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VILLAGE OF PALMYRA BOARD OF TRUSTEES

REGULAR MEETING

1-6-92

7:00 P.M.

PRESENT: Deputy Mayor Daniel S. Pope, III, Trustees Thomas N. Lynch, C. D. Gilmore, Daniel E. Wooden. Mayor Elliott was absent due to illness.

CALL TO ORDER: Deputy Mayor Pope called the meeting to order at 7:08. Trustee Gilmore suggested a moment of silence for recently deceased, Larry Moran of 308 West Main Street, Palmyra, NY 14522.

MINUTES OF 12-16-91 AND 12-27-91: Motion by Trustee Wooden and seconded by Trustee Gilmore to approve minutes of 12-16-91 as corrected. Correction on Page 4 under TRASH RECEPTICLES ON MAIN STREET, first sentence, to read, Trustee Lynch reported that the Rotary Club will provide \$480 for materials and units. The words per unit to the VOP are deleted. Vote, 4 ayes, CARRIED.

Trustee Lynch moved to approve the minutes of December 27, 1991, special board meeting, seconded by Deputy Mayor Pope, 4 ayes, CARRIED.

DRAINAGE PROBLEM ON EAST FOSTER STREET: Deputy Mayor Pope noted that Mayor Elliott had visited Mrs. Lape's and asked CEO, J. Roney, if he had had an opportunity to visit Mrs. Lape's property. J. Roney stated he had not gone. It was noted that a complaint was received that Mrs. Lape's property was flooded again last week. Trustee Lynch said that he had seen Mrs. Lape's and that Mr. S. Venturino contacted him prior to the meeting to see if Trustee Lynch could look at S. Venturino's property. Trustee Lynch had noted that he could do it another day.

Easement information holding until Mr. Nesbitt arrives.

Mr. Venturino arrived and invited the VB to see his property and the ditch after the Board Meeting. Mr. Venturino noted that the pond is back draining because the ditch needs to be cleaned out. Mr. Venturino noted that the water is high at one end and not running through the ditch. Mr. Venturino noted that there was no brush and at this time the VB could see very easily where the ditch was plugged. Trustee Lynch and Deputy Mayor Pope stated that they would go and call Mr. Venturino after the Board Meeting to meet with him.

PROCUREMENT POLICY: Deputy Mayor Pope said that he and Mayor Elliott thought that the verbal quote requirements were too high and that any bid over \$1,000 should have something in writing, doesn't have to be formal but should have something written. Trustee Lynch noted that the VOP treasurer had received some information today.

Deputy Mayor Pope suggests that the amount be changed to read \$250 to \$999 on both Public Works and Purchase Contracts be verbal anything over \$1,000 be written. Trustee Lynch noted the purchase of a plow that was \$4,200 that had no written quote, Trustee Gilmore noted he had just signed a PO for approx. \$1,600. Deputy Mayor Pope noted even on emergency purchases that doesn't need bidding, but a proposal should be received in writing prior to purchase at least by fax.. It was noted that Mr. Nesbitt's fax is available for VOP USE. Trustee Wooden mentioned that there are many items that the VOP departments use throughout the year, such as chemicals for the Wastewater Plant and that a yearly price quotation may be beneficial. Deputy Mayor Pope asked if a standing order would be used. Trustee Wooden noted that the VOP could get a yearly price and hold the supplier to it. Deputy Mayor said that with a price change a new price could be given to the VOP avoid errors. Trustee Lynch agreed that this may work and Deputy Mayor Pope noted that if it did not work, the VB could amend at a later date. Trustee Wooden

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noted that the VB should look at the up coming budget and see what is purchased on a regular basis to get a yearly price.

Trustee Wooden moved that the VB accept the Procurement Policy with Deputy Mayor Pope's change of \$250-\$999 for verbal, anything over \$1,000 a written price is required as stated in the Procurement Policy. Trustee Gilmore seconded, vote, 4 ayes, CARRIED.

NOISE ORDINANCE: Concerning Stubby's and Mike Ogren who arrived and explained that the noise from Stubby's is worse on Thursday and Saturday. Mr. Ogren has to get up for work about 5:30 or 6:00 a.m. and is disturbed by the noise from Stubby's. Mr. Ogren stated that the speakers, bass primarily, was pointed toward the South, which is Fayette Street. Deputy Mayor Pope asked if the speakers could be reversed? Mr. Ogren stated that Stubby's could move the speakers. There would still be some bass but Mr. Ogren may be able to tolerate it. Deputy Mayor Pope stated that he would speak with Mayor Elliott and Mark Crane and see if the noise can be controlled.

POLLING PLACE FOR GENERAL VILLAGE ELECTION: "BE IT RESOLVED that the Board of Trustees of the Village of Palmyra have designated the Park and Club Rooms located at 149 East Main Street, Palmyra, New York, Wayne County, as the polling location for the Tuesday, March 17, 1992, General Village Election between the hours of 12:00 noon and 9:00 p.m. Motion made by Deputy Mayor Pope, seconded by Trustee Lynch, vote, 4 ayes, CARRIED.

SEAT BELT POLICY: A motion was made by Trustee Wooden to table the Police Departmental Policy on Seat Belts pending the presence of the Chief of Police at the Board Meeting, seconded by Trustee Gilmore, vote, 3 ayes, Deputy Mayor opposed, CARRIED.

Discussion followed from Trustee Gilmore who stated that he was not sure how badly we needed this policy. Deputy Mayor Pope explained that this policy would be for the VOP protection. If an employee is not wearing a seat belt it is against the policy of the VOP. Trustee Gilmore stated that he would agree in many instances but wondering about Police work--may be dangerous. Mrs. Hartnagle noted that during a high speed chase officers may need seat belts.

MARINE MIDLAND PARKING LOT: Trustee Lynch noted that a new trash receptacle would be placed in the area by the phone booth to prevent cars from cutting across the sidewalk. Trustee Lynch also noted that he requests when the snow is plowed, leaving a pile in that area also to discourage cars from cutting across the sidewalk.

CONGRESSMAN HORTON: It was announced that Congressman Horton would visit the Village of Palmyra on February 13, 1992, between the hours of 9:00 a.m. and 11:00 a.m. in the Judge's Chamber.

TRUSTEE LYNCH REPORTS: No report on the Main Street parking problem. Purchasing materials tomorrow for the trash receptacles for Main Street. Since the VOP Highway Dept. is doing the labor, the Rotary money will cover the receptacles.

MRS. WEST--LIGHT NEAR PARK: Trustee Lynch looked into this and found that the light is on church property. Trustee Wooden noted that the church had been responsible for the light, but had removed it but left the pole. Trustee Lynch noted that R. Weaver was checking into the matter.

CEMETERY DRAINAGE: Trustee Lynch contacted St. Anne's Church and said that is all that can be done.

RITE AID: A letter has been sent to Jacobi Development saying that the VOP would maintain the drain.

LIFT TRUCKS; Testing the truck from Canandaigua now. Will use it to remove Christmas lights. Will test the van/lift truck next week from Newark/Mr. Sears. Both trucks are about \$7,000 and both are used. The truck from Canandaigua has 70,000 miles on it and Trustee Gilmore noted that this does not show the total running time of the engine, and that is something to watch for. Trustee Lynch noted that the Highway Department would check out the truck prior to purchase.

TRUSTEE GILMORE REPORTS;

KENT STREET: Trustee Gilmore reported that a letter had been received from Mr. Scribner and that he was opposed to rezoning Kent Street. Another letter had been received from Paul Dean of 338 Railroad Avenue, who is in favor of the rezoning. Trustee Gilmore noted that the PLANNING BOARD MEETING WOULD BE WEDNESDAY, JANUARY 8, 1992, AT 7:30 P.M. at which time the rezoning would be discussed. Trustee Wooden mentioned the possibility of zoning overlay, change all zoning to residential with an Industrial overlay. Either Industrial or Residential could apply. Trustee Wooden requested that Attorney Nesbitt check into the possibility of this prior to the meeting on Wednesday evening.

Mrs. E. Hartnagle noted that the Town of Palmyra was concerned about the rezoning because of the Town Highway Building located in that area.

PARKING ON MAIN STREET; Mrs. Hartnagle requested of Trustee Lynch, when he checks the intersections on Main Street to check the intersection of Main and Stafford. There is a realtor's sign and pick up that blocks the view. It was noted that Mrs. Hartnagle has a low car, but the sign appears to be the required maximum height of 3'. Trustee Lynch noted and will check this.

FLBOA; A motion was made by Trustee Gilmore and seconded by Trustee Wooden to allow Jud Roney to attend the FLBOA seminar at the R.G.E. Employee Center and allow payment for a reasonable lunch. Seminar Wednesday, January 8, 1992, 8:30 a.m. to 12:00 p.m. Vote, 4 ayes, CARRIED.

MR. TRIOU'S RESIGNATION; A motion was made by Trustee Gilmore to accept the resignation of Mr. Darryl Triou with a letter going out to Mr. Triou expressing the VOP and VB gratitude for his efforts in his position on the planning board. Motion seconded by Trustee Wooden, vote, 4 ayes, CARRIED.

FEE SCHEDULE; The fee schedule presented by CODE ENFORCEMENT OFFICER, Judson Roney, was discussed at great length. Section A Residential Permit Fees consisting of 5 items were individually discussed. The surety completion deposit was explained as monies held by the VOP as a deposit which will assure builders to inform the CEO of completion of projects and/or will protect the VOP if damage to the VOP property occurs. Money would be returned after C of O. Trustee Wooden noted that there are time limits on the permit when given for completion with a provision to reapply. J. Roney stated that the VOP needs some clout to see that these (projects) are completed. Trustee Wooden noted that for an \$800 deposit people are not going to get a permit. Trustee Gilmore said that if the surety is too high then reduce it. Trustee Wooden said to take out the surety. J. Roney noted that the A.R.C. home had broken 6 sections of sidewalk during construction, however, they were given a C of O. J. Roney noted that he had gotten a \$500 surety deposit from the A.R.C. Trustee Wooden asked on whose authority J. Roney got this money. Mr. Roney said on his own authority. Trustee Wooden recommended that each situation be dealt with on an individual basis and if damage occurred the repairs would have to be made prior to getting a C OF O. Attorney Nesbitt noted the VB could specify a surety with option to waive by the C.E.O. (MR. RONEY). Trustee Wooden noted that the initial application and/or permit could state that there could be a deposit or fee required if any damage occurred to VOP property. A provision could be made to repair

any damages to VOP property prior to receiving a C of O. Mr. Roney noted that it was better to have money up front, then there would be no discussion.

Trustee Gilmore noted that he had a problem with using the discretion of the C.E.O. because the public could receive negative signals, some may need and other would not need, and too much pressure on the C.E.O. Attorney Nesbitt noted that the VOP may want to have something specific in the Zoning Ordinances to cover surety. Deputy Mayor Pope noted that it should be part of the Ordinance and not an appendix. Trustee Wooden noted that the definition should be put in the ordinance. Deputy Mayor asked Mr. Roney where these figures came from. Mr. Roney stated that he had done a study of the localities surrounding Palmyra, such as, Newark, Macedon, Marion etc., and the only one who has a surety is Newark. Trustee Wooden noted that now there is no surety and would be going to \$800. Trustee Lynch noted that he may vote no on much of this. Trustee Lynch noted that it would not be a good idea to require a C of O on any property transfer.

Discussion continued on the minimum for an addition with Trustee Wooden noting that \$40 was ok. Mr. Roney said that he still has to check and review, also that he feels that those building should pay not all residents. Deputy Mayor Pope asked Mr. Roney how much time it takes for him to work on a new residence. The C.E.O (RONEY) replied approx. 15-20 hours on a house taking three (3) months to build. How much time on an addition re kitchen. Mr. Roney said about 5-8 hours. Trustee Wooden noted that a new residence and addition should not be the same price. Trustee Gilmore thought that \$80 was too much, Trustee Wooden suggested \$50, Trustee Lynch and Deputy Mayor Pope suggest \$30. No decision was made.

A question was asked if a building permit is required on construction under 150 sq. ft. Mr. Roney stated he required one because he can then explain the various rules to the taxpayer or contractor. Deputy Mayor suggests a \$5 charge.

This discussion will continue on January 20, 1992.

DEPUTY MAYOR/TRUSTEE POPE REPORTS: Noted that the VOP is over budget on 1910.4 by \$50.17, insurance. Deputy Mayor Pope also noted that budget adjustments must be made prior to payment. Trustee Wooden noted that a procedure change is necessary.

ABSTRACT #16: A motion was made by Deputy Mayor Pope and seconded by Trustee Gilmore to authorize the Village Treasurer to pay all invoices on which appear the initials of at least three Village Board members. Voucher Nos. 644 through 701 including voucher #568, totalling \$33,438.08, vote, 4 ayes, **CARRIED.**

WAYNE CTY HUMANE SOCIETY CONTRACT: Deputy Mayor noted that this contract had not been signed and that Attorney Nesbitt wanted to look it over for possible changes.

DONEGAN: A motion was made by Deputy Mayor Pope to approve and authorize the Mayor to sign the contract from Donegans' concerning the budget work consisting of \$4,975 and out of pocket expenses for work proposed on the budget with additions being \$80/hr. and out of pocket with payment 1/2 in March and 1/2 May as stated on the contract. Seconded by Trustee Wooden, vote, 4 ayes, **CARRIED.** Deputy Mayor noted that he was going to do more of the work himself but with this being an election year it was not feasible.

EASEMENTS: Deputy Mayor Pope asked Attorney Nesbitt what the status of the easements was. Attorney Nesbitt noted that he drafted a formal easement, and actually done two easements for the Village. The County easements are limited to 10 years and Mayor Elliott has those. The easements that Attorney Nesbitt has worked on are (1) for permanent and (1) for work release.

TRUSTEE WOODEN REPORTS: A letter had been submitted to the N.Y. S. Energy Research and Development Authority concerning flow rates and drive units for the Wastewater Plant, we are waiting for a reply.

HIRING METER READERS: No action taken at this time. Trustee Lynch suggested using other VOP employees. Trustee Wooden is not really in favor of hiring meter readers, however, should hiring become viable, pay by the meter not hourly. Trustee Wooden reconfirmed that the VOP had enough employees to take care of at this time.

POLYMER MACHINE: The Polymer machine has been purchased. A purchase order has been made out. Two quotations were received and the quotation taken was \$184 difference between the machines. The machine ordered will come with a supply of polymers.

HANDICAP RAMP: Trustee Wooden submitted very extensive, detailed plans on a new handicap ramp which meets the elevations and specs. of the Wayne Cty proposal. All Board Members were pleased with the design. The consensus is to save the steps in front of the Village Hall.

CONTRACTS: Trustee Wooden will contact Lloyd Green, however, the Garlock contract automatically carries over.

Hill Cumorah water contract. Trustee Wooden will contact the proper authorities.

REPAIR TO BOILER VALVE: Trustee Wooden is having Pal-Oil check the entire furnace.

Trustee Gilmore noted that the amount the VOP receives from the Manchester, Town of for the Fire Contract may be a little more and not to be surprised.

A motion was made by Trustee Lynch and seconded by Trustee Wooden to adjourn the meeting at 9:29 p.m.

Submitted,


Bonnie J. Hays, Village Clerk

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