

VILLAGE OF PALMYRA BOARD OF TRUSTEES

Regular Meeting

March 21, 1994

7:00 p.m.

**PRESENT:** Mayor James G. Elliott, Trustee C. D. Gilmore arriving at 7:06 p.m., Trustee Kathleen C. Drews, with Trustee Daniel E. Wooden arriving at 7:10 p.m. Deputy Mayor Thomas N. Lynch arriving at 8:00 p.m. Attorney John Nesbitt arriving at 7:50 p.m.

**CALL TO ORDER:** Mayor James G. Elliott called the meeting to order at 7:00 p.m. with himself and Trustee Drews as the only VB members present. Trustee Gilmore made a quorum at 7:06 p.m. Mayor Elliott welcomed the Boy Scouts of Troop 66 and their leader Sue Blanchard who are working on a citizenship badge.

**CITIZEN RON VAN HOUT;** Sold the lot on East Foster St. and asked about a water main down the street. The purchaser of VanHout's land is inquiring. Mr. VanHout noted that Morrison's Excavation has been called and that he has spoken to previous W/WW Super. H. Kruger. Mayor Elliott noted that there was not a specific line item in the budget, however, this year there is money there but not a specific line item. The VOP needs to retain an engineer to determine the procedure and drawings and a public hearing would have to be held probably sometime in June or July 1994.

Mr. VanHout inquired about a ticket he received while unloading doors and equipment for a job and parking illegally. VanHout noted that the \$5 amount was not the issue, however, the principle was the issue. Chief Dalton told Mr. VanHout to see the Judge, plead innocent on March 26th and whatever the Judge determined would be way it would be. Mr. VanHout noted that some delivery trucks ex. Coke parked their and blocked in parked cars sometimes for 20 minutes.

**MINUTES:** Trustee Wooden moved to approve the minutes of the regular meeting dated March 7, 1994, and budget meeting March 10, 1994, seconded by Trustee Drews, vote, 4 ayes, **CARRIED.**

**ENVIRONMENTAL IMPACT STATEMENT:** This statement is for the engineered proposed drainage project on the West end of the VOP. Trustee Gilmore moved to accept the Environmental Impact Statement which is declared a statement of negative impact and accept the engineer's Short Environmental Assessment Form and to authorize Mayor Elliott to sign said statement seconded by Trustee Wooden, vote, 4 ayes, **carried.**

**BUDGET HEARING:** Mayor Elliott moved to have a budget hearing on Monday, April 4, 1994, at 7:30 p.m. at a regular meeting of the VB seconded by Trustee Wooden, vote, 4 ayes, **CARRIED.**

**BOND RESOLUTION:** Mayor Elliott read the bond resolution concerning the drainage project.

A motion was made to authorize the Bond Resolution needing a permissive referendum, and publishing and posting the permissive referendum notices by Trustee C. D. Gilmore and seconded by Trustee D. Wooden, vote, Mayor Elliott, aye, Trustee Wooden, aye, Trustee Drews, aye, Trustee Gilmore, aye. **CARRIED UNANIMOUSLY.**

**BOND RESOLUTION DATED MARCH 21, 1994.**

**A RESOLUTION AUTHORIZING THE CONSTRUCTION OF ADDITIONS TO AND THE RECONSTRUCTION OF PORTIONS OF THE STORM WATER DRAINAGE SYSTEM IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$150,000, and authorizing the issuance of \$150,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.**

BE IT RESOLVED, by the Board of Trustees of the Village of Palmyra, Wayne County, New York, as follows:

**Section 1.** The construction of additions to and the reconstruction of portions of the storm water drainage system in and for the Village of Palmyra, Wayne County, New York, including land or rights in land, and original furnishing, equipment, machinery and apparatus therefore, is hereby authorized at a maximum estimated cost of \$150,000.

**Section 2.** SEQR DETERMINATION: Based upon a Short Environmental Assessment Form filed in the Village Clerk's Office, it has been determined that the aforesaid purpose constitutes an Unlisted Action under the SEQR Regulations of the State of New York which will not have a significant impact upon the environment.

**Section 3.** The plan for the financing of such maximum estimated cost is by the issuance of \$150,000 serial bonds of said Village, hereby authorized to be issued therefore pursuant to the Local Finance Law.

**Section 4.** It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of said bonds will exceeds five years that, in accordance with the provisions of Chapter 413 of the Laws of 1991, no down payment is required in connection therewith.

**Section 5.** The faith and credit of said Village of Palmyra, Wayne County, New York, are hereby irrevocably pledged for the payment of the principal of an interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

**Section 6.** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

**Section 7.** All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same also including the consolidation with other issues, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

**Section 8.** The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced with twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

**Section 9.** This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

**Section 10.** Upon this resolution taking effect, the same shall be published in summary or in full in the Courier Journal, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Section 11.** This resolution is adopted subject to permissive referendum.

**LOCAL LAW #1, 1994 - C-1 First Floor Apt. Restri.:** Mayor Elliott moved to have a public hearing on Monday, April 4, 1994, at 7:45 p.m. during a regular VB meeting for LL#1, 1994, seconded by Trustee Gilmore, vote, 4 ayes, **CARRIED.**

**ABSTRACT #20:** Mayor Elliott moved to pay all vouchers in abstract #20 including voucher nos. 1038 through 1091 totalling \$41,641.28, seconded by Trustee Gilmore, vote, 4 ayes, **CARRIED.**

**BUDGET TRANSFERS:** Mayor Elliott made a resolution to transfer \$60,000 from the prior year's fund balance for transfer to Capital Reserve Sewer Fund: actual posting entry will be G9901.9/0599/G960 Motion seconded by Trustee Drews, vote, 4 ayes, **CARRIED.**

Mayor Elliott made a motion to approve the following budget transfers for over extended budget items, seconded by Trustee Wooden, vote, 4 ayes, **CARRIED.**  
Transfers listed as follows:

<u>Amount</u>	<u>FROM</u>	<u>TO</u>
\$400	G1990.4	G1680.4
\$5000	G9010.8	G1910.4
\$40	G1990.4	G1920.4
\$2400	G1990.4	G8120.430
\$100	G1990.4	G8130.418
\$200	G1990.4	G8130.423
\$900	G1990.4	G8130.424
\$1000	G1990.4	G8130.440

**MHPC REPORT:** Steve Stauffer reported: All going nicely, all equipment operating at the moment. System sampling done and met DOH requirements. D. Pearson from DEC will do a time schedule on the items in his last report and submit to MHPC. DEC sent sec. discharge monitor report for any renewal for change. No change in parameters of requirement. Trustee Wooden as S. Stauffer for an inventory report, which Stauffer said would be to Trustee Wooden tomorrow.

**WORKSHOP, TREASURER'S YEAR END REPORT:** Mayor Elliott noted that a comparison between the bank statements and the treasurer's report needed to be looked at and checked over by the Village Board. This fiscal year end report was reviewed by the Trustees on this date.

**ROOF:** P. Retan asked why no new roof had been put on the VOP Highway Garage. The insulation that had been put up was now getting ruined and it cost \$2,500. Roof is still leaking.

Mayor said this project would be done before the end of this fiscal year since the repair of the roof was a line item this year and not next.

Attorney Nesbitt arrived at 7:35 p.m.

**EXECUTIVE SESSION:** Mayor Elliott moved to go into executive session at 7:50 p.m. with newly elected trustees and others requested by the VB for matters of personnel, seconded by Trustee Wooden, vote, 4 ayes **CARRIED.** Trustee Lynch arrived at 7:55 p.m.

Trustee Gilmore moved out of exec. session at 10:10 p.m. seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

ADJOURNMENT: Trustee Gilmore moved to adjourn the meeting at 10:30 p.m. seconded by Trustee Wooden, vote, 5 ayes, CARRIED.

Respectfully submitted,

Bonnie J. Hays  
Village Clerk