

**VILLAGE OF PALMYRA
BOARD OF TRUSTEES
August 6, 2007 7:00pm**

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Mayor Daly, Trustees Hopkins, Husk, Palmer, and Piccola, and Attorney Williams.

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

APPROVAL OF MINUTES: Motion was made by Trustee Hopkins, seconded by Trustee Palmer to approve the minutes from July 2, 2007 meeting as submitted. Vote, 4 ayes. CARRIED.

FIRE DEPARTMENT MEMBERSHIP APPLICATIONS: Reporting for the Fire Department, Trustee Palmer moved to accept Wayne Eidman (Fire Police only), Wayne Henning, (Fire Police only) James Nichols (Ambulance only), Matt Stenshorn, Lucas Shulla, Tim Lamb, Howard Wilson, Richard Gardner, and Shannin Green for membership into the Fire Department following completion of the appropriate training and a satisfactory physical examination. Seconded by Trustee Hopkins. Vote, 4 ayes. CARRIED.

APPROVAL OF ABSTRACT #2: Motion was made by Trustee Palmer, second by Trustee Piccola to approve vouchers #97 dated 6/25 for \$33,054.00 (FEMA Grant expenditures) Vote, 4 ayes. CARRIED.

Motion was made by Trustee Hopkins, second by Trustee Palmer to approve vouchers #98-148 dated 7/6 for \$60,071.48. Vote, 4 ayes. CARRIED.

Motion was made by Trustee Piccola, second by Trustee Husk to approve vouchers #149-209 dated 7/26 for 74,918.58 Vote, 4 ayes. CARRIED.

Abstract #2 Total \$168,044.06

CORRESPONDENCE/ANNOUNCEMENTS/INFORMATION:

- Budget reports have been distributed to dept. heads and VB.
- Received notification from NYS retirement system of cost est. increase since Jan.

TRUSTEE REPORTS:

Trustee Hopkins submitted a list of surplus items from 221 Park Drive and reported on marina circulating pump quotes. He still has not received answers for his code questions regarding electric for the pumps. Motion was made by Trustee Piccola to approve up to \$1000.00 for pumps, seconded by Trustee Hopkins. The motion died; no need for a vote, already a budget line item.

Trustee Husk no report.

Trustee Palmer reported that painting has begun at the Firehall.

Trustee Piccola reported that brush pick up has been delayed by the water service breaks on Johnson and E. Foster. A written report was provided by Highway Superintendent and will be on file in the Clerk's office.

Attorney Williams no report.

Mayor Daly provided her usual written report and told the Board that there are two new businesses in the village; Village Bookmarket which is replacing Kavanaghs, and Family First Chiropractor, Tonya DeCann.

NEW/OLD BUSINESS:

SKATEBOARD COMMITTEE: Jackie Shaffer and Cheryl Ladelfa from the skateboard committee reported and submitted handouts detailing a couple of different options for a roller/skate park.

Option #1 \$83,500 - \$88,500 (inc. paid staffing) 10 pieces of equipment
Option #2 \$60,500 - \$65,500 " 8 pieces of equipment

The range in cost was dependent upon the location chosen. Possible locations were discussed. There is plenty of room in both the Vienna St. cemetery park and the E. Main Street park.

Mayor Daly shared our insurance carriers underwriting requirements. The following would be unacceptable exposures:

1. Roller hockey
2. Competitions
3. Lack of Supervision
4. No verification system that waivers are on file for participants
5. Facility not fenced.
6. Park and equipment are not secured at night.
7. No separation between the skating area and the sidewalks, rest area.

The additional amount to our yearly premium would be \$1000.00 and if all conditions are met there is still no guarantee that Selective would insure it.

Jackie Shaffer offered several alternatives to a Village-paid part-time staff such as charging families a usage fee or staffing with parent volunteers but as it stands now their proposal called for the Village to pay for the supervision. Initially, for the first two years, they are hoping to pay for the supervision through a grant.

The Skateboard Committee is willing to raise the money to cover all expenses for the Park but feel that they can't move forward until the Board lets them know that the Village supports it and where it could be located. They will submit grant applications as well but can not follow through with them until they have a commitment from the Village.

Chief Dalton feels if there is adult supervision during the hours that the park is open there shouldn't be any problems. If someone is caught inside the park outside of regular operating hours they could be issued a ticket for trespassing.

The Village Board would like to see more concrete plans, and the supervision issues addressed more strongly, as well as the safety issues. Attorney Williams advised the Board that they could approve the park on a conceptual basis but there are too many variables to give an outright definitive approval to move ahead. Trustee Piccola motioned to approval the concept of a Skate Park in the Village Park on East Main Street, pending the Skateboard Committee getting funding to handle all expenses other than insurance. The motion was seconded by Trustee Husk. Vote 4 ayes, CARRIED.

NATIONAL MAIN STREET PROGRAM: Mayor Daly presented the following resolution; Trustee Palmer motioned to approve:

Whereas, the Western Erie Canal Alliance, in partnership with Landmark Society of Western New York, has received a grant for \$192,000 requiring a match of \$48,000 to develop a regional Main Street program within the Western Erie Canal Heritage Corridor with focus on Wayne, Orleans, and Niagara County Villages; and

Whereas, Wayne County's five canal- Macedon, Palmyra, Newark, Lyons, and Clyde -- Villages will be able to participate in the program with support from a full-time Main Street Coordinator and consultants through the National Main Street program for two years; and

Whereas, a total of three villages in the three counties will receive focused attention and be used as models for other canal corridor communities; and

Whereas, the goal of the program is downtown business development; be it hereby resolved, that the Wayne County IDA will provide \$3000.00 (three thousand dollars)-- to assist with the match for this program, contingent upon the Wayne County canal villages providing an additional twelve hundred fifty dollars - \$1250- in total to assist in developing a National Main Street Program and upon the participation, either through in-kind or cash, from Orleans and Niagara Counties, through municipal or private entities; and be it further

Resolved, that the Wayne County IDA will provide \$2,000.00 (two thousand dollars)- -- to assist in matching a National Erie Canalways grant to WECA for Hospitality and Interpretation training, that the space for the training day in Wayne County will be donated by Historic Palmyra, Inc. and the training will be held at the Alling Coverlet Museum in Palmyra, and that the Wayne County Tourism Department will assist with organizing and promoting the event at no additional costs; and that the IDA participation is contingent upon a nominal charge (if allowed under the grant

contract) being charged to individual attendees and a financial or in-kind participation be shown by other counties participating in training days.

Seconded by Trustee Hopkins. Vote, 5 ayes. CARRIED. The funds will come from Economic Development.

CANAL/HATHAWAY STREETS: Bob Raeman, Sniedze Associates, explained the problems regarding water drainage on Hathaway Street. The contractor paved the street leaving no curb reveal in the driveway at 126 East Charlotte. This location was a known problem area prior to paving and the contractor was informed of this from the beginning. There are also other driveway cuts with little or no reveal on the curb but these driveways still have a positive pitch and drainage should not present a problem for them.

This may not cause any problems for the next twenty years at which time Hathaway may require repaving. At that point, the asphalt on Hathaway may need to be milled to provide the desired curb reveal.

The following are three options available to the Village:

1. The Contractor could remove a section of asphalt top course parallel to the curb cut and lower the asphalt to achieve the 3/4" reveal to keep run-off on Hathaway and install a channel drain along the street side of the sidewalk to intercept run-off that may exceed the curb height.
2. The Contractor could mill and repave the entire length of the street.
3. In accordance with the contract documents, General Conditions, Page 37 Paragraph 13.13. Acceptance of Defective Work, the Village may accept work in exchange for a decrease in the Contract Price by issuing a Change Order. (Copy of Page 37 was provided.)

Mr. Raeman has met with the contractor on site and the contractor is willing to give the Village the channel drain at 126 E. Charlotte and a \$1500 credit which can be used for future milling costs. Mr. Raeman feels that outside of this particular problem that the paving was a good job and this would be a fair solution.

The grass restoration was discussed. Mr. Raeman said the street will need to be reseeded in the fall. Another resident felt that the manhole covers need a ring to bring them to grade. He notices it especially when riding his motorcycle. Mr. Raemen will check it out.

Motion was made by Trustee Piccola, second by Trustee Hopkins to approve option number #1 for a channel drain, and a \$1500 credit . Vote 4 ayes, CARRIED.

STAFFORD STREET SIDEWALKS: Superintendent Boesel provided a report on the Stafford Street sidewalk project and documentation of the request for quotes from four contractors. Only two bids were received; local contractor Brad Jacobs being the low bidder. The Village will perform all site work and asphalt/lawn restorations, as well as pay for all materials (reinforcement steel rebar, stone and concrete). There were two options for bidding. Option A was for the entire project, Claremont to Foster or 1130 linear feet and Option B was for sidewalks from Claremont to PCC driveway only; 645 linear feet. Trustee Piccola motioned to award the contract to Brad Jacobs for Option A for \$16,940.00, seconded by Trustee Hopkins. Vote, 4 ayes. CARRIED. The first \$15,000 of the project costs will come from the member item grant from Assemblyman Oaks. The project should be completed this fall.

LDS / PAGEANT TENT: Mayor Daly received a letter regarding the tent erected annually behind the Grandin Building in the North Main St. parking lot. Motion was made by Trustee Piccola, seconded by Trustee Hopkins to require written request for permission to erect the tent and require repair of the parking lot which will be inspected by Village annually. Vote, 4 ayes. CARRIED.

CONTINGENCY TRANSFERS: After a discussion about transferring from contingency and/or revising beginning fund balance, motion was made Trustee Palmer, second by Trustee Piccola, to approve the following contingency transfers:

From A1990.9 Contingency to A1210.4 Mayor Contractual	\$ 500.00
From A1990.9 Contingency to A1110.4 Justice Contractual	973.22
From A1990.0 Contingency to A5110.4 Street Maint. Contractual	<u>24,700.00</u>
Total	\$26,173.22

Vote 4 ayes, CARRIED. These funds were supposed to have been encumbered but the clerk treasurer discovered that encumbrances can not be posted after the year end roll has been done.

JAKE BRAKES: Discussion postponed until September meeting.

NUISANCE ORDINANCE: According to Sgt. Showman, the property at 425 East Main Street has accumulated 18 points in violations of the nuisance abatement ordinance. After discussion, motion was made by Trustee Palmer, second by Trustee Husk to authorize Attorney Williams to proceed. Vote 4 ayes. CARRIED.

SURVEILLANCE SYSTEM: Discussion took place regarding expansion of the surveillance system to include the mural wall on Market Street. The approximate cost would be \$800 and some costs may be reimbursable through the balance left in the Burm grant. We would probably need an agreement with Historic Palmyra, Inc. to install the equipment on their property and use of their electric. Attorney Williams said we would have to have a license agreement or a formal easement. Mayor Daly suggested covering costs through the Economic Development funds if the Board approves. The Board would like quotes for leasing the equipment. Further discussion was tabled until more information is available.

2008 SMALL CITIES GRANTS: Board discussed applying for funds available through this round of the 2008 Small Cities. The Board decided not to move forward at this time, the Village has enough irons in the fire right now. Highway Supt. Boesel updated the Board on the grants for shared services, which are not available yet.

FAIRGROUND CAMPING: The Village Board received a resident complaint regarding camping on the fairgrounds. According to the minutes of May 17, 1993 and thereafter for a period of about four years, the Village received a request from the Fair Association to allow camping at the fairgrounds. The neighbors were contacted and a survey was taken that indicated no one was against the camping. It appears the fairgrounds were inspected and given permission by the State for the camping, although the Village has no record of this inspection. Code Enforcement Officer Bob Grier questioned whether the property should probably be re-zoned. Attorney Williams will look into the Village Code and further discussion was tabled until he reports back.

RESIDENT CANTO/WATER SERVICE: Mr. Canto of 210 E. Foster St. addressed the Board regarding the specification of using strictly copper for water services in the Village. Mr. Canto requested that the Board re-study these specifications in the Village code. Motion was made by Trustee Piccola, second by Trustee Husk to change this specification to include the use of other materials and the specifications of such, to be written by Superintendent Boesel and Mr. Raeman. Vote 4 ayes, CARRIED. Mr. Canto was given permission to proceed with his water service replacement using PVC and a tracer/ground wires, following the specifications that Boesel and Raeman will submit, before the September Board meeting.

EXECUTIVE SESSION: Motion was made by Trustee Husk, second was made by Trustee Hopkins to enter executive session at 9:00 p.m. for discussion of personnel and a contractual matter. Vote, 4 ayes. CARRIED.

Trustee Hopkins was excused from executive session at 9:35 p.m.

Motion by Trustee Piccola, seconded by Trustee Palmer to re-enter public session with no action taken place at 9:46 p.m. Vote, 3 ayes. CARRIED.

WATER BILL FEE: Motion by Trustee Palmer, seconded by Trustee Husk to waive fee for water charges at 124 West Main Street due to discrepancy between inside and outside water meters. Vote, 3 ayes. CARRIED.

HEALTH REIMBURSEMENT: Motion by Trustee Palmer, seconded by Trustee Husk to approve payment of the yearly \$500 health reimbursement benefit as per contract

directly to Sherman Yates contingent upon further investigation by Attorney Williams.
Vote, 3 ayes. CARRIED.

ADJOURNMENT: Motion to adjourn at 10:02 p.m. made by Trustee Piccola, seconded
by Trustee Husk. Vote, 3 ayes. CARRIED.

Respectfully Submitted,

Heidi Jarvis
Deputy Clerk