

## BOARD OF TRUSTEES

Regular Meeting

5/16/88

7:00 p.m.

Call to Order: At 7:05 p.m. Mayor Elliott called the meeting to order; present were Mayor Elliott and Trustees C.D. Gilmore and P. K. Frontuto (Trustees D. Pope and D. Wooden & Atty. J. Nesbitt arrived shortly thereafter).

Moment of Silence: The Mayor requested a moment of silence prior to conducting the business of the Board.

Agenda Additions: Trustee Frontuto moved the following Agenda additions: Protesting Town of Manchester water line taxes and St. Assemblyman Frank Talomie's "Listen-In" series to be held in the Village Hall frm. 3:00 - 4:00 p.m., Thurs. 5/26/88. Trustee Gilmore seconded. Voting "aye" were Trustees Frontuto and Gilmore and Mayor Elliott. Carried.

Local Bke.

-A-Thon: Citizen Jan Forman, Fayette St., approached the Bd. requesting approval for a designated route on which to conduct a Bike-A-Thon on Sat., 6/4/88 benefitting St. Jude's Hospital. Mrs. Forman gave prepared text & map showing route to Bd. members adding that chosen route wld. not cause any traffic problems - enlisted aid of Fire Police for assistance. Trustee Frontuto moved Bd. approval; Trustee Gilmore seconded. Voting "aye" were Trustees Frontuto & Gilmore & Mayor Elliott. Carried.

Minutes5/2/88:

Trustee Frontuto moved Bd. approval of 5/2/88 Bd. Mtg. Minutes with correction re Triou Estates, Pg. 6, on which issue Mayor Elliott voted "Nay"; Mayor Elliott seconded wth. correction noted. Voting "aye" were Trustees Frontuto & Gilmore & Mayor Elliott. Carried.

Spec. Mtg.5/9/88:

Special Bd. Mtg. Minutes of 5/9/88 were approved by the Board as moved by Trustee Frontuto; Trustee Gilmore seconded. Voting "aye" were Trustees Frontuto & Gilmore & Mayor Elliott. Carried.

Cemetery & Parks:

Supt. Roger Weaver reported that he and his crew were making a concerted effort to have Cemetery prepared for Memorial Day, in addition to regular Parks work in other areas. Mr. Weaver stated that he & Mayor had discussion with Messrs. Reinsberger & R. Butler re tree trimming in the VOP - their work is contracted out; NYSEG has a program whereby any tree removal by the VOP (around wires), NYSEG will pay one-half or one-third. Mayor Elliott added that average payment to villages around Palmyra is \$1500. Mr. Weaver sd. amt. would be half of VOP tree removal budget.

Mr. Weaver sd. that he wld. be graduating frm. CCFL wth. honors on Sun., 5/22/88, thanking the Bd. for permitting his attendance. Trustee Gilmore sd. that some out-of-towners had commented to him how nice the VOP Prks. & Cemetery look. In this vein, Trustee Frontuto spke. of complimentary ltr. rec'd frm. Ms. Ann Guest commending R. Weaver's work - then moved that sd. letter be placed in Mr. Weaver's Personnel File. Mayor Elliott seconded. Voting "aye" were Trustees Frontuto & Gilmore & Mayor Elliott. Carried.

Trustee Frontuto spke. of looking for an estimate to blacktop Prospect Hill Rd. Ms. Sharon Lilla, Dir., WC Planning Dept. on 6/20/88 Bd. Agenda re VOP obtaining grant monies. P. Retan sd. "just binder" cheapest re Prosp. Hill. - according to Mayor Elliott, paved yrs. ago as WPA Proj. Mrs. Frontuto sd. grant monies wld. be 50-50 - VOP cld. provide labor/materials. Disc. on how wide a road if blacktopped. Mrs. Frontuto

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stated that she wld. be attending Canalton Days' mtg. following night.

Highway  
Dept.:

Trees planted @ Swr. Plnt. near drying beds. Re Fayette St., that curb cld. not be put in place first/street has to be in first according to rep. frm. State. Wld. cost \$19,000.+ to put curb in for which CHIPS money wld. be used....instead of \$30,000. of taxpayers' money....spending about \$13,000. "Trued up" before putting curb in...use CHIPS money both yrs.

Following additional discussion re Fayette St. paving, Trustee Gilmore moved that the Fayette St. paving project proceed - put street in during 1988 and curbing in 1989 utilizing CHIPS fnds. Trustee Frontuto seconded. Voting "aye" were Trustees Gilmore, Frontuto and Mayor Elliott. Carried. Trustee Gilmore brought up matter of "chip sealing" Howell St. & @ Firehall /road to Swr. Plnt. Trustee Frontuto asked why reserve funds being used.....Perm. Ref. takes 20 days after publication...P. Retan sd. that Twn. Hwy. Supv., Nelson Cook wld. be using "chip box" elsewhere....& money remains in his VOP Hwy. budget.

"No Parking" signs being placed as outlined in V&T Law...Clk. to check Minutes re one-side parking on Hansen St. Suggestion mde. to place "warning stop sign" re Division St. coming south...emphasis mde. that 4-way "Stop" sign @ Stafford/W. Foster St. controls traffic entering VOP....Police can't control but VOP can enforce in intersection. Other traffic problem areas discussed - amend V&T Law. Four-way "stops" will include Stafford/W. Foster; Johnson & E. Foster where they intersect; Division/Canal Sts. Mention mde. of communication frm. Mr. R. Jeffery, Hansen St., re one-side parking on sd. st. and obstruction by motor home.

P. Retan sd. dumpsters working out well wth. separate dumpster for metals....S. Smith working noon to 8 p.m. during "dumpster dates"....request for 121' of curbing by Mr. Herbst. Re Soil Conservation District & Mr. T. DeRue's visit, only four municipalities showed interest, per Mayor....visiting VOP on 5/17/88 to look @ areas for possible 50-50 grant....part of VOP's contribution cld. be labor. Trustee Gilmore reiterated S. Smith's req. for carry over vacation and Bd.'s prior approval.

Howell  
Street:

Bd. discussion on "chip sealing" Howell St.; Mayor's concern that the end of Howell St. is not a dedicated street...Trustee Gilmore sd. street is in VOP - "chip sealing" difficult/he felt entire street, including south end shld. be done. Mayor E. sd. it was basically a private driveway...VOP had easement to put W&S lines there....shown on zoning map, per P. Retan. Suggest- mde. to write to the Pembroke's & DeRyke's....the Mayor sd. they have to make up an offer of dedication wld. have to meet VOP standards to accept it...Village Atty. cld. wk. wth. them. Trustee Wooden asked where it is shown that it is/is not VOP St. It was brought out that sd. st. paved 1st. yr...VOP shld. protect what is there now....discussion on snowplowing in pst. and setting precedent. Disc. discontinued until arrival of Vill. Atty.

Village  
Hall:

Re brick/Village Hall - Trustee Gilmore met wth. Mason Brad Jacobs who was impressed wth. shape Vill. Hall in - cld. take all damaged bricks out and replace, however, difficult to match (and expensive); cld. reface

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front and seal it...pointing...condition of P&C Bldg. brick disc. No action by Bd.

Emerg.  
Lights:

Mayor Elliott sd. that an estimate rec'd for emergency lighting in Vill. Hall/P&C Rms. - required by law. Est. of \$2,000., however, did not include office of Chief Henry.

F.D. Mem-  
bership  
Apps.:

Trustee Gilmore submitted application of Mr. Richard Freyn, 113 Vienna St., for Fire Dept. membership - then moved VOP's acceptance pending a physical examination. Mayor Elliott seconded. Voting "aye" were Trustees Gilmore, Frontuto & Wooden & Mayor Elliott. Carried.

Window  
Washer:

Bd. discussion on estimate rec'd frm. Mr. Moriarty for washing Vill. Hall/P&C windows. Clk. to check wth. Mr. M. re proof of liability insurance.

Howell  
Street  
Cont'd:

Atty. Nesbitt researched Village Law re whether or not Howell St. a dedicated street; dedication might not be necessary - might be "by prescription" - after ten yrs. becomes public street...done county-wide... most are not formally dedicated.  
(Trustee Wooden arrived @ 7:45 p.m.; Trustee Pope @ 8:10 p.m.)

CEO:

Trustee Wooden stated that he had reviewed apps. for Zoning Enforcement Officer. Mentioned possibility of Patrolman W. Gumaer working in that capacity if his position allowed & if he wanted to do same. The Mayor sd. he had written to Mr. D. Kane, Cty. Civil Service, re making W. Gumaer's position permanent...split position...have inspector frm. Macedon accomplish bldg. inspection. Disc. on clerical wk....Trustee Gilmore suggested having an Officer & Deputy....latter wld. have function of Clerk. Name of Mrs. Betty Hyman, Canandaigua St., suggested....temporary basis...bldg. inspector shld. be available...zng. officer does not have to be present, per Trustee Wooden. He asked about monies in budget - told by the Mayor that monies wld. have to be transferred....currently COE paid \$3800. If W. Gumaer's services utilized, wld. need to replace him in P.D....time limit how long one can work in Village as P-T Police Officer....does not have to be Village resident, per Mayor.

Clerk -  
Zng. Plan.:

Further disc. on Clerk for Zng./Plann. and Mrs. Hyman having filed applic. Trustee Wooden moved that Mrs. Hyman be approached for up to 20 hrs. per week @ pay rate of \$6.00 p.h. Trustee Frontuto seconded. Voting "aye" were Trustees Wooden, Frontuto, Gilmore & Pope, and Mayor Elliott. Trustee Wooden to make contact/offer frm. VOP. Meetings' attendance & Minutes wld. be part of Clerk's duties. Disc. on a recording device; Clk. to contact Town Clerk B. Hickman re their machine model & source. Trustee Pope sd. that microphone most imp. feature. Trustee Wooden will look into matter, cost, etc.

Howell  
Street  
Cont'd:

Atty. Nesbitt quoted Sec. 6.626 of Village Law having to do with the dedication of Howell St. South....**"All Lands within the Village which have been used by the public as a street for ten years or more continuously, shall be a street with the same force and effect as if it had been duly laid out and recorded as such."**  
Trustee Gilmore sd., then, no need for VOP to go thru dedication process; benefit to those two residents, per J. Nesbitt....Trustee Gilmore moved that during "chip sealing" of Howell St., F.D. & Swr. Plnt. drive-

way Highway. "chip seal" all of Howell St. to point where paving finished at end of sd. street; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Gilmore, Frontuto & Wooden. Mayor Elliott voted "Nay." Carried by majority.

Trustee Wooden spke. of instruction sheet & checklst. re bldg. permit app. Instructions have not been followed by those who file; talk of Town having their own complaint form on which complaints properly documented/dated. Clk. to check wth. Twn. Clk. for 'sample' copy.

Trustee Frontuto:

According to Trustee Frontuto, Little League season began....re **Youth & Sr. Citizens**, prior yr. she had req. Comm. Ctr. sponsor BMX bicycle racing and told insurance prohibitive. Town of Hamburg has BMX race-track handled by parents' group on a Town-owned park complex....allowing parents' grp. to use \$6,000. and pay back....Twn. helps wth. grass-cutting....one day's racing...\$55. per race weekly...not cost prohibitive...wld. like to see Comm.Ctr. look into it. Trustee Wooden spke. of insurance...and landfills which have to be turned into parks...sd. he'd take up @ nxt. Comm. Ctr. Bd. Mtg.

Chamber:

Chamber of Commerce sent ltr. to Bd. re list of items they wld. like to see Village do for downtown...mostly clean-up.

Trustee Pope:

Trustee Pope asked Atty. Nesbitt what had transpired wth. Atty. Rubery/Town re Animal Control Officer & plans to contract wth. Lollipop Farm. Atty. Nesbitt sd. he was mtg. wth. Atty. Rubery later in week - he felt VOP cld. require Town to handle.

Retirement:

The Mayor spke. of bill rec'd frm. NYS Retirement. System which came in higher than budget amt. - **\$10,063.** St. Auditor suggested that VOP pay under protest asking for written explanation - Trustee Pope so moved along wth. transfer frm. **A9015.8** (Retirement, Police & Fire) amt. of **\$2063.** - and transfer frm. Contingency amt. of **\$8,000.** to **A9010.8** - total, **\$10,063.** Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Wooden & Frontuto & Mayor Elliott. Carried.

Budget Transfers:

Trustee Pope moved passage of resolution that the Treasurer be authorized to transfer frm. Contingency - **F1990.4** the amt. of **\$6800.** to the following accounts: **F1325.4** - Treasur. Misc., **\$1600.**; **F1410.1** - Clerk, Salary, **\$200.**; **F1910.4**-Unallocated Insurance, **\$3000.** **F8310.1** - Water Admin., Salary - **\$2000.** Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Frontuto & Wooden & Mayor Elliott. Carried.

Trustee Pope moved passage of resolution that the Treas. be authorized to transfer frm. Contingency - **G1990.4** the amt. of **\$2100.** to the following accnts.: **G1325.4** - Treas, Misc., **\$1600.**; **G8120.1**, Sewer Lines, Salary, **\$500.** Mayor Elliott seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Wooden, Gilmore & Frontuto. Carried.

In view of the need for the Fire Dept. to be "chip sealed" for which no funds are available, Trustee Gilmore moved a fund transfer as follows: **A5110.4** - Highway, Misc. amt. of **\$3000.** to **A3410.4**, Fire Dept., Misc. Trustee Frontuto seconded. Voting "aye" were Trustees Gilmore, Frontuto, Pope & Wooden & Mayor Elliott. Carried.

Trustee Pope moved that whereas payment of vouchers approved for payment on 5/16/88 and payroll of 5/27/88 cld. result in individual budget lines becoming over-expended....and as the nxt. Bd. Mtg. will not occur prior to 6/1/88, the Treas. be authorized to make such line transfers of monies as may be necessary to correct any over expenditures in '87-'88 budget. Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried.

Mayor Elliott:

Per State Auditor, Bd. needs to look at current method of splitting salaries (50/25/25)....need justification re cost spread.....hourly breakdown....will reflect in nxt. audit.

Protest Assess.

Sewer Plant - M. Hubbard doing grading & seeding. Mayor Elliott spke. of Town of Manchester having increased assessment 50% re water lines...Mayor Elliott moved that VOP protest sme.; Trustee Wooden seconded. Disc....will have effect on services impact....VOP has fire contract wth. Manchester - water contract wth. Village....discussion of VOP/Newark joining forces...

PD Car:

Chief D. Henry spke. of removing old P.D. car frm. scheduled auction due to problems wth. main car and new car's arrival 7/88; Mayor Elliott recommended to Bd. that VOP withhold sd. car frm. auction and so moved; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Frontuto, Wooden & Pope. Carried.

PD Rpt.:

Mayor Elliott motioned that PD Rpt. for 4/88 be tabled until nxt. Bd. Mtg.

DOT Pub. Hrng.:

Announcement mde. that St. DOT to conduct informational mtg. @ 7:00 p.m. on 7/15/88 @ Firehall - & public hrng. @ 7:30 p.m. - re Rt. #21 Bridge.

Vouchers:

Mayor Elliott moved that the Treas. be authorized to pay all vouchers containing three or more signatures. Said Vouchers contained on Abstract #24, containing Vouchers 5045 - 5090 in amt. of \$66,000. Trustee Trustees Frontuto & Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Frontuto, Gilmore, Pope & Wooden. Carried.

Ann La-Ronde:

Disc. on court reporter bill rec'd frm. former employee - Clk. req. by Atty. to write Ms. LaRonde in an attempt to re-coup money for schooling when Ms. LaRonde a VOP Patrolman, having lft. before one-yr.'s time and by virtue of signing statement.

Auditor:

Mention mde. of Auditor's statement of problem wth. merchandise coming in - nothing shown going out; also, re mileage for business trips...form must be used showing date, miles, etc. Mayor Elliott spke. of two bonds dated 1967 found in VOP safe - lft. to VOP wth. interest earned to go to Town to maintain the Swift Cemetery....no stipulation for disposition by VOP...

Bonds:

A "Mr. Baughman's" name on bonds (gentleman who previously occupied Mr. C. McLouth's house). Trustee Gilmore asked about retaining as "Collector's Items." Trustee Pope moved that the VOP cash bonds - deposit in Cemetery Fnd. Seconded by Trustees Wooden and Frontuto. Voting "aye" were Mayor Elliott & Trustees Wooden, Frontuto, Gilmore & Pope. Carried.

Rider -

Drnpipe.:

Bd. in receipt of Mr. R. Rider's communic., 5/4/88; Mayor Elliott gave backgrnd. on drainage pipe on pre-

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mises of Mr. Rider's, E. Main St. Trustee Pope sd. contract shld. be drawn - Atty. Nesbitt sd. "it wld. make sense.....VOP wld. not incur any cost & P. Retan to make sure wk. done correctly...boundary lines unclear," per Mr. Nesbitt. Mayor Elliott moved that Vill. Atty. contract wth. Mr. Rider and obtain an easement for access and maintenance of such Village or State drain across his property @ Routes 21 & 31. Upon receipt of easement, give Mr. R. the pipe and he install satisfactorily to be inspected by P. Retan. VOP to obtain easement first - also, the VOP to receive signed easement from Bob and Joan Rider on Throop St. - "package" to be prepared by Att. Nesbitt. Trustee Pope's second included above amendment for VOP to receive signed easement re Throop St. Voting "aye" were Mayor Elliott & Trustees Pope, Wooden, Gilmore & Frontuto. Carried.

Trustee Pope moved that the VOP accept the pipe re above from the State; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Wooden & Gilmore & Mayor Elliott. Carried.

Mem. Day  
Parade:

The Mayor announced that the Village Bd. invited to participate in the Memorial Day Parade - 9:00 a.m., sharp/Mon., 5/30/88, forming @ the Elem. Schl. @ 8:30 a.m. - in charge of Mr. Floyd Dennie/V.F.W. Clk. to make arrangements for cars for Bd.

Unused  
Vacat.:

Trustee Pope moved employees' carry-over vacation time as follows: C. Timerson - 2 days; E. Johnson - 3 & 1/2 days; and S. Smith - 5 days (previously requested) - Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore & Wooden. Trustee Frontuto voted "nay," explaining that employees shld. take their time/not fair to employees. Carried by majority. Clk. requested to retain vacation policy under "old business." Bd. agreed that vacation carry-over wld. not be permitted hereafter.

WC Show-  
Off:

Mayor Elliott to participate in opening of WC Show-Off @ Fairgrnds. on 5/20-21/88 by cutting ribbon.

ARC:

Disc. on VOP's position re ARC. Mayor to provide Atty. Nesbitt pckg. rec'd by Aunt.

Ramp -  
V. Hall:

It was suggested that Mason Brad Jacobs be contacted re Handicapped Ramp/Vill. Hall.

Depart-  
mental  
Loans:

Tabled frm. 1st. mtg. to provide Trustee Frontuto opportunity for input; Mayor reiterated his position of 50-50 split. Trustee Gilmore sd. that if one takes possession of a piece of equip., one takes responsibility for sme. Trustee Pope spke. of if abused...out of sme. budget...can't eliminate all hard feelings.... Trustee Gilmore reiterated his position..if one takes, one assumes responsibility for it. Further discussion following which Trustee Pope moved that when Village equipment is borrowed by one dept., and repairs are necessitated, that the appropriation be split 50-50 - Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Wooden & Mayor Elliott. Trustee Gilmore voted "nay." Carried by majority.

Comm. Ctr.  
Contract:

The Town of Palmyra/VOP Comm. Ctr. Contract for 1988 in amt. of \$17,400. disc. by Bd. Trustee Pope had raised question about how contract set up...shows what Town funds do...nothing about VOP...Atty. Nesbitt explained that because the VOP does give many in-kind services....in form of services of J. Campbell, Dir.,

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who is on VOP payroll...receives benefit of St. Retirement System. Disc. on who supervises Mr. Campbell and his accountability....contract ratifies what has occurred for many yrs. Trustee Pope asked who receives United Way fnds. and was told by Mr. Nesbitt, "the Comm. Ctr." Trustee Wooden spke. of amt. of pay and asked that matter be tabled. Mr. Nesbitt sd. that TOP can't pay CC directly -- funnel through VOP. A breakdown of the \$17,400. touched upon when Trustee Gilmore stated that an individual's salary shld. not be discussed in public mtg. Trustee Wooden sd. he'd try to get "ironed out" in June....Comm. Ctr. Bd. sets Director's salary....VB adopts their Charter...Mr. Nesbitt sd. that VOP doesn't have to pay; CC voted increase....VOP didn't agree....who does Director's evaluation??? In any event, process seems to be working well. Mayor sd. he had never heard of Comm. Ctr. Charter....copy forthcoming....

Trustee Pope moved that the Mayor be authorized to sign Town/Village Comm.Ctr. Contract; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried.

FrankTalomie:

Mayor Elliott announced that Assemblyman F. Talomie wld. be conducting a "Listen-In" Series frm. 3-4 p.m. on Thur., 5/26/88 in Trustees' Rm./Vill. Hall.

Announcements:

Mayor Elliott announced the following: Dumpster Dts. - 5/14-5/22/88 @ Hwy. Barns - 8:00 a.m. - 8:00 p.m.; Pal-Mart Grand Opening - 4:00 - 7:00 p.m., 5/19/88; Auction @ Town Barns, 5/21/88.

Laurentian Dr.:Dr.:

Further study by Bd. re req. for street dedication - Laurentian Dr.

Light -Prosp.:

Mr. Llewellyn Jacobs' req. for additional street light on Prospect Dr. brought to Bd.'s attention.

Trustee Gilmore motioned that the Bd. exercise Exec. Sess. for personnel matters. Trustee Wooden seconded. Voting "aye" were Trustees Gilmore, Wooden, Frontuto & Pope & Mayor Elliott. Mention mde. of setting salaries for non-Union personnel and handling @ nxt. Bd. Mtg. Trustee Gilmore withdrew his motion.

Adjournment:

At 10:00 p.m. Trustee Pope moved that Bd. adjourn; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Wooden & Gilmore & Mayor Elliott. Carried.

Ethel B. Johnson, Clk.

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