

## **MINUTES OF REGULAR BOARD MEETING HELD JANUARY 8, 2007**

Present: Nancy W. Johnsen, Trustee  
Michael W. Murphy, Trustee

Absent: Bruce E. Miles, Mayor

Others: Douglas Burton, Sharon Trimm, Matt Schaertl, Jeff Liberati, William Dean, Patricia Power, Jared Power, Margaret Vienna, Richard Cirulli, Janine Boor, William Ciardi, William A. Ciardi, Richard D'Amico, Dominic Lisi.

Recording: Angela D'Arduini, Clerk/Treasurer

The meeting was called to order at 7:00 PM by Deputy Mayor Johnsen. The clerk led the Pledge of Allegiance. Minutes of the meeting held on December 4, 2006 were read and a motion was made by Trustee Murphy, seconded by Deputy Mayor Johnsen to approve the minutes as presented. Bills were authorized for payment on Abstracts of Audited Vouchers #22, General Fund totaling \$20,508.79; #23, Water Fund totaling \$22,707.60; and #24, Sewer Fund totaling \$535.91.

### **ROCHESTER INSULATED GLASS**

Just before Christmas the Village Board visited Rochester Insulated Glass to assess the wall in question. The board asked the clerk to write a letter to Rick Wolk at RIG asking him to have his engineer do a plan review of his building to determine if it may meet the requirements in the State Building Code for fire separation. If it does not meet the requirements, then the offices will have to be moved or the firewall constructed as agreed to in the original NY State variance. He has 30 days from receipt of the letter to respond.

### **WILD WATER DERBY**

Matt Schaertl and Sharon Trimm from the SMACC attended the meeting. Matt asked if the village had any other concerns regarding the Wild Water Derby. Lynn Fish is in charge of pull out behind the village garage. The board would like Lynn to coordinate this with Jeff Liberati. Matt is the traffic coordinator so he should discuss traffic on Vanderwall Drive with Police Chief William Dean. They would also like a marking on the bridge indicating it is not the finish line. The village will be added as an additional insured on the insurance policy. If any vendor would like to locate in the village, Matt should return to the board with this information for approval.

### **TROOP 39 BOYSCOUTS EAGLE PROJECTS**

William Ciardi and Jared Powell addressed the board to discuss their proposed Eagle Scout project. William would like to build a picnic area behind the scout building down near the outlet. This will include a covered picnic table and pedestal grill. He plans to finance the project through donations. Jared would like to build a drop box for the food cupboard at the Bennett Building. He plans to have a bottle drive to finance the project. The board approved both projects and asked William and Jared to contact Public Works Supervisor Jeff Liberati before they begin.

### **STORM WATER COMPLAINT**

Margaret Vienna told the board that during heavy rains, storm water runs down the road from the east and collects in her neighbor, Naomi Gilbert's driveway. The water is causing surface wear. Is there anything the village can do to prevent this? Jeff Liberati said a gutter would need to be installed. In the spring Jeff will get a proposal on a new gutter. The board will consider this when preparing the budget.

### **ZONING CHANGE**

Richard D'Amico, Dollar General developer approached the board. He submitted a letter from Douglas Burton requesting a zoning change on one of the two parcels Dollar General is considering purchasing. Currently, the northern portion of parcel # 32.17-2-12.100 is zoned R-1 and the southern portion is zoned C-1. He would like to have the zoning changed on the southern portion of this parcel from C-1 to R-1. Trustee Murphy told Mr. D'Amico that the Planning Board is currently working on updating the village's zoning code and design guidelines are being developed for the Village. In an effort to complete the guidelines and zoning update, the Village board is considering the possibility of enacting a temporary moratorium on new construction in a C-1 and I-1 district. Trustee Murphy told Mr. D'Amico that the board is not against a Dollar General coming into the Village. They are very much for it. They would like their design guidelines and zoning update complete so any new construction will meet the new guidelines and zoning. This could take six to eight months. Trustee Murphy encouraged Douglas Burton and Mr. D'Amico to attend the Public Hearing on February 5, 2007 at 7:00PM on the moratorium.

## **SUMMER PARK PROGRAM**

Deputy Mayor Johnsen asked the board if the park program could run seven weeks instead of eight weeks this summer. Because July 4<sup>th</sup> falls on a Wednesday, she would like the park to open on July 9<sup>th</sup> and run through August 24<sup>th</sup>. The board was in agreement.

## **PLANNING BOARD RESIGNATION AND APPOINTMENT**

The Village Board received a letter of resignation from Gary Bogner, Chairman of the Planning Board. He thanked the Village Board past and present members and Planning Board past and present members for their support over the past 18 years. He highly recommends Co-Chairman Sean Schumacher for this position. Gary's resignation is final on January 31, 2007.

A motion was made by Trustee Murphy, seconded by Deputy Mayor Johnsen and carried unanimously to appoint Sean Schumacher Chairman of the Planning Board to replace Gary Bogner.

## **CORRESPONDENCE**

The board received a letter from Village Attorney John Tyo. He is representing Douglas Burton in the sale of his property on South Main Street. Because there may be issues about the way the buyer of Doug's property may wish to use the property, a conflict of interest has arisen. Therefore, he has excused himself from representing either the Village or Mr. Burton. He said he would separately advise the name of another attorney.

The Mayor received a letter from Sean Schumacher, Chairman of the Design Guidelines Committee and Co-Chairman of the Village Planning Board. Currently, design guidelines are being developed for the Village of Manchester. To ensure that all new construction conforms to these standards, he, as chairman of the design guidelines committee, is asking the Village to consider enacting a temporary land use moratorium, not to exceed one year or until the design guidelines are in effect.

The board received a letter from Andrea Tillinghast, the new director at the Red Jacket Community Library. She would like to set up a time to come to a Village Board meeting to formally introduce herself and review the programs and services offered by the Red Jacket Community Library. The board asked the clerk to write a letter and invite her to the March board meeting.

## **LOCAL LAW NO. 5 - 2007**

See attached Resolution of Public Hearing and Notice of Public Hearing on Local Law No. 5-2007 **"A LOCAL LAW TO AMEND CHAPTER 100 ENTITLED, "ZONING" TO ADD ARTICLE VIV ENTITLED "MORATORIUM" OF THE VILLAGE CODE OF THE VILLAGE OF MANCHESTER."**

## **SPECIAL COUNSEL APPOINTMENT**

Village Attorney John E. Tyo has a conflict of interest on some of the zoning changes as they affect a client with a pending application. A motion was made by Trustee Murphy, seconded by Deputy Mayor Johnsen and carried unanimously appointing Michael A. Jones, Jr. as special counsel to the Village for land use matters on which Attorney Tyo is barred from offering advice due to the conflict of interest.

## **VOLUNTEER PROJECT**

Deputy Mayor Johnsen said members of the Methodist Church have offered to do a small volunteer project in the Village. She asked the board to come up with some ideas.

## **HEALTH OFFICER APPOINTMENT**

Health officer Donna K. Smith's appointment expires on January 31, 2007. A motion was made by Trustee Murphy, seconded by Deputy Mayor Johnsen and carried to reappoint her for another four year term to expire on January 31, 2011.

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

Respectfully submitted,

Angela D'Arduini  
Clerk/Treasurer