

Manchester re Fire Contract to expire on 12/31/89. Proposals for 1990 & 1991 are \$2,393. & \$2,632., respectively. VB previously discussed increases in assessment by Town of Manchester re water line.

F.D. Member-  
ship App.:

Trustee Gilmore submitted the F.D. application of Mr. John G. Walker, 445 W. Main St., for VB approval, following which he moved acceptance pending physical exam. Trustee Wooden seconded. Voting "aye" were Trustees Gilmore, Wooden, Pope & Frontuto & Mayor Elliott. Carried.

Paving/Fost.  
Street:

Trustee Wooden presented the VB wth. need for decision re paving Foster St. - whether or not to use CHIPS money - if taken out of reserve, wld. need permissive referendum/wld. hold up project ...sd. street may not be completed current year...CHIPS rep. sd. VOP may use two years CHIPS money for one project/carryover. Trustee Pope sd. that the amt. of \$20,000. went into contingency - he suggested/recommended VB authorization for \$10,000. to get project underway/permissive referendum for balance - Trustee Wooden then so moved. Trustee Gilmore seconded. Mayor sd. VB was to have figures - Trustee Wooden has those he sd. Discussion. VB wanted to do Canal St., per Trustee Wooden; Highway. Supt. Retan suggested Foster St. due to bridge construction - Canal St. area heavily traveled currently. Trustee Gilmore thought he had rec'd sme. figures but was for paving, per Trustee Wooden - Trustee Pope had seen nothing - figures were to have come some time ago...requested withdrawal of foregoing motion until figures rec'd whether done current yr. or not. Mayor called for a vote re above action - voting "aye" were Trustees Wooden & Gilmore & voting "nay" were Trustees Pope & Frontuto & Mayor Elliott. Motion defeated.

Highway  
Assign.:

VB discussion on assignment to Highway Dept. by a person serving probation (has to serve 170 hrs. of community service); Trustee Frontuto wld. like to know nature of offense prior to approval - VB agreed.

Citizen  
Freyne:

Mrs. K. Freyn complained of neighbors parking across sidewalk. and P.D. not issuing tickets. Bd. took note - matter to be brought to attention of P.D.

Adjourn-  
ment:

At 9:30 p.m. Trustee Frontuto moved adjournment; Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope, Gilmore & Wooden & Mayor Elliott. Carried.

(Minutes recorded by tape & notes taken by E. Johnson, Clerk)

\*These are 7-10-89\*  
7-2-90 minutes missing

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BOARD OF TRUSTEES

Regular Meeting

7/16/90

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees C. D. Gilmore, Daniel E. Wooden & Thomas N. Lynch, and Vill. Atty., John B. Nesbitt, Esq. Absent: Trustee Daniel S. Pope III.

Call to Order: The Mayor called the meeting to order @ 7:05 p.m.

Add. to Agenda: Mayor Elliott moved the following additions to the Agenda: M/M Ron Kommer (who own a business on E. Main St.); and a contingent of youths and several parents, represented by Mr. Archie Scott - owner of Sports Oydsey/E. Main St., regarding the issue of "Skateboarding" in the downtown business district.

E. Main St.: Mr. R. Kommer - owner of the Newsroom on E. Main St. accompanied by his wife - approached the VB re conditions on Main St. He spke. of youths creating havoc in the area of his business, urinating off the bldg. tops and creating litter on the street & sidewalks. Another problem there, he sd. is parking - specifically on "Canaltown Days" - when persons parked their cars previous night and left all the nxt. day - did not rec. tickets he sd. Hurt his business, he sd. and if customers can't park will take their business elsewhere. Mayor felt the over-night problem cld. be resolved (perhaps restrictions frm. 3-6 a.m.) when VB resolution adopted re "Parking" for "Canaltown Days". Trustee Lynch agreed, spke. of publishing sme. & suggested that the Chamber be a part of it. Trustee Wooden spke. of enforcement - talk of hiring person(s) just for purpose of checking parking. No determination mde. by the VB, however, wld. make attempt to resolve this year.

Skate-boarding: Acting as a spokesperson for the large grp. of youths & parents, Mr. Archie Scott spke. in defense of skateboarding enthusiasts. Mayor stated that the problems reported to the VB did not include all youths - some do get reckless wth. their skatebds. as well as youths wth. bicycles - and he spke. of what was related to the VB by a merchant during 7/2/90 VB mtg.

Mr. Scott, supported by newspaper clippings frm. consumer safety group, sd. that skateboarding, statistically, safer than other sports - playgrnd. equip., swimming, bike riding, etc. If skateboarding banned, banning freedom. Mayor Elliott sd. if banned, not Village-wide - VB addressing just business district. Some merchants are struggling and skatebds. do present some problems - intimidate some older people especially. He sd. investigated area in bk. of Park/to look at repaving, however, VOP's ins. carrier wld. cancel and asked VOP to place sign prohibiting skatebrdng. if repaved. A special policy wld. cost premium of \$10,000. annually - or more. Trustee Lynch reiterated Mayor's statements. Trustee Wooden, whose business is located in area where alleged problems exist, sd. that he had not had any problems - when asked, skateboarder's responded to his requests. Wld. hesitate to support an ordinance which wld. ban 'anything' which says "you're not welcome here" (applause) - pushes kids away he sd. He sd. that his belief that municipal law wld. cover anyone being reckless on anything! Wld. support ordinance that wld. make skateboarding safer - wear proper equipment.

Trustee Gilmore sd. out of place for the VOP to create a new law that Police can enforce - can't enforce laws in existence (disorderly conduct, etc. against law forever). Skateboarding not a 'right,' he sd. - a 'responsibility.' VB must see that streets are safe - responsibility of those who engage in the sport to make sure they're safe.

Victor & Newark cited as villages in which skateboarding permitted. Mr. Scott elaborated more upon the sport and being driven out of their own towns/ driven to other towns. More discussion on liability and use of rear of Village Park - why not liability on ice skating? Mr. R. Kommer spke. of his concern for the elderly & youths getting injured.

Mr. Scott sd. law passed in Calif. which allowed skatebrding. in the roads/the main drag (he did not agree, he sd.). Some VOP streets (not heavily traveled) where skatebrding. cld. be done safely, per the Mayor. Mrs. M. Forshay asked percentage of merchants who had complained - Mayor sd. "at least six or more.....in addition to several elderly people." A young adult sd. that skateboarding a way of transportation for himself/others. Mayor asked how many wld. skate in Park if it were re-surfaced and a resounding "yes" was heard. Mrs. Scott sd. she wld. like to see a "skating program" in the VOP, perhaps a recreation program through the school. Wld. rather work wth. young people instead of banning them or consider them breaking the law....most are very creative. Cost of repaving rear of Park discussed.... skating on school grounds & how handled. Allowed in 'loop'/elem. schl., per Mayor.

Mrs. P. Frontuto felt kids were saying to the VOP... "furnish us a place to go/we'll spend more time there ...won't be on the streets." She spke. of discrimination against the kids....one group of individuals... she spke. of mothers wth. babies in strollers.... give kids place to go/thought problem wld. be solved. A gentleman spke. of possibility of a waiver & supervision needed. It was suggested that perhaps a demonstration on skateboarding cld. be done for senior citizens @ Towpath to show their creativity, etc.

Citizen asked when it wld. be known if skateboarding ban to become a law - told that a public hearing wld. be held. VB asked what group cld. do to help & told by Trustee Wooden "to police yourselves." Mr. Scott sd. he wld. be happy to supply signs, such as "Play @ Your Own Risk" type thing. Insurance again discussed and suggestion mde. that may be time to look @ another agency. Cost of equipment (helmets, knee pads, etc.) out of price range for some...\$100. pretty cheap insurance, per Trustee Wooden. From merchant's standpoint, Mr. Wooden spke. of potential customers who might not come back if banned. Lengthy discussion discontinued.

Trustee Wooden moved to table the issue of "Skateboarding" and a proposed Local Law; Trustee Gilmore seconded. Voting "aye" were Trustees Wooden, Gilmore & Lynch; Mayor Elliott did not register a vote. Carried by majority.

M/M Parker  
Div. St.:

M/M Parker of Division St. appeared briefly re bldg. permit for construction of sm. bldg. Confused, she

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sd., as told previously that if built sme. way/sme. size no permit needed. Trustee Wooden was able to assist the Parkers wth. their problem.

**Minutes****7/2/90:**

Mayor Elliott sd. that on Pg. 3 re the bldg. lots on Stafford St. - 12' easement discussed, however, VB's final decision was 30' easement on ea. side. Mayor Elliott moved acceptance of 7/2/90 VB Minutes wth. corrections; Trustee Lynch seconded. Voting "aye" were Mayor Elliott & Trustees Lynch & Gilmore. Trustee Wooden abstained. Carried by majority.

**Zoning:**

Trustee Wooden spke. of proposed changes to Zoning Ord., copies to be dist. to VB for review. To be taken up @ nxt. VB Mtg.

**Corning:**

Trustee Wooden sd. that he wld. be attending "Main St. Conference," a NYCOM-sponsored mtg., in Corning on 7/25, 26 & 7/27/90, accompanied by Plng. Bd. Member, J. Hudak.

**F.D. App.:**

Trustee Gilmore moved VB acceptance of Ms. Naomi R. Sickler, 250 Johnson St. as a member of F.D. pending successful completion of physical exam.; Trustee Lynch seconded. Voting was unanimous/carried.

**Foster****St.:**

Trustee Gilmore reported on progress of W. Foster St. project - Mr. W. Pulcini hired to do sme. grading thereby saving VOP time/money. Curbing project complete, he sd.

**Conf. Ad-  
vance:**

Trustee Gilmore asked for clarification re extending cash advances to VOP officials, dept. hds., etc. - no established policy, however, had been done in the past in some instances. Trustee Gilmore moved that the VOP advance Hwy. Supt., P. Retan, \$300. for Hwy. Officials' mtg., 9/25-9/28/90 @ The Nevele Hotel, Ellenville, N.Y. Trustee Wooden seconded. Voting "aye" were Trustees Gilmore, Wooden & Lynch. Mayor Elliott voted "nay." Carried by majority.

**Towpath/  
Access:**

Acknowledgement mde. of ltr. frm. Towpath Mgr. in which req. mde. for cross-walk wth. wheelchair access frm. Towpath I & II/Canal St. Trustee Wooden asked for all corners to be mde. handicapped accessible - req. estimate for sme. Trustee Gilmore sd. few cld. be done @ a time. Mayor asked for price if all to be done @ once.

**E. Foster****Drainage:**

Hwy. Supt. sd. he was to meet on 7/17/90 wth. Engineer P. Russell, surveyors to meet re E. Foster St. drainage. Ltrs. to be sent soon to property owners re easements. Trustee Lynch asked about cost of surveyors - no figure available.

**Park &****Concert:**

Approximately 250 attended concert in Park on 7/15/90 (Upstate String Band); Hwy. Supt. req. advance notice if/when repaving done in rear of Park - Mayor suggested coordinating wth. paving other streets.

Trustee Lynch asked about access road frm. Park - discussion. Trustee Gilmore then moved that the VOP parcel designated as "Pine Tree Park" (in rear of Park wth. frontage on Canal St.) be removed frm. VOP "surplus" property list. Mayor Elliott seconded. Discussion. Trustees Gilmore & Lynch voted "aye"; Mayor Elliott & Trustee Wooden voted "nay." The VB reached an impasse.

NYCOM

Seminar:

Seminars to be held in Canandaigua include presentations on Worker's Comp. & Disability & Retirement on 8/14/90 (\$35. per person/\$30. ea. for two or more); & Civil Service & Labor Relations on 8/15/90 (\$50. per person/\$40. ea. for two or more). Mayor Elliott moved that any VB member(s) & Vill. Atty. be authorized to attend; Trustee Lynch seconded. Voting "aye" were Mayor Elliott & Trustees Lynch, Gilmore & Wooden. Carried.

Garage

Sale:

Mayor sd. citizens' grp. wld. like to utilize P&C Rms. & area in back for a "Garage Sale" to benefit family of local long-term hospitalized citizen, "Bud" Abbott - dates of 8/11 & 8/12/90. VB sanctioned sd. event.

F.Talomie's

Visit:

Mayor sd. req. rec'd frm. Assemblyman F. Talomie to conduct a "Listen-In" session in the Village Hall on 7/19/90. VB agreed for room's use.

WCVOA:

WC Village Officials' Assoc. Dnr.-Mtg., hosted by Vill. of Newark to be held @ the Sheraton on 7/18/90. Mayor Elliott moved that VOP officials who cld. attend be authorized to do so. Trustee Lynch seconded. Voting "aye" were Mayor Elliott & Trustees Lynch, Gilmore & Wooden. Carried.

NYPIRG:

Mayor Elliott acknowledged ltr. request frm. NYPIRG (NY Public Interest Research Group, Inc.) out of Syracuse to conduct door-to-door 'outreach' between 6/1/90 & 8/31/90. Received requests in prior years. Discussion. Mayor Elliott moved that req. be granted providing a tax exempt certificate be submitted - and to register in Village Office. Trustee Lynch seconded. Voting "aye" were Mayor Elliott, Trustees Lynch, Gilmore & Wooden. Carried.

Abstract

#4:

Mayor Elliott moved that the Treas. be authorized to pay **Voucher Nos. 129-178** in the amt. of **\$27,953.13** on which appear the initials of @ least three (3) VB members. Trustee Wooden seconded. Voting "aye" were Mayor Elliott & Trustees Wooden, Lynch & Gilmore. Carried.

Cable

T.V.:

The State representative called & wld. like to meet wth. the VB to explain the Cable T.V. Franchise process. Mayor Elliott suggested a non-VB mtg. night & suggested Sept. '90 when all five VB members cld. get together....he sd. perhaps she wld. prefer coming during daytime hrs. - State will need advance notice.

Handicapped

Ramp:

Trustee Lynch sd. that he had reviewed old plans for the Vill. Hall handicapped ramp - copy given to Mr. M. Zurich & will give one to Mr. Brad Jacobs; perhaps different sections of ramp cld. be done separately wth. VOP's Hwy. Dept. who cld. dig & pour footers to save VOP money.

Misc.:

No information obtained by Clerk as yet re turning VOP Elections over to WC; Annexation (Rolfe St./Bear Hill Drive) - nothing new to rpt.; Laurentian Dr. - Mr. Martin/Atty. P. Rubery rec'd cpy. of Engineer's rpt. - no word rec'd; Drainage, E. Foster - (Mr. R. Lape, E. Foster St., has attended meetings regularly seeking solution to drainage problem; Mr. R. VanHout was also present) Mayor sd. reported earlier in mtg. that area to be 'scoped' - re easements - if easements aren't obtained must go through eminent

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domain process per the Mayor. Easements wld. not take long, however, may be Sept./Oct. before wk. done; revisions to the Policy Manual postponed by the VB; Electrical Inspections - Atty. Nesbitt sd. that CEO, J. Roney, had mde. some good suggestions - ready for public hrng. to be set - Clerk to distribute copies to VB for review first - Atty. Nesbitt sd. that under the State Code, must have electrical inspections for new construction or changes in existing bldgs. - no cost to VOP & recommended by Atty. Nesbitt; Mr. Norman Gerber (Swiss Chalet) - Mr. Nesbitt/Mr. Gerber to discuss further; Animal Control Officer - Mayor knew of no further developments - Trustee Pope absent, therefore, no rpt.

Cemetery Problems:

Mr. R. Lape sd. still a problem with speeders on E. Foster St. & persons unknown firing automatic weapons. Mr. R. VanHout reiterated Mr. Lape's statements. He spke., also, of cars in Cemetery late @ night. Both gentlemen were asked to rpt. to the Police...get license nos. if possible re speeders.

Cemetery Rules/Regs:

Having reviewed the revised Cemetery Rules & Regs., (change includes an attachment - "Fee Schedule"), Trustee Lynch moved VB acceptance/adoption; the Mayor seconded. Voting was unanimous/carried.

Clairmnt. Estimates:

Trustee Lynch related the following appraisals rec'd frm. realtors re the sm. parcel of VOP-owned land on Clairmount Park: \$1500./Nothnagle; \$1750./McKane; & \$2000./M. Laws. Mayor re-stated that interested party was requested to make an offer. Trustee requested the Clerk to write the realtors and thank them for submitting appraisals to the VOP.

Absences:

Trustee Lynch led a short discussion on absences of dept. hds. frm. duty or the VOP and suggested that the Office be mde. aware of sd. absences. Mayor sd. he wld. send Memo to dept. hds.

Exec. Sess.:

At 9:00 p.m. Mayor Elliott moved that the VB exercise Exec. Sess. for the purpose of personnel matters, which included a letter frm. Judge J. Baynes, & a determination re a contractor's performance bond; Trustee Gilmore seconded, adding...."along wth. such other business to come before the VB." Voting was unanimous/carried.

Reconvene:

At 9:29 p.m. Mayor Elliott moved that the VB emerge frm. Exec. Sess.; Trustee Wooden seconded. Voting was unanimous/carried.

Change Order:

Mayor Elliott moved that the VOP authorize **Change Order No. 1** re **Hynes Concrete Contractors**, Fairport, N.Y., for the VOP to pay one-half (1/2) of the cost of the Performance Bond, said cost to be \$500.; Trustee Wooden seconded. Voting was unanimous/carried. Trustee Gilmore sd. that the VOP wld. be receiving a bill for lights in the area where curbing was done.

Court Clerk:

Mayor Elliott moved that the VOP hire Mrs. Linda Ingram, Canandaigua St., as P-T Court Clerk to work four (4) hrs. per week, under the direction of Mrs. Jeanne Drake, Court Clk., to be reimbursed @ the rate of \$5.50 p.h.; Trustee Lynch seconded. Voting was unanimous/ carried.

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Appt. Hwy.

Dept.:

Mayor Elliott moved that the VOP hire Mr. James Eckert as a full-time Hwy. Dept. employee (laborer) - to be updated at the rate in the Union Contract, pending successful completion of a physical examination by the Vill. Physician. Trustee Gilmore seconded. Voting was unanimous/carried.

Adjournment:

Mayor Elliott moved adjournment @ 9:34 p.m.; Trustee Gilmore seconded. Voting was unanimous/carried.

Ethel B. Johnson, Clerk

**BOARD OF TRUSTEES**

Regular Meeting

8/6/90

7:00 p.m.

Present:

James G. Elliott, Mayor; Trustees C. D. Gilmore, Thomas N. Lynch, Daniel E. Wooden who arrived @ 8:00 p.m. & Daniel S. Pope III who arrived @ 10:00 p.m.; & Vill. Atty., John B. Nesbitt, Esq.

Moment of Silence:

Mayor Elliott opened the meeting @ 7:10 p.m., following which he requested that those present observe a moment of silence in memory and honor of the two Stafford St. victims the prior week (Cindy Lewis & Curtis Rizzo) whose tragic deaths occurred.

Businessman D. Becker:

Mr. David Becker, owner of Johnson's Pharmacy, asked to approach the VB re problems of bicycles on sidewalks in area of his store. Mr. Becker stated that the skatebds. were not as big a problem as bicycles, however, he did not feel that bikes on sidewlks. shld. be eliminated. Located on the corner, he sd., kids just hop off bikes and enter his store - and that he often has to call out to them to move out of entry-way. He did not feel that skatebds. shld. be banned downtown - if so, bicycles shld. be, too. Always been a problem and one that will always be. People tend to notice skatebds. more because they are different, newer and a lot less of them. Understand that due to insurance impossible for the VOP to set up area for skateboarding.

Discussion on fewer skateboarders on Main St. since the problems brt. to VB's attention and Trustee Lynch agreed they seem to be less visible.....often seen carrying their boards Mr. Becker sd. - he added that he was glad to see the issue of banning skatebds. on Main St. tabled....kids seem to be policing themselves better. Discussion on installation of a bike rack on Main St. - and where - general feeling that it wld. not be used. VB will continue to show concern for public's interest and safety of bicycles & skatebds. on Main St.

Minutes 7/16/90:

Having reviewed the 7/16/90 VB mtg. Minutes, Mayor Elliott moved that they be accepted as written; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore & Lynch. Carried.

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Mayor's Report:

The Mayor sd. he wld. like, publicly, to commend the local P.D. and area law enforcements agencies prior wk. - Wed., Thurs., and Friday - for time and effort regarding the search for the missing children; very stressful conditions, he sd. - many hours of man-hours expended. All performed an outstanding job for which they are owed a debt of thanks. Mayor was touched by how the community 'pulled together.' Letters of thanks being written to those who provided food and refreshments for the large number of officers the Mayor sd. Mrs. E. Hartnagel sd. that the investigation still underway.

Animal Control:

Mayor Elliott, in Trustee Pope's absence early in the meeting, reported his recommendation that the VOP enter into a contract, subject to the TOP entering into a similar contract (the Town Bd. meets on 8/9/90) wth. Mr. Roger East, Shilling Rd., to provide dog control services as follows: Ea. dog picked up - \$7.00; Ea. day a dog is retained - \$5.00; Ea. summons or appearance ticket issued, \$8.00; mileage, \$.22 per mile. Trustee Gilmore expressed his concern re a 'bounty' on dogs....Trustee Lynch asked if it wld. be a 'binding' contract and it was determined that the VOP cld. terminate @ any time. Mayor Elliott, then, moved the appointment of Mr. East on the foregoing basis/conditions; Trustee Lynch seconded. More discussion. Voting "aye" were all three VB members present/carried.

Abstract#5:

Mayor Elliott moved that the Treas. be authorized to pay Voucher Nos. 179- in the amt. of \$34,642.53 on which appear the initials of @ least three (3) VB members. Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore & Lynch. Carried.

P&CBldg.:

Trustee Lynch spke. of six (6) chimneys in the P&C Bldg. which are seriously deteriorated - only one in use - all chimneys to be removed and capped....hot water heater connected to one chimney which can be hooked up to the existing chimney for the furnace. C&P crew capable of removing chimneys; 30-gal. hot water heater very old, Trustee Lynch sd./wld. like to replace wth. 50-gal. Also, apt. needs new shower stall due to leak - estimate of \$475. rec'd frm. Mr. J. Merrick for drywall, stall replacement, etc. Mr. Lynch so moved replacing shower stall in the P&C Apt. @ estimated cost of \$475.; Trustee Gilmore seconded. Voting "aye" were Trustees Lynch, Gilmore & Mayor Elliott. Carried.

Problem wth. rain running off roof @ P&C - all of water runs down S.E. side @ back entrance into dry wells & flows into next door basements; catch basins discussed - only one which is connected to storm sewer. Immediate need - install eavetrough on the high, back part of bldg. into driveway - should eliminate over one-half of water which runs down. Mr. Lynch sd. C&P crew installing water faucet in the Park - water will be available (will try leaving it turned on).

Trustee Lynch spke. of paving circular drive in the Park - Hwy. Supt. estimated it wld. cost \$500. for materials (Hwy. wld. perform work); in the paving process, he also mentioned paving a strip leading up to skating rink (tie-in). Discussion on driveway