

## BOARD OF TRUSTEES

Regular Meeting

10/3/88

7:00 p.m.

Present: Mayor James G. Elliott; Trustees P. K. Frontuto, C.D. Gilmore, D. E. Wooden & D. S. Pope III; Absent: Village Atty., J. Nesbitt.

Call to Order: Mayor Elliott called the meeting to order @ 7:05 p.m. requesting that a moment of silence be observed.

Agenda Additions: The Board agreed to the addition of Citizen David Macomber's request to approach to the Board. Bd. agreed to limit Committee Reports to ten (10) minutes, per the Mayor.

Old Business: The Clerk was requested to reinstate "Fuel Bids" on the Board Agenda.

NYSEG: Approaching the Bd. by ltr. req., was Mr. Dennis Mastro, NYSEG Newark Manager. New to area he sd. - hope to attend Village & Town Bd. Mtgs. as much as possible. Nothing specific - Mayor asked about Voucher on Abstract #9, conversion of street lts. in amt. of \$879. Under impression, the Mayor sd., that when lts. to be converted or burned that NYSEG wld. put in high pressure sodium @ no charge. Mr. Mastro spoke of five-yr. maintenance program that relates to old mercury lights, per Mr. Mastro; do convert when mercury vapors reach their life expectancy - replace wth. sodium, blanket agreement among all municipalities. Shld. be no charge for that conversion unless out of the ordinary.

Discussion on Mr. J. Pierie's appearance and his proposals which were not accepted by the Bd., per Trustee Frontuto. New street light tariff passed by the PSC 5-6 mos. ago - gave communities more flexibility...significant changes in street light policies, per Mr. Mastro. If the VOP prefers to maintain mercury vapor lts., cost is greater. Trustee Frontuto sd. that when Mr. Pierie came to Bd. disagreements occurred about what "standards" were....Bd. needs to look @ lighting throughout the VOP, according to Mrs. Frontuto, and her feeling that VOP has too many lights - cld. turn out every other lt. She spke. of having pretty Village wth. 'ugly' lts.

If VOP chooses non-standard lighting, Mr. Mastro suggested contracting & installing same - wrk. out agreement wth. NYSEG re replacement, i.e. VOP or NYSEG stock them....NYSEG flexible re any type of lts. VOP desires; NYSEG has standard equipment - way tariff exists now VOP/NYSEG all more flexible. Mayor spke. of height placement - extremely high. Light never reaches sidewalk; headlights on cars to drive down streets - lts. shld. be down where they reach sidewlk. As you reduce lt. down pole, reduce radius of lt., per Mr. Mastro, therefore you have to increase number of lts., not decrease. Mayor & Trustee Frontuto stated that Mr. Pierie wld. not discuss - had to be current height, he sd. IES is 'bible' of lighting, per Mr. Mastro. Few villages subscribe to that standard due to cost, he said. NYSEG tends to be conservative in recommendations....NYSEG open to communication. Some re-alignment, therefore, Mr. Pierie might not be assigned to this area. Discussion on meeting other than @ a Bd. mtg. Mr. Mastro agreed. Wld. be a 'phase' project. Mr. Mastro to call Clerk wth. tentative mtg. dates.

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Called 'telephone' poles - utility poles which telephone co. rents space - by law there is a spacing allowed on NYSEG poles; of 95% NYSEG owns poles - performs maintenance on poles/telephone co. rents space & performs maintenance on its own. Regular communication between companies - have a relationship (working), according to Mr. Mastro. There are just telephone poles (short ones).

Mr. Mastro spoke of change in franchise tax during year - lengthy litigations wth. Board of Assessment - NYSEG been saying for years over-assessed. Inappropriate calculation and calculations were changed. Spec. Franchise Tax which goes to municipalities has been significantly reduced. NYSEG accepted settlement. Mr. Mastro reiterated that to the Bd.'s knowledge, no agreement exists re light conversion. Mr. Mastro asked if Mr. Pierie had explained the new tariff and Bd. members present during his last visit did not believe that he did. Trustee Gilmore recalled some discussion about conversion. Agreement cld. be a 'blanket' agreement - does not have to be a specific resolution re conversion, per Mr. Mastro. Mr. Mastro departed on the premise that he wld. ck. into VOP light conversion and get some tentative dates to meet wth. Bd.

Citizen  
Macomber:

Citizen D. Macomber of W. Foster St. approached the the Bd. regarding the sidewalk replacements @ his property and having rec'd no notification of same. Wanted to know why not included in VOP/TOP tax base. Taxes pay for one-half - he pays for other. Questioned that about only service provides, why not provided by VOP. Trustee Gilmore sd. sidewlks. & curbs, along wth. W&S, Police. If no curbs, prop. owner pays \$3.00 per lineal ft., per Mayor. No set policy re sidewlks. per Trustee Gilmore. As block needed replacement re tree roots @ Mr. Macomber's residence, others replaced while in the area where needed. If sidewalk. does not 'belong' to property owner, how can VOP tell me to pay for, per Trustee Wooden - yet homeowner has to maintain. Can't plant a tree on VOP property either, he sd. Eleven blks. replaced, per Mr. Mac. - neighbor also received a bill. Mr. Mac. sd. some damage to his lawn when sidewlks. done - did not feel adequately repaired. Bd. informed Mr. Mac. that Sidewlk. Policy will be in place soon - Mayor sd. that VOP does have a procedure, i.e. to notify people of proposed work. Trustee Gilmore sd. that two (2) sidewalk proposals on Agenda. Mayor Elliott sd. that the VOP should forgive Mr. Mac.'s bill for \$96. as VOP did not follow its own policy. Bd. agreed.

Minutes  
9/15/88:

Special Board Meeting Minutes approved by Board - moved by Trustee Frontuto; seconded by Trustee Gilmore. Voting "aye" were Trustees Frontuto, Gilmore, Pope & Wooden. Mayor Elliott abstained. Carried by majority.

Minutes  
9/19/88:

Trustee Frontuto moved Board acceptance of 9/19/88 regular Bd. Mtg. Minutes with correction on Pg. 2, under "BMX-ers" - should read "Cool-Tool Parents' Assoc." rather than "Hilton." Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope, Gilmore & Wooden. Mayor Elliott abstained. Carried by majority.

Canaltown  
Days:

Trustee Frontuto attended post-Canaltown Days' Mtg.



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and took the Bd.'s concerns to sd. mtg. Committee unaware, she sd., of vast amt. VOP puts into CTwn. Days....had not rec'd requested input frm. VOP dept. hds. She related the arrangements Comm./VOP had regarding the toilets - will have to re-work for '89; brt. up to Comm. Bd.'s tentative proposal to chrg. vendors and was not rec'd well at all (Chairman & Trustee Frontuto to discuss one-to-one. Traffic control - at the limit VOP can handle..parking signs discussed and absence of "Horse Patrol" in '88. Mrs. Frontuto sd. that the Comm. asked about the possibility of opening up back way out of the Park; she sd. she wld. not support/wld. be trouble rest of yr. Trustee Pope spke. of Parade placement of Crusaders in Parade.

Bicentenn.Commission:

Commission met and Trustee Frontuto sd. that they discussed time capsule, coins & wooden nickels - willing to have time capsule if anyone interested; Mayor Elliott asked why not consider as VOP project - Mrs. Frontuto asked that it be someone other than herself. New Co-Chairman, Bill Zinger, she said.

ChristmasDisplays:

Mrs. Frontuto & Supt. R. Weaver met with company regarding Christmas decorations...waiting for quotes, she said. Concern that makes banners/could place Bicentennial Logo on same - wld. be placed on poles. Cost/approx \$130./brackets, \$65., however, she said no money in budget for same. TOP is funding approx. \$11,600. Commission discussed events - lot of disc., she felt but little action....rep. frm. Fire Dept. not on Commission....someone frm. E. Pal. She spke. of apparent lack of communication wth. various organizations.

C&P Budget:

Trustee Frontuto & Supt. Weaver reviewed C&P Budget and it appears to be in good shape, however, she had not as yet reviewed wth. Trustee Pope.

P&C Bldg.:

Trustee Frontuto said a problem wth. furnace - new circulator needed and accomplished same day. Pointed out that furnace is old.

Farmers'Market:

Trustee Frontuto led the Bd. in discussion about the possibility of a farmers' market in the VOP; several vendors who currently supply in suburb of Roch. indicated an interest in coming to the VOP. Trustee Wooden asked about clean-up....advance advertising discussed and location (lower VOP parking lot mentioned as a location possibility....) determination by Bd. to further pursue. Stated that VOP had had market several years ago. Would draw people to the VOP, per Mayor Elliott....cld. help out downtown merchants, also.

SidewalkProposals:

Trustee Gilmore submitted two prepared sidewalk proposals for the Bd. to review; Mayor Elliott spke. of preparation of Local Laws and such a law had been prepared by Trustee Pope. Discussion on the proposals by the Bd. - Mayor requested Bd. to make any suggested changes for nxt. Bd. mtg.

CitizenKipp:

Short Bd. discussion on perils of the Kipp Family, 110 Crescent Dr., who suffered basement damage when sewer backed up during VOP construction on their street; in light of same, Trustee Gilmore moved that the Kipps' W&S bill be forgiven for next billing period....VOP had utilized large amount of water there in an effort to help clean up. Mayor Elliott

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seconded. Voting "aye" were Trustees Gilmore, Pope, Frontuto & Wooden & Mayor Elliott. Carried. Insurance company moving slowly was emphasized.

Highway  
Dept.:

Trustee Gilmore said that Division St. had been milled in preparation for surfacing...Mr. J. Sadler of Newark brt. milling machine @ no charge to the VOP. Clerk req. to write ltr. of thanks. Re chipping - last week as placed in newspaper; plow shoe needs to be fixed - factory defect & will be fixed by them. Steel saw used for cutting pipe, etc. - had for approx. six yrs. Problems...have to purchase another one. Safety hazard, per Hwy. Supt.

F.D.:

Trustee Gilmore stated that the Fire Dept. is investigating a replacement truck; figures coming soon.

Triou Sub-  
Division:

Trustee Pope stated that he had met prior Friday wth. Engineer D. Means & Mr. Harry Khar @ the Triou Sub-Division at which time Messrs. Means & Triou reviewed work to be done...ready to begin - Mr. Kjar to supervise. Mayor Elliott said one or other to be present when work done. Trustee Wooden added that Bd. must make sure someone there to see what's being done. Hwy. Supt. suggested but statemnt. mde. Supt. & contractor did not have good relationship.

Zng./Plann.:

Trustee Wooden said, re Zng./Plann., two items in the "offing" - Pal-Oil making request to expand their operation (Pal-Mart, E. Main); proposal to enlarge Swiss Chalet Apts. by 4/5 bldgs. Discussion on additional access road - none shown in plan. Trustee Gilmore asked what wld. cost VOP to put road over Prospect Hill. "Not feasible" was stated. Talk of the Cox hse. on Fayette St. to be demolished - rumor, per Trustee Wooden. Not opposed to bldgs. (apts.) in VOP, he said, but didn't feel Fayette St. the place for same.

Community  
Center:

Community Ctr. Bd. changed meeting date, per Trustee Wooden - prior conflict wth VB Mtgs. CC also changing age requirement - youngster must be at least eight (8) yrs. old to participate in CC activities after 6:30 p.m. unless accompanied by an adult.

Grant  
Money:

Trustee Wooden stated that he rec'd lot of info. @ the HUD mtg. he attended 9/13/88. By appointment, State willing to come and make out applications. Matching grant-loans, per Trustee Wooden....low interest pay-back, etc. HUD will respond in 30 days.

Palmyra  
Hotel:

Mr. Wooden said that the Palmyra Hotel in process of being sold or closed down....prospective buyer (Mr. Mark Crane/Mark's Pizzeria) interested in obtaining grant money to remodel/considering apts. - question arose of what wld. happen to current tenants...wld. have to evict sd. tenants before starting work. Mr. Wooden spoke of wooden hse. in rear & red brick also in rear.

Crack-down on vacant cars in parking lots & persons who sleep in cars, according to Mr. Wooden.

Budget  
Transfer:

Trustee Pope moved that the Treasurer be authorized by Bd. to transfer \$4800. from "Salary/P.D." to "Misc." to cover payments to P.D. Chief Henry for the balance of this fiscal year, according to Contract wth. VOP. Mayor Elliott seconded. Voting "aye" were Trustees Pope, Frontuto, Wooden & Gilmore & Mayor Elliott. Carried.



Parade/P-M  
Homecmng.:

Mayor Elliott said that Dpty. Pol. Chf., DOT's Jon Edinger & himself to meet following day re Homecoming Parade on 10/22/88.

P.D.:

Mayor Elliott moved that the Bd. extend Patrolman Eric Fueher's probation to the maximum in the Contract (as provided in the Union Contract) from eight to twenty weeks; if no notice given at the end of the first probationary period, they become permanent employee - occurred on two prior occasions, per the Mayor. Dpty. Chf. Dalton suggested any new employee who is out of school is automatically on probation until four-six mos. after he graduates. D. Dalton added that Mr. Fueher is an excellent officer. Will take into consideration when contract negotiations begin, per Mayor Elliott. Trustee Frontuto, then, seconded the Mayor having moved Patrolman Fueher's probation extension; voting "aye" were Mayor J. Elliott & Trustees Frontuto, Gilmore, Wooden & Pope. Carried.

Clerks'  
Conf.:

The Mayor gave a report on the **Games of Chance** - "Bell jar Law" - Police Chief in charge, by law of enforcing/if no Police force, percentage goes to County (2%). When VOP passes ordinance, have to file wth. Gaming Board...have to name Police force enforcing same....all licenses expire 12/31....due to lateness in yr. organizations may buy licenses for two yrs. - '88 & '89 - approved @ same time - \$25. fee for both licenses. Methods up to VOP...some go as far as an FBI fingerprint check.

**State Contract for Municipal Purchasing** - list of items under State bid; advertise anyway to see which is better; attended an **Elected Officials' Seminar; User Fees & Benefit Assessmnts.** was a good seminar, he said. Mayor Elliott spke. of State Aid and emphasis placed on putting pressure on legislators; attended **State Labor Standards Act** - good seminar, also. Some can be applied to VOP.

Exec.  
Sess.:

At 8:55 p.m. the Mayor moved that the Bd. exercise Exec. Sess. for personnel purposes; Trustee Pope seconded. Voting "aye" were the Mayor & Trustees Pope, Wooden, Gilmore & Frontuto. Carried.

Re-Convene:

The Bd. emerged from Exec. Sess. @ 9:25 p.m. as moved by the Mayor; Trustee Frontuto seconded. Voting "aye" were Mayor Elliott & Trustees Frontuto, Pope, Gilmore & Wooden. Carried. Mrs. Frontuto departed following Exec. Sess.

Citizen  
Sharrow:

Citizen Robert Sharrow's request re 233 Vienna St. where a sewer problem existed was tabled until nxt. mtg.

Snow Ord.:

Mayor Elliott moved that the **Snow Ordinance** be published in Timesaver & Courier-Journal; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Pope & Wooden. Carried.

Abstract  
#9:

Trustee Gilmore moved authorization for the Village Treasurer to pay all invoices on which appear initials of at least three (3) Trustees - Abstract #9 - **Voucher #363** retained frm. last meeting in amt. of \$380.; **Voucher Nos. 366-406** with the exception of 394/\$879.21 for Abst. total of \$23,332.25; Mayor

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Elliott seconded. Voting "aye" were Trustees Pope, Wooden & Gilmore & Mayor Elliott. Carried.

H. Ramp:

Trustee Gilmore sd. that he talked wth. Mason B. Jacobs re handicapped ramp/Village Hall; bid or estimate forthcoming; Bd. discussion on "old" bricks for exterior replacement.

Donegan Assoc.:

Donegan Contract re 1989-90 Fiscal Yr. Budget in amt. of \$4,175. + out-of-pocket expenses passed having been moved by Trustee Pope; seconded by Mayor Elliott. Voting "aye" were Trustees Pope, Gilmore & Wooden & Mayor Elliott. Carried.

Assemblymn. Talomie:

Assemblyman F. Talomie to conduct a "Listen-In" Session in Trustees' Room on 10/27/88 frm. 2:45-3:30 p.m.

Misc.

Tabled:

Tabled were the following: Model Flood Ordinance; Two requests for P&C Rms.' Use; Village Policy Manual; Substitute X-ing Guards; Simplex Alarm System; Employee I.D. Cards; Prudential Retirement Benefits & VOP resolution re Retirement. (Clerk requested to obtain 'sample' resolution re latter...)

Games of Chance:

Per Mayor Elliott, meeting to be held @ 1:30 p.m., 10/19/88 @ Sheraton/Newark - Mr. D. Stack of Wagering Bd. to speak.

Emerg. Roof Repair:

Trustee Gilmore spke. of emergency situation regarding Vill. Hall roof section - and quotation frm. Adams Odd Job Co. in amt. of \$5,617.50 - Trustee Gilmore moved that Bd. authorize same; Trustee Pope seconded. Trustee Wooden felt Bd. should obtain other quotes. Discussion - Trustee Pope requested that VOP get proof of insurance & W.C. Estimated that 32sq.ft. of roof needs repair. Trustee Gilmore amended motion to include liability insurance. Seconded by Mr. Pope. Voting "aye" were Trustees Gilmore & Pope & Mayor Elliott. Trustee Wooden voted "nay." Carried by majority.

Fuel Bids:

Re fuel bids, Clerk to "tickle" to obtain bids twice yearly, pending Village Attorney's approval - 12/1 & 6/1 of given yr.

Pal-Mac re Tx.Exempt.:

The Bd. felt the communication frm. Pal-Mac was for information purposes only...and their intent to raise to \$8,000. VOP's at limit, per Mayor Elliott.

Water Break:

The Mayor spke. of water break on Foster St...short distance from last break...discussion on replacing two or four lengths of pipe (raw water line) and so moved authorization for getting price quotes for replacing sections. Trustee Pope asked if VOP could not accomplish the work and informed that it would be a "big job." Trustee Pope then seconded. Bd. to seek bids. Voting "aye" were Mayor Elliott and Trustees Pope, Gilmore & Wooden. Carried.

Dpty.Chf. Bk. Pay:

Mayor Elliott moved that the VOP pay Deputy Chief Dalton back pay - by State Law he should have received in the time he has been out; additionally, his rate of pay be set, effective 6/1/88 at \$25,500. per yr. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore & Wooden. Carried.

Bd. discussed bill frm. Med-Vet Lab. and Mayor sd.

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he had not rec'd reports frm. W&WW Supt. as re-~~108~~ requested.

Adjourn-  
ment:

There being no further business to come before the Bd., @ 9:50 a.m. Trustee Pope moved adjournment. Mayor Elliott seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Wooden & Gilmore. Carried.

Ethel B. Johnson, Clerk