

VILLAGE OF PALMYRA BOARD OF TRUSTEES  
REGULAR MEETING  
April 5, 2010 7:00 p.m.

**ROLL CALL:** Present: Mayor Daly, Trustees Bradstreet, Husk, Nolan and Piccola, and Attorney Williams.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** Motion was made by Trustee Nolan, second by Trustee Piccola to approve the minutes from March 15, 2010 as written. Vote, 4 ayes.  
CARRIED.

**APPROVAL OF VOUCHERS:** Motion was made by Trustee Piccola, second by Trustee Nolan to approve payment of vouchers 818-822 for \$6,549.15. Vote, 4 ayes.  
CARRIED.

**EXECUTIVE SESSION:** Motion was made by Trustee Bradstreet, second by Trustee Nolan to move into executive session at 7:04 p.m. for contractual matters with Todd Blanchard, Dr. Robert Beirnbaum, the village attorney and clerk treasurer. Vote, 4 ayes.  
CARRIED.

**PUBLIC SESSION:** Motion by Trustee Piccola, second by Trustee Nolan, to move back into public session with no action having taken place at 7:59 p.m. Vote, 4 ayes.  
CARRIED.

**ANNOUNCEMENTS/CORRESPONDENCE:** The following correspondence has been received and is on file in the office of the Clerk Treasurer:

- Thank you to Hwy. Supt. and crew for great winter clean work
- American War Dads – toll stop on June 5<sup>th</sup> at 21N and 31
- GEVA fundraising effort/Five County Love
- Palmyra in both the Preservation and Landmark Society newsletters
- NYCOM training May 16 in Saratoga Springs
- NYS brochure on heritage areas – Palmyra in it

**TRUSTEE REPORTS:**

**Trustee Bradstreet** shared a flier from the Tobacco Action Coalition, information from the WC Reading Partnership for the Books at Birth program, and on the Ribbon ceremony for the website launch for the Community Resource Collaborative Forum on April 22. There was no report from the Code Enforcement Office; Trustee Bradstreet did not attend the joint meeting last Thursday.

This Saturday there will be two hundred athletes from Pal-Mac doing a Village clean up on Prospect Drive, Prospect Hill, Johnson Road, Foster Street, the Palmyra Community Center, Main Street, Aqueduct Park, the Canal Trail to Marina, Canal Street and the Village park. They have plans to do it four times a year.

The first Taking Flight over Palmyra was a huge success. He thanked committee members: Clint Rullo, Gary LaBerge, Judy Zanin, Irene Unterborn, Rick Westover. He also thanked Griffith Fuel for their donation of the propane for the hot air balloons. Although it was too windy to launch the hot air balloons, the balloonist had their gondolas set up and demonstrated how the air blower worked. There were about 800-1000 people that attended. The professional kite fliers loved the fairgrounds site and they will be even better organized next year. The Sky Rovers, the remote flying club, are also going to promote the event better next year.

**Trustee Husk** reported that Buildings and Grounds Department has completed their spring cleanup and are getting quotes for window replacement at the Fire Hall. The men's room has been repaired at the Fire Hall along with the outside bay lights. The front steel door is rusting out and Supt. Hopkins is looking at replacing that as well.

They have also been working on the cement block side entrance to smooth it out. Tree trimming is next on the schedule.

For the Comfort Station, Trustee Husk reported that the siding is about half done. The utilities have been hooked up; water, sewer and electric and the grading has been completed on the north side.

He reported that he met with Supr. Miller and a contingent from the American Legion about planning for Armed Forces Day which will be held on Sat. May 21, 2011. Most of the events will take place at the fairgrounds. There will be numerous bands, a color guard competition, guest speakers, dinner dance and a Grand Parade. The next meeting is May 24 at 7:00 p.m. at the Legion.

For the Fire Department, Trustee Husk moved to approve the roster of the Fire Department officers as follows:

Fire Chief:	William Colburn
1 <sup>st</sup> Asst. Chief:	Derick Baker
1 <sup>st</sup> Asst. Chief:	Kevin Bruening
2 <sup>nd</sup> Asst. Chief:	Jason Dickinson

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

Trustee Husk also met with the Auxiliary to discuss building usage. The Board has been looking at making all Village buildings alcohol free. Currently, the Auxiliary allows banquets/parties to bring in alcohol for events. Attorney Williams is looking into the Village's liability in this case so discussion was tabled until the research has been completed.

**Trustee Nolan** reported that he and Mayor Daly met today with Richard Clayton, Hyland Hartsough, DOH and Bob Raeman, Clark Patterson. DOH is happy to hear that the Village is looking into correcting both issues that he addressed at the last meeting; the water tank painting and chlorine contact time problem. The Board needs to discuss the financing of the water projects further but the numbers need to be finalized for Canandaigua Street first.

Motion was made by Trustee Piccola, second by Trustee Nolan to approve the contract for engineering services with Clark Patterson Lee for the water tank painting and the chlorine contact time for \$38,000 and authorize the Mayor to sign same. Vote, 4 ayes. CARRIED. The source of payment for this expenditure is to be determined at a future meeting.

**Trustee Piccola** reported that Tom Schmadt has asked that a sign be installed recognizing the 2010 Pal-Mac state wrestling champions. The Board discussed the problems of where to locate the signs given the fairly recent NYS DOT restrictions. Trustee Piccola suggested that perhaps we put a time limit that signs can be up. Trustee Husk offered to approach the Town of Macedon too about locating a midway location between the two municipalities to put up future signs.

Motion was made by Trustee Piccola, second by Trustee Bradstreet to ratify both Union contracts as negotiated. Vote, 4 ayes. CARRIED. Trustee Bradstreet congratulated and thanked Trustees Nolan and Piccola and Attorney Williams for their hard work.

**Attorney Williams** – excused at 8:00 p.m.

**Mayor Daly** provided her usual written report and pointed out that there will be information on the availability of census jobs posted on our Bulletin boards. Carmen Mantella NYS Canal Authority will be here on Thursday. Although the mayor happened to be out of town, she heard that the Pirate Dance was also a big success with almost 100 people in attendance. Other upcoming events were reviewed; Bird Fest will be in the Village park on May 8<sup>th</sup>, the second Monday each month is the Library Luncheon and book review, pancake breakfast at the Fire Hall the fourth Sunday of every month; May 15<sup>th</sup> there will be a craft sale at the Fire Hall and there will possibly be a Garage Sale as well.

## **REGULAR MEETING**

### **NEW/OLD BUSINESS:**

**CANANDAIGUA STREET: MUNICIPAL RESOLUTION:** (Locally Administered Project) Motion was made by Trustee Nolan, second by Trustee Bradstreet to adopt the following resolution for the Canandaigua Street project (H5):

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Rt. 21, Reconstruction of Canandaigua Street, Palmyra of Palmyra P.I.N. 4LSO.78 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the Village of Palmyra desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$353,503.00.

NOW, THEREFORE, the Village Board, duly convened does hereby

RESOLVE, that the Village Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village Board hereby authorizes the Mayor of Palmyra to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$2,200,192.00 is hereby appropriated from the General Fund and the Water Fund [or, appropriated pursuant to] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village Board of Palmyra shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof, and it is further

RESOLVED, that the Mayor of the Village of Palmyra be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Palmyra with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately.

Vote, 4 ayes. CARRIED. The Village will be receiving \$1,846,689.00 of Federal stimulus money and will be contributing about 16% of the total project cost.

**ELECTROMAGNETIC PULSE:** Motion was made by Trustee Bradstreet, second by Trustee Piccola to adopt the following resolution:

**WHEREAS** the Village of Palmyra Board of Trustees are deeply concerned over the potential impact of an EMP (Electromagnetic Pulse) event that could cause chaos and confusion for the residents of Wayne County and New York State, and could result in physical harm (including death) and long-term economic loss to said residents; and **WHEREAS** the United States Congress created a commission in 2001 to examine and report on the effects of electromagnetic pulses on critical infrastructure and has demonstrated that critical infrastructure is highly vulnerable and largely unprotected; and **WHEREAS** the Abstract of the "Report of the Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack, Volume 1: Executive Report" (2004) states, in relevant part:

“Several potential adversaries have or can acquire the capability to attack the United States with a high-altitude nuclear weapon-generated electromagnetic pulse (EMP). A determined adversary can achieve an EMP attack capability without having a high level of sophistication.

EMP is one of a small number of threats that can hold our society at risk of catastrophic consequences. EMP will cover the wide geographic region within line of sight to the nuclear weapon. It has the capability to produce significant damage to critical infrastructures and thus to the very fabric of US society, as well as to the ability of the United States and Western nations to project influence and military power.

The common element that can produce such an impact from EMP is primarily electronics, so pervasive in all aspects of our society and military, coupled through critical infrastructures. Our vulnerability is increasing daily as our use of and dependence on electronics continues to grow. The impact of EMP is asymmetric in relation to potential protagonists who are not as dependent on modern electronics.

The current vulnerability of our critical infrastructures can both invite and reward attack if not corrected. Correction is feasible and well within the Nation’s means and resources to accomplish...

“The damage level could be sufficient to be catastrophic to the Nation, and our current vulnerability invites attack...” and

**WHEREAS**, a second report was issued by the Congressional EMP Commission in 2008 entitled “Report of the Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack, Critical National Infrastructures” (2008), which provided detailed analysis and advice regarding specific infrastructure segments and again warned that the United States could suffer catastrophic consequences from a nuclear EMP attack (and that terrorists or rogue states could perform such an attack), and concluded that the U.S. could be protected from an EMP at a relatively low cost, not only protecting critical infrastructures from EMP, but also mitigating and speeding recovery from cyber threats, sabotage, and common natural disasters like hurricanes; and

**WHEREAS**, the EMP Commission was disbanded earlier this year; and

**WHEREAS**, early this year, the National Academy of Sciences released a blue ribbon study that independently supported the EMP Commission’s earlier warnings that Mother Nature can also pose a threat to the United States, by means of a great geomagnetic storm that occurs about once every century, very similar in effect to a nuclear EMP attack; and, according to the National Academy of Sciences, such a storm is inevitable, and may occur during the next cycle of solar flare activity, in 2012;

**WHEREAS**, economic output losses and physical harm to residents could be substantially reduced if even 10% of critical infrastructure were protected; and

**WHEREAS**, the National Fire Association NFPA 1600 Standard on Disaster/Emergency Management and Business Continuity Programs (2007 Edition): (i) identifies potential hazards that are naturally occurring and human caused; (ii) expressly states that “in order to maintain continuity of operations, (each)entity should identify essential or critical functions and processes, their recovery priorities, and internal and external interdependencies, so that recovery time objectives can be set;” and (iii) specifically identifies terrorism (including nuclear and cyber terrorism), sabotage, enemy attack/war, and electromagnetic pulse as some of the enumerated intentional hazards that should be addressed; and

**WHEREAS**, it is critically important to protect through an immediate, continuous, cost effective, and sustainable State of Readiness that is resistant to foreign and domestic terrorist threats (including cyber threats and EMP attacks), and to be prepared for natural disasters (including great geomagnetic solar storms), and to provide emergency management and terrorism prevention services to citizens through an “All Hazards Approach” that builds on the creative coordination of existing state functions and local resources such as emergency management, law enforcement, fire and communications, using strategic priorities and aligning and empowering efforts by state and local agencies in coordination with private sector capabilities and resources; and

**WHEREAS**, the development of critical infrastructure technologies will require the investment of the private sector and the training of workers through New York’s colleges, universities, and apprenticeship programs for technical and engineering disciplines ranging from welding specialties through nanotechnology and electro-mechanical engineering, design and development; and

**WHEREAS**, the need for bringing together county & local disaster officials, legislators, mayors & supervisors, along with the state and federal government, is of utmost importance to address this issue; and

**WHEREAS**, there is a need to re-establish the bi-partisan Congressional EMP Commission as soon as possible; and

**WHEREAS**, there is also a need for establishing bi-partisan committees at the county level and state levels that could create plans to bring about education, communication, and implementation of a program to avoid or mitigate the dangers of an EMP event; and

**WHEREAS**, community preparation is a must in survival of an EMP incident and it is important that all cities, villages, town & the County Executive with the Legislature stress the cooperation of all agencies that would be involved in such an event; and

**WHEREAS**, the New York Legislature could create a commission to be known as the Critical Infrastructure Protection Committee that would educate itself about EMP and the facts, and then educate local agencies & officials (and ultimately the public) about the hazards of man-made and solar EMP events, and establish a plan to implement the proper steps for community preparedness;

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Palmyra Board of Trustees hereby request that the New York State Legislature create a committee called the Critical Infrastructure Protection Committee to assess the dangers of man-made and solar EMP threats, and develop and recommend a plan to prepare for, protect from, respond to, and recover after such EMP events; and

**BE IT FURTHER RESOLVED** that the Village of Palmyra Board of Trustees hereby requests that the said Critical Infrastructure Committee shall, among other duties:

- (1) Study the United States Congressional Commission reports and the National Fire Protection Association (NFTA) recommendations regarding critical infrastructure and protection from risks including electromagnetic pulses and make recommendations on county and local compliance with current and emerging codes and recommendations regarding infrastructure protection;
- (2) Study and present the range of critical infrastructure that is vulnerable, including:
  - (i) Electricity;
  - (ii) Communications;
  - (iii) Banking and finance;
  - (iv) Petroleum and natural gas;
  - (v) Transportation;
  - (vi) Food;
  - (vii) Water supplies and sewage treatment;
  - (viii) Emergency services (including, among other things, police, fire, health, and medical facilities);
  - (ix) Continuity of government; and
  - (x) Keeping citizens informed;
- (3) Review the costs impacting local (and state) revenues if infrastructure remains unprotected and the financial benefits from protecting the most critical infrastructure;
- (4) Review the recommendations from the National Academy of Science in reports such as “Making the Nation Safer,” which calls for the creation of micro-grids, and make recommendations regarding the development, deployment, and protection of micro-grids from electromagnetic pulses, including:
  - (i) The use of local electricity generation sources;
  - (ii) The use of renewable energy sources
  - (iii) The use of new energy storage systems; and
  - (iv) Leverage of research and development resources across the county (and state), and assess the ability to attract state and/or federal funding and private investment;
- (5) Identify critical interoperable communications capabilities and determine how to keep them operable;
- (6) Review opportunities where local and state agencies and the private sector can cooperate to expedite mitigation of critical infrastructure vulnerabilities; and
- (7) Review shortages of labor and training categories that may be addressed by institutions of higher education and technical training programs in New York; and

**BE IT FURTHER RESOLVED** that the Village of Palmyra Board of Trustees hereby requests that the New York State Public Service Commission and power

utility and companies serving or effecting Wayne County take immediate action to protect the electrical power grid and supply systems from the effects of man-made and solar EMP; and

**BE IT FURTHER RESOLVED** that the Village of Palmyra Board of Trustees hereby requests federal Representatives Slaughter, Higgins and Lee Co-Sponsor the EMP amended version of House Bill HR 2195 and further request U.S. Senators Schumer and Gillibrand to Co-Sponsor the EMP amended version of the companion Senate Bill S-946, and for each to urge that the EMP Commission be reestablished with as many of the original nine EMP Commissioners who are willing and able to serve; and

**BE IT FURTHER RESOLVED** that the Village of Palmyra Board of Trustees hereby requests that the Wayne County Board of Supervisors take the aforementioned actions as soon as possible for the concerns and safety of the residents of Wayne County, and that copies of this resolution be transmitted to U.S. Senators Schumer and Gillibrand, Member of House of Representatives Maffei, NYS Senator Nozzolio, Assemblyman Oaks, the Mayors of every village in Wayne County; and

**BE IT FURTHER RESOLVED** that the Village of Palmyra Board of Trustees hereby requests that the Wayne County Board of Supervisors request that the County Office of Emergency Services brief the Board of Supervisors on the dangers of EMP, and thereafter promptly pass a similar resolution to this resolution requesting the the State of New York take similar actions on an urgent basis to address the EMP threat and protect our citizens.

**PUBLIC HEARING:** Motion was made by Trustee Husk, second by Trustee Piccola, to set a public hearing for the increase in the sewer minimum for April 19th. Vote, 4 ayes. CARRIED.

**RADIOS:** Trustee Piccola reviewed a quote from Furman Communications. Much of the cost for the radios can be expended from Capital Reserve Equipment following a permissive referendum. Motion was made by Trustee Piccola, second by Trustee Bradstreet to adopt the following resolution:

#### **PERMISSIVE REFERENDUM**

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the Village of Palmyra, Wayne County, New York, adopted a resolution during a meeting on April 5, 2010 subject to Permissive Referendum as follows:

BE IT RESOLVED that a sum up to and not to exceed FOUR THOUSAND TWO HUNDRED DOLLARS (\$4200.00) shall be expended from the Capital Reserve Equipment HR7 for the purchase of the new FCC narrowband radios for the highway department.

Following publication, the foregoing resolution shall be posted in six (6) conspicuous places and in accordance with Section 9-902 of Village law, shall take effect in thirty (30) days.

BY ORDER OF THE VILLAGE BOARD

Palmyra, New York  
Alicia M. Lynch  
Village Clerk

Dated: April 5, 2010  
Completion: May 5, 2010

Vote, 4 ayes. CARRIED.

**DRUG TESTING CONTRACT:** Trustee Piccola reported that Supt. Boesel recommends that the Village sign a contract for drug and alcohol testing with Advanced Occupational Services as long as the contract with Newport Alliance/WIN has lapsed. (Contract with WIN was found to have expired on March 19, 2010) Second was made by Trustee Bradstreet. Vote, 4 ayes. CARRIED.

**COUNTY MUTUAL AID CONTRACT:** Motion was made by Trustee Nolan, second by Trustee Husk to adopt the following resolution about the county mutual aid plan:

**WHEREAS**, the “Wayne County Fire Service Mutual Aid Plan” was originally adopted in 1961 and,

**WHEREAS**, the Wayne County Fire Coordinator, after soliciting comments and recommendations from the fire service, has drafted a new Mutual Aid Plan; and

**WHEREAS**, this Plan has been adopted by the Village of Palmyra Fire Department;

Now therefore be it

**RESOLVED**, that the Village of Trustees Board of Trustees, as governing body of the aforementioned fire department, authorize the fire department to participate in the Wayne County Fire Service Mutual Aid Plan without restrictions within the meaning of Section 209 of the General Municipal Law; and be it further

**RESOLVED**, that copies of this Resolution be filed with the Wayne County Fire Coordinator and the Village of Palmyra Fire Department.

Vote, 4 ayes. CARRIED.

**PUBLIC COMMENT:** Insurance coverage for auxiliary members was discussed briefly. Debbie Rothfuss told the board that all proceeds from the Pancake Breakfast on April 25 will go to support Team Cain Bentley in the Stroll for Strong Kids on June 5<sup>th</sup>.

**ADJOURNMENT:** Motion by Trustee Nolan, second by Trustee Piccola, to adjourn at 9:17 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Clerk Treasurer