

VILLAGE OF PALMYRA BOARD OF TRUSTEES
Regular meeting September 2, 1997 7:00 p.m.

PRESENT: Mayor Wilson, Trustees Guest, Salomon, Celentano, and Gunkler. Attorney Nesbitt arrived at 7:15 pm.

CALL TO ORDER: Mayor Wilson called the meeting to order at 7:03 pm.

PLEDGE OF ALLEGIANCE

ABSTRACT #4: Motion by Trustee Guest to approve Abstract #5 for vouchers #247-#249 (8-26-97) for \$50.47 and #250- #325 (less voucher #306) for a total of \$200,171.37 pending the appropriate signatures on all. Second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

MINUTES OF AUGUST 18TH: Motion to approve the minutes from August 18, 1997 pending the correction to Trustee Salomon's name on page 5 made by Trustee Gunkler, second by Trustee Celentano. Vote, 5 ayes. CARRIED.

PUBLIC HEARING: Mayor Wilson called the hearing to order at 7:05 pm.

LEGAL NOTICE:

VILLAGE OF PALMYRA
NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN, that there is being introduced before the Board of Trustees of the Village of Palmyra, a proposed local law styled "Local Law No. 1 of 1997" entitled "The New York State Uniform Fire Prevention and Building Code and Administration Law of the Village of Palmyra", which if adopted will provide for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code, and all codes, rules, regulations and orders declared or issued there under applicable to the location, design, materials, construction, alterations, repair, equipment, maintenance, use, occupancy, removal and demolition of buildings, structures, and appurtenances located in the Village of Palmyra. Pursuant to section 20 of the Municipal Home Rule Law, the Board of Trustees will hold a public hearing on the 18th day of August, 1997 at 7:00 pm in the Trustees' Room of the Village Hall, 144 East Main St., Palmyra, New York, for the purpose of hearing comments for or against the adoption of the proposed local law. Any person may appear in person or by representative. Copies of the proposed local law may be examined in the Office of the Village Clerk during regular business hours.

Dated: August 6, 1997

By Order of the Board of Trustees of the Village of Palmyra.

Alicia Lynch,
Village Clerk

At the August 18th Village Board meeting, the hearing was postponed to the September 2nd, 1997 meeting.

Mayor Wilson asked Code Enforcement Officer, Bob Grier to summarize the proposed local law. Mr. Grier says it is something we must adopt locally or the county will have to come in and enforce it. The Town has just adopted it as well. This does not modify any local building regulations but is observed in conjunction with them. It is something we have already been following but never formally adopted.

Trustee Celentano moved to accept Local Law #1, 1997 as submitted. Second by Trustee Guest. Vote, 5 ayes. CARRIED.

ADJOURN: Trustee Guest moved to close the public hearing at 7:10 pm, second by Mayor Wilson. Vote, 5 ayes. CARRIED.

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

1. Letter of congratulations from President Clinton.
2. Letter of gratitude from US Senator Orrin Hatch. This was accompanied by a flag that had been flown over the White House.

3. Donation request from Mercy Flight. A discussion took place about the legality of donating to this organization. Trustee Salmon said that Garlock donates to Mercy Flight and he feels it is a worthy organization. Trustee Guest moved to decline any donation to Mercy Flight with Village taxpayer monies. Trustee Guest amended her motion and suggested the discussion be tabled until Trustee Salomon can check into further and report back by the next meeting second by Trustee Gunkler. Vote, 5 ayes. CARRIED. Attorney Nesbitt was asked if it would be legal to donate Village tax money to a private institution. His response was no. As the next meeting will be a joint meeting with the Town, Trustee Guest modified the foregoing motion and suggested that the discussion would continue at the October 6th meeting. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

4. There will be a joint meeting with the Town Council on Tuesday, September 30 at Village Hall; topics of discussion will be the Master Plan and the report from SEA on Village Hall. This will replace the September 15th meeting. We will advertise to solicit public response.

5. Notification from the US Department of Justice that the Village's self-evaluation has been received and accepted and they are administratively closing the file on our complaint. Thanks to Alicia from Mayor Wilson.

TRUSTEE REPORTS: Trustee Salomon - We are receipt of a report from DEC that indicates that our wastewater facility is in compliance. He further reported that the fire hydrants have been installed on West Foster Street.

Trustee Celentano reported that we have received notification of our CHIPS allocation. It will be the same as last year - \$28,457.24. Crews have been busy paving - only Walker and East Charlotte are remaining.

Trustee Guest - no report.

Trustee Gunkler - Trustee Gunkler's only report was that of the Code Enforcement Officer. Trustee Guest wanted to go on record regarding the fine job that Mr. Grier is doing.

NEW/OLD BUSINESS

OUT-OF DISTRICT WATER USE - REQUEST: We have received a request from Diane Dennie to become an out of district user of water. They plan to purchase the property at the end of Howell Street extension from Galen Pembroke (also next to his property) and would like to purchase water from the Village. Attorney Nesbitt explained that there are three ways to proceed. 1. Annex the property into the village, 2. the Town could create a new water district (billing would go through the Town similar to Burnham Heights is billed to the Town of Macedon) or 3. create an out of district user. The problem with creating an out of district user is in case of default - you can't re-levy the unpaid portion to taxes because they pay no village taxes. There was some discussion about the likelihood that the area will be developed in the future. It was agreed that the best solution would be to ask the Town to create a water district. Mayor Wilson directed the Village Clerk to write the Town Council with this request and copy D. Dennie.

KEN MILLER: Ken Miller addressed the board about Eagle projects. He has five boys in the area the are eligible to complete Eagle projects. An Eagle project must provide a significant benefit to the community, church or organization. Any costs associated with the project are the responsibility of the organization benefiting from the project. Three possible projects were discussed; the cemetery across the street from the Catholic church (which is managed by the Town) and the two trails; one that goes along the old Canal bed and one that goes along the Canal. This will all tie in with the Canal Initiative Committee as the trails are part of the grant. Trisha will be the point of contact for any work done to the trails. Mayor Wilson moved to support Ken and Trisha Lynn with these projects. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

Mayor Wilson announced that Officer David Freeland has received a letter of commendation from Chief Dalton that will be included in his personnel file. Congratulations to Officer Freeland.

FUNDING AGREEMENT: As per Attorney Nesbitt's letter, we can sign the agreement for the clean vessel act assistance program. Motion by Mayor Wilson, second by Trustee Gunkler to sign the Marina funding agreement. Vote, 5 ayes. CARRIED.
Attorney Nesbitt reminded that any contractors working on the Marina will have to name the State as well as the Village.

ABBOTT BUILDING: Due some required changes, ie. the addition of an engineers report, Trustee Gunkler moved to authorize Attorney Nesbitt to petition the amended papers with the court on the Abbott building matter, second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

ADJOURNMENT: Motion to adjourn at 8:10 pm by Trustee Celentano, second by Mayor Wilson. Vote, 5 ayes. CARRIED.

Respectfully submitted,


Alicia M. Lynch
Village Clerk