

Regular Meeting **BOARD OF TRUSTEES**
 Tuesday, 2/16/88 7:00 p.m.

Present: Warner H. Strong, Mayor; Trustees John Vrubel, James G. Elliott, Penelope K. Frontuto; and Atty. John Nesbitt. Absent: Trustee C.D. Gilmore.

Grievance Day: Assessor Jud Roney was present to conduct Grievance Day which was held in conjunction with the Village Board Meeting (Bd. mtg. moved to Tues. due to the holiday - Presidents' Day - as stipulated in Annual Organizational Mtg.).

Moment of Silence: Mayor Strong requested a moment of silence prior to conducting the business of the Board.

Minutes, 2/1/88: Trustee Frontuto motioned acceptance of the 2/1/88 Bd. Mtg. Minutes wth. the following change(s) -- Pg. 4 under "Chipper," the Bd. must establish a policy for loaning equipment among departments - decision on breakage was decided that the respective departments share the cost of repair on a 50-50 basis. Also, under "Village Signs," service organizations' signs in a row rather than "Welcome to Palmyra"; under "Trustee Elliott," second paragraph, bottom line, Village Bd. should decide "how" rather than "where" it is going to get problems cured that exist there (creek). Wth. above corrections, Trustee Elliott seconded passage of acceptance 2/1/88 Min. Voting "aye" were Trustees Frontuto, Elliott & Vrubel. Carried.

Budget Mtg. 2/8/88: Trustee Frontuto motioned Bd. acceptance of 2/8/88 Budget Mtg. Minutes; Trustee Vrubel seconded. Voting "aye" were Trustees Frontuto, Vrubel & Elliott. Carried.

Minutes 12/14/87: Trustee Frontuto motioned acceptance as written the 12/14/87 Minutes; Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott & Vrubel. Carried.

Committee Reports

Trustee Elliott: Regarding Planning & Zoning, Trustee Elliott sd. new and welcome business on Main St. - Mrs. Stephanie Thompson operating Bakery.

Zng./Plann.: ZBA met re M/M Robert Simpson's req. to convert two-family to three/Fayette St. Spec. Per. denied. J. Dennie's applic. for setbk. variance @ his E. Main St. business was approved.

Pal-Oil installed new culvert on E. Main St. - construction has begun. H-Way Supt. Retan asked about access opening and Mayor Strong sd. to request in writing. Trustee Elliott sd. Vill. hasn't accepted responsibility for creek...Vill. position that it is not Vill. ck. Worked wth. Mr. W. Glaser who has since lft. Pal-Oil. Mayor asked if approved by Zng. & Plann.....permissible to build over top of creek. Trustee Elliott answered in the affirmative.

Wtr./Swr.: Not much activity there, per Trustee Elliott...working on settling tank...installing new parts..waiting for price quotes for digester roof. Disc. on pipe and insulation re wtr. pipes over bridge following which Trustee Elliott motioned that Bd. authorize Engineer D. Means to perform study - pipe across Rt. #21 Bridge and recommend to VOP whether to repair or replace same. If replacement, give Village cost estimate total cost of new line and insulation over the bridge and under Canal - also size of pipe

to be used. Trustee Frontuto seconded for disc. purposes. H. Kruger said in any event, 6" to 4" line replaced in frnt. of D. Scribner's property - about half-way; Trustee Elliott felt Vill. shld. to all the way down as line is 'half' blocked adding this to his orig. motion - cost estimate for putting line down to end of Kent St. (deadend's @ hydrant)...if not on bridge, Vill. won't have freezing problem. Mayor sd. he had call frm. resident that some of pipe wasn't insulated - wld. insulation solve present problem of pipes freezing? Trustee Elliott sd. that Engineer Means wld. furnish info. Voting "aye" were Trustees Elliott, Frontuto & Vrubel. Carried.

Forgive Bills:

Trustee Elliott spke. of inconvenience of residents on Kent St. (13 residents) who were without water on two occasions (two weekends); H. Kruger sd. he had informed residents that Wtr. Plant wld. be open until 11:00 p.m. for them to draw water. In view of their plight - water bills now being prepared - Trustee Elliott motioned that total amt. of water bills (they have no sewers) **\$189.90** be forgiven on thirteen (13) properties. Bd. agreed. Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto & Vrubel and Mayor Strong. Carried.

Perm. Ref.:

Trustee Elliott spke. of need to still insulate wtr. pipes across Division St. Bridge...need to get chlorine sensor equipment, therefore, he motioned that Bd. authorize expenditure of up to **\$25,000.** to install new insulation on 12" raw wtr. line across Div. St. Bridge & 12" treated water line across Rt. #21 Bridge - and expenditure of up to **\$1,500.** to purchase & install chlorine sensor equipment in the 'Gas Room' at the WTP (**Total, \$26,500.**) frm. Cap. **Res. Fnd. HR-3,** subject to **Permissive Referendum.** Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto, Vrubel & Mayor Strong. Carried.

Grievances:

Assessor J. Roney queried persons present if anyone had come to grieve their assessments. There were none.

ZBA Rep.:
(Old Pal.
Motors...)

The Mayor recognized Mr. Ray Marr, Chairman/ZBA, who said he requested placement on the Agenda to voice his concern about what is occurring at the old Pal. Motors Bdg. He also stated that two other ZBA members were present also wth. same concerns (Messrs. Terry Rodman & Ron Smith). Mr. Marr sd. that the Vill. Bd. re-zoned area in question to C-4 - not clear, he sd., what procedure was followed. It was stated that 'people' did not see notice of public hearing to which Trustee Elliott replied that it was duly published in Village's official newspaper - legal counsel advised Bd. that they are legally responsible for any damages for denying landlord use of his property. ZBA wld. not consider granting & informed him that he wld. have to re-apply; informed ZBA that Vill. Bd. wld. be considering re-zoning. As re-zoned, more restrictive than before. Re-zoning process must go through the **Wayne Co. Planning Bd.** which, along wth. Vill. Plann. Bd., recommended that subject prop. be re-zoned. Vill. Bd. has to conduct the public hrng.

Mr. Marr sd. that ZBA sat through three (3) hrngs. - were not provided site plan; Trustee Elliott sd. that site plan was provided/ZBA refused to consider.

Disc. on parking.....Mr. Marr sd. a plan provided after third mtg., sd. he didn't feel ZBA Bd. denied Mr. P.-Mayo use of his prop. Mr. Elliott sd. that he must get an economic return. Mayor reiterated Mr. Elliott's remarks adding that neighbors restrictive. Mr. Marr sd. five or six uses/Mrs. G. Palmer sd. neighbors had approved sme. Mr. Marr sd. ZBA wanted to avoid what is at site presently. Mrs. Palmer spke. of traffic hazard re school - when groc. store there worse than car dealership. Mayor sd. sme. traffic unavoidable. Mr. Marr sd. ZBA tried to compromise/felt Vill. was compromised - two (2) businesses operating there illegally. ZBA member Mr. R. Smith expressed his concern, also - req. of Mr. Mayo's atty. @ every mtg. for site plan & instrument survey map. Motion passed, he sd., on lack of information frm. Mr. Mayo - he furnished site plan of old Pal. Motors Bldg. (after ZBA denied it, according to Mr. Marr). Mr. Smith sd. Bd. asked Mr. Mayo to work wth. DOT re curbing, etc. He went on to talk of furniture stripping business in basement in which highly toxic materials used. Trustee Elliott sd. it was known by Vill. CEO that business operating and his apparent move into upstairs apt. Mayor sd. check to be mde. wth. CEO why he didn't issue citation to cease operation and how apt. cld. be occupied without CofO. Trustee Elliott sd. that a CofO not needed.

Mr. Robert Stanton, whose business is to the west, felt that C-4 zng. covered neighborhood - did not want any grief for Mr. Mayo, pointing out that he came to mtg. to listen/observe. Sd. 'jurisdictional turf' between Boards.....more of enforcemnt. problem than zng. The Mayor asked who had seen map etc. of C-4 zng. & Mrs. Palmer said 'no one, not even as a courtesy.' Trustee Elliott sd. that if there's something there now that shouldn't be, they shld. inform Vill. - Vill. relies on neighbors. Mr. R. Marr sd. his belief was that it shld be commercial district - ZBA's input left out - worked long & hard on this case. Trustee Elliott sd. district was created from everyone's input. Mayor reiterated that Vill. Bd. had arrived @ decision after recommendation frm. WC Plann. Bd. & Vill. Plann. Bd. as well as Trustee-in-Charge of both grps. - with data supplied, Mayor sd. he did not think Vill. Bd. mde. bad decision. Mayor sd. in future, have to get Bds. together before decision reached. Trustee Frontuto sd. apparent lack of communication; Vill. Bd. followed proper procedure. Due to work schedules, Bd. can't keep everyone informed of all that is going on pledging that Vill. Bd. wld. try to improve communic. - two-way st. Mr. R. Smith sd. ZBA had communic. & procedures weren't followed speaking of time & energy ZBA used to arrive @ solution to Mr. Mayo's problem. Mr. Smith felt the Trustee-in-Charge knew ZBA's feelings in matter - problem still exists. Trustee Elliott disagreed wth. Mr. Smith as to how matter occurred; theory of the respective Bds. - Plann. & Vill. Bds. write the law(s) - ZBA enforces same. Mayor sd. Palmyra a small community - want to work together more closely.

Mr. J. Cook of Hyde Pkwy. asked if neighbors wld. still, wth. C-4 zng., have ability to control hours of operation, abandoned car problem, etc. Abandoned cars pt. of Vill. Law, per Mr. Elliott - regulating hrs. pt. of ZBA. Atty. Nesbitt sd. that if law does not incorporate restrictions, then Zng. Officer cld.

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not restrict - cld. 'fine tune' law. No hrs. mentioned in Ordinance, per Mr. Elliott, reading permitted uses to which a couple of minor chngs. mde. Mr. J. Cook spke. of increase flow of commuter traffic - wld. like problem addressed. Mr. Elliott sd. exists at many intersections citing Vienna St. as an example. Only solution wld. be traffic light & St. won't give to Vill. Dangerous situation if something not done to control traffic, per Mr. Cook. Mr. Elliott sd. that when property in 'full use,' owner wld. have to put bumpers on - St. has formula for doing sme. Hse. nxt. door mentioned & 20' driveway. Sd. hse. was not re-zoned to commercial. Mrs. G. Hill sd. tenant gone frm. apt. although someone else might be occupying sme. Mr. Marr spke. again of three mtgs./hope Vill. hasn't compromised. Cited sme. facts gained @ recent Seminar - site plan must be presented @ initial mtg. - legal advice will have been given before mtg. Trustee Elliott spke. of having given ZBA Bd. guidelines to review. Disc. on drafting some guidelines to include CEO. Mesdames Palmer & Hill sd. 'frightening' - lack of enforcment.

Sme. disc. held on entrance (back to side) on another zng. matter. Trustee E. sd. exit had to be moved as approved one illegal. Change in the plan, per Mr. Marr - shld. have gone bk. to ZBA. Emphasis mde. on enforcement by CEO. Short disc. on 'Spec. Per.' which was clarified by prospective Trustee candidate, Mr. D. Pope, former Chairmn. of Plann. Bd.

Simplex:

Mr. Daniel Dittman, representing **Simplex Time Recorder Co.**, approached the Bd. (by request) to explain Simplex' quotation to tie an alarm system frm. the Vill. Hall into Fire Dept. (quote of \$444. rec'd on 10/30/87). Above quote for system itself - Bd. needs to know full cost - going frm. board in P.D. to F.D. Mr. Dittman sd. alarm system just completed @ Pal. Library prior wk. Process - have to lease a line between Vill. Hall & F.D....point "A" to point "B". Access to Simplex Bd. in P.D. disc. and a more accessible station giving Fire Chf. a key. Mr. Dittman said zone system in Vill. Hall. Mr. Dittman sd. electrician wld. be needed to extend wires...remove panel - annunciator panel.....wld. light up at a remote location. Alcove in lft. frnt. hall disc. for placemnt. Assessor Roney suggested asking F.D./ where it wld. be convenient for them. Delivery cld. be in two (2) wks., per Mr. Dittman - wld. take that long a time to get phone line in. Mayor asked if Simplex wld. come to Vill. & wk.wth. electrician. Agreeable to Mr. Dittman.

Trustee Frontuto:

Trustee Frontuto reported that changes being mde. to forms re time payment plan for Cemetery graves; among other things, form did not indicate the number of monthly payments or the term thereof....cost of one grave, \$250. - sme. people wld. buy 4-6. Trustee Elliott asked about 36 mos. - Mayor sd. Vill. wld. have to put limit somewhere, i.e. minimum payment of \$25. per mo.....dwn. paymnt. of 10% of total cost. Further Bd. disc. - tabled until future Bd.Mtg.date.

Yth. & Sen.Cit.:

Trustee Frontuto sd. no response rec'd frm. Comm. Ctr. re parking. Nothing to rpt. on Sen.Cit.

Special Events:

Need to replace Flagpole flag again soon...looking @ changing size, cloth, etc.

Trustee

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Vrubel: Printed hand-out of Dog Law in process; looking to contract wth. Lollipop Farm in lieu of dog kennel in Vill. - still have to hire a Dog Warden for pickup, transporting, etc.

Providing microwave & refrigerator for employees common nowadays - Vill. can obtain same for \$120. & \$180. respectively (Rosa & Sullivan)...money in budget, per Trustee Vrubel - following which he so motioned; Trustee Elliott seconded. Voting "aye" were Trustees Vrubel, Elliott & Frontuto and Mayor Strong. Carried. Mr. P. Batterby to begin work on P&C back entrance/porch when weather breaks. Mr. Vrubel sd. amt. in budget of \$3500. for painting P&C Rms. (outside).

F.D.Applic.: In Trustee Gilmore's absence, Mayor Strong moved that Bd. accept application of Miss Amy K. Reeves as ambulance only member of Fire Dept. pending outcome of physical exam. Trustee Vrubel seconded - voting "aye" were Mayor Strong & Trustees Vrubel, Elliott & Frontuto. Carried.

Manch./VOP

F.D. Cont.: Mayor Strong motioned that Bd. accept two-yr. Fire Contract wth. **Town of Manchester** in amt. of \$2,072. ('88) and \$2,175. ('89), respectively. Trustee Frontuto seconded. Voting "aye" were Mayor Strong & Trustees Frontuto, Vrubel & Elliott. Carried.

Family Stations:

Atty. Nesbitt explained contract between **VOP** and **Family Stations** re radio antenna to be placed on flagpole. Section re utilities o.k. as they will be pro-rated...anything over and above they will pick up....one-yr. contract automatically renewed when lease begins....which begins 2/16/88 - Trustee Elliott so moved; Trustee Frontuto seconded. Carried.

P.D. Rpt.:

The Bd., having reviewed P.D. Rpt. for 1/88, upon a motion by Trustee Elliott, Bd. accepted sd. rpt. Trustee Vrubel seconded. Voting "aye" were Trustees Elliott & Vrubel & Mayor Strong. Voting "nay" was Trustee Frontuto. Carried.

Election

Inspectrs.: Due to resignation, etc. of several Elec. Inspec. of which Party Chairmen & Vill. unaware, Trustee Elliott motioned changes as follows: Mrs. Gladys Batterby, Chairman; Mrs. Cora Sampson, Mrs. Evelyn McKean & Mrs. Clara Rose Lester - Republican Prty. - & Mrs. Harriet Mahoney, Mrs. Seiglende Smith, Mrs. Mary Ellen Stanziano & Mrs. Lois Lynch - Democratic Prty. Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto & Vrubel. Carried.

Abst. #18:

Trustee Frontuto moved that the Mayor be authorized to sign **Abstract #18** and all Vouchers which contain initials of at least three Trustees be approved for payment. Trustee Vrubel seconded. Voting "aye" were Trustees Frontuto, Vrubel & Elliott. Carried.

Budget Wkshp.:

Bd. to conduct 1988-89 Budget Wkshp. on 2/29/88; Trustee Frontuto sd. that since all Bd. members familiar wth. history, etc. that Donegan's be req. to forego sd. backgrnd. Trustee Elliott agreed that it wld. save VOP time & money. Mayor req. that Bd. review & understand budget for answers to questions on 29th - certain budget steps required by law. Bd. prefers to meet @ 7:00 p.m. as opposed to 7:15 p.m. - Clk. to notify Donegan's.

Sites re St.

Aid Mtgs.: Communication frm. State disc. by Bd. re Senate mtgs. on impact of aid and/Rev. Shrng. on municipalities; site choices are Syracuse, Mineola, N.Y. & Albany. Bd. discussion - agreed - authorization for one person from. VOP to attend moved by Trustee Frontuto; seconded by Trustee Elliott. Voting "aye" were Trustees Frontuto, Elliott & Vrubel. Carried. According to Atty. Nesbitt, might correct imbalance.

Town Ct.:

Lease to expire for Town's use of office space & Courtrm. Trustee Elliott motioned that the Mayor be authorized to execute lease wth. Town of Palmyra for one-yr. Disc. on increase - Trustee Elliott moved that 'rent' be increased frm. \$150. to \$165. per mo. Trustee Vrubel seconded. Voting "aye" were Trustees Elliott, Vrubel & Frontuto. Carried.

P.T.Freund:

The Corporation's req. to purchase sm. portion of Village-owned land disc. by Bd. Disc. by Bd. - Atty. Nesbitt to contact Assessor Roney re sd. strip of land. Trustee Elliott then moved that the VOP declare strip of land adjoining Freund's as surplus. Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto & Vrubel. Carried. Disc. on appraisal - Atty. Nesbitt sd. "might not be worth cost of appraisal."

Grants:

Re communic. frm. Laberge (Albany) regarding assistance wth. grants, Mayor asked if Bd. wanted to pursue. Trustee Elliott sd. grants non-existent - must obtain loans - have to borrow monies wth. interest.

Spring Auction:

The Mayor announced that the Town to conduct annual auction on **Sat., 5/21/88, @ Town Barns.** Clk. to notify dept. hds. re unused/obsolete equip. Bd. to declare same as surplus. Antique items in Vill. Hall disc. by Bd. Trustee Frontuto suggested storage of same.

ARC:

Atty. Nesbitt spke. of his appearance in Federal Ct. current wk. - needs depositions frm. Bd. Suggested one-hr. Spec. Mtg. following night (2/17/88) - will supply proposed conditions. Trustee Frontuto sd. she had reviewed vast amt. of material; Mayor Strong motioned that Bd. hold Spec. Mtg. @ **7:00 p.m., Wed. night, 2/17/88** for purpose of discussing ARC - sd. mtg. to be held in Exec. Sess. Trustee Frontuto seconded. Voting "aye" were Mayor Strong & Trustees Frontuto, Elliott & Vrubel. Carried. Clk. to post, call newspaper - and call Trustee Gilmore.

Chipper:

Trustee Frontuto sd. she wld. like to see policy in place regarding internal borrowing of equipment - Cemetery badly in need of using - do not want to borrow until policy in place. Mayor read from Trustee Gilmore's prior Memo. Mrs. Frontuto sd. dept. man knows of the maintance of specific machine - and Highway Dept. cannot make policies for other depts. Mayor sd. 50-50 as in past...no dept. has authority to say "you can't loan".....could be waiting around wth. work to be done. Trustee Gilmore. to inform Highway Supt. to loan equip. out as in past practice - 50-50. Trustee Frontuto suggested having Highway. do chipping as an alternative. Trustee Elliott moved that such repairs be done on 50-50 basis for borrowing equip. for loan and repair.

Bd. to thank Town Hgwy. Supt., Mr. N. Cook, for use of **Drott**. Trustee Frontuto spke. of "good neighbor

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policy" ltr. re amt. of sand which costs approx. \$8.00. She sd. she did not agree - what is to preclude anyone for going to Hgwy. Barn for 'their fair share'? Re gift of hoist, concerned that Bd. had not heard about same - what conditions...what about liability.....Mrs. Frontuto wanted to go on record that frm. this point on, Bd. set policy that does not allow residents of Village to receive free goods frm. Village. Trustee Elliott sd. he had rec'd phone call - not the first. Next Bd. Agenda to contain policy for loaning goods and services/giving away Vill. property.

Adjourn.:

There being no further business to come before the Bd., Mayor Strong motioned adjournment @ 9:30 p.m.; Trustee Frontuto seconded. Voting "aye" were Mayor Strong and Trustees Frontuto, Elliott & Vrubel. Carried.

(Nxt. regular Vill. Bd. Mtg., **Mon., 3/7/88**)

Ethel B. Johnson, Clk.

Minutes.2/16/88.(twp)