

VILLAGE OF PALMYRA
BOARD OF TRUSTEES

Regular Meeting February 2, 1998 7:00 P.M.

PRESENT: Mayor Wilson, Trustees Celentano, Guest, Gunkler and Salomon.
Attorney Nesbitt arrived at 8:00 pm.

CALL TO ORDER: Mayor Wilson called the meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE

ABSTRACT: Motion by Trustee Celentano, second by Trustee Gunkler to approve vouchers #802-806 for \$8895.25, vouchers #807-808 for \$50,024.500 and Abstract #12 for vouchers #809-904 for \$82,850.56 pending the appropriate signatures. Vote, 5 ayes. CARRIED.

MINUTES: Motion by Trustee Celentano, second by Trustee Guest to approve the minutes from January 5, 1998 meeting. Vote, 4 ayes, Trustee Gunkler abstain. CARRIED.

CORRESPONDENCE/ANNOUNCEMENTS: The following correspondence has been received and is on file at the Village Clerk's office:

1. Commendation to Gil Sterk for his work during the flag pole incident.
2. Announcement of Police Dept.'s involvement in the robberies in Irondequoit and the aid they were able to give.
3. Notification from Pal-Mac School District regarding \$250 donation to DARE program from students at Middle School.
4. Reminder to trustees that budget time is approaching and to study the workshop schedule provided by Donegans.

TRUSTEE REPORTS: **Trustee Gunkler** - no report - absent.

Trustee Salomon reported that we are in receipt of the renewal service contract from Canandaigua Lake Watershed Task Force for testing and monitoring costs. Cost associated with this program for 1998 is \$1500.00. Motion by Trustee Salomon to authorize Mayor Wilson to sign the contract for 1998 and continue with the efforts of CLWTF second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

Trustee Celentano reported that due to the lack of snow, the highway department has been working on routine maintenance and even some brush pick up. He is still trying to line up Nelson to discuss the highway report.

Trustee Guest - no report.

Mayor Wilson wanted the trustees to consider offering raises to noncontractual employees in yearly lump sums. He feels it would increase employee satisfaction. It would only apply if the employees wanted it done this way.

George Kachel of the Highway Dept. has submitted his bid for the drill press again. We never got back to him regarding his first bid which he submitted almost a year ago. The Dayton model floor drill press has been stored at the Town barns since the consolidation of the highway departments and has not been used. Discussion took place regarding certain legalities to this issue; ie. advertising, waiting period, injuries. Topic was tabled until Attorney Nesbitt arrived.

ERIE CANAL TRAIL COORDINATOR: Bruce Wideman submitted a written report and updated the Board on the progress of the Canal trail. Consideration should be given to the relocation of the trail by using the road through the Aquaduct Park. It could possibly save about \$10,000. We should not have a problem getting permission from the County for this. He will be meeting with Bob Shearer with DEC regarding what permits will be needed for any new trail construction. **Motion** by Mayor Wilson to approve the concept of the trail relocation as shown on the map submitted by Bruce Wideman. Second by Trustee Guest. Vote, 5 ayes. CARRIED.

VILLAGE JUSTICE REPORT: Justice Rodman updated the Board on the status of the Village Court. There will no longer be any court sessions on Saturdays, everything has been rescheduled for Tuesdays evenings (with the exception of the fifth Tuesday in a month). According to an outstanding payment report, there is approximately \$54,000 due the Village Court from unpaid fines. These are all people who have entered a plea and made partial payments. He has been issuing bench warrants and the police department has been busy serving them. In most cases, people had just plain forgotten that they owed money. Some of these date back to 1992. To date, they have collected about \$7,000.

There are approximately 787 traffic violations outstanding in the village. These people have never entered a plea or answered the ticket. They will be getting a notice of suspension from DMV. There is no way of knowing how many dollars this represents. This backlog is just for the last 1-2 years.

Terry is looking into getting software from the Office of Court Administration to access DMV. This will save a lot of the clerk's time as well as save time to the public. There is no cost for this program.

On a final note, Terry added that if the consolidation goes through, he would like to see a terminal added to the courtroom that connects to the court computer. This way much of the time when the clerk has nothing to do in court, she could be taking care of business during this time. He has been told it would be a \$1500 set up charge to network the two. The software used by the Town court is the same package as what is used by the Village and one machine would be capable handling all the information. They would just need another monitor and a keyboard.

OLD HWY. DEPT OFFICE BLDG: Mayor Wilson referred the trustees to the letter from resident Andy Asproulis. He has offered \$1.00 for Contant's old gas station which he would like to move onto his neighboring property. Mayor Wilson reminded the Board that Mr. Cleason reported that this building was thought to be more or less unusable for the Marina project. Trustee Salomon asked Mr. Asproulis is it was his intent to have the Village move it. Mr. Asproulis stated no and he has had Mark Vande look at it. The easiest way to get it onto his property will probably be to drag it over. There are some Village trees and trees on VanScott's property in the way. Trustee Guest expressed concern regarding the cutting down of any trees. **Motion** by Trustee Celentano to approve Mr. Asproulis' concept of purchasing and moving the old highway office pending the appropriate building permits and agreement by the Village attorney. Second by Trustee Guest. Vote, 5 ayes. CARRIED.

Mayor Wilson asked Mr. Asproulis to report back to the Board at the first March meeting regarding any permit issues.

HUD PROJECTS ADMINISTRATIVE POSITION : Mayor Wilson asked the Board to consider creating a temporary administrative position for the HUD projects. Among other duties, this position would handle communications, attend meetings and report back to the Board. He will write a job description for their review, input and approval. He was considering that the rate of pay be \$200.00 per month for approximately 10 months. There is money available included with the HUD monies for this purpose. Presently it is being done on a volunteer basis. Therefore, **motion** by Mayor Wilson, second by Trustee Guest to create the job description as described for Board review. Vote, 5 ayes. CARRIED.

POSTAGE METER: Due to postal regulations, Village Hall must update the postage machine to an electronic model. Presently we pay \$60.00 a month for the mechanical one, the new one will cost \$75.00 per month which is for the lowest end model we could lease with the mailing needs we have. The only other option would be to take the mail to the post office and put stamps on it. The new machine will have an automatic feeder and sealer. The lease will be made from the NYS contract. Installation and training is included. **Motion** by Trustee Gunkler, second by Trustee Guest to lease the Pitney Bowes E580 Automatic mailing system. Vote, 5 ayes. CARRIED.

INSURANCE OPTION: Mayor Wilson met with Michael Bolt of the Landmark Group. They are offering an opportunity to purchase group home and auto insurance

through payroll deductions. They claim that premiums can be reduced by 10%. Mayor Wilson thought we should see if any of the employees would be interested; if so, then inquire of other insurance carriers for pricing on the same program. He will put together an information package for distribution to the department heads. All concurred that if interest exists we can pursue.

HUD LOAN COMMITTEE: The HUD loan committee has finished the loan guidelines. Mayor Wilson reported that he will have a conflict of interest once we begin to reviewing applications for loans. He also reported that Terry Leone is interested in serving on this committee. **Motion** by Mayor Wilson, second by Trustee Gunkler to name Terry Leone to the committee to fill his vacancy. Vote, 5 ayes. CARRIED. Trustee Guest expressed concern about the committee reviewing confidential financial information; shouldn't the committee sign a conflict of interest statement similar to what new Board members receive. After discussion, it was decided to have the Village attorney put something together for the Loan committee to follow.

MANCHESTER WATER IMPROVEMENTS: Due to the SEQRA requirements, Manchester needs to establish itself lead agency for the proposed water improvements to the Central Water District (Armington, Curran and Outlet Road). They have also provided copies of the full Environmental Assessment Form for the Boards review and comment. If this lead agency coordination request form is not signed and returned by February 7th, they will assume no objection on our part. **Motion** by Trustee Guest, second by Trustee Salomon to agree to Manchester's lead agency status. Vote, 5 ayes. CARRIED.

ABSTRACTS: After discussing with highway superintendent Nelson Cook, Mayor Wilson reported that it might be better to pay bills at the second meeting of the month instead of the first due to the billing cycle of most companies. **Motion** by Mayor Wilson to pay abstracts at the second Board meeting each month. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

DRILL PRESS BID: The bid from George Kachel was discussed with Attorney Nesbitt. Mr. Nesbitt said it does not have to be a public sale but it does have to be declared surplus and any offer should fair market value. In view of his advice, **motion** by Trustee Celentano to declare the Dayton drill press surplus subject to the highway superintendent's approval. Second by Trustee Salomon. Vote, 5 ayes. Furthermore, **motion** to accept the fair market (as is) bid of \$100.00 from Mr. Kachel. Second by Trustee Guest. Vote, 5 ayes.

There was further discussion with Mr. Nesbitt about the legalities of the offer from Andy Asproulis. Mr. Nesbitt did concur that if Mr. Asproulis purchases the building it will be his sole responsibility to remove it. An agreement can be drawn up to relieve the Village from any liability. Elaine Hartnagel asked if this issue wouldn't be the responsibility of the Planning and Zoning boards. Mayor Wilson told her the process would begin with the Code Enforcement Officer.

VILLAGE JUSTICE UPDATE: After doing some research, Attorney Nesbitt has discovered that if we were to combine the village court with the town, it will not affect the dollars rebated from the state for fines and traffic violations. Another words, the same amount would be returned, it would just be returned to the Town instead of the Village. Any matter concerning ordinances of the Village, ie. zoning issues would be returned to the Village. Trustee Guest still had some questions regarding an old ordinance which the State Comptroller has a copy of. She asked Mr. Nesbitt to check with the Comptroller's office on 1110A of Village law which deals with revenues generated from points on your license and see if it must remain on the books. We have not been able to find this law on our books. Mr. Nesbitt thought that if it does exist, perhaps it was done as a resolution.

FLAG POLE STUDY: Due to the recent problems with the flag pole climber, Mayor Wilson thought this issue needed to be revisited. Trustee Guest said they had estimates for possible solutions to the problem back in 1995. There were basically two options

worth considering at that time; to “lamine” the bottom 20 feet with plating or to install a “collar”. Razor wire was considered to be too much of a liability. Mayor Wilson asked if an architect was paid to conduct a study. Trustee Guest thought that was done. In the end, the only change made was the addition of a No Trespassing sign. Village liability was discussed with Mr. Nesbitt. It is hard to make a determination until a suit is filed. He feels that a possible deterrent is worth exploring. Mayor Wilson suggested that we have another set of eyes look at this, perhaps it can be made into an attraction as well as “safe”. Trustee Guest also suggested initiating a law for imposing fines for trespassing on Village property. Mayor Wilson asked the Board to allocate some money to have a study done. Trustee Salomon wondered if the flag pole would be in the “way” of the reconstruction of Main Street. He also suggested to have it looked at by Nelson or Roger and not to pay for someone to inspect it. Mayor Wilson’s opinion was that it required someone with structural expertise. Trustee Guest thought that we may already have this information on file from the last time. Mayor Wilson asked Trustee Guest to locate this material if possible and further discussion was tabled until the March 2nd meeting.

Mayor Wilson asked if anyone in the audience had anything. Resident Tim Kurek asked what the status of the Abbott building was. Attorney Nesbitt said that it’s in the judge’s hands and we should hear something in the next couple of weeks.

ADJOURNMENT: Motion to adjourn at 8:35 pm. by Trustee Guest, second by Trustee Celentano. Vote, 5 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Village Clerk