

BOARD OF TRUSTEES

Regular Meeting

7/18/88

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees C. D. Gilmore, D. Pope & D. Wooden; and Atty. J. Nesbitt. Absent: Trustee P. K. Frontuto.

Call to Order: The Mayor called the meeting to order at 7:04 p.m. following which he requested that a moment of silence be observed.

Agenda

Additions: Mrs. Lois Pratt's request for campers to stay on Fairgrounds during Canaltown Days (prior permission received from Fairgrounds' Assoc./Canaltown Days Committee). Trustee Pope moved Agenda addition; Trustee Gilmore seconded. Voting "aye" were Trustees Pope & Gilmore & Mayor Elliott. Carried.

Minutes

7/5/88: Pg. 1, change "silk" to "silt" (typo); Pg. 2 re Hgwy. Conf., Supt. to bring back receipts or cash totaling cash advance; under "Workers' Comp.," 5th Paragraph - change "Town" to "Village"; Pg. 3, capitalize "Inc."; "Moved" rather than "Motioned" under suspending 'Open Container Law'; Pg. 5, "Rt.-to-Know" - "thought" instead of "though". With foregoing changes, Trustee Pope moved Bd. acceptance of 7/5/88 Minutes; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Mayor Elliott. Carried.

Minutes

7/14/88: Re "Adjournment," change "motioned" to "moved" - change moved by Trustee Pope, seconded by Mayor Elliott. Voting "aye" were Trustees Pope, Gilmore and Mayor Elliott. Carried.

Cemetery & Parks:

Supt. R. Weaver reported that crew working on Prosp. Hill & Village Park where they fixed fence and created new parking place in rear of P&C Rms. Also, painted bathrm. interiors. Three (3) gates placed on Prosp. Hill which are locked - need to set hours.... third gate on top of hill/turn-around. Disc. on hrs. Mayor thought 8:00 a.m. to one hr. before dusk. Trustee Gilmore stated that Bd. shld. wait for Trustee Frontuto's input as Prosp. Hill Pk. comes under her jurisdiction. R. Weaver spke. of making keys and signs.

Mayor Elliott said that if architectural survey mde. of Chapel, vault across road shld. be included (in worse shape, he said). Trustee Pope moved that the proposed Chapel survey include the Cemetery vault - the Mayor sd. just a Bd. decision - survey to be conducted by Stearns, Foster, etc. - Syracuse.

Pest Cont. Seminar:

R. Weaver to attend pest control seminar in Roch. on 7/27/88, sponsored by Cornell Cooperative Ext., at a cost of \$10.00. Mayor Elliott moved Bd. authorization for R. Weaver's attendance; Trustee Pope seconded. Voting "aye" were Mayor Elliott and Trustees Pope & Gilmore. Carried. Short discussion on bid for Cemetery truck. Mr. Tom Mee, Jackson St., to be added to request-for-tree list.

Trustee Gilmore:

Trustee Gilmore stated that he had written to Mr. D. Triou regarding road-work @ sub-division. Re brick-work/Vill. Hall - communicated wth. Library Pres., Mr. J. Drake, and possibility of working in tandem for use of lift in order to cut cost per Mr. Brad Jacobs' recommendation.

Change in daily schedule of Highway Dept., per Trustee Gilmore - extra hrs. M-Thurs., one-half day Fri. Sd. schedule does not require any overtime - working

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out well.

F.D. App.: Trustee Gilmore submitted applic. of Mr. George W. Butler, Fayette St., for F.D. membership. Trustee Pope moved Bd. acceptance; Mayor Elliott seconded. Voting "aye" were Trustees Pope and Gilmore and Mayor Elliott. Carried.

Fuel Bids: Fuel bids unattended, per P. Retan. It was pointed out that State Auditor says VOP must comply; as rates reflect daily changes the bids must be updated - Clerk to write for new schedules. Question arose if VOP has to accept lowest bid to which Atty. Nesbitt answered, "lowest responsible bidder....Bd. makes determination of responsibility."

Bid - Air Compress.: Trustee Gilmore moved that the VOP receive bids for a Highway Dept. air compressor @ 4:00 p.m., 8/1/88, at which time bids wld. be publicly opened. Trustee Pope seconded. Voting "aye" were Trustees Gilmore and Pope and Mayor Elliott. Carried. Clerk to so advertise.

Bid - 3/4 Ton Trk.: Trustee Pope moved that the VOP receive bids for a three-fourths ton truck for Cemetery Dept. - up to 4:15 p.m., 8/1/88, at which time bids wld. be publicly opened. Mayor Elliott seconded. Voting "aye" were Trustees Pope and Gilmore and Mayor Elliott. Carried. Clerk to so advertise.

Trustee Pope: Trustee Pope stated that he had received 'sample' contract regarding Animal Control; upon adaptation to Village's needs, VOP may enter into contract wth. TOP. Attributes of entering into a contract discussed. Atty. Nesbitt posed the question that VOP does not have contract or does not appoint officer, is not TOP responsible for these services.

Items 3 & 4 TOP: Highway Items 3 & 4 touched upon, the Bd. having reviewed prior year's resolution; Trustee Pope moved adoption of resolution petitioning TOP for exemption of Highway Items 3 & 4; Trustee Gilmore seconded for discussion purposes. He said that the VOP receiving many services frm. TOP and getting more all the time - more than wld. amt. to under Items 3 & 4. Because of involvement/cooperation frm. TOP's Highway Supt., Mr. N. Cook, he (Mr. Gilmore) wld. not favor passage of resolution. The Mayor in favor, explaining his position....TOP shld. exempt VOP frm. eligible items which are small portion of TOP's budget.

Urban Drainage: Atty. Nesbitt sd. word rec. frm. NYCOM that there is a plan afoot (bill) where State wld. pick up re drainage. Trustee Pope moved tabling until full complement (Board). Trustee Gilmore seconded. Voting "aye" were Trustees Pope and Gilmore and Mayor Elliott. Carried.

Town Ct. Contract: Mayor Elliott sd. TOP must be notified in advance of any proposed contract increases; the Mayor, then, moved that the VOP send a copy of a proposed contract reflecting an increase from \$150. to \$165. per mo. re use of Courtrm. by Town. Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore & Pope. Carried.

Trustee Pope wanted info. re the Community Center Contract (VOP/TOP) - does VOP establish charge. Told by Atty. Nesbitt that VOP acts as 'conduit' - can't dictate to them....could pull out.

Terminal vs.

Typewriter: The Mayor spoke of adding to computer in order to speed up system...talked of B-26 & B-28...could transfer K. Elvin's to J. Drake (Court); K. Elvin's is main terminal. Mayor Elliott sd. that he and the Deputy Clerk went to a recent seminar in Webster. Re computer for court, DWI wld. fund software, perhaps this year. Comparison to be mde.

Cut-Off re Vouchers:

The Mayor consulted the Board about cut-off day of Thursday's prior to Bd. Mtgs. where Vouchers concerned and met wth. agreement frm. Bd.

P.D. Rpts.:

Monthly P.D. Rpts. to be reviewed by Board hereafter - not an Agenda item. Three (3) applicants interviewed for P.D. Patrolman positions - Bd. to discuss in Exec. Sess. Atty. Nesbitt stated that Mr. D. Kane (C.Serv./Lyons) did not indicate a new list in foreseeable future.

Water & Wastewtr.:

Mayor Elliott sd. communic. rec'd frm. Town of Canandaigua announcing a hearing on 7/26/88 re a sub-division on East Lake Rd. Close proximity to VOP's water line; Mayor indicated he wld. attend. VOP has 24' wide easement....nothing can be placed over water line. Disc. on water line - concern for depth of water line. Probing disc./depth in some areas up to 30'.

Insulation for dome @ Sewer Plant to begin current week. In talking wth. Mr. M. Hubbard, \$900. settlement agreed upon wth. Hendler Elec....pending since 10/87. VOP will be officially notified by Hubbard Const.

East Wtr. District:

Mayor Elliott spoke of water shortage in the East Water District - amt. of 5,000 c.f. above amt. registered on individual meters. Councilman D. Lyons requested VOP to accept payment for average of 5,000 Mayor sd. possibility of problem in meter reading. Mayor said approx. \$45. in cost, then moved Bd. acceptance of above; Trustee Pope seconded. Voting "aye" were Mayor Elliott and Trustees Pope & Gilmore - Carried.

Laurentian Drive:

James I. DePoint, Esq. approached the Bd., along with Mr. Martin, owner of Salzburg Village Apts. re Atty. DePoint's prior request for dedication of roadway & utility lines - Laurentian Drive - the approach to Salzburg. Req. for dedication wld. be up Laurentian and straight arrow at top of hill - wld. not include the cul-de-sac (loop). (Mayor Elliott's recommendation(s) distributed previously to Bd. & Mr. DePoint.)

Atty. DePoint stated that of the 100 units, 85-90 are senior citizens....Salzburg largest non-commercial enterprise in VOP. Mr. DePoint asked for collective opinion frm. Bd. rather than individual Bd. members. He said he was unaware of any existing problems wth. water lines or pumping station. Mr. Martin sd. that \$10,000. spent on pumphouse two (2) years ago. The Mayor sd. dedication proposed when Salzburg built; his concern was for cracks in sewer lines at one time. Further disc. Trustee Gilmore sd. input needed frm. Bd. members who were absent. Atty. Nesbitt spoke of Letter of Credit for two or three yr. period. The Mayor spoke of his 7/14/88 Memo in which he made recommendations for Salzburg to pay cost of engineering, etc.

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He mentioned new sub-division which is on par with Salzburg...same rules apply. Trustee Pope asked why Salzburg was not dedicated originally and was told by Mr. Martin that at the time unknown that taxes/utilities would be as much as they are. Entire Bd. to review and arrive @ decision. Mr. DePoint & Co. thanked Bd. for their time and departed @ 8:30 p.m. Mrs. M. Boland discussed trees and tree-roots wth. Mr. Martin before he departed.

North Wtr. District:

The Mayor said that during a meeting with Town Councilman D. Lyons, he was unaware that the Master meter in North District belonged to the VOP; VOP W&WW Supt. installing outside water meters; on Division St. - frm. airport on out - wells have gone dry...approached Town for extension of Wtr. Dist. - Town wld. install line, VOP wld. sell them water, however, TOP has to get State permission. Wld. amount to six (6) houses, ending @ T. Van Hout's. Trustee Gilmore asked about putting up pump station there.

Trustee Wooden:

Trustee Wooden arrived @ 8:50 p.m. He reported that VOP Bldg. Inspector had been on duty for over one week. Mention made of Bettinger/Pal-Oil situation and Mr. J. Bettinger having sued the VOP/ZBA Bd. regarding fence.

Band Concerts:

Trustee Pope moved that the Mayor be authorized to sign contract agreements with Paul Crowley & Paul Stowe - in amts. of \$100. & \$300. respectively - for musical presentations in the Village Park on Sunday afternoon, 8/21/88; Mr. Crowley wld. perform for approx. one hr. - 2-3 p.m. - and Mr. Stowe frm. 3-5:30 p.m. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Wooden and Mayor Elliott. Carried.

Rd. Race Ctnw.Dys.:

Req. rec'd frm. chairman/Canaltown Days Road Race for use of portions of Vill. Hall on 9/17/88 in which to register runners and tallying afterwrds. Mayor Elliott moved use of Vill. Hall providing the Committee does any necessary cleanup; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott and Trustees Gilmore, Pope & Wooden. Carried.

Sewer Reduct.:

Communic. frm. M/M J. Williams, 402 Fayette St., requesting sewer reduction charge from two to one unit - residence prev. converted frm. double to single. Trustee Wooden sd. that kitchen wld. have to be removed, recommended approval upon inspection by VOP bldg. inspector. Trustee Pope so moved; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Wooden, Pope & Gilmore. Carried.

Voucher Approval:

Trustee Gilmore moved that Bd. approve Abstract #4 containing **Voucher Nos. 119-162** in amount of \$28,805.22. on which appear initials of @ least three Trustees; Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Pope & Wooden - Carried.

Sidewalk Policy:

Trustee Gilmore moved that Bd. adopt Sidewalk Policy as revised; Trustee Pope seconded. Discussion. The Mayor sd. his feeling unchanged...prop. owners pay - not something that ends up on tax rolls..some people pay/others end up getting something for nothing. Trustee Wooden asked who would decide normal wear-and-tear and shld. be replaced. Trustee Gilmore sd. tree damage obvious. Trustee Gilmore spke. of req.

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by property owner...if a safety problem, address it. Trustee Wooden spoke of property owner replacing only if they damage it on their own. Trustee Gilmore sd. all wld. benefit - if not directly, frm. having safe sidewalks. Upon Roll Call Vote re adoption of Sidewalk Policy, Trustee Gilmore voted "aye" - Trustees Pope & Wooden & Mayor "nay." Matter tabled.

N.Side Railing:

Trustee Gilmore moved that the Bd. accept quote for railing replacement/installation (in rear of North-side merchants) frm. Mr. Mike Poretta in amt. of \$4550. Mayor Elliott seconded. Discussion on completion date - 9/12/88 decided upon. Trustee Wooden spoke of quote rec'd frm. Mr. G. LaBerge for \$1400. Mr. LaBerge did not feel that vertical posts needed removal. Voting "aye" were Trustees Gilmore, Pope & Mayor Elliott. Voting "nay" was Trustee Wooden. Carried by majority.

Rt.-to-Know:

The Bd. discussed a VOP rep. @ WC seminar 7/2/6/6 on 7/28/88 re the Right-to-Know Law. Mayor Elliott moved that Hgwy. Supt., P. Retan represent the VOP; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Pope & Wooden. Carried.

NYCOM Questionnaire:

Bd. to review annual survey on state-local relations following which Mayor to compile & return.

Fairgrnds. Use:

Mayor related to Bd. that req. rec'd frm. Mrs. Lois Pratt for campers to use Fairgrnds. during Canal-town Days, group having rec'd permission frm. Fairgrnds. Assoc. & Canal-town Days Committee. Trustee Gilmore moved that Bd. allow same; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Wooden & Mayor Elliott. Carried.

Mayor Elliott moved that the Bd. formally request of the County to make E. Foster/Johnson a four-way stop - contained in present VOP Ordinance. Bd. shld. have comments on changes to Atty. Nesbitt - Liberty St. one-side parking; "Stop" sign at Howell/Foster & two-hr. limit on Aldrich frm. 8:00 a.m. - 4:00 p.m., weekdays. Atty. Nesbitt added, "Sept. - June, weekdays, when school in session." Citizen T. Leone of Aldrich Dr. was present as was new owner of Mrs. P. Howell's house, both of whom spoke of the parking problem and students taking short-cut to school through their yards. Trustee Pope seconded that req. be sent to Cty. Voting "aye" were Mayor Elliott & Trustees Pope, Wooden & Gilmore. Carried. Disc. on Jackson St. Ext. (Stafford St. to Hyde Pkwy.) Trustee Wooden sd. that students should not be singled out.

Trustee Pope moved that, by Local Law, VOP amend V&T Law to install "Stop" sign on Howell St. at East Foster St. - East Foster St. @ Howell; "No parking" on Hansen St. as originally proposed (north side); "No parking" 8:00 a.m. - 4:00 p.m., Monday through Friday/September - June on Aldrich Dr. (both sides); Jackson St. Ext., both north & south sides (Stafford St. to Hyde Pkwy./Hyde Pkwy. to Stafford St.). The date & time for hearing on Local Law #4, 1988, established for 7:00 p.m., 8/15/88.

Exec.Sess.:

At 9:55 p.m. Trustee Pope moved that the Board exercise Exec. Sess. for legal and personnel matters; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Wooden & Mayor Elliott. Carried.

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Re-Convene: At 10:44 p.m. Mayor Elliott moved that Bd. emerge from Exec. Sess. with above Bd. members present; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Pope & Wooden. Carried.

Adjourn.: There being no further business to come before the Bd., at 10:45 p.m. Trustee Pope moved that the Bd. adjourn; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Wooden & Mayor Elliott. Carried.

Ethel B. Johnson, Clerk