

9/9
BOARD OF TRUSTEES
8/3/87

8/7/87 157
7:00 p.m.

Regular Meeting

Present: Trustees James G. Elliott (Acting Mayor), Penelope K. Frontuto & Charles D. Gilmore; and Atty. John F. Nesbitt. Absent Mayor Warner H. Strong & Trustee John Vrabel. (Mayor Strong appointed Trustee Elliott Acting Mayor during absences of the Mayor and Deputy Mayor.)

Acting Mayor Elliott opened the Bd. Mtg. @ 7:10 p.m., requesting a moment of silence prior to conducting the business of the Bd. Mtg. Minutes/7/20/87 approved upon motion to accept as written by Trustee Frontuto; Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott & Gilmore. Carried.

Trustee Elliott read and motioned Bd. adoption of resolution, attached hereto, re **NRB GROUP** obtaining State approval to place water lines, etc. in proposed Triou sub-division. Trustee Gilmore seconded sd. motion; voting "aye" were Trustees Elliott, Gilmore & Frontuto. Carried.

Committee Reports -

Trustee Elliott stated that **ZBA Hrng. #176** concerning Pal-Oil's request for special permit & variance (to move former Curly's gas station to corner/to include operation of convenience store @ 502 E. Main St.), to be held @ 7:30 p.m., 8/11/87. Tr. Elliott brt. the Bd. up-to-date on progress being mde. @ Sewer Plant.

Trustee Frontuto began her rpt. wth. **Special Events** - concert to be held in Village Park on Sun., 8/2/87 fr. 2-6 p.m. She sd. she attended last **Canaltown Days** mtg.; Committee held disc. on provision of alcohol @ sd. event. Selling alcohol is individual yr. in fund-raising event - up to sponsor to make contact. Trustee Gilmore suggested writing to Chamber of Commerce re their feelings or justification for selling alcohol; it was stated that Bd. shld. take action by nxt. Bd. mtg. - place on Agenda or communic. to Bd. in writing. Trustee Frontuto sd. that if booth not utilized, wld. be rm. for three (3) additional concessions. It was stated that Craft Booth Chairperson(s) for CTDays sd. no more booths available for this yr.

Mrs. Frontuto sd. that **Hormons' Talent Show** in Park was very nice and well attended. Opening night of Pageant, she & Trustee Gilmore, along wth. Th. Supervisor, E. Wheeler, represented Village @ reception attended by Church Stake President and President of Kodak, Mr. Ray Whitmore. He informed them that **Hormon Church** had not come forward to public meetings regarding the **Super Collider** because they felt they shld. remain neutral international organization. Mrs. Frontuto had nothing to rpt. re Senior Citizens; **Cemetery & Parks** - problem wth. tree on E. Main St. (No. 433). Established to be on private property; citing **Village Tree Guidelines**, Mrs. Frontuto referred to **Rule No. 12** under which this particular tree problem falls; Trustee Elliott

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and - rd. chld. proceed; Abby. Noble pointed out that cost he received on prop. owner's house.

Trustee Frontuto talked of herbicide used by H-WY. employee around trees to kill weeds - rd. affect trees up to three (3) ft. No action as yet by Abby. re retaining wall of S.A.'s Church/ Park; likewise on perpetual care for urn. Mrs. Frontuto rd. she had written to Town re Veterans' lots - rec'd no response to date. One new application for open position 8 cap; interviews to be conducted Mon. night, 8/10/87. Nothing to rpt. on Youth & Citizens, for Mrs. Frontuto. She suggested to Trustee that time approaching to neg. with Town re Highway Items 3 & 4. Trustee Gilmore rd. Home'd Mayor Strong about Town/Village Fire Contract - rec'd note from Mr. C. Foreman. Mr. Gilmore rd. that H/W Paul (Alison) Gilmore had contacted him re retaining wall of triangular flower garden maintained by Palmyra Women Civic Club @ east end of the Will. Club rd. paint it white. buys paint. Disc. Trustee Elliott rd. that originally some quotes offered to paint same. Disc. following which Trustee Gilmore motioned that rd. authorize Club's purchase of paint; Trustee Frontuto seconded. Voting "aye" were Trustees Gilmore, Frontuto & Elliott. Carried.

Mrs. Frontuto spoke of H-WY. Dept.'s repaving of Walker St. - noting on record that sd. job was never authorized - not budgeted for current fiscal year. She rd. she was told it was normal maintenance - other streets need complete overhauling more urgently. She then read Highway Fiscal Plan of Work for '88, pointing out that Walker St. not among those listed. Trustee Gilmore rd. good way to control erosion; not meant as complete repaving. Both Trustee Frontuto & Elliott rd. poor job. Mr. Noble Smith spoke. In defense of H-WY. D. Gilmore rd. that check all the way to Fayette to be done; J. Elliott rd. re maintenance or repaving, rd. chld. know prior to the work being done.... "agg on face".... Mr. Gilmore asked where one wd. begin and where wd. end. Supt. Nathan the expert, per D. Gilmore - professional and accepts his opinion. Trustee Frontuto rd. rd. chld. know - had impact on one of the Trustees - persons read something into it, adding that a recent letter to the Editor had implications.

Mr. Paul Wilson, Sr. Planner/DC Planning Dept. was present for bid openings, same date, re handicapped ramp/Will. Hall; sd. he was disappointed that there were no local bidders - cut everything out that should have been problem to them. He read bids, copy attached hereto. Re contract information form - no objection to Will./rd. agreed to same. Trustee Elliott suggest. biding bid award until next. rd. mtg. - Trustee Frontuto agreed, following which Trustee Elliott so moved along with. authorizing Mr. Wilson to send out contract inquiry form. Trustee Gilmore seconded. Voting "aye" were Trustees Elliott, Gilmore & Frontuto. Carried.

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Minutes, 8/3/87--3

Trustee Elliott motioned that Bd. adopt resolution, attached hereto, re restricted parking during WC Fair, 8/15-22/87. Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto & Gilmore. Carried.

Bd. reg. Clk. to respond to communic. frm. PDC's Friendship Faire req. for monetary assistance (municipalities, under State Law cannot do so). Trustee Frontuto motioned that Trustee Elliott, as Deputy Mayor Designate, be authorized to sign Abstract #5 and transfer mts. be pd. which contain signatures of three (3) or more Trustees. Voting "aye" were Trustees Frontuto, Gilmore & Elliott. Carried.

Re Union Contract, Trustee Elliott motioned that Bd. table same until nxt. Bd. mtg.; Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto & Gilmore. Carried.

Agreement rec'd frm. Family Stations re antenna placement on Esplanade, Atty. Nesbitt sd. few modifications; Trustee Elliott motioned tabling for further review; Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto & Gilmore. Carried.

Miscellaneous - Acknowledgment mde. by Trustee Elliott of "thank-you" rec'd frm. PVA ambulance for equipment donation by Vill. Another communic. frm. law firm of Harris, Beach, etc., re the "Smoking Law" to be dist. to Bd. for review. Communic. frm. Dpt. of Health re Freund ("Fox Factory") stating they could start acknowledged by Trustee Elliott. Communic. frm. NYSARO re states' or HUD handling grant monies disc. by Bd., agreeing that HUD doing good job. Trustee Elliott sd. he wld. support authorizing Mayor Strong sending letter(s) and so moved; Trustee Gilmore seconded. Trustee Frontuto felt entire Bd. shld. sign and amendment mde. to prior motion; Trustee Gilmore seconded. Voting "aye" were Trustees Elliott, Frontuto & Gilmore. Carried. Citizen E. Hartnagel questioned why Stafford St. not included in restricted parking during WC Fair Week - had been included prior yr.(s). Bd. studied/agreed - prior motion amended to include Stafford St. by Trustee Elliott; Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto & Gilmore. Carried. At 7:50 p.m. Trustee Frontuto motioned that Bd. exercise executive session for reasons of "Personnel" to include Bd., Atty., Clk., H. Kruger, C. Timerson & S. Smith. Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott & Gilmore. Carried. At 10:05 p.m., wth. Bd., Atty. & Clk. present, Trustee Frontuto motioned that Bd. re-convene; Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott & Gilmore. Carried. Immediately following exec. sess., Trustee Elliott moved Bd. adjournment.; Trustee Gilmore seconded. Voting "aye" were Trustees Elliott, Gilmore & Frontuto. Carried.

Ethel B. Johnson, Clk.

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NOTES/DIALOGUE AMONG VILL. BD. (TRUSTEES J. ELLIOTT, P. FRONTUTO & C. D. GILMORE; VILL. ATTY.; CLK., VILL. EMPLOYEES - H. KRUGER, SCOTT SMITH, & C. TIMERSON) Absent - Mayor Strong/Trustee Vrubel Mon. Night, 8/3/87 -

@ 7:50 p.m. Trustee Frontuto motioned that Bd. exercise executive session for reasons of **Personnel** to include Bd., Atty., Clk., H. Kruger, C. Timerson & S. Smith. Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott & Gilmore. Carried.

Trustee Elliott addressed 6/16/87 grievance - down to one issue. C. Timerson said, yes, basically. Mr. E. - some old manuals dwn. there; Mr. T. - textbooks re plant operation not the type needed; job manuals for different machine's requirements, i.e. for lubrication. Mr. E. - service manuals? Yes, per Mr. T. - reference bks. - standard methods, text on anerobic tests; Mrs. F. - not something you'd memorize? Mr. T., wth. some tests didn't need ref. manuals, others refreshed memory. Mr. G. asked if only one set? Need @ both places? Mr. T. sd. he did not think so, if problem before he can order part/have to find out what part it is - redundant. Need @ Sewer Plant. Mr. G. - lot of them? Expensive? Mr. T. - manuals that come wth. equipment. Schedules for lubrication/wld. use most on reg. basis. If something breaks, look up in manual.

Mrs. F. asked about reproducing? Easily, sd. Mr. T. Sme. made up when plant built. Bound bks. Sludge pump in bound bk. Cld. be done; cld. wade thru lot of it. Mrs. F. asked why not have them brt. bk.; if he wanted parts/bks. for reference - he cld. copy those and take to Wtr. Plant. Plant operates frm. Sewer Plant - job manuals shld. be there. Mr. Elliott spke. of orig. & second grievance...Step 2 - Mr. Kruger's management of plant shld. be disc. Did not question in orig. conversation - east tank; wasn't it tank closest to the bldg.? Mr. T. - tank I was pumping out "primary tank" - first two - west tank had been pumped out right before that. Clarification - Mr. E. - eastern part of west tank; you sd. that you normally did it - Mr. T. sd. couple of days before. Pumped it down couple of weeks before - Fran and Bud came down. Something Forrest could have done. Welding repairs that we have mde. before. Tough - cld. be danger to do alone. Few days before this transpired I had west tank pumped out. As we pumped out east tank, trash pump stopped pumping. I had to wait - red pump/one on walls....Mr. E. - Portable....Mr. T. - needed to be 'shimmed' out.....in manual, pts. available; Fran & Bud fixed.....it was my day off - a Friday.

Mrs. F. asked Mr. T. if he resented being referred to as a 'goffer'? Mr. T. sd. he had been doing for eight (8) yrs..... one of flies(?) stuck in sprocket - he sd. don't touch, we'll have Fran do it....don't think it's necessary. Cld. have done work - have in past. Mrs. F. reiterated...he listened to you...you were arguing/waiving arms and jumping around. Mr. T. sd. he was upset....may have been arguing as much as he

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was...very erratic...don't think that is the case. Mrs. F.....in your opinion, safe to say heated and argumentative on both sides? Yes, per Mr. T., but not out of hand. Mr. G. asked if personality problem between the two? Mr. T. sd., since he began - 8 yrs. Mrs. F. commented that it has to be difficult. Mr. T. sd. very difficult....get along as best they can. Builds up....break-out every couple of yrs. Atty. Nesbitt asked if anything in particular that Bd. cld. correct? Mr. T. sd. he didn't think so....cld. tell him to manage place better...don't think it wld. help.....tough situation. Mrs. F. sd. education wld. help on both sides.....Harold needs to do this regarding management. Mr. T....first grievance in May/bad management, unprofessional.....tried to tell him for months/he refused to listen to reason.....to blow up in frnt. of someone else. Mrs. F. sd. that he admitted to blowing up too. Educa. might be helpful....conflict in management/job-related. Mr. T. sd. job-related - get along wth. most people. Mr. G. asked where he lived and he sd. Newark, asking Mr. T. if he thought there was something he could do differently. Mr. T. sd. he felt that he has taken a lot and walked away....spke. of changing valves...those actions caused something that was going to make big difference....in the past yr. we have a problem - no difference in operation of plant -- personal. This wasn't going to go away unless it was fixed...want to get it running...don't think it's being done right....other problems...this one was serious....Mr. G. asked if he felt his job in jeopardy because of this? Mr. T. sd. he thought that...and the other way...no idea...Mr. G. sd. coming to work each day must be bad. Mr. T. sd. for H.K. to have a say in his future. S. Smith asked if rpt. rec'd frm. other consultant. Atty. Nesbitt sd. addressed some issues....looking into further. No way this Bd. can determine tonight or in future if Mr. T.'s way of operating plant better than H.K.'s. Mrs. F. sd. not in his question of grievance at this time. Mr. G. sd. working on personal level whether or not he cld. get along wth. H.K.....past point of no return? Mr. T. sd. good question. Wld. like to think so....don't want to leave job...ea. have to give little bit. Mr. G. sd. that H.K. wld. be asked same question. Mr. T. sd. treated him wth. respect when he saw him. At times he did too....if he is making decisions on jerking me around, will have to speak up.....

Mr. E. sd. it is his business...if you disagree, do it and put whatever in writing. If you feel strongly enough...write H.K. up to Bd. Mr. T. sd. he gives him lots of things to do, listing a few of his jobs....try to do important things first...Mr. E. sd. 1-10 a day/get 7 that day and put that down....not done to lack of time. Mrs. F. asked if lists received were prioritized? Mr. T. sd. yes & named some. Mrs. F. asked about normal jobs listed?? S. Smith spke. of 'chain-jerking'. Mr. T. sd. most of things to do wld. get done ultimately anyway like mowing lawn; gets done when we need to do it.....nothing that wld. need a list

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for...mop floor....mow lawn...Mrs. F. asked if he cld. list on calendar for mo. @ a time...cld. list in some kind of order? She asked Mr. T. if he aspired to H.K.'s job....Mr. T. sd. "yes," thought he cld. do H.K.'s job. Thinks he'd deserve H.K.'s job... know Sewer & Wtr. Plant - wld. look forward to it. Mrs. F. sd. Bd. wld. have to make a determination/give job manuals bk. Mr. E. sd. he wld. just as soon wait until another Bd. meeting. Hard to get Bd. together...don't know when others are coming bk. In a week's time, per Mrs. F. Atty. Nesbitt pointed out that this is not a 'contract grievance' - no specific time periods, citing Municipal Law excerpts. Mr. T. asked about consultant; Atty. Nesbitt sd. he is checking/will call as he sees it. Mr. T. sd. he saw big difference in that plant in last 6 mos.....must have some sludge hauled out of there. Atty. Nesbitt sd. important to get done as quickly as possible. S. Smith & C. Timerson departed at approx. 8:45 p.m. (Dialogue wth. H. Kruger cont'd)

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8:45 p.m. Harold Kruger appeared before the Bd. re 6/16/87 grievance where he's requesting shop manuals; Step 2 - shop manuals, etc. have not been returned. Trustee Elliott sd. that Mr. T. feels nd. for some of the manuals for normal maintenance..... lubricating equip., etc. - he wld. have valid need/no valid reason for you to have...comments on when ordering...what about two sets....Mr. K. sd. he is trying to make 'schematic' so it's in one consolidated manual....meeting wth. Dennis H. & Marty... everything that's necessary @ S. Plant; they have check-off list on the table. Plant #1 - daily - taken out of reg. basic manual. Mr. K. talked of 'yellow' cpy., didn't have copies made up. Mrs. F., sd. of developing manual, was it his intent to consolidate all the information he presently has or to hold certain info. from them and develop another manual? Mr. K. sd. to add to... update/it was put together in 1972. Mrs. F. sd. certain manuals that come wth. piece of equip.....you intend to include entire contents or pull info. frm. it. Mr. K. sd. to pull what he needs for daily, weekly maintenance. Mrs. F. spke. of recent history.. ...difficulties what if he decides this is the info. that needs to go into manual....cld. need something that you didn't include.

Mr. K. sd. three separate things....1st a sheet....made copies from the maintenance manual; all one piece of paper....correlated daily, weekly & monthly, bi-yearly, etc....daily check-off list...came frm. yellow maintenance manual. Mrs. F. sd. not the point of this grievance....job manual, Mr. K. spke. of trickling filter....investigate if broken....try local machine shop...if better price, then I order pts. locally....ones he's talking about have nothing to do wth. daily operation of plant. Mrs. F. sd. that's not what he (Corky) says. Mr. G. asked what is difference in one place over the other? Mr. K. sd. he has centralized to Water Plant....for when he contacts people on the phone....efficient. Heavy schedule during day - open drawer & pull out manual....otherwise 'scoot' down to S. Plant - not practical. Mrs. F. asked why now? Mr. K. sd. disorganized - not in order. Mrs. F. - "you just said he didn't need them." Mr. K. sd. plant bld. in 1961; renovated in 1972 - correlated new wth. old....#1, 2, etc. - asked him number of times to get these in shape - went over his head. Mrs. F. sd., "you didn't write it down." Mr. K. sd. he understood - don't have 500 employees; have to overlook some things an employee doesn't do. Mr. K. talked of centralizing @ W.Plant...quality type operation...spke. of schematics - old/new copies...flat drawer type holders....hope to have all correlated by Sept./Oct. Lots to do...wld. like to have young person do for me....not difficult - time factor....hour when possible - does not affect operation of S. Plant by him not having those manuals.

Mrs. F. asked about plans for certain tests that are run not frequently. Mr. K. sd. that when he went to Sewer Schl., they

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supplied him wth. all his own manuals - Book of Standards. Every book we did, he sd.....100's more....N.Y. State Manual. Procedures of every phase of Sewer Plant....has his....orders updates.....if you need visible proof, mentioning 'integrity'. Mr. G. sd. not questioning anyone's integrity. Mr. K. sd. purchased Standard Methods two yrs. ago.....if he needs...made things complicated by having them @ Swr. Plant. Mr. K. added, no conflict...will just ask him (Corky) what he needs. Related to the fact that NYSt. DEC wanted every municipality to become licensed laboratory. Must run two sets of tests per mo.....do have to be done by licensed lab.....in order for you to do this you must buy certain type of thermometer...must purchase this-and-that....lot of money....only one licensed operator required - the other just operators...Village's policy to send them to school to get their license. Union Contract doesn't say anything about lic. operator. Forrest's schooling - Oct. to go bk. to sch. Vill. says he will go and get lic...State says o.k., now you can pay us.....lots per yr. to purchase all that stuff....will see if anything he might need. Mr. G. sd. check and see if he has....if conflict, speak wth. Mr. E. - or any off us. We want the S. Plant to work effectively, correctly & efficiently. Vill. Bd. will do what it can; need employees to ~~what~~ ^{what} they can. Personality problem here....want effective operation down there.

Mr. E. sd. good idea re manuals/while in process...can't hurt to have reference manuals down there; copy in office here....do you agree to that? Consolidating good idea...meantime, what he is requesting shld. be made available to him. Mr. K. sd. he has access to Wtr. Plnt.; Vill. truck....because of 7-day operation, he is there M/Tues. & Wed. - Thurs. & Fri. he has accessibility to anything he needs at Wtr. Plnt. Thurs./Fri. Forrest off. Mr. E. sd. ref. manuals shld. be there when he's working. Mr. K. - accessible for both areas; double copies.....Mr. G. sd. personality problem biggest one....Mr. K. sd. all he asks is cooperation/quality work. Mr. G. asked him single question - do you think you and he can work together in a professional manner and keep this operation going? Mr. K. sd. wld. have no problem doing that.....8 1/2 yrs. he sd. Mr. G. asked when problems arose - Mr. E. sd. they've always been there.....talked of management capacity....decisions....direct him to do them, don't need argumentative/negative attitude....jumping around...tried not to write him up on every little thing....trying to help him...decisions I (H.K.) make affect Corky & Forrest & Hwy. Dept. Mr. G. spoke of discipline & a 'happy ship'...if problem shld. have documentation...address problem at the point...your job....your job to see what he needs. Mr. K., referred to Pol. Manual.....Notice of Infraction...at the time this occurred, grievance put on me which has been discussed....mde. attempt...shld. have nde. notice out...

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Mrs. F. sd. she thought biggest problem personality conflict - don't think you 'hate' one another. Mr. K. sd. walked away frm. salesperson.....no response.....not a daily thing....only fellow I have trouble communicating wth.....on the defensive...Mrs. F. asked Mr. K. if he had any idea why that happens? Mr. K. sd. he (Corky) very negative against authority....don't wish to get other employees involved....no problem communicating wth. anyone else in the Vill. (employees)...Mrs. F. asked about grievance #2 - in which Mr. K. told Mr. T. to be their 'goffer'..... it bothered him....Mr. K. sd. it is possible/didn't realize. Mrs. F., re 2nd grievance, sd. Mr. K.'s management of employees has not been addressed in his response. She sd. that at 1st. Bd. mtg., you (Mr. K.) wld. be interested in attending school? You also agreed if there is a problem you wld. try to involve Mr. E. in some problem-solving. Mr. E. sd. re Step 1, Mr. T. satisfied with procedure. Mr. K. sd. he called Mayor S. when he couldn't get Mr. E. - shld. call Central Office....he didn't let me know whether to work on July 4th or get paid. Hde. out Memo...if you have to leave early, etc.....Mrs. F. sd. exactly...Mr. K. reiterated...proper procedure is to make 'Notice of Infraction' - cpy. to J.E. or T-I-C; cpy. to Central Office; cpy. to J. Nesb. Also to Personnel File, per Mr. E. and he wld. like cpy... employee gets cpy. Mr. G. sd. no nd. for Vill. Atty. to have.... signing doesn't mean you agree; that you rec'd. Mr. K. sd. Mr. T. wouldn't sign...what happens when he refuses to sign? Mrs. F. sd. mere guideline...cld. be Memo if you're more comfortable... place for employee to sign on bottom. Has some advantages, per Mrs. F. Mr. E. asked Bd. if any more questions of Mr. K.

Mr. K. sd. since mtg. on 20th, transferred sludge frm. secondary to primary.....gave hand-out to Bd., stating 2nd pge. self-explanatory....primary digester was pumped and left wth. only 2 1/2 ft. of sludge in the digester....projected 15th of Aug. wld. know whether helped to reduce that factor...hopefully temp. of 260/primary digester....Memo to Corky & Forrest so they will do their job properly....by reporting to me anything they do that might be detrimental to operation of S. Plnt. Mr. K. spke. of schooling in Oct./Buffalo - Forrest prev. missed written test by one point....failed it twice...passed lab test.....

Your getting late - discussion discontinued @ 10:05 p.m.; Trustee Frontuto motioned, wth. Bd., Atty. & Clrk. present, that Bd. emerge frm. Exec. Sess.; Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott & Gilmore. Carried. When the Bd. re-convened, adjournment immediately followed.

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