

Min., 1/2/90--2

Abstract#14:

Trustee Gilmore moved that the Treas. be authorized to pay **Voucher Nos. 726-761** in the amt. of **\$10,963.99** on which appear the initials of at least three (3) VB members; Mayor Elliott seconded. Voting "aye" were Trustees Gilmore & Wooden & Mayor Elliott. Carried.

Energy Grnt.Seminar(s):

VB agreed that the VOP shld. be represented @ one of the seminars re grant application procedures - Buffalo, 1/23; Syracuse, 1/24; and Albany, 1/25/90, however, no designation mde. Need for insulation in Vill. Hall cited by the Mayor, among other needs, as a possibility for grant application(s). If VOP to be represented, reservations suggested.

SalzburgSt. Dedic.:

Mayor Elliott spke. of request by Atty. Paul T. Rubery re dedication of portion of Laurentian Dr. (approach to Salzburg Village) - area wld. include houses on East side up to first apt. bldg. Atty. Nesbitt req. Clerk to supply Atty. Rubery wth. prev. correspondence, etc. & VB's prior action.

Old Busi-
ness:

Agenda items contained in "Old Business" were not acted upon by the VB - placement on 1/16/90 Agenda, per Mayor Elliott. Please Note: Nxt. VB Mtg. referred to as 1/15/90, whereas, established @ Annual Mtg. as Tues., 1/16/90.

Adjourn-
ment:

At 7:50 p.m. Trustee Wooden moved adjournment; Mayor Elliott seconded. Voting was unanimous/carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting

1/16/90

7:00 p.m.

Present:

James G. Elliott, Mayor; Trustees Penelope K. Frontuto, C. D. Gilmore, Daniel S. Pope III & Daniel E. Wooden (arrived @ 8:55 p.m.); & Village Atty., John B. Nesbitt.

Moment of
Silence:

Mayor Elliott called the meeting to order @ 7:10 p.m., following which he called for a moment of silence in memory of Citizen Mrs. Viola Boys, whose death occurred on 12/23/89; Mr. Randy Freeland, brother of Police Officer, David Freeland, whose accidental death occurred on 1/14/90; and Citizen Harry Beach, former Fire Dept. Chief, who died on 1/11/90.

AgendaAdditions:

Trustee Frontuto moved the following Agenda additions: Appearances by Mr. Ronald Reinwald (re purchase of VOP prop.); Atty. Paul T. Rubery (re request of partial dedication - Laurentian Dr.); and Mr. Ronald VanHoute (re prior request for VOP to perform drainage work in area of proposed housing construction, E. Foster St.). Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope & Gilmore & Mayor Elliott. Carried.

Citizen
Reinwald:

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Mr. Reinwald, having submitted an offer of \$900. to the VOP for Village-owned Market St. prop. adjoining his, stated that he had no objections to paying the VOP \$1500. (the appraised figure rec'd frm. Mrs. Patricia H. Copp which included the easement - not presently an easement written into the deed....does affect the value per the Mayor). Atty. Nesbitt recommended to the VB that a contract be prepared. Disc. on width of easement - 12' agreed upon. Mr. R. sd. his interest was to control parking there. Mr. Gilmore asked did not Mr. D. Wooden (whose businesses are in the area) at one time express an interest in sd. prop. Short disc. - Mr. Wooden had not arrived yet to voice his interest or disinterest, however, he had not shown any recent indication of a desire to purchase sd. prop.

Surplus
Prop.:

Mayor Elliott, then, moved that the subject parcel on Market St. be declared surplus (site of the "old freezer locker" before demolition); Trustee Frontuto seconded. Voting "aye" were Mayor Elliott & Trustees Frontuto, Pope & Gilmore. Carried.

The Mayor moved that the VOP accept Mr. Reinwald's verbal purchase offer of \$1500. subject to a 12' wide easement for a driveway for access to adjoining properties and a contract to be drawn up the VOP Attorney and approved by Mr. Reinwald for formal acceptance. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Frontuto & Gilmore. Carried.

Laurentian
Drive:

Atty. Paul T. Rubery approached the VB, on behalf of Mr. John Martin/Salzburg Village owner, re partial Laurentian Dr. street dedication; Atty. Rubery reviewed maps and, otherwise, the prior efforts by Atty. J. DePoint on behalf of Salzburg re street dedication request - and the VB's decision (see Memo frm. Mayor dated 7/14/88 which stipulated necessary work by Salzburg prior to dedication). He mentioned the neighbors' dispute re trees, etc. which had been resolved - Mr. Martin, he sd., wld. like to renew his application, however, concerned wth. cost....contact mde. wth. engineer - JR Engineering/Newark (Mr. Paul Russell of JRE original engineer) gave an estimate of approx. \$2800. which included television camera exploration of sewer & storm drains. Mr. Martin may approach Mr. Lehman (whose property is in the Town) to acquire more prop., annex to the VOP & build another 100 units (indicating on map) oriented toward senior citizens, some of whom cannot qualify for senior citizens' housing (Towpath). Wld. benefit everyone, per Mr. Rubery, if subject prop. cld. be dedicated....Mr. Martin wld. like to cooperate with the VB. Discussed was original turn-around which is parking presently. Different frm. J. DePoint's proposal, per Mayor Elliott. Road had been in place 17 yrs. according to Mr. Rubery & he spke. of materials used in the process of street construction/has held up wth. no 'bubbles'....good drainage there. VOP wld. probably like 60' right-of-way; showed on map where Mr. Martin wld. give 120' radius....Trustee Gilmore spke. of prior VB discussioin/turn-around, etc. Mr. R. mentioned installing separate meters/curb-boxes to ea. unit....Salzburg pays approx. \$3500. per qtr. (largest individual customer, per Mayor).

Mayor spke. of mixed feelings....some properties not on Vill. sts. who bought properties yrs. ago when prop. (Salzburg) sold off - it was to have been a street....now amounts to a private road. Trustee Pope sd. he had no objections to dedication if specifications met....seem to have demonstrated that VOP standards met. If to go to top of hill before turning right, could get a 'turn-in' there, per Mayor. VB agreed that prior stipulations must be met. Mr. Rubery spke. of possibility of access on Stafford Rd./place water line on Stafford so that there wld. be a circle....VOP's past consideration of extending water line on Stafford Rd. mentioned....amt. of time involved during preliminary work and construction of Middle Schl. stated by Mr. Rubery. May be difficulty in obtaining Lehman prop. Trustee Pope sd. VOP needs to get estimate frm. engineer - Mayor sd. if VB's pleasure, wld. obtain estimate - have Resume' (Mr. Jan Kem, Newark). Mr. Rubery sd. Mr. Martin wld. have to sub-contract 'out' - decision must be mde. to first unit or top of hill, per Mayor. Trustee Pope asked if heavy traffic on subject street - pointed out that heavy vehicles, backhoe, moving vans, etc. had traveled street. Mr. Gilmore spke. of up-and-down temperatures which affect roads.

Mr. Rubery sd. not looking for 'a package' - if water & sewer cld. be dedicated and not streets - wld. be acceptable to Mr. Martin....Mr. Rubery presented construction plans to VOP for its & engineer's use. VB re-reviewed maps, portions of which had been changed re parking, etc. (bigger @ south end), and Trustee Gilmore suggested that the VB visit the site. Mr. Rubery sd. Mr. Martin wld. perhaps expend up to \$3,000. for an engineer - Trustee Gilmore emphasized that VOP shld. state "not to exceed" (\$2900. \$3000.) Mr. Pope moved that the VOP engage an engineer of VOP's choosing to obtain a cost estimate to perform a survey of the roadway, sewer & water lines & storm & sanitary sewers to the dedication lines drawn on map (as presented by Mr. Rubery) and the "loop"....also test borings, added the Mayor....Mayor to request frm. Engineer J. Kem a written quote; after estimate, VB better equipped to make a decision. Trustee Frontuto seconded. Voting "aye" were the Mayor & Trustees Pope, Frontuto & Gilmore. Carried.

Citizen
VanHoute:

Mr. Ronald VanHoute, E. Foster/Howell Sts., approached the VB re his proposed construction on E. Foster. Mr. Van Houte previously appeared before the VB, Fall '89, requesting of the VOP that drainage wk. be done. Mr. VH did install a pipe along the roadway & make a driveway - water problems persist, per Mayor Elliott (resident Mrs. Lape also has had continuous water problems). Mr. S. Venturino, who had access to the creek, installed tile for drainage on his prop. (directly in bk. of subject property); Mayor related path of water which causes the problem. VOP Highway Dept. must clean ditches along roadway (County road) - VOP must approach Cty. to see what can be done to prevent run-off along the road....even though parcels in VOP, roadway belongs to Cty. - they wld. have to do wk. along Johnson Rd. - once it gets to Foster becomes a VOP problem, per Mayor Elliott. Mr. VH sd. that in the area of the ranch hse. in rear of "Shaffer's", a ditch was supposed to have been placed there (Cty. or VOP) - or so Mrs. Lape had been informed. Mr. VH sd. water drains frm. Cemetery, also, which runs through....water runs south, per Mr.

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VH. He sd. that cracks in road @ least one inch wide. Trustee Gilmore, also, related path of water flow - eventually into "Mickey's Pond." Trustee Pope asked if area had always been a swampland - informed by the Mayor that when road put in, blocked natural flow of water. Mr. VH sd. that on the south side, there used to be a racetrack there - always dry. Trustee Wooden arrived @ 7:55 p.m. Trustee Gilmore sd. that if ditches had been maintained, wld. be no problem there - road may have slowed water down frm. crossing there (unsure of pipes underneath); disc. on depths in sme. areas & soil conditions ("sandy"). Mayor Elliot & Trustee Gilmore spke. of having 'walked' the area at one point in time in an attempt to determine a solution. Mr. VH spke. of his progress to date... began opening ditch/put small swale in (draining south - frm. the Cemetery coming underneath the road). Trustee Wooden spke. of Hwy. Dpt. scheduling then cleaning ditch(es) frm. Mrs. Lape's hse. down to Dr. Smith's office..... easements touched upon.... then sd. that a "drainage study" needed in VOP. Talk of borrowing "Drott" machine frm. TOP. Mr. VH sd. that Mr. D. Thompson bought prop. also in area (borders M/M Clark); portion owned by the "Wizeman Estate," per Mayor. Discussion discussion/Mr. VH departed.

Minutes
12/18/89:

Trustee Frontuto moved acceptance of 12/18/89 Minutes as written; Trustee Pope seconded. Voting "aye" were Trustees Frontuto & Pope; Mayor Elliott & Trustees Wooden & Gilmore abstained (due to late distribution, the aforementioned VB members sd. they had not reviewed). Motion defeated.

Minutes
1/2/90:

Mayor Elliott moved acceptance of 1/2/90 Minutes wth. correction - 1st page, last sentence....re Highway, "resolution unnecessary", VB agreed that Highway wld. salt it but that a motion to do so was unnecessary. With sd. change, Trustee Gilmore seconded. Trustees Frontuto & Pope abstained; Mayor Elliott & Trustees Gilmore & Wooden voted "aye". Carried by majority.

Cemetery
& Parks:

Trustee Frontuto spke. of and so moved acceptance of quotes rec'd re repair(s) @ P&C Rms., i.e. tearing off sm. tin roof (which leaks) of window bays (Jaycees' Rm.) & installing new plywood and new, rolled roofing, quote of \$500. rec'd frm. Mr. J. R. Lefever; another quote of \$395. frm. Mr. Paul Batterby for repairing dry rot on frnt. porch (replace three pcs. of matched & beaded ceiling boards in overhang, replacing rotted soffit support, reinforce end of hip rafter (not inclusive of painting - to be completed by end of 4/90). Part of Trustee Frontuto's motion was that the Mayor be authorized to sign contracts re above. Trustee Pope seconded. Voting was unanimous by the VB on this issue.

Quote repair rec'd frm. Young's Cabinet in Newark re cannon in Village Park (rebuild spokes/wheels - 1st wheel entails big expense) @ a cost of \$3,325. Discussion. Trustees Gilmore knew of craftsmen who might accomplish - will obtain estimate - question arose whether roof cld. be built over subject cannon. Young's performs excellent work, per Trustee Wooden. No action taken on this issue.

Schooling
C&P Supt.:

Trustee Frontuto sd. that the workshop for which the VB authorized C&P Supt., R. Weaver, to attend in Jan. '90 did not occur due an inadvertent lack of

communication; under consideration is a similar workshop during Feb. '90 in State College, Pa. & Boston which he wld. like to attend - will check into cost of mileage as opposed to taking VOP vehicle, etc.

Cemetery truck in process of being repaired by the Hwy. Dept. per Mrs. Frontuto.

Zoning & Planning:

Trustee Pope stated that he was attempting to negotiate for a VOP/CEO - VOP has 2-3 zoning violations per week. May look @ hiring separate zoning/building officers - will try to build into '90-'91 budget. Trustee Wooden asked why not req. P.D. to function in capacity of enforcement during interim - perhaps few \$50. fines wld. help! In cases where only a formal complaint registered asked by Trustee Pope.....discussion...wld. get some citations issued, he sd. Although Chief Dalton was not present for consultation, wld. be available by phone he sd., however, cld. be informed nxt. day.

Highway Dept.:

Trustee Wooden sd. that Hwy. crew wld. be repairing potholes when weather permits (are numerous, he sd.). Sme. were brought to his attention. He also stated that Hwy. short one employee due to illness.

Lights:

Estimate rec'd for \$120. re lights on the "P.D." side of Vill. Hall; few out on W. Main St. & ones which spotlight the MIA Flag on the Vill. Hall burned out.

F.D. Apps. Membrshp.:

Trustee Gilmore submitted the name of Mr. James Winston, Canandaigua Road, for F.D. membership and moved acceptance pending successful completion of a physical exam. by the VOP Physician. Trustee Pope seconded; voting "aye" were Trustees Gilmore, Pope, Wooden & Frontuto & Mayor Elliott. Carried.

Trustee Gilmore also submitted the name of Ms. Deborah Fraser, for F. D. membership - ambulance only - and moved acceptance pending successful completion of a physical exam. by the VOP Physician. Trustee Frontuto seconded. Voting "aye" were Trustees Gilmore, Frontuto, Wooden & Pope & Mayor Elliott. Carried.

Trustee Gilmore sd. he had rec'd blueprints frm. WC Planning Office re handicapped ramp; he asked the Clerk to order new Flagpole Flags - two in process of being repaired by Mr. Wooden.

State DOT:

Mayor Elliott sd. that he & Chief Dalton met recently wth. DOT's Messrs. J. Edinger (Engineer/Newark) & L. Sherman of the Rochester Regional Office re the VOP's request for a change in "markings" on Main St. No drawings done since 1920's, therefore, need current drawings - to scale....State will accomplish....asked if the VOP wld. forego diagonal parking on Main St. and discouraged by Mayor. Trustee Wooden sd. he did not comprehend the problem wth. "markings" re lanes & informed by Mayor that change wld. occur going both ways - if there's a turning lane can't have oncoming lane in front of it - need two (2) turn-lanes....may change angle of parking (re diagonal), cld. prevent sme. accidents.

Mayor sd. State DOT had acknowledged VOP's ltr. requesting that they look at speed limits on Route 21S.

Budget

Min., 1/16/90--6

Budget
Sched.:

Budget schedule rec'd frm. Donegan's; if problems exist wth. dates/times, Mayor asked that Trustee Pope be informed.

Legis.
Mtg.:

Mayor Elliott announced that the annual NYCOM-sponsored Legislative Mtg. to be held in Albany on 2/25-2/27/90. He pointed out the advantages to attending. No commitments mde. as yet frm. VB re attending sd. mtg.

Election
Wkshp.:

NYCOM-sponsored Village Election Workshops to be conducted in Feb. '90 - closest wld. be on 2/15/90 in Syracuse. The Mayor sd. that the Clerk & Dpty. Clk. might want to go. Will discuss wth. other Clerks @ 1/17/90 WCVOA Dnr. Mtg. @ "Something Different," hosted by VOM.

Judge
Assign.:

Mayor Elliott sd. that the VOP had rec'd the annual communication frm. the Rochester 7th Judicial Dist. re the VOP's participation in the temporary assignment of Judges. He sd. that although Judge J. Baynes had not rec'd temporary assignment in another area, he wld. like to be included. Trustee Wooden so moved; Trustee Frontuto seconded. Voting "aye" were Trustees Wooden, Frontuto & Pope & Mayor Elliott. Carried. (Trustee Gilmore was out of the room when voting took place.)

Town
Auction:

TOP to conduct annual auction on 5/19/90 @ Town Barns. Mayor sent Memo to dpt. hds. to list unused items for VB to declare surplus/place in auction.

Audit/
Treas.:

The Mayor stated that the Village Treasurer's records must, by law, be audited annually; to be accomplished during nxt. VB mtg.

Abstract
#15:

Trustee Pope moved that the VB authorize the Treas. to pay Voucher No. 707 (frm. 12/18/89 mtg.) & Voucher Nos. 762-811 for a total amt. of \$37,726.91. on which appear the initials of at least three (3) VB members; Trustees Frontuto & Gilmore seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden. Carried. Mayor Elliott did not register a vote.

Cable
TV:

Cable TV discussed briefly by the VB and that there wld. be a rate increase in near future. Comparison mde. of local Cable TV costs and benefits and those in other areas. The Cable TV franchise to be retained on the VB Agenda.

Misc.:

No VB action taken on easements (Canandaigua St. re Triou Estates); no indication if anyone frm. VB to attend workshop on "Energy Grants"; nothing new to rpt. re VOP/TOP sharing a mechanic; no recent action taken on Bear Hill/Rolfe residents' request/petition for annexation to VOP.

Library
Funding:

The VB discussed the Fall communication frm. Library rep., Mrs. P. Schade, which contained request for additional funding (in '89/'90 budget cycle the funding request was reduced in amt. of \$2,000.). Trustee Pope sd. that budget adjustments had not occurred. Must be done prior to VB attempting to fulfill Library request. The Mayor sd. that the VB had indicated a decision to Mrs. Schade in Jan. '90, therefore, he wld. contact Mrs. S. that matter pending.

Griev.

Day:

The Mayor sd. that State Law requires municipalities to conduct Grievance Day on the third (3rd) Tuesday each Feb., the date for which is 2/20/90. Since the Central Office closed for Presidents' Day on 2/19/90, the VB mtg. scheduled for 2/20 also. Two (2) Trustees' schedules wld. not permit them to be present on 2/20. Discussion only on changing the date of the VB mtgs., however, the Mayor moved that the VB establish the following hrs. re Griev. Day: 4:00 - 6:00 p.m. and 7:00 - 9:00 p.m. in conjunction wth. the Assessor. Trustee Frontuto seconded. Voting "aye" were Mayor Elliott & Trustees Frontuto, Gilmore, Wooden & Pope. Carried. Whether or not VB mtg. sched. for 2/20/90 to be changed to be determined @ 2/5/90 mtg.

Credit

Cards:

Trustee Wooden questioned VOP's use of credit cards - it wld. seem, he sd., that there wld. be no control of same. Atty. Nesbitt stated that by law, uses for credit cards limited - may be used in 'some' instances. No action taken by the VB.

Employee

Vacations:

Trustee Wooden asked about department hds. and their respective vacations - a matter which came up in recent past. The Mayor has the power to request clearance by State law, according to Mayor Elliott. It came about, he sd., when dpt. hds. took vacation time and the Office/he were not informed. Since a "Personnel" matter, Trustee Wooden, @ 9:05 p.m., moved that the VB exercise Exec. Sess. upon the suggestion of Trustee Pope who seconded - full VB to be present along with Atty. Nesbitt. Voting "aye" were Trustees Wooden, Pope & Gilmore. Voting "nay" were Mayor Elliott & Trustee Frontuto. Carried by majority.

Reconvene:

At 9:40 p.m. Trustee Gilmore moved that the VB emerge frm. Exec. Sess.; Trustee Frontuto seconded. Voting was unanimous/carried.

Adjourn-

ment:

Trustee Gilmore moved adjournment @ 9:42 p.m.; Trustee Pope seconded. Voting was unanimous/carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting

2/5/90

7:00 p.m.

Present:

James G. Elliott, Mayor; Trustees Penelope K. Frontuto, C. D. Gilmore, Daniel S. Pope III & Daniel E. Wooden & Village Atty., John B. Nesbitt.

Call to Order:

Mayor Elliott called the meeting to order @ 7:05 p.m., following which he welcomed Mrs. Elaine Hartnagel as the newly assigned reporter from the Courier-Journal.

Minutes

12/18/90:

Trustee Frontuto moved acceptance as written of the 12/18/90 VB Mtg. Minutes; Trustee Pope seconded. Voting "aye" were Trustees Frontuto & Pope & Mayor Elliott. Carried (Trustees Gilmore & Wooden had not arrived to be included in the voting).

Min., 2/5/90--2

Minutes1/16/90:

Trustee Pope moved acceptance as written of the 1/16/90 VB Mtg. Minutes; Trustee Frontuto seconded. Voting "aye" were Trustees Pope & Frontuto & Mayor Elliott. Carried (Trustees Gilmore & Wooden had not arrived to be included in the voting).

Trustee Gilmore arrived @ approx. 7:10 p.m.

Cemetery & Parks:

Trustee Frontuto reported a minor accident wth. Cemetery truck caused by another party; reported to insurance co./repairable by VOP employees.

Request for use of P&C Rms./Park by 4-H for "Mini-Winter Day" on 1/19/90; Trustee Frontuto so moved & Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope & Gilmore & Mayor Elliott. Carried.

Communication frm. G. Scouts re a requested schedule change - frm. Tues. to Thurs. afternoons weekly frm. 3-4 p.m. beginning 2/1/90.

Zoning & Planning:

Trustee Pope stated that Mr. Jud Roney employed, effective 1/26/90, as VOP Code Enforcement Officer (in addition to his role as VOP Assessor).

Budget:

Trustee Pope sd. that budget sheet requests distributed & return requested by 2/15/90; shift to be mde. in compliance date - contact to be mde. wth. consultants - 21st seemed agreeable to VB.

Problem discovered after fiscal year began re P&C Rm. budget, according to Trustee Pope, as monies placed elsewhere. Will require moving \$\$\$'s frm. Contingency to balance the budget - \$10,000. to be removed frm. the TE2 Acct. - revenue side. All 'moves' to be mde. @ one time (including salaries). Mayor Elliott sd. that in Memo to dpt. hds., three-yr. projection for projects omitted....Trustee Pope to accomplish.

VillageHall Wk.:

Trustee Gilmore sd. that new quote rec'd frm. Adams Construction Co. re east side gutters & downspouts (better grade) on Vill. Hall... Mr. Adams felt necessary to utilize heat tape - cost, \$2350. Mr. Gilmore moved that Mayor Elliott be authorized to sign acceptance agreement on behalf of the VOP; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Frontuto & Mayor Elliott. Carried. Mr. Gilmore stated that east side roof problem to be resolved, hopefully, within year's time; would not affect above work (cld. be removed). Trustee Pope questioned underwriters re safety of heat tape and no problem exists if "UL listed," per Mr. R. Lester (who was to approach VB later in mtg. re electrical inspections).

P. D. lights discussed & approved in amt. of approx. \$129.

Few dog & cat problems exist, per Mr. Gilmore. Chief Dalton sd. that Animal Control Officer to place ad in paper and fines to dog-owners who violate Law.

W&WW &P.D.:

Nothing to report in sd. areas, per Mayor. Chief Dalton spke. of six (6) officers' schooling attendance and having passed course.

Mayor Elliott sd. that VOP request for changing speed limit, 21S, denied @ present by State - volume of