

Min., 9/17/90--5

asked about hike in water rates - "everyone talks about old line frm. Canandaigua Lake which might have to be replaced".....Mayor Elliott sd. could happen @ any time, however, old pipe broken by contractor few yrs. back revealed the line to be in excellent condition - withstanding wear-and-tear very well.

Trustee Wooden spke. of cost for having water tested - looked @ ways for reducing costs...State easing regulations for removal of sludge...allowing some to be sold to farmers. Mayor sd. he and W&WW Supt. had looked into composting..Town of Manchester built composting facility for under **\$100,000.** - didn't pay hauling rates - had a product @ end that cld. be sold, however, State discontinued issuing composting permits. State has begun to re-think, the Mayor sd. Manchester's quality of sludge no better than VOP's - they dilute, mix wth. wood chips then composted...run through 'screener'.....sold to landscapers...waiting list...can't produce enough compost to supply the demand. Trustee Wooden sd. that sludge sent out has to be tested periodically for metal substances. Mayor sd. VOP's operation good - improvements mde. to Sewer Plant in recent years make it much more efficient....domes added.... filters became more efficient - all of which were cost-saving measures....primary digester was insulated....new clarifer was added...gas burners started and an even temperature maintained. Mayor reported on cost of sludge hauling during current year. Newark must close one cell which costs approx. **\$2. million** to cap sme. - costs more to open one! Must have good income coming in to pay all-around costs.

At 8:50 p.m. the Mayor declared the public hearing closed; when there were no further comments or questions.

**Clairmount
Park:**

Re transfer of Clairmount Pk. property, Atty. Nesbitt sd. ltr. to Atty. P. Rubery (copies dist. to VB)....transfer for price stated (**\$1500.**), minus abstract and survey and the division between two prospective buyers (Drews & Jeffreys). No word bk. frm. Atty. Rubery.

**P.D.
Equip.:**

Mayor Elliott moved that the VOP expend **\$3200.** on P.D. equipment - and that the money come from the Contingency Acct., **A1990.4** to **A3120.22.** Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Lynch & Wooden. Carried.

**Adjourn-
ment:**

Trustee Lynch moved mtg. adjournment @ 8:55 p.m.; Mayor Elliott seconded. Voting "aye" were Trustees Lynch, Wooden & Gilmore & Mayor Elliott. Carried.

Reconvene:

Trustee Wooden requested that the VB reconvene for the purpose of the appointment of Mrs. Elaine Hartnagel, 445 Stafford St., as an alternate member of the Village Planning Board; Trustee Gilmore seconded. Voting "aye" were Trustees Wooden, Gilmore & Lynch & Mayor Elliott. Carried.

Trustee Lynch, again, moved VB mtg. adjournment @ 9:00 p.m.; Mayor Elliott re-seconded. Voting "aye" were Trustees Lynch, Wooden & Gilmore & Mayor Elliott. Carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting

10/1/90

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 Nesbitt arrived @ approx. 9:00 p.m.

Call to Order: At 7:15 p.m. Mayor Elliott called the meeting to order.

Minutes 9/17/90: Trustee Gilmore moved that the 9/17/90 VB Mtg. Minutes be accepted as written; Trustee Lynch seconded. Voting "Aye" were Trustees Gilmore, Lynch & Wooden & Mayor Elliott. Carried. Trustee Pope abstained due to his absence frm. sd. mtg.

Minutes 9/4/90: The 9/4/90 VB Mtg. Minutes having been tabled during 9/17/90 Mtg., Trustee Pope moved the Bd.'s acceptance as written; Trustee Wooden seconded. Voting "aye" were Trustees Pope, Wooden, Gilmore & Lynch & Mayor Elliott. Carried.

Minutes 8/28/90: The Minutes of 8/28/90 were not available as of 10/1/90.

Trustee Gilmore: Trustee Gilmore reported that the Hwy. Dept. had been patching (blacktop) portions of Market St., Birdsall Pkwy. & parking lots. Talk of chip-sealing Birdsall within nxt. yr. wth. stone left over frm. W. Foster St. (chip-sealing preserves). Trustee Lynch asked about "hot tire" patching for filling holes, seams...Mayor sd. avoids water seeping in & causing "pot-holes". Trustee Gilmore cited Vienna St. as a VOP st. which needs chip-sealing. Mr. R. Lape spke. of condition of E. Foster - Mr. Gilmore spke. of water/drainage problem in sd. area. Tentative milling dates for milling W. Foster, 10/4 & 10/5/90 - tentative dates for paving, 10/8, 9 & 10/90 (depending upon weather).

Trustee Wooden: Re W&WW, Trustee Wooden sd. VOP rec'd rpts. frm. Dept. of Health re "testing" on weekends - not done previously on weekends (must be done every day). DEC makes an unannounced inspection every yr., per Mayor Elliott. Mr. Wooden sd. portions of new part of plant needs sme. work - MRB Engineers to make determination (wld. have to pay engineer), however, according to W&WW Supt., H. Kruger, contractor wld. come bk. to do work @ no cost to VOP.

Zoning hearing on 10/9/90 re Mr. M. Poretta's porch roof addition (103 Vienna St.). Mr. Poretta has also approached VB (by ltr.) to re-zone his property frm. R-1 to Commercial - referred to Plng. Bd. he sd. Atty. Nesbitt preparing LL re zoning changes as recommended by the Plng. Bd.

Trustee Wooden suggested/recommended the VOP appointing MRB as "Village Engineers" either on hourly or "as needed" basis - small enough a company to accommodate small municipality such as the VOP - have specialists in areas needed by VOP (better than 'individual') Mayor recommended "as needed" basis - had served VOP satisfactorily. No further action taken in this regard by the VB.

Trustee Lynch: Trustee Lynch reported on painting trim of P&C Bldg. - scaffolding rented/frnt. finished - sides and back remaining. If C&P workload too heavy, may just put primer on parts where scaffolding not needed. Mr. Lynch spke. of 'crack's in arch-way @

Min., 10/1/90--2

Cemetery which must be fixed; sm. Village-owned section in area of Mrs. Frances Beatty's hse. on Liberty St. which became overgrown & needs attention - C&P Supt. to remedy. Former VOP street, per Mayor. Areas of poor visibility cited by Trustee Gilmore - Holmes St., Brookside Terr. & Vienna St. VB discussion - Mayor spke. of rights-of-way....all vary in VOP. Mr. Wooden sd. he had been approached by resident re cemetery on Church St. (hill) discussed/agreed by VB it is poorly maintained (Mayor pointed out that the Town maintains somewhat - NYS law...if one veteran buried there, must be maintained...done @ one time by Mormon Church). Suggestion mde. that the VOP maintain for reimbursement (Town Hwy. Items 3&4 mentioned). Mr. Gilmore suggested "community service" assignment.

TrusteePope:

Trustee Pope announced that a mtg. wld. be held @ 9:30 a.m., 10/4/90, in the Town Office among Town Councilman, Mr. A. Baran; Mrs. Beverly Hickman, Town Clerk; Mr. Roger East, Animal Control Officer & himself to determine payments to Mr. East (division between TOP/VOP). Mr. Pope pointed out that Town's responsibility to supply services.

Pigeons:

The VB discussed the problem throughout the VOP wth. pigeons (out of control). No determination mde. by Bd. Mr. Pope sd. had been resolved in other areas by placing falcons in area. Formerly trapped in VOP.

HandicappedRamp:

Trustee Pope sd. that the problem of bldg. handicapped ramp still persists; Trustee Lynch sd. he talked wth. a local mason about the Vill. Hall handicapped ramp...he (mason) wld. like to discuss wth. VB - contractor work together wth. VOP crew in order to cut VOP costs. Mr. Pope spke. of D&C article re compliance....Federal laws, etc.

Ct.Clks.'Conf.:

Trustee Pope moved authorization for VOP Court Clk., Mrs. Jeanne Drake and Ct. Clk. Trainee, Mrs. Linda Ingrahm, to attend the Annual Conf. @ the Fallsview Hotel, Ellenville, on 10/15 & 10/16/90. Cost of the two-day conf. for members, \$67. per person/per night (total cost \$268., plus mileage reimbursement). Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Lynch & Wooden & Mayor Elliott. Carried.

Abstract#9:

Trustee Pope moved that the Treas. be authorized to pay Voucher Nos. 392-440 in the amt. of \$21,885.08 on which appear the initials of @ least three (3) VB members; included also, approval for V#391 in the amt. of \$1600., sd. ck. having been done manually. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Wooden & Lynch. Carried. No vote recorded for Mayor (had not reviewed Vouchers, he sd.).

P.D.:

Mayor sd. that in last Union Contract the P.D. Dept. became eligible to switch to 384D re retirement - wld. affect all P.D. members (20-yr. retirement plan). VOP now in compliance wth. Contract.

Canaltwn.Wrap-Up:

Mayor sd. Trustee Lynch and himself attended the wrap-up mtg. re Canaltown Days - deemed a success by Committee. VOP rec'd comments on clean-up detail - excellent....Parks crew finished on Monday what

Min., 10/1/90--3

Committee didn't. Trustee Pope recommended placing letters of commendation in employees' "E" files.

Wyne. Cty.
ARC:

Mayor sd. that the Wayne Cty. ARC proposed establishing a community residence @ 416 E. Main St. for mentally and physically disabled clients (12) - wld. provide 24-hr. care - following site selection the VOP has deadline for rejection (11/6/90); if rejected, VOP must provide alternate site within the VOP. The Mayor went on to explain procedure (VOP had been involved on previous occasions wth. ARC & site selections). VOP to conduct public hearings/informational mtgs. Materials suggested that the VB decline frm. voting upon during public hrng./shld. be done @ a regularly scheduled mtg. VB reviewed dates they were available - 7:00 p.m. 10/22 or 10/23/90 acceptable to most (check availability of Firehall for mtg.).

Homecoming
Parade:

Pal-Mac Homecoming Parade to be held @ 11:00 a.m. on Sat., 10/6/90 - Hwy. to place barricades and detour signs - P.D. aware, per Mayor.

In-Hse.
Audit:

Trustee Pope moved that the VB accept and place wth. the Minutes the Treas.'s Rpt. which had been audited by the VB - and found to be substantially correct. Mayor Elliott seconded. Voting was unanimous/carried.

Labor
Seminar:

Mayor Elliott moved authorization for attendance by any VB member or the Vill. Atty. @ a Seminar, "Transformation of American Labor Relations," on Wed., 10/31/90 in Roch., sponsored by Cornell University. Trustee Pope seconded. Voting was unanimous/carried.

JSEC/Emp.
Benefits:

The VB sanctioned the attendance of any member to participate in the Annual Job Service Employers' Committee luncheon-mtg. @ The Farm Rest., on Wed., 10/24/90; Trustee Pope indicated his desire to attend - Clk. to make reservations.

NYCOM Leg.
Program:

Mayor Elliott moved authorization for any VB member to attend the NYCOM 1991 Legislative Program on Mon., 11/12/90 @ the Gideon Putnam Hotel in Saratoga Springs; Trustee Pope seconded. Voting was unanimous/carried.

Rural
Affairs:

Mayor Elliott moved authorization for any VB member to attend the 4th Rural Affairs Conf. in Albany on 10/16/90 - Gov. M. Cuomo, guest speaker. Mayor sd. \$20. fee (+ mileage) - suggested attendee(s) arrive in Albany previous night. Trustee Gilmore seconded. Voting was unanimous/carried.

Cable T.V.:

Short VB discussion on Cable T.V. - Trustee Pope posed some questions re Fingerlakes Cablevision & GRC/Roch. VOP's contract to expire in 1992, per the Mayor. Cable T.V. owned by gentleman in Liberty, he sd. - will inquire if VOP cld. switch to GRC.

Misc.:

Mayor Elliott stated no new developments re annexation (Bear Hill/Rolfe St.); nothing new to report re Mr. Gerber's request for expansion of Swiss Chalet.

Federal
Express:

The VB, again, acknowledged the request frm. Federal Express to place a "drop box" in the area of the Vill. Hall. VB agreed that Main St. too congested; suggestion was entrance to North parking lot...UPS

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pick-up @ Agway discontinued...maybe merchant(s) - ask Chamber.

Easements/
E. Foster:

Trustee Gilmore sd. he & Trustee Lynch spke. wth. Mr. McGuire - indicated they were in favor of easements...distance of 75 to 100' past McGuire's property line....hedge-row was the creek...must obtain easement frm. Mr. Clark....east of junction sme. grown-up brush...approx. 1000' outside VOP. Town seems to have "bowed out" of situation....will cost approx. \$50. p.h. for bulldozer (or 'crawler') wk. Mayor sd. if small 'crawler' needed, the Koeberle's own one...VOP used previously....Mr. Lape asked wld. land, after work done, be returned to orig. state..... he sd. they were being taxed on land not usable in that area - sd. may be time to request reassessment (Mrs. Lape presented affirmation ltrs. frm. friends/neighbors to VB & produced pictures of their property in prior yrs. wth. nice backyd. - garden/flowers)..other problems in area-mosquitoes, trash dumping, speeding, etc. - problems existed for over two-yr. period. Mrs. Lape felt Mr. Venturio's pond/beach main cause of flooding on her property. Trustee Gilmore expressed VOP's concerns and agreed taking long time - ditch there prev. & blocked..detrimental effect. Mr. Gilmore went on to speak of ditch & natural flow of water (unknown) - when done/blocked, Town performed wk. Mrs. Lape sd. it had been a 'babbling brook' - Mr. VanHout sd. if done carefully, cld. level ground as he cleans ditch out.....unknown how many trees to be removed, per Mr. Gilmore....area inspected by all VB members & Vill. Atty. Important that wk. be done in Fall per Mrs. Lape or they will have identical problem in Spring. She spke. of cost of spraying & 'bug zapper' in order to control mosquitoes.

Mr. Lape spke. of "30-yr." time period & neither municipality wld. accept responsibility; Mr. Lynch sd. 'maintenance' a good point - VOP shld. hold Town responsible for maintaining once wk. accomplished. Wld. have liked Town's cooperation...Mr. VanHout to build hse., then houses, in area & pointed out by Mr. Gilmore wld. add to tax base....wld. also be paying Town taxes - Town shld. maintain. Mrs. E. Hartnagel suggested more cooperation frm. Town wth. VOP - wk. things out (attends both municipalities' mtgs. she sd.). TOP/VOP wk. together well in other areas (Hwy. Depts. pointed out). Mr. Gilmore sd. he did not believe in "making deals." VB pledged to resolve the problem as soon as possible.

Trustee Gilmore then moved that the Vill. Atty. draw up easements re E. Foster St. (in area of drainage problem) - and that Mayor Elliott be authorized to sign sd. deeds. Trustee Pope seconded. Voting was unanimous/carried.

Market
St.Prop.:

Mayor Elliott sd. that payment of \$1500. rec'd by VOP - payment of sm. parcel of Market St. frontage land sold to adjacent prop. owner, Mr. R. Reinwald.

LL - Sewer
Rt.Incr.:

The adoption by the VB of Local Law 2, 1990 re an increase in quarterly sewer rentals (frm. \$28. per unit to \$36. per unit for which a public hearing was held on 9/17/90) was moved by Mayor Elliott; Trustee Wooden seconded. Increase to become effective wth. Dec. '90 billing. Voting "aye" were Mayor Elliott & Trustees Wooden, Gilmore, Lynch & Pope. Carried.

Min., 10/1/90--5

Budget: Trustee Lynch asked for a line-by-line determination of status of VOP '90-'91 budget; Mayor sd. rpt. submitted by Treas. and accepted by VB in earlier pt. of mtg. wld. show same - cld. go over together before nxt. mtg.

Advance Monies: Trustee Gilmore moved that an amt. of \$300. be advanced to Mr. P. Retan, Hwy. Supt., re his attendance @ Public Wrks./Recreation Dept. in Lake Placid frm. 10/15-10/18/90; Trustee Wooden seconded. Voting "aye" were Trustees Gilmore, Wooden, Pope & Lynch. Mayor Elliott voted "nay." Carried by majority. Short discussion re delivery delay of new Hwy. Dept. truck.

Mayor Elliott asked citizens present whether they had questions/concerns; responses are as follows:

Satanism Discuss.:

(The following partial dialogue is given for the record regarding the murders of Cindy Lewis (15) and toddler, Curtis Rizzo (17 mo.) of Stafford St. reported missing on 8/1/90; bodies discovered behind Pal-Mac Middle Schl. on 8/2/90 & the arrest/confession on 8/3/90 of Chad Campbell, Stafford St. - a newspaper clipping attached hereto. Rumors of "Satanism" persisted in the community, therefore, a mtg. among law enforcement agencies - to which the public was invited - was held @ the high school on 9/27/90. Approx. 1200 persons attended.)

Mr. R. Middleton & daughter, Jessica, of W. Jackson St. sd. presence @ VB mtg. was to ask about recent "satanism" mtg. @ the high school & rumors re Police Chief Dalton; Trustee Pope sd. he was unaware of "rumors" - VB agreed. Mr. Middleton sd. that the "rumors" were that the Chief did not take the talk & concern of satanism seriously...or so it seemed when he gave comments @ end of mtg. Ms. Carole Hartnagel (mother of the toddler who was murdered in 8/90) sd. that Chief's comments were her questions....asking questions for her....

Mr. Middleton suggested a public mtg. so that all questions cld. be "aired" - might alleviate some concern in the community - perhaps Chief cld. put minds @ rest...he referred to "silly rumors". VB agreed it was bad choice of words. Mr. Middleton sd. Chief shld. be given chance to say that...Opinions varied, i.e. Trustee Pope felt some @ aforementioned mtg. wld. not believe anything they were told. Mr. Middleton referred to "Letter to the Editor" he had written...Mr. Pope sd. that Chief says that P.D. checks every rumor, complaint, etc. Mrs. E. Hartnagel (deceased tot's Grandmother) sd. that sme. thing wld. occur....no one wld. believe...minds made up before going....C. Hartnagel spke. of rumors in 1984 of "cults" - nothing done about it. She sd. she did not want case jeopardized - let case be resolved before "blowing" it....

Mr. Middleton sd. he wld. not want that to happen - no details of the case (murder); E. Hartnagel spke. of media's involvement & persistence....people want to hear a reason for tragedy - may be no reason. Mrs. Hartnagel did not feel that Chief taking case lightly...she spke. of the work done by law enforcement agencies...their dedication and long hours endured during the tragedy...Mr. Middleton sd. he was

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among several who had lost faith in P.D. leadership because of what Chief sd. publicly....just ask the Chief to explain...(much of discussion inaudible and impossible to record as too many people talking @ once). Mayor sd. he thought Chief trying to say no worse here than other places...not a 'major' problem - media making it a 'major' problem...T.V. (10) here that very day...he asked them to please refrain from reporting on satanism, etc. here.... "Palmyra's wounds can't heal as long as media continues to pursue - it just festers"....

Mr. Middleton sd. he felt that there are problems... if not addressed they grow.... T. Lynch sd. maybe the Chief and/or Bd. shld. make a public statement.... D. Gilmore sd. if public statement mde. it shld. be mde. frm. mtg. among the VB, Chief & Vill. Atty. - VB responsible for what VOP employees do.... R. Middleton sd. he sensed strongly frm. mtg. that the Chief knows of all the 'talk'.... he may want to have an exchange wth. public.... Mayor sd. perhaps statement may be best way...public mtg. wld. result in sme. as one held @ the high school...afraid the Chief wld. become target of panic of people. Mr. Middleton felt a separate problem frm. the tragedy. C. Harnagel asked if what Chief sd. was all people got out of the mtg.????? Mr. M. sd. he believed a problem wth. Chief's image....many people expressed sme. feelings to him (Mr. M.) - Mayor sd. people want it to come out frm. anyone that this (satanism) was the motive for the murders....P.D. cannot do...

Mrs. Hartnagel sd. people went to hear cause of murders....will not get answers...Police do not have one...will not give one...use rumors or whatever....if case blown she wld. give answers...."my Grandson that was killed," she sd. "If they can't give answers, they are no good"....she went on....they are trying to put a case together...prosecute case way it shld. be without it being blown out of the water...she asked that they be left alone....she spke. of the 'image' of P.D. and, again, spke. of their long hours & dedication....Trustee Pope sd. VB must take Mr. Middleton's comments into consideration and decide best way to handle situation...Trustee Lynch sd. maybe nothing shld. be done @ present time. C. Hartnagel sd. as Mother of the deceased tot, public knows as much about the case as she did.

....more discussion but inaudible or impossible to determine speakers & the dialogue....Mr. Middleton did say he was concerned about the P.D.'s image and was told that they did have a high image during the search and several days following....it was afterwards that doubts arose. Trustee Wooden and rest of VB sd. anyone cld. talk to Chief @ any time - Mayor sd. VB wld. discuss wth. Chief....make determination what course to follow, per Mayor. VB expressed its concern and willingness to alleviate rumors as best they cld. Discussion was discontinued.

Clairmnt.
Property:

Trustee Pope moved that the VOP accept purchase offers frm. Jeffreys/Drews in the amt. of \$1000. - \$500. frm. ea. family) and that property transfers occur by deeds as prepared by Atty. P. Rubery (re the small VOP-owned parcel on Clairmount Pk.) Trustee Gilmore seconded. Mayor sd. that VOP will no

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longer need to maintain the area re mowing, snow-plowing, etc. Voting was unanimous/carried.

Exec. Sess.:

At 9:15 p.m. Trustee Gilmore moved that the VB exercise Exec. Sess. for "Personnel" matters; Trustee Lynch seconded. Voting was unanimous/carried.

Reconvene:

At 9:58 p.m. Trustee Pope moved that the VB emerge frm. Exec. Sess.; Trustee Wooden seconded. Voting was unanimous/carried.

Adjournment:

At 10:00 p.m. Trustee Pope moved adjournment; Trustee Gilmore seconded. Voting was unanimous/carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting

10/15/90

7:00 p.m.

Present:

James G. Elliott, Mayor; Trustees C. D. Gilmore, Daniel E. Wooden & Thomas N. Lynch. Absent: Trustee Daniel S. Pope III (due to illness); Vill. Atty., John B. Nesbitt arrived during Executive Session.

Call to Order:

Mayor Elliott called the meeting to order @ 7:05 p.m. following which he moved Agenda additions - 1) VB to establish public hearing date re LL#3, 1990 (Customary Home Occupation, etc.); 2) WCVOA dnr.-mtg. on 11/12/90 @ Red Creek; 3) Hwy. Employee, J. Eckert, frm. "entry rate" to "job rate," retroactive to 9/21/90; 4) ARC "Informational Mtg." on 10/23/90 @ the Firehall; 5) VB to hold 2nd mtg. re establishing schedule for street-work, sidewalks, etc.; and WC mtg. re "Open Space Preservation" on 11/1/4/90 @ the Newark H.S. Auditorium/\$10. per person. Trustee Wooden seconded the Mayor's motion - voting "aye" were Mayor Elliott & Trustees Wooden, Gilmore & Lynch. Carried.

Minutes

10/1/90:

Trustee Wooden moved tabling the 10/1/90 VB Mtg. Minutes as all members had not reviewed; Mayor Elliott seconded. Voting was unanimous/carried.

**J. Eckert/
Hwy. Emp.:**

Trustee Gilmore sd. that Mr. James Eckert, having completed his 16-wk. probation period, be moved from "entry rate" to "job rate", retroactively to 9/21/90 as recommended by the Hwy. Supt. Trustee Lynch seconded. Voting was unanimous/carried.

Foster Street:

Trustee Gilmore sd. that paving had begun on W. Foster St. - petro-mat in place/one lane pt.-way paved - hope to complete in day or so...Hwy. Supt. sd. depends on "batch plant," weather, etc. (scheduled for week of 10/8, however, rained entire week).

Two-Way Radios:

Short discussion on two-way radios and two previous estimates; matter to be researched as approved by the VB and money set aside.

W&WW Emp. Conf.:

Trustee Wooden moved that W&WW Employee, C. Timerson, be authorized to attend a course @ Monroe Community College - "Physical/Chemical Treatment" - on 11/13, 14, 15 & 16/90 for which tuition costs \$225. Trustee Gilmore seconded. Voting "aye" were Trustees Wooden, Gilmore & Lynch & Mayor Elliott. Carried.