

**VILLAGE OF MANCHESTER  
REGULAR VILLAGE BOARD MEETING  
AND PUBLIC HEARING(S)  
HELD AT 8 CLIFTON STREET, MANCHESTER NY  
ON DECEMBER 04, 2023**

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

Absent: none

Others: Diane & John Yacuzzo

Recording: Rita J. Gurewitch, Village Clerk/Treasurer  
The Clerk led the Pledge of Allegiance to the flag.

**PUBLIC HEARING NO. 1  
PROPOSED REAL PROPERTY TAX EXEMPTION FOR PERSONS OVER 65**

Mayor Buttaccio opened the Public Hearing. The Clerk read the notice that was published in the Daily Messenger.

**NOTICE IS HEREBY GIVEN**, that a public hearing will be held by the Board of Trustees of the Village of Manchester, New York, on Monday evening December 04, 2023 at 6:00 P.M. at the Village Hall, 8 Clifton Street, Manchester, NY in regard to the adoption of a proposed resolution to grant Real Property Tax Exemptions to persons over sixty-five years of age to the extent of fifty per centum of the assessed valuation thereof, in accordance with the provisions of Section 467 of the Real Property Tax Law.

A copy of the proposed resolution is available for inspection by contacting the Village Clerk at the office in the Village Hall weekdays between the hours of 9:00 A.M. and 5:00 P.M. until the date of the hearing on Monday, December 04, 2023.

Mayor Buttaccio asked if there were any comments. The Mayor asked again two more times if there were any comments. No one spoke for or against the exemption. Mayor Buttaccio closed Public Hearing No. 1.

**PUBLIC HEARING NO. 2  
A LOCAL LAW TO OVERRIDE THE TAX  
LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

Mayor Buttaccio opened the Public Hearing. The Clerk read the notice that was published in the Daily Messenger.

**NOTICE IS HEREBY GIVEN**, that a public hearing will be held by the Board of Trustees of the Village of Manchester with respect to the adoption of the aforesaid Local Law No.2 at the Village Hall, 8 Clifton Street, Manchester, New York, on the 4th day of December, 2023 at 6:05 pm., and it is further notice that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Mayor Buttaccio asked if there were any comments. Mayor Buttaccio asked two more times if there were any questions. No one spoke for or against Local Law No. 2, Tax Cap Override. Mayor Buttaccio closed Public Hearing No. 2.

**REGULAR MEETING**

Mayor Buttaccio called to order the regular meeting at 6:10 pm.

The minutes of the Regular meeting on November 06, 2023 were read. A motion was made by Trustee Henry, seconded by Trustee Fine, to approve the November meeting minutes, unanimously carried. A motion was made by Trustee Henry, seconded by Trustee Fine, to approve the special meeting minutes of November 13 2023, unanimously carried.

The Board reviewed the September and October Treasurer reports given by the Treasurer. A motion was made by Trustee Henry to transfer \$3200. From Contingency A.1990.04 to Mayor personal service A1210.01 to cover expense. A motion was made by Trustee Henry, seconded by Trustee Fine to accept both Treasurer reports, unanimously carried, subject to audit. Bills were authorized for payment on Abstract #7 of Audited Vouchers, General Fund totaling \$23,354.40; Water Fund totaling \$1,444.67;

Sewer Fund totaling \$290.34; ARPA totaling \$25,000.00 and Trust & Agency Fund \$106,599.14; Capital Bond totaling \$.

**Approved - RESOLUTION No. 15 - 2023 - REAL PROPERTY TAX EXEMPTION FOR PERSON OVER 65 FOR THE VILLAGE OF MANCHESTER, NEW YORK FOR THE 2025-2026 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		
<b>18,600.01</b>	<b>19,599.99</b>	<b>45%</b>
<b>19,600.00</b>	<b>20,599.99</b>	<b>40%</b>
<b>20,600.00</b>	<b>21,599.99</b>	<b>35%</b>
<b>21,600.00</b>	<b>22,499.99</b>	<b>30%</b>
<b>22,500.00</b>	<b>23,399.99</b>	<b>25%</b>
<b>23,400.00</b>	<b>24,299.99</b>	<b>20%</b>

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 Buttaccio	Voting "AYE"
Trustee Fine	Voting "AYE"
Trustee Henry	Voting "AYE"

The resolution was thereupon declared duly adopted.

**Approved - RESOLUTION NO. 18-2023 TO ENACT LOCAL LAW NO. 2-2023**

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

**WHEREAS**, proposed Local Law No. 2-2023 was introduced at the meeting of the Board of Trustees;

**WHEREAS**, a public hearing has been held thereon the 4th day of December, 2023, at which time all interested persons were given an opportunity to be heard thereon.

**NOW, THEREFORE, BE IT RESOLVED**, that a Local Law No. 2 -2023 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 Buttaccio	Voting	“AYE”
Trustee Fine	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.

**LOCAL LAW NO. 2 – 2023 – A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c**

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

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

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, 2024 through May 31, 2025 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, 2024 through May 31, 2024, 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, fir 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 question of adoption of the foregoing Resolution was duly put to roll call which resulted as follows:

Mayor Buttaccio	Voting	“AYE”
Trustee Fine	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.

**Reported – MANCHESTER RAILROAD MEMORIAL PARK**

Work continues on the red boxcar. New doors will be coming soon. The MMRA (Manchester Model Railroad Association) now have 33 members. Their Mission is to produce a historical operating diorama

of the Lehigh Valley Railroad promoting education and tourism. Attorney John Tyo is a member and will be drawing up a memorandum of understanding (MOU) between the MMRA and the Village as to ownership of all related assets.

**Reported – WATER AGREEMENTS, WATER RATES**

Both the Town water agreement and new water rate review are in “limbo”. The City of Canandaigua and the Town of Farmington (where we purchase our water) are discussing new rates to charge us, along with a capital project to improve the water treatment plant. The Village is waiting to hear from them for the new rate.

**Reported – ONTARIO COUNTY HAZARD MITIGATION PLAN UPDATE**

Ontario County and its jurisdictions have completed the update for the current Hazard Mitigation Plan. We should be getting a copy soon.

**Reported - ELECTION VACANCIES**

The vacancies (Mayor and Trustee) for the Village General Election were posted in the Daily Messenger on November 22, 2023.

**Approved – NEW HIRE – ETHAN GRAY – LABORER**

The Board hired Ethan Gray to join the Department of Public Works as a laborer effective November 30, 2023. He will be on one year probation. Full Benefits will start on November 30<sup>th</sup>. His wage will be \$19.00 per hour.

**Approved – CONTINUING EDUCATION – CREDIT HOURS – PLANNING/ZONING**

The Planning Board and Zoning Board of Appeals members need to get their 4 credit hours in before the end of the year. Most have completed the hours. The Board approved to pay for the courses if anyone decides to register.

**Discussed – SPRING CLEAN-UP**

After a brief discussion, the Board would like to set a date for a Public meeting for a Spring Clean Up discussion with the residents of the village. It will be announced at next month’s meeting on January 8, 2024 to hold the meeting on February 12<sup>th</sup>. This will be in the February 1<sup>st</sup> water newsletter. The February regular meeting will also be moved to the 12<sup>th</sup> of February.

**LETTERS/EMAILS:**

None

**PUBLIC COMMENT:**

None

**DPW REPORT**

- New Pole Barn is built. Some Electric is now needed for the building. Mayor to make inquiries. Mayor will also look into a new generator.
- Department of Health inspection report came in. It will be reviewed and acted upon.

**POLICE REPORT**

- Cleaning out office.

**FIRE DEPARTMENT REPORT**

- 21 Calls for November. No one attended from the fire department.
- Holiday Festival/Open House was a success.
- Lexipol is a Public Safety Management service that the Fire Department is looking into to assist them in keeping up with regulations. The Board feels it is a good program, but there is some confusion as to the cost. This has been tabled until next month after getting more information.

The meeting was adjourned upon motion at 7:05 pm. Next meeting is Monday, January 8, 2024 at 6:00 pm.

Respectfully submitted,

Rita J. Gurewitch  
Village Clerk/Treasurer