

Min., 4/2/90--7

Reconvene: At 10:40 p.m. the VB emerged frm. Exec. Sess. as moved by Trustee Gilmore; Trustee Pope seconded. Voting by the Bd. was unanimous and carried.

Adjournment: Immediately after reconvening, Trustee Gilmore moved adjournment; Trustee Pope seconded. Voting by the Bd. was unanimous and carried.

Ethel B. Johnson, Clerk

*****ANNUAL ORGANIZATIONAL MEETING, VILLAGE OF PALMYRA - April 2, 1990
(Attached hereto)

BOARD OF TRUSTEES

Regular Meeting 4/16/90 7:00 p.m.

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

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

Sign/M. Midland: Mr. Ken Latham approached the VB re request for signage (entrance/exit) @ Marine Midland, having followed procedure of a ZBA Hrng. The application was denied and referred to the VB.

The application was re-capped, supported by drawings and photographs the desired placement of signs. Mr. Latham sd. that in MM sign proposal, placement 2' frm. phone booth/2' frm. planter. Mayor Elliott, pointing to drawing, showed customers' use of the MM parking lot which causes confusion and minor traffic problems - wld. not be obtrusive. The Mayor also pointed out that approx. only half of the driveway belongs to the VOP. Trustee Lynch agreed they 'look nice' but wld. rather not see any more signs. VB discussion - Trustee Pope afraid someone wld. trip over sign(s), he sd. P.D. Chief D. Dalton spke. of his limited knowledge for sign requirements, etc. re public access where State laws concerned. Mayor sd. the ZBA denied on the basis of they did not know who owned the property.

Trustee Pope asked what action cld. the VB take & informed by Mayor Elliott that if within the jurisdiction of the VOP, the ZBA felt the VB shld. give permission or denial. Atty. Nesbitt asked wld. the VOP be acting in a propriety capacity as a landowner or in a regulatory one....one of prerogatives of property ownership. Property owned by municipalities exempt frm. zoning, he sd. - same as school. Sd. he wld. assume VOP owns due to all of the sidewalk/parking lot improvements few years back....done on a "charge-back," per Mayor Elliott. Atty. Nesbitt stated that his father, former VOP/School Atty., researched several years ago. After calling his father, Atty. Nesbitt sd. it was his opinion that sidewalk was VOP property. He mentioned, also, any work to be done within State right-of-way, must obtain a "Highway Permit." Discussion on any work performed within 500' of intersection re the State.

Trustee Gilmore stated that he wld. not like to see signs here-and-there throughout the VOP - can't say

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one can do sme./not others. Atty. Nesbitt sd. once the VOP "opens the door, have to regulate on even basis." Dealing wth. precedent, he sd. Disc. on moving signs inside parking lot - wld. lose two (2) parking spaces, per Mayor. Trustee Lynch suggested alternates, also. Mayor Elliott brt. tax maps to Bd. table & the VB looked over....State maps had not been updated since 1932, per the Mayor.

Chief D. Dalton & Mr. Latham discussed particular designs/placement and Mr. Latham will pursue his suggestion(s) and notify the VOP of MM's opinion of sme. - cld. get bk. to the VOP in day or so. Mayor sd. when property line determined the VOP wld. contact Mr. Latham @ his sign company. If proposed sign met Zoning Code, Trustee Pope did not feel the necessity for Mr. Latham to return to VB. Sign sizes again stated - Mayor sd. it went to ZBA because the directional signs are addressed in "Highway Commercial" in C-2 but not in 'main' business district commercial. Probably bk. when done, no private parking lots in existence in business area. MM parking lot came about later.....three (3) bldgs. in the area originally. Contact to be mde. through Vill. Atty.

Agenda**Addition:**

Mayor Elliott moved that the request frm. Mrs. B. Tome for the Pal-Mac Youth Baseball League to conduct a parade @ 10:00 a.m. on Sat., 5/5/90, be added to the Agenda. Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Pope & Lynch. Carried.

Minutes**4/2/90:**

The VB Minutes of 4/2/90 were not ready for distribution, therefore, Trustee Gilmore moved tabling approval of same; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Lynch & Mayor Elliott. Carried.

F.D.:

Trustee Gilmore acknowledged receipt of the Annual F.D. Report and requested the Clerk to submit copy to the Library.

Drain/E.**Foster:**

Re the water problem on E. Foster St. - met wth. Mr. D. Schwartz who had a topographical map & gave an estimate of under \$900. for a preliminary engineering study/survey. He judged a 10' drop where water pulling close to road before going into another branch of stream. Mr. Gilmore mde. contact wth. the TOP as to whether or not they wld. share the expense. Mr. Gilmore mde. contact wth. Soil Conservationist, Mr. J. Smith - contacted TOP Hwy. Supt., N. Cook at TOP has "Drott" machine, however, ground too wet. Nxt. contact mde. wth. Graf's/Newark - who, after seeing, gave an estimate of \$1650.- cld. then 'skirt' engineering survey. Do not have solid commitment but indication that the TOP will cooperate. Mr. D. Lape who lives in area spke. of very high water there.

Dumpster**Bids:**

Trustee Gilmore sd. that VOP needed to advertise for bids for dumpsters (in conjunction wth. TOP on Kent St.) - dates to be 5/30/90 - 6/9/90. Atty. Nesbitt sd. he needed to review the bid specs wth. TOP Atty., Paul Rubery. VB discussion on contracting - TOP/VOP cld. have joint contract, per Atty. Nesbitt. Trustee Gilmore moved that the VB advertise for bid opening on Wed., 5/2/90 @ 2:00 p.m.; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Lynch & Mayor Elliott. Carried.

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Budget
Adopt.:

Trustee Pope stated that there were few changes made in the VOP's 1990-91 budget @ the public hearing on 4/2/90; changes do not affect the total appropriation or tax rate, he sd. VB had a short discussion on the budget/impact, etc., following which he moved adoption of the VOP's 1990-91 budget as presented. Trustee Gilmore seconded. Mr. Gilmore added his compliments to his fellow VB members for the time and work spent in preparing budget.

Former Trustee P. Frontuto asked for an explanation re a 38% increase for allocation to the Library to which Trustee Pope sd. the matter had not been formally resolved. Mrs. Frontuto spke. of \$15,000. prior yr./\$18,000. Discussion. "In-Kind" services from the C&P related by Mayor. Mrs. Frontuto sd. the VOP cld. decrease the contingency and not change tax rate. In other areas, Trustee Pope spke. of cost of a truck - cld. be up to \$100,000. - talk of Reserves/\$123,000. in Reserves now....VOP can't use up Reserves. Mrs. Frontuto asked how much out of contingency past year and informed by Trustee Pope approx. \$15,000. One transfer was frm. Sewer Fund due to incorrect figure placed in budget re bond amt., per the Mayor. Trustee Pope spke. of monies for P&C Bldg. placed in wrong category, therefore, transfer necessary.

Mrs. Frontuto asked of Trustee Lynch, in view of criticism rec'd re Cemetery prior year, about C&P mowers. Mr. Lynch stated new mower not budgeted, however, new engine to be installed....will be back-up. Did cover wth. C&P Supt. R. Weaver who felt comfortable wth. it, he sd. Trustee Pope sd. fair amt. of money placed in budget re replacements & repairs to mowers (not whole unit) for C&P. Trustee Frontuto mentioned \$1000. - to buy the engine, per Mr. Lynch.

Mayor Elliott polled the VB - voting "aye" were Trustees Pope, Gilmore & Lynch & Mayor Elliott. Carried.

Animal
Control:

Trustee Pope spke. of having rec'd complaint re "dogs" and quarantine being imposed in one instance. He spke. of need to enforce Leash Law - Chief D. Dalton asked why not place 'bounty' on dogs and explained the process. He spke. of the availability of Dog Warden - and the swiftness wth. which Mr. A. Eldredge acts upon receiving a call re capturing raccoons. Discussion on fee for first offenders re not obeying Leash Law.

Budget
Transfer:

The Mayor spke. of need for the VB to transfer \$15,000. re the construction of Vill. Hall handicapped ramp frm. A1621.2 to A9901.9 (HR-1) to Vill. Hall Capital Reserve Fund. Treas. mde. 'physical' transfer, Mayor sd. Trustee Pope so moved; Mayor Elliott seconded. Voting "aye" were Trustees Pope, Gilmore & Lynch & Mayor Elliott. Carried.

Special
Events:

Re gutters, etc. for east side of Vill. Hall, last word from Adams Construction was that they were awaiting good weather. Trustee Lynch sd. that the WC Council on the Arts to present 'free' concert in the Park - working on a concert date. C&P Supt. R. Weaver working on "Earth Day" on his own time wth.

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Mr. Preston Clocksin, however, requested use of VOP truck to pick up school students' projects @ school on Fri. prior to 4/22 - "Earth Day", and to pick up the trees on Sat. which are to be distributed on Sun., etc. R. Weaver wld. be sole driver of the truck. VB agreed.

TaxLevy:

In conjunction wth. adoption of the VOP 1990-1991 Budget, Trustee Pope spke. of the necessity of the VB to establish the tax levy for 1990-1991. Trustee Pope, then, moved that the VOP establish the tax levy of \$15.65 per thousand of assessed valuation - the total tax levy of \$646,110. on assessed valuation based on over \$41 million dollars. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Lynch & Mayor Elliott. Carried.

Ptrlman.Freeland:

Mayor Elliott stated that Civil Service List rec'd containing Police Officer David Freeland's name on sd. list, following which he moved that Officer Freeland be made "probationary" for a period of eight (8) weeks effective Wed., 4/18/90. Trustee Pope seconded. The Mayor emphasized that Officer Freeland had been hired on "provisional" status under prior Union Contract during 8/89, had rec'd required schooling, etc. VB discussion on the matter re expiration date of prior Contract (5/31/89) and effective date of new Contract (10/2/89). Officer Freeland's status to become "permanent" at end of "probationary" period on 6/17/90; salary, effective 4/18/90, to be @ rate of \$10.45 p.h. plus overtime pay rate. Trustee Pope seconded. Trustee Gilmore spke. of his confidence in Officer Freeland and respect he receives frm. young people. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore & Lynch. Carried.

JobService:

VOP officials invited to a Job Service Seminar re Federal/State Labor Laws to be held @ The Farm on 4/26/90 - Vill. Treas. may go (no charge as in previous yrs.). Other officials welcome to attend.

NYCOMSeminar:

Mayor Elliott moved that any interested VB member be authorized to attend a NYCOM-sponsored Workshop for Municipal Officials to be held in Syracuse on 4/20 & 4/21/90. Trustee Pope seconded. Trustees Pope & Lynch indicated an interest, if schedules permit. Clerk to seek further details. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore & Lynch. Carried.

Proclama./Library:

In view of "National Library Week" in Palmyra frm. 4/22-28/90. Mayor Elliott read a Proclamation which contained the theme "Reach for a star - Ask a librarian." Proclamation attached hereto.

RelevyW&S:

Mayor Elliott moved that all unpaid water/sewer bills as of 4/30/90 be added to taxes and forwarded to WC. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore & Lynch. Carried.

ProspectPark:

The VB acknowledged request frm. Mr. D. Warters for Scouts to conduct projects toward badges on Prospect Hill 'a' day in May. VB agreed that request need not come before the VB, the Trustee-in-Charge (Trustee T. Lynch) cld. work wth. C&P Supt. re use of sd. area - Mr. Lynch to call Mr. Warters.

Abstract

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Abstract:

#21: Trustee Pope moved that the Treas. be authorized to pay **Voucher Nos. 1006-1047** in the amt. of **\$71,412.87** on which appear the initials of @ least three (3) VB members; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Lynch. Carried. Mayor Elliott declined to vote since a review had not been mde. of Vouchers.

Baseball Parade:

The Mayor acknowledged receipt of a note to the VB in which Mrs. Barbara Tome requested VB sanction to conduct a "Pal-Mac Youth Baseball Parade" in the VOP @ 10:00 a.m. on 5/5/90. Clerk requested to obtain permission frm. DOT (parade route on portion of Rt. #21); Chief D. Dalton sd. that supervision of the parade wld. involve most of his Police Officers thereby requiring overtime in addition to Fire Police. Trustee Pope moved VB approval; Trustee Lynch seconded. Voting "aye" were Trustees Pope, Lynch & Gilmore & Mayor Elliott. Carried.

Annual Auction:

Mayor's Memo to the TOP/VOP Hwy. Supts. listing VOP surplus items/equip., by departments, supplied to the VB. Disc. on W&WW truck (presently in use - new one on order) and adding to "auction list" - also VOP vehicle (providing sme. does not sell when taken to Waterloo auction on following Thurs. by Mr. D. VanHout); Trustee Pope moved that listed items/equip be declared surplus; Mayor Elliott seconded. Voting "aye" were Trustees Pope, Gilmore & Lynch & Mayor Elliott. Carried. Town Auction/Kent St. scheduled for 5/19/90. List attached hereto.

Misc.:

Letter frm. Mr. D. VanHout, operator of used car lot on E. Main, re minor damage to cars caused frm. stones thrown by passing cars; VB discussion - responsibility of State, per Trustee Gilmore. State places the stones there, State's responsibility to clean up, per Mr. Gilmore....they sweep Rt. #31, he sd. Per the Mayor, State has not performed this duty for some time....VOP shld. be maintaining its streets. VB determination to obtain clarification in writing frm. Engineer J. Edinger/DOT.

Mayor sd. ltr. request rec'd frm. Assembly of God Church for use of Fairgrounds - Mayor responded that the Fair Assoc. shld. be contacted.

Short discussion on the Vill. Hall handicapped ramp - Mrs. E. Hartnagel volunteered to speak wth. WC Clerk, R. Oaks concerning ramp WC installed. Nothing further in this area....Trustee Lynch requested the Clerk to provide him wth. copy of prior specs for handicapped ramp prepared by Mr. Paul Wilson of WC Planning Bd.

Re VOP Market St. property proposed for sale to Mr. R. Reinwald, Atty. Nesbitt working on deed for sme. Mr. R. VanHout, Howell/E. Foster asked about the drainage work, etc. in his area and is there a date for starting - short discussion. Trustee Gilmore sd. Graf's seemed ready at any time. Atty. Nesbitt sd. drainage easements easy to obtain. Mr. R. Lape sd. the signs placed by Hwy., "No Dumping," seem to be working in E. Foster St. area. Talk of someone shooting guns in the area. Electrical inspections (proposed local law), Atty. Nesbitt sd. that CEO J. Roney reviewing proposal. The Bear Hill Dr./Rolfe St. annexation, working wth..Atty. P. Rubery - need dates for hearing.

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Courier-Journal reporter, Mrs. E. Hartnagel - having received a letter re 'someone' having seen three (3) Trustees in a group - asked what constituted an unofficial/illegal VB mtg., i.e. when three (3) or more VB members congregate/meet.....she cited the VB's attendance @ the WC Village Officials' Assoc. dnr.-mtgs. VB discussion on sme., however, no determination mde. in the above regard.

Exec.
Sess.:

At 9:20 p.m. Mayor Elliott moved that the VB exercise Exec. Sess. wth. the VB/Vill. Atty. present; Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore & Lynch. Carried.

Reconvene:

At 9:45 p.m. the VB reconvened as moved by Trustee Pope, seconded by Trustee Gilmore. Voting "aye" were Trustees Pope, Gilmore & Lynch & Mayor Elliott. Carried.

VB Min.
to Lib.:

The Clerk was requested, again, to send a copy of the approved VB Mtg. Minutes to the Library - Trustee Pope added that a copy of the adopted VOP 1990-91 Budget (minus the salary pages) be included. Trustee Gilmore so moved, including Trustee Pope's amendment; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Lynch & Mayor Elliott. Carried.

Adjourn-
ment:

At 9:50 p.m. Trustee Gilmore moved adjournment; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Lynch & Mayor Elliott. Carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting

5/7/90

7:00 p.m.

Present:

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

Call to

Order:

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

Agenda

Additions:

Mayor Elliott moved Agenda additions as follows: Mr. Robert Rider & Mrs. G. Waite and son, Doug, re the parking ordinance passed by the VB in 1989; and the presence of Mr. R. Struzzi re a Walk-A-Thon for benefit of Palmyra's Pregnancy Crisis Center. Trustee Gilmore seconded the additions - all voted "aye"/carried.

F.Hall Rate

Increase:

Mr. C. Forman, Fire Company Commissioner, approached the VB stating that it is their policy to keep the VB informed re the use of the Fire Hall. He sd. that the Auxiliary felt they were 'losing' several parties due to fact that they have never rented kitchen facilities wth. use of Hall. Now desire to 'open up whole Fire Hall wth. use of kitchen' - fee to be \$200. wth. \$50. deposit for any damages. Once formalized, list to be provided to VOP.