

VILLAGE OF PALMYRA BOARD OF TRUSTEES

REGULAR MEETING

3-3-92

7:00 p.m.

PRESENT: Mayor James G. Elliott, Trustee/Deputy Mayor Daniel S. Pope III, Trustee C. D. Gilmore. Daniel E. Wooden arrived approximately 7:20 p.m. Trustee Lynch arrived approx. 7:35 p.m.

MINUTES OF 2-18-92: Dpty Mayor Pope moved to approve the minutes of February 18, 1992, as written, seconded by Mayor Elliott, vote, 3 ayes, **CARRIED.**

CITIZEN ELAINE HARTNAGEL: Reported on a meeting she attended as follows: On February 21, a meeting was held at the Ontario Town Hall with representatives of the Western Wayne County Towns in attendance. Jim Switzer hosted the meeting and explained to the group what the Town of Ontario is doing to encourage economical development in their area.

Through combined efforts of their Town Board, Planning Board Zoning Officer, Chamber of Commerce and local businesses, they have put together a tape of the Town of Ontario and a brochure of sites available for development.

When a company shows an interest in locating their business in Ontario, a representative presents them with the brochure and explains what is available that will meet their needs. Tax incentives are offered to encourage new business to locate in the Town of Ontario.

Ron Holdraker, owner of the Times, presented a selection of products made in Western Wayne County. To promote those products he recommended setting up displays in local stores and at business shows. This would help promote local products, local businesses, and increase sales tax revenues and jobs.

Another meeting is scheduled for April 10 at 2:00 p.m. in the Macedon Town Hall. The group would like to encourage representative of area Town and Village Boards, Planning Boards, and business owners to attend.

Trustee Gilmore suggested that copies of the report and notice of the next meeting be distributed to the VOP Planning Board members. Elaine Hartnagel, a member of the VOP Planning Board would distribute this information. Elaine recommended that the VOP put together and submit a brochure to promote Palmyra in a positive light, not the negative that has prevailed.

OLD CREAMERY/MOGAVERO: Mayor Elliott noted that he has met with the prospective buyers of the Mogavero property and handed out a preliminary plan as presented by the prospective buyers. The pros. buyers would need land from the VOP approx. 45' - 50' of depth of land. Prosp. buyers would need a Slope Easement if the VOP would sell it to them so that the area could be brought up to grade and filled in making the bottom of the fill on VOP land. The Prosp. buyer's land would be level. Also the prosp. buyers would need a variance for lot size, set back, and landscaping.

Trustee Gilmore noted that this was too vague for him to see and asked if this area was going to be staked. Mayor Elliott noted that prosp. buyer must talk to Mogavero within two (2) weeks and the prosp. buyer would need a letter from the VB saying that the VOP would sell the land to the prosp. buyer. Under advisement of the Village Attorney, there should be a formal appraisal of this land by a certified appraiser. Mayor Elliott noted that he has contacted a number of realtors who suggested names of Certified Appraisers. One of these Appraisers will be coming to the site to give a quote on the cost of the appraisal.

The prosp. buyers would like a proposal to the VOP before or near April 22 prior to VOP Planning Board in May and the County Planning Board in April. Mayor Elliott noted that there are two

(2) stipulations the prosp. buyer is requiring from Mogavero (1) remove building from land, and (2) excavate contaminated soil from Russell's side of the lot.

Trustee Lynch mentioned that a residential appraisal is typically \$250 and this could cost the VOP about \$300. Mayor Elliott noted that the strip of land is 50' x 158' and that the prosp. buyer would buy the entire area from street to street.

CITIZEN BETTINGER; Mr. Bettinger questioned the VB concerning the enforcement of the zoning ordinances on Mill~~l~~ Street with reference to Pal-Mart and Porretta's locations. Mr. Bettinger noted a DEC report concerning Pal-Mart which Mayor Elliott stated having no knowledge of, after which Mr. Bettinger said that he would furnish a copy to the VB. Mr. Bettinger noted that he would like to call the C.E.O. to go over some possible infractions with the locations on Mills Street. It was suggested that Mr. Bettinger call J. Roney, C.E.O. during working hours with his concerns. Mr. Bettinger brought up many items from his original concerns of four (4) years ago. Mayor Elliott and Trustee Wooden noted that these concerns had been dealt with and answered and found to be in compliance.

DRAINAGE ON E. FOSTER STREET: Mayor Elliott reported that Citizen Ron VanHout met with J. C. Smith of Wayne Cty Soil and Water Conservation District at 9:00 a.m. 3-3-92 about relocating the ditch on Mr. VanHout's property. J. C. Smith, said that relocation of the ditch to the East would not be a problem with regards to additional buildings.

NOISE ORDINANCE; Mayor Elliott reported that Attorney J. Nesbitt has the ordinance and is making some changes on it.

CANANDAIGUA TASK FORCE MEETING: Mayor Elliott reported that the meeting will be held March 24, 1992, Tuesday, at 7:00 p.m. Mayor Elliott gave the audience a brief explanation of the Task Force and the purpose of the Task Force meeting.

COMPUTER UPDATE; Mayor Elliott reported that the new CPU unit has been ordered and that there is no delivery date scheduled at this time.

POLICE DEPARTMENT REPLACEMENT: Chief David Dalton reported that he has gotten about 15 applications for the open position of Police Officer and has done background checks narrowing his choice to a particular candidate. The candidate is from the Township of Macedon and his name is Craig S. Cummings. Mr. Cummings is attending the Police Academy in Monroe County with a May 21st, 1992, graduation schedule. The Chief noted that Mr. Cummings is currently working for the Canandaigua Police Force as Animal Control Officer part-time and going to school the balance of his time. Because it is necessary for a student to be sponsored to attend this school, Canandaigua is fulfilling that requirement. Mr. Cummings is paying his own way through school which will save the VOP about \$3000. The Chief pointed out that if the VOP hired Mr. Cummings, he would work 20 hours and go to school 20 hours. Mayor Elliott noted that it is typical to pay for the 20 hours during school time making a total paid by VOP of 40 hrs. per week.

Trustee Wooden noted that he would like to wait until after the first budget meeting next Monday night. Trustee Wooden that that the VB would know better after that meeting.

Trustee Lynch asked how the PD was doing with only four (4) patrolmen. Chief Dalton replied that crime was a problem in Palmyra and that particularly assaults and domestic violence were on the rise. Four patrolmen cannot fill the time and function as a first class Police force here. Chief stated that if services are needed and the VOP PD cannot provide them all will feel bad.

Mayor Elliott moved to hire Craig Cummings to the VOP Police Department. The motion died due to lack of a second. Dpty Mayor Pope stated that he could not make a decision without seeing the applications. Chief Dalton said that he would arrange for the VB to meet the applicant a head of time and that Mr. Cummings could come to the next VB meeting.

HEPATITIS B: Mayor Elliott presented information from the Village of Macedon and other information concerning the recent awareness of Hepatitis B vaccination for first responders on the Fire Company and the Ambulance Squads. The Mayor had thought that the shots were manditory, however, this needs to be checked into. Phil Retan, Commissioner of the Palmyra Company, stated that all the members of the Fire Company are considered first responders. It was decided that more information was necessary on whose ruling this requirement was. The VOP could sponsor the shots which could cost about \$150 per person to the PVA as well as VOP Fire and Police.

SURPLUS ITEMS: Mayor Elliott reported that the VC has received 11 sealed bids which will be opened March 13, 1992 at 2:00 p.m.

CENTREX PHONE SYSTEM: A representative from the NYTEL was in last week and met with Mayor Elliott concerning the possibility of the VOP purchasing the CENTREX phone sytem. This would enable the Village Clerk's office to transfer calls to the other offices without tying up lines and having citizens hang up and call other office numbers. Re. Court Clerk's number is never transfered but redialed by caller. A large part of the savings would be the line to Lyons. At the present time the VOP is paying mileage on the line to Lyons and with the Centrex the calls would be forwarded. Mayor Elliott was planning to ask the TOP if they would be interested in sharing this service with the VOP. There would be one bill for the VOP and the TOP even though there would be separate lines. Approximately 30 minutes each billing period would be necessary to separate the charges on the bill. Mayor Elliott noted that he is waiting for a final quotation on this.

Depty Mayor Pope noted that the PD is presently programming and reprograming the telephone when they leave and return from patrol. The Centrex would automatically do this. Citizen Hartnagel asked if there would be a set up charge, and Mayor Elliott indicated about \$200 which would be a month's savings on the Centrex which was preliminarily proposed.

SADD PROCLAMATION: Mayor Elliott Proclaimed: The Village of Palmyra is stongly committed to reducing the number of alcohol related injuries and accidents on its highways, particularly among its young people. We recognize that further reductions of highway deaths and injuries depend both on our highway safety initiatives and the initiatives of groups that have an interest in accident prevention.

Students Against Driving Drunk (S.A.D.D.) a nationwide, non-profit school based organization established in 1981 has 17,000 high school chapters, 7000 middle school chapters and 1500 college chapters: that conduct programs that complement our highway safety efforts.

S.A.D.D.'S goals included the removal of Drinking Drivers from our streets, the education of peers about the dangers of drings and driving and promotion of community awareness of the problem.

We salute the efforts of the PALMYRA - MACEDON High School S.A.D.D. Chapter in establishing a chapter in their school. We recognize the important message S.A.D.D. brings to their peers and making the highways of our village safer for all our people.

NOW THEREFORE, I, JAMES ELLIOTT, MAYOR OF THE VILLAGE OF PALMYRA, WAYNE COUNTY, N.Y. DO HERBY PROCLAIM:

MARCH 30TH TO APRIL 3RD 1992 STUDENTS AGAINST DRIVING DRUNK WEEK.

TRUSTEE LYNCH REPORTS: Trustee Lynch reported that the Parks & Cemetery Department was in need of a new motor for one of its lawn mowers. It is believed to be the Wheelhorse model. Trustee Lynch will get a couple of estimates.

TRASH RECEPTICLES: A special note was made to recognize the Highway Department for their fine job in making the recepticles with the monies furnished by Rotary. Thank you also goes to Rotary for their generosity.

MARINE MIDLAND DRIVEWAY: Trustee Lynch noted that one of the new recepticles was placed on the sidewalk between the telephone and the PD driveway which is definately discouraging cars from cutting across on the sidewalk.

PERMITS OR YELLOW LIGHTS FOR SNOW PLOWS: Attorney Nesbitt is working on this and has the specifications for the light requirements. Trustee Lynch noted that some form of permit may be helpful to give copies of the rules of plowing in the VOP to those that are plowing and also have a record of who is doing plowing. Trustee Lynch was definatate that no charge for the permit would be expected.

SAFE DEPOSIT BOX: Trustee Lynch remarked about the \$70 recently spent to open another safe deposit box and asked if it would not be a good idea to look into using the TOWN OF PALMYRA's safe instead. Mayor Elliott noted that many of the papers in the safe deposit box should be secured in that fashion, however, there are other papers such as microfilm record duplicates which could be kept in the Town vault.

TRUSTEE GILMORE REPORTS; No report on Kent Street or Fee Schedule at this time.

FIRE ALARMS: Trustee Gilmore noted that Fire Chief Ron Hickman was concerned about smoke detectors in place and in working order in houses and apts. A reference was made to a fire on Main Street which could have resulted in a tragedy due to smoke. It was noted that there was no regulation on already built homes and aparts. however, there is a regulation on new buildings.

Trustee Gilmore stated to all, that smoke detectors save lives and it is wise to have them installed and working correctly at all times.

TRUSTEE/DEPUTY MAYOR POPE REPORTS: Calculating the separation for water sales outside the Village for purposes of using them for General Village needs is being worked on for the next budget year. Dpty Mayor Pope noted that this could affect the current water rates.

ABSTRACT #20: Dpty Mayor Pope moved to authorize the Village Treasurer to pay all invoices on which appear initials of at least three VB members. Voucher Nos. 849 - 886 totalling the amount of \$11,897.17 seconded by Trustee Gilmore, vote, 5 ayes, **CARRIED.**

ADULT ENTERTAINMENT PROPOSED LL#1, 1992: Deputy Mayor Pope noted that Attorney Nesbitt is going over the LL. Attny. Nesbitt suggests that a Public Hearing be set for April 20th, 1992, to discuss this LL#1 as well the snow plow lights.

A motion was made by Mayor Elliott to hold a Public Hearing on the Proposed LL#1, 1992, entitled Adult Entertainment at 7:00 p.m. on April 20, 1992, and a Public Hearing on the Proposed LL#2, 1992, entitled Lights on Private Snow Plows at 7:30 p.m. on April 20, 1992. Motion was seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.** The Village Clerk was instructed to publish notice of the hearings not more than 7 days prior to the hearing date.

TRUSTEE WOODEN REPORTS: HANDICAP RAMP: Trustee Wooden noted that he has contacted the Community Service person about installation of the ramp, and the ramp should be started April 1, 1992, or before.

PENDING CONTRACTS: Trustee Wooden noted that Attny. Nesbitt has the pending water contracts on Garlock and Hill Cumorah which he will check over and return if ok. It was noted that the largest change was increased water rates.

CONFERENCE OF MAYORS: Mayor Elliott reported on the Winter Meeting for NYCOM which was held in Albany at the end of February. Mayor Elliott noted that this is the first time in 15 years that the Governor has addressed a group with a brief question and answer period. The meeting lasted for at least 50 minutes. Mayor Elliott reported that the meeting was very productive and there were no surprises. The Mayor noted (2) items for the budget that received a resounding disagreement re. for every 100 gallons of water the state would like to bill 1/3 cent to the municipalities. This would be 3% of the revenue which is a major piece. Mayor Elliott said that he and others felt it was a hidden tax and a definite message stating that was given to the Governor. The second item was on Medicaid which the State proposed taking over from the County and charging the County a 1% portion of the Sales Tax to fund. Mayor Elliott noted that Marv Decker, Head of the Wayne Cty Supervisors, stated that the 1% the County would pay to the State is more than it would cost the County to administer the program. Mayor Elliott met with Assemblyman Talomie and Nazzolio who agreed on the problems with these two proposals. The State also wants to take away Code Enforcement money which means a loss of about \$1,700 to the Village. Mayor Elliott noted that NYCOM was instrumental in legislation which allows reimbursement to municipalities who have trained POLICE who then seek employment elsewhere within three years from the municipalities they go to. Dpty Mayor Pope noted that the VOP already has this stipulation in the Union Contract. Mayor Elliott said that a copy of our Union Contract has been sent to NYCOM and that the VOP was a leader in that area.

FIRE TRUCK REPAIR: Trustee Gilmore noted that the truck has been repaired by Ron Hickman and the Firemen themselves using many personal hours. A Purchase Order for painting the repaired area was just signed and it is noted that the men did a great job on the repair.

Mayor Elliott thanked all for coming to the VB meeting and moved to have Executive Session for reasons of "Personnel" with Village Attorney, members of the Board, the Police Chief and his lawyer at 9:10 p.m., seconded by Dpty Mayor Pope, vote 5 ayes, **CARRIED.**


At 9:35 p.m. Chief Dalton and J. Morris left at 9:36 p.m. Trustee C.D. Gilmore left.

A motion was made by Dpty Mayor Pope to come out of Executive Session at 10:20 p.m. seconded by Mayor Elliott, 4 ayes, **CARRIED.**

A motion was made by Dpty Mayor Pope and seconded by Mayor Elliott to adjourn the meeting at 10:22 p.m., vote, 4 ayes, **CARRIED.**

Next board meeting will be March 16, 1992 at 7:00 p.m.

Respectfully submitted,


Bonnie J. Hays, Village Clerk

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