

VILLAGE OF PALMYRA BOARD OF TRUSTEES

Regular Meeting

9/16/91

7:00 p.m.

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

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

Minutes: Mayor Elliott moved that the 9/3/91 VB Mtg. Minutes be tabled; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Wooden & Lynch/ carried. (Trustee Pope had not arrived, thus four votes); Mayor Elliott moved acceptance as written the 8/14/91 VB Mtg. Minutes - Trustee Gilmore seconded. Voting was unanimously in favor/carried; Trustee Wooden moved acceptance as written the 8/19/91 VB Mtg. Minutes; Mayor Elliott seconded. Voting was unanimously in favor/carried. It was determined that the 8/20/91 Minutes re a Union negotiation mtg. were approved during a prior mtg.

NYSEG**Rep.:**

Mr. Sandy Crawley, representing NYSEG, was recognized by the VB; Mr. Crawley said his position is to work with residential customers, new business and sub-division business, his assigned area being WC. He said he talks about NYSEG's 'efficiency standards' and helping homeowners save money. NYSEG currently involved in energy conservation, he said. If questions cannot be answered he would take back to the company the concerns of the VOP.

Trustee Gilmore said that the VOP had discussed requesting placement of a street light @ intersection of Washington St. & Rt. #31 - another one nearby per the Mayor (approx. 5' away). The Mayor said he had talked to rep. @ NYSEG re street lt. replacement, they replace wth. high pressure sodium. When talking with power rep. @ a conference told h.p.s. not best program - another one more beneficial to VOP, depending upon age of the lt. Mayor assumed that would be the crux of NYSEG rep. Trustee Lynch used an example of cost of VOP utilities (voucher for over \$9000. from 7/2 to 8/29/91)...may not even include all bills...costs the VOP approx. \$68,000. for street lts. Mr. Crawley said he is not a commercial rep., however, he gave rates re commercial. Mayor requested that Mr. Crawley ask someone from NYSEG comparison of what program VOP using...faster change-over program...what cost would be to switch over and potential savings in a year's bill. Current program allows a switch-over only on burn-out...mercury vapor to high pressure sodium and another one (name unknown). Mayor thanked Mr. Crawley for attending VB mtg. and offering his services.

Exec.**Sess.:**

Upon the arrival of Trustee Pope @ 7:15 p.m., Mayor Elliott moved that the VB exercise Exec. Sess. with the VB, Vill. Atty. and Vill. Clk. present for matters of "Personnel"; Trustee Pope seconded. Voting was unanimously in favor/carried.

Reconvene: At 8:30 p.m. the VB emerged from Exec. Sess. as moved by Trustee Pope and seconded by Trustee Gilmore. Voting was unanimously in favor/carried.

Mayor's**Rpt.:**

Mayor reported that out of 27 agreement forms sent re the creek on Prospect Dr., 19 had been returned to date. Upon return of all signed agreements, contact to be made with Butler Incarceration Camp re clients working in VOP creeks.

Re Foster St. drainage, Mayor said he had met with Town Supervisor E. Wheeler, Councilman D. Lyons, COE J. Youngman & Hwy. Supt., N. Cook & VOP Hwy. Supt., P. Retan. All agreed that west ditch to be accomplished now - does not involve drainage district. Town willing - can get transect readings, pipe determination, etc. - re ditch on east end, VOP will have to formally vote for drainage district. Method of getting to creek...way to get cooperation from Mr. Wizeman...Trustee Wooden said it means that they can charge people back when they want to do something...has nothing to do with VOP, however, he would support. Why does not 'other' one involve a drainage district - Town and VOP, per Mayor...Town wld. concede one (gets water there faster), he said if VOP concedes re a drainage district...more moral support...Trustee Gilmore said beyond belief length of time it has taken...means cleaning out a ditch - two-day job...Mr. Wooden asked time-frame...Mayor sd. he and Mr. Lynch to meet with same people as before (Town officials) and J. C. Smith the following Wed. @ 1:00 p.m. - Town will start district...

Mr. R. VanHout asked about the pond belonging to Mr. S. Venturino - his understanding that it has to have a fence around it...Mayor said, "in the Town" - legal question to be addressed by VOP Atty. - Trustee Gilmore spoke of bldg. permit issued and issues upon which CEO Roney working...Town/VOP CEO's combining their efforts for an appropriate conclusion...Mr. VH said all matters re engineer, etc. settled before a CofO issued on new house. Mr. J.C. Smith (Soil & Conservation person) knows sizes of pipe, etc. and to be @ the mtg. Wed. - not an official mtg. (only two VB members, he sd.). He will confirm in writing. Mr. VH asked about easement re VOP pumping station on his property....referred to Vill. Atty., per Mayor.

Mayor said he had rec'd lt. from Town of Macedon re paving Burnham Hts. and request for Mayor to sign and return...cost to VOP would be \$6000. for materials - VOP's portion only (Trustee Lynch said previous figure given him verbally was 'around \$4500.')....VB agreed that \$6000. a reasonable cost, therefore, Trustee Lynch moved that the Mayor be authorized to sign ltr. of agreement wth. Town of Macedon; Trustee Pope seconded. Voting was unanimously in favor/carried.

Canaltown Days 'Thank-You's' -

Trustee Lynch said that the success of Canaltown Days was due to a lot of people not the least of whom were many Village employees...C&P, P.D., Hwy., etc. All did an excellent job. Mayor said that the Gen. Chairman, J. Kelly, had asked to approach the VB the next mtg. or so to publicly thank everyone. Trustee Gilmore spoke of, in addition to the Palmyra P.D., the W C Sheriff's Dept. & NY State Police, along with the Explorer Post. He said that Jerry & Sandy Kelly and the Overmeier's - Tom & Sandy - who were in charge of the 25th Anniversary celebration, were to be commended for a successful celebration. Trustee Wooden made several positive comments on the street dance, its success - and the excellent cooperation from local merchants re donations, prizes, etc.

F.D.

Applic.:

Trustee Gilmore moved that the VB accept the application for Fire Department membership of Mr. Thomas R. DeWitt, 113 Stafford St., Palmyra, pending successful completion of a physical exam. by the Village physician. Voting was unanimously in favor/carried.

Town of Manchester/Village Fire Contract:

Trustee Gilmore spoke of the proposal from Town of Manchester re contract with the VOP for fire

protection - the TOM now pays \$2632. - proposals for a four-year period are as follows: '92, \$2670.; '93, \$2,915.; '94, \$3,167; and '95, \$3,442. The VB discussed the formula used by Manchester and the costs for other areas exceeding the VOP's. The Mayor said that the VOP's F.D. must approve said proposal, therefore Trustee Pope moved that the VOP accept the foregoing proposals, pending F.D. approval; Mayor Elliott seconded. Voting "aye" were Trustees Pope, Gilmore & Wooden & Mayor Elliott (Trustee Lynch was out of the room when voting occurred). Carried by majority.

Financial Report:

Trustee Pope spoke of the Annual Financial Report, year-end and over-expenditures, line item transfers & contract negotiations. Mr. Pope polled the VB re having reviewed the Financial Report and found to be substantially correct, following which he moved that the VB was in concurrence with same; Mayor Elliott seconded. Voting was unanimously in favor/ carried.

Mayor explained that the VOP receives criticism from the State auditors if the VB does not approve the annual rpt. Also, he said that the Treas., having been to the recent Clerks' Conf., brought back the info that when municipalities hire CPA's to audit its books, could also perform year-end report - some are doing this @ a cost of over \$4000. Trustee Lynch stated that it would give the VOP a better credit rating, according to the Treas. Re the quarterly report completed by the Treas., Trustee Pope moved VB acceptance; Trustee Wooden seconded. Voting was unanimously in favor/carried.

Zebra Mussels:

Trustee Wooden said that he had been informed by MRB Group that zebra mussels had been found in the Finger Lakes - they are working with municipalities (in nearby Newark) to put a control system on the water intake @ Canandaigua Lake....he said he would be talking to the VOP's W&WW Supt., H. Kruger - possibility of the VOP collaborating wth. Newark.

One response from the VB re the "Watershed" questionnaire - Mr. Wooden requested the Bd.'s input.

Dried Sludge:

Trustee Wooden talked of dried sludge hauling re landfills not accepting same...VOP did utilize Seneca Meadows who notified the VOP that testing wld. have to be done before they wld. accept the sludge...some confusion existed re haulers - didn't realize everyone had to have testing done....this was done and a voucher submitted for \$2000. which shows up in current vouchers....will 'probably' be an annual requirement...two sets of tests must be run...one for regular, dried sludge and one for 'grit'...Employee C. Timerson checked with other landfills, all of whom said 'testing' required....a company, C.I.D. Landfill, Inc., 10860 Olean Rd., Chaffee, N.Y. 14030-9799 performs this work...Mr. Wooden then presented two P.O.'s (for 28 tons) so that hauling cld. begin following week...charges, compared to Seneca Meadows (\$83.-\$85. per ton) where VOP has to deliver (obtain over-the-road permits for VOP trucks - VOP men/VOP trucks), whereas C.I.D. will pick up & haul - charge to process \$55.50 per ton...can take 28 tons @ one time (wld. take VOP approx. six trips) @ a cost of \$600. per trip...averages out to approx. \$73. per ton....only \$2000. placed in budget for testing... will be a \$4000. item ea. yr. With change to C.I. D. some budget adjustments must be made, thereby, P.O.'s submitted.

Water Line - Johnson Road:

Trustee Wooden said a question had surfaced re a water line installation @ new house construction on Johnson Rd. - and who hooks up water line...house is in VOP, but a Town water main...VOP billing @ present house - a Town District per Vill. Atty. Mr. Wooden said he had informed the W&WW Supt. that the VOP Hwy. wld. install and details worked out wth. the Town. Mayor said that in the 1970's when annexation done of Town land (Dr. V. Smith's new office)...the Town District does not extend beyond "Shaffer's"...both Mr. S. Venturino's new homes are in the VOP since annexation - VOP has been billing.... Atty. Nesbitt has seen similar situation in other areas, he said. Trustee Wooden said a letter prepared for Mr. Ed Triou who desires to build houses on E. Foster St. (owned by R. VanHout). Charges for water line and sewer hook-up have been paid to the VOP (\$500./\$100.), according to Mr. Wooden - and matters to be resolved with the Town.

Courtrm.

- Town:

Regarding charges to the Town for use of the Courtrm. and an office (separate), Mr. Wooden said that the VOP replied (verbally) by the Town's deadline (9/13/91) that the fee for the office wld. remain the same (\$165. p.m.), but the VOP requesting \$20. for ea. court session (for use of the Courtrm.) - includes janitorial service. The Town has not responded to date. The VB generally agreed that amount suggested to the Town a 'bargain'. Mayor had doubts about same.

Emp. Flu

Vaccine:

VB discussion on providing flu vaccine for VOP employees and retired persons; discussion on the physician to administer vaccine - Dr. Braell or new Health Officer, Dr. Farley (Dr. Braell previously indicated to the Mayor that he would be retiring). Discussion on cost (depends on cost of vaccine to the doctor); suggestion made to alternate doctors. Trustee Pope moved that the VOP provide flu vaccine for all current and retired employees; Mayor Elliott seconded. Voting was unanimously in favor/carried.

Pal-Mac Homecoming:

The VB acknowledged having received a letter request from Student J. Spencer of the Pal-Mac Student Council for permission to conduct the Homecoming Parade on Main St. @ approx. 11:00 a.m. on Sat., 10/12/91, going east to west. Trustee Pope so moved; Trustee Gilmore seconded. Clerk to write DOT for closing Rt. #31. Voting was unanimously in favor/carried.

Creek

Easemnts:

The Mayor stated that the Treas. preparing checks (for \$1.00) to property owners in certain areas along the creek from whom the VOP seeking easements so that the clients from Butler Shock Incarceration may start cleaning the creek. Mr. VanHout asked approximate starting date and informed by the Mayor more info. wld. be available following a mtg. on Wed. (wth. Mr. J.C. Smith, et.al.).

Abstract

#8:

Trustee Pope moved that the Treas. be authorized to pay Voucher Nos. 292-348 (less #341) in the amount of \$37,809.06 on which appear the initials of at least three (3) VB members; Trustee Gilmore seconded. Voting was unanimously in favor/carried.

Fee Sched.

LL #1:

Fee schedule re Local Law #1, 1991 in hands of the Vill. Atty. Trustee Gilmore to handle the matter.

Mogavero

Ct. Date:

Reported @ a previous meeting that a court date for Mr. Mogavero (9/24/91) re "old Palmyra Creamery Bldg."

W&WW Pumps - Bid Opening:

Trustee Wooden spoke of bid specs re new pumps and motors for the VOP Water Plant - and moved that bids

be advertised for opening @ 3:00 p.m., 10/18/91. Trustee Gilmore seconded. Voting was unanimously in favor/carried.

Energy
Audits:

Mayor Elliott said gentleman in office who had performed energy audit for Village Hall/P&C Bldg. He made recommendations re lighting and converting. He also recommended energy audit for remaining VOP physical plants...he mentioned specifically sewer plants... with rebates, municipalities can buy new motors @ water/sewer plants; by buying and installing more energy efficient motors, not paying out as much as a rebate. Trustee Wooden spoke of W&WW Dept. only - VOP getting back approx. \$8000. - still costing the VOP 'about' \$12,000. Mayor sd. important to get commitment from NYSEG before 12/31/91 at which time they lower their rebates. No cost for audit.

Exec.
Sess.:

Trustee Pope moved, @ 8:45 p.m., that the VB exercise Exec. Sess. for matters of "Personnel"; Trustee Lynch seconded. Voting was unanimously in favor/carried.

During Exec. Sess. the VB determined that Mr. Retan be sent a letter, the contents of which follow: "By unanimous vote of the VB on 9/16/91, you are hereby suspended without pay pending further action by the Bd." The VB also determined during Exec. Sess. to conduct a Special meeting @ 4:30 p.m., Fri., and another Special meeting on 9/20/91 at 7:00 p.m. on Mon., 9/23/91 to which Mr. Retan would be invited.

Reconvene: At 10:20 p.m. Trustee Pope moved that the VB emerge from Exec. Sess.; Mayor Elliott seconded. Voting was unanimously in favor/carried.

Adjourn-
ment:

At 10:21 p.m. Trustee Pope moved adjournment; Trustee Wooden seconded. Voting was unanimously in favor/carried.

Ethel B. Johnson, Clerk

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