

**VILLAGE OF MANCHESTER  
MINUTES OF THE REGULAR VILLAGE BOARD MEETING  
HELD AT 8 CLIFTON STREET, MANCHESTER NY  
ON NOVEMBER 7, 2016**

Present: Nancy W. Johnsen, Mayor  
Michael J. Buttaccio, Trustee  
Jeffrey P. Liberati, DPW Supervisor

Absent: William F. Henry, Deputy Mayor, Trustee; Richard Coffey, Police Chief;  
Harry Bowker, MFD

Others: Jennifer Hall Davis, Ed Ruthven MFD

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

The clerk led the Pledge of Allegiance to the flag.

Mayor Johnsen called the meeting to order at 6:00 pm.

The minutes of the Regular meeting held on October 03, 2016 were read and approved upon motion from Trustee Buttaccio and seconded by Mayor Johnsen. The minutes of a Special Meeting held on October 6, 2016 were read and approved upon motion from Trustee Buttaccio and seconded by Mayor Johnsen. The October Treasurer's report was approved upon a motion from Trustee Buttaccio, seconded by Mayor Johnsen, voted on and unanimously carried, subject to audit. Bills were authorized for payment on Abstract #6 of Audited Vouchers, General Fund totaling \$28,499.81; Water Fund totaling \$1,557.32; Sewer Fund totaling \$48,837.90; CDBG totaling \$0.00 and TEP totaling \$0.00; Trust & Agency Fund \$34,521.91.

**Reported – BROWNFIELD PROJECT – FREDERICK PROPERTY, STATE STREET**

Mayor Johnsen contacted Clark Patterson Lee Engineers to discuss the Final Engineering Report for the Frederick Property that was to be completed in 2007. Mr. Norm Gardner, of Clark Patterson came to the village office to review the records that were here. They will be re-submitting the report to the DEC for the village on November 18, 2016.

**Approved – MERRICK AVENUE WATER TOWER – DEMOLITION BID UPDATE**

At a special meeting on October 6, 2016 the Demolition Project was awarded to Wargo Enterprises at the original price quoted.

**RESOLUTION NO. 15-2016**

**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)**

**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)**

**Designating the Village Board of Trustees as Lead Agency for the Village of Manchester Proposed Demolition of Merrick Avenue Water Tower**

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

WHEREAS, the Village of Manchester Board of Trustees (hereinafter referred to as Village Board) has on Monday November 07, 2016 reviewed Part 1 of the Short Environmental Assessment Form for the Proposed Demolition of the Merrick Avenue Water Tower, and

WHEREAS, upon such review the Village Board has declared itself to be Lead Agency for under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Village Board has determined that it is the most appropriate agency to insure the coordination of the Action and for making the determination of significance thereon under the SEQRA regulations;

NOW, THEREFORE BE IT RESOLVED, that the Village Board does hereby designate itself as the lead agency for the Action identified above herein.

BE IT FURTHER RESOLVED, that the Village Clerk keep a copy of this Resolution on file at the Clerk's Office for public examination.

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

Mayor Johnsen	Voting	“AYE”
Trustee Henry	ABSENT	
Trustee Buttaccio	Voting	“AYE”

The resolution was duly adopted.

**RESOLUTION NO. 16-2016**  
**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)**  
**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)**  
**Negative Declaration - Unlisted Action for the Village of Manchester Proposed Demolition of Merrick Avenue Water Tower**

After completing Part II of the Short Environmental Assessment Form, Trustee Buttaccio introduced the following NEGATIVE DECLARATION resolution, seconded by Mayor Johnsen who moved its adoption:

WHEREAS: In accordance with Section 8-0113 Article 8 of the New York Environmental Conservation Law, the Village Board of Trustees of the Village of Manchester has conducted an initial review to determine whether the proposed demolition of the Merrick Avenue Water Tower project may have a significant affect on the environment, and;

WHEREAS: The Village Board has completed Part I and Part II with the criteria set forth in NYCRR Part 617.6 and Part 617.12 of the Regulations, and;

NOW, THEREFORE, BE IT RESOLVED, The Village Board of the Village of Manchester, as lead agency, has determined on the basis of that review that (1) The proposed project constitutes an “Unlisted Action” since it has not been classified as a Type 1 Action or a Type II, and (2) that the proposed action described will not have a significant environmental impact and an Environmental Impact Statement will not be prepared.

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

Nancy W. Johnsen	Voting	“AYE”
William F. Henry	ABSENT	
Michael J. Buttaccio	Voting	“AYE”

The resolution was thereupon declared duly adopted.

Trustee Michael J. Buttaccio presented the following resolution and duly moved that it be adopted and was seconded by Mayor Nancy W. Johnsen:

**RESOLUTION No.17-2016** BOND RESOLUTION DATED NOVEMBER 07, 2016 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MANCHESTER, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE CAPITAL IMPROVEMENTS, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of demolition of a water tank on Merrick Avenue no longer of any use or value as authorized by the New York State Department of Health and to be undertaken by the Village Board of Trustees pursuant to the Village Law; and

WHEREAS, the Village owns another water tank located on Lehigh Avenue that is fully operational and approved by the New York State Department of Health; and

WHEREAS, the cost to make repairs to the Merrick Avenue tank is not a viable option at this time, and

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”), has completed its environmental review and, on November 07, 2016, has duly issued a negative declaration with

respect to the unlisted action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED by the Board of Trustees of the Village of Manchester, New York (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Manchester shall undertake the demolition of the Merrick Avenue Standpipe Water Tower, consisting of demolition, removal and grading and other incidental improvements that may be required in connection therewith for such demolition (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$45,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$45,000 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide (i) \$45,000 by the Village borrowing from the Buildings & Additions Reserve Fund as an investment as permitted by Section 11 of General Municipal Law, entitled Temporary Investments, pursuant to section 6 c-n to be invested in the village debt obligations at 1.75% as herein authorized, so no outside bonding is necessary.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 12 of Paragraph (a) of Section 12-a of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years, (b) the proposed maximum maturity of said borrowing is authorized by this resolution and will not be in excess of five years to be measured from the date of the borrowing, (c) the borrowed funds has a mandatory optional redemption date within two years of the date of issue to provide the reserve fund monies if funds are needed for which the reserve fund was originally established and there are presently no capital projects or improvements scheduled to use Building and Additions reserve moneys nor will this borrowing totally deplete said fund, (d) there is no intent to reconstruct or replaced said water tank, (e) said notes are not issued in anticipation of bonds for an assessable improvement, and (f) prior to the issue of the bonds or notes herein authorized, there will be provided the appropriate amount of current funds required by Section 107.00 of the Local Finance Law, if any.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all income received from water rents services and any other revenue to the water fund, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined that the Village reasonably expects to reimburse the Buildings and Additions Reserve Fund, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the issuance of said bonds and bond anticipation notes and to prescribe the terms, form and contents of said bonds and bond anticipation notes, subject to the provisions of this resolution and the Local Finance Law of New York, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for and determinations with respect to, credit and liquidity enhancements, if any, and to sell and deliver said bonds and bond anticipation notes subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Clerk/Treasurer, the Village's chief financial officer. The Village Clerk/Treasurer and the Deputy Village Clerk/Treasurer are hereby authorized to sign by manual or facsimile signature any bonds and bond anticipation notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and bond anticipation notes the corporate seal of the Village of Manchester and to attest the same.

Section 7. The faith and credit of the Village of Manchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due

and payable in such year. There shall annually be levied on all water rents of said Village, a sufficient rate to pay the principal of and interest on such obligations as the same become due and payable.

Section 8. This resolution, or a summary hereof, shall be published in full by the Village Clerk/Treasurer of the Village of Manchester together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of borrowing said funds may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

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

Mayor Nancy Johnsen	Voting	“AYE”
Trustee William Henry	ABSENT	
Trustee Michael Buttaccio	Voting	“AYE”

The resolution was duly adopted.

**Reported – NATIONAL GRID REQUEST FOR TEMPORARY USE PERMIT**

Code Enforcement Officer, Steve DeHond, submitted and rescinded a request from a National Grid Contractor, Clay W. Olds, to operate a National Grid equipment site, including fence, office trailer and port-a-pottie in the parking lot of the old Steak Out restaurant for two to three months. They would use a generator for electricity. Mr. DeHond came in to the clerk’s office and stated that they no longer want the permit. No action taken.

**Reported – NO GENERAL VILLAGE ELECTION IN 2017**

**Reported - OVER 65 TAX EXEMPTIONS**

The board set December 05, 2016 at 6:00 PM for the public hearing for Over 65 exemptions for the 2018-2019 tax year. The clerk will prepare the legal notice and have it published.

**RESOLUTION NO. 18-2016 – RESOLUTION OF PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 1-2016**

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 7th day of November, 2016.

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

**WHEREAS**, a Local Law, being proposed as Local Law No. 1 for the Village of Manchester, 2016 was introduced at this meeting by a member of the Board of Trustees:

**A LOCAL LAW TO OVERRIDE THE TAX  
LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

**AND WHEREAS**, this Board desires to hold a public hearing with respect to the adoption of said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by this Board with respect to the adoption of the aforesaid Local Law at the Village Hall, 8 Clifton Street, Manchester, New York, on the 5th day of December, 2016 at 6:10 pm., and it is further

**RESOLVED** that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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

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

The resolution was duly adopted.

**Approved - UNPAID VILLAGE TAXES – RESOLUTION No. 19-2016**

The following resolution was offered by Trustee Buttaccio, who moved its adoption, seconded by Mayor Johnsen, to wit:

**RESOLVED**, that the Board of Trustees of the Village of Manchester hereby request that the County Treasurer of the County of Ontario collect the delinquent taxes of said Village as provided by Chapter 619 of the Law of 1977 adopted by the Board of Supervisors of Ontario County on November 23, 1977 and be it further:

**RESOLVED:** that the Village Treasurer is hereby directed to transmit to the Ontario County Treasurer a certified copy of this Resolution together with the account and certificate described in sub-division 3 of Section 1436 of the Real Property Tax Law to the Ontario County Treasurer:

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	ABSENT	

The resolution was thereupon declared duly adopted.

(see attached list of unpaid village taxes)

**Approved – SANTA AT THE CABOOSE**

Mayor Johnsen and Trustee Buttaccio discussed and approved to have "Santa" at the caboose again this year. A budget of up to \$400 was agreed upon.

**NO PUBLIC COMMENT**

**DPW REPORT**

- Another water leak found on Main Street and fixed
- Quarterly water testing for Tthm's and Haac completed
- Light bulbs have been ordered for our street lights
- Working on fire hydrant by Merrick Ave water tower
- Fire hydrant at Old Castle has no leak

**POLICE REPORT**

- No report at this time

**FIRE DEPARTMENT REPORT**

- Report on file in the clerk's office. Copy to Towns of Manchester and Farmington.
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The next regular Village Board meeting will be on Monday, December 5, 2016 at 6:00 pm. The meeting was adjourned upon motion at 6:40 pm.

Respectfully submitted,

Rita J. Gurewitch  
Village Clerk/Treasurer