 Ladder stabilizer has been replaced. Mayor will contact Pierce if the fire department can't. The Board feels this is under warranty.

The meeting was adjourned upon motion at 8:00 pm. The Mayor asked if Mr. Huber\* wanted to stay after meeting adjourned. He did. No recorded minutes after adjournment. Next meeting is May 1, 2023 at 6:00 pm.

Respectfully submitted,

Rita J. Gurewitch  
Village Clerk/Treasurer