

VILLAGE OF PALMYRA BOARD OF TRUSTEES

REGULAR MTG

NOVEMBER 21, 1994

7:30 p.m.

PRESENT: Mayor James Elliott, Trustees - Ann Guest, Frederick Celentano. Trustee Daniel Wooden arrived at 9:10 p.m.

ABSENT: Trustee Kathleen Drews

CALL TO ORDER: Mayor Elliott called the meeting to order at 7:32.

MOMENT OF SILENCE: Mayor Elliott requested a moment of silence in memory of Matt Plesa, and Elsie Herman who both passed away last week.

MHPC REPORT: Steve Stauffer, MHPC Inc., reported that a collapse of the sanitary sewer main occurred last week on West Main Street just west of Carrol Street resulting in a sewage backup. Repairs were made by Village Crew. Steve has made arrangements with the Village of Newark to video the mains in this area for any further problems with the pipes.

West Main Street Pump Station - Valves have been checked and are not holding properly. Valves need to be serviced and gaskets replaced.

Construction on the East Foster Street water line extension has been started.

Canandaigua Lake Water Shed - Work is progressing on new rules and regulations. Committee is working with non-purveyors (municipalities whose boundaries encompass the lake but do not draw water from the lake) who have wanted official representation on the Committee. Committee is considering keeping 51 percent of vote for purveyors. Board recommended that percent should be higher.

TRANSFERS: Mayor Elliott moved the following budget transfers:

1. From contingency A1990.4 to Police - Equipment (Drug/ Narc) A3120.22 in the amount of \$3000.00. Amount is state monies and was left in fund balance, it should have been a parallel move to line item.
2. From Safety inspection, salary & wages A3620.1 to Safety inspection, Miscellaneous A3620.4 in the amount of \$1,500.00. To pay for contractual inspection performed by Village of Newark C.E.O.
3. From Water Fund Contingency F1990.4 to Water Fund - House Expenses in the amount of \$3,000.00. To pay for expenses incurred in house renovation.

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Motion seconded by Trustee Fred Celentano. Vote 3 ayes. motion passed.

ABSTRACT #12: Mayor Elliott moved that Village Treasurer, Darlene Matteson, be authorized to pay abstract number twelve vouchers number 667 through 713 in the amount of \$43,012.37. Seconded by Trustee Guest. vote: 3 ayes, passed.

ABSTRACT #11: Mayor Elliott announced that vouchers on abstract number 11 were numbers 589 through 666 in the total amount of \$50,801.44. Abstract 11 was approved for payment at the Village Board meeting of November 7, 1994.

MINUTES November 7, 1994: Mayor Elliott moved that the minutes of the Village Board meeting of November 7, 1994 be approved as written. Seconded by Trustee Celentano. Vote 3 ayes, passed.

RADIOS: Trustee Celentano moved to accept the proposal of Flower City Communications Inc. for the purchase of two mobile radios and related equipment in the total amount of \$1,392.00. Seconded by Trustee Guest. Radios will be installed in Village Highway trucks. Vote - 3 ayes, passed.

ZONING BOARD OF APPEALS: Trustee Guest moved the acceptance of the resignation of Tom Van Ness from the Village Zoning Board of Appeals. Seconded by Trustee Celentano. Mr Van Ness is moving out of state at the end of November. Vote - 3 ayes, passed.

PEACE OFFICER TRAINING: Trustee Guest moved that the Village pay one-half the cost for Animal Control Officer, Gary Rose to attend Peace Officer Training at Monroe Community College December 12-16. Seconded by Trustee Celentano. Town has previously approved payment of one-half of cost. Schooling would allow A.C.O. to enforce article 26 of the Ag. and market law as it pertains to animal cruelty. This specialized school is required to be qualified for such. Presently enforcement must be done utilizing a Monroe County Agency and they will only respond to major cases of cruelty. Vote - 3 ayes, passed.

VOUCHER: Mayor Elliott moved to add voucher number 714 in the amount of \$132.00 to abstract number 12. Seconded by Trustee Guest. Vote - 3 ayes, passed.

NYCOM MEETING: Mayor Elliott moved that Village Board members and the Village Attorney be authorized to attend the New York Conference of Mayors meeting February 26-28 in Albany. Seconded by Trustee Guest. Mayor encouraged those wishing to attend to sign up at a early date as the hotel sells out of rooms and cost savings to Village for early registration. Vote - 3 ayes, passed.

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FAIRGROUNDS: Discussion of Village zoning restrictions of Fairgrounds for building setbacks. Requirements are much more restrictive than for any commercial use in a residential area. Setbacks would require any new animal buildings to be erected in parking lot. Distance requirements of forty feet between buildings results in wasted and unusable space. This should be looked at to considerably lessen distance. Frontage and rear setbacks requiring building to be in line with existing non fair ground buildings on streets would be more realistic.

Trustee Guest moved to refer setbacks to Planning Board for their recommendations for new setbacks provisions. Seconded by Trustee Celentano. Vote - 3 ayes, passed.

VACATION PAY REQUEST: Discussion was held on request of current Village employee to receive cash payment for unused vacation pay. Mayor expressed fear of setting a precedent should other requests follow. Question of time off in future - employee aware that they would have no vacation time until their next anniversary date. Trustee Guest moved that Village Board authorize payment of current request and that a written policy to cover future requests be ready for next meeting. Seconded by Trustee Celentano. Vote - 3 ayes, passed.

DENOSKY EASEMENT: Owners of property at 354 West Main Street have made the following request in return for for storm sewer easement:

1. Install water and sewer line to the front lot line.
2. Waiver of all fees for water and sewer connection.
3. Install driveway on east side of property, over drainage system to line up with existing driveway, east side of building.

Discussion ensued on topic - Sewer connection fee is believed to have been paid in 1960's. Mayor discussed request with contractor and it will be possible to install water line when ditches are open for storm drain project. Cost of installing drive way versus top soil and seed. Figures not available but believed cost not greatly different for two. Question from resident - should break in line occur under driveway, who repairs driveway? Easements normally allow driveways in easement area but not permanent structures. The Village is responsible for repairing damage it causes in repairing line.

Trustee Guest moved that request be approved with stipulation that driveway be made of gravel not blacktop. Seconded by Trustee Celentano. Vote - 3 ayes, passed.

COMMUNICATION PROPOSAL: Mayor Elliott requested Board members to review the NYNEX proposal for Centrex service prior to next Board meeting. He will confer with Trustee Drews about proposal. Board needs to take formal action to accept or reject.

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CABLE VISION: Cable Vision Industries has notified Village of changes in service rates to their customers.

CANAL CORRIDOR: Village Board wants Trustee Wooden to arrange meeting with Village Board, Canal Committee, Master Plan Committee and Jim Coulombe, Wayne County Planning Department to discuss Canal Grant for Village of Palmyra.

EXECUTIVE SESSION 11/7/94:

Trustee Guest read letter she wrote to the Mayor relative to the apparent disclosure by a Village Board Member to a School Board Member about statements purportedly made by Trustee Guest while in Executive Session. It reportedly had been related that she had issued a "stop work order" for the joint fuel facility under construction. No such action had been taken or discussed. She believes that matters discussed in Executive Session remain in that session and are not for public disclosure and will not tolerate such matters being made public.

HIGHWAY EMPLOYEES Employees requested to meet with Board, decision was made to meet with them at 8:00p.m. on December 5.

VILLAGE CONSTABLE: Mayor Elliott moved the appointment of Gary Rose as a Village Constable with powers only as it may relate to animal cruelty. Such powers to be served as part of his duties as Village Animal Control Officer. Seconded by Trustee Celentano. Vote - 3 ayes, passed.

EXECUTIVE SESSION: Motion by Mayor Elliott to enter executive session for a matter relating to personnel and also union contract negotiations with the Board members, Village Attorney and Police Chief present. Seconded by Trustee Celentano

Police Chief Dalton left executive session at 9:30.
Trustee Wooden arrived at 9:40

PUBLIC SESSION: Trustee Guest moved that the Board leave executive session at 9:50 Seconded by Trustee Celentano. Vote - 4 ayes, passed.

UNION: Trustee Guest moved that the Village Board recognize and approve the request of C.S.E.A. to separate the police officers as a separate bargaining unit from the existing C.S.E.A. local. Seconded by Trustee Celentano. Vote - 4 ayes, passed.

CANAL GRANT: Trustee Wooden reported that he had spoken with Jeff Swain of the Thruway Authority about the canal grant. The first step for the Village would be to hire an engineer, who would do the design work and time line. Village can submit a total of five (5) vouchers for the \$100,000.00. Work performed by the Village can count as part of the Village's financial contribution. Additional grant funds could be applied for from other sources to fund Village portion of project.

ADJOURNMENT: At 10:30 Mayor Elliott moved that the meeting be adjourned. Seconded by Trustee Celentano. Vote - 3 ayes, passed.

MINUTES RECORDED BY Mayor Elliott

VILLAGE OF PALMYRA BOARD OF TRUSTEES

REGULAR MEETING

DECEMBER 5, 1994

7:30 pm

PRESENT: Mayor James G. Elliott, Trustees Frederick Celentano, Daniel E. Wooden, Kathleen C. Drews, and Ann F. Guest. Chief D. Dalton and Superintendent R. Weaver were also present.

CALL TO ORDER: Mayor Elliott called the meeting to order at 7:34 p.m. by welcoming the Political Science students from Palmyra-Macedon High School.

MINUTES: Trustee Celentano moved to accept the minutes of 11-21-94 as written, seconded by Trustee Guest, vote, 3 ayes, Trustee Wooden and Trustee Drews both abstain. Vote 3-2 **CARRIED.**

UNION NEGOTIATIONS: Mayor Elliott reported that a letter had been sent to P. Domeratz noted that Mayor Elliott was the negotiator.

TRANSFERS: Mayor Elliott moved and Trustee Drews seconded the following transfers:

\$100 from F8330.426 - Water Fund - Bldg. repairs to F8330.425 - Water Fund - Memberships and dues due to line being over budget;

Transfer \$2000 from F8320.4 - Water supply, Power & Pumping - Misc. to F8340.2 - Water Trans & Dist. - Equip. Also transfer \$1500 from G8130.4 Sewer Treatment & Disposal - Misc. to G8130.2 - Sewer - Equip/Cap. Outlay for payment of trench box and trench box and trench extension;

Transfer \$4000 from F8320.4 Water Supply, Power & Pumping - Misc. to F8330.2 Water Purification - Equip/Cap. outlay for flowmeter (another un-budgeted item);

Transfer \$5000 from F9010.8 Water - State Retirement to F8330.1 - Water Purification - Salary & Wages due to line being overexpended.

Discussion by Trustee Wooden asking who decided to transfer and to what line item. Mayor Elliott responded saying that Treasurer made the decision. Trustee Wooden noted that he would inquire to the Treasurer.

Vote taken, 5 ayes, **CARRIED.**

ABSTRACT #13: A motion was made by Mayor Elliott and seconded by Trustee Celentano to authorize the Treasurer to pay the vouchers in Abstract #13 consisting of vouchers 715 to 774 totalling \$34,758.52, vote, 5 ayes, **CARRIED.**

CENTREX: Mayor Elliott moved to accept the proposal from NYNEX of the Centrex system and deleting one additional proposed line seconded by Trustee Celentano, vote, 5 ayes, **CARRIED.**

Mayor Elliott moved to install the virtual watts service to coincide with the CENTREX SYSTEM, seconded by Trustee Celentano, vote, 4 ayes and Trustee Wooden no vote, **CARRIED.**

SENIOR CITIZEN TAX EXEMPTION: Mayor Elliott reported that NYS has changed the regulation on senior exemption with regards to property tax. Mayor Elliott spoke to the TOP and the CTY and suggested that the VOP take the new option of resinding the current local law and introducing the new exemption per resolution. Mayor Elliott suggested that the VB hold off until the decision had been made by the TOP since the figures should be the same to eliminate additional work for the assessor.

VACATION PAY POLICY: Mayor Elliott reported on and presented the vacation pay policy per the 11-21-94 VB. mtg. as follows:

VACATION PAY POLICY

The intent of vacation pay is to provide Village employees time off from regular work duties with pay for their personal rest and relaxation. When an employee is on vacation, payment for time off will be paid on scheduled paydays. Payment for this time is not paid before time is taken off.

Employees requesting to be paid for earned vacation time without taking the time off must make a request in writing to the Village Board. Requests are to be dated, state the number of hours that are requested to be paid for, number of hours due the employee at the present time, reason request is being made, and employee's signature.

Request will be voted upon by the Village Board at the next regularly scheduled meeting after receipt of request. If approved, payment will be made by the Village Treasurer on the next scheduled payday. Employees will be notified by the Village Clerk in writing of approval or denial of request.

Mayor Elliott noted that Attorney Nesbitt and he had written the policy as requested by the VB covering all the necessary points. Trustee Wooden noted that he was concerned about this opening up a president and Mayor Elliott explained that a similar request for vacation pay was made on 11/21/94 and the VB approved the request. Trustee Drews stated that if the Dept. would have a hardship allowing vacation time payment of such vacation could be possible. Chief Dalton noted that this policy would be used for those who needed the money since an employee would be giving up time off. This policy is not to fill a whole in the dept.'s labor force due to vacation. Mayor Elliott noted that the VB could approve or refuse without setting a president, and Mayor Elliott noted that sick time pay was a similar situation. Each issue could be explained and addressed.

S. Smith, Village CSEA pres., noted that the employees should be informed as to what to expect with regards to this vacation selling policy. Trustee Celentano moved to table Vacation Pay Policy with the request for vacation selling.

REQUEST FOR VACATION SELLING: Mayor Elliott introduced a written request and moved to accept the request for the selling of vacation from an employee noting that the request had been received prior to the establishment of the vacation selling policy. Trustee Wooden seconded the motion for discussion and noted that the employee would be receiving 56 wks of pay instead of 52 wks. which would be an additional expense to the Village. Mayor Elliott noted that sick time is done now which is the same thing. Mayor Elliott moved to approve the present request for vacation time, seconded by Trustee Wooden for discussion. Trustee Guest referred to and read the minutes of 11-21-94 stating that no other requests for vacation pay were to be considered until a policy was in force. Trustee Guest noted that the current request was made on 11-29-94 stating that the meeting was 8 days prior and the motion for a written policy to be written prior to any other requests had been made 8 days prior to the request. Trustee Celentano moved to table the motion. Mayor Elliott noted that tabling was not discussible and would stand.

HIGHWAY REPORT FROM TRUSTEE CELENTANO: Leaves have been picked up. Brush has been chipped. 100' sidewalks on Fayette St. complete. A water flow valve was put on Willow St. to help eliminate the water pipe freezing problem experienced last year. Christmas lights are up and 160 lights were stolen or vandalized since Saturday, 12-3-94.

Resolution needed to be done on the storm sewer.

RESOLUTION FOR MAINTENANCE OF STORM SEWERS

WHEREAS, the Village of Palmyra proposes the construction of a storm sewer crossing of Main Street (NYS Route 31) in the Village of Palmyra; and

WHEREAS, the storm sewer crossing of Main Street is a continuance of the Storm Sewer System located on easement north and south of Main Street; and

WHEREAS, the Storm Sewer Crossing for this system will be constructed on State-owned lands, utilizing a 48" steel casing, jacked and bored beneath Main Street;

NOW THEREFORE,

BE IT RESOLVED, that the Village of Palmyra approves the installation of the storm sewer and that the Village will own and maintain or cause to be maintained the Storm Sewer Crossing, installed at Main Street as above stated.

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to transmit five certified copies of the foregoing resolution to the New York State Department of Transportation.

Moved by: Trustee Guest
Seconded: Trustee Celentano

APPROVED by unanimous vote - 5 ayes CARRIED.

STATE OF NEW YORK)
 ;
COUNTY OF WAYNE)

I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Palmyra Village Board of Trustees on December 5, 1994.

Dated: Palmyra, New York
December 5, 1994

Trustee Wooden inquired as to who went against the VB policy on chipping. Darling's property was specifically mentioned and Trustee Celentano noted that he did not give permission. Mayor Elliott said that residents who get trees cut down by private contractors, should be required to have their contractors remove limbs. Trustee Wooden stated that a specific policy was made by the VB and the policy should be adhered to. Clerk Hays reported that a number of complaints had come in requesting chipping continue because the residents had a number of limbs and brush items ready for chipping.

SANTA VISIT: Trustee Drews reported on the success of the Santa visit at the Park and Club Rooms and thanked all those involved naming Clerk Hays, Deputy Clerk Elvin, Santa, Andy Sloan, the Firemen, Michelle Pollot and Ranae Snyder as Santa's helpers.

There were a few unexpected changes such as cancellations by the horse and sleigh and Canaltown Coral.

FIRE DEPARTMENT MEMBERSHIP: Trustee Drews moved to approve the application of Charles William Angelo as a new member in the Palmyra Fire Department pending a positive physical by the Village Physician, seconded by Trustee Wooden, vote, 5 ayes, CARRIED.

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NEW NO KEY PAD FOR FIRE DEPARTMENT BLDG.: Two proposals were received for the no new key pad which the FD wants installed. Trustee Drews moved to authorize the FD to purchase the new no key pad from Newark Electric, seconded by Trustee Wooden, vote, 5 ayes, CARRIED.

FIRE DEPARTMENT CONTRACT WITH TOP: Trustee Drews moved to approve the FD service contract with the TOP, seconded by Mayor Elliott, vote, 5 ayes, CARRIED.

Trustee Drews noted that a new contract upon the end of the current one would need an overhauling. Trustee Drews noted that a better process for the contract was inviting the FD, the TOP, and VOP to sit on a committee as before the same group worked out better.

COURT CONTRACT: Trustee Guest noted that a signed contract original has not been received by the VOP, however, the Town Clerk would be asked for the contract.

NO TRESPASSING SIGNS: Trustee Guest noted that the signs are up on the flag pole and the fire escape in the back of the Village Hall.

MAIL SLOTS AND COPY ROOM: P. Batterby gave Trustee Guest a price to put in two mail slots for the Court offices. The mail slots would go in the doors with a holder to catch the mail. Price for this work is \$200.

The copy room would be made out of the current storage room with a door on the North side of the room. This new door would allow night access to the fax machine, postage meter, and the copy machine by the Village Court Office and Police Department only. Trustee Guest noted that there would be better use of the equipment with night accessability. P. Batterby's price for the door is \$540.

A motion was made by Trustee Guest to accept the price of \$540 for the copy room door and \$200 for the two mail boxes on the court office doors, seconded by Trustee Drews, vote, 5 ayes, CARRIED.

LOCAL LAW #1, 1995 HISTORIC PRESERVATION LAW: A change in the proposed law would be an addition under the Historic Preservation Commission to read a minimum of 5 members with a maximum of 7 members.

A public hearing will be held on January 3, 1995, at 7:30 p.m.

A motion was made by Trustee Guest to hold the Public hearing at 7:30 p.m. on 1-3-95.

FOSTER STREET WATER MAIN PROJECT: Trustee Wooden reported that this project was at a standstill due to drainage problems making the area like quicksand. There will be some extras which MRB is working on to send to Trustee Wooden.

WATER TO TOWN OF PALMYRA: Trustee Wooden reported that last Weds. after testing, the water pressure on Stafford St. that the VOP can supply water to the Town, however, the water pressure is very low and a decision will need to be made as to who will purchase a pump. Trustee Wooden is waiting for a price on a pump.

CANAL GRANT: Trustee Wooden was contacted by the man at the Canal Authority concerning the grant on the canal work. An answer as to whether the VOP will accept the grant or not is needed by tomorrow. A map is being done by Steve Cleason at the present time.

Three (3) options are available.

items when he last actively worked for the Village. Employee Freeland must report to work not later than two (2) weeks from date of this motion, vote, 5 ayes, CARRIED.

ADJOURNMENT: Trustee Guest moved to adjourn at 12:37 a.m. seconded by Trustee Wooden, vote, 5 ayes, CARRIED.

Respectfully submitted,

Bonnie J. Hays, Village Clerk

