

BOARD OF TRUSTEES

Special Meeting

3/2/89

7:00 p.m.

Present: Mayor James G. Elliott; Trustees Penelope K. Frontuto, C. D. Gilmore, Daniel S. Pope III, and Daniel E. Wooden; and Mrs. Darlene E. Matteson, Vill. Treas.; and Mr. Roy McMasters.

Purpose: The Mayor called the Special Meeting to order @ 7:02 p.m. for the purpose of conducting a 1989-90 "budget session" with Mr. Roy McMasters of Donegan Associates and Village Treasurer, D. Matteson.

Other

Business: Trustee Pope reported that Animal Control Officer, Mr. Harold Fisher, had been injured and unable to work in sd. capacity; Trustee Pope working with Town Councilman, Mr. A. Baran to secure replacement.

Adjourn-

ment: At 11:05 p.m. Trustee Frontuto moved adjournment; Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope, Gilmore & Wooden & Mayor Elliott. Carried.

(Minutes Recorded by Mayor James G. Elliott)

***Out of Order

BOARD OF TRUSTEES

Special Meeting

3/9/89

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees Penelope Frontuto, Daniel Pope, Daniel Wooden & C. D. Gilmore; Mrs. Darlene Matteson, VOP Treas., & Mr. Roy McMasters, representing Donegan Associates.

Budget

Session: The budget session began @ 7:15 p.m.; Trustee Gilmore had to leave for business reasons @ 8:00 p.m. and returned @ 10:20 p.m.

Adjourn-

ment: The VB's budget session for the VOP's 1989-90 budget ended @ 11:10 p.m. - the Mayor moved adjournment; Trustee Frontuto seconded. Voting "aye" were Mayor Elliott & Trustees Frontuto, Gilmore, Pope & Wooden. Carried.

(Minutes Recorded by Mayor James G. Elliott)

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005000

BOARD OF TRUSTEES

Regular Meeting

3/6/89

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees Penelope K. Frontuto, C. D. Gilmore, Daniel E. Wooden & Daniel S. Pope III; and Village Atty., John B. Nesbitt.

Moment of Silence: Mayor Elliott requested that a moment of silence be observed prior to conducting Village business.

Public Hrng. Triou Est.: Mayor Elliott opened the advertised hearing regarding dedication of Dar-Lind Lane - the approach to the Triou Sub-Division off Canandaigua St./Rd. requesting the Clerk to read the Legal Notice; Mrs. Theresa Otte, 350 Canandaigua St. addressed the VB in relation to street dedication...she asked how many homes proposed to be built and told by the Mayor "23." She asked when contractor put in the street, did they provide for 23 laterals for sewer lines so easier for Village crews to make repairs, have to be torn up, repaved, etc...the Mayor answered in the affirmative. Mrs. Otte then asked what steps were taken to ensure that the sewer lines have no cracks, citing example of Salzburg Village (Laurentian Drive) which were not acceptable to the VOP. Mayor said they were all 'lamped'; W&WW Supt. H. Kruger sd. that strong/bright lamps used to look through main...from manhole to manhole. Mrs. Otte asked if pictures taken and informed that Engineer D. Means did not but they were pressure-tested...lines held pressure put on the main. Can't ensure 'forever'....process done 3-4 mos. ago.

Mrs. E. Hartnagle asked re 'access' road...had it been brought up to specs at present...the Mayor sd. not an access road and explained the process the Bd. required prior to dedication. Mrs. Hartnagle asked about meeting specs....had Village Foreman accepted same...value of Engineer's rpt. as well as Hwy. Supt.

Hwy. Supt. Retan spke. of Minutes in which he sd. the Bd. stated street wld. not be accepted until two (2) yrs. after completed. Trustee Pope spke. of two-yr. bond...Mayor sd. two-yr. Performance Bond. Atty. Paul Rubery sd. that Mr. Means recommended \$20,000. bond....VB recommended \$50,000. - no need for Maintenance Bond if not accepted for dedication. Trustee Pope asked if ltr. sent to Mr. D. Triou and told "Yes" by Mayor. Atty. Rubery sd. couldn't obtain Maintenance Bond until accepted for dedication. Marine Midland processing it, he sd. Time begins when accepted - couldn't post until known if road has been accepted...then "Letter of Credit." Offer of Dedication - deed - easements taken care of per the Mayor. Mr. Rubery spke. of recreation and park area....Mayor sd. five per cent (5%) of Mr. T's purchase price of land. Atty. Nesbitt asked if any encumbrances on the rd. and told "No" by Atty. Rubery. Mayor Elliott suggested amt. of \$1,000. for wk. on Foster St. be retained frm. payment. (Trustee Gilmore arrived @ approx. 7:15 p.m.). Atty. Rubery spke. of cash amt. of \$1,000. & released when repairs done.

P. Retan asked about sidewlk. completion along Route #21 and informed May-June...they wld. be in contact wth. him to see what required. Trustee Pope sd. it must be dry before putting in sidewlks.

Mayor Elliott asked for further comments or questions; Trustee Gilmore asked if VOP had anything

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frm. Engineer Means, or his office, about the subject street and informed by the Mayor that the final inspection rpt. received previously....1/3/89, to be exact, per Trustee Pope. Trustee Gilmore asked about #3 of rpt. (near bottom) regarding..... construction...and what considered 'normal traffic'. Trustee Pope sd. that all types of trucks go up and down streets all the time in VOP.....weight of trucks compared to snowplow...P. Retan sd. 36-40 thou. wth. load of salt.....16,000 empty. Mr. D. Matthews spke. of maximum loads.

Mrs. Hartnagle asked if road destroyed, where does VOP stand....informed by Mayor Elliott & Trustee Pope that is the reason for Bond....Trustee Pope felt better to accept now than wait until construction finished. Atty. Rubery agreed. Trustee Gilmore commented...he'd rather it would break up before...if not VOP's, wouldn't make much difference. P. Retan sd. it doesn't take long to 'eat up' \$50,000. Trustee Gilmore was recalling something about last August...something about waiting for street dedication to which Trustee Pope sd. it had to do wth. 15th of Oct.....Mayor Elliott sd. Bd. had lot of discussion but didn't believe a formal resolution. Trustee Gilmore sd. he'd rather see it go so VOP wouldn't have to worry about it. The Mayor sd. that after acceptance, VOP has direct control over quality of repair work. Mrs. Hartnagle asked what if beyond \$50,000. and told by Mayor that it would then be the VOP's responsibility...no road in VOP that 'goes on' forever. Atty. Rubery spke. of 'an addition'....would be repaired. A liability, per Trustee Pope.

At 7:25 p.m., when there were no further questions and/or comments, Mayor Elliott declared the public hearing closed.

Trustee Pope moved....effective March 15, 1989, subject to the \$50,000. Letter of Credit for two yrs....\$1,000. cash deposit toward repair of East Foster St.;\$4,000. in lieu of parkland. Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto & Mayor Elliott. Trustee Gilmore voted "Nay." Carried by majority.

Assessor
Roney:

Assessor Roney thanked the Bd. for nine (9) years of their cooperation and for the opportunity to serve the VOP...as VOP appointments occur in April, he wanted to inform the Bd. that he wld. be 69 yrs. of age and wld. be retiring at the end of September, 1989. He spke. of VOP options - cease being an assessing unit; appoint Clerk to take over assessment function of signing papers, and the VB cld. appoint Assessor Roney for one yr. as in the past. He explained what wld. occur if the VOP ceases to be an assessing unit...he spke. of prior VOP employee appointed approx. ten yrs. ago to handle paperwork, however, it didn't work out...then Mr. R. Schwing appointed for one yr. until TOP mde. decision as to which direction they wld. go. Discussion on how much time wld. be spent in VOP - ea. mo., per Mr. Roney...creating tax roll, process new construction...deaths (sen.cit.) - remove frm. tax roll..TOP to make a re-evaluation update.

Trustee Frontuto asked if he had any knowledge of direction TOP to go and Mr. Roney indicated he had none. No action taken by VB during mtg.

5:05 PM, 3/6/89--3

Minutes2/21/89:

Trustee Frontuto moved that the VB accept the 2/21/89 VB Mtg. Minutes as written; Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope & Gilmore & Mayor Elliott. Carried.

Minutes3/2/89:

The brief Minutes of the 3/2/89 VB session were approved as moved by Trustee Pope; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto & Gilmore & Mayor Elliott. Carried.

TrusteeFrontuto:

Trustee Frontuto C&P Supt.'s report in which it was stated the \$1200. salary shortfall due to overtime hrs. not being budgeted. She attended Bicentennial Commission meeting recently; ltr. to VB rec'd frm. Mrs. Marilyn Dahneke in which she requested use of the Vill. Prk. @ 7:00 p.m. on 7/8/89 for a Talent Show, sponsored by the Mormon Church. Trustee Frontuto so moved; Trustee Gilmore seconded. Voting "aye" were Trustees Frontuto, Gilmore & Pope & Mayor Elliott. Carried. Trustee Frontuto requested the Central Office to communicate wth. ASCAP again re Vill. Pk. concert contracts. The Antique Car Show, to be held in the Park on Sun., 8/13/89, looking for local organization to handle food booth - Clerk to check wth. Civic Club. She said fireworks display to be held on 7/3/89 (actual Bicentennial date), however, no site established as yet.

Mrs. Frontuto spke. of NYCOM attendance wth. Mayor Elliott prior week which was interesting and in which they were able to "lobby" - State Legislators were in attendance....of interest was Gov. Cuomo's proposed budget. She thanked the Bd. for opportunity to attend. She touched briefly upon the "Real Estate Transfer Tax" which the Bd. shld. look at.

TrusteeGilmore:

Trustee Gilmore brt. to VB's attention a Memo (Purchasing Memorandum) re State bids for trucks...if VOP to bid any trucks during year, must be done by 3/31/89. It was stated that the VOP budget not in place by then. The Mayor sd. that new quotes arrive frequently.

F.D. App.:

Trustee Gilmore sd. that F.D. held election of officers - effective 4/1/89 and list furnished the VOP - he announced that Hwy. Supt., Phil Retan, elected to position of "Fire Commissioner." Mr. Gilmore submitted name of Mr. Charles William Angelo as prospective F.D. member and application rec'd. He moved that the VB accept sme. pending outcome of physical exam. by Village physician. Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope & Frontuto & Mayor Elliott. Carried. Question arose re the acceptable age of F.D. member(s); "18" yrs. of age, per P. Retan.

Pal-Mac Pride... Hwy. Dept. asked to furnish trucks for upcoming project on 5/20/89. Trustee Gilmore asked if anyone riding in back and told "No" by P. Retan. Mayor Elliott, along with Trustee Frontuto, stated that the Bd. should have something in writing.

Flagpole.:

Atty. Nesbitt talked to the VB about the Flagpole and the proposed new, two-yr. contract; Mayor Elliott spke. of the clause...six mo. automatic renewal wth. 60-day notice...basically an 'escape' clause, per Atty. Nesbitt....they agreed wth. small

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price increase. Mayor sd. it shld. be added that Family Stations wld. remove all their equipment, etc. frm. Flagpole upon termination of contract....exists in contract, per Atty. Nesbitt. VB authorized Mayor to execute with above changes. Atty. Nesbitt sd. that contract drawn up and sent to Family Stations.

Fuel Bids:

Atty. Nesbitt sd. two ways of handling fuel bids.... competitive...lock someone in for specific period of time..no worry about specific purchases under General Municipal Law...VOP has never done same - contract arrangement terminable @ will...no contract - worked out all right. On Bids rec'd frm. Pal-Oil (current vendor) & JL Fuels....JL clearly low bidder. VOP uses small amt. of kerosene; P.D. uses super unleaded - Contant's have diesel fuel also....Mayor recommended utilizing JL since prices lower....P. Retan suggested June 1st effective date....does not have to be on 'set' date, per the Mayor....no contract, per Atty. Nesbitt.... VOP vehicles wld. 'gas' up @ H. Contant's...fill up there - slip wld. be turned over to Jeffery...discussion on fire trucks' needs - JL wld. come to fire scene. Trustee Pope moved that bid award go to JL Fuel for period of six (6) mos. effective 4/1/89 to jibe wth. monthly billing period. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore & Frontuto & Mayor Elliott. Carried.

Trustee
Pope:

Trustee Pope stated that Town Councilman, A. Baran, and himself wld. be conducting interview(s) for position of Animal Control Officer the following Wednesday....and under what terms...six (6) applicants for position in 1987. He spke. specifically about Mr. Rick Case, area kennel owner, and stated his desire for VB permission to hire for one-yr. period @ current rate of pay. Mayor sd. appointment to be mde. @ VB Organizational Mtg., 4/3/89 - until 4/90. Chief D. Dalton to be authorized for interim period - contract wth. Mac./Arcadia for vicious dogs on a 'per animal' basis. Dogs to be held for seven (7) days then to Lollipop for Euthanasia.

Mayor Elliott moved that the VOP authorize Trustee Pope to interview potential candidates as Animal Control Officer and that he be authorized to hire a person - and in the interim authorize Macedon Animal Control Officer (Mr. Gordon Chapel) to pick up any vicious dogs, payment for which wld. be on a voucher basis. Trustee Frontuto seconded. Voting "aye" were Mayor Elliott & Trustees Frontuto, Pope & Gilmore. Carried.

Budget
Mtg.:

VB reminded that a "budget session" wld. be held at 7:00 p.m. on 3/9/89.

Mayor
Elliott:

The Mayor sd. that the recent NYCOM meeting was informative, etc. as related by Trustee Frontuto. He sd., also, that it was good to talk wth. Legislators - Trustee Pope talked of CHIPS money - and wld. not be increased...VOP had been ensured of receiving sme. Mayor sd. Hwy. Supt. knew what he had put in - VB knows what will be done wth. it. Legislators sd. program wld. 'not be there'....also, O&M...Youth Program. Mrs. E. Hartnagle spke. of the yrs. she had attended budget mtgs./hearings, etc.

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000203

and the shortages before year-end....transferring frm. contingency..she asked about ability of the VOP Consultants, Donegan Assoc. for the money they are pd. Mayor sd. some fault lies wth. Bd. - had not been follow-through after budget put together....new system of entering & projecting budget....shld. be an improvement this year. Fault on both sides, per Mayor. Trustee Pope gave his opinion of budget preparation & execution - improperly done if not deliberately.

Cable TV:

Mayor Elliott sd. that he attended meeting in Lyons on 2/28/89 re Cable TV....VOP Franchise shld. be expiring in 1990 - searching for written agreement to extend sme. Cable supposed to give VOP 36 mo. notice of intent to renew - State Law. VOP can negotiate - Clyde, Lyons & Newark are jointly working wth. the company....projections - all municipalities band together to come up wth. new cost for Franchise - better for municipalities..wld. be collecting monies that shld. be due VOP....with more knowledge, better able to negotiate. Cable paying VOP just base rate...basic subscriber service is \$18.75.....if additional programs (Disney, etc.) - additional outlets, VOP not getting anything frm. them. Sales program out of Fla....corporation owner receives five percent (5%) off the top. VOP does not see three percent (3%)....will pay the VOP to research more....will cost approx. \$5,000., however, wld. pay off in year or so. Trustee Pope asked further and told UNICOM (Larry Monroe) operates the above.

W&WW:

Mayor sd. he had rec'd communication frm. Dept. of Health - VOP must come up wth. written "Water Emergency Plan" due to drought conditions. If drought in summer, for instance, Fire Dept. may have to refrain frm. using hydrants and use tankers. He sd. work had begun on project, however, impossible for VOP to meet their requested deadline of 3/15/89.

Trustee Wooden arrived @ 8:20 p.m.

Cross Conn.
Schooling:

Schooling for W&WW Employee, C. Timerson and his certification brought before Bd. by the Mayor. What VOP pays out for outside testing for one yr. costs more than cost of schooling...three-yr. license - as long as he does testing for VOP, wld. automatically renew his license. Trustee Pope so moved Mr. Timerson's attendance in "Cross Connection School"; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried.

P.D.

The Mayor acknowledged receipt of P.D. Rept. by Chief; Chief Dalton stated that cleaners on Cuyler St. out of business - recommended that uniforms, etc. be taken to Shine's Cleaners (new cleaners/west end of VOP) - they have State bid, per Chief. Mayor Elliott moved that VOP utilize Shine's...Trustee Pope asked about bidding - informed by Mayor that VOP had always rec. quotes locally. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Wooden, Gilmore & Frontuto. Carried.

Chief Dalton spke. of problems wth. P.D. Car 239 and exorbitant expenses incurred; he recommended that VOP dispose of sd. car. The Mayor explained process when last P.D. car purchased. The Chief requested

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Bd.'s permission to look into another car...feasibility....delivery date, etc. in relation to new budget. Question asked about leasing and told it was too expensive....particularly on a high mileage vehicle. Mayor sd. shld. be looked into, citing manner in which Hwy. purchased of backhoe.

Parking Enforcement:

Discussion on enforcement of parking; Mayor sd. he had written ltr. to editor - shld. be given warning in beginning until citizens aware. Chief spke. of accident @ Hwy. garage and person responsible to repair sme. Chief sent for maps to assist wth. project on Main St. of concern to Bd.

Bid Open.:

Mayor Elliott stated that bid opening wld. occur @ 2:00 p.m., 3/16/89 re P.D. computer.

Trustee Wooden:

Discussion on Local Law #4, 1989; Trustee Wooden sd. that he had omitted fee for "Certificates of Occupancy"; wld. apply when "CofO" requested and CEO has to inspect for which VOP receives no fee. Atty. Nesbitt stated that the VOP, because of some changes, need not conduct a new hearing in the above regard, following which Trustee Pope moved adoption of Local Law #4, 1989, as re-written. Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried.

Cof Comm.:

Trustee Wooden sd. that the Palmyra Chamber of Commerce received permission frm. the Bicentennial Commission to use their logo for sme. banners for downtown. The CofC wld. like to start a program for banner decorations....merchants will purchase banners...each banner will have logo and at the bottom the individual name of business...purchase frm. Chamber. Trustee Pope asked where banners wld. be placed and told on the lightposts. Mr. Wooden sd. he had estimate frm. Gary LaBerge for brackets..sme. as Christmas decorations....25 poles. Discussion...price for brackets wld. be included in first billing for banners...Mrs. E. Hartnagle did not think enough merchants wld. buy and sd. she had not been acknowledged by Chamber as a merchant. Trustee Frontuto thought a good idea...\$35. per on a first-come, first-served basis. Bill Forrester, Fairport, wld. do project...charge only \$2.00 to put merchants' names on. Discussion on obtaining permission...O.K. wth. NYSEG, per D. Wooden. Wld. be easy to store - flat; storage, perhaps, in P&C basement.

Abstract #19:

Trustee Pope moved that the Treasurer be authorized to pay Voucher Nos. 845 & 871 frm. 2/21/89 Mtg., & Nos. 876 - 925 in amount of \$31,243.06 on which appear initials of at least three Trustees; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Wooden & Frontuto & Mayor Elliott. Carried.

Waste Mgnt. Seminar:

Mayor Elliott sd. that Atty. Nesbitt wld. like to attend a Waste Management Seminar in Albany on 3/16/89, the fee for which is \$50. Trustee Pope moved Bd. authorization for Atty. Nesbitt to attend; The Mayor asked if any Bd. members interested in attending - Trustee Frontuto indicated a desire to attend but had to check her calendar. Trustee Frontuto then seconded. Voting "aye" were Trustees Pope, Frontuto, Wooden & Gilmore & Mayor Elliott. Carried.

Min., 3/6/8--7

WC JPTA: Communication frm. WC (JPTA) re part-time summer employment discussed by Bd. Bd. to consider utilizing some help in some areas, perhaps in Village Office.

PERB

Seminar: Three training seminars re The Taylor Law....New Paltz, Utica & Olean available...Bd. discussion. Mayor Elliott moved that any Bd. member be authorized to attend any of foregoing three seminars, if desired; Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Frontuto, Wooden & Gilmore. Carried.

WCVOA

Assoc.: The Wayne Cty. Village Officials' Assoc. to be hosted by Sodus Point @ Papa Joe's Restaurant on Wed., 3/29/89 - deadline for sign-up on 3/24/89. The Mayor sd. since a law enforcement officer is guest speaker, Chief Dalton might like to attend. Trustee Pope moved that the Bd. authorize attendance by the VB, Chief Dalton or other interested parties; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried.

LLaws 1 & 2 Filed:

The Mayor announced that **Local Law Nos. 1 & 2** filed with State, therefore, in effect. Clerk and Vill. Atty. requested to re-file Mobile Home Law.

Exec.Sess.:

At 8:57 p.m. Trustee Pope moved that the VB exercise Exec. Sess. for personnel purposes wth. full Bd. present, along wth. Chief Dalton & Atty. Nesbitt. Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried.

Reconvene:

At 9:20 p.m. Trustee Frontuto moved that the VB emerge frm. Exec. Session held for personnel purposes wth. full Bd., Chief Dalton & Atty. Nesbitt present. Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope, Gilmore & Wooden & Mayor Elliott. Carried.

Ron Hall Reinstat. to P.D.:

Trustee Pope moved that the VB accept Mr. Ronald Hall's application for reinstatement to the Palmyra Police Department on or after 3/15/89. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Wooden & Frontuto & Mayor Elliott. Carried.

Adjournment:

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

Ethel B. Johnson, Clerk