



## BOARD OF TRUSTEES

Regular Meeting

8/20/90

7:00 p.m.

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

**Call to****Order:**

Mayor Elliott called the meeting to order @ 7:07 p.m.

**Agenda****Additions:**

Mayor Elliott moved the following additions to the Agenda: Proposed contract re dumpster stationed @ Hwy. Barns between the VOP/Wright's Disposal - & the appearance of H.S. Principal, Mr. M. Ormsby, before the VB re communication dated 8/14/90 for a Youth Counselor; Trustee Pope seconded. Voting was unanimous.

**Minutes****8/10/90:**

Trustee Pope moved that the Minutes of Spec. Bd. Mtg. on 8/10/90 be approved as written; Trustee Wooden seconded. Voting "aye" were Trustees Pope, Wooden, Gilmore & Lynch. Mayor Elliott had not reviewed, therefore, he abstained. Carried by majority.

**Minutes****8/6/90:**

Mayor Elliott moved acceptance as written of the VB Minutes of 8/6/90; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott, Trustees Gilmore, Wooden & Lynch. Trustee Pope abstained, having been absent frm. sd. mtg. Carried by majority.

**Trustee****Lynch:**

Reporting on activities in areas for which he is Trustee-in-Charge, Trustee Lynch reported that a new hot water heater installed in P&C Bldg. - vented out chimney to which furnace attached; chimney-work to be accomplished by community service person (through VOP Court); pointing being done to brick-work @ Roger's Memorial Chapel in Cemetery - Girl Scouts beginning restoration soon. Places found to store C&P equipment, etc. (some in basement of P&C Bldg.). Mr. Lynch spke. of desperate need for more C&P storage space. Short discussion on constructing new bldg. - perhaps a pole barn (SE corner).....leave small, historic bldg. as 'sales office.' Other sites for bldg. construction suggested. Prior estimate rec'd for \$6000. for a 40'x30' bldg. VOP cld. finish bldg. interior. Mayor Elliott spke. of workers frm. "Shock Incarceration Camp" in WC/work they can and can't do.

**Trustee****Gilmore:**

Trustee Gilmore spke. of F.D. concern for old tires which are stored in the TOP; VOP contracts wth. the TOP re fires - 5 lb. pails of foam used to fight tire fires costs \$70. ea. - during one fire 37 pails were used. Mr. Gilmore suggested writing to the TOP of the VOP's concern - talk of placing old tires in a pit and shld. a fire occur, smother the fire. Mr. Gilmore sd. that during TOP/VOP "dumpster days," for shredding, it cost \$1.50 per tire, the TOP/VOP Fire Contract expires on 12/31/90 - Town's budget cycle in process. Discussion on sd. contract - 1990 amt. of \$29,000. Mayor sd. that if the VOP proposes \$1,000. increase per yr. for three (3) yrs., TOP can counter propose. Trustee Gilmore so moved; Trustee Pope seconded. Voting was unanimous.

Milling to be done on W. Foster St. - working presently on driveway approaches. Re "drainage," E. Foster St., easements prepared, per Mr. R. Lape (having seen Atty. Nesbitt).

Re the contract for refuse pickup and the Mayor's suggestion to obtain other estimates (auditors have recommended); Mr. Gilmore stated that Trustee Wooden had done same - Wright's lowest. Trustee Gilmore

moved acceptance & authorization for VOP to sign the forementioned contract in amt. of \$102., which represents an increase. Determination to obtain another estimate by nxt. mtg., therefore, Trustee Pope moved to table; Trustee Gilmore seconded. Voting to table the issue was unanimous.

WC Fair:

Trustee Gilmore moved that the VB acknowledge the outstanding job Pres. H. & Mrs. Baker, the Fair Bd./Fair Assoc. & Advisory Bd. did on the 1990 WC Fair. The Fair is an important historical part of the VOP & WC, he sd.

Fire/E.

Main:

Mayor commended the F.D. for the outstanding job they did in fighting the hse. fire (unoccupied) @ 417 E. Main St. prior night - quick & efficient action by the firemen contained the fire - and pouring water on adjacent (occupied) houses saved them frm. burning, he sd. Trustee Gilmore moved that the VB write the F.D. commending them for their efforts; Mayor Elliott seconded. Voting was unanimous.

Trustee

Pope:

Trustee Pope sd. he had nothing to rpt. frm. the areas for which he is responsible.

Trustee

Wooden:

Trustee Wooden stated that a homeowner on Burnham Hts. had complained and submitted bills re a sewer overcharge - and a verbal request for a refund (approx. \$700). Discussed briefly when TOM/VOP met re the new sub-division on Burnham Hts. West he sd. The Mayor sd. the resident had come to the office previously and was asked to write a letter to the VB. Office conducting a search of records to ascertain whether or not a refund due. Having four (4) bathrooms not a factor, charge based on consumption. Subject residents own another property in the VOP - perhaps comparison being mde., per Mr. Wooden.

Assessor's

Conf.:

Trustee Wooden stated that Assessor J. Roney had requested permission to attend a conference on "assessment administration" frm. 10/2-10/5/90 @ Monticello (Rms. \$99. - \$115./Reg. fee, \$60.-\$125.). No Trustee-in-Charge of "Assessment" per the VB. Motioned by Trustee Wooden - Trustee Pope sd. no money budgeted - it was believed that membership in "Assessment" Org. held by VOP Assessor, therefore, lesser rate wld. prevail. Trustee Wooden moved to table the matter until Trustee Pope reviews budget figures; Trustee Pope seconded. Voting was unanimous.

House

Fire:

Trustee Wooden sd. that the VB must authorize CEO J. Roney to conduct inspection of house that burned on 8/19/90 @ 417 E. Main St. - hazardous condition there....Mr. Wooden sd. owner in Fla. - speculation was that owner hire something done there or Village crew board up and charge owner...Mr. Wooden then so moved inspection by CEO; Mayor Elliott seconded. Voting was unanimous/carried.

Filtration

Plant:

Trustee Wooden reported that the old filtration plant on Prospect Hill sealed (welded) shut by Mr. M. Poretta for safety reasons.

Zng.

Changes:

Mr. Wooden spke. of prior VB mtg. when public hrng. set for 9/4/90 re zng. changes recommended by Plng. Bd.; Mr. Wooden moved date change to 9/17/90 @ 7 p.m. (Local Law #2, 1990). Trustee Pope seconded. Voting was unanimous/carried.

W&WW

Min., 8/20/90--3

W&WWSub.:

Trustee Wooden sd. that W&WW Supt., Mr. H. Kruger, had suggested that 'another' VOP employee be trained to operate water/sewer plants in case of emergency - potential exists of all three (3) W&WW employees being absent; only basic operation of both plants...no tests wld. be run....Mayor suggested checking wth. Vill. Atty. re Union Contract....and working out of class. Wld. like to write all VOP employees to determine interest generated....same rate of pay employee being paid....one of two Crossing Guards a possibility. Trustee Wooden moved that the foregoing steps be taken; Trustee Lynch seconded. Voting was unanimous/carried.

Pal-MacCounsel.:

Mayor Elliott sd. that Mr. M. Ormsby, Pal-Mac Principal, requested approaching the VB re a communication dated 8/14/90 (which included Job Description, etc.) for a proposal for a youth counselor. VB to discuss upon arrival of Mr. Ormsby.

Jaycees'Re M.D.:

VB acknowledged Jaycees' verbal request to conduct "road block" fund-raiser for muscular dystrophy @ Routes 21 & 31 on Sat., 9/1/90. Discussion - Trustee Lynch moved VB sanction, however, he suggested that the grp. ck. wth. DOT (Mr. Jon Edinger) since a State highway. Trustee Gilmore seconded. Voting was unanimous/carried.

Abstract#6:

Trustee Pope moved that the Treas. be authorized to pay **Voucher Nos. 236-287** (#237 voided) in the amt. of **\$47,788.34** - along wth. **Voucher No. 235** in the amt. of **\$49.** - on which appear the initials of @ least three (3) VB members. Trustee Gilmore seconded. Voting was unanimous/carried.

Sewer RateIncrease:

Trustee Wooden sd. that during VOP budget cycle the VB determined that sewer rate increase necessary - established increase was to have been **\$34. per qtr.** - wth. adoption of '90-'91 budget believed increase to be 'automatic.' Atty. Nesbitt sd. that public hearing/Local Law necessary citing Section 21-2100 of Village Law; alternative, per Mr. Wooden wld. be to delay billing cycle (noted that bills in preparation for 9/1/90 @ old rate - **\$28.00 per qtr.**); discussion on sewer rate increase to **\$35. per qtr.** to re-coup some of loss had increase been mde. to **\$34.** Discussion on length of time involved - filed in Albany and VOP informed of same. Delaying bills wld. place rcpt. of bills close together, per Mayor. Need to look @ nxt. budget cycle, perhaps adding more to Reserve...VOP may 'have to take its lumps.' May need to raise amt. rather than small amt. now/another small increase nxt. year. Trustee Wooden asked about a 'blanket' law which cld. provide for future increases when needed.

Misc.:

The VB reviewed Agenda items under "Old Business" as follows: No info. re referring Village Elections to the WC Bd. of Election; nothing to rpt. re "Cable T.V. Franchise"; no progress mde. on "Handicapped Ramp"; no activity concerning the annexation of Rolfe St. & Bear Hill Dr. to the VOP; VB awaiting word frm. Mr. J. Martin re his req. for dedication/portion of Laurentian Dr.; Atty. Nesbitt sd. no word rec'd frm. Mr. Gerber re expansion of Swiss Chalet/req. for zng. change; disposition of VOP parcel on Clairmount still pending.

Min., 8/20/90--4

E. Foster  
Easemnts.:

Atty. Nesbitt displayed map from Engineer P. Russell re easements/E. Foster St. concerning drainage ditch. Atty. Nesbitt pointed out diagonal line going over east boundaries and property owners involved - M. McGuire, Wiseman, Venturino & Haak. Easements drawn up which will encompass Mr. R. VanHout - five properties....when approved & authorization for the Mayor to sign can be presented to property owners... if accepted/approved by property owners, no legal impediment to the VB entering into contract to perform drainage wk. Trustee Pope moved authorization for the Mayor to sign sd. easements; Trustee Gilmore seconded posing the question as to whether or not the VOP obligated to perform drainage wk. on an ongoing basis. Atty. Nesbitt sd. gives VOP 'right' to do it - not the 'obligation.' Atty. Nesbitt compared to drainage area on Stafford St. Right to go across the property - if property sold, easement goes wth. the property. Voting was unanimous/carried.

LL #3 Swr.

Rates:

Atty. Nesbitt sd. that Section 21-2100 of Village Law states publication seven (7) days prior to conducting a public hearing, following which Trustee Wooden moved that sd. hearing be held @ 7:30 p.m., Mon., 9/17/90. Mayor Elliott sd. that when W&WW Supt. re-wrote the Water Ordinance, worded so that the VB cld. change by resolution - informed @ the time that Sewer Ordinance different, i.e. local laws had to state the set fee. Trustee Pope seconded. Voting was unanimous/carried.

Policy  
Manual:

Proposed changed to VOP Policy Manual discussed briefly by the VB. Mayor sd. that under "No. 4" he had recommended instead of "May 31st", wld. recommend a shorter time - Trustee Wooden suggested "two pay periods." Employees cld. conceivably accumulate for year and then found time-off cld. not be taken. Trustee Pope sd. in general wld. work but not in some cases - Mayor spke. of "escape clause." Mayor Elliott then moved that the VB formally change overtime compensatory time-off according to Memo written and distributed (dated 3/4/90), wth. one change - Item 4 wld. read that any time accumulated subsequent to this date, compensatory time-off must be taken within two pay periods" (wld. give employee two weeks to use up). Trustee Pope seconded. Trustee Gilmore asked if all dpt. hds. had rec'd Memo and informed by

Mayor that such was the case. He sd. Chief Dalton responded that it wld. be difficult for him to take it off (speaking of his current time). Voting was unanimous/carried.

Memo dated 8/13/90 (re current time/hours) - Treas. records time shown by employees on their records; Trustee Wooden recommended that it be shown/documented when earned and taken. Trustee Lynch sd. still a problem if all earn it.....Trustee Pope sd. a question of whether or not employee exempt frm. "overtime law" - VOP not required to pay overtime or compensatory time....does VOP want to continue doing so.....two dpt. hds. who are not exempt...one questionable....two dept. hds. required by law...technically VOP wld. not be required to ....he suggested that the discussion occur in Exec. Sess. Trustee Gilmore sd. that VB had no control over (subject under discussion) to which Trustee Lynch suggested following the "letter of the law"....VB

Min., 8/20/90--5

discussed. VB agreed no problem wth. VOP paying overtime...as long a time as it does not accumulate. The Clerk asked the standing of the Village Office staff in regards to the above (herself excluded).

Mayor sd. old system best/don't count comp time - adjust when sme. time needed as does the Village Office. Mr. W. Heckman asked cld. not the VOP limit overtime for a particular dpt. hd. - if emergency comes up, the T-I-C makes decision. VB attempting to do same the VB agreed....one dpt. hd. has to receive overtime or comp time....remainder discussed further. Trustee Wooden suggested Exec. Sess. - The VB agreed and Trustee Lynch sd. that the VB shld. request dpt. hds. to attend a VB session; Mayor Elliott sd. that a good idea to postpone further discussion until future date (nxt. VB mtg.). Trustee Lynch so moved; Mayor Elliott seconded. Trustee Wooden asked for clarification re two (2) Memos in question - one says what has already happened - the other, what will happen. One working certain number of hrs. shld. go out immediately. Trustee Pope moved that the VB rescind the Memo wth. four parts; Trustee Gilmore seconded. Voting was unanimous/carried. Trustee Wooden, then, moved that all dpt. hds. be requestd to attend the nxt. VB to discuss overtime & compensatory time. Trustee Pope seconded. Voting was unanimous/carried. Trustee Wooden also made a motion re the 8/13/90 Memo covering accumulated time; the VB discussed covering in Exec. Sess.

Canaltwn.  
Parking:

The VB discussed parking for Canaltown Days; following discussion the Mayor moved that the VOP prohibit parking on 9/15 & 9/16/90 as listed on the schedule attached hereto. Trustee Gilmore seconded. Voting was unanimous/carried. Mrs. E. Hartnagel asked if VB to act upon parking regulations on Main St. during Canaltown Days; Mayor Elliott moved VB authorization be given to pay one of school x-ing guards, for example, as traffic enforcement officer - Trustee Wooden saw no reason to pass ordinance frm. 2-6 a.m. - already in existence. Cars cld. be towed. Discussion on "administrative fee" - many people receive \$5. ticket re parking and remain parked/ if checked every 2 hrs. and if car remains, add another \$5. ticket. Signs to be posted. Trustee Wooden seconded by Mayor's motion; all voted "aye"/carried.

Counselor/  
Pal-Mac:

Mayor Elliott sd. he is a member of Pal-Mac's Drug Advisory Bd. & acknowledged a communication dated 8/14/90 frm. Pal-Mac Principal, Mr. M. Ormsby. Mr. O. was to have approached the VB regarding a proposal for a youth counselor to assist wth. substance use/abuse and other health related problems and money available (\$1430.40) through WC. The VB's support of the concept by deferring previously unused funds allocated for youth services was requested. Mayor Elliott sd. that an anonymous donor had offered \$11,000. annually to pay for a counselor....Mr. O. to approach industries to make up remainder of money to pay counselor. The Mayor sd. WC needed word frm. the VOP by 8/21/90. Mr. Ormsby's prior commitment prevented his appearance, however, Trustee Lynch moved that the VOP obtain sd. money; Trustee Pope seconded. Voting was unanimous/carried. Atty. Nesbitt spke. of special qualifications for counselor.

Min., 8/20/90--6

Alcohol

Ban:

Trustee Gilmore moved that the VOP dispense wth. the "Open Container Law" for certain areas/designated times; Trustee Wooden seconded. Discussion. Mayor sd. original intent on suspension was when the Chamber sponsored the "beer tent." Trustee Lynch questioned if request had been mde. by person(s) & informed no formal request rec'd. Voting "aye" were Trustees Gilmore & Wooden; voting "nay" were Mayor Elliott & Trustees Pope & Lynch. Motion defeated by majority vote.

Citizen

Heckman:

Citizen W. Heckman asked the reason for proposed increase in sewer rates and informed by the Mayor of increased costs for sewer plant operations (hauling sludge - liquid & dry). Mayor explained process re drying beds, pressing, etc. Trustee Pope sd. VOP annually places money in Sewer Reserve. Trustee Wooden spke. of metal content in sludge - high copper & nickel, sd. Mayor Elliott.....tested quarterly & annually according to State requirements.

Adjourn-  
ment:

There being no further business to come before the VB, @ 9:20 p.m. Mayor Elliott & Trustee Gilmore moved adjournment; Trustee Pope seconded. Voting was unanimous/carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Special Meeting

8/28/90

11:30 a.m.

**Special Meeting, 11:30 a.m., 8/28/90** among Village Board members - Mayor J. Elliott; Trustees D. Gilmore, D. Wooden & T. Lynch. Absent: Trustee D. Pope. Employees present were: Hwy. Supt., P. Retan; C&P Supt., R. Weaver; W&WW Supt., H. Kruger & Chief D. Dalton, P.D. VB established mtg. to discuss VOP's needs over nxt. several yrs. re streets, sidewalks, etc.

Trustee Gilmore spke. of streets which need chip-sealing done to protect (maintenance) - what Hwy. Dept. shld. be doing...before VOP has chance to address - Jackson, Canal, etc., streets need maintenance/paving....resident on Tremont sd. ages since sd. street-wk. done there....Trustee Lynch sd. imp. to maintain streets which are 'good'. Trustee Wooden mentioned Vienna, Stafford, Fayette, Foster & Division. D. Gilmore sd. VOP cannot afford to keep a capable construction co. of doing needed type of work...more & better equipment...so many have to be laid off during winter....he sd. chip-sealing "maintenance"/paving is "construction"....

VOP shld. lk. @ 5 yrs....culverts on Prospect St. need to be done - no need to fix road until culvert done...D. Dalton spke. of Jackson St. - checking wtr. lines first. Trustee Lynch asked H. Kruger about wtr. lines which needed replacing - he suggested looking @ Main St....put wtr. main on 'that' side near curb and one on 'this' (north) side in case of problems in future..easier.

Min., Sp. Mtg., 8/28/90--2

Trustee Lynch sd. Jackson St. must be done...milling now, per D. Gilmore....sd. he'd like engineer to look @ - see what kind of base is there....if re-done, wtr. lines good for 10 yrs. not good enough, per T. Lynch. H. Kruger sd. ductal water mains good for 50-75 yrs....believes only transite line in VOP...old line a lead-joint line...T. Lynch sd. maybe he cld. take a map and identify what under street (material)....street-by-street...may-be VOP cld. get \$\$\$'s re 'lead'....if street torn up to do wtr. line, use wtr. \$\$\$'s....help defray cost of doing street. H. Kruger sd. water service frm. main to ea. hse....curb-bx... wk. in street wld. vibrate old pipes/may leak. spke. re-doing of storm sewers, wtr. mains, culverts, etc. More VOP does, per T. Lynch, more possibilities of obtaining outside \$\$\$'s. D. Gilmore sd. many hses. have galvanized pipe....spke. of Vienna St. when residents had low pressure/replaced pipe frm. curb-box to hse....had to dig up road to get @ it. J. Elliott sd. all copper....dug up in sme. areas when gas main broke...H. Kruger sd. NYSEG....need coordination....plastic water mains...wld. suggest ductal piping only....flexible...high strength. Mayor asked if VOP to pave street (as in Jackson St.) - are there large amt. who still have old galvanized curb-box? H. Kruger talked of what occurred when H. VanEtten W&WW Supt. here (company out of Rochester), VOP gave villagers opportunity of hooking into new main being put in that passed their hses. Contractor attempted charging homeowners....some pd./some didn't....H. Kruger sd. 'cards' wld. be updated....go to ea. hse. on Jackson St. & check basement/what is coming out of wall...Mayor sd. his concern was for not frm. curb-box into hse./frm. curb-box to main...shut-off - where VOP responsibility ends....are there many in the VOP still galvanized....where involved digging up street for replacement...wld. behoove VOP to replace wth. copper. H. Kruger sd. he cld. check @ hses. - cld. locate curb-box...only other option wld. be to dig up....cases where when new copper service put in, used old curb-box....if street dug up for new mains (as on Vienna St.)...replaced whole main...rather than time, effort & money... if 12' main put in, put in copper...make sure hooked into existing service....weren't going to do on Vienna....wld. let homeowner or VOP hook it....shld. put main in line wth. existing service/attached properly. H.K. spke. of having an on-site engineer to watch every move contractor(s) make.

T.L. asked for any info. he (H.K.) cld. get for Bd. - ask Kerry to put in computer; D. Wooden sd. Kerry mde. list of all streets - additions can be mde. - conditions of streets, etc. H.K. spke. of clean-up in person's frnt. yds. after new sewer - difference of opinion whose responsibility; whoever does lateral does the cleanup. Talk of finding (Jud) undeveloped lots so that laterals and curb-boxes put in (dip on W. Foster @ end of Bird-sall mentioned)....sme. stubs were put in but never recorded.... cards must be updated....T.L. asked if any money available.... H. K. sd. 'someone' in Lyons who does wk. - Mayor sd. Sharon Lilla does it; D. Wooden sd. a network in Albany (called RAIN) of grants, loans, etc. '800' #...just give topic & they'll look up. J. Elliott sd. Cty. would do, also. H. Kruger sd. when any kind of organized mtg. held, NYSEG shld. be invited....main cables undergrnd., per Mayor. Although R. Weaver's dpt., any trees that shld. come out. Need to coordinate wth. all dpts., per D. Gilmore...notify residents. R. Weaver explained re trees...depends on species of trees...shld. do street-by-street survey of trees and put on computer...survey done 15 yrs. ago, but not in computer.

H. Kruger mentioned street lights...shld. be 'flavor' of Palmyra Mayor sd. NYSEG shld be notified when doing street...elevation problem on Vienna St. - re-did every service to the homes frm. the main to 'some' point. H. Kruger sd. 'pounder' to break up st. - cement underneath...machine broke up some connections... before he (H.K.) cld. oversee - vibrating the grnd. & broke old