

**VILLAGE OF PALMYRA BOARD OF TRUSTEES**  
**REGULAR MEETING**  
June 1, 2000      6:30 p.m.

**PRESENT:** Mayor Wilson, Trustees, Celentano, DeVogelaere, and Gunkler. Trustee Salomon out of town on business.

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

**PLEDGE OF ALLEGIENCE**

**PUBLIC HEARING:** The public hearing was called to order and the legal notice read by the clerk:

LEGAL NOTICE  
VILLAGE OF PALMYRA  
NOTICE OF PUBLIC HEARING ON  
PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN that there is proposed and to be introduced before the Village Board of the Village of Palmyra, a proposed local law styled "Local Law No. 1 of 2000", which if adopted would prohibit stationary sidewalk vendors in the Village of Palmyra, except within the commercial districts of the village and upon issuance of a permit by the Village Clerk, subject to rules and restrictions adopted by the Board of Trustees of the Village of Palmyra.

NOTICE IS FURTHER GIVEN that pursuant to section 20 of the Municipal Home Rule Law and Section 21-2100 of the Village Law, the Board of Trustees of the Village of Palmyra will convene a public hearing on the 1<sup>st</sup> day of June, 2000 at 6:30 pm at the Palmyra Village Hall at 144 East Main Street, Palmyra New York 14522 for the purpose of hearing comments upon the adoption of the proposed local law. Any person may appear in person or by representative. The local law may be examined at the Office of the Village Clerk during regular business hours.  
Dated: May 19,2000

By Order of the Village Board of the Village of Palmyra  
Alicia M. Lynch  
Village Clerk

Mayor Wilson read the proposed local law that would add article II to Chapter 11 of the Palmyra Village Code. The proposed local law would provide for the regulating of stationary sidewalk vendors. Under the new local law the Board of Trustees may by resolution enforce rules and regulations relating to the issuance of licenses including application fees, method of assigning locations, hours of operation, conditions or restrictions upon licenses and dispensing or modification of requirements during special events. Motion was made by Trustee Celentano, second by Trustee Gunkler to adopt Local Law 1, 2000 as prepared by Attorney Nesbitt. Mayor Wilson called for questions and or comments from the public. The general public opinion was favorable and Mayor Wilson closed the public hearing and called the question.

Roll call vote:

Mayor Wilson	aye	Trustee Gunkler	aye	Trustee Celentano	aye
		Trustee DeVogelaere	aye		
				4 ayes.	CARRIED.

Mayor Wilson thanked Vicky Daly for keeping the minutes from the vendor committee meetings. They will act as a guideline for the rules and regulations of the stationary vendors.

**APPROVAL OF MINUTES:** Motion by Trustee DeVogelaere, second by Trustee Gunkler to approve the minutes from May 18, 2000. Vote, 4 ayes. CARRIED.

**BUDGET TRANSFERS:** Motion by Mayor Wilson, second by Trustee Celentano to approve the following fiscal year end budget transfers to balance individual line items:

From Acct. #	Account		To Acct. #	Account		Transfer Dollars
	Description	Description		Description	Description	
A9010.8	NYS ERS		A1990.4	CONTINGENCY		\$6,300.00
A9015.5	NYS POLICE & FIRE		A1990.4	CONTINGENCY		\$12,000.00
A9901.96	TRANSFER DEBT SERVICE		A1990.4	CONTINGENCY		\$59,000.00
A1990.4	CONTINGENCY		A1110.1	VILLAGE JUSTICE-SALARY		\$152.22
A1990.4	CONTINGENCY		A1110.4	VILLAGE JUSTICE-MISC/CONT.		\$524.22
A1990.4	CONTINGENCY		A1325.1	TREASURER - SALARY & WAGES		\$164.69
A1990.4	CONTINGENCY		A1355.4	ASSESSMENT - MISC/CONT.		\$271.20
A1990.4	CONTINGENCY		A1410.425	CLERK - MEMBERSHIPS/DUES		\$15.00
A1990.4	CONTINGENCY		A1420.1	LAW - SALARY/WAGES		\$0.40
A1990.4	CONTINGENCY		A1620.422	BUILDINGS - GAS & ELECTRIC		\$1,357.21
A1990.4	CONTINGENCY		A1640.1	CENTRAL GARAGE - SALARY & WAGES		\$7,419.86
A1990.4	CONTINGENCY		A1640.11	CENTRAL GARAGE - TIME OFF W/PAY		\$7,556.16
A1990.4	CONTINGENCY		A1910.4	INSURANCE - MISC. & CONTRACTUAL		\$267.00
A1990.4	CONTINGENCY		A2989.4	DARE PROGRAM - OTHER EDUCATION		\$612.57
A1990.4	CONTINGENCY		A3120.1	POLICE - SALARY & WAGES		\$11,932.44
A1990.4	CONTINGENCY		A3120.4	POLICE - MISC. & CONTRACTUAL		\$366.70
A1990.4	CONTINGENCY		A3120.419	POLICE - UNIFORMS		\$1,316.86
A1990.4	CONTINGENCY		A3120.423	POLICE - AUTO GASOLINE		\$779.89
A1990.4	CONTINGENCY		A3120.424	POLICE - AUTO PARTS,REPAIRS,MNTC.		\$238.77
A1990.4	CONTINGENCY		A3120.427	POLICE - EQPT.(PARTS,REPAIR,MNTC)		\$342.67
A1990.4	CONTINGENCY		A3120.428	POLICE - TELEPHONE		\$260.49
A1990.4	CONTINGENCY		A3120.429	POLICE - OFFICE SUPPLIES		\$266.11
A1990.4	CONTINGENCY		A3122.1	POLICE - SALARY (DISABILITY)		\$1,020.00
A1990.4	CONTINGENCY		A3310.4	TRAFFIC CONTROL (PAINT & SIGNS)		\$1.70
A1990.4	CONTINGENCY		A3410.4	FIRE DEPT - MISC. & CONTRACTUAL		\$244.65
A1990.4	CONTINGENCY		A3410.422	FIRE DEPT - GAS & ELECTRIC		\$2,709.45
A1990.4	CONTINGENCY		A3410.427	FIRE DEPT - EQUIP REPAIR/MNTC		\$611.09
A1990.4	CONTINGENCY		A3410.428	FIRE DEPT - TELEPHONE		\$160.56
A1990.4	CONTINGENCY		A3510.1	ANIMAL CONTROL - SALARY & WAGES		\$0.04
A1990.4	CONTINGENCY		A5110.1	STREET MAINTENANCE - SALARY & WAGES		\$6,481.54
A1990.4	CONTINGENCY		A5110.4	STREET MAINT. - MISC. & CONTRACTUAL		\$74.00
A1990.4	CONTINGENCY		A5110.411	STREET MAINT. - ASPHALT, BLACKTOP		\$738.71
A1990.4	CONTINGENCY		A5110.423	STREET MAINT. - TRUCK GASOLINE		\$1,647.07
A1990.4	CONTINGENCY		A5112.2	CHIPS - EQUIP/CAPITAL OUTLAY		\$26.54
A1990.4	CONTINGENCY		A5142.1	SNOW REMOVAL - SALARY & WAGES		\$9,076.07
A1990.4	CONTINGENCY		A5142.4	SNOW REMOVAL - MISC. & CONTRACTUAL		\$2,802.97
A1990.4	CONTINGENCY		A5182.4	STREET LIGHTING - MISC. & CONTRACTUAL		\$80.67
A1990.4	CONTINGENCY		A5410.1	SIDEWALKS - SALARY & WAGES		\$97.19
A7110.1	PARKS - SALARY & WAGES		A7110.11	PARKS - TIME OFF W/PAY		\$1,813.60
A1990.4	CONTINGENCY		A7110.427	PARKS - EQUIP (PARTS,REPAIR,MNTC)		\$852.39
A1990.4	CONTINGENCY		A7140.4	PARK & CLUB BLDG. - MISC. & CONTRACTUAL		\$73.78
A1990.4	CONTINGENCY		A7140.422	PARK & CLUB BLDG. - GAS & ELECTRIC		\$465.35
A1990.4	CONTINGENCY		A8010.4	ZONING - MISC. & CONTRACTUAL		\$138.96

A1990.4	CONTINGENCY	A8540.4	STORM DRAINAGE - MISC. & CONTRACTUAL	\$371.00
A1990.4	CONTINGENCY	A8810.1	CEMETERY - SALARY & WAGES	\$8,287.38
A1990.4	CONTINGENCY	A8810.11	CEMETERY - TIME OFF w/PAY	\$2,199.94
A1990.4	CONTINGENCY	A8810.15	CEMETERY SALARY - SNOW REMOVAL	\$683.30
A1990.4	CONTINGENCY	A8810.16	CEMETERY SALARY - STREET CLEANING	\$1,315.17
A1990.4	CONTINGENCY	A8810.4	CEMETERY - MISC. & CONTRACTUAL	\$383.82
A1990.4	CONTINGENCY	A8810.422	CEMETERY - GAS & ELECTRIC	\$174.23
A1990.4	CONTINGENCY	A8810.423	CEMETERY - AUTO GASOLINE	\$987.36
A1990.4	CONTINGENCY	A8810.424	CEMETERY - TRUCK PARTS/REPAIRS	\$1,875.57
A1990.4	CONTINGENCY	A8810.426	CEMETERY - BLDG REPAIR & MAINTENANCE	\$0.67
A1990.4	CONTINGENCY	A8810.428	CEMETERY - TELEPHONE	\$92.02
A1990.4	CONTINGENCY	A8810.431	CEMETERY - FOUNDATION REPAIRS	\$70.44
A1990.4	CONTINGENCY	A9060.8	HOSPITAL & MEDICAL (BC/BS)	\$6,052.65
<u>WATER FUND</u>				
F1325.4	TREAS. - MISC/CONT	F1990.4	CONTINGENCY	\$1,670.00
F1340.4	BUDGET - MISC/CONT	F1990.4	CONTINGENCY	\$1,300.00
F1410.1	CLERK-SALARY & WAGES	F1990.4	CONTINGENCY	\$1,450.00
F1440.4	ENGINEER - MISC/CONT.	F1990.4	CONTINGENCY	\$2,000.00
F8330.431	ST - CAPITAL PURCH.	F1990.4	CONTINGENCY	\$10,000.00
F8340.151	HWY - TRANS. & DIST.	F1990.4	CONTINGENCY	\$5,600.00
F8340.4	T&D - MISC. & CONT.	F1990.4	CONTINGENCY	\$900.00
F9010.8	STATE RETIRE - WATER	F1990.4	CONTINGENCY	\$900.00
F9030.8	SOC.SEC. - WATER	F1990.4	CONTINGENCY	\$800.00
F1990.4	CONTINGENCY	F1325.1	TREAS. - SALARY & WAGES	\$81.92
F1990.4	CONTINGENCY	F1410.4	CLERK - MISC. & CONTRACTUAL	\$272.92
F1990.4	CONTINGENCY	F1490.4	PUB. WKS. ADMIN. - MISC. & CONT.	\$407.06
F1990.4	CONTINGENCY	F1950.4	TAXES & ASSESSMENTS	\$64.16
F1990.4	CONTINGENCY	F8330.430	MHPC CONTRACT	\$17,160.55
F1990.4	CONTINGENCY	F9950.9	TRANSFER CAP RES. WATER	\$3,357.55
<u>SEWER FUND</u>				
G0120.151	HIGHWAY DEPT - SALARY	G1990.4	CONTINGENCY	\$5,000.00
G1990.4	CONTINGENCY	G1420.1	LAW - SALARY & WAGES	\$0.20
G1990.4	CONTINGENCY	G1490.4	PUB.WKS.ADMIN. - MISC. & CONT.	\$631.25
G1990.4	CONTINGENCY	G8130.430	MHPC CONTRACT	\$11,681.70
G1990.4	CONTINGENCY	G9040.8	WORKERS COMP - SEWER	\$203.00
G1990.4	CONTINGENCY	G9060.8	HOSPITAL & MEDICAL - SEWER	\$292.91

Vote, 4 ayes. **CARRIED.**

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

1. A thank you from 2000 Crop Walk Route Chairman, Andrew Sloan. The event raised over \$8000 for the hungry.
2. Notification from the Palmyra Community Center about the 1<sup>st</sup> Annual Motorcycle Dice Run. All proceeds from the event which will take place the Palmyra Bowling Center will benefit the Community Center.

## TRUSTEE REPORTS

**Trustee DeVogelaere** – no report. Mayor Wilson asked Trustee DeVogelaere to extend the Village's thanks for the great job in preparing the cemetery for the Memorial Day services. It was especially difficult this year due to the weather.

**Trustee Celentano** reported that the Municipal Auction last Saturday was a huge success although he did not have any final numbers. Crews were needed last week in the cemetery so brush pick up is continuing this week. He also reported on the notification from DOT about the 2000-01 CHIPS apportionment. The Village will receive \$6,375.95 for O & M and \$23,629.12 for capital apportionment. Both are slightly higher than last year.

Trustee Celentano reported on his conference with Highway Superintendent Nelson Cook about a possible change in the specifications for the Canal Street project. The Village can save approximate \$21,000 if Canal Street is constructed according to the newly adopted Village standards. The initial design called for a heavier duty substructure. Mr. Cook was in full agreement with the changes. On a related note, Mayor Wilson asked the Board for comments on making sure Canal Street is used for only local delivery and that the current truck route to places like Garlock and P.T. Freund be enforced. All were in agreement.

**Trustee Gunkler** is still waiting for quotes to come in for the walk in door and roof on the Fire Hall.

**Mayor Wilson** announced that the Village is soliciting citizen input regarding handicapped parking on Main Street. Public opinion will be taken into consideration for the reconstruction of Route 31 in 2001. The Mayor reported that police clerk, Sue Clemons will be returning to work next Monday following surgery a few weeks ago. He read a letter of commendation from Chief Dalton praising the efforts of her replacement, Patricia Burditt. Patty did an excellent job with limited training. Mayor Wilson extended gratitude on behalf of the Board as well.

## NEW/OLD BUSINESS:

**STATIONARY VENDORS:** Motion was made by Mayor Wilson, second by Trustee Celentano to adopt the following rules and regulations for stationary vendors for special events:

1. Shopkeepers in the commercial block on Main Street will have the first option of using their sidewalk space during pageant week.
2. Shopkeepers may choose not to have a vendor located on the sidewalk in front of their stores.
3. If two vendors request the same sidewalk location, the one with the earlier permit application date will get the space.
4. Shopkeepers may not sublet their space.
5. Applications for permits will not be accepted more than 45 days prior to the event for which they are requested. ( For July 2000, the first day an application may be accepted will be the day Local Law #1, 2000 goes on file with the State.)
6. Specifications for vendor booths are as follows:
  - a. Location: Booths will be placed against buildings. No vendors on William, Cuyler, Market or Fayette Streets nor with 20 feet of the intersections of Main and Cuyler and Main and William.
  - b. Size:
    1. Length – Tables may not extend any farther than width of store window. There must be access to the store.
    2. Depth – The vendor has an area 5 feet in depth, measured from the wall of the store. This area must include both the table and the vendor's working space behind it.
    3. Height – Table can be no more than 36" high. Boxes of merchandise must be kept under the table(s). There can be no permanent covering above the table.
  - c. Also prohibited: A-frame signs, hanging of items, clothesline attachments.
  - d. Hours of operation – 9:00 AM – 7:00 PM
  - e. Insurance – Each vendor must have a certificate of insurance with the Village of Palmyra as "additional insured ... as primary (not second) coverage" in the amount of \$300,000.

- f. Parking – There will be no vendor parking on Main Street except for loading and unloading. Vehicles must be moved for permanent parking.
- g. Vendor permit fee - \$50.00

Vote, 4 ayes. **CARRIED.**

**CANAL STREET UPDATE:** Mike Schaffron, LaBella Associates, gave a brief summary of the Village Board meeting on May 30<sup>th</sup>. Bids for the revitalization of Canal Street were received on 5/18/00. The Village has 45 days to review the bids and a contract must be awarded by July 2, 2000. The apparent low bidder was Villager Construction at \$1,086,088. The shortfall of \$197,000 was identified between the available budget and the construction budget. In order to bring the project within the budget basically three things must occur. First, it was decided that the scope of work in the project would have to be reduced including but not limited to the removal of the street light replacements on Division and Market Street as well as the milling and repaving of Market. Secondly, additional funds from the Capital Reserves from Water and Sewer will need to be obtained. And finally, the Mayor has requested that HUD transfer \$82,000 from the trail money into the Canal Street revitalization project. The Village is still committed to finishing the Trail but that project is still being studied and is not ready to move forward yet.

Therefore, the following resolution was offered by Mayor Wilson, second by Trustee Celentano:

**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 June 1, subject to Permissive Referendum as follows;

**BE IT RESOLVED** that a sum up to and not to exceed **THIRTY-TWO THOUSAND DOLLARS (\$32,000)** shall be expended from the Capital Reserve Water System Improvements HR3 for the purpose water improvements to the Canal Street Revitalization Project.

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: June 1, 2000  
Completion: July 2, 2000

Vote, 4 ayes. **CARRIED.**

Additionally, Mayor Wilson offered the following resolution, second by Trustee Celentano:

**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 June 1, subject to Permissive Referendum as follows;

**BE IT RESOLVED** that a sum up to and not to exceed **THIRTY-SIX THOUSAND DOLLARS (\$36,000)** shall be expended from the Capital Reserve Sewer System Improvements HR4 for the purpose sewer improvements to the Canal Street Revitalization Project.

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: June 1, 2000  
Completion: July 2, 2000  
Vote, 4 ayes. CARRIED.

**SEQR AND NEGATIVE DECLARATION-CANAL STREET:** The initial SEQR resolution regarding the intent to declare lead agency status and accepting the EAF for the Canal Street project was adopted by the Board at the May 4, 1998 meeting. Since then, SHPO has issued a determination of No Adverse Impact and the Village can conclude the SEQR process by issuing a Negative Declaration. Mayor Wilson moved the adoption of the following resolution; Trustee Gunkler seconded the motion:

**WHEREAS,**

1. In accordance with the New York State Environmental Quality Review regulations (SEQR), the Village Board of the Village of Palmyra announced its intent to serve as lead agency on May 3, 1998, to conduct an environmental review of the Canal Street Revitalization project. The project involves streetscape and related infrastructure improvements to enhance the character of the Canal Street area. These improvements include new pavement and curbs; sidewalks; water, sewer and drainage facilities; parking; lighting; plantings and signs.
2. The Village Board has determined that, as the Canal Street area is considered eligible for listing on the National Register of Historic Places, the action may be classified as a "Type I action" under SEQR.
3. The Village Board, in its capacity of lead agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
4. On May 4, 1998, the Village Board notified the Involved Agencies of its intention to act as Lead Agency for this project and circulated the full Environmental Assessment Form.
5. In a letter dated August 19, 1999, Richard Lord of the New York State Office of Parks, Recreation and Historic Preservation (ORPRHP) determined that the project would have "No Adverse Effect" on significant historic and cultural resources, subject to certain design conditions (see correspondence attached to Negative Declaration.) The Village will comply with SHPO's requirements.
6. The Village Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

**THEREFORE, BE IT RESOLVED,**

1. The Village Board declares that it will serve as lead agency for the Canal Street Revitalization project.
2. The Village Board declared that, based on the Environmental Record, which has been prepared, the project will result in no major impacts and therefore, will not cause significant damage to the environment. A negative Declaration under SEQR is therefore issued for this project.

Vote, 4 ayes. CARRIED.

**MASTER PLAN/LEAD AGENT:** Trustee Celentano resolved that the Village has no objection to the Town being declared as lead agency for the Master Plan for the Village and Town of Palmyra. Second was made by Trustee DeVogelaere. Vote, 4 ayes. CARRIED.

**MARINA PROJECT:** Mayor Wilson reported on a meeting between all the principles in the Marina Project. Bids for the Marina project were also all over budget. And just like the revitalization of Canal Street, in order to bring the project within the budget similar things must occur. The scope of work in the project will have to be reduced including but not limited to the elimination of the parking lot and the restroom/bath facility. These items will become part of a phase 2. Additional funds from the Capital Reserves from Water and Sewer will need to be obtained as well. The anticipated start date will be some time this fall.

The following resolution was offered by Mayor Wilson, second by Trustee DeVogelaere:

**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 June 1, subject to Permissive Referendum as follows;

**BE IT RESOLVED** that a sum up to and not to exceed FOURTEEN THOUSAND DOLLARS (\$14,000) shall be expended from the Capital Reserve Water System Improvements HR3 for the purpose water improvements to the Marina Project.

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: June 1, 2000

Completion: July 2, 2000

Vote, 4 ayes. **CARRIED.**

Additionally, Mayor Wilson offered the following resolution, second by Trustee Gunkler:

**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 June 1, subject to Permissive Referendum as follows;

**BE IT RESOLVED** that a sum up to and not to exceed THIRTY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500) shall be expended from the Capital Reserve Sewer System Improvements HR4 for the purpose sewer improvements to the Marina Project.

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: June 1, 2000

Completion: July 2, 2000

Vote, 4 ayes. **CARRIED.**

**RECESS:** Motion by Trustee Celentano, second by Trustee Gunkler, to take a five minute recess after which the Board would enter into executive session for a discussion on personnel. Vote, 4 ayes. CARRIED.

**ADJOURNMENT:** Motion to enter public session and then adjourn at 8:05 p.m. by Trustee DeVogelaere. Second was made by Trustee Gunkler. Vote, 4 ayes. CARRIED.

Respectfully submitted,

  
Alicia M. Lynch  
Village Clerk