

VILLAGE OF PALMYRA BOARD OF TRUSTEES

Regular Meeting

6/3/91

7:00 p.m.

Present:

Deputy Mayor, Daniel S. Pope III; Trustees Charles D. Gilmore (departed @ 7:25 p.m. due to important prior commitment), Daniel E. Wooden & Thomas N. Lynch. Absent: Mayor James G. Elliott & Village Atty., John B. Nesbitt, Esq. (absence due to attendance @ Mayors' Conference @ The Nevele, 6/2-6/5/91).

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Moment of

Silence:

Deputy Mayor Pope called the meeting to order @ 7:05 p.m. following which he requested that a moment of silence be observed for the following upstanding citizens whose deaths occurred recently: Mesdames Lottie Viet, Delhia Rodman & Charlotte Brennan; and Mr. Harold Gilman (the Deputy Mayor pointed out that Mr. Gilman was a President of the Village - and served for twenty-three (23) years on the Zoning Board of Appeals). Trustee Gilmore requested of the Clerk that letters be sent to the families of the deceased.

Req. for

Benches:

Miss Lorie Kuhlman of Railroad Ave. approached the VB regarding her letter request to borrow the Village Park benches for her Saturday, August 10, 1991 wedding (as her letter pointed out, arrangements to be made by Miss Kuhlman for the benches to be transported and returned). Trustee Gilmore moved allowance of benches' use with the provision that the benches be returned promptly and in the same condition as when borrowed; Trustee Lynch seconded. Voting "aye" were Trustees Gilmore & Lynch & Dpty. Mayor Pope/carried. (Trustee Wooden's arrival delayed, therefore, no vote registered.)

Minutes

5/20/91:

All VB members had not had the opportunity to review the 5/20/91 VB mtg. Minutes, therefore, said Minutes were tabled as moved by Trustee Gilmore; Trustee Lynch seconded. Voting "aye" were Trustees Gilmore & Lynch & Dpty. Mayor Pope/carried.

Minutes

5/30/91:

Minutes for the 5/30/91 Union negotiations' mtg. were unavailable.

Water

Conf.:

Trustee Lynch moved allowance for Hwy. Supt. P. Retan's attendance @ Water Conference/Farm Rest. on 6/6/91 @ a cost of \$14.; Trustee Gilmore seconded. Voting "aye" were Trustees Lynch & Gilmore & Dpty. Mayor Pope. Carried.

Bid Specs

re Leaves:

Discussion on VOP's purchase of "leaf-vacuum" for which a Perm. Ref. was prepared, posted and legal lapse of time; determination by the VB to review bid specs in detail prior to establishing a bid opening date.

F.D.

App.:

Application for membership in the F.D. - ambulance only - by Mr. George Lewis, 119 Mill St., approved as moved by Trustee Gilmore pending completion of a physical exam. by the Village physican (to whom a letter copy will be furnished from Dr. P. K. Mathew of Roch., Mr. Lewis' Cardiologist concerning his physical condition). Trustee Lynch seconded. Voting "aye" were Trustees Gilmore, Lynch & Wooden. Dpty. Mayor Pope abstained - carried by majority.

Drainage

Fayette.St.:

Trustee Lynch spoke on the drainage problem on Fayette St. and possibility of VOP hiring an engineer to determine if slope is right...if pipes large

enough to handle abundance of water. Trustee Lynch described in detail the attempts made by the Hwy. Dept. to rectify the problem - to no avail. VB agreed that an engineering study be done. Trustee Gilmore departed @ approx. 7:30 p.m.

Drainage
Birdsall:

Trustee Lynch said that the Hwy. Dept. had not had much time, however, they had cleaned out a line on Birdsall.....wasn't one which needed cleaning....M/M Blazey have had water running in their cellar from a pipe which runs through their front yard. Trustee Lynch reiterated VB's determination during prior VB mtg. to clean out pipe in the hope of solving the problem for basement water @ Pritties'/Potters'....VOP installed new culvert/catch basin on W. Foster to handle water.

Trustee Lynch said that Mr. F. Potter informed him that a 24" tile runs through his front yard...went in with a 'cutter' last year...came to blockage...VOP will try a 'cutter' again....roots, pipe collapsed or??? Area previously a swamp....Trustee Wooden said two systems - one runs in backs of yards (not a concern/responsibility of VOP - front is....runs dwn. Birdsall and connects with VOP's....residents understanding that when VOP's clogged, residents' back ones don't work....Trustee Lynch said residents maintain that when VOP bought the system was when VOP Atty. permitted lot approval....

Discussion by VB....Dpty. Mayor Pope asked would VOP not be better off by installing new system; Trustee Wooden suggested running from Foster down Birdsall, install sidewalk/curb combination and run new storm sewer into creek....Dpty. Mayor Pope said it would 'appear' to be less expensive....money to fund project ????? \$20,000. and upward??? Water runs off

street into front yards....could run pipe underneath. Trustee Lynch said that problem remains that pipe running through property (not pipes installed by Mr. Potter)...one that "T's" onto one down Birdsall - does it belong to the VOP???? When VOP bought the system, did VOP agree to maintain???? Existence of an agreement unknown....Mr. Potter aware that it may be his problem and that same may have to be done...Trustee Wooden felt irregardless of who put in place, part of VOP system...goes into VOP catch basin - discussion by VB...by virtue of VOP tying into pipe, would seem a VOP problem....Dpty. Mayor Pope sd. the VOP, obviously, needs own drainage system... VOP approved development in a 'swamp' (perhaps without proper drainage)...VOP obligated to rectify...guesstimate re installation....'1945'.... Trustee Lynch said VOP can remedy problem along side - have to find "T's"....may put line in...find with a metal detector - will explore further, per Trustee Lynch.

C&P:

Trustee Lynch reported that having checked with the Compensation Board, approval received for C&P Supt. R. Weaver to be consulted on C&P matters at home (where he is recuperating from 4/23/91 automobile accident). C&P crew meet @ his house on Monday's to review week's work.

Water Dpt.

Pumps:

Trustee Wooden spoke of a Perm. Ref. needed for removal of funds from Water Dept. Reserve Funds (for purchase of pumps @ a cost of approx. \$90,000. -

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could be much less) - present pumps keep breaking down - in budget, per Dpty. Mayor Pope - once energy efficient pumps put in (90-95% efficient pumps), NYSEG would give VOP a rebate of 60-75% of cost (VOP would have to pay 'up front'). Trustee Wooden indicated that matter to be in readiness for nxt. VB Mtg. (6/17/91) with publication of Perm. Ref. to follow.

Citizen

Rebate:

The VB acknowledged having received a bill from Mrs. Deborah LaRock of W. Main St. in the amount of \$41.18 for a new uniform (a washer-load of clothes having been soiled during the Village's process of flushing out fire hydrants, pressure-testing, etc. thereby discoloring water) - When Dpty. Mayor Pope asked when last process (flushing hydrants) occurred and informed by Mr. Wooden two (2) or so years. Trustee Wooden moved then that the VOP reimburse Mrs. LaRock; Trustee Lynch seconded. Voting "aye" were Trustees

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Wooden & Lynch & Dpty. Mayor Pope. Carried. In any event, W&WW responsibility although F.D. & Hwy. have done work in past. Trustee Wooden spoke of the W&WW Supt. having told him of a plan to be followed for flushing hydrants on a regular basis (every Thursday by W&WW Operator, Mr. Forrest Huff).

Abstract

#1:

Dpty. Mayor Pope moved that the Treas. be authorized to pay **Voucher Nos. 1-31** in the amount of **\$8,783.73** on which appear the initials of at least three (3) VB members; Trustee Wooden seconded. Voting "aye" were Dpty. Mayor Pope & Trustees Wooden & Lynch. Carried.

Ceiling re

Purchases:

The VB discussed the directive re a **\$50.** ceiling on dpt. hds.' purchases and that inquiries made if said ceiling to be lifted as new budget in effect. VB discussed and determination made by the Bd. to continue the policy - Dpty. Mayor Pope said he would be inclined to say that any items purchased by dpt. hds. without a purchase order, the dpt. hd. will be responsible for payment by the dpt. hd. No verbal orders for needed materials, he said. Chief Dalton asked about 'standing/blanket' purchase orders @ several stores where the VOP has purchased items in the past (Drug store, Agway, Western Auto, Palmyra Hardware, etc.) Bd. generally felt no problem getting Trustees' signatures in case of a necessary, emergency purchase.

Picnic/

Park:

The VB acknowledged - and approved - use of the VOP Park for a picnic on Sun., 6/23/91, by the West. Presby. Church as moved by Trustee Wooden, seconded by Dpty. Mayor Pope. Voting "aye" were Trustees Wooden & Lynch & Dpty. Mayor Pope. Carried.

Local Law

#2:

Announcement made that Local Law 2, 1991 relating to the termination of a village's status as an assessing unit for village real property tax purposes returned on 6/3/91 for reasons checked on "Local Law Rejection Notice" - Clerk to review with Village Atty. upon his return.

P.T.

Freund:

Dpty. Mayor Pope acknowledged invitation to VB from P.T. Freund ("Box Factory") on 6/18/91 from 10 a.m. - 3 p.m. in celebration of 100th year. Reservations requested.

Appt./Health

Officer:

Dr. Tillman Farley was appointed Health Officer for the VOP for a four-year period (5/31/91-5/31/95). The former H.O., Dr. Wm. J. Braell - who wanted to lighten his workload - had requested to be relieved

of said position. Trustee Wooden moved Dr. Farley's appointment; Trustee Lynch seconded. Voting "aye" were Trustees Wooden & Lynch & Dpty. Mayor Pope. Carried.

Misc.:

There was nothing new to report on E. Foster St. drainage; a "Directory" on Throop St. (re complexes @ Unclaimed Freight) for which the VB needed more specifics - Trustee Lynch informed Mr. R. Rider of VOP's requirements; no response from the State re 1/50th Retirement Resolution filed with State for all present/future Tier I & Tier II employees.

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Spring

Clean-up:

Dpty. Mayor Pope acknowledged the Bd. having received a letter from Mrs. M. Peterson, 359 W. Main St., re her disappointment that the VOP would not be having a Spring clean-up. VB also acknowledged several verbal complaints and office phone calls from citizens in above regard.

Willow

Street:

WFL Solid Waste Management Authority's letter, dated 5/28/91, to Hwy. Supt. referred to by Dpty. Mayor Pope re the VOP's Willow St. and inaccessibility re pick-up (recycling). Trustee Lynch to oversee.

P.D. Tires:

Dpty. Mayor Pope moved that the VB accept the bid of Mr. Wm. Butler, 149 Canandaigua St., for old P.D. Police car tires, size 225/70 R15, for \$5.00 ea. Trustee Wooden seconded. The three VB members present voted unanimously in favor/carried.

Grass

Cuttings:

Chief Dalton asked the VOP's policy re grass cuttings and pick-up; mention made of bag limit weight (35#), no specific policy re grass and statement made that most homeowners leave in yard when mowed. Dpty. Mayor Pope said 'loose' more expensive - bagged more acceptable - VB could establish a policy; Trustee Lynch to discuss with Hwy. Supt. - new leaf vacuum; Trustee Wooden saw no reason to hook up and 'haul around Village'...recommended 'bagging.' Extremely bad for landfills, he said.

Pal. Creamery

Bldg.:

Mrs. E. Hartnagel asked the status of the abandoned 'old' Palmyra Creamery Bldg. on E. Main St. CEO J. Roney said that Mr. Mogavero had been issued an appearance ticket - was to have appeared in Village Court on 4/18/91....did not appear....Judge would have had to issue a "Judge's Appearance Ticket"...then Mr. Roney said he was on vacation... law does not prescribe a jail sentence - Mr. Roney advised VOP to use same procedure as used for "Shook"

house on E. Main St. Dpty. Mayor Pope suggested that the VOP proceed....Mr. Roney said that he had not had the time to process...Trustee Wooden asked about 'violations' re unfit conditions...could be fined \$50. per day referring to Chapter 29; Mr. Roney was referring to Chapter 4...Trustee Lynch spoke of the cost...

Mr. Roney stated that the owner informed him the property was for sale - buyer could demolish....creates a hazard, per Mrs. E. Hartnagel - may not sell for six years...Mr. Roney spoke of rumor that soil underneath bldg. contaminated by petroleum from old gasoline stations (next door and across

street)....Hess Co. was prospective buyer, per Trustee Wooden. Trustee Wooden said next step after inspection of bldg. (Mr. Roney said that he had inspected/took pictures)....was for Clerk to file notice to the owner re condition of bldg. Mr. Roney cautioned that care must be taken re procedure. Trustee Wooden moved that CEO follow the procedure outlined in Chapter 4, Section 7; Trustee Wooden said that if he (Mr. Mogavero) doesn't comply within ten (10) days, could be charged wth. disorderly conduct....\$250. per day - Trustee Lynch seconded with amendment to seek advice from Atty. Nesbitt. Voting was unanimously in favor/carried. Discussion on how long a time since Creamery was in business.

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CEO Roney reported that application/bldg. permit had been filed for 7200 sq. ft. bldg. (to convert auto showroom to a medical clinic for Clifton Spring Hospital); time consuming, he said and reviewed his working agreement for the VOP of ten (10) hrs. per week....he spoke, also, of the numerous complaints received and his inability, time-wise, to complete. Trustee Wooden pointed out that he need not handle legal procedures....re "old Creamery," he did work - VB authorizing CEO to proceed....from now on, either Atty. sends notice or Clerk writes letter....CEO has list of violations - give information to the office, they can write letters....Dpty. Mayor Pope emphasized that the VOP not providing full-time CEO, only part-time....if Mr. Roney receives criticism, let the VB know when complaints received and if time does not allow project completion....

Exec.
Sess.:

At 8:25 p.m. Trustee Wooden moved that the VB exercise Exec. Sess. for "personnel" purposes with Bd.

members only; Trustee Lynch seconded. Voting "aye" were Trustees Wooden & Lynch & Dpty. Mayor Pope/carried.

Reconvene:

At 8:35 p.m. Dpty. Mayor Pope moved that the VB resume the regular VB meeting; Trustee Lynch seconded. Voting was unanimously in favor/carried.

Adjourn-
ment:

Adjournment immediately followed Exec. Sess. as moved by Trustee Lynch; seconded by Trustee Wooden. Carried. Voting was unanimously in favor/carried.

Ethel B. Johnson, Clerk

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