

Min., 6/12/89--9

cld. be safety hazard. Cld. trade as in-kind "swap" per Atty. Nesbitt. Disc. on whether or not a State Hwy. - street 'belongs' to VOP - considered a 'touring route.' Mayor will contact Mr. J. Edinger of DOT.

Bicentenn.Picnic:

Mayor Elliott reminded those present of VOP Picnic in Village Park frm. 2:00 - 10:00 p.m., Monday, 7/3/89.

Appts./Dpt.Hds.:

Trustee Gilmore asked about appointments of Dept. Hds. - normally done in April, per Trustee Pope. Mayor Elliott sd. he wld. appoint them after the VB seriously considered forming a Dept. of Public Works. Consider or discuss asked Trustee Wooden. Both, sd. the Mayor - Mayor's appointment, he sd. and he was not ready to make them at present time. VB votes on Committee assignments - Trustee Gilmore asked if a viable reason why dept. hds. had not been appointed and told by the Mayor there is. Bd. discussed previously, according to Mayor.....need specifications for job, per Trustee Pope to attract candidates. Mr. Wm. Heckman referred to prior phone conversation wth. Mayor. They had extensive conversation, per the Mayor, however, time prevents further discussion on the subject. Trustee Wooden sd. that even wth. DPW Supt., VOP still needs Dpt. Hds. - no reason not to appoint them. The Mayor sd. that where there's a DPW, there are not three (3) independent supervisors....which ones to be dropped, per Mr. Wooden...three people hanging. The Mayor sd. he was willing to sit down wth. VB to discuss. Trustee Pope sd. that sooner or later motion has to be mde. to do something. Mayor sd. changes must be mde. by law - how independent supervisors came about cannot be determined. He checked old Charter, etc. - four separate Charters granted to VOP - must write to Albany....follow a process. Do not know how VOP Dpts. formed....any changes structuring various dpts. - local law needed. Trustee Wooden sd. that it seems that only one person wants to make the change. Not fair to hold them up....Mayor sd. more than one person. Mr. Heckman sd. if public to participate, VB can't hold meetings without posting sme. - when people show up, change your mind....he referred to notes he took during phone conversation. He wanted to know reason; asked if appts. wld. be on Agenda for nxt. mtg. - Mayor sd. time element. They have their jobs, he sd. Trustee Gilmore sd. the appts. shld. be mde.

Dpt. ofHealth:

VOP rec'd communication frm. NYS/Dpt. of Health, dated 6/2/89, re monitoring public water supply and notice of sme. to be published in local paper per Mayor Elliott. Test results must be mde. available to public, he sd.

TAPS:

Communication acknowledged by Mayor frm. Pal-Mac TAPS organization re donations for Seniors' "Last Bash" Party. VB welcome to contribute.

SecondaryDigester:

Mr. H. Kruger brought up the W&WW secondary digester and Mayor sd. that he did not receive a call back. Over \$7,000. limit per Mayor, so VOP wld. have to advertise for public bid. If price wld. come down \$500. wld. be possible. This process not done for primary digester, per Mr. Kruger...in three (3) stages he believed. Discussion on sludge hauling. Cld. be done during Summer in any event. Mr. Kruger submitted two (2) sets of specs, making copies for Atty. No action taken.

12000  
Min., 6/12/89--10

Exec.

Sess.:

000248

At 10:15 p.m. Mayor Elliott moved Exec. Sess. for Union Contract and personnel matters wth. VB members present & Atty. Nesbitt. Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Pope & Wooden. Carried.

Reconvene:

At 11:04 p.m. Trustee Gilmore moved that the Bd. emerge frm. Exec. Sess. Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Wooden & Mayor Elliott. Carried.

Adjourn-  
ment:

At 11:05 p.m. Trustee Pope moved adjournment; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Wooden & Mayor Elliott. Carried.

Ethel B. Johnson, Clerk

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BOARD OF TRUSTEES

Regular Meeting

6/19/89

7:00 p.m.

Present:

James G. Elliott, Mayor; Trustees Penelope K. Frontuto, C. D. Gilmore, Daniel E. Wooden & Daniel S. Pope III.

Caucus:

Mayor Elliott asked the public's indulgence and requested that the VB members who were elected as Democrats conduct a short Caucus prior to conducting the business of the Bd.

Moment of  
Silence:

At 7:30 p.m. when the Caucus ended and the Bd. mtg. resumed, Mayor Elliott requested that a moment of silence be observed in memory of Mr. N. Dennis Means, Village Engineer, who passed away prior week. On behalf of the Bd. the Mayor extended sympathy to the family of former Police Chief, D. Henry, upon the death of his Mother during the prior week, also.

Agenda

Additions:

Messrs. Robert Nolan & Scott Brooks requested Agenda placement and given the time of 8:30 p.m.; Greenpce. Action's request to canvass the VOP; and Contract from the Humane Society. Mr. Val Ruhoff, representing a disposal company, had requested to approach the Bd., however, he was not present.

Swiss

Chalet:

Mr. Norman Gerber approached the VB re proposed addition to Swiss Chalet on Fayette St. Mr. Gerber reviewed for the VB that he had rec'd approval by the Plng. Bd. - denial by the ZBA. Had not rec'd official denial in writing, he sd. He spke. of what he felt was need for additional apts. and requests rec'd. He spke. of money he had expended so far toward project - sole owner of property now, he sd.; did not want to resort to attorneys but wld. if necessary - commitment mde. to pursue the project he sd. Mr. Gerber spke. of sm. project in Marion which was going well and referred to having built Aldrich Dr. No one bldg. apts. - subsidies gone, he sd. He proposed to the VB to receive zng. change. Sd. he felt he took lot of abuse during prior mtgs. Mr. Gerber asked the Bd. to discuss among themselves and let him know their decision.

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Mayor Elliott sd. VOP has only two zoning districts for residential - R-1 & R-2 - that type project not allowed without variance; Trustee Wooden sd. special permit allowed in '70's, however, changed. ZBA denied, per Mr. Wooden, based on their belief that there was not a hardship....if no hardship, can't be granted. Trustee Pope concurred. Mr. Gerber sd. no way the rears of properties owned by Cox, Burber & McGee cld. have sold or utilized except to Mr. Gerber. They expressed their opinion. Never offered to anyone else, per Mr. Wooden....not offered for public sale....self-created hardship, however, there can be hardships which are not self-created...Mr. Gilmore spke. of concern about getting equip. in and out if project to go forward....Mr. Wooden sd. process wld. have to go through public hearing...Mr. Wooden did not feel Mr. Gerber had taken 'abuse' - people concerned - they may not have agreed wth. his opinion; Mr. Gerber, then, referred to the Assessor specifically. Summing up, Mr. Gerber spke. of his belief in the project - and the people in the VOP deserve kind of project he cld. build. So much money spent so far, last step wld. not cost that much more...his organization will not benefit financially frm. project for many years.

Mayor Elliott referred to the process by which request to be made for re-zoning....Mr. Gerber re-requested consideration by the VB - "Findings and Decisions" completed by Vill. Atty., however, the document lacks two signatures (M. Lou Wilson & J. VanScott). Discussion between Mr. Gerber and Mr. Wooden. Mr. Gerber to await word frm. Vill. Atty.

Mr. Gerber departed @ 7:55 p.m.

Minutes  
5/1/89:

Trustee Wooden moved Bd. acceptance of the 5/1/89 Minutes with amendment/change as follows: "Motion made by Trustee Pope to adopt the Tax Levy; seconded by Mayor Elliott. Discussion. Motion call by Mayor Elliott - Voting "aye" were Mayor Elliott & Trustees Pope & Frontuto; Voting "nay" were Trustees Gilmore & Wooden with Mr. Wooden qualifying his vote with the following comment...."Pleased with fact that tax rate will only go up \$.01. I am not comfortable with some of the things that have been taken out and/or kept in!" Motion carried by majority. Trustee Pope accepted the change and seconded. Voting was unanimous.

Minutes  
6/5/89:

Trustee Gilmore moved acceptance as written of the 6/5/89 Minutes; Trustee Pope seconded. Two abstentions (Mayor Elliott/Trustee Frontuto who were absent); voting "aye" were Trustees Gilmore, Pope & Wooden. Carried.

Minutes  
6/12/89:

Trustee Wooden moved tabling 6/12/89 Minutes; Trustee Pope seconded. Voting "aye" were Trustees Wooden, Pope, Gilmore & Frontuto & Mayor Elliott. Carried.

Minutes  
6/14/89:

Trustee Frontuto moved VB acceptance of 6/14/89 Minutes as written re Special Mtg./Union Contract; Trustee Pope seconded. Voting was unanimous/carried.

C&P:

Trustee Frontuto's rpt. included thanking C&P Supt., R. Weaver for explaining @ prior VB mtg., during her absence, reasons for condition of Cemetery; request frm. Mr. D. Nichols for disposition of Cemetery plot

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& explanation of Mr. Weaver's trip to Rochester for purchasing necessary items/equipt. Unable to attend recent Bicentennial Comm. mtg. due to 6/14/89 mtg. re Union Contract. Clk. requested to report on progress of Bicentennial Village Picnic on 7/3/89.

Handicpd.

Ramp:

Trustee Gilmore updated VB members on handicapped - considering having Village crew install wth. individual to oversee - he explained idea for ramp discussed wth. Trustee Wooden, similar to one built for church in Newark....in any event, 26' needed in either direction....Mr. Gilmore spke. of possibility of two-stage development.

Trnsfr./F.D.

Roof:

Trustee Gilmore moved that \$770.26 be transferred frm. Contingency Fund for roof repair at the Firehse. Mr. Gilmore explained that extent of needed repair unknown until inspection. Trustee Pope seconded. Trustee Pope then requested an amendment to motion to remove sd. amt. frm. "Building Repairs/F.D. Acct." (A3410.426) in which was placed amt. of \$1100. Trustee Gilmore accepted amendment to his motion; voting "aye" were Trustees Gilmore, Pope, Frontuto & Wooden & Mayor Elliott. Carried.

Cont. Humane Society:

Regarding a Contract wth. Monroe Cty. for boarding dogs and euthanasia, Trustee Gilmore moved that the VB authorize Mayor to execute sme. upon review by the Vill. Atty. Trustee Pope seconded. Voting by VB was unanimous/carried.

F.D.Truck:

Re the old pumper truck, worth \$8000.-\$9000. - wld. like money frm. sale to be placed in "Truck Fund." Trustee Pope sd. technically wld. be revenue item and wld. go into surplus for yr. - nxt. budget amt. wld. be placed in "Capital Reserve."

Highway:

Trustee Wooden reported on Highway Dept. accomplishments which included painting parking areas on Main St., sludge hauling for Sewer Dept.; gave projected date for paving Foster St. (when school out); requests for street curbing - no money budgeted; if granite curbing on Fayette St., Frato Bros. (own quarry) wld. chrg. \$16. per lineal ft. - @ least 2500 ft. to be done...Trustee Wooden moved that prior motion re Fayette Street be rescinded, put this yr.'s CHIPS money into Foster St....re-consider Fayette @ later date. Trustee Gilmore seconded. Foster St. project to stretch frm. Canandaigua to Stafford...new street...curbs where necessary...new sidewlk./curbing by Fairgrnds...may be need for new catch basin in specific area. Further discussion re Foster St. paving, awkward placement of lightpole, rights-of-way, crookedness of street, etc. Procedure for using CHIPS monies explained by Trustee Pope.

Trustee Wooden moved that the VB reconsider the curbing of Fayette St. until a later date; Trustee Gilmore seconded. Voting was unanimous by the VB/carried. Trustee Pope then moved authorization for the Highway Dept. to accomplish the Foster St. Project (repaving wth. curbs & sidewlks.) from Canandaigua to Stafford St. provided they can provide the VB wth. written cost estimates not to exceed \$40,000. Trustee Frontuto seconded. The Mayor asked for clarification - cost estimates to come in prior to project being completed - to which Trustee Pope answered in the affirmative. Voting was unanimous/carried.

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Trustee Wooden moved that the Highway Dept. be authorized to hire Mr. Richard Whiting to replace Mr. D. Sloan who leaves on 6/30/89 (summer position). Trustee Pope seconded. Voting was unanimous/carried.

Hwy. Supt. Retan to return to doctor on 6/26/89 re returning to work. Hwy. truck wth. hydraulic system trouble repaired; street sweeper still 'out of commission.' Comm. Ct. has new parking lot, per Mr. Wooden. Clerk to check on progress of street light @ Dar-Lind Lane. Trustee Frontuto questioned lighting in area of "Latch-Key."

Burnham  
Hts.:

Mr. Nolan approached the VB re proposed sub-division off Burnham Hts. VB action frm. last mtg. reviewed by Trustee Pope....that the VOP wld. not entertain connecting any non-Village residents to the VOP's sewer system. Mayor Elliott sd. original motion was that the VB wld. 'entertain' a proposal frm. the Town of Macedon to establish a district - their option whether or not they wanted to encompass only the one property, or that property and rest of Burn. Hts. (open-ended); nxt. mtg. - the VB wld. only accept that proposal contingent upon annexation - Trustee Pope sd. action by VB resulted after a lot of discussion...he referred to past stand by Bds. - that no one connected unless Village residents. VB reiterated their desire that annexation occur. Trustee Gilmore's recollection was that the VB wld. allow hook-up (contrary to his feelings) - "request annexation" not "require" pointed out. Was defeated. Indicated to Mr. Nolan that the VB wld. go along wth. sewer district....Atty. Higgins reviewed past action by VB....Mayor Elliott spke. of "proposing a sewer district".....VOP policy of requiring annexation re-emphasized....further discussion on proposal of annexing Mr. Nolan's property only.

Atty. Higgins sd. he felt the 'tone' of VB conversation was because of work he had done past 2-3 mos. based on conversation by Bd. that wld. permit him to begin engineering work wth. idea that the VOP wld. not require annexation....\$12,000. into engineering costs. Trustees Gilmore & Frontuto agreed. Discussion on VOP/TOM zng. differences. Mr. Nolan sd. that if they 'came into the VOP' wld. handle lots differently....did ask Supv. Carlson and TOM wld. not support annexation....Mayor Elliott sd. in his conversation wth. Supv. Carlson he did not rule out annexation. Mr. Gilmore sd. they were led to believe that the VOP wld. 'go along' wth. sewer district (although he opposed).... Trustees Gilmore & Frontuto sd. their votes were based on what Mr. Nolan was 'led' to believe. Trustee Pope wanted to review VB vote ...that VOP wld. not allow any connections to sewer system that was not Vill. property....4 "ayes", per the Mayor. Discussion on VB 'entertaining' a sewer district proposal frm. TOM - Mr. Nolan reminded the Bd. of their vote that they wld. not require him to annex....the motion for annexation that was defeated, does that automatically say that sewer district allowable - or that the VOP wld. 'entertain' one, asked Trustee Wooden.....have not seen proposal frm. TOM. Mayor Elliott reviewed his mtg. wth. Mr. Carlson and the options the two Bd's. may take. Atty. Higgins asked why wld. Bd. take a vote on whether or not annexation required if not to accept sewer

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district - one comes before other.... a lengthy discussion continued. The Mayor sd. matters/motions unclear and suggested referring to the Vill. Atty. for clarification.

Comments were rec'd frm. Robert & Jane Eckburg - Mr. Eckburg gave backgrnd./history of how west side of Burn. Hts. set up in '59 and how they had mde. attempts to obtain sewers to no avail - and inconsistencies of prior Bd's. - way in which set up...some had sewers/some did not. Mr. Nolan sd. VOP does not have a proposal frm. TOM due to VOP's desire for annexation. Process stopped by the TOM, per Mr. Nolan...awaiting VOP's action. Mayor Elliott had asked the TOM to get boundaries.

Trustee Wooden moved that the Village of Palmyra would consider a proposal for a district from the Town of Macedon whereby the Village of Palmyra would extend sewers for the Robert Nolan property only, without requiring annexation to the Village of Palmyra. Trustee Pope sd. he did not like spot-zoning - this is spot-sewer district. Trustees Gilmore & Frontuto seconded. Voting "aye" were Trustees Frontuto, Wooden & Gilmore. Voting "nay" were Mayor Elliott & Trustee Pope. Carried by majority.

Zng./Plng.: Trustee Pope moved that Mr. Joseph Frontuto be moved from the Plng. Bd. to the ZBA to fill the unexpired term of Mr. Harold Gilman, the expiration of which is 3/31/92; Mayor Elliott seconded. Question of conflict - Trustee Pope explained. Voting "aye" were Trustees Pope, Frontuto & Wooden & Mayor Elliott. Voting "nay" was Trustee Gilmore. Carried by majority.

Trustee Pope moved that Mr. John Hudak, an alternate on the Plng. Bd., be appointed to fill the term of Mr. Frontuto to expire on 3/31/90. Trustee Gilmore seconded. Voting was unanimous/carried.

Trustee Pope then moved that Mr. Robert Gunkler, 220 W. Jackson St., be appointed an alternate ZBA member. Trustee Frontuto seconded. Voting by the VB was unanimous/carried.

Abstract  
#2:

Trustee Pope moved that the Treasurer be authorized to pay **Voucher Nos. 60-98** in the amt. of **\$19,205.06**. on which there are initials of at least three (3) VB members. Trustee Frontuto and Wooden seconded. Voting by the VB was unanimous/carried.

Mayor  
Elliott:

Mayor Elliott gave a report on the NYCOM meeting attended by Trustee Frontuto and himself 6/5-6/7/89. The Seminar section re "Minutes" stated the requirements - time mtg. opened, those present, the motions & votes on same. If deviation, shld. be verbatim. Recommended no editing.

Canaltown  
Parade:

The Mayor acknowledged an invitation for the VB to participate in the Canaltown Days' Parade; Mayor to invite Town Bd. to ride on Bicentennial Year float (owned by Mr. D. Scribner/Mr. S. Austin to pull sme. wth. antique truck).

W&WW:

Discussion on de-watering sludge - Mayor Elliott moved accepting 6/13/89 proposal frm. Waste Stream Environment in amt. of **\$6990**. to bring their equip.

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in and provide the service of de-watering the sludge - includes their manpower for that period of time. Trustee Pope seconded. Will have to rent a generator (480 wiring)...can rent frm. Rochester Co. (RPM) @ \$500. per wk. (wld. cost \$2000. to convert VOP electricity). Voting by the VB was unanimous/carried.

P.D.:

Mayor Elliott spke. of Chief Dalton's recommend. for hiring Miss Bonnie Bumpus frm. Macedon as P-T/P.D. Clerk. Miss Bumpus placed first on Civil Service 1st. Mayor Elliott moved Miss Bumpus' appt. beginning on 6/21/89 @ the rate placed in VOP budget.. Trustee Frontuto seconded. Voting by the VB was unanimous/carried. Chief Dalton requested that the VOP re-claim right-of-way on Throop St. as recommended by DOT's J. Edinger due to hazardous conditions/poor visibility. Discussion. Matter tabled. According to Chief D., requested frm. the State a 'buffer' zone to reduce speed frm. 55 to 45 m.p.h. frm. Yellow Mills Rd. which wld. slow down traffice coming into VOP.

Comm. Ctr.  
Contract:

Trustee Wooden moved that the VOP enter into a one-yr. Contract wth. the TOP re the Community Ctr. in amt. of \$18,250.; Trustee Pope seconded. Voting "aye" were Trustees Wooden, Pope, Frontuto & Gilmore. (Mayor to execute, therefore, did not vote). Carried.

Picnic  
Contracts:

Trustee Gilmore moved that the Mayor be authorized to execute the mini-contracts re the VOP Picnic - J. Thompson - \$50.; R. Lewis & Co. - \$100.; A. White - \$50.; & V. Craft - \$50. Trustee Pope seconded. Voting by the VB was unanimous/carried.

Sister  
City:

Removal frm. Agenda of proposed "Sister City" (to Oberammergau, Germany) moved by Trustee Gilmore; Trustee Frontuto seconded. Voting "aye" were Trustees Gilmore, Frontuto, Pope & Wooden. Mayor Elliott votetd "nay." Carried by majority.

Critical  
Drivers:

Mayor Elliott moved that the VOP participate in the "Critical Driver Program Certification" for employes (administered by NYS/DMV - VOP wld. be notified if an employee had a series of violations). Trustee Frontuto seconded. Voting "aye" by VB was unanimous/carried.

Misc.:

Retained on the Agenda were recommendations frm. VanParys re insurance & Retirement System change re method of funding; discussion on request frm. Greenpeace Action - VB determined that VOP must request a list of persons who canvass and that they obtain a Peddler's Permit.

Exec.  
Sess.:

At 10:05 p.m. the Mayor requested that the VB exercise Exec. Sess. for matters of personnel and negotiation wth. VB present and Town Councilman, Mr. David Lyon. Trustee Frontuto seconded. Voting by the VB was unanimous/carried.

Reconvene:

At 10:27 p.m. Trustee Gilmore moved that the VB emerge frm. Exec. Sess.; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Wooden & Mayor Elliott, Trustee Frontuto having departed @ 10:25 p.m. Carried.

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Adjourn-  
ment:

At 10:28 Trustee Gilmore moved adjournment; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Wooden & Mayor Elliott - carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES  
6/27/89

Village Board Reps./Union Reps.

7:15 p.m.

Present:

Mayor James G. Elliott; Trustees Penelope K. Frontuto & Daniel S. Pope III (arrived @ 7:20 p.m.); CSEA Rep., Debbie Lee; VOP Employees, Sgt. Patrick Coleman, Police Officer Ronald Hall, Messrs. Scott Smith (Hwy.), Carlton Timerson (W&WW - arrived @ 7:27 p.m.), & Christopher Deys (C&P).

At 7:20 p.m. Mayor Elliott opened a general discussion on a new/proposed Union Contract with input from the VOP's work areas and others present. The present Union Contract expired on 5/31/89.

Adjourn-  
ment:

The discussion on the Union Contract having ended, @ 10:55 p.m., Trustee Pope moved adjournment; Trustee Frontuto seconded. Voting "aye" were Trustees Pope & Frontuto & Mayor Elliott. Carried.

(Brief Minutes provided the Clerk by Mayor Elliott)