

Trustee Lynch seconded. The VB unanimously voted "aye"/carried.

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Adjournment:

At 10:52 p.m. Trustee Pope moved adjournment; Trustee Lynch seconded. The VB unanimously voted "aye"/carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular 12/3/90 7:00 p.m.

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

Call to Order: The Mayor called the meeting to order @ 7:05 p.m.

Minutes 11/19/90: Due to late distribution of the 11/19/90 VB Mtg. Minutes, the VB had not had the opportunity to review and a motion was made by Mayor Elliott to table sme.; Trustee Wooden seconded. Voting "aye" were Mayor Elliott & Trustees Wooden & Lynch. Carried. (Trustee Gilmore had not arrived as yet).

Committee Reports

Trustee

Lynch: Trustee Lynch spke. of assistance by a resident in obtaining white Christmas lts. for Main St. trees (her ability to obtain for the VOP at a discount frm. the store where she works - for which the VOP paid). The resident being present, Mr. Lynch was able to thank her personally. In this manner, the VOP was able to purchase more lts. for less cost.

Trustee Lynch thanked those involved who assisted wth. the successful VOP/Jaycee Christmas Party Sun. afternoon and Santa Claus' arrival via fire truck.

Toy

Library: Trustee Lynch informed the VB that Jaycee member, Mr. Gary Jones and his daughter had requested use of the P&C Rms./G. Scout side (possibly Saturday mornings) for use as a weekly 4-hr. "Toy Library" - toy donations wld. come frm. area residents (supporting literature provided Mr. Lynch re origin, purpose/goals, etc.).

Time

Capsule: Trustee Lynch spke. of the VOP's "Time Capsule" buried in 1976 and that no marker had been placed; the C&P Supt., R. Weaver, checking marker prices - @ one time money was available (somewhere) for same (capsule buried 12' north, 7' east of fence).

Holiday

Decora.: Trustee Lynch reported that the C&P & Hwy. Depts. worked together very well re placement of Holiday decorations and that he wld. be writing thank-you's to the employees involved.

Watershed:

Trustee Wooden spke. of his attendance, along wth. W&WW Supt., H. Kruger, @ a Watershed meeting in Canandaigua and the villages - Rushville, Newark & Palmyra & City of Canandaigua - who have total responsibility for what occurs 'around' Canandaigua Lake. He submitted, for VB review, a draft resolution authorizing WC Water Authority to participate in future planning for water supply and transmission - and an "Agreement for Services" between the Ontario Cty. Soil & Wtr. Conservation District and members os the Canandaigua Lake Watershed Commission.

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Other municipalities verbally agreed 'a good idea' Trustee Wooden sd. The foregoing documents to be submitted to the Vill. Atty. (who was absent) for his review and recommendation to the VB.

CEO J. Roney:

Trustee Wooden stated that the VOP's CEO had wanted to address the VB, however, he had previous commitment; Mr. Roney hoped to attend latter pt. of VB mtg.

Plng. & Zng.:

Trustee Lynch asked for the consideration, if vacancy or when one occurs on Zng./Plng. Bds., of Mr. Richard DeVogalere of Hansen St. He has shown an interest and in the past submitted a letter.

Proposed Landfill:

Mayor Elliott sd. that ltr. rec'd frm. Ms. Nancy Crowley, Sec'y - Macedon Solid Waste Advisory Committee - informing the VOP of scheduled mtgs. (Mayor & TOP Supervisor, Mr. Ed. Wheeler to attend mtg. on 12/4/90 @ Macedon Elem. Schl.). In addition, he sd., ltr. rec'd frm. TOM Supervisor, Mr. Stuart Carlson, regarding the subject matter.

VB Audit:

Mayor had distributed reports frm. VOP Treas., asking that the VB review prior to nxt. VB mtg. He added that budget transfers wld. be forthcoming.

State Aid:

Mayor Elliott spke. of a ltr. update frm. the State regarding State Aid - and his communications to State Legislators, WC village mayors (encouraging them to write to Legislators). Wth. State Aid cuts, he sd., the VOP wld. be 'dipping' into contingency. Trustee Gilmore sd. nowhere to cut in budget, VOP may be forced to cut services and VB's reluctance to do so. Mayor sd. that State has refused to give villages, etc. revenue resource(s) - and he touched upon CHIPS money.

VOP Sts.:

Trustee Gilmore reiterated (frm. past VB mtgs.) street conditions in the VOP and attempt to be mde. to repair 'worst' ones first; present plans are to pave one (1) street per yr.

Drainage Ditch:

Discussion on the drainage ditch, E. Foster St. Mayor Elliott sd. he wld. be visiting M/M Wm. Clark (re their concerns and prior reluctance to sign an easement as prepared by the Vill. Atty.) on following Wed. Their concerns included a permanent easement and 'silting in' occurring. Mr. R. VanHout asked why cld. the ditch not run in back of Wizeman's along hedge row. Trustee Lynch asked about storm sewer on Johnson.

Christmas Party:

Mayor Elliott commended Trustee Lynch for the successful Christmas Party on prior Sun., 12/2/90, in P&C Rms./Vill. Pk. Trustee Gilmore felt it called for a VB resolution and so moved that Trustee Lynch, the Vill. Clk., Dpty. Clk., Vince Craft, Paul Kukuvka, the Fire Dept., Pal-Mac Jaycees - and other individuals directly involved - be thanked for their efforts in preparing for the Christmas happening. Mayor Elliott seconded. Voting "aye" was unanimous/carried.

Snow-plowing:

Trustee Gilmore apologized publicly for inability of Hwy. to snowplow efficiently during bad snowstorm during day (many calls rec'd); roads were 'bad' everywhere - two (2) Hwy. trucks were out of commission, he sd., but one repaired before day's end.

Judges: The Mayor acknowledged a communication from Rochester's Seventh Judicial Dist. (rec'd annually) re the VOP's participation in "Temporary Assignment of Judges." Mayor Elliott explained the VOP had sanctioned in past few years and that Judge John Baynes had indicated his desire to participate. Trustee Gilmore so moved; Trustee Wooden seconded. Voting "aye" were Trustees Gilmore, Wooden & Lynch & Mayor Elliott. Carried.

Fed. Exp. Drp. Bx.: The VB, having discussed placement of a drop-box (during a prior mtg. following a request from Federal Express - and having suggested alternate stations) - Trustee Gilmore moved that Mayor Elliott be authorized to sign an Agreement, pending the Vill. Atty.'s review, with Fed. Exp. for a drop-box on the 'grassy knoll' between the South parking lot and Cuyler St. Trustee Wooden seconded. Voting "aye" were Trustees Gilmore, Wooden & Lynch & Mayor Elliott. Carried.

Abstract #13: Trustee Lynch moved that the Treas. be authorized to pay **Voucher Nos. 613-658** in the amount of **\$20,834.70** on which appear the initials of at least three (3) VB members; Mayor Elliott seconded. Voting "aye" were Trustees Lynch, Wooden & Gilmore & Mayor Elliott. Carried.

Misc.: Mayor Elliott, in reviewing the 'Old Business' on the Agenda, stated that he had nothing to report re Cable T.V.; no report on status of handicapped ramp for Vill. Hall; annexation of Rolfe/Bear Hill in hands of Atty.; requested Clerk to remove Mr. N. Gerber's request re Swiss Chalet from Agenda; regarding VOP Comp/Overtime policy, Mayor Elliott sd. that some additions had been made to the proposal and he would be submitting to Roch. on Thurs.

Waiver/ Reportr.: Trustee Lynch moved that the VB allow a Times reporter to ride in the Police car; Mayor requested an amendment, i.e. pending scheduling with the Police Chief. Trustee Lynch accepted amendment; Trustee Gilmore seconded. Voting "aye" were Trustees Lynch, Gilmore & Wooden & Mayor Elliott. Carried.

Office Closing: Trustee Gilmore sd. brt. to VB's attention previously and no action taken, however, office staff requests taking Mon. a.m., 12/24/90 and 12/31/90, as floating half-holidays (office officially closes @ noon day before Christmas/New Year's). VB agreed - Mayor sd. he had distributed a Memo to that effect.

Exec. Sess.: At 7:50 p.m. Mayor Elliott moved that the VB exercise Exec. Sess. for the purpose of legal and personnel matters. Trustee Lynch seconded. Voting "aye" were Mayor Elliott & Trustees Lynch, Wooden & Gilmore. Carried.

Reconvene: At 8:05 p.m. the Mayor moved that the VB emerge from Exec. Sess.; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Wooden & Lynch. Carried.

Attendances - School/Training

Approval: Trustee Lynch posed the question of need for prior approval by the VB for employees' attendances @ seminars, schooling & other training, along with an explanation of the activity. Brief VB discussion, following which Trustee Lynch moved the foregoing;

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Trustee Gilmore seconded. Voting "aye" were Trustees Lynch, Gilmore & Wooden & Mayor Elliott. Carried.

Training
CEO:

Trustee Wooden moved the attendance of CEO J. Roney @ a half-day workshop in Rochester on 2/21/90; sd. workshop deals wth. amendments to the NYS Energy Code. Mayor Elliott seconded. Voting "aye" were Trustees Wooden, Gilmore & Lynch & Mayor Elliott. Carried.

Adjourn-
ment:

At 8:12 p.m. Mayor Elliott moved VB mtg. adjournment; Trustee Wooden seconded. Voting "aye" were Mayor Elliott & Trustees Wooden, Gilmore & Lynch. Carried.

Ethel B. Johnson, Clerk

VILLAGE OF PALMYRA - BOARD OF TRUSTEES

Regular Meeting

12/17/90

7:00 p.m.

Present:

Daniel S. Pope III, Deputy Mayor; Trustees Charles D. Gilmore, Daniel E. Wooden & Thomas N. Lynch; Vill. Atty., John B. Nesbitt. Absent: Mayor James G. Elliott.

Call to
Order:

Deputy Mayor Pope, in the absence of Mayor Elliott, called the meeting to order @ 7:01 p.m.

P.Hrng./
LL#3:

Deputy Mayor Pope stated that a second public mtg. had been scheduled re Local Law #3, 1990 - "Home-Based Occupation," and requested the Clerk to read the Legal Notice. Mr. Pope then opened the hearing for public comment. Copies containing changes were available for those present; Mr. Pope asked Trustee Wooden to explain changes to Law following prior public hearing on 11/5/90.

Mr. Wooden sd. that the zng. law for the Village, as written, contains a section which allows for customary home occupations (allowable occupations read frm. Code by Mr. Wooden); he sd. that the Planning Board., in an attempt to update the Code and not limit occupations, felt any home-based business cld. apply for a Special Permit - changed definition frm. "Customary Home Occupations" to "Home-Based Business." He read revised definition, etc. Applies to R-1 & R-2 Districts. Fee wld. be \$25. every two (2) yrs. - requirements added wth. which businesses wld. have to comply. Mr. Wooden elaborated upon requirements.

Mr. R. Smith asked about businesses, according to zng. laws, now legal - wld. they be 'grandfathered' or wld. they approach ZBA & pay \$25. for hrng. then additional "User's fee" of \$25. for two-yr. period. Mr. Wooden sd. all that wld. apply is if person(s) had already been granted a variance to conduct business. Mr. M. Poretta asked about his operation and Mr. Wooden sd. that he had obtained variance previously. Mr. R. VanHout asked about his operation and told by Mr. Wooden that he, too, had received variance. Other businesses that were in existence prior to any zng., citing Doyle Upholstery - wld. be a 'grandfather' situation. Mr. R. Smith spke. of having rec. Certificate of Occupation three yrs. prior - wld. he have to apply...sme. confusion as Mr. Smith thought he had obtained variance. Mr. Wooden knew of bldg. permit but unaware of his having been granted a variance. Atty. Nesbitt sd. if lawful use established prior to proposed law, does not diminish the rights one already acquired.