

Regular Meeting

BOARD OF TRUSTEES
12/5/88

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees P. K. Frontuto, D. Wooden; & Atty. J. Nesbitt. Trustees C.D. Gilmore & D. Pope III arrived shortly after the meeting began.

Moment of Silence: Mayor Elliott requested a moment of silence prior to conducting the business of the Bd.

Public Hrng./LL Mayor Elliott opened the public hearing for discussion - the Clerk read the Legal Notice. When no comments were received the Mayor moved that the hearing be closed; Trustee Frontuto seconded. Voting "aye" were Mayor Elliott & Trustees Frontuto & Wooden.

Trustee Frontuto then moved that action on the hearing be tabled until a full Bd. present and presented in proper legal form. Trustee Wooden seconded. Voting "aye" were Trustees Frontuto & Wooden & Mayor Elliott. Carried.

Minutes 11/21/88: Trustee Frontuto moved that the 11/21/88 Bd. Mtg. Minutes be accepted as written, however, the matter was placed on "hold" until the arrival of remainder of Bd. as the Mayor stated that he had been absent for much of sd. mtg. and felt ineligible to vote upon same.

Trustee Frontuto: Trustee Frontuto deferred to C&P Supt. R. Weaver who give a brief report on his areas. Mrs. Frontuto sd. of Christmas decorations that she was waiting to hear frm. Chamber. Citizens upset, per Mayor Elliott, because decorations aren't up. Rumored that Fire Dept. to place same - choice of banners limited per Trustee Frontuto, however, approx. ten to be purchased/hung.

Discussion held on repair of Hwy. chipper - shipping to Ohio for repair - estimated cost, \$2500.

Trustee Frontuto reported on Bicentennial mtg. and progress being mde. - specific organizations' plans for the yr.-long celebration related.

Brief discussion on "trees"; also on chipper - VOP shld. have documentation on employees' knowledge of operation of chipper. Hwy. Supt. Retan related costs involved if damage to fiber-optics going across raw water line - exorbitant, he sd. Mr. Retan said street signs being placed, burden on P.D. to enforce 2-hr. parking. The persistent problem of the motor home on Hansen disc. by Bd.

Trustee Gilmore: Trustee Gilmore spke. of Federal Drivers' License Law to become effective which will increase cost of truck drivers' licenses above the \$35. currently charged - Mr. Gilmore so moved Bd. approval; Trustee Frontuto seconded. Discussion. Amt. of increase an unknown factor @ this time. Mayor Elliott sd. matter cld. be a negotiable benefit re contract/VOP picking up cost. Trustee Gilmore disagreed. Contract negotiations to begin in 1/89 per Mayor. Cld. be 1991 before Law takes effect. Standards are not out yet according to the Mayor calling for a Bd. vote. Voting "aye" was Trustee Gilmore; voting "nay" were Mayor Elliott & Trustees Wooden, Pope & Frontuto. Motion defeated.

Family Stations Trustee Gilmore spke. of communication frm. Family

000163
(Flgpole): Stations regarding contract for Flagpole use; firm proposed 2-yr. contract. Bd. discussion. Presented no problems, Bd. agreed - Mayor sd. he'd rather VOP had 2-yr. contract wth. slight increase of 5% ea. yr. - \$157.50/1st yr. - \$165./2nd yr. Trustee Pope so moved; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried. Atty. Nesbitt, having arrived @ mtg., will communicate Bd.'s wishes to Family Stations.

New Fire Truck:

Bd. discussion on new fire truck and date of Perm. Ref. (11/7/88). Bd. authorization @ 11/7/88 for VOP to advertise for bids, therefore, Bd. established bid opening date of 1/12/89 @ 4:00 p.m. moved by Trustee Gilmore - wld. give Atty. Nesbitt ample time to review prior to 1/16/89, he sd.; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope, Wooden & Frontuto & Mayor Elliott. Carried.

Est.Vill. Hall Gtrs.:

Trustee Gilmore spke. of est. rec'd frm. Adams for gutters wth. three downspouts in amt. of \$800. Bd. disc. on VOP receiving other estimates. Doubtful for current budget cycle. Disc., also, on few shingles high winds blew off roof.

Trustee Wooden:

Appointment wth. HUD rep., Mr. Leonard Skrill - 10:00 a.m. Wed., 12/7/88, according to Trustee Wooden, regarding available grants and assistance wth. completion of same. Mayor sd. that rep. frm. Landmark Society felt a prior application on file somewhere....talk of enlarging VOP's "Historic District."

Abstract #13:

Trustee Pope moved authorization for the Treas. to pay all vouchers on which appear initials of @ least three (3) Trustees - Voucher No. 602/\$106. dated 11/28/88 (a non-manual check); and Voucher Nos. 603-651 in amt. of \$39,240.34.

Mayor Elliott:

The Mayor reminded those present of Spec. Election on Tues., 12/6/88 re "Games of Chance"; Bd. disc. on re-paving @ Triou Estates and surface temperature vs. air temperature; Trustee Wooden referred to absence of report which was to have been prepared by Engineer D. Means. Mayor sd. that inspection to be mde. of paving @ Triou Estates on 12/7/88 @ 8:00 a.m.

Airplane

Discussion on removal of airplane frm. Canal - Chief Dalton sd. that WC Parks requested that particular section of Canal be drained so Aqueduct cld. be rebuilt - airplane owners lucky/timing good. Mayor Elliott sd. that DOT projects that the Maple Ave. Bridge wld. be removed 2/89 or 3/89....contracts to be open 6/89....construction to begin 9/89. Canaltn. Days footrace course to be changed....sme. will be shortened in '89.

W&WW:

Water leak on Rt. #21 Bridge water line repaired; clamp replaced and reinsulated. Sticks attached to fire hydrants being removed. Discussion. Sticks attached by lg. rubber bands seems to be best method everyone agreed.

P.D. Rpt.:

The Mayor brought the Bd.'s attention to the P.D. Rpt. for month of 11/88, all of whom rec'd copies.



New York State and Local Retirement Systems

Employees' Retirement System
Police and Fire Retirement System

Gov. Smith State Office Building, Albany, New York 12244

Location Code: 40229 P & F

Resolution Reopening the 25 Year Plan, Section 384 for certain police officers or firefighters.

At a meeting of the * Village Board of Trustees of the Village of Palmyra held at Palmyra, New York, on December 5, 19 88, Mayor Elliott offered the following resolution:

"BE IT RESOLVED: that the * Village Board of the Village of Palmyra does hereby elect to assume the additional cost required to provide the reopening of the twenty-five year plan (384) pursuant to Chapter 679 of the Laws of 1987, entitled "An act to reopen the twenty and twenty-five year retirement plans to policemen and firemen".

STATE OF NEW YORK,)
COUNTY OF) SS:

I, Ethel B. Johnson, clerk of the * Village Board of Trustees of the Village of Palmyra of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such Board at a legally convened meeting held on the 5th day of December, 19 88 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full Village Board consists of five members, and that five of such members were present at such meeting and that five of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the

Village of Palmyra
(name of employer)

on this 7th day of December, 19 88

Ethel B. Johnson
(signature of clerk)

* Legislative body.

The resolution must be adopted by the legislative body and be approved by any other body or officer required by law to approve resolutions of such legislative body.

** Elections cannot become effective until a certified copy of this resolution is filed with the Comptroller.

Minutes, 12/5/88--3

- Ramp: Place Vill. Hall handicapped ramp in nxt. budget, per Mayor. Review to be mde. of prior specs; need emphasized to comply wth. State law.
- Assessmnt. Changes: The Mayor spke. of assessment changes which will impact on nxt. budget; all the building - new construction in VOP - will be negated.
- Disability Organiz.: The Bd. did not indicate a desire for VOP membership in the National Organization on Disability.
- Cable T.V.: Communication, dated 11/30/88, frm. Cable T.V. re rate increase over which municipalities have no control. Also, second Cable letter rec'd - only way to regulate is if in area where municipalities can receive only three channels. In talking with Lyons' Mayor, Legislator Louise Slaughter on committee re "de-regulating" Cable (at which time Mayor Elliott spke. of having called Mrs. Slaughter's office to engage her as speaker for WCVOA dnr.-mtg. 1/18/89 when VOP hosts sme.) If Louise cannot speak, VOP to ask WC Sheriff Piscioti.
- CSEA Con- Tract: Mayor Elliott asked the Trustees to begin putting their thoughts together for CSEA Labor Contract which expires 5/31/89 - suggested, also, talking to respective department hds. re their concerns. VOP Policy Manual goes hand-in-hand wth. Contract.
- Misc.: Model Flood Ordinance again placed on hold as was VOP obtaining employee I.D. Cards; Simplex Alarm System for Vill. Hall tabled as money does not exist in budget for same (\$750.) - in addition, need electrician's estimate/looking @ approx. \$1500. - build into nxt. yr.'s budget. Trustee Gilmore suggested obtaining est. frm. Mr. M. Smith; Bd. discussion on Market St. property owned by VOP and possible sale/lease of sme. Bd. did not reach a decision re leasing for \$1.00 per yr. - VOP to maintain in meantime (clean up and plow in winter). Mayor sd. sm. area wth. right-of-way on it. Right-of-way approx. 13' per Mr. Wooden. Mayor felt in best interest of VOP to be retained as public parking lot. Trustee Gilmore pointed out that room needed for fire trucks to enter/exit. Parking wld. be reserved, per Trustee Wooden for business parking. His wish wld. be to make VOP parking area there as in other areas of Vill. VOP must be careful to avoid criticism per Mayor. Clk. requested to retain on Bd. Agenda. Bd. rec'd communication re Telepone Co. assessments. No comment/action by Bd.
- Retirement Eligible Lst.: Mayor spke. of "Eligible List" re Retirement..... he felt only option VOP shld. utilize was first on list....wld. cost VOP \$4,894. to reopen Sect. 384 of Retirement Law. Union Contract specifies sme. - VOP has three officers who are not included...VOP cld. reopen/must be in place in proper form by 12/31/88. Different opinions frm. Albany. The Mayor further explained then read and so moved that the Bd. adopt the State resolution as previously explained; Trustee Frontuto seconded. Trustee Gilmore spke. of complexity of the resolution. Mayor sd. resolution had to be filed wth. State; Chief Dalton sd. benefits wld. come @ retirement not an immediate one. Per Mayor Elliott, VOP currently in violation of Union Contract...shld. have been receiving right along - Patrolmen Coleman, Murdock & Gumaer presently under 375-C - automatic if not filled in

000165

(cheaper)....State wld. not know in which dept. employed. Misunderstanding arose when omission recognized - special blank had to be completed wth. Sect. 384. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore, Frontuto & Wooden. Carried.

Fuel Bids: No response to fuel bid requests, per Trustee Gilmore.

Bingo: The Bd., having rec'd St. Anne's application on 11/21/88 to conduct Bingo games on Sunday afternoons for a period of one-yr. - and papers in order including payment, approved as moved by Mayor Elliott; seconded by Trustee Pope. Voting "aye" were Mayor Elliott & Trustees Pope, Wooden, Gilmore & Frontuto. Carried.

Minutes
11/21/88: Trustee Gilmore, not having had opportunity to review 11/21/88 Bd. Mtg. Minutes, moved that sme. be tabled until 12/19/88 Mtg. Trustee Wooden seconded. Voting "aye" were Trustees Gilmore, Wooden & Pope. Voting "nay" were Mayor Elliott & Trustee Frontuto. Carried by majority.

Exec.Sess.: At 8:50 p.m. Mayor Elliott moved that the Bd. exercise Exec. Sess. for matters of personnel with Bd. in attendance; Chief D. Dalton & J. Nesbitt, Esq., Village Attorney. Trustee Frontuto seconded for discussion purposes.

Citizen
Frontuto: Mrs. Frontuto sd. that newspaper prior week stated that possibility existed that VOP might be naming a person in the Palmyra P.D. to the position of Sergeant....one person in audience wld. like to make statement. Mayor Elliott withdrew motion. Mr. J. Frontuto stated that Police Officer P. Coleman seemed to be in line for sd. appointment and stated that he was not satisfied wth. the results of a P.D. investigation and wanted his wishes known to Bd., however, not prepared to make a statement. Mayor Elliott then moved Exec. Sess. again; Trustee Frontuto seconded. Voting "aye" were Mayor Elliott & Trustees Frontuto, Wooden, Pope & Gilmore. Carried.

Re-Convene: At 9:55 p.m. Mayor Elliott moved that the Bd. emerge frm. Exec. Sess. wth. above persons present; Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore, Wooden & Frontuto. Carried. Trustee Gilmore asked for reiteration of persons present for Exec. Sess. and Mayor repeated sme.

Officer
Coleman
Named
Sergeant: Mayor Elliott moved that the VOP appoint Patrolman Patrick L. Coleman, provisionally, to the position of Police Dept. Sergeant subject to passing the Civil Service Sergeant's examination @ a salary of \$21,177. Trustee Pope seconded. Trustee Wooden asked for separate motions, i.e. appointment/salary. Voting "aye" on the provisional appointment were Mayor Elliott & Trustees Gilmore, Pope & Wooden; voting "nay" was Trustee Frontuto. Carried by majority. The Mayor then moved that Mr. Coleman's salary be increased frm. \$20,427. to \$21,177. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Gilmore & Wooden. Voting "nay" was Trustee Frontuto. Carried by majority.

Adjourn-
ment: There being no further business to come before the Bd. at 10:00 p.m. Trustee Wooden moved Bd. adjournment; Trustee Pope seconded. Voting "aye" were

000165A

VILLAGE OF PALMYRA
LOCATION CODE: 40229

<u>Name</u>	<u>Reg. #</u>	<u>Past Service Cost</u>
Coleman, Patrick L	OA56122-5	\$ 3,772
Gumaer, Warren A	OA64386-6	843
Murdock, Thomas S	OA66855-8	279
Total		<hr/> \$ 4,894

I confirm that none of the above eligible members will be barred from participation in Chapter 679 of the NYS Laws of 1987, the Police and Fire Special Plan Reopener.

E. B. Johnson
(Signature)

Village Clerk
(Job Title)

12/7/88
(Date)



New York State and Local Retirement Systems

Employees' Retirement System
Police and Fire Retirement System

Gov. Smith State Office Building, Albany, New York 12244

Location Code: 40229 P & F

Affidavit of Chief Fiscal Officer of the Village of Palmyra
pursuant to Section 430, Retirement and Social Security Law.

STATE OF NEW YORK)
) SS:
COUNTY OF)

Darlene E. Matteson, being duly sworn, deposes and says:

1. That he is the chief fiscal officer of
the Village of Palmyra.
2. That the regular Fiscal Year of said employer
begins on June 1st and ends on
May 31st.
3. That the governing body of said participating
employers had elected to make the following
retirement benefit(s) available to its
employees: Chapter 679 of NYS Laws of 1987, the
Police and Fire Special Plan Reopener
4. That he has been advised by the Retirement
System that the initial actuarial payment to
the System of all additional obligations
created by such benefit(s) or improvement(s)
is \$ 4,894. Past Service Cost - \$ 4,894
5. That said sum has been appropriated in the
budget for said Fiscal Year, and is available
for such payment.
6. That payment of such sum will be made to the
Retirement System during said Fiscal Year.

Darlene E. Matteson
(Chief Fiscal Officer)

Sworn to before me this 7th day of December,
19 88.

JEANNE DRAKE
Notary Public in the State of New York
WAYNE COUNTY N.Y.
Commission Expires 7-31, 1989

Jeanne Drake
Notary Public, State of New York
(Please affix stamp or seal)

000166

Minutes, 12/5/88--5

Trustees Wooden, Pope & Gilmore & Mayor Elliott,
Trustee Frontuto having departed just prior to ad-
journment. Carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting

12/19/88

7:00 p.m.

Present: James G. Elliott, Mayor; Trustees Penelope Frontuto, Charles D. Gilmore and Daniel Pope III. Trustee Daniel Wooden and Atty. John Nesbitt arrived while meeting in progress.

Pub.Hrng.
LL#6, '88: The public hearing re "Sidewalks" tabled frm. 12/5/88 Bd. mtg. reserved for possible action upon arrival of Village Atty.

Minutes
11/21/88: Minutes of 11/21/88 tabled @ 12/5/88 meeting; Trustee Frontuto moved that 11/21/88 Minutes be accepted as written; Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope and Gilmore and Mayor Elliott - carried.

Minutes
12/5/88: Minutes of 12/5/88 meeting - changes per Mayor on Pg. 3 re "Assessment Changes"....should read "Mayor spoke of assessment changes for utilities" - i.e. gas, elect. and phone assessment changes. Clerk to check records re Bd. resolution elevating P. Coleman to Sargeant position - appointment & establishment of salary one resolution or two? Mayor moved tabling of 12/5/88 Minutes until clarification of above; Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Frontuto & Pope. Carried.

Trustee
Frontuto: Trustee Frontuto reported, regarding the Cemetery & Parks Dept., that five trees (pines) were cut/stolen @ the Cemetery - replacement cost wld. be \$800. plus labor. Sd. theft reprtd. to ins. co. Crew taking float. holidays prior to Christmas & New Year's. Mrs. Frontuto asked if any comments re the "Christmas" banners on Main St. Mayor sd. many comments on Park decorations and tree in front of Vill. Hall - everyone seems to enjoy them.

Trees: Short discussion on Vill. "trees" and amt. of work needed over nxt. mo. or so. Trustee Gilmore stated that Supt. R. Weaver was to have met wth. Hwy. employee S. Smith to survey Village's "tree" situation and mentioned damage to trees on Market St. Trustee asked if wtr.leak fixed in Cemetery and informed by Mrs. Frontuto that it had been repaired.

Bicenten.
Commiss.: Mrs. Frontuto sd. that the Bicentennial Commission to conduct nxt. mtg. in New Year - Mayor Elliott asked to be notified of date of sd. mtg.

Trustee
Gilmore: Hwy. Dept. performing maintenance on equipment. Also, wth. break in weather, brush being picked up. Mr. Gilmore to be away from 12/23/88 until 1/3/89, therefore, Trustee Wooden to handle his responsibilities. Briefly mentioned was broken chain on Hwy. sander; Supt. P. Retan suggested placing Hwy. grader in auction as VOP has no more use for sme. Clerk to make contact wth. electricians re repair of north parking lot light.

Trustee
Pope: Trustee Pope sd. he had nothing to report rgarding Animal Control; the VOP 1989-90 budget process shall begin after 1/1/89.

Mayor
Elliott: The Mayor sd. he had nothing to report re W&WW; he spke. briefly on recent accident @ Unclaimed Frt. on Throop St. - explosion/fire. Investigation being conducted re cause - disc. on 4" line and when water line put in it was incorrectly installed under gas main....line broke at valve junction - no brace but there is one now. Mayor said that NYSEG had called

W&WW: