

VILLAGE OF PALMYRA BOARD OF TRUSTEES

REGULAR MEETING

8-17-92

7:00 p.m.

PRESENT: Mayor James G. Elliott, Deputy Mayor/Trustee Thomas N. Lynch, Trustees C. D. Gilmore, Daniel E. Wooden, and Kathleen C. Drews.

CALL TO ORDER: Mayor Elliott called the meeting to order at 7:05 p.m. Special good luck wishes to Gail Retan, wife of Highway Superintendent, during her heart procedure tomorrow at Rochester General Hospital. The Mayor announced that P. Retan would be out for the next couple of days.

MINUTES: A motion was made by Trustee Wooden and seconded by Mayor Elliott to approve the 7-20-92 minutes as written, vote, 5 ayes, **CARRIED.**

Trustee Lynch moved to table minutes of 8-3-92 and accept minutes of special meeting minutes of 8-10-92, seconded by Mayor Elliott, vote, 4 ayes Trustee Wooden abstained, **CARRIED.**

ANNEXATION - LEHMAN: Mayor Elliott reported that the Lehman's are amending their original petition to include a small parcel of land which will make assessment easier for the TOP assessor. The lines of the property will be simpler, easier and straighter to mark off.

REPLACEMENT OF POLICE OFFICER: Mayor Elliott said that Chief Dalton would like permission to get a current Civil Service list which would not put the VOP under any obligation. Trustee Gilmore inquired as to what it would take to get the list and who could get the list asking if anyone could request a list. Trustee Gilmore also asked if it was a normal procedure for Chief Dalton to come to the VB for permission to get this list. Mayor Elliott noted that only officials could request the list and that Chief Dalton usually requested permission from the VB prior to getting any lists. Mayor Elliott noted that the list can be acquired by a telephone call to Lyons and the VB should decide if they want a VOP resident list only or TOP only or an all inclusive list.

Trustee Lynch moved to get an all inclusive Civil Service list seconded by Mayor Elliott. Trustee Lynch then amended the motion to read VOP list and if no one from VOP get an all inclusive list noting just to see what is available. Vote, 5 ayes, **CARRIED.**

MUTUAL AID: Village Clerk reported that the damage to the Macedon Fire Company boat was \$125 and that due to the extenuating circumstance the VOP was waiting to hear from the Village Clerk in Macedon to see who would be paying for the boat repair. The Village Clerk also explained the investigation into the insurance endorsement carried by the VOP and its adequacy.

ANNUAL REPORT: Mayor Elliott noted that all VB members read the report and vote on it at the next meeting, Sept. 8, 1992.

BUDGET TRANSFER: Mayor Elliott moved to transfer \$7,322.44 for the Community Center A.1990.4 contingency to A7320.4 - Joint Youth Program - Misc./Contractual seconded by Trustee Wooden, 5 ayes, **CARRIED.**

ABSTRACT #6: Mayor Elliott moved to authorize the Village Treasurer to pay Vouchers Nos. 232-276 amounting to \$35,002 on which appear the initials of at least three (3) Village Board members, seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.**

FILLING IN RUTS AND RESEEDING: Mayor Elliott noted that Mrs. Capron on Tremont St. requested that since the parking from the Fair caused ruts in the Village right away portions of a number of yards that the VOP repair the ruts and reseed these effected areas. Phil Retan, Highway Superintendent, will look at these areas and take care of them.

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MAIN STREET PAVING: Mr. B. Rider had noted concern on the deep shoulders left after the repaving of Main Street near Rite Aid Pharmacy by the State D.O.T. P. Retan noted that the State D.O.T. would come back and repair this problem and he would call Larry Russell of the D.O.T. to remind him. Mrs. B. Anthony noted how nice the Main Street looked. Mr. R. Van Hout noted that the drain at Pal Mart was made too low by the paving. Mayor Elliott said that will be fixed.

Mayor Elliott announced that the NYS D.O.T. was going to put in the left turn, through, and right turn lanes at the corner of Main Street and Cuyler, however, the State is requesting that the parking spots on Main St. in front of the Marine Midland Bank be removed. P. Retan agreed to remove these parking spots. Handicap parking spaces in the Marine Mid. parking lot were then discussed. It was determined that there are two (2) spots in the back.

CONVERSE TRAILER PARK ON WILLIAMS STREET: It was noted by P. Retan that the Converses had a trailer in their driveway and one in the street with a canopy going over the sidewalk with electric cords from the house to the trailer. Trustee Gilmore said that he would have the Code Enforcement Officer violate the Converses. However, parking on the street was not illegal and the VB had run into a similar problem until winter parking restrictions came into effect.

Mayor Elliott proposed a motion to limit parking on Williams Street, only, to eliminate this problem or on any street for more than 24 hours. It was noted that this could not be done without a hearing. The other possibilities discussed were no uninsured vehicles parked on the Village streets.

JUDGE SCHOOL: Village Justice, C. Salomon, requests permission to attend the required second session of Justice school at the Nevelee along with the VOP Court Clerk. They would share a room and the costs would be room charges, food, and mileage approx. \$600. Mayor Elliott moved to authorize the Village Justice and Court Clerk to attend the school on Oct. 18-21, 1992, at the Nevelee, seconded by Trustee Gilmore, vote, 5 ayes, **CARRIED.**

SARA GRANT: Village Clerk reported on the progress of the Records Inventory Project. An inventory clerk was hired, the Village Clerk and inventory clerk attended the the SARA inventory seminar in Auburn and the project has begun. The maps of three offices are drawn depicting the storage areas and each storage area is labeled.

CITIZEN SHARON STOLTZFUS : Mrs. Stoltzfus explained this was her third meeting with village boards concerning the variance of her apt. bldg. on Jackson St. being changed from a two family to a three family apt. bldg. The Planning Board denied immediately and the ZBA also denied. Mrs. Stoltzfus noted other apt. bldgs. in the same and near area with 3 and 4 apts. The ZBA denied because the Stoltzfuses' could show no hardship and the area was not zoned for that purpose. The neighbors don't mind stated Mrs. Stoltzfus because ltrs. were sent out notifying of the ZBA #230 hearing which no one responded to. Mrs. Stoltzfus explained that she doesn't want to change her mind. The bldg. looks much better already and it has been saved from being run down. Trustee Wooden confirmed the ZBA's reasons for denying the variance and said that the ZBA had no other choice. Mayor Elliott asked if the ZBA explained how Mrs. Stoltzfus could prove hardship, and proceeded to explain. Stoltzfuses have owned the bldg. since November, 1991. The backyard is large enough for parking stated Mrs. Stoltzfus. Mrs. Stoltzfus expressed an interest in getting the zoning changed from R-1 to R-2. The VB explained that the Planning Board needs to recommend that to the VB and that Mrs. Stoltzfus lot cannot be the only one involved. Trustee Gilmore suggested that Mrs. Stoltzfus canvas the neighborhood and have the neighbors sign a petition to present to the Planning Board.

Trustee Wooden explained to Mrs. Stoltzfus that changing the zoning to R-2 would open other bldgs. up to multiple dwellings of 3 or 4 families. Mrs. Stoltzfus said that if the ZBA granted a variance for a 3 family apt. than if the bldg. was sold it would go back to a 2 family bldg. Trustee Wooden told Mrs. Stoltzfus that she could apply for a variance a number of times. Trustee Gilmore noted that with a change in the zoning to R-2 there would be less control and more cars. Mayor Elliott suggested that Stoltzfuses show and economic hardship and continued by saying that the neighbors could oppose changing the R-1 to R-2 but that with a hardship and the neighbors agreeing to the change in apt. bldg. the ZBA may look at in a different light.

Mayor Elliott commended Mrs. Stoltzfus on the work done to the apt. house inside and out. Mayor Elliott suggested that Mrs. Stoltzfus get the figures down and do a balance sheet at the end of the year showing it is or is not profitable. Trustee Gilmore suggested that Mrs. Stoltzfus consult with an attorney on her behalf.

VOTING MACHINE: Village Clerk attended a joint meeting with the TOP and the Pal. - Mac. School District about using one location for voting machine storage, set up, and voting. This place would be the Music Room in the Pal-Mac High School and will begin with the November election.

TRUSTEE LYNCH REPORTS: PROSPECT DRIVE CULVERT: Trustee Lynch reported that the easements are at Attorney Nesbitt's Office and are almost completed.

PARKING ON SPRING STREET: Trustee Gilmore reported that he personally investigated the matter and suggests no parking on the southside of the street and parking only from the west of Cattieu's. Trustee Gilmore suggests that a cut back be created at the intersection of Fayette and Spring so that people can park. Approx. three or four cars will fit in that area. This would enable the cars on the northside of Spring St. to park closer to the corner. The cut backs would be near Lovelaces. P. Retan noted that 100 - 110 ft. from the stop sign would be needed to park 4 cars. Trustee Gilmore noted that measurements would have to be taken. Mayor Elliott suggested that a fire truck, snow plow and VB go to Spring St. and visually check the access of this street. It was noted that there is some VOP land which could be used for parking at the end of the street. The residents near the corner may not realize how close a cut back work be stated Trustee Wooden.

DRAINAGE PROBLEM ON WASHINGTON: P. Retan noted that a metal sign had been put over the sink hole in the Kirchoff driveway and that the neighbors had put black top over it. P. Retan also noted that since a baseball had been removed from the drain in that area and the tile had been repaired there was no problem with drainage.

Mayor Elliott noted that Mr. E. Henry says he still has water problems. There is still a whirlpool in his back yard near the storm sewer which the VOP dug up and worked on years ago. Trustee Lynch and Gilmore agree that if the drain is not the VOP's than the VOP should not take care of but if the drain is the VOP's than the VOP should repair. Trustee Lynch asked that P. Retan get prices on the tile from the Canal to Tremont, Gates, and Washington Street. Also a list of materials with new catch basins.

TRUSTEE GILMORE REPORTS: Signs for the basketball team are being worked on by the County, and they will try to have the signs by September, 1992.

FEE SCHEDULE: Trustee Gilmore will meet with C.E.O. Dundas and go over the proposed fee schedule in hopes of having it completed in the near future for VB approval.

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FAIR CONGRATULATIONS: Trustee Gilmore resolved, that since the Palmyra Fair is an integral part of this community and historic part of this community that all the members of the Fair Board and especially Mr. Buddy Baker and his wife Marge be officially recognized and commended by the Palmyra Village Board for their efforts which are in fact a year long effort, seconded by Trustee Lynch, vote, 4 ayes, 1 nay Mayor Elliott, **CARRIED.**

Trustee Gilmore also commended the efforts of the Palmyra Police Department and Highway Dept. during the fair.

KATHLEEN DREWS REPORTS: Trustee Drews will contact Attorney J. Nesbitt concerning the Wayne County Humane Society contract.

ANIMAL FEES: The Animal Control Officer does not feel that the VOP will get any money if charging the fees in the Local Law. Trustee Drews would like to get the number of dogs that are captured by the Animal Control Officer.

CANALTOWN DAYS BANNER: A motion was made by Trustee Drews to authorized the Canaltown Days Committee to put up a banner on Main Street after proper submissions and fees paid the the NYS D.O.T. seconded by Trustee Lynch, vote, 5 ayes, **CARRIED.**

AMERICAN LEGION-CLOSING OF CUYLER STREET: R. Marr requests that the VB authorize the closing of Cuyler St. Trustee Drews moved to close Cuyler Street in front of the American Legion during Canaltown Days, Saturday, Sept. 19, at 6:30 - 8:30 p.m. for a bag pipe band, seconded by Mayor Elliott, vote, 5 ayes, **CARRIED.**

LETTER TO PARADE DRIVERS: Trustee Gilmore asked that Village Clerk to send letters to Tom Meeh, Joe Latona, and Dave Scribner for furnishing cars and/or driving in the parade.

WATERFRONT REVITALIZATION SYMPOSIUM: A motion was made by Mayor Elliott to allow Trustee Wooden to attend the New York State Barge Canal September 15, 16 in Amsterdam, NY, seconded by Trustee Lynch, vote, 4 ayes, **CARRIED.** Trustee Drews out of room.

TRUSTEE WOODEN REPORTS: Trustee Wooden reported that the water contract with the Town of Macedon was in the hands of Attorney J. Nesbitt.

TANK; Trustee Wooden reported that a number of engineering firms had been contacted and had met with H. Kruger concerning the project. Some prices had been received and more appts. to look over the project are being made.

ROOF REPAIR AT VILLAGE HALL: It was reported that an ad was put in the paper, and contractors had been looking at the roof and offering ideas and prices on repairs and redoing the entire roof. Mayor Elliott suggested that a motion be in place for a Permissive Referendum be in place before bids are gotten to enable the money to be taken from Reserve. No motion was made and it was noted that there was \$10,000 in reserve to do the roof.

A discussion of a metal roof followed briefly noting a bldg. in Canandaigua and local home having a metal roof.

HANDICAP RAMP: Trustee Wooden reported that he had asked two contractors to give estimates on completion of the project. The prices should be submitted by the end of this week.

CITIZEN R. SULLIVAN: Mr. Sullivan asked if landlords were responsible to furnish dumpsters or totes for trash receptacles. It was explained that the landlord has to furnish a place for a tenant to keep his/her receptacle but that trash removal was the responsibility of the tenant. Mr. Sullivan noted trash on Market St. which brings flies and animals and expressed his concern as to this being a health hazard.

Trustee Gilmore declared this as a problem for the C.E.O. and health officer. Trustee Wooden noted that Chapter 12 of Village Ordinance was applicable.

CITIZEN R. VAN HOUT: Mr. VanHout asked about the progress on the water drainage near E. Foster and Howell Streets. Mayor Elliott noted that J.C. Smith, Eng. for Wyn. Cty. was getting easements signed and that Clarks, Bedettes, and Wisemans still needed to sign. Mayor Elliott noted that there had been some confusion concerning a ltr. that the TOP had sent out and that J.C. Smith and Mayor Elliott needed to speak with H. Bedette and clarify the confusion.

R. VanHout inquired about the culvert near Mickey's on Vienna Street and asked if pipe was as put in two ft. higher than it was supposed to be. Mayor Elliott and P. Retan stated that they believe the pipe was a little lower than the concrete one had been. Trustee Gilmore said it would have to be much higher than two ft. to cause a problem. R. VanHout voiced his concern about the possible backing up situation this could cause. Mayor Elliott said that during the bad flooding storm on Friday the culvert ran good and held well.

BREAK IN RAW WATER LINE: P. Retan reported that there had been a raw water line break on East Foster Street which was patched. P. Retan asked what had happened to the proposal two years ago on replacing that line? Trustee Wooden asked that P. Retan and H. Kruger get together and come up with engineering drawings on this line. P. Retan said that they could make up tiles and shut off the water long enough to install line.

CITIZEN E. VERBRIDGE: Mr. Verbridge voiced his discontent with no notification on the delay in brush pick up. Mr. Verbridge stated that he now has dead spots in his lawn. Mr. Verbridge asked if there was any plans for paving Jackson between Canandaigua and Stafford Street. The VB agrees that this is a project that needs attention.

EXECUTIVE SESSION: Trustee Drews moved the VB go into Executive Session for matters of personnel at 9:08 p.m. seconded by Mayor Elliott, vote 4 ayes, Trustee Lynch out of room, **CARRIED.**

Trustee Lynch moved to go out of Executive Session at 9:58 p.m. seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

ADJOURNMENT: Motion made by Trustee Lynch to adjournment the meeting at 9:59 p.m. seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

NEXT MEETING TUESDAY, SEPTEMBER 8, 1992, 7:00 P.M.

Respectfully submitted,

Bonnie J. Hays, Village Clerk

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