

**VILLAGE OF PALMYRA BOARD OF TRUSTEES  
REGULAR MEETING**

July 6, 2000          6:30 p.m.

**PRESENT:** Mayor Wilson, Trustees Salomon and DeVogelaere. Trustee Celentano may arrive late. Trustee Gunkler out of town on vacation.

**CALL TO ORDER:** Mayor Wilson called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIENCE**

**APPROVAL OF ABSTRACT:** Mayor Wilson moved that Abstract #1 be approved. It includes vouchers #1- 7 of June 9, 2000 for \$1400.00 and vouchers #8-83 of June 19, 2000 for \$140,280.49. Second by Trustee DeVogelaere. Vote, 3 ayes. CARRIED.

**APPROVAL OF MINUTES:** Motion by Trustee DeVogelaere, second by Trustee Salomon to approve the minutes from May 30, 2000 and June 1, 2000. Vote, 3 ayes. CARRIED.

**CORRESPONDENCE/ANNOUNCEMENTS:** The following correspondence has been received and is on file at Village Hall:

1. Notification from DEC that no permit is required from them for the culvert projects.
2. Palmyra resident and the Palmyra web page designer, Betsy Lewis has been published in the *Rochester Magazine*, her article is about Patrick Denniston. The other article about Palmyra in that same issue was about the web page itself. Mayor Wilson reported that there is a copy of the magazine in Village Hall.
3. Time Warner - Subscriber privacy notices will be mailed to all subscribers.

**TRUSTEE REPORTS**

**Trustee DeVogelaere** – no report.

**Trustee Salomon** reported on the water main break that took place today (Thursday) in front of the Elementary School. The shut off valve broke when workers tried to shut it for the ongoing construction project at the school. Water service to many areas of the Village had to be interrupted while the repair was made. Wayne County Water and Sewer Authority helped make the repair.

**Mayor Wilson** moved that Brenda Graham be accepted into the Fire Department, and Jennifer DiMarco be accepted as a member of the Fire Police pending the appropriate training and satisfactory physical. Second by Trustee DeVogelaere. Vote, 3 ayes. CARRIED.

**NEW/OLD BUSINESS:**

**ROUTE 31/21 PROJECT:** At the suggestion of the DOT, Mayor Wilson offered the following two resolutions, second by Trustee DeVogelaere,

**RESOLUTION FOR THE MAINTENANCE OF SIDEWALKS  
AND SIDEWALK APPURTENANCES**

**WHEREAS**, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Route 31, State Highway 8036, Palmyra Village: Main, Mill and Vienna Streets, and Route 21, State Highway 1714,1 Palmyra-Marion, located in the Village of Palmyra, Wayne County, under P.I.N. 4021.03, and

**WHEREAS**, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the construction and reconstruction of sidewalks and appurtenances (bike racks, trash receptacles, benches, concrete pavers), pursuant to Section 46 of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

**WHEREAS**, the State will provide for the construction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

**NOW, THEREFORE,**

**BE IT RESOLVED:** That the Village of Palmyra approves of the construction and reconstruction of sidewalks and appurtenances and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Village of Palmyra will maintain or cause to be maintained the sidewalk, including snow and ice removal, and appurtenances, performed as above stated and as shown on the contract plans.

**BE IT FURTHER RESOLVED:** That the Clerk of the Village of Palmyra is hereby directed to transmit two(2) copies of the foregoing resolution to the New York State Department of Transportation.

State of New York  
County of Wayne

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Peter K. Wilson  
Mayor for the Village of Palmyra  
July 6, 2000

Vote 3 ayes. CARRIED.

**RESOLUTION FOR THE MAINTENANCE OF  
LIGHTING AND RELATED APPURTENANCES**

**WHEREAS**, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Route 31, State Highway 8036, Palmyra Village: Main, Mill and Vienna Streets, and Route 21, State Highway 1714,1 Palmyra-Marion, located in the Village of Palmyra, Wayne County, under P.I.N. 4021.03, and

**WHEREAS**, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the installation of highway lighting, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

**WHEREAS**, the service life to the relocated and or replaced utilities has not been extended, and

**WHEREAS**, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

**NOW, THEREFORE,**

**BE IT RESOLVED:** That the Village of Palmyra approves the installation of the aforementioned highway lighting to include underground conduit, pull boxes, hand holes, foundations, light standards, bracket arms, luminaries, wiring, switches, ballasts, and all other components necessary to complete the system as shown on the contract plans. In addition, the Village of Palmyra will enter into and Agreement for the Maintenance, Repair, and Energizing of Highway Lighting for the aforementioned project.

**BE IT FURTHER RESOLVED:** That the Clerk of the Village of Palmyra is hereby directed to transmit four (4) copies of the foregoing resolution to the New York State Department of Transportation.

**BE IT FURTHER RESOLVED**, that Mayor Peter K. Wilson is hereby authorized to execute all necessary agreements on behalf of the Village of Palmyra, with the New York State Department of Transportation related to the above stated project.

State of New York  
County of Wayne

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Peter K. Wilson  
Mayor for the Village of Palmyra  
July 6, 2000

Vote 3 ayes. CARRIED.

The DOT has requested public comments on the proposed location of the benches and the handicapped parking spaces in the business district. The plans call for locating the benches next to the curb facing the stores. Plans for handicapped parking call for two spaces in the center of the block on each side (in front of the Grandin Building and directly across from that), as well as all the other spaces that are currently in place. After a brief discussion, Mayor Wilson instructed the Village clerk to notify DOT that the Village accept both proposals as drawn.

**PUBLIC HEALTH OFFICER:** The Village is in receipt of Dr. Alan Lorenz' resignation as Public Health Officer, effective June 30<sup>th</sup>. Dr. Anil Patel, new to the Village has indicated that he would welcome the appointment if the Board so decided. Motion by Mayor Wilson, second by Trustee Salomon to name Dr. Anil Patel to fill the vacancy as Public Health Officer. Trustee Salomon asked that Dr. Patel be invited to attend the next Board meeting.

**PARKING LOT REQUEST:** Elder Nave of the Church of Latter Day Saints has requested that the church be permitted to use the North Main Street parking lot again this year for pageant. Their tent will be up from July 5<sup>th</sup> through the 17<sup>th</sup>. Motion by Mayor Wilson, second by Trustee Salomon to permit LDS to use the lot. Vote, 3 ayes. CARRIED.

**INSURANCE CARRIER:** Mayor Wilson reported on correspondence from John VanParys about insurance costs. The incumbent carrier, Titan has increased the premium by almost \$7500 for next year. This leaves either Selective Insurance Co. or NYMIR/Travelers/ESIP. According to Mr. VanParys, NYMIR's claim procedures have improved since we were with them last but Selective can provide all the coverages under one roof. The Selective quote was \$41,223 vs. NYMIR in at \$41,961 plus a \$1500 service fee. Additionally, he strongly suggested that the Village increase the Umbrella to \$5,000,000 at a cost of \$729. Motion by Mayor Wilson to accept Mr. VanPary's recommendations, second by Trustee Salomon. Vote, 3 ayes. CARRIED.

**AFFORDABLE HOUSING PROJECT:** Mayor Wilson reported the Mark Sertl's proposed affordable housing project, to be located on Vienna Street just outside the Village limit, has been approved as announced by Governor Pataki's office last week.

**CANAL STREET UPDATE:** Mike Shaffron, LaBella Associates reported that Villager Construction has accepted the terms of the decrease in the scope of work for the Canal Street project. Since HUD has agreed to the transfer of \$82,000 from the trail money into the Canal Street revitalization project, the Village can go ahead now and award the contract. On a side note, Mayor Wilson reported that the Village has requested \$90,000 of the business loan pool funds to be used for the Trail project. After the contract has been awarded, Villager will have 10 days to prepare the necessary bonds and proof of insurance coverage.

Mayor Wilson offered the following resolution, second by Trustee DeVogelaere:

**RESOLUTION AWARDDING CONTRACT FOR  
CANAL STREET IMPROVEMENTS**

**WHEREAS**, the Board of Trustees of the Village of Palmyra caused to be prepared contract documents and specifications relating to a public improvement project, known as the Canal Street Improvement Project, as more particularly described in plans and specifications prepared by LaBella Associates, P.C., Project No. 99003, dated April 20, and

**WHEREAS**, the Board of Trustees, pursuant to section 103 of the General Municipal Law, caused advertisement of an invitation for bids regarding the project, and in accordance therewith, received and examined the bids submitted with respect to such solicitation, and

**WHEREAS**, upon examination of the same, it is determined that Villager Construction, Inc. (herein "Village") is the lowest responsible bidder, in the amount of \$1,086,088.20, and

**WHEREAS**, in order to conform the contract award to the established project budget and available funds, it is necessary to make the following contract deletions and modifications:

ITEMS	ACTION	REDUCTION
1. Work along Market St. south of Canal St.	Deletion	\$49,590.00
2. Substitute crusher run for base asphalt course	Modification	\$20,041.00
3. Three lighting fixtures along Division St., w/provision of conduit for future use	Deletion	\$12,029.20

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. That the Canal Street Improvement Contract, with the specified deletions and modifications be, and the same hereby is, awarded to Villager Construction, Inc. in the amount of \$1,004,437.80 and
2. That the Mayor be, and he is, authorized to execute the appropriate contract upon Villager submitting the required bonds and insurances pending attorney approval of same.

Vote, 3 ayes. CARRIED.

**INSPECTION SERVICES FOR CANAL STREET:** Mike reported about his meeting with Bob Grier to clarify responsibilities about inspections for Canal Street improvements. He presented an agreement outlining the roles for both LaBella and the Code Enforcement Office. (Trustee Celentano arrived - 7:25 p.m.). Motion by Mayor Wilson to sign the agreement pending attorney approval, second by Trustee Salomon. Vote, 4 ayes. CARRIED.

Mayor Wilson thanked Mike for LaBella's hard work in getting Canal Street off the ground.

**TJ MILLER - EAGLE PROJECT PRESENTATION:** TJ Miller of Troop 96 explained his proposed Eagle Scout project. Using funds from St. Anne's church and a volunteer work force, he would like to build a set of stairs that would connect St. Anne's and Western Presbyterian Church's parking lots to the rear of the Village Park. He provided the Board with photographs of what it looks like now and his drawings for the stairs. Motion by Mayor Wilson to support TJ's project, second by Trustee Celentano. Vote, 4 ayes. CARRIED.

**SURPLUS PROCEDURES:** After some recent inquiries from some residents, Mayor Wilson found that the Village does not have a set procedure for the Village to dispose of certain surplus items that it may have on a regular basis, ie. wood chips, or surplus that becomes available through a special project. The Village will have fill material available when the Marina is installed. It may save time and money if the Highway Department can "deliver" surplus to residents that request it versus hauling it away. Motion by Mayor Wilson offered the following resolution:

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF PALMYRA  
SURPLUS PROCEDURES**

**WHEREAS**, in the course of operations of the highway department and parks and cemetery departments of the Village, there is generated material as a consequence of such activities without quantifiable value or use to present or future Village needs, such material including, but not limited to, tree chips, asphalt grindings, and excess soil from excavations, and like or similar material, and

**WHEREAS**, there is the concomitant need for the Village to dispose of such material and desire of the public to make available such material for use thereby;

**NOW, THEREFORE, BE IT RESOLVED**, that the Superintendent of Parks and Cemeteries and the Superintendent of Highways for the Village are authorized to declare as surplus, material generated by the operation of their respective departments not required for present or foreseeable Village purposes, and may distribute such surplus material to those requesting the same on the following basis: The Superintendents shall maintain a list of individuals or entities requesting certain material as available, identifying the date of request and type of material requested. To the extent such material is or shall become available, in all cases village residents or property owners shall have first priority, town outside village residents or taxpayers second priority, and all others third priority. In the event two or more requests for the same material are made, and priority is not established as stated above, such priority shall be determined by the date of request, the earlier having the priority. The Superintendents shall have the responsibility to administer this policy and interpret the same to provide for availability of such surplus material on an equitable basis within the priorities herein established.

Second by Trustee Celentano. Vote, 4 ayes. CARRIED.

**TGL - GROUND LEASES:** Mayor Wilson has received some correspondence from a company that specializes in purchases ground leases on telecommunication towers. They provide the customer with a lump sum payment in exchange for the assignment of the lease. Mayor Wilson offered to pursue further if the Board had any interest. The Board agreed to have Mayor Wilson follow up on it and report back at the next meeting.

**241 EAST MAIN STREET:** Village attorney, John Nesbitt, suggested that the Village get specifications from a structural engineer before proceeding on the demolition of 241 E. Main Street. Only one firm submitted a bid; MRB Group for \$6,985.00. Motion by Trustee Celentano, second by Trustee DeVogelaere to accept MRB's proposal and authorize the Mayor to sign the agreement. Vote, 4 ayes. CARRIED.

**EXECUTIVE SESSION:** Mayor Wilson moved to go into Executive Session at 8:15 p.m. for the purpose of discussing the Marina contract and two water-supply contracts. Second by Trustee DeVogelaere. Vote, 4 ayes. CARRIED.

**WCWSA AGREEMENT:** Following a brief discussion, Mayor Wilson moved to sign the water supply agreement with the Wayne County Water & Sewer Authority. Second by Trustee Celentano. Vote, 4 ayes. CARRIED.

**GARLOCK WATER AGREEMENT:** Mayor Wilson also moved to sign the water supply agreement with Garlock. Second by Trustee Celentano. Vote, 4 ayes. CARRIED.

**PUBLIC FORUM:** Motion to re-enter public session at 8:40 p.m. by Trustee Celentano, second by Trustee DeVogelaere. Vote, 4 ayes. CARRIED.

**MARINA PROJECT:** Mayor Wilson reported that Empire State Mechanical Contractors has also accepted the terms of the decrease in the scope of work for the Marina project and the Village is prepared to award the contract.

Trustee Celentano offered the following resolution, second by Trustee DeVogelaere:

#### **RESOLUTION AWARDDING CONTRACT FOR PALMYRA PORT IMPROVEMENTS**

**WHEREAS**, the Board of Trustees of the Village of Palmyra caused to be prepared contract documents and specifications relating to a public improvement project, to

construct a marina and ancillary site amenities adjacent Division Street in the Village of Palmyra, and

**WHEREAS**, the Board of Trustees, pursuant to section 103 of the General Municipal Law, caused advertisement of an invitation for bids regarding the project, and in accordance therewith, received and examined the bids submitted with respect to such solicitation, and

**WHEREAS**, upon examination of the same, it is determined that Empire State Mechanical Contractors, Inc. (herein "Empire") is the lowest responsible bidder, in that such bid received from Empire substantially conforms to the contract specifications, in the following amounts:

General Construction	-	\$598,000.00
Electrical	-	\$ 39,700.00
Plumbing	-	\$ 35,800.00

**WHEREAS**, in order to conform the contract award regarding General Construction to the established project budget and available funds, it is necessary to make the following contract deletions and modifications:

ITEMS	ACTION	REDUCTION
1. Excavate and Grade Excavate and Stockpile	Village to provide trucks to load & haul excavated material from site.	\$19,500.00
2. Sheep Pile Wall	Modifications: a. Use mastic in lieu of full galvanization. b. Delete need to weld "L" bracket c. Raise tie back metal above water level	\$ 9,000.00
3. Concrete curb and Sidewalk other than on pier	Defer to Phase II	\$ 6,000.00
4. Timber Elevated Walkway	Use 6" X 6" rather than 8" x 8"	\$ 1,040.00
5. 12" Gravel Access	Defer to Phase II	\$ 2,000.00
6. Shim and Re-grade Parking area	Defer to Phase II	\$ 2,250.00
7. 8" Gravel sub-base for parking area	Defer to Phase II	\$ 800.00
8. Asphalt parking	Defer to Phase II	\$12,210.00
9. Striping and signage	Improvements limited to Handicap parking site & the sign next to the restroom	\$ 2,000.00
10. Shower facility/building	Defer to Phase II	\$39,200.00
11. Sanitary service (to Shower facility and Boat pump out)	Delete Sanitary to shower facility	\$ 2,000.00

**TOTAL: \$95,800.00**

**WHEREAS**, pursuant to the revised plans of APD Engineering, the Village commits to provide 150 tons of item 4 and the trucking of the excavated material from the point of excavation, regarding the general access road.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. That the General Construction Contract, with the specified deletions and modifications be, and the same hereby is, awarded to Empire State Mechanical Contractors, Inc., in the amount of \$502,200.00 and
2. That the Electrical Contract in the sum of \$39,700.00 be, and the same hereby is, awarded to Empire State Mechanical Contractors, Inc., and
3. That the Mayor be, and he is, authorized to execute the appropriate contract upon Empire submitting the required bonds and insurances pending attorney approval of same.
4. That the Plumbing Contract shall not be awarded, and all bids are thereby rejected.
5. That if for any reason the Village is unable to provide the 150 tons of item 4 and the trucking of excavated materials from the point of excavation regarding the general access road, it shall enter into a change order with Empire State Mechanical Contractors, Inc. to provide the tonnage and excavation of a cost not to exceed \$9,500.00.

Vote, 4 ayes. CARRIED.

**WATER PLANT:** Mayor Wilson asked for the Board's permission to ask Bob Raeman, Sniedze Associates to initiate a study of the water plant. It would give the Board some idea of future anticipated capital improvements. Motion by Trustee Celentano, second by Trustee Salomon to ask Bob Raeman for an estimate of engineering costs for such a study. Vote, 4 ayes. CARRIED.

Motion to adjourn at 8:45 p.m. by Trustee Celentano. Second by Trustee DeVogelaere. Vote, 4 ayes. CARRIED.

Motion to re-open the meeting at 8:50 p.m. by Mayor Wilson, second by Trustee Celentano. Vote, 4 ayes. CARRIED. (Trustee Salomon had already left.)

**MARINA INSPECITONS:** In order for the Village to be reimbursed for construction inspections of the Marina, Stu Brown's office solicited proposals for this service. Only two firms responded; APD and Larsen Engineers. Both firms are qualified but APD is more familiar with the project and the participants. Although APD's proposal appears to be more expensive, the firm would be willing to work on a time and material basis within a not-to-exceed maximum. This often works best for construction observation services as engineers must fit their schedules to that of the contractor. Based on Stu's recommendation, Mayor Wilson moved that the Village hire APD to do the construction inspections on the Marina not to exceed \$24,900.00. Second by Trustee Celentano. Vote, 3 ayes. CARRIED.

**ADJOURNMENT:** Motion to adjourn at 8:55 p.m. by Trustee DeVogelaere. Second was made by Trustee Celentano. Vote, 3 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Village Clerk