

VILLAGE OF PALMYRA BOARD OF TRUSTEES  
Regular Meeting      November 3, 1997      6:30 P.M.

**PRESENT:** Mayor Wilson, Trustees Gunkler, Celentano, Guest and Salomon, Atty. John Nesbitt.

**CALL TO ORDER:** Mayor Wilson called the meeting to order at 6:35 pm. The official Village newspaper was notified of the Executive Session on Saturday November 1, 1997.

**PLEDGE OF ALLEGIANCE**

**EXECUTIVE SESSION:** Motion by Mayor Wilson, second by Trustee Guest at 6:36 to proceed directly into executive session for the purpose of discussing litigation against the Village and Chief Dalton.  
Vote, 5 ayes. CARRIED.

Motion to adjourn Executive Session and move back into public forum at 6: 50 p.m. by Mayor Wilson, second by Trustee Guest. Vote 5 ayes. CARRIED.

**SETTLEMENT:** Motion by Mayor Wilson to accept the statement regarding recent litigation and make available to public. Second by Trustee Guest  
Vote, 5 ayes. CARRIED.

Motion to adjourn for a ten minute recess at 6:51 by Mayor Wilson, second by Trustee Celentano. Vote, 5 ayes. CARRIED.  
Meeting reconvened at 7:00 p.m.

**MINUTES:** Motion to approve the minutes form the October 20th meeting by Trustee Guest , second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

**ABSTRACT:** Motion by Trustee Gunkler to approve Abstract #8 for vouchers 493-#590 (voucher #492 void) and voucher #491 of 10/16/97 for postage for a total of \$142,447.51. Second by Trustee Guest. Vote, 5 ayes. CARRIED.

**CORRESPONDENCE & ANNOUNCEMENTS:** The following correspondence has been received and is on file in the Village Clerk's office:

1. Memo from PCC director, Keith LoPresto regarding bids for the community newsletter.
2. There will be a joint meeting of the Town and Village Board on Thursday, November 13, 1997 for the purpose of allowing public comment on the proposed Master Plan. Meeting will start at 7:00 pm at the Fire Hall. This will replace the regular Board meeting of the 17th.
3. The final drawings for the Marina project from APD are in house and have also been forwarded to DEC, the NYS Thruway Authority and the Army Corp. of Engineers.

**TRUSTEE REPORTS:** Trustee Celentano reported that leaf pickup has begun and will continue to the snow flies.

Trustee Guest reported that the visit with Santa will take place the 2nd Sunday in December which is the 14th at 2:00 p.m. at the Park & Club Rooms.

Trustee Gunkler - no report.

Trustee Salomon reported that there was a water main break on West Foster Street which took out water service for about 3 hours to several residents in the neighborhood. We also had a break on the forced sewer main line in the vicinity of "Extensions" on West Main. It has been temporarily repaired. This spring we will have to go in and repair the foundation under it. Settling has occurred because of the drainage project. The Finns have some problems to resolve with their builder in order

to tie into the Village sewer system. Trustee Salomon proposed that monies taken in for new water or sewer services be put into a dedicated account in order to pay invoices related to the costs of installing these new services.

**TRANSFERS:** Motion by Trustee Salomon to transfer \$500.00 from F1990.4 Water Fund Contingency to F8330.410 - New Service Connection account and \$500.00 from G1990.4 Sewer Fund Contingency to G8130.410 - New Service Connection account in order to pay existing invoices. Second by Trustee Gunkler. Vote, 5 ayes.

**MAYORS REPORT:** The Federal Budget has been received and is on file in the Village Clerk's office. The Boy Scouts of America, Finger Lakes Council, Iroquois District sent a thank you to Officer Dalton and Sargent Showman for their efforts with the Camporee. The Mayo vs. Village of Palmyra and Chief Dalton has been settled and the following release is available from the Village Clerk.

**FOR PUBLIC RELEASE:** On Saturday, November 1, 1997, the Village Board of the Village of Palmyra approved payment of \$50,000 as contribution to the \$500,000 settlement of the litigation pending in Federal District Court brought by Jacob Mayo against the Village and its Chief of Police. The Village's insurance company will pay the balance of \$450,000. This settlement will conclude and resolve all claims the plaintiff in that litigation has or may have against the Village or any of its officers and employees. The settlement has been approved by all parties and recommended by the Honorable Michael A. Telesca, the United State District Judge assigned to the case.

This participation by the Village in resolving this litigation concludes the matter by eliminating the need for, and the uncertain results of further proceedings. It was the opinion of the Village Board, after review of various scenario that could result from further litigation, this financial participation at this juncture was the most economical option available to the Village. Further, the Village Board felt that such participation was consistent with its policy of supporting its employees, such support justified by the Village Board's view of the facts of the case.

To finance this settlement contribution, the Village will include the \$50,000 in its current bonding plans. The Board will continue to reduce the cost of planned capital projects, involving infrastructure and equipment, to offset this unexpected expense, similar to cost savings realized in the north parking lot project. The Village will study whether development of specific policies and procedures are appropriate for future cases.

**ECONOMIC DEVELOPMENT COMMITTEE:** Resident Irene Unterborn with the EDC reported to the Village Board that the committee would like permission to initiate a street sign design contest. The Village streets signs are not uniform and in some cases are missing altogether. Historic Palmyra has expressed an interest in supplying the prizes for the contest. Judges will probably be Mark Vande, Steve Cleason someone from Historic Palmyra, an EDC member and Trustee Celentano. Specifics of the contest were discussed briefly and an entry form was reviewed. Entry forms will be available at local merchants. There will be no costs involved in putting on the contest. Motion by Trustee Guest to approve the street sign design contest, second by Trustee Celentano. Vote, 5 ayes. CARRIED.

**BOB RAEMAN:** Engineer Bob Raeman reported on several projects. The North Main Street project came in under projected cost estimates. The curbing and expansion have been completed and the paving of the lower portion should be completed in two days. The storm sewers have also been installed. The project should be totally completed in about two weeks.

Jackson Street- Sneidze Associates are working on the plans for Jackson Street. Renovation will include new granite curbing, sidewalks that need it, all water services up to the property lines and the storm sewers. The sanitary sewers appear to be in good condition. Plans will address the street width, as it varies considerably now. Tree removal will be discussed with Roger and NYSEG will be notified in case they want to put anything underground at that time. The preliminary plans should be ready in a

couple of weeks. They will provide us a copy to keep on file at Village Hall. We will need to advertise a public information meeting for the second board meeting in December. Total projected costs for this project is \$576,000.

Water main replacement will take place on Jackson, Hyde Parkway and West Foster St. This will drastically improve the water flows in the area. Projected costs for this project is \$224,000. Both projects should be underway by April with anticipated completion of July.

Talks have taken place with the Town of Palmyra, Town of Manchester and Wayne County Water Authority regarding water sales. The Town of Manchester has extended its service and they will be able to supply Route 21S and Stafford with better flows for the Town of Palmyra. They would like the Village to give up this area in lieu of selling more water to the Town of Palmyra in the Eastern District. Plans include the building of a new water tank north of the canal by the TOP which the Village will supply. The pumps will be enlarged at the Eastside Booster Station. The water tank would be service in the evening during off peak hours and it would feed that district during the day. They will use as much water as we have sold in the past to the Stafford Road and Route 21S. Trustee Salomon reminded Mr. Raeman that the Village will need to make sure that the tank is ready to service before we give up revenue from the other districts.

The Town has approached the Village about treating the sewage from the new line which is proposed to go out to the new Visitor's Center at the Joseph Smith Farm on Stafford. These talks are ongoing.

**FISCAL YEAR & ELECTION DATES:** Changing the dates for both of these items is still being considered and will be discussed at future meetings. Mayor Wilson reminded the Board to review the material provided by Roy McMaster.

**CANAL INITIATIVE PROJECTS:** Discussion took place on which streets or parts of streets were to be part of the Canal Grant. Motion by Trustee Celentano, second by Trustee Guest to request that the Wayne County Planning Board solicit bids for the concept design and engineering of Canal (Division to Main), Franklin, Clinton and Market with costs broken down street by street. Vote, 5 ayes. CARRIED.

**HUD COMMITTEE ANNOUNCEMENT:** Mayor Wilson moved to accept the following people to serve on the HUD Loan Committee:

Rusty Williams from Ontario National Bank

Cheryl Burgess from Marine Midland

John Baynes, resident

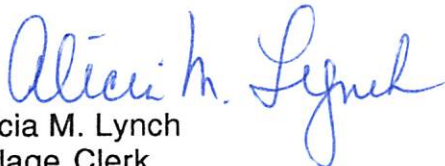
Peter Wilson and one member to be named from the EDC.

Second by Trustee Gunkler. Discussion: Trustee Guest felt the Mayor would have a conflict of interest but the Mayor disagreed and called the question. Vote, 4 ayes. Trustee Guest, nay. 4,1. CARRIED.

**PUBLIC COMMENTS:** Trisha Lynn asked if the Environmental Impact statement has been completed for the Marina. The Mayor reported that it has been completed and forwarded to the interested parties.

Motion to adjourn at 9:15 p.m. by Trustee Guest, second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

Respectfully submitted,



Alicia M. Lynch  
Village Clerk