

VILLAGE OF PALMYRA BOARD OF TRUSTEES

Regular Meeting November 16, 1992 7:00 p.m.

PRESENT: Mayor James G. Elliott, Depty Mayor Thomas N. Lynch, Trustees Kathleen C. Drews, and Daniel E. Wooden. Trustee Gilmore absent and Atty. Nesbitt also absent. TOWN BOARD

MEMBERS: Supervisor David C. Lyon, Councilmen, Andrew Baran, Donald Sinclair, and Town Clerk, Beverly E. Hickman, Town Atty. Paul T. Rubery.

PUBLIC HEARING ON THE LEHMAN ANNEXATION: 7:05 P.M. Mayor Elliott opened the Public Hearing and the Village Clerk read the Legal Notice as follows:

Village/Town of Palmyra, Notice of Public Hearing on Petition to Annex Territory to the Village of Palmyra, New York.

NOTICE IS HEREBY GIVEN, pursuant to Section 704 of the General Municipal Law that a petition by Lester and Herbert Lehman ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Palmyra, County of Wayne, State of New York, and described as follows: Village of Palmyra from land now or formerly owned by Timothy P. and Nancy A. Jeffery deed recorded in Liber 779 of Deeds, Wayne Clerk's Office. Description of 0.097 acre parcel of land to be annexed by the Village of Palmyra land owned by Lester and Herbert Lehman deed recorded in Liber 341 of Deeds, Wayne County Clerk's Office. Description of 0.071 acre parcel of land to be annexed to the Village of Palmyra from land owned by Mark and Pamela Bartholomew. Description of 1.576 acre parcel of land to be annexed to the Village of Palmyra from land owned by Lester and Herbert Lehman recorded in Liber 341 of Deeds in the Wayne County Clerk's Office.

That on the 16th day of November, 1992, at 7:00 p.m. in the Trustees' Room of the Village Hall in the Village of Palmyra, a joint hearing will be held by the aforesaid Board of Trustees of the Village of Palmyra and the Town Board of the Town of Palmyra upon petition.

The members of the aforesaid governing boards of the Village of Palmyra, Town of Palmyra, will meet at the time and place above specified and will hear any objections which may be presented against such petition for annexation.

Dated October 19, 1992
Village of Palmyra
Bonnie J. Hays, Village Clerk
Town of Palmyra
Beverly E. Hickman, Town Clerk

Discussion opened. Supervisor, David Lyon, suggested that the Mayor give a brief explanation of the annexation petition. Mayor Elliott noted that there were 2 Village lots which had small sections in the backyards are in the Town which would even out the VOP/TOP line if annexed with the Lehman property. Mayor Elliott noted that any building lots would be required to meet the ZONING CODE specifications.

Supervisor Lyon said that this annexation had been discussed a number of time but the conditions and time were never right, however, now it appears to be a good time. Mayor Elliott noted that both VOP and TOP would benefit financially from this annexation. The public hearing was closed at 7:22 p.m. It was stated by Mayor Elliott that both TOP and VOP needed to vote at their regular meetings on the approval of the annexation. The Town of Palmyra Council left the meeting at 7:26 p.m.

CALL TO ORDER: Mayor Elliott opened the regular board meeting at 7:30 p.m. with a moment of silence for Trustee Gilmore's father-in-law, Mr. Straight, who had recently passed away. Trustee Gilmore and Bonnie Gilmore have traveled to Tennessee to be with their family.

MINUTES: A motion was made by Mayor Elliott and seconded by Depty Mayor Lynch to approve the regular board minutes from 11-2-92, vote, 3 ayes, Trustee Wooden, abstained. CARRIED.

TREASURER'S REPORT: Mayor Elliott moved that the Village Board reviewed the accounts provided by the Treasurer and have not found any errors in said account, seconded by Trustee Wooden, vote 4 ayes, CARRIED.

TAX REFUND: Mayor Elliott explained that Mr. Beach from Main Street had passed away and his fireman's exemption had been removed from Harry Beach on Vienna Street by mistake. Mayor Elliott moved to allow the refund of \$8.44 to Mr. Harry Beach seconded by Trustee Wooden, vote, 4 ayes, CARRIED.

LEHMAN ANNEXATION: Mayor Elliott resolved that the VB approve annexation of properties involved in the petition signed by Herbert and Lester Lehman and Alfonzo H. and Norma J. Davis seconded by Trustee Wooden as follows:

WHEREAS, a petition, pursuant to Article 17 of the General Municipal Law, was presented to the Village Board of the Village of Palmyra for the annexation of certain territory in the Town of Palmyra to the Village of Palmyra, said territory being described in said petition which is annexed hereto as Exhibit A, and

WHEREAS, a joint hearing of the Town Board of the Town of Palmyra and the Village Board of the Village of Palmyra was duly held on said petition for annexation, according to the law in such cases made and provided, at the Village Hall, Village of Palmyra, on November 16, 1992, at which time all parties interested in the matter were heard and all objections presented, and

WHEREAS, the Village Board of the Village of Palmyra, has duly ordered said petition and the evidence presented at said hearing,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Palmyra finds as follows:

1. That the aforesaid petition for annexation substantially complies in form and content with Article 17 of the General Municipal Law.

2. That the proposed annexation of certain territory in the Town of Palmyra to the Village of Palmyra as described in the aforesaid petition is in the over-all public interest in that:

a. It eliminates a question which municipality has jurisdiction over the intersection of Stafford Street and West Foster Street.

b. It eliminates the problems with two lots which are currently partially in the Village and partially in the Town.

c. It provides access to water and sewer for property formerly in the Town without the requirement of a district.

d. There is no additional maintenance required because the public highway is currently maintained by the Village.

NOW THEREFORE, IT IS ORDERED, that the consent and approval of the Village Board of the Village of Palmyra is hereby given to the annexation of the territory now situated in the Town of Palmyra and described in the aforesaid petition (Exhibit A), to the Village of Palmyra.

Trustee Wooden noted that the VOP C.E.O. pay special attention to drainage on those lots, vote, 4 ayes, CARRIED.

BUDGET TRANSFER: Mayor Elliott moved to allow the Treasurer to transfer \$8.44 from A1990.4 contingency to A1964.4 refund for taxes, seconded by Depty Mayor Lynch, vote, 4 ayes, CARRIED.

ABSTRACT #12: Mayor Elliott moved to authorize the Treasurer to pay Vouchers #544 and #582 totalling \$17, 327.89 and Abstract #11 Voucher #543 for \$129 and on which appears the initials of at least three VB members, seconded by Trustee Wooden, vote, 4 ayes, CARRIED.

INSURANCE ENDORSEMENT: Mayor Elliott reported that this item did not make the top four lobbying items but will be scheduled on the agenda for the upcoming legislative program this year. A copy of the agenda will be coming from NYCOM.

SURPLUS: Mayor Elliott to accept a bid of \$10 for two backboards which are in the old comm. center gym upstairs in the Village Hall. Trustee Drews seconded, vote 4 ayes, CARRIED.

STORM DRAINAGE BOOK: Mayor Elliott noted that a book was received from the DEC on storm drainage run off procedures. This book is for all to share, however, copies may be available to other boards.

OSHA MEETING: Mayor Elliott reported that on Thursday, November 12, 1992, at the Fire Hall with some of the Fire Dept. officials, and two representatives from N.Y.S. OSHA. Topics discussed were HazMat, Bloodborne Pathogens, Inspection of the building (Fire Hall) for OSHA requirements. The OSHA repres. stated that the FIRE CO. was 75% within compliance already. The Fire Dept. has good training records, evacuation plan, bloodborne path. exposure control plan. Should any dept. be out of OSHA compliance, there is a time limit for getting in compliance and two, six month extensions can be requested. The Fire Dept. contacted OSHA for assistance. Mayor Elliott commended the Fire Dept. for taking the lead in asking about compliance.

DEPTY. MAYOR T. LYNCH REPORTS: CULVERT PROJECT ON PROSPECT DR./ FAYETTE STREET: The project began on November 9th and appears to be going OK. The problem with placement of water lines has been resolved and a gas main problem has also been resolved. Savings on both of these items are about \$19,600 due to the efforts of P. Retan and H. Kruger.

STORM DRAIN STUDY: Depty. Mayor Lynch reported that general requirements had been sent to the eight engineering firms who had submitted prices on the Tank and Water study. One response had been received.

MARAFIOTI's: Depty Mayor Lynch reported that he had spoken to the Marafioti's after the last VB mtg. and Marafioti's said that they would pay the labor and material to do the catch basin project. Depty Mayor Lynch polled the other members of the VB who agreed to allow the project to be done if Marafioti's paid the labor and materials. The project is complete and there doesn't appear to be any water in front of Marafioti's house. No prices have been received yet.

TRUSTEE DREWS REPORTS: CONTRACTS WITH THE HUMANE SOCIETY; Atty. Nesbitt is still reviewing.

VILLAGE SIGNS: Trustee Drews reported that Pal-Mac Art Dept's Dave Van Gordon would be starting the project in the second marking period. The Art Dept. has taken all the necessary videos needed for the project and Mr. VanGordon will speak to Mr. Ganoung to see what part he may want to play in this sign project. Depty. Mayor Lynch will check with the Lions and Rotary to see if they can assist with the signs.

SANTA: Trustee Drews had spoken with the representatives of the Comm. Ctr. and they do not want to do this visit with Santa. Possibly the Lions Club would help. Trustee Drews noted that she would contact E. Dundas of the Lions and the American Legion to see if they can assist. Sunday, December 6, 1992, is a tentative date.

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FUEL: Trustee Wooden asked when the fuel needed to be requested. Deputy Mayor Lynch noted that a joint mtg. with the TOP and Pal-Mac School at 1:30 on Thursday, November 19, 1992. The proposed sight for the joint tanks would be at the TOP Highway Barns. Mayor Elliott reported that all having above ground fuel tanks needed to have them removed by a deadline by the DEC.

Deputy Mayor Lynch noted a possible savings on the joint fuel situation because fuel would be purchased by the truck load. Trustee Wooden noted that the fuel should be bid out anyway, even if the joint purchase does not work out.

MRB RETIREMENT: Deputy Mayor Lynch asked Trustee Wooden if Dave Matthews of MRB was retiring. Trustee Wooden said, yes.

PARKING IN FRONT OF 416 E. MAIN ST. ARC HOME: Chief Dalton requested the VB authorize a parking space for buses only in front of the ARC home. Chief Dalton noted that cars and trucks park in front of the ARC home and there is no place left for the bus to park except in front of the driveway. Chief Dalton suggested that an area be measured off for the length of the bus and be marked only for buses. P. Retan would put up a post. Deputy Mayor Lynch suggested that the parking be done during the day only ie. 6 am to 6 pm. Mayor Elliott will ask Atty. Nesbitt about a space for bus parking on the street at 416 E. Main.

DRAINAGE: E. Hartnagel voiced concern on her drainage problem since the Marafioti problem was taken care of by the VOP. E. Hartnagel noted that she had lived on Stafford St. for 24 years and have had a severe problem for a considerable time with no resolve also the trailer next to her house has been surrounded by water for 10-15 years. Trustee Lynch noted that hopefully when the engineering study is done on the drainage, it will shed light on E. Hartnagel's problem. E. Hartnagel also noted that for many years it was thought by some of the VOP crews that the VOP line did not go to her house with street sweeping, catch basins, etc. Trustee Wooden noted that many places in the VOP have no drainage or catch basins. E. Hartnagel would like something done.

EXECUTIVE SESSION: Trustee Drews moved to executive session at 8:06 p.m. for matters of personnel, seconded by Trustee Wooden, vote, 4 ayes, **CARRIED.**

A motion was made by Mayor Elliott to go out of executive session seconded by Trustee Drews at 8:58 pm, vote, 4 ayes, **CARRIED.**

ADJOURNMENT: Deputy Mayor Lynch moved to adjourn the meeting at 9:00 p.m. seconded by Trustee Wooden, vote, 4 ayes, **CARRIED.**

Respectfully submitted,

Bonnie J. Hays, Village Clerk