

BOARD OF TRUSTEES

Regular Meeting

11/7/88

7:00 p.m.

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

Moment of Silence:

Mayor Elliott opened the meeting requesting a moment of silence prior to conducting the business of the Bd. During the MOS he asked that recently deceased Mr. Charles Leone of Stafford St. be remembered. He was a former Palmyra businessman.

LL5, 1988, Games of Chance:

Mayor Elliott opened the public hearing for "Games of Chance," **Local Law #5, 1988**, and asked the Clk. to read the published Legal Notice.

Mayor Elliott sd. recent NYS legislation which authorizes or expands "Games of Chance" - heretofore only Bingo, Turkey Parties or Monte Carlo Nights were authorized. He explained that the "Bell Jar Games" were "rip-open" tickets used by private clubs - the Mayor opened up for public comment for or against. Mr. D. Freyn sd. that percentage goes to charities - Am. Legion sponsors scholarship ea. yr. to a graduating senior; also, awards to the Middle School Program; send young man & woman to Boys' & Girls' State; send support to the V.A. Hosp. in Canandaigua; help with needy families @ Christmas; as well as other organizations. The Law would allow the Legion to increase awards, etc. Wld. affect the Legion only, which is not open to general public. The Mayor reiterated that limited to non-profit or social clubs....Moose, Legion, VFW, etc. Churches allowed...Fire Halls can have "Wheel Games" & Turkey Raffles - cannot sell tickets.

LL#5, 1988 (Cont'):

License obtained from State Racing & Wagering Bd. - apply for license, checks mde. for everyone selling tickets....\$25. fee - \$15. to State/\$10. to Vill. per Mayor Elliott. VOP receives 2% of net profit.....33% to charity per Mr. Freyn. State receives money by licensing everyone who prints or distributes tickets - printer has to pay fee.... distributor pays a fee. Mr. Freyn sd. that audit may be mde. at any time.

Mayor Elliott sd. Law must be approved by voters in Village - Spec. Elec. Recommended setting up Mandatory Ref. Trustee Frontuto wanted to know how soon VOP must act and told by the Mayor that clubs cannot operate tickets until Law passed - no reg. VOP elec. until 1990. Cost of election disc. - approx. \$1,000. Income wld. about equal sd. amt. Must advertise - earliest cld. be held about 12/6/88 which is Tues. - 12 Noon to 9:00 p.m. - P&C Rms. Two machines wld. be set up; cld. use only six inspectors. Disc. on paper ballots. Mayor suggested setting date then checking into paper ballots....four people needed for books/two to operate voting machines....estimate of voters unpredictable per Mayor....Bd. generally felt light voting. Legion only club in VOP, per Mayor however, St. Anne's eligible to sell tickets @ Bingo Games. Receive 3% for Bingo Games now....

Hearing Closed:

The Mayor asked for further comments, and when there were none Trustee Pope moved the public hearing closed @ 7:25 p.m. Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Wooden, Frontuto & Gilmore & Mayor Elliott. Carried. Mayor Elliott then moved that the VOP exercise a

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Mandatory Ref. re "Games of Chance" Law; Spec. Elec. on Tues., 12/6/88 frm. Noon-9:00 p.m. in P&C Rms. Trustee Gilmore seconded. Voting "aye" were Mayor Elliott & Trustees Gilmore, Frontuto, Pope & Wooden. Carried.

AgendaAdditions:

Trustee Gilmore moved that the following matters be added to the Agenda: Fire Department membership application; Communication frm. the Palmyra Volunteer Ambulance and the WC Village Officials' letter regarding 11/16/88 dinner-meeting. Trustee Frontuto seconded the foregoing Agenda additions; voting "aye" were Trustees Gilmore, Frontuto, Wooden & Pope and Mayor Elliott. Carried.

Minutes10/17/88:

Trustee Wooden corrected 10/17/88 Minutes to reflect Trustee Gilmore re Highway Dpt., Pg. 1, rather than Trustee Wooden; also, Voucher No. 394 retained for subsequent payment. Trustee Gilmore moved acceptance of Minutes as corrected; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope, Wooden & Mayor Elliott. Carried. Trustee Frontuto abstained.

F.D. ReNew Veh.:

Mr. David McGuire was spokesman for representatives frm. F.D., submitting specs for new fire apparatus to replace old 1960 vehicle. New vehicle better quality, better capability, etc. - within range of money set aside in Fire Reserve Fund. Trustee Gilmore emphasized that safety for firemen....no more riding on rear of truck...has safety rails, cab will hold four firemen....complies with OSHA.

Trustee Wooden asked disposition of old truck. Discussion on same and fate of old, prior truck sold to a fire co. in W. Va. Trustee Gilmore, then, moved

Perm. Ref. be published for amt. not to exceed \$155,000. for purchase of new fire apparatus - said monies to come frm. F.D. Reserve Fund (HR-2). Trustee Pope seconded. Further discussion. Voting "aye" were Trustees Gilmore, Pope, Frontuto & Wooden & Mayor Elliott. Carried. Clk. to publish Perm. Ref.

Put Out
to Bid:

Trustee Gilmore moved that the VOP advertise for bids subject to Ref. & approval of specs by the VOP Atty. Trustee Frontuto seconded; voting "aye" were Trustees Gilmore, Frontuto, Pope & Wooden & Mayor Elliott. Carried.

TrusteeFrontuto:

Trustee Frontuto stated that new C&P truck arrived 11/7/88. Discussion on old '71 Chevy for which there would be no substantial market value. Pal-Mac Youth Baseball had expressed desire to purchase - Trustee Frontuto moved that the VOP declare said truck surplus - sell for \$1.00 to Pal-Mac Youth Baseball; Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope, Wooden & Gilmore & Mayor Elliott. Carried.

C&P Trk.:C&P:

C&P Supt. sd. that his dept. behind with leaves due to several recent burials. Since VOP had not received schedule for P&C Rms. use by G. Scouts, disc. held on giving extention. Clk. has name of another Scout leader whom she will call.

Girl Scts.:BMX'ers:

Mrs. Frontuto sd. that she had talked with Mr. Howard Keaton, Cty. Prks. Commissioner (in charge of Canals & Waterways); he informed her of process for use of land belonging to the State, i.e. make application to

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the State enclosing a map....his dept. reviews then on to Albany for review. Process takes approx. one mo. Discussion on pros and cons - Trustee Pope asked if old Erie Canal bed wld. create a hazard and was told "no" by Mrs. Frontuto - cld. be fenced, she said. Approval for VOP to file application discussed following which Trustee Pope moved granting authority to Mayor Elliott to complete, sign and file application for the VOP to use State land. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Frontuto & Wooden. Carried. (In view of signing applic., the Mayor did not vote.) Prior disc. on Fairgrnds. as second choice for BMX course.

**Special
Events:**

Trustee Frontuto sd. that second Annual Christmas Tree Lighting to occur on Sunday, 11/27/88. Arrangements same as last yr., i.e. Santa arriving in horse and buggy, etc. Mrs. Frontuto spoke of a permanent tree display for front of Vill. Hall, showing a miniature 'model'; actual tree wld. be 8' tall, bolted together & secured to sidewalk....the manner in which the tree wld. be decorated to be determined. Discussion on canvass banners wth. input by Trustee Wooden. Trustee Frontuto spke. of the \$500. stipend to CofC and possibility of same being used toward banners.

**Bicentenn.
Committee:**

Nothing to report per Mrs. Frontuto....meeting to be held end of 11/88.

Sidewalks:

Discussion on snowplowing sidewalks and that some municipalities contract out for same; lack of manpower in VOP disc. & burials in Cemetery during winter until ground freezes. R. Weaver pointed out VOP contracted wth. Mr. Blazey 25 yrs. ago. Issue shld. have been addressed during summer, per Mr. Weaver.

**Citizens'
Concerns:**

Trustee Gilmore asked about an incident which allegedly occurred @ the Palmyra Cemetery during Canal Town Days. Citizen B. Heckman asked several pointed questions of the Bd. regarding various Village matters which were all addressed by the Bd. to the best of their abilities.

**Trustee
Gilmore:**

Trustee Gilmore reported, regarding the Highway Dept., that two employees were out; another water leak repaired....he recommended the promotion of George Rachel to the position of **Truck Drive I.**

Vill. Trees.:

Mr. Gilmore spke. of tree trimming in the VOP and for the safety of citizens, many must be trimmed; Village Law quoted...."9' above ground (sidewlk.) and 13' above public highway." Mr. Weaver sd. that for awhile he didn't have manpower to accomplish all of the needed work or access to the chipper - clearance for cars but not for trucks. Mayor Elliott sd. that some citizens had complained of too much trimming. Mr. Weaver spke. of limited budget - work has to stop if budgeted money runs out. Discussion on VOP trees.

**Tree Com-
mission:**

Citizen B. Heckman spke. of prior recommendation to the VOP re appointing a "Tree Commission." He spke. also of a "tree inventory," to which Mr. Weaver stated that the VOP has such an inventory. The Mayor thought better to operate without a "Commission" - they do not seem to function smoothly - VOP has sent Mr. Weaver to schooling re trees. Trustee Wooden

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asked Mr. Heckman if he wld. be willing to head such a committee and was told "yes." Trustee Wooden indicated his interest in Mr. Heckman's proposal.

Water Line
Damage:

Trustee Gilmore commended Highway employees on the excellent job done on repairing water leaks and the break caused by a contractor. He also included employees of W&WW. Short discussion on the chunk of pipe & condition of same (on display in Trustees' Rm. - laid in 1935/17 miles of raw water line)..... Mayor Elliott to meet wth. Vill. Atty. to estimate and prepare claim to **A&M Communications, 5905 Lake Road, Hwy. 19, Brockport, New York 14420.** The Mayor spoke of his intention to write a "Letter to the Editor." Ltr. of thanks to be sent to Mr. B. Pulcini.

Triou
Estates:

Memo frm. Engineer Means re work on Dar-Lind Lane - paving wk. done on prev. Sat. when temperature was supposedly above 60 Degrees. Work was to have been completed by end of Oct., 1988.

F.D. App.:

Trustee Gilmore, having reviewed a membership application, moved that Mr. Garrett D. Garfield, 3841 Trolley Rd., Palmyra, be accepted by the Bd. upon passing physical examination; Trustee Pope seconded. Voting "aye" were Trustees Gilmore, Pope, Wooden & Frontuto & Mayor Elliott. Carried.

Trustee
Wooden:

Trustee Wooden spoke of the necessity and so moved transferring monies re Planning & Zoning the amt. of \$2,000. from A8020.4 to A8020.1; Trustee Pope seconded. Voting "aye" were Trustees Wooden, Pope, Frontuto & Gilmore & Mayor Elliott. Carried.

Abstract
#11:

Trustee Pope moved authorization for the Village Treasurer to pay all vouchers on which appear initials of at least three (3) Trustees - **Voucher Nos. 469-547** in the amount of \$36,936.52. with the exception of **Voucher No. 517** in the amt. of \$39.64. Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Wooden & Gilmore & Mayor Elliott. Carried.

Budget
Transfer:

Trustee Wooden moved transfer of money in amt. of \$1500. from A8010.4 to A8010.1. Trustee Pope seconded. Voting "aye" were Trustees Wooden, Pope, Frontuto & Gilmore & Mayor Elliott. Carried.

Mr. Wooden said that United Way report contained info. which speaks highly of Community Center; submitted some suggestions to make CC even better. Trustee Frontuto asked about evaluation of CC Director and Mr. Wooden sd. that was among UW's recommendations. Question arose re sidewalk being removed @ the CC; Mr. Wooden sd. it would create better drainage to remove same to which Trustee Gilmore agreed - wld. move water out. The Mayor stated that the VOP shld. address the drainage problem. Trustee Wooden stated that no problem exists wth. parking off-street and off-sidewalk area. The Mayor sd. that permission denied by Bd. - danger re backing out.... "they owe the Village some sidewalk." Disc. on snow plowing in sd. area.

Garlock
House:

Trustee Wooden stated that he had had the pleasure of seeing the newly redecorated Garlock House which is due to open on Thanksgiving under new management. Rec'd permission frm. State to operate bakery in the basement. He also described floor plan of the in-

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terior and suggested that the VOP send flowers and best wishes. Disc. - Bd. to pay for flowers themselves - Mr. Wooden will handle on behalf of the Bd. Short disc. on the GH as a possible site for WCVOA when VOP is host Village.

VOP Bond

Notes:

Mayor Elliott sd. that Mr. R. McMasters to assist VOP re closing on **\$300,000. Bond Anticipation Notes** @ 11:30 a.m. on 11/10/88, Chase Lincoln First having been awarded the bid @ interest rate of **5.88%**.

W&WW:

Further disc. on water breaks...H. Kruger commended his dept. & Highway Dept. for their efforts. Mr. K. suggested specifying a summer month when 'specific' services done.....copper & galvanized...main to curb box replacement...contain, when possible, to certain month in summer....Highway Supt. Retan agreed. Mayor said a good idea. H. Kruger spke. of 'chain reaction', i.e. neighbor has this done then others on street want a service. Mayor sd. perhaps when st. paving done...H. Kruger said if five or more, for example, perhaps a contractor hired. Mayor sd. Bd. wld. look @ during nxt. budget.

P.D.:

Mayor spoke of quietness in Village during Hal-loween and P.D. had bases covered - working in full force - very little vandalism/damage in VOP. Bd. discussion on locks on inside Vill. Hall doors and deadbolts.

P.D. Rules & Regs. & Job Descr.:

The Mayor acknowledged rcpt. of P.D. Rpt. for 10/88. He said that during the Dpty. Chf.'s absence, former Chf. D. Henry was available. The Mayor spke. of the packet distributed to Bd. re the creation of the position of P.D. Sargeant and submission to WC C.S. Disc. on **"Rules and Regulations"** for P.D. and **Job Description** and new Police Chf. writing **"Rules and Regulations"**....Trustee Pope spke. of "form of standards" and **"R's & R's"** do not belong in same. Mr. Pope moved Bd. adoption of Job Description; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore & Wooden & Mayor Elliott. Carried.

Trustee Pope stated that a Job Description says "you will accomplish this....list of duties tells how you will go about it." Mayor Elliott moved that when new Police Chief appointed that he and Police Commissioner re-write P.D. **"Rules and Regulations"** to replace ones previously adopted by the Vill. Bd. Trustee Gilmore added "subject to Bd. approval after rewritten." The Mayor sd. that he wld. give to the Bd. for review. Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Frontuto & Wooden & Mayor Elliott. Carried. Mayor Elliott sd. that State Law specifies that the Mayor is Police Comm. - however, Mayor may make appointment. He emphasized that the Bd., collectively, is head of VOP employees although they have immediate supervisors. The Mayor asked the Bd. to keep in mind that any changes in **R&R's** wld. need Bd. vote.

Animal Control:

Trustee Pope sd. that Mr. H. Fisher still functioning in capacity of Animal Control Officer as matter still pending @ the TOP.

Budget Transfers:

Trustee Pope moved that, re over-expenditures in Hwy. Dept. in areas of salaries/streets & sidewalks., the following budget transfers be made by Treas.: **\$3897.24** frm. **A5410.4** to **A5410.1**; **\$1500.** frm. **A5410.4** to **A8170.1**; **\$1500.** frm. **A5110.4** to **A5110.1**;

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and \$1500. frm. A1640.424 to A16409.1. Trustee Gilmore seconded the Treas. executing the foregoing budget transfers. Voting "aye" were Trustees Pope, Gilmore, Frontuto & Wooden & Mayor Elliott. Carried.

Temp. Hwy.
Employee:

Trustee Gilmore sd. that temporary employee needed in Hwy. Dept. during "snow months." Trustee Pope sd. that money now exists in "salary" budget. Disc. on procedure, following which Trustee Pope moved that the Trustee-in-Charge be authorized for Hwy. Supt. to fill temporary position. Trustee Gilmore seconded. Voting "aye" were Trustees Gilmore, Pope Frontuto, Wooden & Mayor Elliott. Carried.

LL#6, '88
Sidwlks.:

Bd. discussion on adding sections to Village Code - specifically regarding "Sidewalks" following Bd. collaboration and research writing by Trustee Pope. Mayor Elliott moved that a public hearing be held @ 7:00 p.m., Monday, 12/5/88; Trustee Pope seconded voting "aye" were Mayor Elliott, Trustees Pope, Frontuto, Wooden & Gilmore. Carried.

Simplex:

Discussion on Simplex Alarm system; Mayor sd. unable to locate in budget, however, new quote of \$750. & electrician hired to move/install same. To be discussed @ nxt. mtg. Quote good for 30 days. Phone line has to be attached to Fire Hall by electrician.

Fuel Bids:

Old fuel bids surfaced; new ones to be requested by Clk.

Market St.
Property:

Further Bd. disc. on communication frm. Mrs. A. McClure/Market St. re condition of same. Trustee Wooden sd. nothing had been done - suggested solution if VOP did not want responsibility, sell or lease. As long as enough room for fire trucks, per Trustee Gilmore. Proposal to be mde. to VOP.

Maple Ave.
Bridge:

Paperwork frm. State re Maple Ave. Bridge contained "Maintenance Agreement" to be executed by the VOP. Trustee Frontuto moved that the Mayor be authorized to execute same; Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope, Wooden & Gilmore & Mayor Elliott. Carried.

Town Tax
Rolls:

Trustee Pope moved that the VOP adopt Town Tax Rolls as of 7/1/88, on which to base the 6/1/89 Tax Levy; Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Wooden & Gilmore & Mayor James Elliott. Carried.

Budget
Transfers:

Mayor Elliott said that, in checking the election budget he discovered sme. wld. not allow for Spec. Elec., therefore, necessary that \$900. be transferred from A1990.4 (Contingent Acct.) to A1450.4 (Elections). Trustee Pope so moved; Trustee Gilmore seconded. Voting "aye" were Trustees Pope, Gilmore, Frontuto & Wooden. Carried.

Attorney:

The Mayor said that Village Attorney's budget over-spent re work on retirement applic./suit re Dpty. Chf. Dalton. Trustee Frontuto moved that \$4,000. be transferred from A1990.4 (Contingent Acct.) to A1420.4 (Attorney). Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope, Wooden & Gilmore & Mayor Elliott. Carried.

Corres.:

The Bd. took note of communications frm. the King's Daughters Library; NYS Office of Rural Affairs; WC Civil Service re title of "substitute"; and ltr. of

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appreciation frm. the Pal-Mac Student Council. The Mayor said another mtg. to be held in 12/88 re Rural Affairs. Re the Library, lighting does not belong to VOP & very little of driveway & parking lot. Trustee Pope recommended attempting to buy rest of driveway frm. Marine Midland.

PVA: Communication & request acknowledged frm. Palmyra Volunteer Ambulance. Per the Mayor, VOP budgeted for \$1,000. - ltr. did not state what money was spent for - amt. requested for reimbursement over amt. budgeted. Trustee Frontuto suggested the presence of PVA @ a Bd. mtg.

WCVOA: WC Village Officials' Assoc. dnr.-mtg. to be hosted by Red Creek @ Cottage Inn on 11/16/88. Trustee Pope moved that those wishing to attend sign up wth. Clk. Trustee Frontuto seconded. Voting "aye" were Trustees Pope, Frontuto, Gilmore, Wooden & Mayor Elliott. Carried.

Sidewlks.: Placement to be mde. in "Sidewalk Policy" "ice and snow removal, as included in Ordinance, should be done quickly per Trustee Pope.

Receptionist: Trustee Wooden suggested to the Board that at some future date the VOP employ a receptionist for the Vill. Hall....Village Office & P.D. could utilize on a 'share' basis.

Exec. Session: At 10:32 p.m. Mayor Elliott moved that the Board exercise Exec. Sess. for personnel matters. Trustee Pope seconded. Voting "aye" were Mayor Elliott & Trustees Pope, Frontuto, Gilmore & Wooden. Carried.

ReConvene: At 11:10 p.m. the Bd. emerged frm. Exec. Sess. with above Bd. members present; Trustee Frontuto moved - Trustee Pope seconded. Voting "aye" were Trustees Frontuto, Pope, Wooden & Gilmore & Mayor Elliott. Carried.

Adjournment: The Bd. adjourned immediately following Exec. Sess. Trustee Gilmore moved; Trustee Wooden seconded. Voting "aye" were Trustees Gilmore, Wooden, Pope, Frontuto & Mayor Elliott. Carried.

Ethel B. Johnson, Clk.