

Special Meeting

March 29, 1982

7:00 p.m.

Present: Mary Lou Wilson, Mayor; Trustees Lloyd A. Green, James I. DePoint, Mary Kay McGrath & Fred A. Goulden; and Attorney Laura Jane Poyzer; and Mr. Harold Kruger, W&WW Supt.

Call to Order: Mayor Wilson said that a Special Meeting had been called for the purpose of discussing a personnel matter - that notice of same had been properly mailed to Board members; posted and the official Village newspaper notified.

Executive Session: At 7:05 p.m. Trustee DePoint moved that the Village Bd. exercise Executive Session for the purpose of the discussion of a personnel matter. Trustee Green seconded; all voted "aye," motion carried.

At 8:05 p.m. Trustee DePoint moved that the Board emerge from Executive Session; Trustee Green seconded; all voted "aye," motion carried.

Present: Mayor Wilson; Trustees Green, DePoint, McGrath & Goulden; and Atty. Poyzer.

Adjournment: Trustee moved adjournment of the Special Meeting immediately after the Bd. re-convened; Trustee Goulden seconded, all voted "aye," motion carried.

Ethel B. Johnson, Village Clerk

BOARD OF TRUSTEES

Organizational Mtg.

April 5, 1982

7:00 p.m.

Present: Mary Lou Wilson, Mayor; Trustees McGrath, DePoint, S. Hays and Richard Rolland. Absent: Laura Jane Poyzer, Esq.

Moment of Silence: Mayor Wilson requested a moment of silence prior to conducting public hearings.

Public Hearing

Having read the Legal Notice, attached hereto, the Mayor said that a public hearing, in conjunction with the regular Board Meeting, was for the purpose of allowing Village residents to comment or ask questions on the Village Tentative Budget for 1982-83. She added that Village department heads - Chief Henry; Highway Supt., Ray Smith; W&WW Supt., Harold Kruger; Cemetery Foreman, Roger Weaver; and the Village Clerk and Treasurer were present - for the availability of questions.

Tax Levy: Mayor Wilson said, that in the tentative budget, the Village tax levy of \$9.35 per \$1,000. shall remain the same as in the past five years. She said that the tax levy is \$387,000. with the assessed valuation being \$41. million.

Requests, Discussions, etc.: Mr. Charles Richardson, representing the Palmyra Economic Development Corporation, wanted to be assured of funding for this organization each year, asked if they could not be a budgeted line item each year. Mayor Wilson said that the Board had the need of seeing P.E.D.C.'s audit before contemplating funding. Mr. Richardson spoke of contingency fund and if P.E.D.C. could be placed in budget, they would not have to approach the Board each year. Mr. DePoint said, regarding community organizations, that annual requests are all that Bd. has to go on. Mr. Elliott wanted to know about the increase in "Personnel and Contractual Expenses" from \$15,000. to \$25,000. He was told by the Mayor that amount was for attorneys' fees, lawsuits, etc. Mr. DePoint said that the Bd. was not at liberty to discuss lawsuits, however, five or six regarding negligence, employees, and any number of things, are pending.

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Public
Hrng.
Cont'd:

Mrs. E. Eggert asked about the current budget for certain items and the Mayor said they were close - highway had been raised in tentative budget. Mr. R. Bullard asked if the slate sidewalks on Jackson St. were going to be replaced due to it's being bumpy and slippery when wet. Mayor Wilson told him that Village attempts to replace some sidewalks each year - money is budget for same, and that this would be checked out. Mr. Bullard asked about monies being allocated for a sidewalk snow plow - a large one such as those seen in Rochester. Mayor Wilson said that same had not been budgeted, following which he made a recommendation that Bd. do so. Mr. Bullard went on to say that the Village has a "Snow Ordinance" - however, residents don't adhere - laws should be enforced or provisions made. Trustee McGrath spoke of hiring people just to take care of sidewalks - extra personnel plus benefits. Could add to taxes. Discussion held on individual responsibility for snow removal and if above came about, Ordinance would have to be repealed. Mr. Sunremi asked about those who do not have sidewalks and was told by another citizen to make a proposal to have sidewalks. Mrs. M. Lynch, 213 Stafford St., spoke of the slanting road in front of her house and the temporary patching which doesn't hold. Mrs. E. Hartnagel, also of Stafford S., stated that they just want sidewalks - so many kids use said street, especially now with Community Center located there. Trustee McGrath said that it is a concern of the Board.

Mrs. Eggert asked about the Police Department Budget of \$114,358. She spoke of personnel plus \$10,000. for equipment - what does this include. Chief Henry said that it included a number of things - gas, oil, repairs, phone, etc. Mrs. Eggert wanted to know what portion of \$114,358. was delegated to management and was told by Mayor Wilson that approx. \$42,000. is budgeted which also includes the Clerk. It was stated that this amt. is one-third of budget - and a Town resident asked if that amt. was not high. Mayor Wilson asked for further questions or discussion - when there were none she declared the public hearing closed at 7:25 p.m.

Federal Revenue Sharing Hearing

Uses:

Mayor Wilson emphasized that this was the second hearing regarding the use of Federal Revenue Sharing Funds and read the various uses for which these funds might be spent. Mrs. Eggert, referring to the Legal Notice, said that it looked as though the Board had decided on said uses. Mayor Wilson said that it is required that purposes be placed in Legal Notice. Referring to a prior discussion on a cleaning machine for the Sewer Dept., she said that amt. more than anticipated. W&WW Supt., H. Kruger, said that the \$14,000. unit was a cheaper unit - \$18,000. unit was better for Village's needs. Mrs. Eggert asked about rental and was told by Mr. Kruger cost was from \$650.-\$750. per week, three weeks maximum, depending on workload. Mr. Kruger spoke of age of sewer (1960-61), the build-up of grease in the system - invest in something now which Village can use for 30 years, or longer. Would pay for itself in five-ten yrs.

Requests,
Discus-
sion, etc.:

Mr. C. Richardson felt it a good idea to invest some of the extra funds. He said that there is a good possibility that some of P.E.D.C.'s projects are going forward and the need of additional funding. He asked about other means of spreading the word about public hearings - his organization did not see the first "Notice of Hearing." He added that the Village of Newark had placed 'several thousand' in its budget for their economic corporation. Remaining funds was discussed and Treas. Dickinson said amt. would be placed into fund balance or Federal Government might want them returned if not used - she also spoke of "re-budgeting." Mr. Elliott felt request should be justified - can't just say you 'want' money. He did not think the Board would be responsible in honoring an open request for money - not responsible on the Bd.'s part. Mr. Richardson said that P.E.D.C.'s budget request and financial statement had been submitted - full Board has copies.

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Fed. Rev.
Shrg. Hrng.
Cont'd:

Mr. R. Bullard reiterated his desire for a large tractor for plowing sidewalk snow. He also felt that Village should be more supportive of P.E.D.C.--they are trying to build in tax base operations--would relieve Village taxpayers. Should get behind P.E.D.C. and support them better than in the past. Mr. Fred Alderman, also of P.E.D.C., spoke of dealing with industrial program - don't need a great deal of money speaking of competition and secrecy. Just want some latitude if good opportunity comes along - may need money in a hurry - don't want to see money spent unwisely. The P.E.D.C. Board is as open a Board as the Village and Town, he said.

Mayor Wilson asked for further questions or discussion on suggested uses of Federal Revenue Sharing Funds, following which she declared the public hearing closed at 7:35 p.m.

Welcome to
New Bd. Mem-
bers:

Mayor Wilson welcomed new Trustees - Stephen Hays and Richard Rolland. She said she hoped for a successful four-year term for them.

Telephone
Bids:

Trustee McGrath said that bids for a communications system were opened on 3/29/82 - Ronco Communications & Electronics, Inc., 230 Metro Park, Rochester, N.Y.; Executone, 913 Culver Rd., Rochester, N.Y.; and American Dynatel Corp., 515 Butternut St., Syracuse, N.Y. Bid list attached hereto. Mayor Wilson wanted to know if Village Attorney had looked bids over and Trustee McGrath said she had gone over bids with Atty., following which she recommended to the Board that the bid for a communications system be awarded to Dynatel - said equipment being finer and could be expanded upon should need arise. Trustee Hays motioned that the telephone bid be awarded to Dynatel; Trustee DePoint seconded. All voted "aye," motion carried.

Village
Hall:

Trustee McGrath projected that Village Hall renovation was moving along and perhaps ready for occupancy by mid-May. She added that she wanted the building completely ready before the move.

"Bottle
Bill Walk":

Mayor Wilson reported that supporters of the "Bottle Bill" (a new law which would require a deposit on containers) would be walking across New York State - from Niagara Falls to Albany - and would be in Palmyra at 6:00 p.m. on 4/6/82, stay in Palmyra overnight and depart at 9:00 a.m. on 4/7/82.

Mayor Wilson asked the department heads present if they had any immediate problems or if they wanted to speak on any subject. They did not.

Sewer Unit
Reduction:

It was brought to light Mrs. Catherine Randall's previous request for a sewer unit reduction from two to one unit at 223 Vienna St. needed the Board's approval - also, a request was received from Mrs. Eva Richards, 126 Fayette St., for a sewer unit reduction from one and three-fourths to one unit as her beauty shop is being closed due to her retirement and ultimate move to Towpath Manor. Having been so advised by Atty. Poyzer that a resolution was not needed, the Board was unanimous in their approval of the above sewer reduction units; Trustee Hays having motioned, Trustee Rolland seconded. All voted "aye," carried.

Salzburg
Village:

A 3/25/82 communication from Marber Homes, owner of Salzburg Village, was brought to the attention of the Board by Mayor Wilson in which they requested forgiveness of a penalty of \$348.70 for not having paid water & sewer charges by the 3/15/82 deadline. Discussion held and Bd. reiterated its position as in previous cases - that Water Ordinance necessitates compliance and no refund could thus be allowed. The Clerk was asked to notify said Owner.

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Harboring
Dogs Req.:

Mayor Wilson read a letter from Mrs. Marian Boland, 2 Laurentian Dr., in which she requested permission to harbor sled dogs for her daughter, Kandy. The letter was referred to Trustee Hays for an investigation into same.

Zng.Code
Revision:

Mayor Wilson spoke of meeting regarding revision of the Zoning Code among herself, the Planning Board, J. Ryan - Zoning Enf. Officer/Bldg. Inspector, and one of the County Planners. She said that sub-committees were being set up and subsequent meetings planned.

Schooling
Depty.Clk.:

Treasurer Dickinson requested permission from the Board for Mrs. Darlene E. Matteson, Deputy Clerk, to attend a five-day session of "Double-Entry Accounting School" to be held in the Town of Manchester at a cost of \$15.00, plus mileage. The Board unanimously agreed to same.

Encumb.
Funds:

Trustee McGrath spoke of encumbering funds for pointing brick on P&C Rms. & Water Plant, motioning same. Trustee Hays seconded; all voted "aye," motion carried.

Village
Atty.:

Mayor Wilson said that the Village Attorney's absence was due to a broken arm.

P.E.D.C.:

Mr. C. Richardson, having requested Agenda placement, said that he would like to discuss direction P.E.D.C. headed in. He spoke of talking with head of Real Estate Division of Mormon Church to see if they would consider leasing or selling the old Ben Franklin Five-and-Dime Store if not to be used for intended purposes. He said that Mr. R. Ingold spoke of large amount of money needed to renovate same and mentioned Architect Mark Vande as a possibility for plans because of his interest in older buildings. He added that the Mayor and Chamber had contacted the Mormons, also, regarding the above. Anxious to get properties back on tax roll.

Mr. Richardson said he was glad the Zoning Ordinance was being revised - need Ordinance everyone can understand. He felt this had been a big hold-back for P.E.D.C. He spoke of other contacts P.E.D.C. had made about which he was not at liberty to reveal at this time. He did mention having contacted Wendy's, which is recession-proof, asking them to take a look at property located on corner of Routes #21 & 31. Would generate part-time jobs. He spoke of some success by P.E.D.C., i.e. Dr. Bidwell, et.al. P.E.D.C. in process of preparing a brochure and spoke of a Newark man who might be interested in the vacant bakery. They could utilize two additional members, he said, and spoke of misinformation in last week's paper. Trustees Hays and Rolland met with Messrs. Richardson and Watson on the previous Saturday to get a better understanding of the organization. Mr. Richardson said he would be glad to answer any questions - their official Minutes' Books are open - and that his organization has 75 days in which to prepare a financial report from the time books are closed.

Town Water
Contract:

Trustee DePoint said that the proposed Town/Village Water Contract would hopefully be ready for next Bd. Mtg.

Noise Ord.:

Mr. DePoint said he had a request from the Police Department concerning a "Noise Ordinance" - anticipating summer problems. This will be covered by present Committee revising Ordinance.

P.D.Monthly
Report:

Mr. DePoint moved that the Board accept the Police Dept. Rpt. for the month of March, 1982 (statistical data prepared by the Chief which is sent to State agencies). Trustee McGrath seconded; all voted "aye," motion carried unanimously.

Water Study
Committee:

As Water Commissioner, Mr. DePoint felt the most pressing issue facing the Village over the next ten yrs. or so is the water system. Too big and complicated for any one person to tackle and he would suggest names for appointment to a Committee to make recommendations to the Bd. He added that Town, too, is concerned about their needs and they are following the same procedure. He spoke of former Trustee Green's work

Water Study
Committee
Cont'd:

in this regard and suggested reviewing previous reports and surveys - and that he would meet with appointed Committee as well.

Sewer Rt.
Inc.:

Discussion held on the proposed sewer rate increase from \$21.00 to \$28.00 per unit, necessitated by the \$29,000. deficit in the operation of said department. This increase will require a public hearing, according to Mayor Wilson and Mr. DePoint said that a Local Law would, perhaps, be ready for next Bd. Mtg. He added that general indebtedness until 1990 a constant figure - increase would aid in operating costs, materials, etc. at sewer treatment plant, replacement of larger items as well as for salaries, etc. at said plant. Mayor Wilson re-emphasized the decrease of State Aid from 25% to 16%.

Organiza-
tional Mtg.:

At 8:25 p.m., Mayor Wilson asked the Clerk to read the categories comprising annual appointments constituting Resolution #82-16, attached hereto. Regarding the first category - that of "Acting Village Justice" - the Mayor talked of expenses incurred, i.e. sets of dockets, attending school and salary. On this basis, no "Acting Village Justice" was appointed.

The second category, "Court Clerk," Mayor Wilson said that she was re-appointing Mrs. Jeanne Drake on the basis of her ten years' experience, following which she read the following from "Rules for Town and Village Justices," which stated in part that "a judge shall not make unnecessary appointments. A judge shall exercise the power of appointment only on the basis of merit, avoiding favoritism," etc. She noted Justice Baynes' request for the appointment of Mrs. Jane Bender.

Following the remaining appointments, Trustee Hays said that due to Justice Baynes' overwhelming election victory and his campaign issue of expanding court, i.e. separate night for individual functions, that an "Acting Village Justice" should be appointed. He felt, also, that some consideration should be given to Justice Baynes' having requested his own Court Clerk. Mayor Wilson said that she did not think an "Acting Justice" necessary - and since Justice Baynes had not been a Judge before she did not think he would know the need for same. She added that in one year hence, if there appeared a need, the Bd. would take another look at it. She felt that Justice Abbott had been able to handle the caseload. Mr. DePoint, having been an "Acting Justice" for awhile, said this did not entail a lot of time and the overage cases depend upon how good a job the Justice does. Trustee Rolland concurred with Trustee Hays. Mayor Wilson called for a "Roll Call Vote" regarding adoption of Resolution #82-16 - Trustee Hays - "Nay"; Trustee Rolland - "Nay"; Trustee DePoint - "Aye"; Trustee McGrath - "Aye"; and Mayor Wilson - "aye." Resolution #8216 was adopted in its entirety by majority vote.

Minutes'
Approval:

Trustee DePoint moved approval of 3/1/82 Bd. Minutes; Trustee McGrath seconded. All voted "aye," carried (Trustees DePoint, McGrath & Mayor Wilson only voting). Trustee DePoint moved approval of 3/15/82 Bd. Minutes: Trustee McGrath seconded. Mayor Wilson & Trustees McGrath and DePoint voted "aye," carried. Approval of 3/29/82 Special Bd. Meeting Minutes was motioned by Trustee McGrath; Trustee DePoint seconded. Motion carried by all "ayes" from Trustees DePoint & McGrath, and Mayor Wilson.

Workshop
Attendance:

Trustee DePoint motioned that the Bd. approve authorization for Trustee McGrath & Highway Supt., Ray Smith to attend a CHIPS Workshop in Syracuse on 4/6/82. Said Workshop could allow for \$13,000. for highway improvement per yr. Trustee Rolland seconded, all voted "aye," carried.

APRIL 5, 1982Workshop
Att.Cont'd:

Trustee DePoint moved authorization for Trustee Hays to attend a 5/5 Workshop in Syracuse if his job permits. Trustee McGrath seconded. All voted "aye," carried.

Voucher
Approval:

Trustee DePoint moved that voucher amount of \$26,171.74 which are properly signed by three Trustees be approved. Trustee Rolland seconded. All voted "aye," motion carried.

Adjourn-
ment:

At 8:45 p.m. Trustee DePoint moved Bd. adjournment; Trustee McGrath seconded. All voted "aye," motion carried.

Ethel B. Johnson, Village Clerk

RESOLUTION #82-16 - ANNUAL ORGANIZATION MEETING

Trustee DePoint motioned; Trustee McGrath seconded. Adopted. Please see Pg. 6 for breakdown of voting -

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- Zoning Ord.: Trustee Rolland stated that committees are being formed to look at Zoning revisions. Trustee DePoint asked the Clerk to distribute copies of a sample "Noise Ordinance" to committee members.
- Revital. Committ.: Trustee Hays stated that he had met with the Mayor to go over his Committee responsibilities. He added that he had written to Mayor of Perry, New York, seeking information regarding their Village's revitalization. Mr. Hays said that he would be acting as liaison person between Village and Palmyra Economic Development Corporation.
- Sled Tm. Request: Mr. Hays' investigation concerning a request by Mrs. Marilyn Boland, 2 Laurentian Dr., to harbor two "Huskie" dogs - in addition to the present one plus a small, inside dog - revealed that majority of neighbors were not in favor of same due to fear, noise, some sleep during day - and that the houses are very close in distance. He said that their plans for enclosure were nicely planned, however, there is a swimming pool in close proximity and due to all of the negative responses he recommended that the Board deny said request, placing his recommendation in the form of a motion. Trustee Rolland seconded, all voted "aye," motion carried. The Clerk was requested to notify Mrs. Boland of the Board's denial.
- Mormon Museum: Mayor Wilson said that she had received a call from Mr. Ralph Ingold - the Village would subsequently receive word - that they plan to forge ahead with renovation plans for a Museum at 217 E. Main St. (old Ben Franklin Store). Mayor Wilson suggested to Mr. Ingold that he contact the Zoning & Building Officer regarding requirements.
- Governor Veto: Governor Carey vetoed appropriations to small villages in the amount of \$13.5 million, along with \$79 million for cities, etc., according to word received by the Mayor from the Conf. of Mayors. The Clerk was asked to write to the Governor and Legislators - the Village received \$20,000. in 1981.
- Rustic Signs: Mrs. Wilson queried Mrs. E. Eggert about information she had obtained concerning the Village's rustic signs. Mrs. Eggert said that the teacher's name was Mr. Richard Bills, BOCES, and asked the Mayor if she wanted her to contact him - and that she would inspect the signs more closely when the Mayor requested contact. The Mayor said that gold imprinting is very expensive.
- Albany Workshop: Authorization for either or both the Clerk and Treasurer to attend an important workshop in Albany, sponsored by the N.Y. Conf. of Mayors, was requested by the Mayor. Trustee DePoint motioned that authorization be granted; Trustee Hays seconded. All voted "aye," motion carried.
- Mayors' Conf. - June: Mayor Wilson said that a Conference for ALL Village officials would be held from 6/6-6/10/82 at Grossinger's and a short discussion held. Trustee Rolland motioned that Palmyra officials participate; Trustee Hays seconded. Mr. DePoint abstained - Trustee Hays, Rolland and Mayor Wilson voted "aye," motion carried by majority.
- Laurent. Dr.: Concerning the water leak at two properties on Laurentian Dr. - Nos. 2 & 4 - Atty. Poyzer initiated a discussion what course the Village should take - to turn off their water is the ultimate. Mr. DePoint questioned whether or not the Village has the right to make corrections. Atty. Poyzer said that a section is contained in the Village Law which states that the Village has the right to make repairs and assess amt. back to resident when property abuts Village street--these do not, water lines are installed on private property. Mr. DePoint spoke of condemnation. Mr. DePoint stated that Certified Letters had been sent to the respective owners, one of which had refused acceptance.

Laurent.
Dr.:

The lengthy discussion continued that Marber Homes would be agreeable to residents hooking up to their 6" line - and the owners' having given an estimate of \$1200.-\$1600. for repair, etc. Mr. DePoint reiterated previous determination of an agreement between Mr. E. Lawrence and the property owners that if problems occurred, Mr. Lawrence would be responsible for two-thirds of the cost and the owners one-third. Trustees Rolland and Hays asked pertinent questions following which Mr. Rolland suggested a two-week notice - if owners do not respond then, perhaps, water could be cut off. Discussion continued regarding denying persons' basic needs, the length of notice, etc. Atty. Poyzer recommended hand-delivering the notices and Trustee McGrath suggested having the Police Department serve same. Trustee Hays motioned that the occupants at Nos. 2 and 4 Laurentian Drive be given 14 days notice from time of receipt to repair water leak - if not corrected, Village would shut off water. Trustee Rolland seconded. "Aye" votes from Trustees Hays, Rolland, McGrath and Mayor Wilson carried the motion. Mr. DePoint abstained.

Fiddlers'
Picnic:

Messrs. Don Henderson and Bill Boyd, representing "Ye Old Fiddlers' Association," approached the Board requesting that they grant permission for the Fiddlers to conduct their 51st Annual Picnic at the Fairgrounds in Palmyra. Mr. Boyd is President of the Association, however, Mr. Henderson - acting as spokesman - spoke of their relative success last August with additional security, changing the traffic pattern, parking, hours, etc. Trustee DePoint said that he had worked closely with them last year and there had been no major incidents - the event had run smoothly - adequate security--and in view of the above he would have no hesitancy in recommending that they return this year, the second Sunday in August. The Fiddlers' representatives were asked about plans for 1982 and they stated they have no change in plans - that this year's event would be conducted in much the same manner as last year, including serving beverages in paper containers. Mr. Henderson pointed out that his organization has not allowed commercial vendors during their Picnic and that several area groups benefit from sales - profits generated into community. Trustee DePoint moved that the Bd. grant permission for the Fiddlers' Assoc. to conduct their Annual Picnic at the Fairgrounds the second Sunday in August, 1982, and that security arrangements be made through Police Chief Henry, and report back to Board. Trustee Rolland seconded. Trustee McGrath emphasized that the Community Center could not be used. All voted "aye," motion carried.

Acting
Vill.
Just.:

Trustee Rolland read passages from the Village Law - Section 301-2 - in which it is stated that the Village "shall" have no more than two Village Justices but in the event the Village has one Justice, it is mandatory that there be an Acting Justice. Mr. Rolland said that he would like to motion that the Village, for the period of the next month, accept applications from individuals qualified to seek said position, and at the end of that period - present same to the Mayor for an Acting Justice appointment. Trustee Hays seconded. Trustee DePoint felt there was not a need for same - in any event it is Mayor's appointment. If this is the law, he placed the name of former Village Justice, William Abbott, for the position since he is available during the day. Mayor Wilson recalled that when Mr. Rolland was involved, former Mayor Davin did not receive the three votes which were necessary. Trustee Rolland submitted a letter for an interested individual - suggesting that it be thrown open for anyone interested in seeking this position. He added that he knew of an Attorney from within the County who was also interested. Trustees DePoint and McGrath voted "nay," although they stated they were in favor of fulfilling the law. Mr. DePoint wanted the Village Atty. to review same and after further discussion, Trustee Hays motioned that upon the opinion of legal counsel - that it is indeed necessary under Village Law to appoint an Acting Justice, that the Mayor do so by next Bd. Mtg. (5/3/82). Trustee DePoint seconded. Trustee Rolland suggested changing time-frame to one month. Trustee DePoint did not agree, stating that if an Acting Justice is required by law, it would not take that long a time to determine - Village would be amiss not to appoint one if required. The Clerk's Minutes reveal four "aye" votes in the above regard.

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- Fire Dept.
Applica.: Trustee McGrath submitted the name of Mr. Terry J. Moulton, Sr., 306 Canal St., as a prospective member of the Fire Dept., and moved his acceptance. Trustee DePoint seconded; all voted "aye," motion carried.
- Resol.
#82-17: Trustee McGrath stated that during a meeting with Fire Chief McGuire, he told her of the need for the repair of the bumper on E-21 fire truck. She said that Fire Dept. would take \$10,000. of own money - need \$4,000. from Capital Reserve - and their willingness to cut back on their expenses. A bid has been received for \$13,700. for revamping of engine which includes battery, diamond-coated steel plates on back, etc. Discussion held on need for Permissive Referendum and it was determined that same was not needed as there was one at the time the fund was established - Atty. Poyzer said it is not needed for each individual expenditure. Trustee McGrath pointed out that if dollars spent now, equipment good for ten more years, following which she motioned that the Village expend \$4,000. for the Fire Dept. Trustee DePoint seconded, all voted "aye," motion carried. Resolution #82-17 attached hereto.
- Minutes'
Corr. -
4/5/82: Trustee McGrath requested a correction to 4/5/82 Bd. Minutes in which it was stated she had requested encumbering funds regarding Village Hall renovation. Encumbering funds, she said, would be for pointing bricks on Village-owned buildings in the amount of \$3,000. which was in this year's budget. Mrs. McGrath said that the original estimate was for an amt. for one bldg. which she understood to be for both the P&C Rms. and the Water Plant. Discussion held with Trustee DePoint motioning that Bd.'s resolution on 10/5/81 be rescinded in which Genesee Bldg. & Waterproofing Co., Inc., Rochester, N.Y. was approved to perform said work. The local mason presently performing brickwork on Village Hall was unanimously approved by the Board to do pointing on the Village-owned brick buildings - Water Plant and P&C Rms. upon a motion by Trustee DePoint, seconded by Trustee Hays.
- Rpt. -
Vill.
Hall: Mrs. McGrath, reporting on progress at the Village Hall, said that wallpapering has begun. She spoke of workers having difficulty removing white paint on outside brick - needs removal before outside work can be completed.
- Bike
Auct.: Mayor Wilson asked about bike auction and was told by Atty. Poyzer that it was almost ready - need to know where property came from, i.e. confiscated or turned in as "found." Chief Henry said that the P.D. is usually called to pick them up - they're dropped, along road or in someone's yard. Atty. Poyzer said that there are certain notice requirements on abandoned property.
- Surplus
Equip.: Regarding surplus or abandoned property, Atty. Poyzer said that the Board should pass a resolution that surplus (describe) no longer needed by Village, whereas bicycles have to do with "Personal Property Law." Trustee DePoint motioned that the Village move forward in this regard; Trustee Hays seconded. All voted "aye," motion carried. Mayor Wilson requested that the Clerk ask department heads about any surplus equipment they may have. Discussion held on hiring auctioneer, numbering each, etc. and Mayor Wilson suggesting a date after finding out time limitations.
- Pole Barn: Discussion held on pole barn for Village Highway machinery and equipment. Trustee McGrath said that she and Mr. Smith would draw up a draft of what it will be - needs dimensions of each piece of equipment. Must find where Village property lines are and discussion held on obtaining information from Cty. Mayor Wilson emphasized that it may not be possible for Village to utilize remaining UR funds for this purpose.

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Assess-
ments:

Assessor J. Roney talked with the Bd. regarding reduction of assessments on Salzburg and Swiss Chalet Apts., and the pending lawsuit. Discussion held on refund which has been paid and placed in escrow. Atty. Poyzer said that authorization needed from Bd. to execute settlement on behalf of the Bd. Trustee DePoint so moved; Trustee McGrath seconded. All voted "aye," motion carried.

Exec.
Sess.:

At 9:05 p.m., Trustee DePoint motioned Executive Session for the purpose of discussion of personnel matters, pending lawsuits and budget consideration; Trustee McGrath seconded. All voted "aye," motion carried.

At 10:55 p.m., Trustee McGrath motioned that the Bd. emerge from Executive Session; Trustee DePoint seconded. All voted "aye", motion carried. Present: Mayor Wilson; Trustees Hays, Rolland, DePoint and McGrath; and Atty. Poyzer.

Voucher
Approv.:

Trustee McGrath moved that voucher amounts of \$18,955.91 be approved for payment; Trustee DePoint seconded. All voted "aye," motion carried.

Resol.
#82-18:

Resolution #82-18, in which the Tax Levy of \$9.35 of assessed valuation was established; Village anticipates Federal Revenue Sharing Funds in the amount of \$27,000.; proposed budget projects' revenues in the amt. of \$776,670., and an appropriations amt. of \$1,502,813.; and in which the following salary increase percentages were approved by the Board, was moved by Trustee DePoint; seconded by Trustee McGrath - R. Smith - 11%; H. Kruger - 11%; Clerk - 8%; Depty. Clk. - 11%; Treas. - 10% & \$7.00 p.h. re Cemetery Forman, Roger Weaver. Roll Call Vote - Trustees DePoint, Rolland, Hays & McGrath & Mayor Wilson - all "ayes," Resolution #82-18 unanimously adopted, and attached hereto.

Adjourn-
ment:

At 11:05 p.m. Mr. DePoint moved adjournment; Trustee Rolland seconded. All voted "aye," motion carried.

Ethel B. Johnson, Village Clerk

RESOLUTION #82-17

Trustee McGrath motioned adoption of the following Resolution:

"BE IT RESOLVED, that a sum not to exceed \$4,000. shall be expended from the Capital Reserve Fire Fund to pay a portion of the costs of renovating the E-21 pumper. The balance of the cost will be expended from the General Fund Budget of the Fire Department."

Trustee DePoint seconded the foregoing Resolution; all voted "aye," un-animously adopted.

RESOLUTION #82-18

Trustee McGrath motioned adoption of the following Resolution:

"WHEREAS, the Board of Trustees of the Village of Palmyra has prepared a budget for all funds, including General, Water, Sewer, Federal Revenue Sharing and Debt Service, and

WHEREAS, the Village anticipates Federal Revenue Sharing in the amount of \$27,000, and

WHEREAS, the proposed budget projects revenues in the amount of \$776,670., and an appropriations amount of \$1,502,813., and

WHEREAS, public hearings have been held relative to the proposed expenditures and anticipated incomes,

NOW, THEREFORE, BE IT RESOLVED, that the Tax Rate for the ensuing fiscal year of June 1, 1982, to May 31, 1983, shall be \$9.35/M (Nine Dollars and Thirty-Five Cents Per Thousand) of Assessed Valuation, and

BE IT FURTHER RESOLVED, that it is the prerogative of the Board of Trustees to set salaries of appointed persons, which salaries shall be set forth as follows:

- "Dumpster"
Days: The dumpster would be at usual location from 5/3-5/17/82, according to the Mayor. She also read a communication from Mr. Marafioti of "Marafioti's" Shoe Store in which they registered several complaints - of lights being out; parking, etc. in back of their establishment. Discussion held on problem of parking places during winter. The Clerk said that five lights were out and that bulbs had been ordered for replacement.
- Handi-
capped
Pkng.: Mayor Wilson asked Mr. DePoint the status of "handicapped parking" and Mr. DePoint said he did not approve of same in middle of block; he felt corners better. The Mayor requested a recommendation by next meeting, 5/17/82.
- Cable T.V.: A communication from Cable T.V. was read by the Mayor, in which they informed the Village of an increase for "Home Box." It was stated that the Village has no control of said increase to \$9.95.
- St.Aid &
Utility
Corres.: Communications from Gov. Carey's office; Assemblyman Talomie & Senator Kehoe in response to the Village's concerns about State Aid & utilities' increase, were read by Mayor Wilson. She also read a letter from Mrs. Charleen Lawrence, Secretary of the Chamber, regarding "Kayak" Pools and their suggestion for further exploration.
- Kayak
Pools:
- Playgrnd.
Committee: Representing the Palmyra Elementary Playground Committee, Mayor Wilson stated that Ms. Ann Monachino was present to answer any questions the Board might have - and to explain the Committee's need for assistance from the Village in June when the project is executed. The project itself was approved by the School Board, she said and of the four days of construction, greatest need for Village backhoe would be on 6/17/82 and clean-up on 6/21/82, when truck needed for hauling away debris, or perhaps on 6/20/82 which is a Sunday. Suggestion was made to Ms. Monachino to approach the Town of Palmyra, also, for their assistance.
- Following a lengthy discussion, Trustee DePoint moved authorization of Village equipment and personnel on at least 6/17/82 and 6/20/82 with no restriction on hours. Trustee Hays seconded; all voted "aye," motion carried.
- Pal.
Women's
Civic
Club: Regarding the water connection requested by the Palmyra Women's Civic Club adjacent to the flower garden which they maintain on E. Main St., Mayor Wilson said that she had received an estimate of \$150. from Highway & Water Depts. to accomplish the work. Following discussion, Trustee Hays motioned that the Club's request be granted; Trustee Rolland seconded. Roll Call Voting - Trustee Hays - "aye"; Trustee Rolland - "aye"; Trustee McGrath - "aye"; with Trustee DePoint abstaining. Motion carried by majority.
- Donegan
Assoc.: Discussion held on Contract between Village and Donegan Assoc. regarding the Village's "Investment Program" - amt. of said Contract, \$2,000. + out-of-pocket expenses. Trustee DePoint moved authorization for Mayor Wilson to execute said Contract; Trustee Rolland seconded. All voted "aye", motion carried.
- Vienna St.: The Mayor requested a report by next Bd. Mtg. from Trustees DePoint and McGrath regarding the water/street situation on Vienna St. Discussion held re existing line/monies/street resurfacing. Mayor Wilson emphasized deterioration of Vienna St. and cost will escalate each year. Trustee McGrath spoke of the numerous times Highway had repaired shut-off valves in that area. The Mayor felt a Committee not a good idea - would not be looking at this year.

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Committee Reports -

- Bldg. Repair: Trustee McGrath said that an estimate had been received from Mr. M. VanHoute in amt. of \$1,500. for pointing and replacing brick on P&C Rms. and Water Plant - and that amt. of \$3,000. had been placed in current budget.
- Village Hall Renova.: Mrs. McGrath projected possible completion of Village Hall by third week in May, however, she re-emphasized that bldg. must be complete before move, i.e. phone installation, etc.
- Pole Barn: Mrs. McGrath said that she was working with Mr. Smith regarding dimensions needed for pole barn construction. Mayor Wilson said that Ms. Sharon Lilla of WC Planning Bd. anticipates a trip to Buffalo within next week to check on Urban Renewal monies - if same can be used for barns. She spoke of moving highway operation toward back of lot and, perhaps, selling other for commercial use one day. Mr. DePoint wanted to know why Ms. Lilla was interceding - why isn't someone from Bd. going - he felt this a better approach. Mayor Wilson informed him that Ms. Lilla is quite familiar with guidelines and this is a service provided by County. Mr. C. Richardson, referring to Parcel 3B on Market St., said they were checking on limitations/other uses. The Mayor suggested that he contact Ms. Lilla.
- Police Dept.: Trustee DePoint submitted Police Dept. Rpt. for 5/82. Also, he submitted to the Bd. a compilation of traffic control signs, prepared by Chief Henry, which had been damaged or destroyed completely. It was suggested that this be referred to Highway Dept. which they may have in stock - and to request costs, etc.
- Water Contract: Mr. DePoint anticipated receipt of Town/Village Water Contract by next Bd. Mtg. He also stated that Village of Palmyra/Village of Manchester Water Contract expires 9/82.
- Enf.Park. Ord.: Trustee DePoint said that he had received complaints regarding two-hour parking which is currently not being enforced. Board discussion was followed by the Board unanimously approving enforcement of same. Mr. DePoint stated that he would give a directive to P.D.
- Cemetery: Trustee Rolland said that only a few burials remained and spoke of vandalism in the Cemetery, i.e. water pipe damage along with tombstone damage. He said that new lawnmowers had arrived - and spoke of good cooperation from Highway Dept. Regarding mileage for Cemetery Foreman, Trustee Rolland motioned that mileage be allowed - same mileage payments as in force in Labor Contract. Trustee Hays seconded, all voted "aye," motion carried.
- P.D. Rpt.: Trustee DePoint motioned adoption of P.D. Rpt. with the exception of "No. 5" which appeared to conflict with what precedes it. Mrs. McGrath seconded, all voted "aye," carried.
- Animal Control: Trustee Hays said that he had received a few calls regarding animal control which were referred to Mr. Fisher, Dog Warden.
- Revital.: Mr. Hays said that he had received a response from the Mayor of Perry, N.Y. regarding his inquiry into their revitalization project, and that he had requested the Clerk to write various letters. He said that he had had several discussions with Mr. C. Richardson regarding P.E.D.C.'s proposals, among which is Kayak Pools and upon which Mr. Richardson elaborated.
- Kayak Pools: Mr. Richardson spoke of having shown Ms. Gay Pollock, current head of Marketing at Garlock, various vacant lands (Weykman, Abbott's & 3B) regarding Kayak Pools. He said that he is working on a proposal to present to Bd. and the attributes of installation of a pool which could be used for display purposes May through Aug.; or Community Center could utilize for summer swim program for the youth & elderly. A lengthy discussion was held regarding insurance, a raffle conducted by P.E.D.C., security needed if pool installed, etc. The

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Kayak Pools Cont'd: Board generally agreed that more information is needed and legalities worked out, however, most felt it a good idea and if project is realized, the necessity of ascertaining hours and/or alternating days for youngsters and senior citizens.

Enforce. O's Rpt.: Mr. Jack F. Ryan, Village Zoning Enforcement Officer & Bldg. Inspector, approached the Bd. relative to his recent property inspections. Preceding his report the Bd. continued in a short discussion regarding Kayak Pools. In answer to the Village leasing Parcel for 120 days for construction of pool, Atty. Poyzer said that a lease would not necessarily release Village's liability. Mr. Hays suggested improving property - donate to P.E.D.C. so that they could be self-sufficient rather than using taxpayers for some of their pursuits. He then motioned that if P.E.D.C. can give Bd. a presentation adequate to the Bd.'s satisfaction, that the Bd. give them its blessing to pursue the above project. Trustee McGrath seconded; all voted "aye," motion carried.

Old Ben-Franklin Bldg.: Mr. Ryan spoke of three major properties which 'have come alive' - former Ben-Franklin owned by Mormon Church will be used as Visitor's Center and Museum, on which work shall begin in two-three weeks. Contractor plans to scrape brick, remove aluminum and replace with cast iron, remove doors to front taking out two end windows making one large window in front at a cost of approx. \$20,000. Barricades will be placed on front for approx. six weeks. Inside wk. restricted to first floor.

Hotel Sellen: Regarding Hotel Sellen which went into bankruptcy, Mr. and Mrs. Robert Weiss have purchased same and hope to open by middle of June. There will be no rooms rented upstairs, downstairs will contain a new kitchen, cocktail lounge and restaurant, and will be maintaining luncheon menu holding off dinners until later and hiring of a chef. Mr. Ryan felt it will be a nice place - an asset.

Pal. Hotel: Mr. Ryan said that the Landmark Inn, also known as "The Palmyra Hotel," is for sale. Following his recent inspection, he could not issue "C of O" due to needed electrical work and roof on southeast corner. He said that northeast corner of structure is bad as well as southeast corner which bricks have deteriorated and are falling out. He recommended that the Village bring in an engineer for evaluation. Trustee Rolland said that it involves a safety standpoint for the Village. Mr. Ryan said that Lozier's Engineers, who worked for the Village on previous occasions, have a structural engineer whom he would recommend, following which Trustee DePoint moved employing said firm; Trustee McGrath seconded. All voted "aye," motion carried. Mr. DePoint said if there is potential danger, it should be closed up and discussion held on merchants operating from ground floor - Drews' Paint Shop & the Lunch-In.

Mr. Ryan, continuing his inspection reports, said that generally the buildings in the north and south downtown business blocks are in good shape, and owners taking care of them. Exceptions were former DuVall property (Ceramic Shop) and property owned by Don Seconi (not Palmyra Electric). In the latter, Mr. Ryan said the condition of apts. and fire escape are bad. He added that trash is a serious problem and there are no dumpsters in some of the areas.

Abandoned Cars: The past policy during "clean-up" month, according to Mr. Ryan, was to enforce section of the Village Code regarding unlicensed or unregistered vehicles not enclosed in a bldg. He recommended requesting property owners to conform. P.D. could do inventory from patrol cars. Mr. DePoint said that he would give directive to P.D.

Auction: Discussion held on conducting an auction for abandoned or unclaimed bicycles and obsolete Village office equipment. Atty. Poyzer felt both could be contained in Legal Notice.

MAY 3, 1982Auction
Contd:

The Board agreed that 5/22/82 would be sufficient to advertise and make ready for said auction, and that auction would come under P.D. responsibility.

N.Y. Tel.:

Atty. Poyzer spoke of N. Y. Telephone having served a petition returnable in Supreme Court in June re assessments on their property. She asked Board whether or not they want to oppose their request. Mayor Wilson asked if this would be jointly with other Village's? Discussion held and Ms. Poyzer said that if there is to be a refund, a refund is not possible without this. Trustee DePoint proposed that Resolution #82-20 be adopted in which Atty. Poyzer would be retained to pursue the above. Trustee McGrath seconded; all voted "aye," motion carried and Resolution #82-20 unanimously adopted - attached hereto.

Salary -
Police
Chief:

Trustee Hays moved to amend Resolution #82-18 to set a budgeted salary for the Police Chief, Donald Henry, for \$21,000. for the 1982-83 fiscal year. He added that he thought the worksheet at prior budget meeting setting a salary for the Chief was a part of Resolution #82-18 and his feeling that a department head should be paid a higher rate than subordinates. Mayor Wilson said that money put aside during year if same did happen. Trustee Rolland seconded Trustee Hays' motion - Roll Call Voting as follows: Trustee Hays - "aye"; Trustee Rolland - "aye"; Trustee DePoint abstained; Mayor Wilson and Trustee McGrath registered "nay" votes.

Questions
& Answers:

At 9:05 p.m. Mayor Wilson said that the meeting would be open for questions & answers. Mr. G. Griffin asked about his communications to the Board and Mayor Wilson said that same had been referred to Trustee Hays and Atty. Poyzer - if they feel there is merit to his suggestions, the Bd. would get back to him. Mr. Griffin registered complaints about "Sunday" parking on corners of Church & Canal Sts. and William & Canal Sts. - people park too close to corners, blocking view. Mr. Griffin suggested placing signs, "No parking here to corner." He was asked by Mayor to place in writing and leave with the Clerk, following which same would be referred to P.D. Mrs. P. Frontuto spoke of speeders in the area of her home on Cuyler St. She said that an effort would be made to obtain license numbers - and alternatives - a "Stop" sign at Cuyler and Walker Sts. or placing "bumps" in street. Trustee DePoint said that he would give a directive to P.D., following which he would make recommendations to Bd.

Mrs. E. Eggert reiterated her previous complaint of kids playing in Cemetery - disrespect shown to gravesites & markers. Mr. DePoint spoke of a directive to P.D. - someone from P.D. could go down and talk with people or letter sent. Mrs. J. Rutledge asked about activities in the Village Park, the proceeds of which could be spent for special events. Discussion discontinued.

Exec.
Sess.:

Trustee McGrath motioned at 9:15 p.m. that the Board exercise Executive Session for the purpose of discussing personnel matters and pending lawsuits. Trustee DePoint seconded; all voted "aye," motion carried.

Re-Convene:

At 10:45 p.m., Trustee Rolland motioned that the Board emerge from Exec. Session; Trustee DePoint seconded. All voted "aye," motion carried. Present: Mayor Wilson; Trustees McGrath, DePoint, Hays & Rolland; and Atty. Poyzer.

Spec. Bd.
Mtg.:

Trustee DePoint motioned that the Bd. convene for a Special Bd. Mtg. at 6:30 p.m. on 5/5/82 for the purpose of personnel and legal matters; Trustee Rolland seconded. All voted "aye," motion carried.

Voucher
Payment:

Trustee DePoint moved that voucher amount of \$107,401.36 be approved for payment for those which were properly signed. Trustee Rolland seconded; all voted "aye," motion carried.

Adjourn-
ment:

Trustee Hays motioned adjournment at 10:55 p.m.; Trustee Rolland seconded. All voted "aye," motion carried.

Ethel B. Johnson, Clerk