

plan to install at 150 Watt high pressure sodium light on an existing pole and removing the light which is there now. One light at that location will be sufficient.

ROLLER FOR HIGHWAY DEPT.: Three prices were received for the roller replacement the lowest price from Keystone Builders for \$12,125. Trustee Wooden suggested that the Town and Village could go in halves on the roller and that Trustee Celentano should speak with Nelson Cook, Superintendent of Town Highway. Mayor Elliott noted the ramifications of sharing a piece of equipment. Ex. are where to keep the machine, insurance on the equipment, and who gets to use it if both need at the same time? Trustee Guest moved to table the decision on the purchase of a roller until next meeting Dec. 18th, 1995, and ask Trustee Celentano to check with the Town of Palmyra, seconded by Trustee Wooden, vote, 4 ayes, CARRIED.

FIRE CONTRACT WITH THE TOWN OF MANCHESTER: Trustee Drews moved to authorize Mayor Elliott to sign the three (3) year contract for fire protection with the Town of Manchester, seconded by Trustee Guest, vote, 4 ayes, CARRIED.

EXECUTIVE SESSION: Trustee Guest moved to go into exec. session at 9:06 p.m. seconded by Trustee Drews, vote, 4 AYES, CARRIED.

Motion out of exec. session at 9:40 by Trustee Guest seconded by Trustee Wooden, vote, 4 ayes, CARRIED.

EASEMENT : Motion by Trustee Wooden to authorize Mayor Elliott to sign the easement with Mr. Welch subject to the attorney's approval, seconded by Trustee Guest, vote, 4 ayes, CARRIED.

ADJOURNMENT: A motion to adjourn was made by Mayor Elliott 9:43 p.m. and seconded by Trustee Guest, vote, 4 ayes, CARRIED.

Respectfully submitted,

Bonnie J. Hays, Village Clerk

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Village of Palmyra Board of Trustees

Reg. Mtg.

December 18, 1995

7:30 pm

PRESENT: Mayor James G. Elliott, Trustees Frederick Celentano, Daniel E. Wooden, Kathleen C. Drews, and Ann F. Guest. Mr. John Zmarthie from the N.Y.S. Canal Development, resident, Erwin Porter, and former C.E.O. and Village Official Bruce Wideman.

CALL TO ORDER: Mayor Elliott opened the meeting at 7:30 p.m. with a moment of silence for Mr. Harold "Curly" Rodman a long-time business owner and resident of the Village who recently passed away. Also a moment of silence for Mrs. Joyce Meeker whose husband along with the Hyman's owned the old Creamery passed away late last week. "Curley" and Joyce will be greatly missed.

CITIZEN IRWIN PORTER: Mr. Porter noted he has lived on Carroll St. since 1964 and remembers the old canal bed being proclaimed forever wild. The State had wanted to dredge about 20 years ago, and were told no said Mr. Porter who also wondered why now and what was different to allow it today vs 20 years ago. Much discussion followed about the damming and area of the wetlands. Discussion was also lengthy about the boundaries of the Village property running through the edge of the bed or in the middle of the area. Mr. Porter noted the wild life consisting of blue herons, turtles, fish, and ducks which were living in that area.

Mr. Porter questioned the reason for not using the burn in back of Breen's Bells off Route 21 North which was built 20 years ago to hold the dredgings when the use of the old canal bed area was blocked. Mr. Zmarthie of NYS said he was not aware of the burn but thought the distance prevented the use of it.

MR. BRUCE WIDEMAN PREVIOUS AND VILLAGE CEO.: Mr. Wideman stated he had been in charge of the wetlands project approx. 20 years ago and worked with the CETA funds to clean up and keep the area in question forever wild. Mr. Wideman noted that 20 years ago the support against the state dumping area was overwhelming. The VB was very supportive along with about 60 - 70 active citizens who opposed the state's project and help clean up the area.

Federal money was used and the Army Corp. determined the State could not use the land for dumping stated Mr. Wideman. The wild life in the old canal area was to be protected. Mr. Wideman noted that the State was uncooperative 20 years ago and had already received a permit until the village residents got involved and alerted the Army Corp. of the wild life. Mr. Wideman emphasised his concern about keeping such a beautiful area looking natural and available to walkers and park visitors and to cherish this area as an asset which the VOP is fortunate to have. It was noted that the VOP owns to the toe of the slope on the east side. The dumping will fill in the slope. Mr. Wideman said he would pursue this and not return to Michigan

until it had worked on saving this. Mr. Wideman noted he recalled a public hearing and requested this information be looked for in the minutes of the VOP mtgs. Mr. Wideman asked if the State ever made a study of the impact of this type of project on the area? Mr. Zmarthie said the DEC and Corp. of Eng. repres. were at the site when it was checked out and had no problem with the site for dumping the sledge.

Mr. Wideman noted that a change in personnel makes all the difference. That is what changes the attitude from 20 years ago saying no to now saying ok. Mr. B. Raeman, Vill. eng. on project, noted that the DEC said the Corp. gave a permit to the State for this project. Mr. Wideman suggested that the people should be involved and a public hearing should happen.

Mr. Wideman noted that the attitude of the VB today vs that of 20 yeares ago seemed to have different feelings and asked if things changed so much. The VB should do everything to prevent this project from happening.

Trustee Wooden asked Mr. Zmarthie why the State needs a special permit to haul away dirt, referring to the dredging of Seneca Lake area near the Canal if it was okay to dump. Mr. Zmarthie said the DEC requires them to take the dirt away or have a burm.

Trustee Guest asked what the Canal Comm. would do if there was no permit. Mr. Zmarthie said the Canal would fight, but if the Army Corp said no then the State could not get a permit. When asked about what the canal did the last time the Army Corp. said no, Mr. Zmarthie said must have pumped to Breens burm. Mr. Zmarthie said the equipment was old and could not pump to Breens again.

Mr. Zmarthie noted the State had just unplugged the pipe and the water had gone done approx. 4'. B. Raeman presented a plan for the canal work as he understood it. Remove 12" lines and put in one 15" drain on the eastend. Trustee Wooden said he wanted to know how much land the State was going to fill in and that he would like to see written figures.

Irwin Porter asked about the dredging of the little cove where the dock is and noted that area was dredged by a company out of Syracuse. Mr. Zmarthie was not aware of this happening.

Mayor Elliott said that the State would probably prepare to dredge this summer and do the dredging next summer. The VOP areas need to be cleaned out and drained for the cleaning. There has been a lot of misc. items dumped there. Mr. Zmarthie suggested that the VB look at the Montour Falls sludge bed.

**CUYLER STREET CULVERT:** 80% of the design is complete. B. Raeman noted he is waiting for culvert prices. B. Raeman said that the Village is required to apply for a DEC permit and a SEQRA permit. Trustee Wooden asked if possible to engineer the entire street and do both the street refurbish and culvert at the same time. Mayor Elliott stated that the culvert needs to be done right now. B. Raeman noted he could engineer the culvert to be able to fit a new street.

Trustee Guest moved to authorize Mayor Elliott to sign the application for a permit for construction and SEQRA assessment, seconded by Trustee Wooden, vote, 5 ayes, **CARRIED.**

**MINUTES 12-4-95:** Trustee Wooden moved to accept the minutes of 12-4-95 as written, seconded by Trustee Drews, vote, 4 ayes, **CARRIED.**

**ABSTRACT #14:** Mayor Elliott moved to authorize the Village Treasurer to pay the vouchers No. 731 through 7 and additional vouchers prepared by the Treasurer at the end of the business day on Wednesday, seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

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ROLLER:

Trustee Celentano reported that the prices for the roller for the Village Highway had been received and that he had asked Nelson Cook for information on what roller the Village should purchase. The roller prices received were for a chain driven roller with one vibrator and Nelson Cook thought the Village should order a hydraulic drive roller with two (2) vibrators. This price would be approx. \$22,000 vs. the \$12,000 for the one the Village Highway had requested. Trustee Celentano said that the Town of Palmyra could not budget for sharing the cost of a roller until next year's budget which would be next fall. Whoever was closest with scheduled work would use the roller. The Village could pay the insurance premium since it wouldn't be very much and the Town could do the maintenance on the machine as a trade off. Mayor Elliott stated that Trustee Celentano should go to our (Village Highway Dept.) instead of going around them by asking Mr. Cook who is the Town Highway Superintendent. Trustee Celentano said that he was not going around the Village people on this. Trustee Celentano was just asking Mr. Cook because he was someone that knew more about this equipment.

FIRE DEPT. CONTRACT: Trustee Drews noted that the Village Board, Fire Dept. repres. and Town Board met to discuss the contract. The Village and Fire Dept. conceded and is accepting the \$47,000 price offered by the Town. However, the contract would be good for only one (1) year. The Fire Dept. sent a letter to the Town as follows:

Palmyra Fire Dept

Palmyra NY 14522

December 14 1995

If we say no, this is a lose lose situation. The people lose and we lose an acceptable margin of safety.

We only will accept this for the safety and concern for our families, neighbors and friends of the People of Palmyra provided.....

We want members of the Town Board's commitment to a 3 year contract, reflecting the amounts in the proposed 10 year plan, which was compiled at your request.

Trustee Celentano made a motion to accept the one (1) year contract for fire protection with the Town of Palmyra and authorize Mayor Elliott to sign said contract. A new contract will be made after one (1) year, seconded by Trustee Drews, vote, 5 ayes, CARRIED.

PUMP FOR TOWN WATER:

Trustee Wooden reported that the Village was waiting for the Dept. of Health was approving the pump.

EXECUTIVE SESSION: Trustee Guest moved to go into exec. session at 9:40 p.m. for matters of contract negotiations for a water line at WELCHS', seconded by Trustee Celentano, vote, 5 ayes, CARRIED.

Mayor Elliott made a motion out of Exec. Session at 9:54 p.m. seconded by Trustee Guest, vote, 5 ayes, CARRIED.

AGREEMENT WITH WATER LINE TO WELCHS': Trustee Wooden moved to authorize Mayor Elliott upon approval by the Village attorney to sign the agreement between the Village of Palmyra and James T. Welch, seconded by Trustee Celentano, vote, CARRIED. 5 ayes.

ADJOURNMENT: Motion to adjourn by Mayor Elliott at 9:58 p.m., seconded by Trustee Wooden, vote, 5 ayes, CARRIED.

Respectfully submitted,

Bonnie J. Hays  
Village of Palmyra