

BOARD OF TRUSTEES

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Regular Meeting

3/20/89

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees C. D. Gilmore, Daniel E. Wooden & Daniel S. Pope III; and Village Attorney, John B. Nesbitt. Absent: Trustee Penelope K. Frontuto.

Moment of Silence: Mayor Elliott called for a moment of silence prior to conducting the business of the Board.

Minutes 3/6/89: Action on the 3/6/89 VB Mtg. Minutes tabled as moved by Trustee Gilmore; Trustee Wooden seconded. Voting "aye" were Trustees Gilmore & Wooden & Mayor Elliott. Carried.

Minutes 3/9/89: The brief Minutes of the VB's Budget Session Mtg. on 3/9/89 accepted as written as moved by Trustee Gilmore; Trustee Wooden seconded. Voting "aye" were Trustees Gilmore & Wooden & Mayor Elliott. Carried.

Trustee Gilmore: Trustee Gilmore sd. that the problem wth. the MIA lights on Village Hall solved by Hwy. Dept.

Dumpster Dates: Trustee Gilmore brought to the VB's attention that dumpster dates shld. be established, following which he moved that the following schedule be observed: Sat., 5/13/89 to Mon., 5/22/89. Hauler needs to set up his schedule, he sd. & he wld. like to schedule before Memorial Day Weekend; also, Town of Palmyra schedules after the VOP's in which case Villagers may utilize the TOP's dumpster, however, TOP residents may not use the VOP's. Hours cld. be established later....Hwy. Employee S. Smith to work @ barns 'after' hrs.

St. Lght. Dar-Lind: Trustee Gilmore brought to 'light' the intersection @ Dar-Lind Lane off Rt. #21....VB discussed need for street light; Trustee Gilmore moved that contact be mde. wth. NYSEG re having street light placed @ intersection of Dar-Lind Lane & Rt. #21; Mayor Elliott seconded. Clerk to obtain cost and approx. placement date. Voting "aye" were Trustees Gilmore & Wooden & Mayor Elliott. Carried.

Additional Salt: Mr. Gilmore stated that the Hwy. Dept. had to buy additional salt - note placed in Trustee Pope's mailbox to that effect.

Est./Drapes - Vill.Hall: Trustee Wooden spke. of estimate of \$172. rec'd frm. **Shine's Cleaners** for dry cleaning drapes/curtains in Vill. Hall. Having mde. & hung same, Mr. Wooden sd. very tedious/complicated process of taking down, cleaning & re-hanging.

Flags: Discussion on Flags on Vill. Hall which get entwined - talk of placing 'weights' on sme. Flagpole Flag discussed - wearability of Flags and of spot-light @ top....shld. be illuminated.

Budget Items: Trustee Gilmore sd. that Hwy. Dept. plan re truck - utilize old truck, however, if used on daily basis believed it wld. not hold up. He suggested VOP buy new truck and rid itself of 'old' truck(s)....might be more cost effective...old Ford ('79) frm. Hwy. & old truck frm. W&WW ('82). Strain to pull Sreco (sewer cleaner) around. Hwy. needs 3/4 ton which wld. satisfy Hwy. Dept.'s needs....

Trustee Wooden asked about future 'budget sessions' & informed by Mayor there were none except input during Budget Hrng. @ 7:00 p.m., 4/3/89. Trustee

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000207

Min., 3/20/89--2

Gilmore requested adding above truck - necessary piece of equip., he sd.

Trustee
Wooden:

ZBA Hrng. #191 on 3/14/89, per Trustee Wooden - ZBA voted to deny applic. of Mr. Norman Gerber (Swiss Chalet) for three additional apt. bldgs. - several reasons, main one being they did not prove a 'hardship' - may come bk. in different form - either a request to VB for re-zoning or a court decision.

Econ.
Develop.:

Trustee Wooden stated that informational article to appear in newspaper concerning Main St. banners - request frm. Chamber of Commerce...amt. placed in budget for \$1500. - thanked VOP for \$500. rec'd prior yr. \$1000. in budget, he sd. for Econ. Develop. - asked why that amt. could not go to CofC...what it was basically put in for (new budget) - new line item, per Trustee Wooden.

"Main St.
Conferece":

Short discussion on VB rep. to attend the "Main St. Conference" on 5/2-5/89 in Saratoga Springs, sponsored by NYCOM. Trustee Wooden indicated his desire to attend, following which Mayor Elliott moved authorization for Trustee Wooden's attendance along wth. one other person, if desired. Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore & Wooden. Carried.

Mayor/
W&WW:

Mayor Elliott sd. that W&WW Kruger and himself met wth. Mr. L. Green (Garlock); Mr. W. Gannon (Pal-Mac Schl.) & Fire Chief R. Ruebens recently to comply wth. State regulations re potential water emergency - VOP has to amend its Water Ordinance - draft wth. changes and meet wth. above persons again. If mandatory fine imposed, must have in law. Discussion on water level of Lake and the potential water emergency...VOP allotted 3-5 million gallons per day, per H. Kruger. Atty. Nesbitt asked for clarification re need for law.

Mr. Kruger sd. service person needed to work on chlorinators - ordering parts frm. Fisher-Porter for replacement. Trustee Pope arrived @ 7:50 p.m.

P.D.:

Mayor Elliott spke. of bid opening re P.D. computer; bid less than anticipated...came in @ \$8535.89. - software may be purchased separately wthout. going to bid, he sd. The Mayor moved that the VOP accept bid of Radio Shack, Division of Tandy Corp. in the amt. of \$8535.89. - only bid rec'd. Trustee Gilmore asked about 6th pg....why does P.D. need two built-in joy sticks & informed by Chief Dalton an integral, built-in pt. of machine....gives graphics capability added Mayor Elliott. He explained that the Lease a separate agreement since money not in budget.....he amended his original motion to accept Tandy's Lease Agreement for a 3 1/2 month Lease, payable \$1,000. cash down; balance due in 3 1/2 mo. - at the end of 3 1/2 mo., for \$1. VOP owns outright....Lease becomes invalid. In-hse. classrm. training was not in bid specs....Trustee Wooden asked for clarification on cost re hardware....the Mayor explained....hardware - \$8535.89; for Lease Agreement, the training added \$1200. + \$180. Warranty part of bid...per Chf. Dalton, all the equipment has a 90-day, 3 mo. warranty....VOP can at end of 90-days, Service Agreement approx. amt. of \$540.....included under "Misc. Contractural" in new budget. Trustee Pope asked about "Extended

Min., 3/20/89--3

Warranty"....Trustee Wooden sd. that cost is \$9835.89 rather than amt. of \$8535.89Atty. Nesbitt sd. contracturally, VOP wld. be obligated to buy - agreed, per Mayor & Chf. Dalton. The Mayor re-amended his prior motion to include...."subject to Vill. Atty.'s review." Trustee Gilmore seconded Mayor Elliott's motion wth. amendments. Lease Agreement just arrived, per Mayor, and he had hastily copied only the Vill. Atty. Trustee Wooden asked amt. incl. Lease Agreement & told "\$9915.89" by Mayor Elliott. Trustee Pope asked the Mayor to repeat the motion which the Mayor did. The Mayor sd. that VOP monies invested until 4/19/89 (to pay for software) if bid accepted...spke. of "installment plan" ...monies in reserve fund. Voting "aye" were Mayor Elliott & Trustees Gilmore, Wooden & Pope. Carried. Re software, Mayor Elliott moved purchase of same in amt. not to exceed \$4995. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Wooden & Gilmore. Carried.

Litter/
Wm. St.:

Trustee Wooden stated that the unsightly trash @ a residence on William St. wld. be removed by Fri., 3/24/89.

Parking
Ord.:

Chief Dalton spke. of the LLaw sent to Albany re parking prohibited on all Village streets between the pavement edge and sidewalk or on streets without public sidewalks for a distance of five (5) feet frm. pavement edge....wrong section inadvertently placed in Law....."Section 25-B Sub-CC"...should have been "25-6 Sub-DD".....Atty. Nesbitt informed the Chief that change be sent to Albany. Chief Dalton asked Bd.'s direction....warnings or just begin issuing a summons....Bd. discussion - several suggestions mde. It was stated by the Bd. that the public informed via the newspapers, etc. The Chief gave examples of inconsistencies and potential problems....further Bd. discussion - determination mde. to write tickets @ the outset - wld. not take citizens very long a time to become familiar wth. new Law.

Maple Ave.
Bridge:

P. Retan informed the Bd. that bids to come in following Thurs. re Maple Ave. Bridge construction. Bid award wld. occur within 45 days. Mayor's understanding frm. DOT was that bids opened in March and awarded in June/starting in Sept. State may have changed its time-frame, per Mayor.

P.D.:

Chief Dalton sd. that Police Officer Ron Hall had begun working and performing excellently...he had rec'd several public comments, he sd.

Trustee
Pope:

Trustee Pope moved that the Bd. employ Mr. Richard Case (Pal-O-Mine Kennel) as Animal Control Officer effective 3/17/89 @ a salary of \$2,000. per yr. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Wooden & Mayor Elliott. Carried.

C&P:

In Trustee Frontuto's absence, and having been requested to oversee her Village commitments, Trustee Pope sd. that C&P Supt., R. Weaver, reported to him that four (4) burials accomplished during prior week....routine maintenance work, crew continuing "tree-work", etc.

Abstract
#20:

Trustee Pope moved that the Village Treasurer be authorized to pay Voucher Nos. 926-971 in the amount

000209

Min., 3/20/89--4

of \$46,129.83 on which appear the initials of at least three (3) Trustees. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Wooden & Mayor Elliott. Carried.

Handicapped

Ramp:

Trustee Wooden spke. briefly of having seen on T.V. an ad for a handicapped elevating system...side of a porch...wheelchair rolled upon and lifted up...an outside addition. The Mayor thought sme. wld. have to be in a 'protected' location. Bd. discussion - some potential hazards...possibility to be explored.

Engineer:

Bd. discussed illness of Engineer D. Means and his condition unknown, however, Mayor reported that he was home frm. hospital.

WC/JTPA

Program:

Bd. discussion on JTPA Program and its usefulness to the VOP. Trustee Gilmore thought driver's license needed if placed in Hwy. Dept. Odd jobs in various depts. and sweeping Main St. mentioned. The Mayor stated that VOP in dire need of inventory of VOP properties and setting up a formal system for every single item owned by VOP...job for two people. VOP rec'd criticism frm. State Auditor in this regard. Cty. pays employees' salaries, per Mayor...rainy day jobs must be available, per Trustee Pope...Vill. Hall second floor & basement need abundance of work/cleaning.

Misc.:

Bd. passed over VOP Policy Manual for time being; nothing further on Contract negotiations, per Mayor Elliott; VOP employees' Evaluations "in the works". WCVOA dnr.-mtg. attendees previously authorized by Bd.; Mayor sd. nxt. mtg., 4/3/89, wld. be VOP Organizational Mtg.; Trustee Gilmore sd. pot-hole problem @ Mr. D. Pettengil's residence handled by Hwy. Dept.

Assessing

Unit:

Mayor asked Bd. their feelings re VOP to remain or discontinue as an assessing unit; Trustee Pope felt it unwise to drop it - Trustee Wooden thought decision already mde. for VOP not to drop it. Wld. balance out, felt by Trustees Pope & Wooden. VOP Status date is 3/1 annually. No Bd. action at this time.

Burnham Hts.

W&WW:

Trustee Gilmore referred Bd. to Memo he issued re proposed construction by Nolan/Brooks on Burnham Hts. He cited prior cases (Messrs. Dodge & the late Mr. Finewood) who requested to 'hook' in and they were advised to annex into VOP. People must be willing, per Mayor....difference between an individual's request (as in case of Mr. Finewood) and creating a District...he sd. Trustee Pope sd. that there are a number of Districts now. Not opposed to that....felt pursue revenue in that area, per Trustee Wooden. He sd. that all Burnham Hts. residents receive VOP benefits. The Mayor sd. that all who have sewers pay double rate....four do have sewers....all on Palmyra side have....never a District formed to serve them...Palmyra allowed them to hook in....done while road open...done without Macedon forming a District. Trustee Wooden asked procedure and informed by Atty. Nesbitt sme. as done for Dr. V. Smith....can't compel against their will...must have concurrence of the two municipalities....special districts/annexations.... fifty percent (50%) of the owners' assessed valuation and fifty percent (50%) of the resident

Min., 3/20/89--5

000210

land owners....two (2) fifty percentile. Atty.
Nesbitt spke. of Newark's "hard-and-fast"

rule...will not entertain special districts....
Trustee Gilmore asked how high an amt. cld. they be
charged...maybe VOP needs to re-coup in that manner.

Atty. Nesbitt asked if VOP had contracts wth.
residents there - individual or otherwise...Mayor
sd. for water, contract wth. Town of Macedon - for
sewer no agreement wth. four (4) who have;
technically illegal, per Atty. Nesbitt...must be a
written contract....if they don't pay, no way to
collect...can't put lien on/add to VOP taxes as they
are not in VOP....private obligation. Atty. Nesbitt
sd. any out-of-district user, law requires contract.

Trustee Wooden asked about annexation for builders'
(Nolan/Brooks) land itself....wld. need just need
permission frm. builders & Town of Macedon...Atty.
Nesbitt sd. that some villages 'straddle' towns...
four or five lots involved.VOP cld. be rec.
taxes on sme., per Trustee Wooden...part of VOP cld.
be in Town of Macedon, per Atty. Nesbitt. Mr. Wooden
asked why not the VOP pursue remainder of Burnham
Hts. for annexation....they receive VOP benefits...
snowplowing, etc. It was pointed out that the
foregoing builders given permission - wld. entertain
a motion to form a district. Lot of work to form a
district, per Atty. Nesbitt - not worthwhile for so
small an area. Mayor referred to Bd. mtg. of 2/21/89
and read frm. Minutes of same when builders
approached the Bd. Wld. not affect builders - Mayor
sd. he wld. speak wth. builders...he referred to
newspaper article in which discussed by Town of
Macedon.

Bl.Crss./
Bl.Shld.:

Mayor Elliott referred to communication frm.
Supervisor C. Darron re Blue Cross/Blue Shield & his
draft letter....Vill. Treas. has schedules...perhaps
VOP cld. save money, therefore, beneficial to
explore.

P.D.:

Bd. discussion on Voucher for \$63. frm. former
Police Officer T. Murdock for appearing before Grand
Jury - incident occurred while he was VOP employee.
Atty. Nesbitt sd. policy shld. be established by Bd.
Bd. agreed to honor the Voucher and payment be mde.
Further discussion on vacation time owed Police
Officer R. Hall when he left the VOP - matter
resolved by Bd., i.e. Officer Hall, when leaving the
VOP, was 'owed' two (2) weeks vacation; Bd. agreed
they would carry over sd. vacation until next fiscal
yr.

Adjourn-
ment:

At 9:05 p.m., Trustee Pope moved that the VB
adjourn; Trustee Gilmore seconded. Voting "aye"
were Trustees Pope, Gilmore & Wooden & Mayor
Elliott.

Ethel B. Johnson, Clerk

000211

BOARD OF TRUSTEES

4/3/89

Annual Organizational Mtg.

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees Penelope K. Frontuto, Charles D. Gilmore, Daniel E. Wooden and Daniel S. Pope III; and John B. Nesbitt, Esq., Village Attorney.

Moment of Silence: Mayor Elliott requested a moment of silence prior to conducting the business of the Board.

Tenta. Budg. Hrng.: Mayor Elliott opened the public hearing @ 7:10 p.m. - introduced the VB, Vill. Atty. & Mr. Roy McMasters, representing Bernard P. Donegan Assoc. - consultants for the VOP; the Clerk introduced the new Courier-Journal rep., Mr. Burt Olton.

Mayor Elliott requested the Clerk to read the Legal Notice re the public hearing on the VOP's tentative budget for 1989-90, following which Mr. McMasters began an "over-view" of the proposed budget.

He referred to Page 4 which showed the overall budget - Appropriations, how much money will be spent; VOP wld. spend approx. amt. of \$1,700,000. among General Fund, Water Fund & Sewer Fund, all of which are specified by the NYS Comptroller's Office.

General Fund - amt. to be expended, \$1,108,409. - from this subtract estimated revenues (other than Real Property Tax), \$369,532.; subtract Fund Balance, \$134,087. - remaining must be raised by the Real Property Tax, \$604,790. Mr. McMasters stated that the tentative budget may be amended by the VB prior to final adoption. He elaborated upon translation into tax rate....distribute to Real Property Assessed Valuation, \$41,170,000. as Tax Roll presently stands.....portion of Roll (Real Property Franchises) provided by State Dept. of Equalization & Assessment - estimated @ \$14.69 per thousand - do not anticipate this to vary much; to compare wth. other villages, refer to full value tax rate based on equalization rate of 73%....full value of VOP over \$56,105,205. - approx. \$10.78 tax rate.

Proposed schedule, adoption on 4/17/89; must be in place by 5/1/89. Mr. McMasters referred to Pg. 5, History & Evaluation of Tax Levy & Rate. Mr. Jack Lynn spoke of reassessments and ups-and-downs. The Mayor told Mr. Lynn that the VOP adopts the Town Tax Roll - VOP to have own prepared wld. cost large sum of money ea. yr. He spke. of small stipend pd. to Town Assessor ea. yr. (approx. \$2400.) much less than having Tax Roll prepared. Has not changed very much since the re-evaluation - has become stable although property values have increased.....

Mr. McMasters referred to pie-chart re General Fund Expenses on Pg. 14 and explained the various categories; then reviewed was General Fund Expenses by 'Object Code' on Pg. 15. General Fund Revenues by 'Major Category,' Pg. 16 was reviewed.

Briefly reviewed was Water Fund History & Evaluation on Pg. 38 - and the pie-chart, Water Fund Expenses by 'Major Category' (Pg. 39) and 'Object Code' (Pg. 40) - Water Fund Revenues by 'Major Category' (Pg. 44) and a like review of Sewer Fund History & Evaluation as well as Sewer Fund Expenses by 'Major Category' and 'Object Code' on Pgs. 51, 52 & 53, respectively, and Sewer Fund Revenues by 'Major Category', Pg. 58.