

Min., 6/4/90--6

Exec. Sess.:

At 9:40 p.m. Mayor Elliott moved that the VB exercise Exec. Sess. for personnel & salary reasons - wth. Chief Dalton & Atty. Nesbitt present - Exec. Sess., also, for matters of salaries. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore, Wooden & Lynch. Carried.

Reconvene:

At 11:10 p.m. Trustee Pope moved that the VB emerge frm. Exec. Sess.; Trustee Wooden seconded. Voting was unanimous/carried.

Officer J.Hall:

Trustee Pope moved that the Vill. Atty. be requested to draft a "Memorandum of Understanding" to be presented to the Union for their agreement authorizing the waiving of a Probationary period for Police Officer James Hall on a "non-precedent" basis; that the Mayor be authorized to sign said agreement to become effective when signed by both parties. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Wooden & Lynch. Mayor Elliott voted "nay" on the basis of his belief that he wld. have liked to have had "eight weeks" included in the motion. Carried by majority.

Employees' Salaries:

Trustee Pope moved that the budgeted salaries be approved (according to the salary and benefit worksheets, per the Mayor) - wth. two exceptions - that of Animal Control Officer (no increase) & Vill. Atty. J. Nesbitt (increase to \$11,000. retroactive to the beginning of the fiscal year). Mayor Elliott and Trustee Gilmore seconded. Voting was unanimous/carried.

Adjournment:

At 11:20 p.m. Trustee Gilmore moved adjournment; Trustee Wooden seconded. Voting was unanimous/carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting 6/18/90 7:00 p.m.

Present:

James G. Elliott, Mayor; Trustees Daniel E. Wooden, Daniel S. Pope III, Thomas N. Lynch & C. D. Gilmore (arrived @ 8:50 p.m.); and Vill. Atty., John B. Nesbitt.

Call to Order:

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

Minutes 5/21/90:

Trustee Pope moved acceptance as written of the Minutes of the 5/21/90 VB mtg.; Trustee Wooden seconded. Voting "aye" were Trustees Pope, Wooden & Lynch & Mayor Elliott. Carried.

Minutes: 6/4/90:

Trustee Pope moved acceptance as written of the Minutes of the 6/4/90 VB mtg.; Trustee Wooden seconded. Voting "aye" were Trustees Pope, Wooden & Lynch & Mayor Elliott. Carried.

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Agenda

Additions: Mayor Elliott moved Agenda additions as follows: Mr. Dennis Mastro, Mgr., NYSEG/Newark to approach the VB for his annual visit - & and Mr. Robert Rider, Canandaigua St. re VOP parking ordinances. Trustee Lynch seconded. Voting "aye" were Mayor Elliott & Trustees Lynch, Wooden & Pope. Carried.

NYSEG: Mr. Mastro stated that he attempts to visit all area municipalities - at least on an annual basis. He brt. the VB up-to-date on the NYSEG sub-station site (located on Park Dr.); company continuing testing (3rd phase of 5-task program; in 3rd phase identification of types of materials was done) - site was coal tar gas plant in the 1800's (closed down in 1910). Part of State program of assessing possible hazardous waste sites - NYSEG has done test borings, ground water sampling, creek and air sampling as well as testing at neighbors' homes & basements. Although technical, Mr. Mastro explained the process as well as contents found in Hathaway Creek. Materials found not listed under State hazardous waste sights or in Federal Register, etc. NYSEG attempting to identify by-products, how much there - file rpts. to State; 4th phase upcoming which is "risk assessment" - may be that NYSEG can just post the site. Risk of ingestion may mean that employees on site will be required to wear special clothing, etc. Materials in the sediment a concern that NYSEG is checking. Mr. Mastro will continue to keep the VB informed.

Trustee Lynch spke. of the Warners who live near the sub-station (opposite side of creek) and asked Mr. Mastro about mowing and trimming NYSEG property - Mr. Mastro agreed to accommodate them.

Mention mde. by Mayor of utility companies assisting wth. tree trimming in the VOP/sharing costs. Works out well for VOP.

Citizen

Rider: Mr. R. Rider approached the VB re communication he had rec'd for an unlicensed vehicle on his premises and went on to elaborate upon his objections, the law and of intent of law - Mr. Wooden sd. that Code only specifies "licensed" or "unlicensed" vehicles; CEO J. Roney conducted a survey west of Canandaigua St. - 55 people in violation of Code and ltrs. sent. Planning Bd. in process of amending Code to address situation such as Mr. Rider's. Mr. Rider asked about a situation during the time when his motor home unlicensed - wld. be happy to get a permit, he sd. Not everyone has convenience of garages. Permits a possibility, per Mr. Wooden. Mr. Rider sd. he was glad to see work being done in the above regard.

Dar-Lind: Short discussion on original plan for lights @ individual residences on Dar-Lind and why they aren't in place. Length remaining on performance bond surfaced and lamp-post placement cld. be a condition of issuing a "CofO." Water meter installation @ Dar-Lind touched upon; "CofO" shld. like-wise not be issued until water meter installed. Shld. be installed long before CEO inspects. Mayor explained that when main put in, all services were run frm. main to property line. Per P. Retan, shut-off's installed when house built. VOP will attempt

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to circumvent this in the future. In any event, minimum water bills were rendered to occupants. Lack of communication, per the Mayor.

C&P: Trustee Lynch reported that "Fitness Trail" @ Prospect Park to be in operation in week's time. Re Roger Memorial Chapel, Mrs. J. Hackett informed him that plexiglass had been donated by Mr. R. VanHout; Rotary Clb. donating \$\$\$\$'s and his belief that the Lions Clb. to do likewise. Work to be done on two (2) stained glass windows.

4th Picnic: Trustee Lynch gave a brief rpt. on the 4th of July Picnic planned for the Village Park; music @ 2:30 p.m. (folk singer) & 6:00 p.m. (Heart of NY Barber-shop Chorus). Other events include cake baking/dec. contest; balloon launch (donated by Nothnagle's); movies @ dusk. C&P Supt. to be requested to spray for mosquitoes day before picnic.

Plng./Zng.: Trustee Wooden sd. that five (5) hearings conducted prior week. Mr. Wooden moved that the VB accept the resignation of Mr. Terry Rodman as Chairman/ZBA to accept position of Acting Village Justice. Trustee Pope seconded. Voting was unanimous/carried. Trustee Wooden moved that the VB accept resignation of Mr. Joseph Frontuto, ZBA member, to pursue other interests; Trustee Pope seconded. Voting was unanimous/carried. Mr. Wooden then moved that Mr. Robert Gunkler, former ZBA alternate, be appointed to full ZBA membership to replace Mr. Terry Rodman. Trustee Pope seconded. Voting was unanimous/carried. Mr. Wooden sd. that two (2) positions remain to be filled - that of a full-time member and an alternate. Mayor suggested that VOP might place ad in paper (a procedure Macedon follows). Mr. Wooden had two (2) names; if not interested, then may advertise.

Trustee Wooden sd. that the Plng. Bd. addressing several changes to the Code - Chapter 29 specifically.

**NYCOM/
Corning:**

Trustee Wooden to attend NYCOM'S "1990 Main St., NY" mtg. in Corning, 7/25-27/90 and stated Planning Bd. member Mr. John Hudak's desire to go - Trustee Pope so moved; Trustee Lynch seconded. Voting "aye" were Trustees Pope, Lynch & Wooden & Mayor Elliott. Carried.

Dog Warden: Trustee Pope stated that he had spoken to Town Councilman A. Baran who was to have contacted Mr. D. Kemp who was interested @ one time. TOP/VOP Clks. to advertise & furnish Job Description wth. applications.

Budget: Trustee Pope sd. that sme. problems incurred wth. VOP budget due to dumpster (Spring Clean-up) having been so costly (even though cost divided wth. TOP). VB discussion on cost of curbing on W. Foster St. and amt. encumbered frm. CHIPS money. Bid opening - sole bidder (**Hynes Concrete Contractor, Inc.**, Fairport, N.Y. \$2,200 LF of concrete curb/\$14.65LF) occurred @ 4:00 p.m., 6/18/90. Trustee Pope sd. that VOP had ear-marked \$45,000. originally frm. all sources for W. Foster St. Mayor asked about granite curbing estimate rec'd for Fayette St. Hynes' bid includes all the necessary work, per Supt. Retan/Fayette St. did not.

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Clairmont

Strip:

Mayor Elliott sd. request rec'd frm. Atty. Paul T. Rubery for disposition of small, abandoned VOP parcel on Clairmont Pk. - Jeffrey's wld. like to purchase (property adjacent to Jeffrey's running between Jeffrey's/Mrs. M. Fuller's hse.); Mayor sd. he wld. recommend VOP consider if request presented in writing in which offer mde.; shld. be a private sale as opposed to public sale, per Atty. Nesbitt. Discussion on having sd. property appraised. Three (3) quotes frm. realtors wld. be free of charge, per Trustee Lynch.

Mtg. re

Drugs:

Mayor Elliott reported on his attendance prior week @ an anti-drug mtg. @ the H.S. wth. school officials; project began three (3) yrs. ago funded by the State. School officials reported that VOP Police Chief Dalton working well wth. schools.

P.D. Clerk:

Mayor Elliott stated Police Chief's recommendation to employ Miss Cynthia Countryman (P-T) @ the rate of \$5.50 p.h. during the absence of Clerk Sue Clemmons who shall be on maternity leave. Trustee Pope seconded; discussion withheld for Exec. Sess., therefore, Mayor withdrew his motion.

Pol. Officer

Freeland:

Mayor Elliott stated that Police Officer David Free-land's probationary period, in keeping wth. C.Ser. Contract, was completed on 6/13/90, therefore, moving to "Job Rate."

Lehman

Property:

Mayor Elliott sd. that he had been approached by Att. P. T. Rubery re new house built by the Lehman's on southwest corner of Foster St. & Stafford Rd. Mr. Lehman wld. like water/asked TOP about sewer and informed that to receive service wld. have to annex to VOP - for TOP's approval wld. have to have town line 'straight' which entails other properties. Cld. be an out-of-district contract - or install pipe down rd. and be a district (put in an 8' main). Three other homes cld. be out-of-district users (in the TOP on W. Foster). Atty. Nesbitt sd. he wld. not recommend "out-of-district" users; if user did not pay cld. become complicated - setting a precedent. Therefore, he suggested re water, annexation or a water district. Same for sewer - policy decision he sd. Trustee Pope reiterated VB's prior determination that sewers wld. not be extended unless annexation - Burnham Hts. cited. Trustee Wooden sd. he wld. like to see properties involved annexed - then discussion on prior requests frm. Stafford Rd. residents re water and study mde. It was stated that pump station wld. be necessary - in sme. areas water wld. run uphill. Re-capping, Mayor & VB seemed to agree - for sewer service, annexation only; water - a water district (or annexation).

Trustee Wooden sd. if new house serviced, lines shld. be large enough to extend out Stafford Rd.

Mayors'

Conf.:

Mayor gave a brief rpt. on Mayors' Conf. held in Roch., and attended by Mayor & Trustee Lynch - informative, he sd. Mayor helped chair a mtg. re new DOT requirements for commercial drivers' licenses for which manuals are not ready; municipalities must comply by 2/91. Another interesting seminar was held on employee drug policies....some items covered must be negotiated in Union Contract....downtown parking was among topics

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covered. Mayor Elliott spoke of having talked to a gentleman from NYS Cablevision/Television Commission. They will advise/assist municipalities of their rights re negotiation of Cable T.V. Contract and will contact the VOP when they can schedule a visit. VOP's contract expires in 1992.

Tn./VOP Com.
Ctr. Cont.:

Trustee Lynch moved that the Mayor be authorized to sign the one-yr. contract between the TOP/VOP in the amt. of \$19,150., subject to review by the Vill. Atty.; Mayor Elliott seconded. Voting "aye" were Trustees Lynch, Wooden & Pope & Mayor Elliott. Carried.

VOP/H-P
Cont.:

Trustee Wooden moved that the Mayor be authorized to sign the one-yr. contract between the VOP/Historic-Palmyra, Inc. in the amt. of \$2000., subject to review by the Vill. Atty.; Trustee Lynch seconded. Voting "aye" were Trustees Wooden, Lynch & Pope & Mayor Elliott. Carried.

VOP/Library
Cont.:

Trustee Wooden moved that the Mayor be authorized to sign the one-yr. contract between the VOP/Palmyra King's Daughters' Library in the amt. of \$18,000. subject to review by the Vill. Atty.; Trustee Lynch seconded. Voting "aye" were Trustees Wooden, Lynch & Pope & Mayor Elliott. Carried.

Water
Contracts:

Trustee Wooden moved that the Mayor be authorized to sign a three-yr. water contract with the Church of Jesus Christ of Latter-Day Saints - the first year wld. remain the same, \$.92 per 1,000 gallons; \$1.00 per 1,000 for 1990-91; & \$1.08 per 1,000 gallons for 1991-92, retroactive to 3/3/90 - to be paid quarterly. Trustee Pope seconded; voting "aye" were Trustees Wooden, Pope & Lynch & Mayor Elliott. Carried.

Trustee Wooden moved that the Mayor be authorized to sign a three-yr. water contract with the Village of Manchester - the first year wld. remain the same, \$.92 per 1,000 gallons; \$1.00 for 1990-91; & \$1.08 for 1,000 gallons for 1991-92, retroactive to 12/31/89 - to be paid semi-annually. Trustee Pope seconded; voting "aye" were Trustees Wooden, Pope & Lynch & Mayor Elliott. Carried.

The Town of Palmyra Water Contract to be readied for next VB mtg.

Misc.:

Re Laurentian Dr. partial street dedication, the Mayor sd. awaiting rpt. from Engineer Paul Russell; to be retained on the Agenda - referring elections' operation to WC; Cable T.V. Franchise; Village Hall handicapped ramp; Bear Hill/Rolfe St. annexation; drainage problem on E. Foster - Atty. Nesbitt & Trustees Gilmore & Hwy. Supt. Retan to physically observe the area for a better understanding of the problem on Tues., 6/19/90; proposed changes to VOP Policy Manual retained on the Agenda; electrical inspection materials @ the Cty., per Atty. Nesbitt; sale of VOP-owned Market St. property in hands of Gary Morrell, Esq. - fence put in place by Mr. R. Reinwald; Mr. N. Gerber re zng. amendment for expansion of Swiss Chalet/Fayette St. to be in touch with Atty. Nesbitt; Villages as assessing units rec'd no further action by the VB - removed from the Agenda.

Abstract

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Abstract#2:

Trustee Pope moved that the Treas. be authorized to pay V #26 in the amt. of \$1600.; V #930 & V #'s 27-77 for a total of \$82,733.40. on which appear the initials of @ least three (3) VB members. Trustee Wooden seconded. Voting "aye" were Trustees Pope, Wooden & Lynch & Mayor Elliott. Carried.

TADA RadiosVOP Veh.:

The VB held a short discussion on equipping VOP vehicles wth. two-way radios, having received quotes frm. TADA; source of funding discussed - Mayor Elliott moved tabling until nxt. mtg. so that the VOP Budget Officer, Trustee Pope, cld. look @ possible funding. Trustee Gilmore seconded. Voting was unanimous/carried.

P&C/Snow-mobilers:

The VB acknowledged a request frm. Ms. Lisa Norsen re conducting Snowmobiler Club meetings on a regular basis in the P&C Rms. Trustee Gilmore moved allowance; Trustee Lynch seconded. Voting was unanimous/carried.

Bid/Fost. St.Curbing:

Trustee Gilmore having arrived, the VB resumed discussion of the bid for curbing on W. Foster St. submitted by Hynes; Trustee Gilmore moved that the VOP accept the bid rec'd frm. **Hynes Concrete Contractor, Inc.** of Fairport - \$14.65LF/2,200 LF. (Amts. to approx. \$33,000.). Trustee Wooden seconded. Discussion on length of sidewlks. in place by Hwy. Dept. - and approx. length remaining. Further discussion on fate of several trees - catch basins (four to be installed), etc. Important that curbing done prior to sidewlks. per Trustee Pope. Trustee Lynch asked if usual or unusual that VOP rec'd only one bid. Voting "aye" on Hynes' bid acceptance were Trustees Gilmore, Wooden, Pope & Lynch & Mayor Elliott (qualified vote - may have to cut something else due to cost of curbing). Carried.

Hwy. Dept.Shut-Dwn.:

Trustee Gilmore moved that all Hwy. Dept. employees be permitted to take a "Personal" day on Thurs., 7/5/90 - and a "Floating Holiday" on Fri., 7/6/90, thereby enjoying a long 4th of July Holiday. Mayor Elliott seconded. Voting "aye" were Trustees Gilmore, Wooden, Pope & Lynch & Mayor Elliott. Carried.

E. Foster:

Hwy. Supt. mentioned that the TOP filing for assistance frm. WC re drainage on E. Foster St.

Exec.Sess.:

At 9:25 p.m. Trustee Wooden moved that the VB exercise Exec. Sess. for "Personnel" reasons; Trustee Pope seconded. Voting was unanimous.

Reconvene:

At 9:55 p.m. Trustee Gilmore moved that the VB emerge frm. Exec. Sess.; Trustee Wooden seconded. Voting was unanimous.

P.D./P-TClerk:

Trustee Pope moved authorization for Police Chief Dalton to hire, on a part-time basis, Miss Cynthia Countryman of Wolcott as P.D. Clerk @ the rate of \$5.50 p.h., effective 6/25/90 - replacing Mrs. Sue Clemmons who begins maternity leave on 6/29/90. Trustee Gilmore seconded. Voting was unanimous.

ParkingViol.:

Trustee Gilmore stated that a Vienna St. citizen had approached him again re parking on/across sidewlks., thereby blocking pedestrians. Matter to be referred to Chief Dalton for ticketing.

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Employee

Vacations: Trustee Wooden asked the VB about employee vacations & how determination being mde. - Mayor sd. that Treas. and himself began before Mayors' Conf. - unfinished/will accomplish soon. Trustee Lynch asked if any progress mde. by committee to resolve the VOP's parking problems. Mayor answered "No." Mrs. E. Hartnagel suggested appointing a new committee.

Trustee Wooden read frm. Union Contract, Pg. 9 re employees' choices - under impression that either/or - if No. 1, pd. for 4 hrs. + 8 hrs.? If No. 2, pd. for straight time? Trustee Pope clarified - if work on holiday, pd. for what worked; Pd. for 8 hrs./get 4 hrs. at another time. VB discussed @ length.

Comm.Ctr.

(W.Foster): Trustee Pope sd. that the VB shld. acknowledge ltr. rec'd on 6/18/90 frm. M/M Mark Bartholomew, W. Foster St., re complaints surrounding Comm. Ctr. Mayor sd. VOP shld. write ltr. and send copy of ZBA decision, however, they were informed of the outcome following ZBA hearing.

Adjournment:

At 10:05 p.m. Trustee Pope moved adjournment; Trustee Gilmore seconded. Voting was unanimous.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Special Meeting

6/26/90

10:00 a.m.

Present: James G. Elliott, Mayor; Trustees Daniel S. Pope III, Thomas N. Lynch & C. D. Gilmore (arrived during Exec. Sess.); Village Atty., John B. Nesbitt, Esq.; Police Chief D. Dalton; Police Officer Eric Fuehrer & Mr. S. Smith, Union Pres.

Call to Order:

Mayor Elliott called the meeting to order @ 10:05 a.m., stating that the purpose of the meeting was a "Personnel" matter; sd. mtg. was properly posted and notification mde. to the VOP official newspaper, The Courier-Journal.

Exec.

Sess.: Mayor Elliott moved that the VB exercise Exec. Sess. @ 10:06 a.m.; Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope & Lynch. Carried.

Reconvene:

At 11:00 a.m. Trustee Pope moved that the VB emerge frm. Exec. Sess.; Trustee Lynch seconded. Voting "aye" were Trustees Pope, Lynch & Gilmore & Mayor Elliott. Carried.

CurbingW.Foster:

The VB discussed curb installation/south side of W. Foster St. and confirmed the bid award mde. during 6/18/90 VB reg. mtg. to sole bidder, **HYNES Concrete Contractor, Inc.**, P.O. Box 240, Fairport, N.Y. 14450 - 2,200 LF/Concrete Curbing @ \$14.65LF (bid opening occurred @ 4:00 p.m., 6/4/90).

Audit: Mayor Elliott spoke of a required audit when utilizing HUD funds; quotes rec'd frm. Mr. Raymond F. Wager, CPA, P.C., 332 Jefferson Rd., Rochester, N.Y. 14623 for VOP fiscal year ending 5/31/88 in the amt. of \$5000. - \$6000. - and Mr. Harvey M. Nusbaum, CPA, 370 Reynolds Arcade Bldg., Rochester, N.Y. 14614 for 6/1/87 - 5/31/88 in the amt. of \$3,600.

Short discussion - Mayor Elliott, then, moved that the VOP accept the quote frm. Mr. Harvey M. Nusbaum, CPA, to provide audit service as specified in his quote dated 6/22/90 in the amt. of \$3,600.; Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore & Lynch. Carried.

Adjournment: Mayor Elliott moved adjournment @ 11:10 a.m.; Trustee Gilmore seconded. Voting was unanimous/carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting 7/2/90 7:00 p.m.

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

Call to Order: At 7:05 p.m. Mayor Elliott called the meeting to order, following which he extended the VB's sympathy to Mr. Elmer Kniest, former Court Attendant, whose wife passed away recently; the Mayor requested a moment of silence.

Park Hill: Mr. R. Setzer, Mgr., Park Hill Apts./Johnson St., did not appear to approach the VB re mowing grass alongside the road.

Citizen Haiz: Citizen Annie Mae Haiz of E. Main St. approached the VB about disturbances (noise-making, foul language, etc.) on E. Main St. during the "wee" hours of the morning - and could not something/anything be done about it. Several were running through the hallways where she lives over a Main St. business. Also, she stated that her husband has a terminal disease and very disturbing to him. She was asked if she had called the Police and notified the landlord; she stated that she had - Police just asked them to quiet down and left. Mrs. E. Hartnagel related some of her experiences and those she had heard about. Some Bd. members stated they had been approached by businessmen about the very problems as related above.

Mr. R. Lape spoke of speeders on the street where he lives - E. Foster St. Ext. Trustee Pope sd. there were disturbances in his neighborhood prior night.