

Min., 5/21/90--5

could have ordinance requiring proper gear. Mrs. Hartnagel sd. the speed wth. which they pass her store, have no control. Mr. Lynch sd. if law passed, wld. have to be enforced - no enforcements now, perhaps talk to parents. Majority wld. respond, he sd. - several parents interested as shown by request for specific area to perform. Trustee Wooden sd. problem in area of his store and he occasionally has to speak to them. Totally against passing ordinance, he sd. Further discussion - no action taken.

BAN Sale: Mayor announced that the Bond Anticipation Note sale (re Sewer Plant) went to Canandaigua National Bank @ 6/34% - closing to be held @ Donegan's on 5/31/90.

Paper Shredder: Trustee Gilmore asked about paper shredder - Mayor sd. old one broke - Clerk had money in her budget, therefore, new one ordered. Clarification asked and it was stated that VOP wld. have three - two in the P.D./one in office. Discussion. Request mde. by VB for P.D. to cancel order for one shredder.

Abstract #23: Trustee Pope moved that the Treas. be authorized to pay **Voucher Nos. 1119-1147** in the amount of \$13,673.27 on which appear the initials of @ least three (3) VB members. Trustee Wooden seconded. Voting "aye" were Trustees Pope, Wooden, Gilmore & Lynch. Mayor Elliott did not register a vote as he had not reviewed same. Carried by majority.

Misc.: Mayor Elliott reviewed Agenda "Old Business" - Dumpster dates re-announced; retain Cable T.V. & Handicapped Ramp on Agenda; Annexation - work progressing, per Atty. Nesbitt; no response to date frm. Mr. P. Russell re dedication of Laurentian Dr.; no word re utilizing gas tanks @ Town Barns; Village Policy Manual to be retained on Agenda; remaining Agenda items to be handled by Vill. Atty. - Elec. Inspections (proposed Local Law); sale of Market St. property; and response to/frm. Mr. N. Gerber re expansion of Swiss Chalet Apts.

Library: The VB discussed the Library's request for additional funds (\$2000.) for 1989-90; Trustee Pope spke. of unknown quantity re surplus funds. Trustee Gilmore, having spoken recently to Library Treas. Mrs. C. Schade, sd. that the Library cld. use the money, however, if request for coming year fulfilled, Library cld. get by. Mayor Elliott moved that the VOP deny the Library's request for \$2000....with the VB's regrets due to budget constraints at present time. Trustee Pope seconded. Trustee Lynch asked pointed questions about when Library's request mde., etc. Trustee Pope sd. that perhaps if budgeted surplus at current yr.-end is exceeded when transfer made, authorize dispersing the \$2000. - cld. be encumbered. Atty. Nesbitt sd. that it cld. be done - in other words, if money exists, Library cld. receive up to \$2000. VB discussion and agreement on withdrawal of prior motion. Trustee Pope then moved that the Library be awarded the additional funds if surplus amt. following necessary budget transfers. Trustee Gilmore seconded. Voting was unanimous/carried.

Mem. Day Parade: The Clerk polled the VB re participation in Mem. Day Parade scheduled for 9:00 a.m., 5/28/90 so as to arrange transportation.

000058

Min., 5/21/90--6

Salaries: Trustee Pope stated that during 6/4/90 VB mtg. salaries wld. be established for non-Union employees - may or may not be amt. budgeted.

Exec. Sess.: At 9:00 p.m. Trustee Wooden moved that the VB exercise Exec. Sess. for "Personnel" reasons wth. VB present along wth. the Vill. Atty. Trustee Gilmore seconded. Voting "aye" were Trustees Wooden, Gilmore, Lynch & Pope & Mayor Elliott. Voting was unanimous/carried. Trustee Pope departed prior to Exec. Sess.

Reconvene: At 9:20 Trustee Gilmore moved that the VB emerge frm. Exec. Sess.; Mayor Elliott seconded. Voting "aye" were Trustees Gilmore, Wooden & Lynch & Mayor Elliott. Carried.

New Hire: Trustee Gilmore moved that the VOP hire Mr. Roger Bulman, E. Main St., to fill a summer position beginning wth. nxt. pay period, 5/22/90, @ the job rate of \$4.86 p.h. for a 40-hr. work wk. Hwy. Supt. P. Retan to be Mr. B's immediate supervisor.

Adjournment: At 9:25 p.m. Trustee Lynch moved adjournment; Mayor Elliott seconded. Voting "aye" were Trustees Lynch, Gilmore & Wooden & Mayor Elliott. Carried.

Ethel B. Johnson, Clerk

★SEE INSERT

BOARD OF TRUSTEES

Regular Meeting 6/4/90 7:00 p.m.

Present: James G. Elliott, Mayor; Trustees Thomas N. Lynch, C. D. Gilmore (arrived @ 7:20 p.m.), Daniel S. Pope III (arrived @ approx. 7:30 p.m.) & Daniel E. Wooden (arrived @ approx. 8:00 p.m.). In attendance, also, was Vill. Atty., John B. Nesbitt, Esq.

Call to Order: Mayor Elliott delayed calling the meeting to order due to lack of a quorum, however, when Trustee Gilmore arrived @ approx. 7:20 p.m. the mtg. began. G. Scout Troop #298, wth. Leader Mrs. Jackie Hackett as spokesperson - did approach the VB re a proposal to refurbish the Roger's Memorial Chapel in the Palmyra Cemetery as a Scout project. Mrs. Hackett presented a letter to the VB outlining the the proposed project and expressed the hope of locating and returning various items to the bldg. which which are believed to be in the area.

Roger's Chapel: C&P Supt. was present to answer questions. It was stated that various items/equipment presently stored in the Chapel for lack of space elsewhere. Trustee-in-Charge, T. Lynch, sd. he wld. like to see the subject bldg. restored. Discussion on various aspects. R. Weaver sd. that \$800. had been budgeted for pointing the bldg. Everyone agreed - and the Mayor sd. the Chapel an asset to the Cemetery and Palmyra. Perhaps frosted glass cld. be placed in the windows which once contained lead (stained)glass. The group rec'd VB sanction to begin work and Mr. Lynch asked that the VB be kept informed of progress. The VB thanked the group for attending the VB mtg. and wished them well in their efforts for the proposed refurbishing project for the Memorial Chapel.

Min., 6/4/90--2

BMX Track@ Frgrnds:

Mr. H. Baker, Fairgrounds Pres., along wth. several interested citizens and youths, approached the VB re use of the unused portion - the southwest corner of the grounds - for a BMX bicycle racing track. Mr. D. Macomber presented a rough sketch of what the track wld. look like and explained the popularity of the sport and the need for a track in the vicinity - bikers have to travel to Binghamton, Hamburg, etc. to participate @ the present time. Group under the auspices of the National Bike League and wld. be run by a local "Parents' Organization." Concessions, he sd., cld. be run by local organizations if desired. Several adults reiterated Mr. Macomber's statements and Mr. H. Baker sd. that if approved by the VB, wld. then have to be approved by the Fair Association. Input was given by several area adults as well as some from Greece, Webster, etc. - along with some young adults who have a keen interest in the sport.

Emphasis mde. on almost exclusive week-end use of the track in the beginning - some evenings wld. be used for practice. Hopefully, lights added later - loudspeaker wld. be only device re noise. No admission wld. be charged/only registration fees. Mr. Macomber sd. a family-oriented sport - races conducted then those involved leave/go home. Track wld. be fenced in - suggested that track be covered with plastic when not in use, therefore, wld. not anticipate any "trespassers." Mr. Macomber explained gear/equipment required for racing - established by N.B.L. Also a "seasonal" sport, say, May to Sept./Oct. @ which time school sports begin. Mr. Baker sd. the area in which the "BMX'ers" are interested is not utilized for anything presently; use wld. not be permitted during "Fair Week."

Trustee Pope asked if contact had been mde. wth. neighbors to which Mr. Baker answered that only in planning stages - Fair Bd. has yet to approve. Not many neighbors in immediate area, he sd. - but they wld. be in touch wth. neighbors when approved. Trustee Pope then moved approval of the activity @ the Fairgrounds; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Lynch & Mayor Elliott. Carried.

Minutes5/21/90:

Due to the rather late distribution of the 5/21/90 VB Mtg. Minutes they had not been reviewed by all Bd. members, therefore, Trustee Gilmore moved that acceptance/approval be tabled until nxt. mtg. Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Lynch & Mayor Elliott. Carried.

Fairgrnd.Parcel:

VB discussion with Mr. H. Baker re the Fairgrnds. parcel discussed @ a prev. mtg. - an apparent "un-owned" parcel behind horse barns/along creek. Quit claim deeds in process of preparation; Mayor Elliott stated that Mr. R. Schwing expressed interest in obtaining portion behind his Birdsall Pkwy. property. Mayor suggested deeding to ctr. of the creek - the Fair to the ctr. Although the Fair wld. accept sme. of the land, Mr. Baker asked about section frm. creek to the other property owner's parcel - he sd. Fair had no desire to use it. VOP to re-write residents involved - Mr. Schwing only respondent to prior letters. Amts. to 8'-10' ft. per Trustee Lynch. Work will continue for disposal of the subject property.

Min., 6/4/90--3

RevisionsCemt. Rules
& Regs.:

The proposed changes to the Cemetery "Rules & Regulations" discussed by the VB wth. the C&P Supt., Mr. R. Weaver. The Mayor felt a fee shld. be stipulated in the "Disinterment" section and after discussion, the VB agreed on the amt. of \$200. as recommended by the Supt.- the same as a regular grave opening since the same amt. of work wld. be involved. For a week-end or holiday burial, formerly charged same for ashes as regular burial - disc.; fee set for ash burials @ \$35. Discussion on prior notice for burials and Atty. Nesbitt suggested "the VOP wld. consider waiving on a case-by-case basis." - 48 hrs. notice needed for burials. Closure dates and inability to limit number of cars also discussed by VB. Mayor sd. shld. be left to discretion of C&P Supt. re closing Cemetery for burials during Winter mos.

Mayor Elliott asked for an interpretation of 'grass markers' and told by R. Weaver that it's a 'flat stone' (all government ones are flat).

Citizen B. Anthony complimented Mr. Weaver and his staff for the 'beautiful' condition of the Cemetery as witnessed on Memorial Day.

String Band
(Concert):

Trustee Lynch sd. that he had signed contract wth. Upstate String Band for concert on 7/15/90 in Vill. Pk., provided by WC Council on the Arts.

Specs/Curb-
ing:

VB discussion on bid specs for curbing/W. Foster St. The Vill. Atty. spke. of insurance coverage & prevailing wage rates which need to be incorporated into the draft specs. Trustee Gilmore sd. urgent that work begin - discussion on bid opening date/publication. Publish in C-J 6/13/90 for bid opening on 6/18/90 - date of nxt. VB mtg. Atty. Nesbitt to complete specs/Clk. to advertise.

CitizensMarafioti:

The VB acknowledged recent ltr. frm. Atty. Polimeni of Canandaigua re the concerns of the Marafioti's on Cuyler St. and their alleged drainage & debris problems. Bd. agreed that since residence @ bottom of the hill, difficult to control sand, etc. which collects there; Trustee Lynch sd. driveway somewhat lower than the street; Trustee Gilmore spke. of threatening tone of ltr. - number of times driveway had been checked and measures taken by Highway Dept. in an attempt to alleviate the problem.

Parking -
Main St.:

VB discussion re communication, dated 5/21/90, frm. State DOT concerning Main St. parking. Ltr. stated that off-street parking in VOP under-utilized; accidents substantially higher in area of angle parking, therefore, DOT proposing parallel parking. The VB had a lengthy discussion on the matter - Trustee Gilmore sd. his belief that 50% more cars in targeted area; Chief Dalton sd. higher accident rate due to cars backing out into traffic. He spke. of State law which State trying to mandate.

Mayor related that he had talked wth. Engineer Jon Edinger - accident rate in targeted area seven (7) times greater than in remainder of Main St. Trustee Gilmore sd. "ten (10) times busier!" Mayor asked Mr. E. what effect wld. be if VOP sd. it wld. dispense wth. diagonal prkng. & establish parallel prkng. - Mr. E. sd. 'probably' be re-marked for present plans....within 2-3 yrs. will not be VOP's

Min., 6/4/90--4

option. He explained 'turning lanes' frm. map - once re-marked wld. be coming directly into path where people drive/accident rate will increase. Mrs. E. Hartnagel spke. of 'island' on corner & danger of parallel parking; Trustee Gilmore sd. double parking wld. present problems. Also, repaving driving lanes but not parking area, yet trying to tell VOP how parking shld. be. Turning lanes a good idea/parallel parking is not.

More discussion - Mayor sd. DOT wld. like response by 6/15/90. Chief Dalton suggested requesting DOT rep. come to VB mtg. VB opposition - Trustee Gilmore moved that the VOP oppose any move by the State to change parking from diagonal to parralel; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope, Lynch & Mayor Elliott. Carried.

TADA Radios

fr. Hwy.: VB to review proposal - prepare to discuss @ nxt. VB mtg., per Trustee Gilmore.

Resigna.

Dg.Warden: Trustee Pope stated the Dog Warden (Mr. Gilbert "Rick" Case) had resigned, having moved out-of-town. Discussion on a replacement - Trustee Pope sd. that schooling now a requirement. The Clerk was requested to advertise for an "Animal Control Officer." Chief Dalton spke. of utilizing Macedon as temporary measure on a per-dog-basis - or any area so that the VOP wld. have someone to rely on. Trustee Pope spke. of making contact wth. Town Councilman A. Baran re TOP's solution to absence of a Dog Warden.

Raccoons:

Raccoons still a problem in the VOP; Mrs. J. Hackett to provide Clerk wth. person frm. Cornell; Trustee Gilmore mentioned Mr. M. Patridge frm. Marion who is qualified. Not the VOP's responsibility, per the Mayor, however, VOP has tried in the past to assist residents.

Handicapped

Ramp: Short discussion on handicapped ramp; Trustee Lynch sd. that drawings shld. be provided Mr. M. Zurich who may find more economical way to build sd. ramp.

Water

Contracts: Trustee Wooden reported that work being accomplished on overdue water contracts; no changes can be mde. current yr. as prior notice not given. Mayor Elliott sd. that he had done wk. (in word processor) on Town Water Contract - Clk./Dpt. Clk. to complete. Trustee Gilmore mentioned that a TOP resident's water bill had tripled (buy frm. Town of Macedon); aware that it isn't VOP responsibility, therefore, called Mr. S. Carlson, TOM Supervisor.

Police C's

Assoc.: Mayor Elliott sd. that he accompanied Palmyra & Macedon's Police Chiefs to Western NY Police Chiefs' Assoc. mtg. in Hornell re "vicarious liability" (a liability which can affect police chiefs/village bds. re not properly training personnel for their negligence). NY is among few states uninsurable. VB discussion - Chief sd. VOP very fortunate because VB allows proper training, schools' attendance, etc.

Chief Dalton sd. that handicapped parking which existed @ the P.O. has been eliminated (nxt. to bldg.). Chief to meet wth. Postmaster in near future re designation of handicapped parking. Other designated areas (two) in VOP pointed out. Disc. on driveway between P.O./Am. Legion and who owns - and suggestions offered for handicapped parking

Min., 6/4/90--5

near mailboxes (or Atty. Nesbitt's Office). If on private property, Mayor sd. VOP wld. have to enter into an agreement....possible curb cuts reviewed.

Wste.Man.
Wkshop.:

It was announced that a Municipal Yard Waste Management Workshop to be conducted in Monroe Cty. on 7/23/90 wth. a \$6.00 registration fee. No VB members indicated ability to attend - Clerk to poll Hwy. & C&P Supts. of their desire to attend sd. Workshop & the Mayor so moved authorization; Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore, Wooden & Lynch. Carried.

Abstract

#1:

Trustee Pope moved that the Treas. be authorized to pay **Voucher Nos. 1-25** in the amt. of \$13,734.25 on which appear the initials of @ least three (3) VB members. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Wooden & Lynch. Mayor Elliott did not register a vote. Carried by majority.

Rodfest:

VB approved Empire Vintage Auto's request (annual) to conduct show @ the Fairgrnds. on 7/29/90 as moved by Trustee Pope; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Lynch & Wooden & Mayor Elliott. Carried.

Misc.:

Retained on the Agenda were the following: Turning elections over to Cty.; Cable T.V.; Handicapped Ramp; Annexation/Rolfe St.; dedication of Laurentian Dr. (Mr. P. Russell in area prior wk.-son obtained copies of ordinances pertaining to utilities/roadway); school/town gas tanks (per Mr. Gilmore, removed sme. 'old' Agenda items until notice to VOP rec'd); VOP Policy Manual; Electrical inspections; sale of Market St. property; Mr. N. Gerber to contact Atty. Nesbitt re Salzburg. Also, communication re VOP/Assessing unit (viable option for VOP to retain or not). VB acknowledged ltr. frm. Mrs. K. Pray re "eyesore" @ corner of Fayette/E. Main Sts. frm. area construction. His opinion that CEO J. Roney had handled the matter.

E.Foster:

R. Lape sd. that ditch covered wth. 'green' moss and mosquitoes were bad. He spke. of going back-and-forth between TOP/VOP searching for a solution. Asked about TOP/VOP sharing costs (\$800. ea.) - pre-existing ditches, he sd. - did not want to go to a "drainage district"...water problem affects about twenty (20) families...shld. be included in taxes. Further discussion - Trustee Gilmore & Atty. Nesbitt to physically walk the area prior to nxt. VB mtg. Trustees Wooden & Lynch suggested that the VOP accomplish work, then bill the Town! Mayor sd. either the VOP act alone (obtain easements frm. Mr. Clark & whomever else....to dig the ditch & maintain it....)....or try to work out solution wth. the TOP to divide cost. In process, will be draining part of Mr. Clark's land, et.al. Mr. R. VanHout spke. of several people passing on his property - Messrs. VanHout & Lape talked of poor condition of the road due to water damage.

Hwy.

Pickup:

Trustee Gilmore spke. of heavy bags which Hwy. must load onto their trucks when chipping; the Clerk was directed to place an ad in the paper similar to prior ads but adding "35 lb. limit" on filled bags. A citizen sd. there is a limit in Monroe Cty. of 40 lbs. re garbage cans/containers.

Min., 6/4/90--6

Exec. Sess.:

At 9:40 p.m. Mayor Elliott moved that the VB exercise Exec. Sess. for personnel & salary reasons - wth. Chief Dalton & Atty. Nesbitt present - Exec. Sess., also, for matters of salaries. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore, Wooden & Lynch. Carried.

Reconvene:

At 11:10 p.m. Trustee Pope moved that the VB emerge frm. Exec. Sess.; Trustee Wooden seconded. Voting was unanimous/carried.

Officer J.Hall:

Trustee Pope moved that the Vill. Atty. be requested to draft a "Memorandum of Understanding" to be presented to the Union for their agreement authorizing the waiving of a Probationary period for Police Officer James Hall on a "non-precedent" basis; that the Mayor be authorized to sign said agreement to become effective when signed by both parties. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Wooden & Lynch. Mayor Elliott voted "nay" on the basis of his belief that he wld. have liked to have had "eight weeks" included in the motion. Carried by majority.

Employees' Salaries:

Trustee Pope moved that the budgeted salaries be approved (according to the salary and benefit worksheets, per the Mayor) - wth. two exceptions - that of Animal Control Officer (no increase) & Vill. Atty. J. Nesbitt (increase to \$11,000. retroactive to the beginning of the fiscal year). Mayor Elliott and Trustee Gilmore seconded. Voting was unanimous/carried.

Adjournment:

At 11:20 p.m. Trustee Gilmore moved adjournment; Trustee Wooden seconded. Voting was unanimous/carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting 6/18/90 7:00 p.m.

Present:

James G. Elliott, Mayor; Trustees Daniel E. Wooden, Daniel S. Pope III, Thomas N. Lynch & C. D. Gilmore (arrived @ 8:50 p.m.); and Vill. Atty., John B. Nesbitt.

Call to Order:

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

Minutes 5/21/90:

Trustee Pope moved acceptance as written of the Minutes of the 5/21/90 VB mtg.; Trustee Wooden seconded. Voting "aye" were Trustees Pope, Wooden & Lynch & Mayor Elliott. Carried.

Minutes: 6/4/90:

Trustee Pope moved acceptance as written of the Minutes of the 6/4/90 VB mtg.; Trustee Wooden seconded. Voting "aye" were Trustees Pope, Wooden & Lynch & Mayor Elliott. Carried.

Min., 6/18/90--2

Agenda

Additions: Mayor Elliott moved Agenda additions as follows: Mr. Dennis Mastro, Mgr., NYSEG/Newark to approach the VB for his annual visit - & and Mr. Robert Rider, Canandaigua St. re VOP parking ordinances. Trustee Lynch seconded. Voting "aye" were Mayor Elliott & Trustees Lynch, Wooden & Pope. Carried.

NYSEG: Mr. Mastro stated that he attempts to visit all area municipalities - at least on an annual basis. He brt. the VB up-to-date on the NYSEG sub-station site (located on Park Dr.); company continuing testing (3rd phase of 5-task program; in 3rd phase identification of types of materials was done) - site was coal tar gas plant in the 1800's (closed down in 1910). Part of State program of assessing possible hazardous waste sites - NYSEG has done test borings, ground water sampling, creek and air sampling as well as testing at neighbors' homes & basements. Although technical, Mr. Mastro explained the process as well as contents found in Hathaway Creek. Materials found not listed under State hazardous waste sights or in Federal Register, etc. NYSEG attempting to identify by-products, how much there - file rpts. to State; 4th phase upcoming which is "risk assessment" - may be that NYSEG can just post the site. Risk of ingestion may mean that employees on site will be required to wear special clothing, etc. Materials in the sediment a concern that NYSEG is checking. Mr. Mastro will continue to keep the VB informed.

Trustee Lynch spke. of the Warners who live near the sub-station (opposite side of creek) and asked Mr. Mastro about mowing and trimming NYSEG property - Mr. Mastro agreed to accommodate them.

Mention mde. by Mayor of utility companies assisting wth. tree trimming in the VOP/sharing costs. Works out well for VOP.

Citizen

Rider: Mr. R. Rider approached the VB re communication he had rec'd for an unlicensed vehicle on his premises and went on to elaborate upon his objections, the law and of intent of law - Mr. Wooden sd. that Code only specifies "licensed" or "unlicensed" vehicles; CEO J. Roney conducted a survey west of Canandaigua St. - 55 people in violation of Code and ltrs. sent. Planning Bd. in process of amending Code to address situation such as Mr. Rider's. Mr. Rider asked about a situation during the time when his motor home unlicensed - wld. be happy to get a permit, he sd. Not everyone has convenience of garages. Permits a possibility, per Mr. Wooden. Mr. Rider sd. he was glad to see work being done in the above regard.

Dar-Lind: Short discussion on original plan for lights @ individual residences on Dar-Lind and why they aren't in place. Length remaining on performance bond surfaced and lamp-post placement cld. be a condition of issuing a "CofO." Water meter installation @ Dar-Lind touched upon; "CofO" shld. like-wise not be issued until water meter installed. Shld. be installed long before CEO inspects. Mayor explained that when main put in, all services were run frm. main to property line. Per P. Retan, shut-off's installed when house built. VOP will attempt