

VILLAGE OF PALMYRA BOARD OF TRUSTEES

Regular Meeting

5/6/91

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees Charles D. Gilmore, Daniel E. Wooden, Daniel S. Pope III & Thomas N. Lynch - Absent: John B. Nesbitt, Esq., Village Attorney.

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Call to Order: Mayor Elliott called the meeting to order at 7:05 p.m.

Moment of Silence: Mayor Elliott requested that a moment of silence be observed in memory of The Honorable Stuart Carlson, Town Supervisor of Macedon, who passed away recently.

Library Treas.: Mrs. Cornelia ("Pic") Schade, Treas. of Palmyra King's Daughters' Free Library, approached the VB re the budget cut from \$18,000. to \$13,000. She referred to the Library Budget containing graphs, previously furnished the VB that shows the Palmyra Library in relation to other WC libraries. Mrs. Schade respectfully requested that the Bd. reconsider reducing Library funding as difficult for Library to make ends meet even with amt. granted prior year. If not, they would have to reduce endowment fund - a step they hesitate taking.

The Bd. discussed ways of assisting the Library (in-kind services); Trustee Lynch mentioned snow shoveling sidewalk, chimney pointing, placing gravel in driveway, etc., compile a list and bring to office. Mr. Lynch also said that he would bring Library's needs to attention of Rotary Club...Trustee Pope said, likewise, the Lions Club. Mayor Elliott mentioned the American Legion and the "Bell Jar Game" tickets, the profits from which they cannot spend on Legion per se. Mayor said VOP able to restore Library cuts prior year as State did come through with some aid. Trustee Wooden spoke of Community Service work and informed that presently one (1) such person assigned to Library. He spoke of mowing grass by gentleman (Roger Bulman) assigned by WC who currently works on snow shoveling in winter and street clean-up, etc. - discussion and determination that said person would mow grass. Mrs. Schade spoke of inspection by CEO and (re)placement of fire extinguishers in strategic places. Mrs. Schade spoke of dire straits of Library Budget and they desperately need quarterly VOP payment to make payroll; informed by Mayor that he would request Treas. to include for 5/20/91 VB mtg.

Flag/ Scouts: Mayor acknowledged the presence of several Troop #66 Boy Scouts & the Scoutmaster - Scout Lewis Hackett acting spokesman - who presented a U.S. Flag (and a Certificate of Authenticity) to the Village of Palmyra (presented to the Troop by Congressman Frank Horton's rep. during the Homecoming Rally on 4/6/91 in the Village Park). The Mayor thanked the Scouts & for the plaque presented to him the day of the Rally. Trustee Wooden suggested that the Flag be placed on display in the hallway of the Vill. Hall. VB agreed. Prior to their departure, the Scouts spoke briefly on several projects in which they are involved.

Minutes: Mayor Elliott moved that the following Minutes' approval be tabled until next VB mtg. (5/20/91) but be made available to the public upon request: 4/11, 4/15, 4/18 (Union neg. mtgs.); 4/25 (Budget session) & 4/29/91 (Spec. Mtg.). Trustees Pope and Lynch seconded. Voting was unanimously in favor/carried.

1/50th Retirment.: The communication and its content, dated 5/2/91, from Mr. M. Clenahan of the NYS Retirement System discussed by the Bd. and note taken that benefits could not be

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contained to the four individuals named on Tiers I and II (J. Campbell, H. Kruger, J. Drake & K. Skeels); benefits must be made available to all current and future Tiers I & II retirement members. Trustee Pope then moved that, for acceptance, the VOP follow the recommendation by the State as stated above; Trustees Wooden & Gilmore seconded. Voting "aye" were Trustees Pope, Wooden, Gilmore & Lynch; Mayor Elliott voted "Nay." Carried by majority.

FEMA re

Payment:

Mayor Elliott announced that any monies the VOP had anticipated receiving from Federal & State would be held up for an indefinite period of time as announced in the media due to depleted funds.

Relieved

W&S:

The VB acknowledged receipt from the W&S cashier the list of unpaid water & sewer bills, totaling \$16,411.99 said list having been forwarded to WC for adding to real property taxes (see Minutes, 4/15/91, for VB resolution for turning over unpd. to Cty.).

Water Shut

-Offs:

Mayor Elliott spoke of various communities in which water shut off if bill unpaid (within 10 days in some instances, i.e. Village of Clyde - charge for turning water off/on). Legality of shutting off water questioned by Trustee Wooden and questioned if changes would require local law; Mayor said contained in Water Ordinance.

Tax

Warrant:

Trustee Pope moved that the Mayor & Village Clerk be authorized to sign the Tax Warrant for the Village of Palmyra in the total amount of \$707,091.99, copy attached hereto. Trustee Lynch seconded. Voting was unanimously in favor/carried.

Parking -

Prospect:

Mayor Elliott acknowledged a request from the Palmyra Volunteer Ambulance Corps, via Mr. Michael Day, for a curb-cut, placement of gravel, etc. on south side of east end of Prospect for additional parking for ambulance events, etc. Discussion. Trustee Wooden asked if the PVA would consider moving operation to larger place that cld. handle more parking, etc. Safety factor, per Mayor. Budget situation would not permit anything to be done current year, per Trustee Wooden, however, if serious problem something would have to be done (if VOP can't afford to do streets, can't expect to make a parking lot). Per Mr. R. VanHout, if M. Poretta would move his equipment there would be more parking space. Trustee Lynch said a definite problem there - also Liberty St., per Mayor. VB pledged to look into the matter.

Perm. Ref.

Hwy.:

Trustee Lynch moved that the VB publish a Permissive Referendum containing the following equipment and removals from designated Highway Dept. reserve funds: Leaf Vac, \$10,000. (HR-7); Salt Spreader, \$4,000. (HR-7) goes along with new budget request, Trustee Lynch said; Truck, \$7,875. (HR-3)/\$7,875. (HR-4) & \$6,750. (HR-7), totaling \$22,500. Trustee Gilmore seconded. Discussion. Trustee Wooden asked if equipment doesn't come until July, why a Perm. Ref. now. Hwy. Supt. said just so many on sale. Mayor spoke of 20 days for Ref. posting/lead time. Voting "aye" were Trustees Lynch, Gilmore, Pope & Wooden. Carried. Mayor Elliott did not register a vote.

Lawnmwr.

Bids:

Trustee Lynch said that bid opening held @ 3:30 p.m. on 5/6/91 for two (2) lawnmowers for C&P, however, Village Atty. not present nor had he had word from him with a recommendation. Trustee Lynch did say that he

had discussed with hospitalized C&P Supt. - his wish to purchase one (1) mower from each bidder - Fruit Belt of E. Williamson & J. Blazey's of Palmyra - bid tally sheet attached hereto. Price differences, warranties, etc. discussed by Bd. and Supt.'s reasons for obtaining mower from each firm. VB vote held later in meeting - awaiting arrival of Village Atty. who was unavoidably detained.

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Drainage

Wash.St.:

Trustee Lynch said W&WW Supt., H. Kruger, informed him that the VOP put in pipe (on Mr. S. Knapp's property - Mr. Knapp had easement for two sanitary sewer lines)...he said as long as he was giving easement, requested that the VOP put in catch basin and drainage pipes into VOP lines in street. Mr. Kruger said, Minutes would reflect the operation but when done unknown. Bd. determined then that Village's responsibility.

Surplus

Equip.:

Trustee Pope moved VB declaration of surplus the following (to be placed in auction conducted by the Town of Palmyra @ Hwy. Barns, 5/18/91): Small salter; leaf vac; unclaimed bicycles for which a list provided by the Police Dept., and the older, 1987 (Dodge Diplomat) police car. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Wooden & Lynch. Mayor Elliott voted "nay" - his feelings that aforementioned car could benefit the VOP. Carried by majority.

Fire Dept.

Apps.:

Trustee Gilmore moved VB acceptance of application of Mr. Perry L. Knapp, 4013 Rt. #31 as a member of the Fire Dept. pending his successful completion of a physical examination by the Village Physician. Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope, Lynch & Wooden & Mayor Elliott. Carried.

Re application from Mr. George Lewis, 119 Mill St., for membership in Fire Dept., "Ambulance only," Trustee Gilmore asked that his application be retained for further information.

CEO:

Trustee Gilmore announced that Village's CEO to fulfill VOP/Newark reciprocal agreement, i.e. Mr. J. Roney would be acting CEO for Newark from 5/4-5/11/91 during Mr. C. Ackerman's vacation.

Dog

Warden:

Trustee Pope stated that new Dog Warden (Mrs. Kim Diefendorfer) performing excellent in that capacity.

1991-92

Budget:

Trustee Pope said that he would be meeting following day with Donegan Associates to make final 1991-92 Budget adjustments; seemingly enough money in reserve funds to make budget transfers - revised Budget to be sent by Donegan's. Good news, he said, is budget down!

Local Law

#1, 91:

Public hearing re "Termination of a village's status as an assessing unit for village real property tax purposes." Trustee Pope moved that hearing be conducted @ 7:00 p.m., 5/20/91; Mayor Elliott seconded. Voting was unanimously in favor/ carried.

TOP/VOP Comm.

Ctr. Cont.:

Trustee Wooden said that Town has requested 'word' changes in Community Ctr. Contract - Pg. 3... "Comm. Ctr. agrees in calendar year 1990 to provide all of recreational sites, equipment, fixtures, adequate and complete supervision and directors and liability insurance to protect the Community Center and the municipalities supporting the Community Center to

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carry out such program." Requested change to... "Community Center Board of Directors agrees in calendar year 1991 to provide a recreational director for adequate and complete supervision of all recreational sites." Other requested change...on Pg. 4...."with each annual report, the Community Center shall file a list of the current officers and directors"...change to "current officers of the Board of Directors."

NYSPIRG: Mayor acknowledged communication (annual) received on 4/22/91 from the New York Public Interest Research Group, Inc. in which request made for conducting a door-to-door canvass. VB discussed, Mayor moved that the Bd. inform them that their request would be considered if a list provided with all names and addresses who would be canvassing within the Village. Trustee Pope seconded. VB agreed to requesting, also, a copy of their charities registration (as a non-profit entity). Voting was unanimously in favor/carried.

Fuel Present.: Mayor Elliott said the VB invited to a meeting in Town Office @ 6:30 p.m., 5/9/91, for J&L Fuel presentation regarding a "Fuel Station."

Dumpster: Town funding dumpster from line item not paid for by VOP residents. Trustee Pope said that Town has two (2) budgets - have a separate budget for "Town" outside the Village. Trustee Gilmore asked just what Village residents get from the Town and Mr. J. Roney commented that VOP residents drive on Town highways....Town has right to assess budget to Village people to pay for the Town roads that people drive on....Trustee Gilmore reiterated...."what does Village get for Town taxes?" Comment made that Town/Village Hwy. Depts. have excellent working relationship. Mr. Roney pointed out that a sizeable portion of Town Hwy. Supt.'s salary comes from Village taxes. Trustee Gilmore said an indication of competence of Town Bd. - gave an example of the division of money and preposterous, he said, at best. (Clerk requested to obtain copy of Town Budget)

WCVOA: Mayor announced invitation from Village of Lyons to attend Wayne County Village Officials' Assoc. dnr.-mtg. @ Trombino's on Wed., 5/15 with guest speaker from Federal Emergency Management Agency; Trustee Gilmore moved VB authorization for Village officials/dpt. hds. to attend at Village expense (he would not sign any mileage vouchers, he said); Mayor Elliott seconded. Voting was unanimously in favor/carried.

Abstract #23: Trustee Pope moved that the Treas. be authorized to pay **Voucher Nos. 1074, 1076 & Nos. 1085-1145** in amount of **\$41,296.59** on all vouchers signed or initialed by at least three (3) Village Board members; Trustee Gilmore seconded. Voting was unanimously in favor/carried.

Drainage Ditch: Mr. R. Lape was present and complained that problem with flooding had not been solved in 3 1/2 yrs. - Mr. S. Venturino had been pumping back into pond. Mayor told Mr. Lape about VB's application to Butler Shock Incarceration persons to perform "creek" work in VOP with Lapes' property as top priority (would be 3-4 mos., per Mayor). In talking to an engineer, Mayor said he was told that if all ditches cleaned that exist, should drain all of the standing water - probably water table would be 1' below...if creek bed could be lowered at far end, possibly could lower

water table 4' and drain Mr. Venturino's pond. Mr. Lape said he did not want Mr. V. to have to re-dig or get rid of his pond - they all have a good relationship. He did say Mr. V. had changed water table by digging pond. Mr. R. VanHout asked why the Town does not clean out its ditches - Mayor said on private land in that area (not Town ditches). Mr. VH said a lawsuit coming if something not done.

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Fayette St.

Drainage: Mr. R. Reinwald, Fayette St., spoke of flooding problems in area where they live and requested that the VOP 'do something.' Unknown where drain goes, could not the VOP 'dye test'....Trustee Lynch spoke of what shown on map...other suggestions/ideas expressed where pipe runs although Mr. Reinwald and Hwy. Supt. disagreed....Mr. Reinwald thought "silt" some of problem. Hwy. Supt. Retan said his opinion that problem would not be resolved until problem taken care of at Carriage Stop on Prospect further discussion - VB determined that the VOP would attempt to clean out the pipe and easements should be obtained (not VOP's pipe, per Mayor).

Mayors'

Conf.:

Mayor Elliott moved that any VB member and Village Atty. be authorized to attend the Annual Mayors' & Other Municipal Officials @ The Nevele, 6/2-5/91; Trustee Lynch seconded. Voting was unanimously in favor/carried.

Bond

Closing:

Mayor said that the Clerk & Treas. to attend Bond Sale closing on 5/31/91 (Sale on 5/20/91) to execute papers for the VOP.

Rider

Property:

Mayor Elliott said that sketch of proposed sign @ Mr. R. Rider's complex has not been submitted to the VB; Trustee Pope inquired re digging, etc. on Mr. R's property and short discussion held. Mr. J. Roney said removing some debris from old Garlock Braiding factory and putting in new fill. Condition of sale, per Mayor, was to dig up and to bring up to grade. Mayor said that, according to Mr. Rider, agreement signed for tenant in the area (where mini-mall proposed).

Appt. of

CEO:

Trustee Gilmore moved that Mr. Judson Roney be appointed to the position of Code Enforcement Officer for the Village of Palmyra; Mayor Elliott seconded. Voting was unanimously in favor/carried.

Bid Award

Lawnmws.:

Trustee Lynch said that bid copies furnished Village Atty. and hospitalized C&P Supt., R. Weaver. He said that two (2) bids received for two (2) Woods lawnmowers for C&P Dept. - Fruit Belt Farm & Garden Store, East Williamson, whose bid was for \$7,080. ea. - extended warranty add \$900. ea. - and John S. Blazey, Inc. of Palmyra, whose bid was for \$6,750./bid broken down with weight transfer kit, \$125.; 52" mower, \$1310.; and weights & mounting \$100., totaling \$8,325.; hospitalized Supt. looked over bids and mde. recommendation to buy one mower from each firm.

Extensive discussion - down time and when repairs needed a factor - \$1,330. difference on one, \$2,660. on two...warranty not specified on Blazey's bid mentioned...Trustee Wooden spoke of buying locally, however, vast difference in prices...it was pointed out that Mr. Reinwald, owner of Fruit Belt, a Village resident.

Trustee Pope moved that the VOP accept the bid of Fruit Belt (without the extended warranty), with delivery as soon as possible; Trustee Lynch and Mayor

Elliott seconded. Trustee Gilmore said that Bd.'s action inconsistent with VOP's goals...of buying locally, along with convenience and practicality of machine repairs. Voting "aye" were Trustees Lynch, Pope & Wooden & Mayor Elliott. Trustee Gilmore, on the basis of his statement(s) above, voted "nay". Carried by majority.

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Exec.

Sess.:

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At 8:55 p.m. Trustee Pope moved that the VB exercise Exec. Sess. for matters of "Personnel," portions of said session to include the Village Atty. (upon arrival), Police Chief D. Dalton & Hwy. Employee, Scott Smith; Mayor Elliott seconded. Voting "aye" were Trustees Pope & Gilmore & Mayor Elliott. Carried by majority (remainder of VB out-of-room @ time of voting).

Reconvene: At 10:30 p.m. Trustee Pope moved that the VB emerge from Exec. Sess.; Trustee Gilmore seconded. Voting was unanimously in favor (full VB complement)/carried.

Appt. Ct.

Clerk:

Mayor Elliott moved the appointment of Mrs. Linda Ingram 123 Canandaigua St., as Village Court Clerk, effective immediately, with a yearly salary of \$6280. per fiscal year; Trustee Gilmore seconded. Voting was unanimously in favor/carried.

Adjourn-

ment:

At 10:35 p.m. Mayor Elliott moved adjournment; Trustee Pope seconded. Voting was unanimously in favor/carried.

Ethel B. Johnson, Clerk