

direct the treasurer to collect these amounts between 6/1/89 and 7/1/89, thereafter an additional charge of 5% for the first month increasing by 1% per month until the taxes are turned over to the County November 1, 1989. D. Pope moved to adopt the resolution. P. Frontuto seconded. Motion carried unanimously.

P.D.

The State Police and Sheriff's Dept. are ready to assist with Canaltown Days this year. The Health Fair went well with the P.D. fingerprinting the kids. Sgt. Coleman and Officer Ron Hall should be commended for their participation in same. D. Dalton is now radar certified.

NEW P.D.  
CAR

For discussion J. Elliott moved that Chief Dalton be authorized to order 1989 Chevy P.D. car at state bid price, car to be equipped with light bars, siren PA system and a cage. D. Pope seconded. D. Gilmore asked what we are to do other 2 cars. D. Dalton said the oldest one (1985) has 62,000+ miles on it. We are using that instead of paying mileage for employees attending school, etc. D. Dalton has gotten a price of \$2,400 for the 1987 car. Whenever we're ready to sell, let him know. D. Dalton said it is a lousy running auto. The P.D. does not drive that car unless they have to. Voting "aye" were Mayor Elliott, trustees Frontuto and Pope. Voting "nay" were trustees Gilmore and Wooden. Motion carried.

TAXI  
STAND

Elaine Hartnagle brought up getting something done in front of the Taxi Stand. Every morning cans, bottles, etc. D. Dalton said when we have the manpower, we will be doing footpatrol.

EXEC. SESS

J. Elliott moved to go into Executive Session at 9:50 p.m. for matters of personnell with Chief Dalton. P. Frontuto seconded. Motion carried unanimously.

D. Pope moved to emerge from Executive Session at 10:47 p.m. Seconded by J. Elliott. Motion carried unanimously.

HIRE NEW  
PATROLMAN

J. Elliott moved that the Village Board authorize the provisional appointment of James C. Hall as patrolman subject to receiving a list of eligibles from Wayne county civil Service containing his name, and same becoming one of top three on list. Said appointment to be effective 5/10/89. D. Pope seconded. Motion carried unanimously.

ADJOURN.

D. Wooden moved to close the meeting at 10:48 p.m. D. Gilmore seconded. Motion carried unanimously.

Kerry K. Elvin  
Deputy Clerk



000229

BOARD OF TRUSTEES

Regular Meeting

5/15/89

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees Penelope K. Frontuto, Charles D. Gilmore, & Daniel S. Pope III, Daniel E. Wooden. Absent: Vill. Atty., J. Nesbitt.

Moment of Silence:

Mayor Elliott requested that a moment of silence be observed in remembrance of Mrs. Lois Lynch, 413 Fayette St., who passed away on prior Sunday. He stated that Mrs. Lynch had been active in community affairs and had been interested in Village government. attending many VB mtgs. over period of yrs.

Agenda

Additions:

Trustee Frontuto moved that Agenda additions include Nos. 1-6 (Assessor's resignation for 24-hr. period; the above Moment of Silence; Citizen Chase's req. for 'no parking' on Tremont St.; Appreciation Letter frm. Ms. Ann Guest; Voucher Nos. & amt. & "Critical Drivers' Program"). Trustee Wooden seconded. Voting "aye" were Trustees Frontuto, Wooden, Gilmore & Mayor Elliott. Carried.

Trustee Pope arrived following VB action on Agenda Additions, above.

Citizen

Pettengill:

Mrs. Linda Pettengill's appearance before the Bd. was a 'carry-over' the Mayor sd., re the Bd.'s adoption of LL#2, 1989 ("Parking Prohibited" on Village streets between pavement edge & sidewlk. or on streets without public sidewlks., 5' frm. pavement edge). The Pettengill's future plans are to build a driveway, however, presently they are in violation of sd. LL - VB was to have looked over the parking situation at their E. Foster St. residence. Mayor Elliott spke. of street 'widening out'.....of parking up to curb-line and Chief Dalton's opinion that it wld. be legal to park up to that spot due to unusual circumstances. Mrs. Pettengill agreed to the foregoing.

F.D.:

Mr. C. Forman, who is one of three Fire Dept. Commissioners, approached the VB re sale of "21" fire truck as new truck to arrive end of June/1st of July (sooner than anticipated, per Mayor); Mr. Forman sd. that the Commissioners had researched and on behalf of the Commissioners recommended that above-mentioned truck be sold for amt. of \$7,000.-\$8,000. Monies wld. be placed in "Truck Fund," he said. Mayor & Trustee Frontuto spke. of East Palmyra's interest in purchasing sd. truck.

Mr. Forman stated that the Fire Dept.'s ball field had been maintained by Firemen for many yrs. In prior yrs. 'snow fence' had been used around ball park....now that many other organizations use sd. field, F.D. wld. like to replace 'snow fencing' wth. something more permanent - he described fencing (determined to be 'welded wire' & pressure tested wooden posts which may be obtained @ Agway) - F.D. wld. place fence & maintain; he asked if VOP wld. be willing to absorb cost of \$400. - if more, F.D. wld. pay, he sd. VB discussion included metal posts as opposed to wooden posts - tabled until nxt. VB mtg. (6/5/89) so that F.D. budget is reviewed. Mr. Forman pointed out that if fence/posts exceed \$400. amt., F.D. wld. pay difference. Trustee Gilmore spke. of need and number of persons using field.

Nolan & Brooks:

Mr. R. Nolan submitted copy of Minutes frm. Macedon Planning Bd. mtg. in which "conceptual approval" rec'd for construction of houses on west side of



Burnham Hts. Wm. Higgins, Esq. accompanied Messrs. Nolan & Brooks....Mr. Nolan pointed out on map plans for sub-division....main driveway is 22' - others will branch off...

A lengthy discussion ensued regarding VOP/Macedon tax rates, snowplowing, etc....Mayor pointed out that west side residents pay double sewer rates to VOP...talk of contents of VOP Sub-Division regs. Addresses public roadways, per Mayor Elliott, but not private driveways. Trustee Wooden reiterated his desire to have subject area annexed to VOP...Trustee Gilmore agreed stating his realization that VB had previously given tentative approval...question of annexation "after the fact"... Mr. Gilmore spoke of past practice of Bd. since he sat on Bd., i.e. in similar requests rec'd, parties were asked to annex to VOP. He spoke, also, of amt. of work put into project by Messrs. Nolan & Brooks. Discussion cont'd re forming district.... the Mayor sd. that the VOP, in a letter to Macedon Town Bd., stated that the VOP "would entertain a proposal".. have not seen a proposal frm. Macedon for such a proposal...legally VOP shld. not service a residence unless in a district....the Mayor read frm. 2/21/89 VB Mtg. Minutes during which time the prospective builders requested assistance frm. VOP re their proposed project....he read also, statement frm. Trustee Wooden who sd. that he wld. like to see annexation to the VOP...discussion on no recourse if sd. resident chooses not to pay VOP....Mayor Elliott stated that a district is formed by municipality in which one lives...

Again, regarding annexation, Trustee Wooden sd. that if west side of Burnham Hts. totally annexed, has to be placed before all residents there (according to Atty. Nesbitt) - sd. residents received VOP services anyway. If the sub-division only annexed the builders' approval all that wld. be needed. Mayor Elliott spoke of amt. needed re sewer rents - amt. VOP bills Macedon for water (if not annexed) and amt. Macedon wld. add on. VB discussed 'common drives' and whether or not permitted in VOP...Mr. Nolan sd. he has more complete map - Bd. requested copy of same. Atty. W. Higgins asked for clarification on several points and the fact that his clients went away frm. the aforementioned VB Mtg. feeling they had tentative approval and proceeded wth. plans, etc.

Mr. Nolan sd. that he had not talked of particulars wth. Mac. Supervisor S. Carlson, therefore, he had no indication of Macedon's feelings re annexation to VOP - Sewer District did not seem to be a problem. Mayor Elliott suggested to Mr. Nolan that he investigate what Macedon water/sewer rates wld. be - then balance against VOP rates...'89-'90 tax rates \$14.77 per thous. Mr. Brooks sd. more to their advantage not to annex to VOP - easier to sell lots. Trustee Gilmore sd. not his intent to discourage the builders - wants to do what's best for VOP.

If building to be done in Macedon, bldrs. wld. have to meet their specs, per Mayor....if their district - VOP Supt. has to inspect....VOP sewer hook-up charge less than Macedon's....discussion on road dedication, Mayor cited street to Salzburg as an example of what shld. not happen. Trustee Pope asked for VB action on the matter. Mayor Elliott stated that Macedon may



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be more receptive to annexation if bldrs. told they can't have sewers without annexation - places VB & bldrs. in tenuous positions....if rejected bldrs. wld. have to come back to VOP for vote. Mr. Nolan felt he had VB approval to hook up to sewer district during aforementioned mtg. Sd. he wld. talk wth. Supv. Carlson.....Trustee Pope, again, asked for VB action emphasizing that VOP did not have proposal for sewer district....or for annexation....just 'intent'. Mayor asked VB to consider the money spent already and amt. it wld. cost to proceed and come back to VB. Differences in VOP/Mac. assessments discussed. Length of procedure for petition process estimated by Mayor to be less than one month. Atty. Higgins reiterated that he has a problem wth. Bd.'s action - had been done...seems as if Bd. 'going bk. on things'...sme. people in audience were @ that mtg. and thought they had tentative approval...Bd. talks of 'leading them dwn. road...don't want them to go back if to cost time and money'...Trustee Gilmore sd. that if Mr. Nolan petitions to annex and Macedon turns it down, then Bd. can make a decision - if such is the case, he wld. be in favor of allowing bldrs. to tie in...opposed to holding them up....he shld. have brought up, he sd. and sme. discussion @ last mtg. Position Bd. has taken since his term (3 yrs.) on Bd.

Trustee Gilmore moved that VOP request Mr. R. Nolan to seek annexation into the VOP. Trustee Wooden seconded. Voting "aye" were Trustees Gilmore & Wooden & voting "nay" were Mayor Elliott & Trustees Frontuto & Pope. Motion defeated. Mrs. Frontuto sd. that she wld. like to explain her vote...although she concurs wth. Trustee Gilmore that VOP wld. prefer to have annexation to the VOP...she didn't feel that was the decision Bd. discussed @ last mtg. - wld. not be fair to change position of Bd. "Well stated," per Trustee Pope. Atty. Higgins sd. that he would prepare a "Common Drive Agreement" to present to Vill. Atty. J. Nesbitt. Mr. Nolan to talk wth. Supv. S. Carlson - will submit new map.

Citizen  
Poretta:

Mr. Mark Poretta approached by VB (the Bd. having rec'd sketch for review prior to mtg.) re building a landscape display for Palmyra's First Federal Bank - sd. display wld. be between the sidewalk and Main St., approx. 10' x 12'....display wld. be temporary in nature (3 mos.) - removed/lawn reseeded. VB discussion - Trustee Wooden sd. design nice, however, questions use of Village space for such a purpose. Trustee Pope concurred re use of Village property; Trustee Frontuto, also, questioned municipality's participation....'a business' vs. 'all businesses'....Mayor Elliott sd. nice concept....spke. of Bank's sm. parking lot - had seen done in areas wth. larger parking lots. He spke. of maintaining sme. If collective landscapers, cld. possibly be done....Trustee Pope suggested to Mr. Poretta that he might let it be known that VOP cld. not allow use of land, otherwise, they might approach another landscaper.

Minutes  
5/1/89:

Trustee Wooden moved tabling 5/1/89 VB Mtg. Minutes - he wld. like to review tapes re budget and request Dpty. Clk. to add. Trustee Gilmore seconded. Voting "aye" were Trustees Wooden, Gilmore & Pope. Voting "nay" was Trustee Frontuto. Motion carried to table 5/1/89 Minutes.



Trustee  
Frontuto:

Trustee Frontuto sd. VOP rec'd application frm. NYS&E re electrical service in Village Pk. re "Canaltown Days" - Supt. R. Weaver completing paperwk. Rec'd denial of application re BMX Track @ Canal Lands....State wants to use for dredging - waiting for DEC approval....perhaps @ some future date. BMX Parents' Assoc. to continue search... mentioned by Trustee Wooden was old landfill on Garnsey Rd. - his understanding that it had to be turned into parklands....can't break the cap, per Mayor Elliott. Trustee Gilmore sd. that facilities existed on Hogback Hill Rd. (Palmyra Racing Assoc.).. discussion included liabilities, etc. re old landfill... Mr. Ed Bastian contact person re Hogback Hill facilities. Trustee Wooden sd. he wld. look into possibility of using Fairgrnds. Wld. be good for Palmyra, economically, per Mrs. Frontuto.

Trustee  
Gilmore:

Trustee Gilmore sd. that, having talked wth. Animal Control Officer R. Case, he is becoming more familiar wth. required paperwk.

Handicapped ramp for Vill. Hall discussed wth. Mr. Brad Jacobs & a 'Mr. Coda' - B. Jacobs sent sme. materials - has not rec'd. Mr. Gilmore spke. of possibility of constructing ramp alongside Vill. Hall (between Hall & Pal. Florist) wth. entrance on west side of bldg. Wld. like to maintain front facade of bldg. if possible. Trustee Wooden sd. being done in Saratoga - Mayor pointed out, he sd., that hallway must be accessible to handicapped. The Mayor pointed out that front steps deteriorating - replacement steps had been included in prior bids for handicapped ramp. State requirement for public bldgs. to have access for handicapped persons; Trustee Wooden expects State to make mandatory at any time. Shld. have been done when Vill. Hall remodeled, agreed upon by VB. Bids for handicapped ramp came about prior to Trustee Pope being on VB - it was explained by the Mayor that specs prepared by WC Planning Bd. (Paul Wilson, Sr. Planner).

Water leak @ Firehall appears to have come frm. hose tower - a roofing contractor requested to assess the situation. In future VOP shld. avoid placing flat roof on any Village-owned bldgs.

Trustee  
Wooden:

Trustee Wooden reported on his attendance @ Seminar in Saratoga Springs - interesting program, he sd. No rental rehabilitation funds available frm. HUD to VOP due to VOP being a Farmer's Home Administration-eligible community. FHA does not allow remodeling of apts. - only single family homes. Challenge/protest in process.

Mr. Wooden asked if VOP's computer had a telephone computer "Modem" feature as a point of info...State has new computer system to disseminate info. to municipalities. Informed that VOP does not. Feature cld. be added to P.D. computer, per Mayor...WC may have sme. Expensive, per Trustee Pope. Trustee Wooden has wealth of information re above-mentioned Seminar he wld. be happy to share wth. VB anytime.

Highway  
Dept.:

Trustee Wooden sd. that two high school students to be employed by Hwy., beginning 6/1/89 - Mark Forman & Doug Sloan - the latter, he sd. wld. be leaving for Germany to schl. on 7/1/89. Trustee Wooden so moved;



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Trustee Gilmore seconded. Voting "aye" were Trustees Wooden, Gilmore, Frontuto & Pope & Mayor Elliott. Carried.

C&P:

Regarding hiring for the VOP, Trustee Frontuto moved that the Cemetery & Parks Dept. return Mr. Tom Cooper as a seasonal employee - placed in budget, she sd. Trustee Pope seconded. All Bd. members voted in favor - carried.

Mr. Wooden spke. of driveway between Hwy. Barns & Van Scott's bldg. that Hwy Dept. has used - driveway now needs work...potholes, etc. Had been paved @ one time...possibility of paving discussed....VanScott's are 'good neighbors,' per Hwy. Supt. Mayor Elliott questioned paving, however, VB cld. repair potholes. Paving wld. not cost much, per Hwy.Supt. Trustee Wooden moved that VOP repair potholes in driveway (paving or otherwise); Trustee Gilmore seconded. Mayor Elliott called for a vote, recorded as follows: Voting "aye" were Trustees Wooden & Gilmore; voting "nay" were Trustees Frontuto & Pope & Mayor Elliott. Motion denied.

Trustee

Pope:

Re Planning & Zng., Trustee Pope spke. of two ZBA Hrngs. held on 5/9/89 - Pal-Mac Plumbing addition & approved by ZBA - & sign variance request by Champion's Gym which was denied because sign was over-sized. No response re prospective members for ZBA - need member & an alternate. Wld. like recommendations for nxt. Bd. mtg.

BAN

Notes:

Re Bond Anticipation Notes, Trustee Pope sd. he had worked wth. Mr. Roy McMasters (Donegan's); plans afoot to take existing monies in Capital Project Fnd. and use as a partial payment on BAN; also, take sme. money frm. Sewer Fnd. itself and use on BAN;; reduce note by \$135,000. - currently \$300,000. Note...renew Note for \$165,000. In order to accomplish the above, budget adjustments need to be mde., referring to Pg. 2 of Memo....going frm. one account to another within the General Ledger of the budget....in order to make the accounts balance...in essence, VOP wld. be paying off \$300,000. + the interest (\$9,849.) - and borrowing another BAN in amt. of \$165,000. - one yr. period. Budget calls for reducing in amt. of \$50,000. - must be pd. off in five (5) years or put into Bonds, per Trustee Pope.

Budget

Adjust.:

Trustee Pope moved the foregoing transactions; Trustee Frontuto seconded. Trustee asked how much wld. be taken frm. Sewer Fnd. & informed by Trustee Pope, less than \$30,000. He asked, also, amt. of interest VOP paying & told \$9,849. per yr. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried.

Fiscal

Year:

Trustee Pope sd. that, since no mtg. scheduled until after June 1st, VOP must get budget accts. into bal. before end of fiscal yr. He asked authorization frm. VB for Mayor, Budget Officer & Treas. to make such budget adjustments as are necessary in order to refrain frm. having any accts. over-expended. Trustee Frontuto so moved; Trustee Gilmore seconded. Voting by the VB was unanimous. Carried.

Marine

Midland:

Only those VOP employees authorized may open VOP safety deposit boxes, according to Mayor Elliott. Treas. recommended additional signatures, i.e.



Treas., Clk. Dpty. Clk. & Mayor. Any two of four cld. have access to boxes. Trustee Pope so moved; Trustee Frontuto seconded. Voting by VB unanimous. Carried.

W&WW:

W&WW Supt. H. Kruger sd. that approx. five (5) yrs. ago, Atty. Paul Rubery gave the VOP an easement to dig in portion of his driveway for installation of wtr. main to existing main (already in grnd.) in direction of Vienna St. (during Vienna St. construction proj.). Subsequently, proper topping was not placed in his driveway...shld. be depth of 4-5"...he has experienced bad drainage problems on north/south driveway sections; Mr. Kruger recommended that the VOP pick up cost of placing @ least two (2) trucklds. of stone he desires - he will spread sme. Did not feel 'it wld. look right' for VOP to do.

Mayor Elliott sd. dug up prior to his coming on VB.. they installed newer/larger pipe on Mr. Rubery's property coming across Prospect Dr. - evidence of patching in road. Was not compacted, etc., per Mayor. Problem did not exist prior to VOP digging there. VB questioned, Bd. discussion. If not done right, Trustee Wooden sd. Hwy. shld. fix it. Trustee Frontuto felt Atty. Nesbitt shld. be consulted; easement to be reviewed.

Intake Pipes:

Mayor Elliott brought to the Bd.'s attention that Newark Engineer S. Vanderbrook had contacted him to determine if the VOP wld. be interested in joint venture of photographing water intake pipes; a quote had been rec'd frm. Pisces School of Dive, Inc. in amt. of \$260. per municipality - company wld. like to schedule/perform wk. by end of May. Mayor Elliott then moved, pending Atty. Nesbitt's approval of proposal, the VOP accept joint proposal to clean, inspect & photograph the pipes and cones...Supt. Kruger explained the underwater cones and Chief Dalton volunteered sme. info. Trustee Pope seconded. Voting was unanimous by the VB. Carried.

P.D.:

Mayor Elliott sd. that Civil Service certification rec'd on 5/5/89 for Patrolman J. Hall - he had rec'd "provisional" appt. pending rcpt. of list. The Mayor, then moved that the Patrolman Hall's appt. be changed to "probationary" and serve the mandatory periods as outlined in the Union Contract, effective 5/10/89. Trustee Frontuto seconded for discussion - then asked his standing on List; only one on List, per Mayor. Voting "aye" were Mayor Elliott & Trustees Frontuto, Pope, Gilmore & Wooden. Carried.

Employee Huff:

W&WW Supt. Kruger stated that W&WW Employee, Forrest Huff, had rec'd his Water License Certification. Wld. alleviate objections anyone may have re Union pay scale.

P.D.:

Chief Dalton to meet on 5/24/89 wth. J. Edinger, Sheriff's Dept./State Police & Mayor Elliott to discuss the Memorial Day Parade, "Kiddie" Parade, WC Fair Parade & Canaltown Days.

Actively seeking confidential Clerk-Sec'y, he sd. for P.D. Interested parties shld. apply at WC Personnel Office - necessary to take exam, he sd.....20 hrs. per wk. @ \$5.50 per hr. He announced that Patrolman Eric Fuehrer will have finished Basic and back on the road on 5/22/89. All P.D. records computerized & current, he sd.



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000235

#24: Trustee Pope moved that the VB authorize the Treas. to pay **Voucher Nos. 1117-1159**, on which appear the initials of at least three (3) Trustees, in the amt. of **\$53,917.64**. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Frontuto & Wooden & Mayor Elliott. Carried.

Misc.: Further info. rec'd re the VOP's "Sister City" association wth. Oberammergau Germany, per Mayor Elliott. No action by VB - tabled until nxt. mtg.; re WC Program - JPTA - Mayor Elliot sd. that VOP to apply for four (4) employees...two (2) ea. in Cemetery/Village Office; letters mailed to merchants as outlined in DOT's ltr. re Mem. Day Parade; letter of appreciation rec'd frm. Ms. Ann Guest thanking the Bd. for nominating her for Volunteer Award; ltr. frm. Newark-Wayne Hospital in which they offer to show a public service film - VB to send a "thank-you" response, however, to decline their offer; Mayor sd. communication copy rec'd from Syracuse Boys' Club to CC Dir., J. Campbell, thanking him for program - to be placed in his "E" File.

Assessor: Mayor Elliott sd. "resignation" rec'd frm. Assessor J. Roney....he has to resign for @ least twenty-four (24) hrs., effective 6/30/89 or he will be unable to draw his pension. Mayor so moved acceptance; Trustee Pope seconded. Four "aye" votes (Trustee Gilmore was out of the room during voting); carried. Clk. requested to place on Agenda to reinstate during 7/3/89 VB mtg.

Critical Drivers' Program: Mayor Elliott sd. clarification needed re program. VB wanted further review, therefore, the Mayor moved to table until nxt. Bd. mtg. Trustee Frontuto seconded. Voting was unanimous and carried.

Tremont St.: Mr. D. Chase in office to complain about parking on Tremont St. - he requested no parking on either side - "No parking" exists on west side (where he resides), per Mayor; Trustee Gilmore had asked Mr. Chase to circulate petition on sd. street & Clerk requested that he write ltr. to the VB.

Exec. Sess.: At 9:45 p.m. Mayor Elliott moved that the VB exercise Exec. Sess. for the purposes of salaries & negotiations, with the full VB present. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Frontuto, Gilmore & Wooden. Carried.

Re-Convene: With the full Bd. present, at 10:50 p.m. Trustee Frontuto moved that the VB emerge frm. Exec. Sess.; Trustee Pope seconded. Voting by the Bd. was unanimous.

Adjournment: At 10:51 p.m. Trustee Frontuto moved Bd. adjournment; Trustee Pope seconded. Voting by the Bd. was unanimous.

Ethel B. Johnson, Clerk