

VILLAGE OF PALMYRA BOARD OF TRUSTEES  
REGULAR MEETING  
September 14 , 2009                      7:00 p.m.

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

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER:** Mayor Daly called the meeting to order at 7:00 p.m.

**MOMENT OF SILENCE:** Mayor Daly declared a moment of silence in remembrance  
at the passing of former mayor Bob Gunkler.

**PRESENTATION:** Mayor Daly invited Chris Deys to come forward to acknowledge  
his twenty five years of service to the Village. Trustee Bradstreet took the opportunity to  
commend Chris and his co-workers for the terrific job they do making our cemetery  
beautiful.

**CONTRACT SIGNING:** Mayor Daly welcomed the Skate Park Committee ( Palmyra  
Skate Park Inc.) once again and invited them forward to sign the lease for the future  
SkateBoard Park. Mayor Daly and President Cheryl LaDelfa signed the contract. They  
will be continuing to fund raise and will keep the Village informed as they move forward.

**REGULAR MEETING**

**APPROVAL OF MINUTES:** Motion was made by Trustee Nolan, second by Trustee  
Piccola, to approve the minutes from Aug. 3 as submitted. Vote, 4 ayes. CARRIED.  
Motion was made by Trustee Bradstreet, second by Trustee Piccola, to approve the  
minutes from Aug. 25, 2009 as submitted. Vote, 4 ayes 1 abstain, Trustee Nolan.  
CARRIED.

**APPROVAL OF ABSTRACT** Motion was made by Trustee Piccola, second by  
Trustee Bradstreet to approve payment of Abstract #3, vouchers 201-280 of Aug. 17 and  
voucher 281 of Aug. 19 for a total of \$89,896.14. 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 J. Hart @ P&C Rms.
- Genesee Transportation – Call for projects
- EMS August report
- NYCOM info on pension

**TRUSTEE REPORTS**

**Trustee Bradstreet** reported that on Sept. 3 and Sept. 10 both the Planning and Zoning  
Boards met for public hearing #324 for 220 W. Jackson St. and hearing #325 for 101  
Throop area variances. Both variances were approved.

Trustee Bradstreet has forwarded the phone numbers for People with Parrots and  
Second Chance Bird Rescue to Towpath Mgr. Caron Clair as well as suggested  
contacting the Erie Canal Museum for possible presentations/tours for the Towpath  
tenants.

From the Code Office, there were 27 building permits issued from July 24-Aug.  
28, 111 inspections performed, and 49 Certificates of Occupancy approved/issued.

The celebrations committee is proceeding with the grant for the music theater  
series. The deadline is September 28<sup>th</sup>. The plan would be for the performances to take  
place in May, June and September. They are also working on plans for a day of kite  
flying, model airplanes and a tethered hot air balloon at the Fair Grounds.

**Trustee Husk** reported that Supt. Hopkins and Supt. Boesel have been working with  
DOT to find a location for the new Welcome to Palmyra signs. Both crews have been

getting ready for Canal Town days. On Aug 28th, five members from the Fire Dept. attended the Memorial Service in Buffalo for the two firemen that were killed. Trustee Husk thanked them for representing the village. Further for the Fire Department, Trustee Husk moved to accept Brad Stott for membership into the Fire Department Ambulance following completion of the appropriate training and a satisfactory physical examination. Second was made by Trustee Bradstreet. Vote, 4 ayes, CARRIED.

On Sept. 8<sup>th</sup>, Trustee Husk and Mayor Daly represented the Village at the Shared Services meeting at the High School. They both belong to the committee investigating a regional ambulance. He believes there will be much good to come from this committee. The Board discussed correspondence asking if the Board would like to pursue the possibility of a regional ambulance service. The general consensus of the Board was indeed to move forward.

**Trustee Nolan** reviewed the monthly operating report for the Water and Sewer departments for July. There was a water break on Claremont Parkway which had to be repaired. They have begun flushing the water main on Kent Street on a weekly basis in a response to resident complaints regarding cloudy water. Eric Weis from Clark Patterson Lee has been working with the Village of Newark to see if they in fact would have enough water to fulfill our demand and if so how they will get it here.

**Trustee Piccola** reported that the highway department is busy this week with brush pickup. The first Monday of October will be the last day for brush pickup, the clerk will advertise. Hyde Parkway is finished for this season. A water main break at Miner and Johnson Roads was fixed, the crew went back to work on Hyde Parkway but then had to go back to fix three more breaks right next to the first break. In order to fix those three breaks, they had to shut down the line and when they did another break occurred at the sauerkraut factory in Manchester which they also had to fix. That line is so deep there we didn't have a back hoe long enough, so we had to contract with Randy Schwartz.

On Aug. 26 Trustee Piccola and Trustee Husk met at the marina with Supts. Hopkins and Boesel to go over the next phase of the comfort station. Supt. Hopkins was instructed to order the lumber. Construction may start as early as next week. Neighbor Joe VanScott offered his help as well.

There will be a public information meeting about the Canandaigua Street construction project and detour route on Thursday, September 17 at 7:00 pm at Village Hall.

**Attorney Williams** - no report.

**Mayor Daly** provided her written report and added that the VanScot Bros. will be building a fence on the north border of their property adjoining the marina which Mr. VanScott has offered to the art students at the Middle School for a mural.

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

**GIFT FROM AMERICAN LEGION:** Motion was made by Trustee Husk, second by Trustee Nolan to accept the gift of a solar light which will be used to illuminate the flag at the cemetery from the American Legion. Vote, 4 ayes. CARRIED.

**HOMECOMING PARADE ROUTE AND INVITATION:** Motion was made by Trustee Piccola, second by Trustee Husk to approve the request from Pal-Mac CSD for the Homecoming Parade on Friday Oct. 2, 2009 at 6:00 pm. as previously approved by Chief Dalton. Vote, 4 ayes. The Board discussed the invitation to be a part of the parade but decided against it.

**PORT OF LYONS SUPPORT LETTER:** After a brief review of correspondence from Lyons, motion was made by Trustee Bradstreet, second by Trustee Nolan to authorize Mayor Daly to write a letter of support in favor of development of a commercial port in Lyons. Vote, 4 ayes. CARRIED.

**CANALTOWN DAYS STREET & PARKING RESTRICTIONS:** Motion was made by Trustee Piccola, second by Trustee Nolan to adopt the following for CanalTown Days, Sept. 18-20, 2009:

### **PARKING PROHIBITED ON BOTH SIDES OF THE STREET:**

Gates Street-the entire length	Hansen Street-the entire length
Walker Street-the entire length	Cuyler Street-Main to Jackson
Liberty Street-the entire length	Canal Street-the entire length

Carroll Street-the entire length	Willow Street-the entire length
Brookside Terrace-the entire length	Canandaigua-the entire length
Maple Ave.-from Canal St. to Quaker	E. Charlotte- the entire length
Main St. - 21S to Mill Street	Williams St.-the entire length
E. Jackson St.-the entire length	Church St.-the entire length
Tremont St.-the entire length	Fayette St.-Main to Walker St.
Sunset Dr.-the entire length	Market St.-Main to Canal St.
Birdsall Pkwy.-the entire length	Mill St.-the entire length
Prospect Dr.-the entire length	West Foster St.-the entire length
Hyde Pkwy.-the entire length	Stafford St.-the entire length

**HANDICAPPED PARKING ONLY -**  
Canandaigua St.- East side from Main St. to Jackson St.

**ELEMENTARY SCHOOL:**  
Authorize Police Chief to restrict parking according to School District and Fire Chief request.

The Police Chief and Highway Superintendent are both authorized to make additions and deletions as required.

**STREET CLOSINGS FOR CANALTOWN DAYS:**  
Saturday (approximately 9 am to 6 pm Main St. (21S to Holmes St.)  
Sunday (approximately 9 am to 6 pm) Main St. (21S to Cuyler St.)

**CLOSING FOR FLOAT COMPETITION**  
Saturday (approximately 1 pm to 6 pm) - Claremont Park

**CLOSING FOR PARADES:**  
GRAND PARADE - SATURDAY (approx. 2 - 6 pm)  
Stafford Street from Foster Street intersection to Main St.  
Main Street from Hyde Pkwy to Holmes  
Holmes from Main St. to Canal St.  
Canal St. from Holmes to Williams St.  
Williams St. from Canal St. to Main St.  
HORSE PARADE - SUNDAY (approx. 2 - 3 pm)  
Gates St. from Jackson to Main St.  
Main St. from Gates to Holmes  
Holmes from Main St. to Canal St.  
Canal St. from Holmes to Williams  
Williams St. from Canal St. to Main St.

BE IT RESOLVED that the sale of “Poppers” (throwable fireworks), stink bombs and liquid string during any parade in the Village of Palmyra be prohibited and further that the sale or use of at or during CanalTown Days is hereby prohibited.

Be it further resolved that that Bicycles, skateboards, and roller blades be prohibited during CanalTown Days, on Main Street between the intersections of Canandaigua/Church Streets and Fayette/Market St., the Display and Vendor areas and the Palmyra Elementary School grounds.

Be it further resolved that animals including but not limited to dogs and snakes be prohibited during CanalTown Days in these same areas. This restriction shall not apply to “seeing eye” guide dogs.

Vote, 4 ayes. CARRIED.

**CANANDAIGUA LAKE WATERSHED COUNCIL - RE-AUTHORIZATION**  
Based on Richard Clayton’s recommendation, motion was made by Trustee Bradstreet, second by Trustee Nolan to adopt the following resolution:  
WHEREAS, the Canandaigua Lake Watershed encompasses 174 square miles within two primary counties (Ontario and Yates) and twelve municipalities (Towns of Gorham, Canandaigua, Hopewell, Middlesex, South Bristol, Italy, Naples, Potter and Bristol, Villages of Rushville, Naples and the City of Canandaigua, with another two municipalities outside the watershed utilizing water from the Lake (Village of Palmyra and Newark, Wayne County); and

WHEREAS, Canandaigua Lake and its surrounding watershed provide numerous benefits to the region including water for over 60,000 people, varied recreational opportunities, scenic beauty and ecological significance; and

WHEREAS, the goal of the Canandaigua Lake Watershed Council is to protect the lifeblood of this region – Canandaigua Lake and its surrounding watershed by maintaining and enhancing the high water quality of this watershed; and

WHEREAS, the continued successful protection of the watershed will require the leadership, coordination and commitment of the fourteen municipalities through the Canandaigua Lake Watershed Council; and

WHEREAS, all decision making authority regarding municipal fund expenditures for plan implementation and the position of Watershed Manager will reside with the Canandaigua Lake Watershed Council;

NOW THEREFORE, BE IT RESOLVED that we the Village Board of the Village of Palmyra agrees to re-authorize the Canandaigua Lake Watershed Council Intermunicipal Agreement until December 31<sup>st</sup>, 2014.

Adopted this 14<sup>th</sup> of September, 2009. Vote, 4 ayes. CARRIED.

**CANANDAIGUA LAKE WATERSHED INTERMUNICIPAL AGREEMENT :**

Additionally, motion was made by Trustee Bradstreet, second by Trustee Husk to authorize the Mayor to sign the Canandaigua Lake Watershed Intermunicipal Agreement, term to begin Jan. 1, 2010 and ending Dec. 31, 2014. Vote, 4 ayes. CARRIED.

**PROPERTY MAINTENANCE CHAPTER 194 – SET PUBLIC HEARING:**

Attorney Williams reviewed the comments from the Code Enforcement Officer regarding the proposed changes to Chapter 194 Property Maintenance, to be known also as the Lawn Maintenance Law. The following changes were made by Attorney Williams for Board review:

Under 194-3 Definitions:

NOXIOUS WEEDS ..... *ten* inches in height. (This coincides with the state regulations, which prevails.)

MOTOR VEHICLES – *unlicensed* vehicles (not inoperable vehicles, same as the zoning code)

Motion by Trustee Nolan, second by Trustee Piccola to set a public hearing for Chapter 194 Property Maintenance for October 19 at 7:00 pm. Vote, 4 ayes. CARRIED.

**RED FLAGS RULE:** Attorney Williams offered to check with NYCOM about sample legislation for Board review. Discussion tabled until sample is available.

**SIDEWALK REQUEST: YOST:** Supt. Boesel and Trustee Piccola looked at the sidewalk in question, there is a slight need for work but no funds to do it. Mr. Yost will be told that the Board will consider the project for next year's budget.

**RENEWAL CONTRACT WITH WASTE MGMT.(SLUDGE REMOVAL):**

Richard Clayton obtained a competing quote from Casella for sludge removal which is much cheaper. Tabled until next week until a copy of the contract with Casella is made available.

**TIME WARNER QUOTE:** Based on a phone cost analysis done by Clerk Lynch, motion was made by Trustee Piccola, second by Trustee Nolan to enter into a three contract with Time Warner for digital phone and internet service which will include unlimited long distance calling. Vote, 4 ayes. CARRIED. We should save about \$700 a year. It will eliminate billing from AT&T for long distance, and simplify the billing for phone and internet on one bill.

**EXECUTIVE SESSION:** Motion was made by Trustee Husk, second by Trustee Bradstreet to move into executive session for contractual and litigation. Vote, 4 ayes. CARRIED.

**PUBLIC SESSION:** Motion by Trustee Piccola, second by Trustee Nolan to move back into executive session with no action having taken place. Vote, 4 ayes.

**ADJOURNMENT:** Motion by Trustee Piccola, second by Trustee Nolan, to adjourn at 9:10 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Clerk Treasurer