

## **MINUTES OF REGULAR BOARD MEETING HELD JULY 10, 2006**

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

Others: Rita Gurewitch, Jeff Liberati, Steve DeHond, Richard Cirulli, Vincent DelGatto,  
Matt Schaertl

Recording: Angela D'Arduini, Clerk/Treasurer

The meeting was called to order at 7:00 PM by Mayor Miles. The clerk led the Pledge of Allegiance. Minutes of the meeting held on June 5, 2006 were read and approved as presented. Bills were authorized for payment on Abstracts of Audited Vouchers #4, General Fund totaling \$49,348.73; #5, Water Fund totaling \$53,996.75; and #6, Sewer Fund totaling \$468.11. The treasurer's report for the month of May was approved subject to audit.

### **FREDERICK'S PROPERTY**

Richard Cirulli asked the board for an update on the site remediation at the Frederick's property. Sniedze Associates is waiting for proof of insurance from Arrow Contracting Inc.

### **MOVIE MANIA – Lawn Maintenance**

Steve DeHond, CEO, told the board the deadline set for Movie Mania to clean up their property has passed and they have done nothing. Steve feels the village should go in and clean it up and bill the owner. Under the state lawn maintenance code, whenever the grass is 10" or more, the village can mow and bill the owner. The board asked Mr. DeHond to send Movie Mania an appearance ticket. He said he will need a name to put on the ticket. Trustee Murphy said he would try to get a name for him.

### **CARS AT ORNT'S**

Steve DeHond, CEO, researched the Village Code and the sale of used cars in a C-1 District is a permitted use. The board asked Mr. DeHond to send a letter to Fred Ornt requesting he remove the three junk cars in the back row and move the car that is encroaching on the sidewalk. They also want the weeds removed along the north sidewall of the building.

### **TABLES AT DOUBLE E**

Trustee Murphy said its karaoke night on Saturdays at the Double E. People are in and out smoking at the tables and partying. CEO Steve DeHond said the Village Code does not address outdoor eatery. The outdoor tables are a seasonal thing and the board does not want to discourage business. Trustee Murphy said he would talk to Bruce Barber about the noise.

### **STOP SIGN (corner of Clifton and Newton Streets)**

Mayor Miles said he has received calls regarding parked cars in front of the stop sign at the corner of Clifton and Newton Street. The cars at the Myers residence are hindering the view of the stop sign. Mayor Miles will talk to Chief William Dean regarding a "NO PARKING HERE TO CORNER" sign.

### **TREE REMOVAL –( Buttaccio)**

The tree removed at Michael Buttaccio's did not open up the intersection at Edgemere and Clifton Street enough and the board wants the second tree removed. Public Works Supervisor Jeff Liberati will talk to Mr. Buttaccio about removing the tree.

## **WATER PROBLEM – (Steve Chrysler)**

Steve Chrysler approached Trustee Murphy about difficulty with water on his property after heavy rains. At the time his property was developed, a trench was put in to divert water. Since then, the trench has filled in. The village has no right-of-way or easement through his property, therefore, we cannot go on private property to assist with the water problem. The clerk will write a letter to Mr. Chrysler explaining the situation.

## **VILLAGE DESIGN PLAN**

Trustee Murphy is interested in getting the Planning Board working on a Design Plan for the Village. If the Village is successful in getting the Community Development Block Grant, they will need to have the Design Plan in place in order to guide any projects that are done under the grant. This could take a few months. In a conversation with Maria Rudzinski in Ontario County Planning, it was found that County Planning is working with the Village of Naples in the development of their design plan. Maria suggested if the Village of Manchester is interested in having the Ontario County Planning Board help the village with their plans, a letter of request for technical assistance should be sent to the OCPB. A letter will be sent to Kristen Hughes, Director of OCPB.

## **MILEAGE REIMBURSEMENT INCREASE**

A motion was made by Mayor Miles, seconded by Trustee Murphy and carried to increase the mileage reimbursement to \$0.45 per mile.

## **BLISS – TEP GRANT**

The village received a letter from Jeff Bliss, President of Bliss Shurfine Foodmart supporting the Transportation Enhancements Program Grant that the village applied for. They also stated that they would like to either establish a permanent easement along the interceptor sewer line or deed that area to the village in exchange for the removal of that portion of land from their assessment. The board asked the clerk to write a letter to Mr. Bliss stating they are considering the request and would like to meet with him. The board will also need a map indicating the portion of land in question.

## **NEW YORK STATE DEFERRED COMPENSATION PLAN**

Deputy Clerk/Treasurer Rita Gurewitch met with Paul Reidy with the New York State Deferred Compensation Plan. This plan is a voluntary deferred compensation program, created by federal and state law, that permits government employees to save for retirement without having their savings subject to current federal and New York State income tax. Contributions are automatically deducted from the employees salary each pay period.

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

**WHEREAS**, the Village of Manchester wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for the voluntary participation of all eligible employees; and

**WHEREAS**, the Village of Manchester is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law; and

**WHEREAS**, the Village of Manchester has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

**WHEREAS**, the purpose of the Plan is to encourage employees to make and continue careers with the Village of Manchester by providing eligible employees with a convenient and tax favored method of saving on a regular and long-term basis and thereby provide for their retirement;

**NOW, THEREFORE**, it is hereby;

**RESOLVED**, that the Village of Manchester hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

**RESOLVED**, that the appropriate officials of the Village of Manchester are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

**RESOLVED**, that the Administration Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

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.

Mrs. Gurewitch will set up an appointment with Paul Reidy to come and speak with the employees who are interested in the plan.

#### **EQUIPMENT PURCHASES**

DPW Supervisor Jeff Liberati addressed the board. The 2001 pickup truck and the leaf picker need to be replaced. There is \$60,000 budgeted in equipment which should cover the cost of the pickup truck (\$30,000) and the leaf picker (\$25,000). The large dump truck should also be replaced. The Town of Manchester wants to buy our large dump and will give us auction value. A new large dump truck will cost approximately \$125,000. Jeff has been researching leasing options for both 5 year and 8 year leasing. The board asked Jeff to get more concrete figures on leasing and bring them back to the board.

#### **ANNUAL AUDIT**

The board reviewed the end-of-the-year books and found them to be in proper order. The Annual Report will be completed and submitted to New York State Audit and Control.

#### **LOCAL LAW NO. 1 AND LOCAL LAW NO. 2 - 2006**

See attached Resolution of Public Hearing on proposed Local Law No. 1-2006 “**A LOCAL LAW TO CHANGE THE LIMITS OF TOXIC SUBSTANCE IN SEWAGE CONCENTRATION**” and Local Law No. 2-2006 “**A LOCAL LAW TO AMEND SECTION 100-29 (Q)(1) & (Q)(2) OF THE VILLAGE CODE SO AS TO ESTABLISH NEW FENCE HEIGHTS FOR YARDS ZONED IN A RESIDENTIAL DISTRICT.**”

A motion was made and carried to transfer \$4775.00 from A5650.4 to A5650.2.

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

Respectfully submitted,

Angela D’Arduini  
Clerk/Treasurer