

*Approved
C. Minor
Constitution*

*Dist.
9/28/87*

UNOFFICIAL 207
SUBJECT TO BOARD APPROVAL

Regular Meeting

9/21/87

7:00 p.m.

Present: Mayor Warner H. Strong; Trustees J. Vrubel, J. Elliott, P. Frontuto & C. D. Gilmore; and Atty. J. Nesbitt.

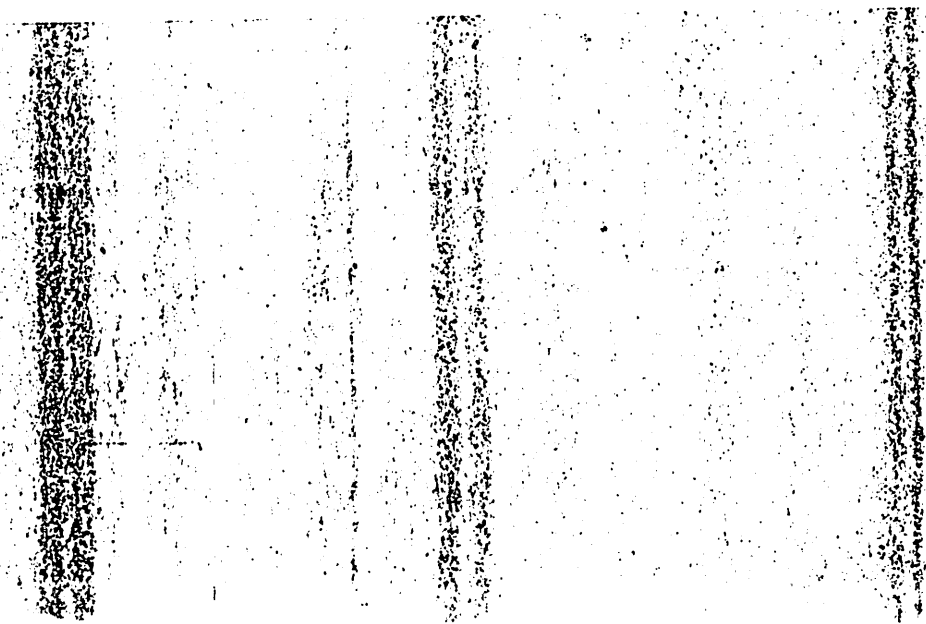
Moment of Silence - Mayor Strong requested a moment of silence and that during that period to remember local resident, seriously ill and hospitalized Katrina Alloco.

The following Agenda additions were voted upon by the Board: 1) Communication frm. Cooperative Ext. re Solid Waste Workshp. - Trustee Frontuto moved the addition; Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott, Gilmore & Vrubel. Carried; 2) B. Donegan Associates' proposal for financial services re the Sewer Plant Proj., Trustee Frontuto motioned addition; Trustee Vrubel seconded. Voting "aye" were Trustees Frontuto, Vrubel, Gilmore & Elliott. Carried; 3) Motioning the addition of communic. frm. Fed. Emerg. Managemnt. Agency re modification of flood elevations by Trustee Gilmore, seconded by Trustee Vrubel - voting "aye" were Trustees Gilmore, Vrubel, Elliott & Frontuto. Carried; 4) Communic. frm. Atty. L. Mooney re R. Rider's prop./drainage, Trustee Gilmore moved adding to Agenda; Trustee Elliott seconded. Voting "aye" were Trustees Gilmore, Elliott, Frontuto & Vrubel. Carried. The thank-you communic. frm. P.T. Freund, dated 9/16/87, was noted by the Bd.

The Minutes of 9/9/87 were unavailable as of preparing Agenda; Trustee Elliott moved that sd. Minutes be available @ nxt. Bd. Mtg. - and available to the public. Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto, Gilmore & Vrubel. Carried.

Committee Reports - Trustee Elliott, reporting on the recent ZBA Hrng./505 W. Main St., sd. that Mr. J. Provoost-Mayo's request was denied and when asked what recourse he has, Mr. Elliott sd. an appeal to the State Supreme Court; the Mayor spke. of recent ruling in California re "undue restrictions" - short disc. Mr. Elliott spke. of refund of \$791.+ from Monroe Cty. Water Authority re sludge hauling, following which he brt. Bd. up-to-date on progress of Sewer Plant Proj., i.e. began installation of clarifier mechanism, installing piping between all units & installing interior plumbing wk. O&M ltr. to State not ready for Bd. Mr. Elliott sd. that he had met with C. Collie re the Mormon Wtr. Cont. to review/adding new clause. Proposed new Cont. to Atty. Nesbitt for his review/legal lang.

Trustee Elliott commended police agencies re protection, control, etc. for **Canaltown Days, 1987**. Rec'd good comments frm. several people; motioned thanks to Village P.D. and employees, State Police & WC Sheriff's Dept.; Trustee Gilmore seconded. Voting "aye" were Trustees Elliott, Gilmore, Frontuto & Vrubel. Carried. Clk. to write letters of appreciation.



2/4

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Mr. Ralph Ingold approached the Bd. wth. request to utilize Vill. Pk. on 10/17/87 for Rep. Pty. Rally/Band Concert, 7-10 p.m. Band to perform first hr./speeches, etc./band for 1st. hr. Local band, Bill Hackett & Country Pleasure to perform. Trustee Elliott motioned Bd. approv.; Trustees J. Vrubel & D. Gilmore seconded. Voting "aye" were Trustees Elliott, Vrubel, Gilmore & Frontuto. Carried. Trustee Frontuto motioned suspension of "Dusk to Dawn" Ord.; Trustee Vrubel seconded. Short disc. - no alcoholic beverages/wld. nd. NYS Health Permit if food served. Mr. Ingold said "No" on both counts. Voting "aye" were Trustees Frontuto, Vrubel, Elliott & Gilmore. Carried.

Trustee Frontuto publicly thanked all Vill. employees for the job they did before, during & after Canalton Days - rec'd many positive comments. Clk. to note for 1988 celebration that parking in circle on Liberty/Hansen Sts. presented some problems; during "Horse Parade" on Sun./set up seats early & people got in frnt. of them. Short disc. on bench placement & cost; critique mtg. on 9/23/87. Trustee Gilmore suggested set of benches on ea. side of st.....staggered....whereby more people wld. have opportunity to see and hear what goes on.

Mrs. Frontuto sd. that Bicentennial Committee to mt. on 9/30/87. Re Youth & Sr. Citizens, communication rec'd frm. CC Pres., G. LaBerge - two avenues of approach re BMX & BMY bicycling, both of which expensive - will re-address CC Bd. @ nxt. mtg. Re Vill. Pk., not in bad shape considering traffic Canalton Days weekend; fence placed @ St. Anne's by Hwy./C&P. Trustee Frontuto requested exec. sess. at meeting's end for personnel reasons.

Mrs. Lynne Green approached the Bd. re Mormon youth use of P&C Rms. during Mormon Pageant time - 7/22-30/88; measuremnts. to be taken of bk. door which youth will purchase frm. this year's profits. Atty. Nesbitt sd. no problem against religious grp. using bldg. for secular purpose. Wld. have to allow other group's use on first-come, first-served basis. Mrs. Green sd. req. mde. frm. two grps. - Church grp./Boy Sct. grp. which are one and the same. Trustee Elliott suggested that dumpster be provided by grp. nxt. time; Mrs. Green thought good idea. Mayor Strong motioned that Scout Troop #97 be allowed use of rms. - Trustees Elliott and Gilmore seconded. Voting "aye" were Trustees Elliott, Gilmore, Frontuto & Vrubel. Carried. Bd. expressed thanks for bk. storm door replacement. Mayor Strong sd. Boy Scouts welcome anytime to observe Bd. mtg.

Trustee Vrubel sd. search for dog warden to be joint effort of Vill./Twn. Re handicapped ramp, hope to have another quote or two by nxt. Bd. mtg. Disc. on cost to install elevator as opposed to ramp - elevator may be \$10,000. cheaper. Check to be mde. wth. Cty.'s Paul Wilson. It was stated that Jerry Kelly, Canalton Days' Chrmn., sd. few minor electrical problems - wld. like to come to Bd. mtg. during October - appreciation stated for Canalton Days Committee moving food booths back giving more rm. for traffic.

210

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Minutes, 9/21/87--3

Representatives frm. the Fairgrnds. Assoc. approached the Bd., Bud Baker serving as spokesman. Trustee Elliott sd. that packet copies dist. to Bd./Frgrnds. Assoc. given estimate of \$1000.-\$1500. frm. W&WW Supt. for new sewer hook-up for additional restrms. Rec'd bill for \$3796.08 frm. Vill., bulk of which was for labor & materials. Lengthy disc. on hrs. of operation & overtime, by whose authority estimate given, etc. Village's integrity challenged per Mayor Strong & Trustee Gilmore defended the Vill. employees who performed wk. Mayor sd. Bd. not prepared to give immediate answer, moving that referral be mde. to Village's legal counsel. Frgrnds. rep. questioned about reimbursement frm. State/\$1200. for entire project related. Disc. on alternate approach for hook-up - Frgrnds. Assoc. decision on route which Hwy. took. Mr. Baker asked if Vill. cld. absorb sme. of the labor costs, for proj. - had they known of expense, wld. have taken cheapest route. Bd. generally agreed to go over wth. legal counsel.

Approaching Bd. nxt. was John Maletta & Atty. Paul Aloï re old Agway bldg. and danger to public of this fire-damaged bldg. which is in state of bankruptcy. Sale of land to Williamson's (Pal-Oil) has not been consummated; problem wth. tax liens. Atty. Aloï sd. that closing complications include fact that Wayne Futures, Inc. (John Bilotta) had destroyed files after eight yrs. Hope to close within six wks./mde. attempt to close in escrow, however, not possible. He sd. that four wks. a possibility but cld. not promise. Atty. Nesbitt sd. Bd. needed to make decision/bldg. as is does affect public safety....disc. on bidding demolition out....often costs more to get agency than to do oneself. Trustee Gilmore did not care to wait....cracks in wall; Trustee Elliott did not desire Vill. to tear bldg. dwn. - bldg. a hazard. Mayor sd. that Williamson's have retained demolition expert - wld. like to encourage Bd. to give extension/enough legal problems pending already. Trustee Elliott wanted to know Village's liability if extension given & something happens.... Atty. Nesbitt asked if fully insured/how much....Atty. Aloï to get info. to Atty. Nesbitt in wk.'s time. North wall is one of concern to Bd. Boarding up disc. by Bd. Citizen E. Hartnagel sd. that by the time bids prepared, awarded, etc., wld. be 4-6 wks. anyway. Atty. Nesbitt sd. action cld. be stopped anytime/ Bd. policy decision re their course of action - Bd. considering safety of residents. Further disc. wth. Mayor Strong motioning extending bldg. demolition order for 30 days. Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Gilmore, Elliott & Mayor Strong. Voting "nay" was Trustee Vrubel. Carried by majority. Trustee Vrubel requested that Bd. or Vill. Atty. be kept informed as to what is happening. Atty. Aloï thanked the Bd. on behalf of Mr. Maletta for 'good hearing'.

Trustee Gilmore reported that Hwy. Supt. P. Retan out on injury until further notice; Gerry Kachel in chrg. of Hwy. Also, Mr. Gilmore sd. he had rec'd responses frm. three oil companies re

212

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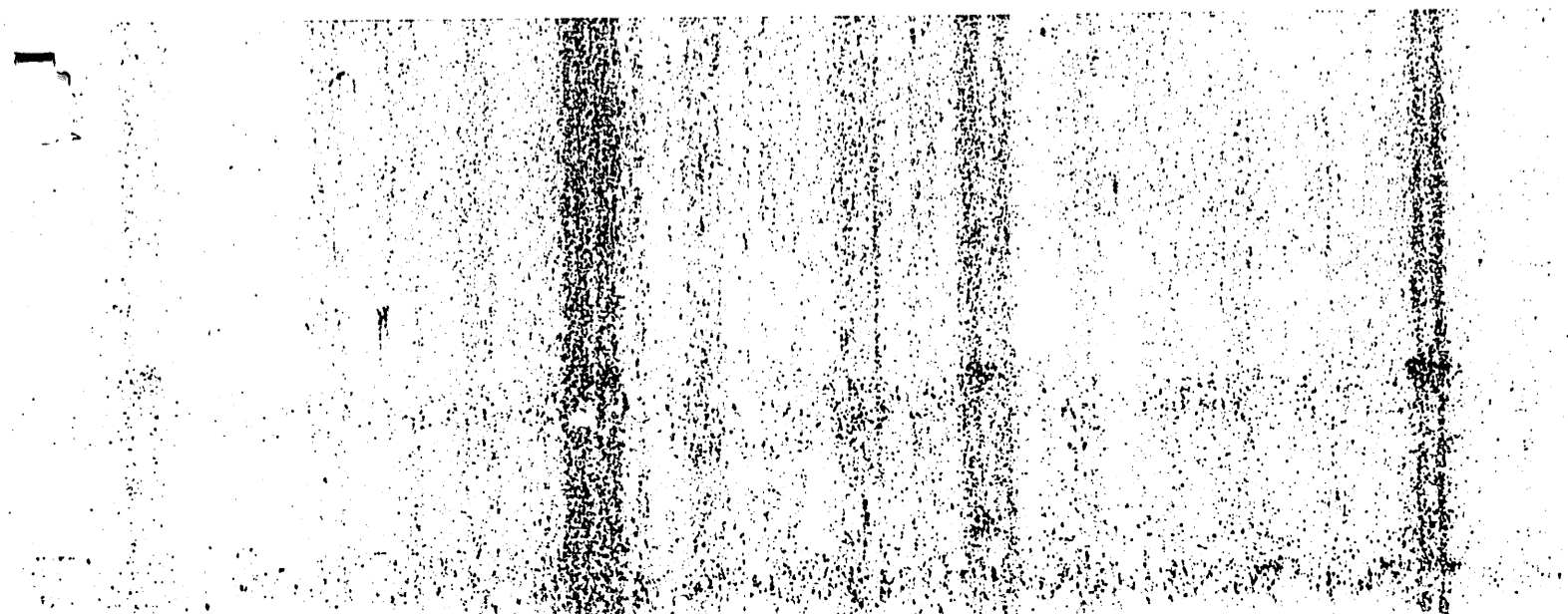
Minutes, 9/21/87--4

fuel bids. He sd. that F.D. reqs. installation of Simplex Fire Alarm System @ Fire Hall for approx. \$2500., and so motioned passage of resolution to publish permissive referendum to extract \$3,000. frm. Capital Res. Fire Hall Maintenance, Repair & Improvement Fnd. (HR-5) to provide same. He emphasized that there wld. be no savings to include Vill. Hall; Mayor Strong seconded and motion passed unanimously by five Bd. members.

Mayor Strong sd. that new budget programmed in computer; Annual Rpt. to be rdy. by nxt. Bd. mtg. Nxt. yr. on timely basis - by end of July, 1988. Req. read frm. Pal-Mac Student Council V-P, A. Weidmann, to conduct Homecoming Parade @ 11 a.m., 10/17/87 frm. Elem. Schl. to Middle Schl. Mayor motioned permission be granted; Trustee Gilmore seconded. Voting "aye" were Trustees Gilmore, Elliott, Vrubel & Frontuto. Carried. Clk. to respond on behalf of Bd. Mayor Strong sd. Dpty. Pol. Chf. Dalton to undergo examinations re his disability - no results as yet. The Mayor spke. of excellent job performance by P.D., et.al. re Canalton Days - Trustee Elliott motioned that letter of commendation appropriate; Mayor Strong seconded. The voting was unanimous.

The Bd. reviewed a proposal frm. Donegan Assoc. for financial services in connection wth. the \$700,000. Sewer Capital Proj. Atty. sd. Bd. must decide whether or not to borrow entire amt. & if so how much. Trustee Elliott sd. no "add-on's" as yet; projection was that Vill. wld. be \$56,000. short. - Vill. wld. nd. to borrow less than \$100,000. - bond anticipation notes, pay off in five yrs....accord. to Atty. Nesbitt, Vill. cld. get loan, put in bank and make money.....arbitrage discussed/bond anticipation note or bond issue. Atty. Nesbitt sd. Bd. shld. authorize to get people interested/have to have the \$300,000/ sd. Bd. cld. borrow frm. institution on its own. Trustee Elliott sd. if even \$100,000. bond anticipation note, cld. be paid off out of operating expenses. Decision mde. to req. Treasurer to hold off on low bid. Atty. Nesbitt reviewed - need \$100,000./short \$56,000./shld. go for \$200,000./cld. contact Mr. T. Ashman/Marine Midland.....Trustee Elliott motioned that the Mayor be authorized to sign documents as submitted by Willkie Farr & Gallagher after consultation wth. Mr. R. McMasters and the bank; Trustee Frontuto seconded. According to Atty. Nesbitt, Vill. wld. still have to go through legal process. Voting "aye" were Trustees Elliott, Frontuto, & Vrubel & Mayor Strong. Trustee Gilmore abstained for further review. Carried by majority.

Trustee Frontuto motioned that Mayor Strong be authorized to sign **Abstract #8** and approval of all vouchers for payment on which appear initials of three Trustees. Trustee Vrubel seconded. Voting "aye" were Trustees Frontuto, Vrubel, Elliott & Gilmore. Carried.



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Minutes, 9/21/87--5

No Bd. members expressed ability to attend the Solid Waste Wkshp. to be presented in Waterloo on 10/15-16/87. Communication frm. Ms. K. A. Ringelstein, dated 9/14/87, regarding traffic hazard on Vienna St. disc. by Bd. To be addressed during public hrng. on 10/5/87 - it was stated that Vienna St. already has one-sided parking. Mr. M. Day's query re signs across frm. PVA/Prospect Dr., check to be mde. in V&T Law to see if they are there illegally (Amendments/Hrng., 7 p.m., 10/5/87).

Bd. to review further NYSEG communication of 9/2/87 re New Street Light Tariff; re drainage problem on Mr. R. Rider's prop. & communic. frm. Atty. L. Mooney, the Mayor sd. Bd. must take a stance....can't block storm drain/drains Vill. & State roads.... question asked why doesn't State take a position and do something. Trustee Gilmore sd. he had conversation wth. Engineer J. Edinger/will be Village's problem if blockage, per J. Elliott. Atty. Nesbitt spke. of getting easement. Trustee Gilmore spke. of riparian rights, i.e. water's right to go where it wants to go.....response to be mde. to Atty. Mooney.

Bd. acknowledged "thank-you" ltr. frm. P. T. Freund Corp. in which they praised the Village for assistance in their expansion; Bd. acknowledged rcpt. of communic. frm. Fed. Emerg. Managmnt. Agency re flood elevations in Village; re Nutrition Site's req. for bulletin bd., Vill. will install if they purchase. Trustee Vrubel thanked Hwy. Supt., P. Retan, for placing station signs in Vill. Hall. Re Constitution Day Ceremony conducted in Vill. Pk. by former Clk.-Trea., Mrs. Theresa Otte - and the pealing of five church bells 200 times simultaneously, Trustee Vrubel sd. ceremony very impressive - Clk. to write "thank-you."

At 8:55 p.m. Trustee Frontuto motioned that Bd. exercise executive session for personnel matters sd. session to include Vill. Atty. & Clk. Trustee Elliott seconded. Voting "aye" were Trustees Frontuto, Elliott, Gilmore & Vrubel. Carried. The Bd. emerged frm. exec. sess. @ 9:15 p.m. upon motion by Trustee Frontuto; Trustee Gilmore seconded. Voting "aye" were Trustee Frontuto, Gilmore, Vrubel & Elliott. Carried. Re Hopewell Schl. Taxes, Trustee Elliott motioned payment under protest; Trustee Frontuto seconded. Voting "aye" were Trustees Elliott, Frontuto, Gilmore & Vrubel. Carried.

Trustee Frontuto motioned that Bd. extend a "Happy 40th Birthday" to Trustee Vrubel whose birthday is on 9/22/87; Trustee Elliott seconded. The motion was carried unanimously! @ 9:20 p.m. Trustee Frontuto motioned adjournment - Trustee Vrubel seconded. Voting "aye" were Trustees Frontuto, Vrubel, Elliott & Gilmore. Carried.

Ethel B. Johnson, Clk.

(Nxt. Village Bd. Mtg., 10/5/87)

Minutes.9/21/87.(Trusteewp)

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