

VILLAGE OF PALMYRA BOARD OF TRUSTEES
ANNUAL ORGANIZATIONAL MEETING
REGULAR MEETING
December 5, 2005 7:00 p.m.

PRESENT: Mayor Daly, Trustee Celentano, Trustee Hopkins, Trustee Piccola, Trustee Palmer and Attorney Williams.

PUBLIC HEARING

Mayor Daly opened the annual organizational meeting at 7:00.

ANNUAL ORGANIZATIONAL MEETING: Motion by Trustee Celentano, second by Trustee Palmer to adopt the following annual organizational assignments, except where noted, all terms shall run through December 4, 2006.

BE IT RESOLVED that the Board of Trustees reestablishes the following trustee liaisons for a period of one year from 12/5/2005 through 12/4/2006. Each chairperson shall designate a board member who shall assume committee responsibility in the absence of the chairperson. Positions shall be decided by motion and majority of the Village Board. Majority shall be considered three (3) votes.

1. Audit	Trustees Palmer & Piccola
2. Buildings & Grounds (Marina, Village Hall, Park & Club Rooms, Flagpole Trails)	Trustee Palmer
3. Economic Support Group (Special Events)	Trustee Hopkins
4. Fire Department	Trustee Palmer
5. Personnel	Mayor Daly & Trustee Palmer
6. Planning and Zoning	Trustee Piccola
7. Revitalization	Mayor Daly
8. Streets, & highway	Trustee Piccola
9. Water & Sewer	Trustee Celentano
10. Youth & senior citizens, PCC	Trustee Hopkins

ACTING JUSTICE: Mayor Daly moved the appointment of William Abbott, as acting POLICE JUSTICE for a period of one year from December 5, 2005 ending December 4, 2006 as per Village Law 3-301, Section 2z and Note 5 of Revision 1992, Section 8. Appointment is made by the Board of Trustees, with Justice approval.

COURT CLERK: Mayor Daly moved the appointment of Patricia Peterson, COURT CLERK, appointment for a period of one year from December 5, 2005 ending December 4, 2006 as per Village Law 4-400, Sub. Para. C, ii. with Justice approval.

VILLAGE ATTORNEY: Mayor Daly moved the appointment of Arthur B. Williams, as Village Attorney, or a period of one year from December 5, 2005 ending December 4, 2006.

HEALTH OFFICER: Mayor Daly moved the appointment of Dr. Malcolm Riggs, MD, as HEALTH OFFICER as previously established and shall run through December 4, 2006.

REGISTRAR VITAL STATISTICS: Mayor Daly moved the appointment of Lynne Green, Town Clerk, REGISTRAR FOR VITAL STATISTICS appointment from December 5, 2005 through December 4, 2006.

ANIMAL CONTROL OFFICER: Mayor Daly moved the appointment of Gary Rose as ANIMAL CONTROL OFFICER appointment from December 5, 2005 ending December 4, 2006.

VILLAGE HISTORIAN: Mayor Daly moved the appointment of Sarah Herendeen, Village Historian, appointment for a period of one year from December 5, 2005 ending December 4, 2006.

PLANNING/ZONING BOARDS: Mayor Daly moved the appointment of Frank Record Jr. as chair of the Zoning Board of Appeals, term from November 30, 2005 through November 30, 2006.

Note: Previously appointed:

*Steve Hays, term beginning November 30, 2001 through November 30, 2006

*Kevin Bell term beginning December 2002 through November 30, 2007

*Frank Record Jr. term beginning December 16, 2002 through November 30, 2007.

*James Hemmings term beginning November 30, 2004 through November 30, 2009

*Tim Kurek term beginning November 30, 2005 through November 30, 2010.

Alternates:

*Onnalee Youngman Smith, term beginning September 2005 through November 30, 2010.

*Peter Wimer, term beginning November 2005 through November 30, 2010.

No Vacancies.

Mayor Daly moved the appointment of David Morrell, term from November 30, 2005 through November 30, 2010 as Chair of the Planning Board term to expire November 30, 2006.

Note: Previously appointed:

*Kathy Wooden term beginning November 30, 2001 through November 30, 2006.

*Kathy Boesel term beginning December 16, 2002 through November 30, 2007.

*David Pray term beginning October 7, 2003 through November 30, 2008

*Jennifer Voss term beginning February, 2004 through November 30, 2009

Alternate:

Kathleen Ioele term beginning December, 2004 through November 30, 2009.

Vacancy: one alternate.

YOUTH COMMISSION: Mayor Daly advised that, upon recommendation of the Board of Directors of the Palmyra Community Center, she re-establishes the following officer positions on the YOUTH COMMISSION, election of said officers to be conducted in March:

- | | |
|-------------------|-------------|
| 1. President | Tom Hickey |
| 2. Vice-president | David Pray |
| 3. Secretary | Missy Husk |
| 4. Treasurer | Jacky Nolan |

FIRE DEPT. OFFICIALS: Mayor Daly advised, on recommendation of the Palmyra Fire Company, Inc. as of December 1, 2004 that the following appointments be made:

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|-----------------------|------------------|
| 1. Fire Chief | Warren Frederick |
| 2. First Asst. Chief | Jeremy Bell |
| 3. Second Asst. Chief | Bill Colburn |
| 4. Third Asst. Chief | Justin Spencer |

FIRE DEPT. MAINTEN. MECHANIC: Mayor Daly moved the appointment of James Eckert, as MAINTENANCE MECHANIC of the FIRE DEPARTMENT EQUIPMENT, appointment from December 5, 2005 through December 4, 2006.

DEPUTY OR ACTING MAYOR: Mayor Daly moved the appointment of Mark Palmer, a Trustee, as DEPUTY OR ACTING MAYOR, to serve during the absence of the Mayor, when required as per Village Law, Article 4, 1.h.

BANK DEPOSITORY: HSBC shall be the depository for funds of the village; the Village of Palmyra shall utilize the services of said bank regarding Village investments, however, the services of various other banks may also be utilized from time to time, at the discretion of the Village Board.

INVESTMENT COUNSELORS: Roy McMaster, Capital Market Advisors, shall be utilized by the Village Board of Trustees as Investment Counselor for the Village of Palmyra.

OFFICIAL NEWSPAPER: The Courier Journal shall be approved as the official newspaper for the Village and the Daily Messenger to serve as a secondary official newspaper to bring such legal notices, statements, notices for bids and other legal notices for the ensuing year to the attention of the citizens for the Village of Palmyra.

EMPLOYEE BONDS: Mayor Daly moved that bonds be provided by Van Parys Associates for the following bond amount for employees set by the Board:
To cover the Village part-time clerks, bond amount of \$57,500 and Clerk Treasurer/Tax Collector, bond amount of \$646,000 and \$5,000 per all other employees.

SPECIAL MEETINGS & HOLIDAYS In the case of special meetings, the Village official newspaper will be notified and notification of such shall be posted on Village Hall as far in advance as possible. Office hours are Monday through Friday, 9:00 am through 5:00 pm. The office shall be closed on the following holidays:

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|-------------------------|---|----------------|
| 1. Good Friday | 6. Thanksgiving | 11. New Year's |
| 2. Memorial Day | 7. Day after Thanksgiving | Day (Jan. 1) |
| 3. July 4 th | 8. ½ day Christmas Eve (Dec. 22) | |
| 4. Labor Day | 9. Christmas | |
| 5. Veteran's Day | 10. ½ day before New Year's Day (Dec. 29) | |

As per N.Y. Village Law, Deputy Mayor Palmer announced the following appointments:

- | | |
|------------------------|------------|
| 1. Budget Officer | Mayor Daly |
| 2. Police Commissioner | Mayor Daly |

RULES OF N. Y. Village Law, the Local Laws of the Village of Palmyra and the

PROCEDURE: following rules of procedure are hereby adopted as guidelines to the Village Board of Trustees meeting. The Board of Trustees reserves the right to enact any and all of the stated rules of order should it be deemed necessary.

REGULAR MEETINGS: The regular meetings of the Board of Trustees of the Village of Palmyra shall be held at 7:00 pm. on the First and Third Monday, in the months of September through May, the Board will meet on the first Monday night of the month only for the months of June, July and August, with the exception that any holidays which may fall on the above dates will automatically move the regular meeting night to the next day evening. The Village Clerk will prepare a written agenda for each Village Board meeting following the same guidelines as resolved in previous years.

QUORUM: A quorum shall be required to conduct business. A quorum of the (5) five member Board of Trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

EXECUTIVE SESSIONS: Executive sessions shall be held in accordance with the NYS Public Officers Law 105. All executive sessions shall be commenced in a public meeting.

AGENDAS: The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Clerk by the Thursday preceding the meeting by 12 Noon, however, items may be placed on the agenda at anytime, including during the meeting.

VOTING: Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie.

A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.

An abstention, silence or absence shall be considered a negative vote for the purposes of determining the final vote on a matter.

MINUTES: Minutes shall be taken by the Clerk. Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following:

- Name of the Board
- Date and time of meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment
- Name and title of other village officials and employees present
- Record of communications presented to the Board
- Record of reports made by Board or other village personnel
- Time of adjournment
- Signature of Clerk or person who took the minutes if not the Clerk.

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the Clerk do so. Minutes shall be approved at the next board meeting whenever possible. Amendments to the minutes shall require Board approval.

ORDER OF BUSINESS:

- Call to Order
- Roll call
- Approval of minutes of previous meeting
- Approval of abstract (second meeting of the month)
- Correspondence/Announcements
- Trustee Reports
- Old/New Business
- Public Session
- Adjournment

GENERAL RULES OF PROCEDURE:

The Mayor shall preside at meeting. In the Mayor's absence the Deputy Mayor shall preside. The presiding officer may debate, move and take other action that may be taken by other members of the Board. Motions to close or limit debate may be entertained but shall require a two-thirds vote.

GUIDELINES FOR PUBLIC COMMENT: The public shall be allowed to speak during the Public Comment period of the meeting or at such other time as a majority of the Board shall allow.

All remarks shall be addressed to the Board as a body and not to any member thereof. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Interested parties or their representatives may address the Board by written communications.

GUIDELINES FOR USE OF RECORDING EQUIPMENT: All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording shall be done in a manner which does not interfere with the meeting. The mayor

may request an accommodation to avoid the interference and if not complied with ask the individual to leave the meeting room.

ADJOURNMENT: Meetings shall be adjourned by motion.

AMENDMENTS TO THE RULES OF PROCEDURE: The foregoing procedures may be amended from time to time by a majority of the Board.

Voting as follows:

Trustee Hopkins	aye	Trustee Palmer	aye
Trustee Piccola	aye	Trustee Celentano	aye
		Vote: 4 ayes.	CARRIED.

ANNOUNCEMENTS/CORRESPONDENCE: The following correspondence has been received and is on file in the office of the Clerk Treasurer:

- Thank you from Interact Club for being a blanket drop off.
- Holiday Schedule: Office closed half day Friday, Dec. 23rd and Dec. 26, half day on Dec. 30 and Monday January 2.

APPROVAL OF MINUTES: Motion by Trustee Piccola, second by Trustee Palmer to approve the minutes from November 21, 2005 as submitted. Vote, 4 ayes. CARRIED.

TRUSTEE REPORTS:

Trustee Celentano – no report.

Trustee Piccola reported that Magnum Auto will be building just west of the Ganargua Creek bridge in the vicinity of the Palmyra sign that was donated by the school district. The sign will have to be moved. Superintendent Boesel will see to removing and storing at highway barns until spring when we will meet with DOT to find another suitable site. Leaf and brush pickup has concluded for the season.

Trustee Palmer reported that E22 – the old pumper is on the market still for \$50,000. Motion was made by Trustee Palmer to accept John Crum for membership into the Fire Department following completion of the appropriate training and a satisfactory physical examination. Vote, 4 ayes. CARRIED. For buildings and grounds, he reported that the leaking garage roof has now been covered with a tarp. The crews are behind with leaf pick up in the cemetery due to the time they spent helping the highway crew with leaves in the village.

Trustee Hopkins reported that Canaltown Candlelight Christmas was a success with about 80 people in the park for the tree lighting. The Select Choir performed although many of them sure looked cold. Breakfast with Santa, also a big success, served over 400.

Attorney Williams asked to be excused from the next meeting due to a Magistrates meeting. The Board approved his request.

Mayor Daly provided her usual written report but also reported that Rachel Habig, the graduate student from ESF has permission and will be helping with the management plan for the Wetlands park.

NEW/OLD BUSINESS

AFLAC REQUEST: AFLAC would like to make a presentation to Village employees about some of their new products. It would be done during normal business hours and should have Board approval. The Clerk will see if there is any interest if approved.

Motion by Trustee Celentano, second by Trustee Palmer, to approve AFLAC's request. Vote, 4 ayes. CARRIED.

CROSSROADS: The Mayor asked the Board if anyone had any objections if Crossroads was to use the Village-owned artwork that had been designed for us by Joan Herendeen. She says she hasn't offered yet but thought if the Board didn't mind that she would. No one had any objections.

MARINA SIGN: The Board discussed the pros and cons of trademarking the sign at the Marina. It can be done by anyone for about \$300.00. Attorney Williams reported that in order to trademark a "logo" you have to be providing/selling a service/goods. He feels that trademarking wouldn't fit here but the Village can copyright it. Mayor Daly will look into it further.

FIRE CONTRACT: Motion by Trustee Palmer, second by Trustee Celentano to authorize the Mayor to sign the contract for fire protection with the Town of Manchester, Vote, 4 ayes. CARRIED.

MARINA LIGHTING: The second bid has come in for installation of the lighting at the Marina. The second estimate came from Newark Electric. Motion was made by Trustee Palmer, second by Trustee Celentano to accept the low quote from Harding Electric for \$3500.00 for installation of the lights at the Trail Head/Marina. Vote, 4 ayes. CARRIED.

OFFICER RESIGNATION: Trustee Palmer moved to accept the resignation of Officer Tom Marano effective December 4, 2005 with thanks and regret. Second by Trustee Celentano. Vote, 4 ayes. CARRIED.

SAFETY DEPOSIT BOXES: Trustee Celentano moved to accept the following resolution:

RESOLVED that the Mayor and/or the Clerk Treasurer be and they hereby are authorized on behalf of the Village of Palmyra to enter into a Rental Agreement for a Safe Deposit Box;

To access said boxes located in the vaults of HSBC Bank USA and shall be deemed to be vested with and have full authority to exercise all the rights with regard to said safe deposit box(es) or the contents thereof, standing in the name of the corporation, and in connection with any of the foregoing, on behalf of this corporation to accept, receive, withdraw or waive notices or protests; to deliver and receive papers or property; to make, withdraw or waive any demand; and to make, execute and deliver notes, obligations, guaranties, endorsements assignments, receipts, waivers, acquittances, indemnities, agreements and, without limitation, other instruments and property, as such offices, agents or signatories, or any of them, acting pursuant to this authorization may in his or their discretion deem advisable. Trustee Hopkins seconded the motion. Vote, 4 ayes. CARRIED.

FACILITIES ADVISORY COMMITTEE: The Mayor pitched the idea of forming a facilities advisory committee to help make recommendations for improvements and/or maintenance to Village owned properties. Mayor Daly suggested that the committee consist of the Superintendent of Buildings and Grounds, two of the trustees, and two village residents with building, engineering and/or preservation experience. Mayor Daly asked that the Board take some time to consider and it will be added to the next agenda.

CODE ENFORCEMENT CONTRACT: Trustee Piccola moved to authorize the Mayor to sign the contract with the Town for Code Enforcement services pending one small change to the wording for payment date, making it due by the 15th not the 1st of the month. Second by Trustee Celentano. Vote, 4 ayes. CARRIED.

EXECUTIVE SESSION: Motion by Trustee Celentano, second by Trustee Piccola to enter into executive session at 8:10 p.m. for the discussion of possible litigation. Vote, 4 ayes. CARRIED.

PUBLIC SESSION: Motion by Trustee Celentano, second by Trustee Palmer to reenter public session with no action having been taken. Vote, 4 ayes. CARRIED.

TOWN SEWER RATES: Motion by Trustee Palmer, second by Trustee Hopkins to increase the current out-of-district sewer users to a rate of one and half times the village rate. Vote, 4 ayes. CARRIED.

AJOURNMENT: Motion by Trustee Celentano, second by Trustee Piccola to adjourn at 8:40 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Clerk Treasurer