

VILLAGE OF PALMYRA BOARD OF TRUSTEES

Regular Meeting

May 1, 1995

7:30 pm

PRESENT: Mayor James G. Elliott, Trustees Kathleen C. Drews, Frederick Celentano, Daniel E. Wooden, and Ann F. Guest.

CALL TO ORDER: Mayor Elliott called the meeting to order with a moment of silence for Mrs. David (Charlene) Lyon wife of David Lyon Supervisor of the Town of Palmyra.

M. DeNeef: Mrs. M. DeNeef asked for agenda time to allegedly discuss cemetery stones and problems. Mayor Elliott stated that at no time was Mrs. DeNeef to mention any specific employees noting that should be done in Exec. Session. 7:35 p.m. Mrs. DeNeef began with the missing of cemetery stones and urns, reappearing stones and urns, trees planted, knocked down, and the investigations of Chief Dalton and another gentlemen as well as three (3) cemetery employees. No ones anything about the missing stones, she (DeNeef) said. DeNeef continued alledging that she attended a VB meeting and she was speaking with Trustee Wooden when alledgely the Clerk grabbed her arm and alledgely pushed her out the door and slammed the door in her face. DeNeef alledged that she went to the Pal. PD and swore out a warrant for the Clerk's arrest. Why hasn't anything been done DeNeef questioned. Mayor Elliott spoke up at this time stating that if she had a problem with an employee it had to be discussed in exec. session. This was the employees right said Mayor Elliott followed by noting the cemetery problem was a matter for the PD. DeNeef at this point began to raise her voice saying she (DeNeef) wanted the Clerk to be arrested no matter what she thought (the Clerk) said! Again Mayor Elliott re-emphized to her (DeNeef) that complaints about employees were strictly for Exec. Sess. that was a law and employees are due their legal rights. Mayor Elliott then said that the incident was a police matter and that is where DeNeef had to refer her problem. At that time DeNeef held up a letter written by the Clerk with a freedom of information form attached from Chief Dalton which noted there were no grounds for the accusations against the Clerk and therefore there was no paper work. DeNeef noted she had asked Mayor Elliott if he knew what the ltr was and before the Mayor could respond DeNeef answered her own question. No, DeNeef stated, the Mayor had indicated he had not seen the letter. At this point DeNeef asked if Mayor Elliott wanted the ltr. passed around so that the citizens of Palmyra could see what's going on? Mayor Elliott told DeNeef that was enough and if she (DeNeef) continued he (Mayor) would adjourn the mtg. This was a PD matter the Mayor said. At this point, DeNeef began demanding why she should speak. Mayor Elliott read the two (2) most recent freedom of information forms and the responses on the forms. Which were that DeNeef would need to be more specific with what info she wanted.

CITIZENS PRIEM: Residents at 114 E. Jackson St. concerned about the cars and vans parked on either side of their driveway. Points were; no visibility, dangerous, parking on grass between curb and sidewalk near Cook's. Chief Dalton said that no laws were being broken unless the driveway was blocked. Nothing that PD could do. Trustee Guest spoke up noting that an arrangement for using the Reformed Church parking lot for the employees of St. Annes' school was being worked on. This would address the situation. Trustee Guest noted that a letter with particulars on the parking lot will be coming at least by the end of next week. Mr. Priem asked Chief Dalton what the reg. were on heavy trucks. None at this time at that location on Jackson St.

Mr. Priem stated his concern about the repaving of Jackson and when it would be done. Trustee Celentano noted that Jackson St. was on the list of high priorities. He (Priem) also had an interest in being on the Historic Preservation Comm.

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MINUTES OF 4-17-95: Trustee Celentano moved to accept the minutes of 4-17-95 as written, seconded by Trustee Guest, vote, 5 ayes, CARRIED.

BASEBALL PARADE: Mayor Elliott moved to authorize the parade to be held on Sat. May 13, 1995, at 10:00 a.m. seconded by Trustee Celentano, vote, 5 ayes, CARRIED.

UNION CONTRACT FOR PD: Mayor Elliott reported that a package has been sent to the Union negotiating specialist with two (2) proposals for a flex plan.

ABSTRACT #23: Mayor Elliott moved to authorize the Treasurer to pay abstract #23 vouchers 1289 - 1337 totalling \$23,822.51, seconded by Trustee Guest, vote, 5 ayes, CARRIED.

M & T AGREEMENT FOR COLLATERIZATION: Mayor Elliott moved to authorize the Treasurer to sign the M & T collaterization agreement which is a State regulation in a third party plan, seconded by Trustee Wooden, vote, 5 ayes, CARRIED.

BUDGET FOR 1995/1996 FISCAL YEAR: MAYOR ELLIOTT MOVED TO APPROVE

THE TENTATIVE VILLAGE BUDGET, SECONDED BY TRUSTEE CELENTANO, VOTE, 5 AYES, CARRIED.

TAX WARRANT AND TAX LEVY: A motion made by Mayor Elliott and seconded by Trustee Guest to authorize the Village Clerk and Village Treasurer to sign the tax warrant and tax levy, vote, 5 ayes, CARRIED.

TAX LEVY RESOLUTION

A resolution levying the total taxes and other charges extended and levied against each parcel of real property shown on the rolls prepared and verified by the assessors for the 1995-1996 fiscal year.

RESOLVED that there be levied and assessed against the real property of the Village of Palmyra the following sums for village government and other charges for the fiscal year 1995-1996 a tax rate of \$8.58 per thousand of assessed valuation.

Tax rate calculation:

General Fund Tax Levy X \$1,000. = \$764,646.00 X \$1,000 =
Assessed Valuation 89,087,247.00

\$ 8.58 Thousand

General Fund Tax Levy (A980/A1001)	<u>\$764,646.00</u>
Omitted Taxes of Previous Years	<u> </u>
Excess on Roll	<u> </u>
Total Taxes for Current Budget	<u>764,646.00</u>
Delinquent Water Rents & Charges (A250/A630)	<u>12,215.94</u>
Delinquent Sewer Rents & Charges (A250/A630)	<u>14,642.21</u>
Delinquent Special Assessments (A250/A630)	<u> </u>
Total Real Property Taxes and Other Charges on Roll	<u>\$774,098.15</u>
	<u>=====</u>

TAX WARRANT

TO: Darlene E. Matteson
Village Treasurer

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$ 774,098.15 for the following purposes:

For the current Budget	<u>764,646.00</u>
For Omitted taxes of Previous Year	<u> </u>
For Charges for Services	<u> </u>

For Relieved Water Rents & Charges	<u>11,966.96</u>
For Relieved Sewer Rents & Charges	<u>15,119.93</u>
For Special Assessments	
Total	<u>791,732.89</u>

YOU ARE FURTHER COMMANDED to receive and collect such sums without additional charge between the first day of June and the first day of July, 1994, both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five per centum for the first month or fraction thereof until paid.

YOU ARE FURTHER COMMANDED to return the tax roll and warrant to the village clerk on or before the first day of November, 1994, and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

HISTORIC PALMYRA CONTRACT: Trustee Wooden moved to authorize Mayor Elliott to sign the contract for \$2,000 to Historic Palmyra and a contract in the amount of \$18,500 for the Kings Daughters' Free Library, for the year of 1995/1996, seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

NYALGRO CONVENTION IN ROCHESTER: Mayor Elliott moved to authorize Village Clerk/RMO to attend the NYALGRO convention for three (3) days, June 4-7th in Rochester, NY, seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

JSEC-HEALTH, SAFETY IN WORKPLACE: Mayor Elliott moved to authorize the Village Clerk and Village Treasurer to attend the JSEC meeting on May 10th in Victor, seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.**

DAVE COREA PURCHASE OF VILLAGE PROPERTY: Property requested is between Park Dr. and Throop St. Mr. Corea needs to own a small strip of this land. Attorney Nesbitt will investigate who has the deed to this property and Mayor Elliott will check on the right of way.

WAYNE COUNTY VILLAGE OFFICIALS: Mayor Elliott moved to authorize the Village Board, office staff, Village attorney, Police Chief and Fire Dept. rep. to attend the WCVO on May 17th, 1995, hosted by Sodus Point, seconded by Trustee Wooden, **CARRIED.**

TRUSTEE CELENTANO REPORT: R. Weaver had written a detailed report as follows:

TO: PALMYRA VILLAGE BOARD
FROM: ROGER WEAVER
DATE: MAY 1, 1995
RE: HIGHWAY SUPERINTENDENT

With Village Board approval, I would like to resign as Highway Superintendent and remain as Cemetery & Parks Superintendent and Village Arborist. I feel I cannot achieve the goals which I set for the highway department without total board support and the necessary cooperation from the town highway department.

The effective date of my resignation is May 5, 1995.

Roger Weaver, Superintendent Parks and Cemetery/Highway

Street Sweeper is repaired and has been costly to maintain and repair. Brief discussion.

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TRUSTEE DREWS REPORTS: Trustee Drews reported about the placement of the Village sign now that the bridge is up, and asked for suggestions. By the bridge would look nice, and J. Merricks' Pro. bldg. front which is facing Rt. 21 North was discouraged.

TRAIN THE TRAINER SEMINAR: OSHA regulations' seminar for protective equipment dealing specifically with the firemen. Seminar is May 9th in Canandaigua. Trustee Drews moved to authorize some fire dept. representative to go, seconded by Trustee Celentano, vote, 5 ayes, **CARRIED.**

COMMUNITY CENTER CONTRACT: Trustee Drews moved to authorize Mayor Elliott to sign the Community Center contract for the 1995/1996 yr. seconded by Trustee Guest, vote, 5 ayes, **CARRIED.** Trustee Drews noted that she would like to discuss the comm. ctr. contract early in the year to set the prices for the ensuing year. An August meeting with the TOP, VOP, and Comm. Ctr. was suggested.

LAST BASH: Trustee Drews suggested that the VB donate individually-she will donate.

TRUSTEE GUEST NO REPORT:

TRUSTEE WOODEN REPORTS: Villager working on E. Foster St. DuVall is hooking up Nearing's water service.

Trustee Wooden would like to speak with Sniedze about the booster pump and cleaning out the water tank/tower to see what the cost would be.

WATER CONTRACT WITH MORMONS: Trustee Wooden moved to authorize Mayor Elliott to sign the new contract with the MORMON Church for raw water, with an increase of 2% per year for the term of the contract which is three (3) years, seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

DRAINAGE PROJECT ON MAIN ST.: R. Weaver asked if the Village was suppose to repair the North side of Main St. and the response was that Villager the contractor.

EXEC. SESSION: Mayor Elliott moved to go into exec. session at 8:47 p.m. seconded by Trustee Guest, vote, 5 ayes, **CARRIED.**

Motion to go out of exec. session by Mayor Elliott at 11:28 p.m. seconded by Trustee Celentano, vote, 5 ayes, **CARRIED.**

R. WEAVER'S RESIGNATION AS SUPERINTENDENT OF HIGHWAYS: A motion was made by Trustee Celentano to accept the resignation of Roger Weaver as Highway Superintendent effective end of work day on May 5, 1995, seconded by Trustee Drews, vote, 3 ayes and 2 nays, **CARRIED 3-2.**

Trustee Wooden - aye
Trustee Celentano - aye
Trustee Drews - aye

Trustee Guest - nay
Mayor Elliott - nay

ADJOURNMENT: Motion to adjourn was made by Mayor Elliott at 11:30 p.m. seconded by Trustee Celentano, vote, 5 ayes, **CARRIED.**

RESPECTFULLY SUBMITTED,
Bonnie J. Hays, Village Clerk

A8810.425	" "	15.00	A8810.444	" F.W.Gear	15.00
A8810.4	" Misc	128.00	A8810.429	" O.Sup	128.00

Seconded by Trustee Celeltano Vote: 4 aye carried unanimous.

C.M.C. SCHOOL: Mayor Elliott moved that Village Clerk Bonnie Hays be authorized to attend Certified Municipal Clerk School at Syracuse University. Seconded by Trustee Drews. Discussion, Cost \$600.00. WCVOA pays \$250.00, Clerks Assoc. pays portion. Village cost approximetely \$200.00 Vote: 4 aye carried unanimous.

RESOLUTIONS:

RESOLUTION TO CHANGE NAME OF -
CAPITAL RESERVE FOR STREET REHABILITATION AND IMPROVEMENT (HR6)

Be it resolved that the name of Capital Reserve for Street Rehabilitation & Improvement (HR-6) be changed to Capital Reserve for Street, Pavement, Curb and Sidewalk Rehabilitation and Improvement (HR-6). Fund established to provide for rehabilitation and improvement of streets, pavement, curbs, and sidewalks within the Village of Palmyra. Use subject to permissive referendum.

Motion by Mayor Elliott Date May 15, 1995

Seconded by Trustee Guest

Vote: 4 aye carried unanimous.

RESOLUTION - CAPITAL RESERVE FOR FLAGPOLE (HR-9)

Be it resolved that the Capital Reserve for Flagpole (HR-9) is hereby reestablished with use of funds restricted to use for repairs and maintainence of the Village Flag pole located at the intersection of Main Street and Fayette Street. Use of funds subject to permissive referendum.

Motion by Mayor Elliott Date May 15, 1995

Seconded by Trustee Wooden

Vote: 5 aye carried unanimous.

RESOLUTION - CEMETERY LOT FUND (Non-Expendable) (TN-3)

Be it resolved that the minimum beginning balance of the Cemetery Lot Fund , non-expendable, (TN-3) be established at \$211,363.00.

Motion by Mayor Elliott Date May 15, 1995

Seconded by Trustee Drews

Vote: 5 aye carried unanimous.

DRAINAGE PROJECT: Trustee Guest moved that the Mayor be authorized to sign change order #1 for the drainage project. Seconded by Trustee Celentano. Vote: Aye - Elliott, Drews, Guest, Celentano. Nay - Wooden. Passed by majority.

POLICE UNION CONTRACT: Trustee Guest moved that the Mayor be authorized to sign the proposed contract with the Local Police Unit Division of CSEA. Seconded by Trustee Celentano. Discussion, Section 24.7, Police Court time should be same as previous contract (1 hour guaranteed) not two as typed in original proposed contract. Vote: Aye - Elliott, Drews, Celentano, Guest. Nay - Wooden. Passed by majority.

PLANNING AND ZONING SECRETARY: Trustee Guest explained that Deputy Clerk Kerry Elvin would like to be relieved of her extra duties for recording minutes of Planning Board and Zoning Board of Appeals minutes. Rebecca Remington is willing to do this. Would involve only attending meetings, record minutes and transcribe.

MOTION - Trustee Guest moved that Rebecca Remington be hired as Secretary for Planning and Zoning Boards for minutes only, pay rate \$6.00 per hour. Second Trustee Wooden Vote: Aye, Elliott, Wooden, Guest, Celentano. Nay, Trustee Drews. Passed by majority. (Correction on Trustee Drews vote made at 6-19-95 mtg. vote was AYE making the motion carried UNANIMOUSLY)

NYCOM WORKSHOP: New York Conference of Mayors will be holding a workshop at the High School on May 24 at 3:00. The meeting will focus on compliance with federal requirements for drug and alcohol testing of commercial drivers. Mayor reminded Trustees of meeting and if able to attend to make arrangements with Village Clerk to register.

SURPLUS: Mayor Elliott moved to declare surplus and sent to Town Auction one Pitney Bowes Copier. Seconded by Trustee Guest Vote: 5 aye passed unanimous.

MEMORIAL DAY PARADE: Invitation has been received from the American Legion inviting Board members to participate in the parade. Parade at 9:00 a.m. forming at the Elementary School.

EXECUTIVE SESSION: At 8:37 Mayor Elliott moved that the Village Board enter executive session for the following - personnel matter, Union contract negotiations, and potential litigation with the Village Board and Attorney present plus Police Chief and citizens as invited. Elaine Hartnagel, Carol and Tom Bauer left at 9:25. D. Dalton left at 9:35. At 10:13 Trustee Celentano moved to leave executive session. Seconded by Trustee Guest. Vote: 5 Aye unanimous.

ACTING HIGHWAY SUPERINTENDENT: Trustee Celentano moved that the Village Board interview Nelson Cook to see under what terms and conditions he would serve as acting Highway Superintendent for the Village of Palmyra. Seconded by Trustee Wooden. Vote: Aye, Wooden, Drews, Guest, Celentano. Nay, Elliott. Passed by majority.

A.C.O.: Decision by majority that Animal Control Officer Gary Rose "park" the Village truck he has been using. Truck to be available for animal pick up calls.

JUNE 5 MEETING: Mayor Elliott, Trustee Guest, and Village Attorney Nesbitt will be out of Village at Mayors Conference. Trustee Wooden will also be out of Town. Trustee Drews moved to cancel the regular meeting scheduled for June 5, 1995. Seconded by Trustee Guest. Vote, 5 aye passed unanimous. Next regular meeting June 19, 1995 7:30 p.m.

ADJOURNMENT: AT 10:25 Trustee Guest moved to adjourn the meeting. Seconded by Trustee Celentano. Vote: 5 aye passed unanimous.

Minutes recorded and submitted by Mayor Elliott