

## VILLAGE OF PALMYRA BOARD OF TRUSTEES

Regular Meeting

8-2-93

7:00 pm

**PRESENT:** Mayor James G. Elliott, Deputy Mayor Thomas N. Lynch, Trustees Daniel E. Wooden, C. D. Gilmore, and Kathleen C. Drews. Village attorney John Nesbitt.

**CALL TO ORDER:** Mayor Elliott called the meeting to order at 7:09 p.m. and requested a moment of silence for the Blackburns' who have recently suffered a terrible tragedy.

**AGENDA CHANGE:** Mayor Elliott moved to add Mark Crane to the agenda, seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.** Mayor Elliott also requested that any and all questions be asked by raising hand after which Mayor Elliott will recognize the person.

**TERRY VANDERWALL OUT OF DISTRICT USE OF VILLAGE SEWER:** Mayor Elliott reported that a letter had been received from the Town of Palmyra noting the request of Terry J. Vanderwall Parcel ID#32111-00-562356 on Canandaigua Road currently owned by Anson Johnson requesting out-of-district sewer service. The Town of Palmyra had made a motion on Thursday, July 22, 1993, with a motion to approve allowing property referenced above to be hooked into the Village of Palmyra sewer system. A letter received on 7-27-93, noted the request and the motion. Town of Palmyra Zoning Officer, J. Youngman, was in attendance on behalf of Mr. Vanderwall.

Mr. Vanderwall verbally requested the sewer hook up which is immediately south of the Village on the west side of Canandaigua Road. Deputy Mayor Lynch asked if there were other out-of-district situations. Mayor Elliott noted that Burnham Heights was one and that the sewer rates are doubled originally which the resident pays (actually one and one half times). Mayor Elliott noted that one of the problems with an out-of-district user is no legal recourse for payment (referring to unpaid balances being put on the property tax bill) of bills unless the VOP wants to bring a lawsuit against the land owner. J. Youngman suggested that Mr. Vanderwall could pay the charges for one (1) year in advance.

Mayor Elliott noted that sewer bills were paid in advance for a three (3) month period. There is no shut off on the sewer line as on the water line, noted Mayor Elliott. The manhole is in front of Dar Lin Lane. Deputy Mayor Lynch asked Mr. Vanderwall if he was willing to pay for the hook up which he answered, YES.

The line would have to go under the State Highway noted Mayor Elliott, which is very expensive. Mr. Vanderwall noted that he had already done some checking on this and realized the cost. The Village Board agreed with the idea, however, Mayor Elliott wants to see what the total cost will be for the hook up.

A motion was made by Trustee Wooden to make the property of Terry Vanderwall (presently owned by Anson Johnson) an out-of-district sewer depending on Terry Vanderwall's agreement, seconded by Mayor Elliott, vote, 5 ayes, **CARRIED.**

Discussion on getting more houses ie Sapienza and Parsons. Put into manhole to lower cost and satisfy all involved. A 6" pipe was noted as being small enough. The VOP is responsible for the line which goes to an out-of-district sewer to the line, the property owner takes it from there.

Deputy Mayor Lynch asked who would get prices? H. Kruger said he would. Mayor Elliott emphasized getting the prices as soon as possible.

**THE WALL:** Mark Crane asked if CEO Dundas was going to be at the mtg. Trustee Gilmore spoke to CEO who said he was working on the

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Crane problem and would see it through to the appropriate conclusion. Trustee Gilmore did not feel that the VB mtg. was the place to discuss this matter, it was a CEO matter. M. Crane noted that this problem was creating tension with the other tenants and making M. Crane feel like he has done something wrong.

Donna Wirth of the Lunch In asked how M. Crane could build the wall without a permit. Mayor Elliott told D. Wirth that is why M. Crane received a violation letter. If M. Crane was denied he could go through the appeals process. The VB is the final recourse said Mayor Elliott and should not discuss this case at this time but let CEO follow through. D. Wirth asked about all the broken windows on Fayette Street in the Stubby's bldg.

Trustee Gilmore stated that CEO Dundas will get all the information together. Trustee Wooden asked if M. Crane gave the CEO all the information asked for on the permit application. M. Crane stated he did not because the ltr. said to pay \$250. Trustee Wooden read a portion of the ltr saying that it states the \$250 paid on the issuance of a permit or 10 days if denied. M. Crane said he turned in an application and called CEO and discussed changes. Mayor Elliott again noted that M. Crane needed to get back with CEO. M. Crane said he did not talk to CEO about the wall but that his contractor spoke to CEO. CEO said to put up wall and no roof and that now it is different, stated Crane. Trustee Gilmore again stated that CEO was handling and the CEO could ask that the wall be removed. Deputy Mayor Lynch said that he could not understand that a contractor would begin work without a permit. Donna Wirth said she wants the alley to stay open, the wall leaves no second exit. Trustee Gilmore was concerned about the exit. CEO will check out codes and M. Crane and D. Wirth are to meet with CEO.

**MINUTES:** Trustee Wooden moved to accept minutes from 4-19-93, 6-21, 7-19, 6-28, 29, 30, and 7-8-93 as written, seconded by Trustee Gilmore, vote, 4 ayes, 1 nay (Depty Mayor Lynch), **CARRIED 4-1.**

**PUBLIC HEALTH OFFICER:** Mayor Elliott moved to accept Dr. Scott Tripler as the Public Health Officer subject to Dr. Tripler's acceptance and Attorney Nesbitt's approval, seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

**ABSTRACT #5:** Mayor Elliott moved to authorized the Village Treasurer to pay vouchers #208 adn #268 totalling \$18,489.23 and Voucher 269 dated Aug. 5, 1993, for \$303.50 to Kester Assoc. on which appear the signatures of three (3) Village Board members, seconded by Trustee Gilmore, vote, 5 ayes, **CARRIED.**

**FIRE ALARM IN VILLAGE HALL:** Mayor Elliott discussed moving the control board of the fire alarm system from the PD into the VC office for easy access. Also to have the alarm go to the FD by telephone to be heard if no one is in the building. The pressure alarm was noted in the Water Plant would stay in the PD. A price will be checked out on the dialer.

**FAIR PARKING RESTRICTIONS:** Mayor Elliott moved to prohibit parking during the Wayne County Fair from 8-16-93 to 8-21-93 for the entire length of the following streets:

- Sunset Dr.
- W. Charlotte
- Birdsall Pkwy.
- Brookside Terr.
- W. Foster St.
- Washington St.
- Gates St.
- Stafford St.
- Clairmount Pkwy
- Tremont St.
- Jackson, Stafford, and Hyde Pkwy (northside)

and to prohibit parking on the following streets for detour route on August 20 from 5 p.m. to 9 p.m.

- Mill St.
- Prospect Dr.
- E. Jackson to Canandaigua and W. Foster St. and down Hyde Pky.
- Canal St. and Holmes St. (entire length)
- Division St. (from Canal St. to Quaker Rd)

Close Main St. to traffic 8/20/93 beginning at 6:45 p.m. for duration of the firemen's parade. Also on 8/21/93 beginning at 10:45 a.m. for duration of Veterans and Youth Parade. Both closings to be from Throop St. to Hyde Parkway.

Motion seconded by Gilmore, vote, 5 ayes, **CARRIED**

**CONTRACTS:** Trustee Gilmore moved to authorize the Mayor to sign two (2) contracts one (1) for Historic Palmyra and one (1) for the Kings' Daughters' Free Library, seconded by Deputy Mayor Lynch, vote, 3 ayes, 2 abstain from Mayor Elliott and Trustee Wooden since they are on the Board of Directors for Historic Palmyra. **CARRIED.3-2.**

**CANALTOWN DAYS BANNER:** Mayor Elliott asked H. Baker if the Wayne Cty. Fair would like to put up a banner. Mr. Baker said that he would get back to Mayor Elliott. Mayor Elliott thought that if both the Fair and Canaltown Days wanted banners up for their respective events, then the cost would only be \$12.50 per organization instead of \$25 for one. A call needs to go to R. Hickman, Fire Chief, for assistance with installation of the banner. Mayor Elliott noted that the fair and Canaltown Days committee ask the Mormon Church and Dave Scheer for permission to use their anchors.

Mayor Elliott moved to authorize Canaltown Days to put up a Banner; and if the fair has a banner, they could put the fair banner up first, seconded by Trustee Gilmore, vote, 5 ayes, **CARRIED.**

**JUDGES' CONFERENCE:** Mayor Elliott reported on a NYS Magistrates Conference to be held in Rochester Oct 10 through 13 and the Judge's request that she and the Court Clerk receive permission to attend. Deputy Mayor Lynch asked if this was a required course? Deputy Mayor Lynch moved to allow Judge Salomon and Court Clerk, Linda Ingram to attend the Magistrates Conference if required and if not required see if there is money in the budget, second by Trustee Wooden, vote, 5 ayes, **CARRIED.**

**OFFICER CUMMINGS RESIGNATION:** Mayor Elliott moved to accept Officer Craig Cumming's resignation as written in a letter dated 7-30-93 effective August 15th, 1993, seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.**

**PD COPIER:** Mayor Elliott reported that SHARP the maker of the PD copier is too old to renew the contract and that parts are unavailable making it necessary to get a new copier if a break down occurs.

**AGENDA:** Mayor Elliott asked the VB if the second mtg. of each month could be a workshop type mtg. using a workshop format as the previous mtg. Mayor Elliott noted that should any business need action, give the information to the Village Clerk. Picking out a couple of topics for the meeting would be a good idea, all agreed suggesting the multiple year plan of priority of streets needing work.

**HEAVY TRUCKS ON SIDE STREETS:** Mayor Elliott has received a number of complaints on tractor trailer trucks going up and down the VOP streets. A weight limit was discussed restricting those truck accept for local delivery. Trustee Gilmore agreed that side streets should not be a short cut. H. Baker noted that a tractor trailer was parked on Jackson St. near fairgrounds blocking the entrance. Trustee Drews noted that the person lives

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near that location. Mayor Elliott noted that no one had complained.

**PARKING RESTRICTIONS:** Mayor Elliott reported that a resident asked if a no parking on VOP streets could be enforced between 2 a.m. and 6 a.m. all year round. Chief Dalton noted that it would help the Highway Dept. H. Baker noted that you can hardly get down Gates or Washington at night and a fire truck certainly could not. E. Hartnagel noted that an ordinance was passed allowing parking on only one side of streets but they are not posted. Mayor Elliott will check into this with Chief's assistance. It was noted that East Main Street is particularly a problem and that vision from driveways are blocked but no signs are up. Signs need to be put up near Rite Aid, Curleys' and Evy's. Parking between the sidewalks and the street is a problem on Main St. and people can not see to get out of their driveways. Mayor Elliott said the ordinance update will be done in two (2) wks.

**NOISE ORDINANCE:** Village Board has not been taking care of changing to noise ordinance. Citizens have been complaining about car radios at night. J. Nesbitt will work on this.

**NYCOM SCHOOL FALL TRAINING:** Three clerks would like to attend. Mayor Elliott will take office duty during that time. Mayor Elliott moved that the Village Clerk, Deputy Clerk, and Treasurer be allowed to attend the Fall Training School from Sept. 27 to October 1, seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.**

**ABANDONED VEHICLES AT SEWER PLANT:** There is one (1) wrecked car that was hauled off the street, Black vehicle from DWI, and 2 which can be removed (trailer and car).

Mayor Elliott moved that the VOP move forward on disposition of car stolen for parts and the trailer. VOP needs to acquire the title for disposition, car should be junked and trailer can be sold, second Trustee Gilmore, vote, 5 ayes, **CARRIED.**

**TELEPHONE LINE FOR PD:** Mayor Elliott report on Village Clerk's changing of the cellular telephone rates savings of \$23 per month. A new regular line for PD would cost about \$24.74 approx. per month. At present there are only 2 lines in PD, 1 for emergency which should not be used for outgoing calls and 1 other line. Mayor Elliott said he thought it was a good idea. Could be put on line six of telephone. Trustee Wooden asked if number would be listed, Chief said listed but not published. All agree.

**DEPUTY MAYOR LYNCH REPORTS:** The highway dept. is very busy so Zurick masons have been asked to do sidewalks.

The VFW and American Legion would like to pay for the repairs to the military monument in the cemetery. The work would be performed by Zurick Masons. All appreciate the generous offer.

**PARK AND CLUB ROOMS:** Deputy Mayor Lynch noted that the electrical discrepancies have been repaired and inspected at the Park and Club Rooms.

**TRUSTEE GILMORE: NO REPORT**

**TRUSTEE DREWS REPORTS:** Canalton Day parade, anyone wanting to ride in parade let Village Clerk know.

**PEDDLER'S PERMITS:** Deputy Mayor Lynch noted his concern about street vendors during Canalton Days and can the permits be limited. Some suggestions about no peddler's permits at all, Mayor Elliott, and Deputy Mayor Lynch both said that they hate to do that since some people make their livings that way.

Attorney Nesbitt will check into the Local Law for revision.

**SIGNS:** Trustee Drews asked VB what their opinion was on the placement of the Village signs. No complaints except landscape around sign on West side of Village. Mayor Elliott will check with Floyd Pulicini to let him know planning to landscape sign. Mayor Elliott also noted that the sign on the East side of the VOP was hard to read at the angle it was at.

**TILE DRAIN PIPE:** Depty Mayor Lynch stated that the NYS DOT should be reminded that they offered a drainage pipe at the end of Rt. 31. Good topic for workshop.

**ACO:** Trustee Drews reported that ACO had turned in a report on the school at Delhi which would be on file. Also a letter from Lane's to thank ACO for her assistance and professionalism during dog bite case. A ltr. from Trustee Drews will go to ACO commending her.

**TRUSTEE WOODEN REPORTS:** There has been a sewage problem at Breens' for 3 times in a month. The hoses from campers appear to be shredded in the pipe and a shut off and sign warning people was suggested. Mayor Elliott suggested metal bars to stop hoses from dropping in. The Village crew did a good job when they went to Breens' on Saturday morning and cleared out. Mayor Elliott noted that a new unit could have been purchased considering the overtime spent on this problem. Trustee Wooden asked who was on duty, C. Timerson said he was at 8:00 a.m.

No questions or comments from audience.

**EXECUTIVE SESSION:** Mayor Elliott moved to have executive session for matters of personnel with the Police Chief and H. Kruger at 8:35 p.m. seconded by Depty Mayor Lynch, vote, 5 ayes, **CARRIED.**

Motion made by Trustee Gilmore to go out of executive session at 10:40 p.m. seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.**

**ADJOURNMENT:** A motion to adjourn the meeting at 10:42 p.m. by Trustee Gilmore was seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.**

Respectfully submitted,  
Bonnie J. Hays, Village Clerk

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