

VILLAGE OF PALMYRA BOARD OF TRUSTEES

Reg. Mtg.

October 2, 1995

7:30 p.m.

PRESENT: Mayor James G. Elliott, Trustees Ann F. Guest, Frederick Celentano, and Kathleen C. Drews. Trustee Daniel E. Wooden was out of town and Attorney Nesbitt was not present.

CALL TO ORDER: Mayor Elliott called the meeting to order at 7:39 p.m.

CITIZEN JUDSON RONEY: Mr. Roney brought a number of photographs and gave addresses of unlicensed vehicles at 15 locations within the Village as well as two tank trucks in a residential district on Hyde Parkway. Unlicensed vehicles are located as follows:

- 115 Liberty, 220 Hanson, 104 Hyde Park, 115 Hyde Park, 140 Hyde Park, 497 W. Foster, 349 W. Jackson, (2) at the Fire Dept., 537 /539 Vienna St., 103 Crescent Dr., 123 Vienna, 240 Johnson, 240 Johnson, 217 Fayette, 125 Fayette, and 115 Washington St.

Mr. Roney noted he felt that the law was being nullified due to lack of enforcement. Mr. Roney said that those cars at the FD should be put out back if they are being used for practice out of view. Mr. Roney also showed pictures of Mr. Williamson's property at 500 W. Main St and the tank trucks which are in the driveway. Mr. Roney said that when he was C.E.O. he told Mr. Williamson that only one (1) truck would be allowed. However, at this time Mr. Williamson has up to three (3) tank trucks carrying gasoline a very flammable substance. The corner is right near the bus traffic for the high school. This could create a great danger and he has observed this violation for at least one (1) year.

Mayor Elliott noted that at the tank trucks had no plates and inquired how they were transported without plates. Trustee Guest told Mr. Roney that she would look into tomorrow and find out answers to Mr. Roney's questions and see about taking action.

MINUTES OF SEPT. 18, 1995: Trustee Celentano moved and Trustee Guest seconded to accept the minutes of the Sept. 18th, 1995 meeting with the change on the last page stating that homeowners should have equal opportunity instead of first opportunity. Vote 4 ayes, CARRIED.

ABSTRACT #9: Mayor Elliott moved to authorize the Treasurer to pay vouchers #444 and #464 through #516 totalling \$54,536.13 seconded by Trustee Drews, vote, 4 ayes, CARRIED.

SHOES FOR EMPLOYEES: Mayor Elliott reported that he had looked into purchasing shoes from Iron Age shoes which also supplies Garlock. Mayor Elliott moved to approve the list of shoes chosen from the catalog of Iron Age as shoes the VOP would pay for for its employees, Trustee Drews seconded for discussion. The Iron Age people would be here at Vill. Hall on October 11, 1995, at 10:00a.m. The shoes can be either picked out on a visit or ordered over the phone or fax and received within two or three days. The selection was felt to be very good and the employees were given an opportunity to look through the book and choose a number of styles which met the VOP requirements. Chief Dalton asked if his personnel could also purchase from Iron Age if the shoes met with PD criteria? Mayor Elliott agreed and asked Chief Dalton to meet with him and discuss the possibilities. A scheduled stop can be made here in Pal. when the Iron Age people are in the area. Trustee Guest asked if this purchase plan would coincide with the procurement policy. Mayor Elliott said that the amount of money in question was not enough to be an issue with procurement policy. Trustee Celentano asked if other sources had been checked and Mayor Elliott noted that Agway and Dicks were both unable to furnish the employees with what they wanted. Mayor Elliott also noted that the looking around of two employees cost the VOP a day and a half in time for

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the search. Mayor Elliott also noted that the salesperson for these shoes was local and that there was a store in Penn Yan.

Mayor Elliott added that the shoes would be for the Highway and C&P Depts. at this time. Trustee Drews wanted to know if the employees could not find the shoes they wanted at Iron Age could an exception be made to go elsewhere? Mayor Elliott stated yes an exception could be made if the shoes were in the same price range.

Vote, 4 ayes, CARRIED...

CANAL GRANT AND PROJECT/SEAR BROWN ENG, REPORT: Mayor Elliott had given all a note on the recommendations from Sear-Brown including their fees within the grant of doing the engineering work. An application is on the last page. Mayor Elliott met with S. Cleason who explained the proposal and it was suggested that the VB accept page 1 - prices and work and the last page. Trustee Celentano brought up the question of the VB committing to this? Mayor Elliott explained that hiring the eng. firm committed the VB to this project and the accepting of the grant. Trustee Celentano asked if the VB could use another eng. group and Mayor Elliott explained that Sear-Brown had already been hired for this job. Mayor Elliott noted that Trustee Wooden had seen this report and spoken with Sear-Brown. Trustee Celentano noted he did not understand some of the prices and terminology on the page 1 which other VB members concurred. Trustee Guest requested that S. Cleason to come to the VB meeting and explain, Mayor Elliott said he could ask S. Cleason to attend a VB meeting and explain the project. Mayor Elliott noted that the VOP had some money built into the budget for this project. reserve \$5,000 for eng. in gen. budget for example.

Mayor Elliott moved and Trustee Drews sec. that the VB accept the page 1 and sign the last page and have S. Cleason of Sear Brown come to the next VB mtg. and explain, vote, 4 ayes, CARRIED.

LETTER FROM CLOUGH, HARBOUR & ASSOCIATES CONCERNING DEVELOPMENT OF THE TOW PATH AT THE CANAL: Mayor Elliott explained that a letter had been received from Clough, Harbour & Assoc. saying that they were the agent for the Thruway Authority and going to pave the foot path and bike path from Fairport to Maple Avenue in Palmyra. The Clough, Harbour & Assoc. had a written agreement with the state and the VOP had to send a letter giving their approval that the Thruway be the lead agency in this project. Mayor Elliott moved that a letter be sent to Clough, Harbour, & Assoc. stating that the State Thruway was the lead agency in this project, seconded by Trustee Celentano, vote, 4 ayes, CARRIED.
Note: No charge to VOP.

No construction date was given as of yet. May be spring doing paper work in the winter, said Mayor Elliott.

FYI Path would be 11.1 miles long and 10 ft. wide.

HOMECOMING PARADE: Mayor Elliott moved that the PAL-MAC Student Council be allowed to hold a parade on Oct. 14, 1995, at 11:00 a.m. beginning at Pal-Mart west on Main to Stafford, south to W. Foster and west to school. Seconded by Trustee Celentano, vote, 4 ayes, CARRIED.

FULL TIME EMPLOYMENT FOR CIVIL SERVICE POSITION MEETING REQUIREMENTS: Mayor Elliott moved that an employee working an amount equal to or in excess of 50 percent (50%) of the normal worked hours in a week per Civil Service guidelines be considered a full time employee, seconded by Trustee Celentano for discussion. Trustee Celentano asked if there would be a change in compensation due to less rate of pay? No. Trustee Drews asked if there were other employees who qualify? No. Can the VOP afford another full time employee? Mayor Elliott stated that the time worked would not be more and that right now the VOP is in violation of CS regulations considering a full time employee. Mayor Elliott noted that now that the VB was aware of the problem it would be willfull negligence to ignore the law.

The employment date (anniversary date) would begin as of today giving new employee status to the employee. Trustee Drews asked if less hours were forseen? Chief said no. More work is accumulating now. Mayor Elliott call the question, vote, 4 ayes, CARRIED.

SOIL SAMPLES: Trustee Drews asked about the soil samples and if the samples were taken from the top or down further? Mayor Elliott said he thinks the top only. Trustee Guest asked if more samples could be taken down lower referring the a plug tests. Agreed that the results of current tests should come back prior to taking more tests. Mayor Elliott noted there was a mtg. with the co-operative ext. in two (2) wks.

C.E.O. CHUCK ACKERMAN: Trustee Guest reported that the VOP has paid the Vill. of Newark for the C.E.O. contract \$5,147.25 and to date this year \$2,675. Large projects such as Hollingsworth and Grandin Bldg. and Pal-Oil which created the time needed. After the \$2,500 allotted for the year's budget in C.E.O. a \$25/hr. charge was charged. Trustee Guest noted that the remark Mr. R. Smith made at the last meeting stating that a Trustee from Newark had said the VOP was paying \$15,000-20,000+ was untrue per the Trustee who alledgedly made the statement to Mr. Smith.

Trustee Guest noted that no other inquiries were submitted for membership on the ZBA or Planning Bd therefore, Trustee Guest would like to make one blanket motion to cover all three (3) people that applies consisting of Robert Joslyn, Alt. Pl. BD. Linda Joslyn, Alt. ZBA, Wayne Henning, Reg. Pl. BD.

E. Hartnagle remarked that she had a call from Mr. Henning and it was a good conversation, she also received a call from Mr. Joslyn and stated the call was threatening and "chewed" her out. E. Hartnagle felt in light of that doesn't feel the Pl. BD. needs that kind of over-reactive person.

Trustee Celentano also noted he has been threatened by Mr. Joslyn with a lawsuit. Trustee Celentano also doesn't feel that someone that would threaten should be on the Pl. Bd. Trustee Guest noted that she has been questioned about an applicant by Trustee Wooden at the last two meetings and wonders why Trustee Wooden continually brings this person up. Trustee Guest said the person in question is Trevor Elkins and preceeded to read Mr. Elkin's letter:

Trustee Guest read her letter first: October 19, 1994, To Trevor Elkins:

Dear Trevor, Thank you for your letter of Friday, October 14, 1994. Unfortunately, your letter arrived at the Village Hall after 9:30 a.m. which is the cut off time for agenda items. I hope that this has not caused you any inconvenience. Mayor Elliott and I determined that since this was a workshop meeting, and your letter did not really explain why you wanted to be on the Planning Board, as the ad requested, being on the agenda was premature. Please submit a letter stating specifically why you would like to be on the Planning Board and what type of valuable input and experience you hope to add to the Planning Board. I will be awaiting your response after which we will act upon your request.

Response: To the Trustee in Charge: 10-31-95
I would like to be a member of the Palmyra Village Planning Board.
I would like to be on the planning board specifically because I hope to reside in this community for many, many years and would like to be a part in planning and developing it's future as we move into the 21st century. The input and experience I would hope to be able to provide includes strategic planning, learned from my service on the school board, and a perspective of a

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younger Palmyran that would like to see our community remain vibrant and full of life, rather than decay and decadence. As for my last letter to you regarding this very same request. I am insulted by your insinuation that I did not provide an honest request for the position which I am now applying. if I receive the same run around with this request I will pursue whichever manner needed to bring this matter to a close that is in the best interest of all Palmyrans and not a few that seek to dominate the direction of the Village. Finally and simply I was angered by the political maneuvering which has been used in regard to this matter, Trevor K. Elkins.

Trustee Guest wanted to know why it would have been alright to bring Trevor Elkins on. The position was advertised as requested and Trustee Guest noted she is bringing up the applicants for the third time. E. Hartnagel said she believed the Trevor Elkin issue was a dead issue and that this is now one year later and the R. Joslyn issue is currently at hand.

Trustee Celentano emphasized that he received threatening phone calls and asked why he should be threatened like that?

E. Hartnagel stated she thought Mr. Joslyn would be a detriment to the Planning Board. If something doesn't go his way is he going to call in a lawyer, asked E. Hartnagel. Trustee Guest noted that if a member of the Planning Board was concerned about the position of an alternate on an issue the member should make sure to be at every meeting, therefore, the alternate would not be used.

QUESTION WAS CALLED BY MAYOR ELLIOTT:

VOTE - Trustee Guest - aye	DEFEATED - 2-1-1 abstain
Trustee Celentano - nay	
Trustee Drews - abstain	
Mayor Elliott - nay	

Trustee Guest moved to appoint Mr. Wayne Henning as a full member of the Planning Board to fill a vacancy left by Mr. K. Masker, seconded by Trustee Celentano, vote, 4 ayes, CARRIED.

Trustee Drews asked why the dates of the letters were from August 1995 and if the applicants names had been submitted to the ZBA and Planning Bd for their recommendation. Trustee Guest noted that she had spoken to Chairman R. Gunkler of ZBA and J. Hudak, Planning Bd. Mayor Elliott noted that a recommendation from the boards would be similar to choosing their own board.

Trustee Guest moved to appoint Linda Joslyn as an Alternate of the ZBA, Mayor Elliott seconded for discussion, vote, Mayor Elliott - aye, Trustee Guest aye, Trustee Celentano - aye, Trustee Drews - Abstain, CARRIED. 3 ayes 1 abstain.

Trustee Guest moved to appoint Robert Joslyn as an Alternate member of the Planning Board, seconded by Mayor Elliott, vote, Trustee Celentano - Nay, Trustee Drews - abstain (due to the controversy surrounding this situation), Trustee Guest - aye, and Mayor Elliott - nay. DEFEATED 2 NAYS, 1 AYE AND 1 ABSTAIN.

UNPAID TAXES TURNED OVER TO COUNTY OF WAYNE: Mayor Elliott moved to make the following resolution to be done at the State's legal requirement: RETURNED VILLAGE TAX: The undersigned, Village Trustees of the Village of Palmyra in the Town of Palmyra, County of Wayne, hereby certify that the preceding is an account of unpaid taxes assessed on the real estate in said Village, delivered to the Trustees by Darlene E. Matteson, Collector of Taxes therein, and that we have compared the same with the original tax list for 1995-1996 and found it to be correct. Dated the Second day of October, 1995. seconded by Trustee Guest, vote, 4 ayes, CARRIED. The resolution is signed by Kathleen C. Drews, Ann F. Guest, Frederick F. Celentano James G. Elliott, Mayor.

MAYOR ELLIOTT ASKED FOR QUESTIONS OR COMMENTS: None followed.

EXECUTIVE SESSION: Mayor Elliott moved to go into exec. session at 9:00 p.m. for matters of union negotiations and Fire Dept. contract, seconded by Trustee Guest, vote, 4 ayes, CARRIED.

Motion to go out of exec. session by Trustee Guest at 10:50 p.m. seconded by Trustee Celentano, vote, 4 ayes, CARRIED.

FIRE CONTRACT WITH THE TOWN OF PALMYRA: Motion was made by Trustee Drews and seconded by Trustee Guest to authorize Mayor Elliott to sign the proposed Fire Contract with the Town of Palmyra for the next three (3) years, vote, 4 ayes, CARRIED.

ADJOURNMENT: Trustee Drews moved to adjourn the meeting at 10:53 p.m. seconded by Trustee Guest, vote, 4 ayes, CARRIED.

Respectfully submitted

Bonnie J. Hays, Village Clerk

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