

**VILLAGE OF PALMYRA BOARD OF TRUSTEES  
REGULAR MEETING**

September 4, 2001                      6:30 p.m.

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

**PRESENT:** Mayor Gunkler, Trustees DeVogelaere, Salomon, and Celentano, Attorney Arthur Williams.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** Motion by Trustee Celentano, second by Trustee DeVogelaere to approve the minutes from August 2 and 28, 2001 as submitted. Vote, 4 ayes. CARRIED.

**CORRESPONDENCE/ANNOUNCEMENTS:** The following correspondence has been received and is on file at the office of the Village Clerk:

1. NYS Canal Corporation - survey results on Canal usage.

**TRUSTEE REPORTS:** Trustee Celentano - no report.

Trustee Salomon reported that NYS Department of Health will be inspecting the water treatment plant on September 13<sup>th</sup>.

Sniedze Associates met with NYS Department of Conservation on August 23 to review the plans for the proposed sewage treatment plant project. The minutes from this meeting are on file for public review at Village Hall.

The Division Street water main replacement work should begin sometime next week.

Trustee DeVogelaere reported that Superintendent Weaver and crew were able to clean up 99% of the vandalism (orange spray-painted graffiti) at the Marina. The crew is back on a full schedule for mowing now that the grass is back. Mowing will also be done at the Marina. Trustee Salomon asked if Superintendent Weaver has had a chance to do anything with the bridge abutment on Canandaigua Street at Brookside. Hwy. Superintendent Cook was going to take a look at it first. Trustee Celentano agreed to touch base with Mr. Cook.

Mayor Gunkler reported that the manifolds to the generator at the Fire Hall burned out during the heat wave the week of August 13. It has been discovered that there have always been some design flaws with the power relays and the absence of ventilation to the generator room. Quotes are being obtained for the work.

Attorney Williams -no report.

Before moving on to new business, Clerk Lynch asked Trustee Salomon if the water advisory could be lifted. He reported that ST has advised him that it can, indeed, be lifted.

**NEW/OLD BUSINESS:** Kathleen Skinner, Canalside Rentals, reported to the Board that her company will not be locating at Aqueduct Park as they previously had planned. They would like Board support for locating at the Marina. The Canal Corporation needs to see a letter of Board support before they issue final approval. Mrs. Skinner said that the plan now is to locate their dock directly into the Canal on the east side of the Marina entrance. They would like to be in place and operating by Canal Town Days. Trustee Celentano asked several questions regarding the structure that would be erected. Mrs. Skinner said she would get pictures to the Board as soon as possible. Attorney Williams answered some insurance questions and agreed to review the binder. Motion was made by Trustee DeVogelaere to sanction Canalside Rentals' operation at the Marina pending attorney approval of CR's insurance policy. Second was made by Trustee Celentano. Vote, 4 ayes. CARRIED.

**PUBLIC HEALTH OFFICER:** Dr. Malcom Riggs has agreed to take on the position of public health officer for the Village taking Dr. Patel's place. He will be located in the old Town Hall. Mayor Gunkler moved to name Dr. Malcolm Riggs to the position of public health officer. Seconded by Trustee Celentano. Trustee Salomon would like to

meet the doctor first. Motion by Mayor Gunkler, second by Trustee Celentano to table the appointment until the doctor can meet with the Board. Vote, 4 ayes. CARRIED.

**VICKY DALY-PROCEDURES/EXECUTIVE SESSIONS:** According to Vicky Daly, at the August 2<sup>nd</sup> Village Board meeting, the Board never declared that they were back in public session after executive session before heading to the Marina for a tour. Mayor Gunkler thanked Mrs. Daly for bringing that to the Board's attention.

**CANAL STREET CURB CUTS/VANSCOTT BUILDERS:** The Board discussed a letter from VanScott Builders about the curb cuts in front of their building on Canal Street. According to Paul VanScott, they requested a curb cut across the entire width of their property at allow large truck deliveries. The project engineer indicated that would not be possible but a double-wide driveway could be accommodated. However, tractor-trailer trucks can not access the shop without going over the curbs. Mayor Gunkler reported that he spoke with Mr. VanScott and LaBella Associates that afternoon. Mr. VanScott agreed to enter into an agreement to have his delivery trucks enter through the Marina parking lot. Trustee Salomon inquired who would maintain the right of way in the winter months. The highway department does use that area for "snow storage", perhaps they will be plowing up to VanScott's driveway anyway. Mayor Gunkler thought this should be addressed in the agreement. Trustee Salomon moved that Attorney Williams create an agreement that would allow access to VanScott Builders through the Marina parking lot for deliveries as discussed. Second by Trustee Celentano. Vote: 4 ayes. CARRIED.

**APD BILLING:** APD Engineering feels they have done quite a bit of extra work outside of the contract due to ESM being in default, ie. preparing reports for Brown Associates. Motion was made by Trustee Celentano, second by Trustee DeVogelaere, to transfer \$501.75 from A1990.4 Contingency into A9950.0 Transfer to Capital Projects for transfer to H14 Marina to pay the invoice from APD Engineering. *Discussion:* Trustee Salomon felt that the work does not fall outside the contract and the invoice should not be paid. Vote, 3 ayes, 1 nay (Trustee Salomon). CARRIED.

**241 EAST MAIN STREET:** Patrick Nicoletta, with MRB Group, the engineering firm hired to handle the demolition of 241 East Main Street, has issued a notice of non-conformance to USA Remediation for failure to come back and put an end cap on the neighboring building as outlined in Change Order #2. On advise from Attorney Williams, motion by Mayor Gunkler, second by Trustee Celentano to declare USA Remediation in default of the terms of their contract. Vote, 4 ayes. CARRIED.

**NEW TRUSTEE:** Mayor Gunkler appointed Chris Piccola to the vacant Board seat. Motion was made by Trustee Celentano, second by Trustee DeVogelaere to confirm the Mayor's appointment. Vote, 3 ayes, 1 abstain. CARRIED.

**ADJOURNMENT:** Motion to adjourn at 7:10 p.m. by Trustee Celentano, second by Trustee DeVogelaere. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Village Clerk