

VILLAGE OF PALMYRA BOARD OF TRUSTEES
PUBLIC HEARING
ANNUAL ORGANIZATIONAL MEETING
REGULAR MEETING
December 1, 2008 7:00 p.m.

ANNUAL ORGANIZATIONAL MEETING: Motion by Trustee Bradstreet, second by Trustee Piccola to adopt the following annual organizational assignments, except where noted, all terms shall run through December 7, 2009.

BE IT RESOLVED that the Board of Trustees reestablishes the following trustee liaisons for a period of one year from 12/1/2008 through 12/7/2009. 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.

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|--|---------------------------------|
| 1. Audit | Trustee Piccola |
| 2. Buildings & Grounds (Marina, Village Hall,
Park & Club Rooms, Flagpole Trails) | Trustee Husk |
| 3. Fire Department | Trustee Husk |
| 4. Personnel | Mayor Daly & Trustee Nolan |
| 5. Planning and Zoning | Trustee Bradstreet |
| 6. Revitalization & Economic Development | Mayor Daly & Trustee Bradstreet |
| 7. Streets, & highway | Trustee Piccola |
| 8. Water & Sewer | Trustee Nolan |
| 9. Youth & PCC | Trustee Nolan |
| 10 Celebrations & Special Events, Seniors | Trustee Bradstreet |
| 11 Preservation | Mayor Daly |
| 12 Veterans | Trustee Husk |

CLERK Mayor Daly appointed Alicia M. Lynch, as **CLERK TREASURER**,
TREASURER appointment for a period of two years from December 1, 2008 through December 6, 2010.

TAX Mayor Daly appointed Alicia M. Lynch, as **TAX COLLECTOR**,
COLLECTOR as part of the duties of the **CLERK TREASURER'S** two year term.

ACTING Mayor Daly appointed William Abbott, as acting **POLICE JUSTICE**
JUSTICE: for a period of one year from December 1, 2008 ending December 7, 2009 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 Mayor Daly appointed Patricia Peterson, **COURT CLERK**, for a period of one
CLERK: year from December 1, 2008 ending December 7, 2009 as per Village Law 4-400, Sub. Para. C, ii. with Justice approval.

VILLAGE Mayor Daly appointed Arthur B. Williams, as Village Attorney, for a period
ATTORNEY: of one year from December 1, 2008 ending December 7, 2009.

HEALTH Mayor Daly appointed Dr. Malcolm Riggs, MD, as **HEALTH OFFICER**
OFFICER: as previously established and shall run through December 3, 2012.

REGISTRAR Mayor Daly appointed Lynne Green, Town Clerk, **REGISTRAR FOR**
VITAL **VITAL STATISTICS** from December 1, 2008 through December 7, 2009.
STATISTICS:

ANIMAL Mayor Daly appointed Gary Rose as **ANIMAL CONTROL OFFICER**
CONTROL from December 1, 2008 ending December 7, 2009.
OFFICER:

VILLAGE Mayor Daly appointed Beth Hoad, **VILLAGE HISTORIAN**, for a period
HISTORIAN of one year from December 1, 2008 ending December 7, 2009.

YOUTH Mayor Daly advised that, upon recommendation of the Board of Directors
COMMISSION: 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 | Mark Giacchetta |
| 3. Secretary | Missy Husk |
| 4. Treasurer | Jacky Nolan |

FIRE DEPT. Mayor Daly advised, on recommendation of the Palmyra Fire Company,
OFFICIALS: Inc. as of December 1, 2008 that the following appointments be made:
1. Fire Chief Bill Colburn

2. First Asst. Chief Derrick Baker
3. Second Asst. Chief Kevin Bruening
4. Third Asst. Chief John Pieters

FIRE DEPT. MAINTEN. MECHANIC: Mayor Daly appointed of Jason Dickinson, as MAINTENANCE MECHANIC of the FIRE DEPARTMENT EQUIPMENT, from December 1, 2008 through December 7, 2009.

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: Bonds shall 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. Christmas 2008 | 7. July 3, 2009 |
| 2. Day after Christmas 2008 | 8. Labor Day (Sept 7, 2009) |
| 3. New Year's Day 2009 | 9. Veteran's Day (Nov. 11, 2009) |
| 4. January 2, 2009 | 10. Thanksgiving (Nov. 26, 2009) |
| 5. Good Friday (April 10, 2009) | 11. Day after Thanksgiving (Nov. 27, 2009) |
| 6. Memorial Day (May 25, 2009) | |

RULES OF PROCEDURE: N. Y. Village Law, the Local Laws of the Village of Palmyra and the 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 June, the Board will meet on the first Monday night of the month only for the months of 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 Friday 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 make the determination that the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Village Board, size of the equipment and the ability of the public to still participate in the meeting. If the mayor make the determination that the recording is intrusive and has the effect of interfering 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 Bradstreet	aye	Trustee Nolan	aye
Trustee Husk	aye	Trustee Piccola	aye
Mayor Daly		Vote: 5 ayes	CARRIED.

DEPUTY OR ACTING MAYOR: Mayor Daly appointed Ken Bradstreet, 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.

TRUSTEE STATEMENTS/RE: Deputy Mayor:

Trustee Piccola gave the following statement before the vote on the Organizational meeting:

Trustee Piccola: " I guess I'd just like to, I know Vicky you and I have had this conversation twice in depth about how that position and Ken I want you to know this has nothing personal to do with you. But I feel personally that at this time and I know based on New York State law that you have this right to name any person that you want and I'm not here to hold up any appointed position as blackmail, you might say but I strongly disagree with the appointment you're going to propose or you're going to put forth to the public tonight. And the main reason in my mind is in if something were catastrophic were to happen to you as mayor of this Village or acting the deputy mayor one month or two month, a year from now, two years from now, Ken you'd probably do great. But to

have a handle of the budget which we're going to start one month into your term, to happening to any project, any grant that we're in the middle ofI don't see that it's a smart idea for the residents of this Village and you know we saw what could happen the Town just had a similar incidence. Okay? Granted they had a senior Board, they didn't have anybody up for election that was new. Their deputy mayor, or excuse me, deputy supervisor been there for a long period of time. But in my mind it's not the right appointment at this time and frankly it strikes as partisan. In the six years I've been on this Board with you I've never thought that there was a partisan issue to this magnitude that we've seen and I feel it is this time. So just for the record, I just wanted my say."

Mayor Daly asked if the other members of the Board would like to make any comments as to the appointment of the Deputy Mayor.

Trustee Nolan: "Sure, I have a couple. And it kind of it just becomes, something that just jumps out at me is the experience thing, forget about Democrat and Republican. You know you have an experience factor, when you look at, you know at what other Villages do, you look at NYCOM and you look at appointments it's usually with an experienced member. And I think I ditto what Chris says. In a year or two it's irrelevant. I think that it could be a good, it probably would be a good appointment but coming in with no experience it just a bit alarming the first time I saw that. So I definitely have some concerns just because somebody just comes on the Board with no experience to hold that position is, I don't know it just seems a bit risqué."

Trustee Husk: "I'm in a different position, I want Mr. Bradstreet to know. I served with Ken Bradstreet on the School Board. He was my very first Board president and this is in no way Ken, an attack because that's not my style. Although, you are in our authority to make committee assignments and appointments, I believe, in my opinion, that your designation of Deputy Mayor is nothing but partisan politics at its best and has no place in our Village government. I intend to work along side Ken who is your choice, although its obvious that a red flag has been raised in your leadership and decision making ability. I feel that 6 years Board experience of Trustee Chris Piccola far out weighs the 16 minutes of your designee. There is no sitting Village official, including yourself, that has more knowledge of budgetary items, projects and personnel than Trustee Piccola. No matter how much pixie dust you sprinkle, and explain your reasoning, won't cover-up this partisan decision you have made. Our Village residents, are smarter than you give them credit for and deserve to have experience in their corner. I will vow to the residents and tax-payers of the Village of Palmyra, to be vigilant and look out for their best interests, rather than be petty and partisan. They deserve better than what you proceeded to do. Things have been getting done in Bi-partisan ways to make this Village what it is today, and you have just taken this Village a step backward in your partisan decision.

Mayor Daly thanked the Board for sharing their views and directed all back to the agenda.

BUDGET OFFICER/ POLICE COMMISSIONER: As per N.Y. Village Law, Deputy Mayor Bradstreet announced the following appointments:

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

APPROVAL OF MINUTES: Motion by Trustee Piccola, second by Trustee Husk to approve the minutes from November 17, 2008 as submitted. Vote, 3 ayes, 1 abstain, Trustee Bradstreet. CARRIED.

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

- Resignation from ZBA Chair Peter Wimer
- NYS Emergency Mgmt. Training Jan 22nd
- Letter from Jim Bridgeman, Operations Mgr. Village of Newark regarding possible cooperation between Villages
- WC Business Council newsletter
- NYS Dept. of Health : Annual Inspection report for the STP

- White paper from Public Service Comm. Regarding 315 Area Code

TRUSTEE REPORTS:

Trustee Bradstreet stated he was pleased and honored to have been elected and is looking forward to working with the Board. He has volunteered to serve on a sub-committee of the Wayne County Tax Forum and will pass along the particulars.

He has been in contact with John Goodspeed regarding the Route 21 Truck Traffic issue. Mr. Goodspeed has worked very hard for the Village attending meetings and such; we owe him our thanks.

Trustee Bradstreet attended the WCVOA dinner and brought back a booklet entitled *Are You Ready* about emergency preparedness. It will be left on file in the office.

And lastly, for Celebrations, he announced that there will be a performance of *The Red Lamp* by the Palmyra Players at Lorri's Secret Garden on Dec.12 and Dec. 13 at 6:00 pm.

Trustee Husk reported that after much deliberation he would like to recommend the Board rename the meeting room at the Fire Hall the Craft Banquet and Meeting Room and moved same. Second was made by Trustee Nolan. Vote, 4 ayes. CARRIED.

Trustee Nolan moved to accept the resignation of Peter Wimer from the Zoning Board with regrets and thanks. Second by Trustee Husk. Vote, 4 ayes. CARRIED.

Trustee Piccola met with Caron Clair about the Slow Pedestrian Crossing sign locations on Canal Street. He suggested that one be placed on the north side of the street directly across from the entrance to Willow Street and the other one on the south side of the street on the same pole as the 15-minute loading sign. Supt. Boesel will look at the suggested locations.

He pointed out that the Member Item Grant for purchase of the Park Drive house was received, as well as \$12,500 in grant reimbursements on the Comfort Station.

Trustee Piccola spoke with a resident from Market Street and learned that the right-a-way behind the Place needs some stone. Supt. Boesel is looking into it. Other than that, the Highway crews have been busy with leaf pickup, snow plowing and water service repairs.

Attorney Williams had no report but asked for an executive session later in the meeting for discussion of litigation.

Mayor Daly provided her usual written report and highlighted the handout from the *Visit Rochester!* Legislative Reception on Tourism. The Certified Local Government application has been submitted. It will be reviewed in Albany and then on to the Dept. of the Interior in Washington DC.

Trailworks of Wayne County will be putting together a booklet for distribution in Wegmans. Jamie Hemmings of Palmyra Pathways created an image of the Village trail section which will be included in the booklet.

NEW/OLD BUSINESS

WTP STUDY: Kevin Castro of Stearns and Wheler would like to come to a Board meeting to review their proposal for the water treatment plant study. The Board decided to have Stearns and Wheler in at 7:00 pm and Bob Raeman in at 8:00 pm. If the Board has any questions, please get them to Mayor Daly and she will forward them to the companies in advance.

BUDGET CALENDAR: The Board reviewed the tentative budget planning calendar that was distributed by the mayor. Trustee Nolan may not be available on the evenings scheduled for the department heads. He will check his schedule before the meetings with the department heads are set.

TAX FORUM: There will be another meeting of the Tax Forum Committee on January 6th at 7:00 p.m., other local officials/employees will be invited like the highway superintendent and the clerk treasurer.

OPEN BURNING AND BONFIRES: Attorney Williams submitted a proposal for tightening up the code on open burning which the Board reviewed. No one will be allowed to burn any wood, brush, trash, papers, rubbish or garbage out of doors anywhere in the Village except for a cooking fire designed for that purpose. Motion was made by

Trustee Piccola, second by Trustee Nolan to schedule a public hearing on the proposed Local Law for January 5th. Vote, 4 ayes. CARRIED.

SMSI GRANT EQUIPMENT AWARDS: Trustee Piccola move to award the following equipment bids for the SMSI Grants as recommended by Supt. Boesel:
Vacuum Sweeper/Catch Basin Cleaner: Joe Johnson Equipment of Rochester for an Elgin Whirlwind on a 2009 Nissan Chassis including 15 spare gutter brooms, and 7 spare main brooms..... \$197,594.00
Rubber Tire Excavator: Milton Caterpillar of Batavia with a 2009 Caterpillar M3135D Complete: \$207,539.00

Second was made by Trustee Nolan. Vote, 4 ayes. CARRIED.

Upon delivery of the equipment, the Village will be required to pay the initial purchase price; 1/2 the cost of the Rubber Tire Excavator and ¼ of the cost of the Vacuum Sweeper/CB Cleaner. The Town of Palmyra will in turn pay the vendors and submit paperwork to the Dept. of State for reimbursement. The Town will be reimbursed from the State at 90% of these costs of which they will refund the Village's initial share less the required 10% local match. The Village's match will be about \$15,374.00. Delivery will be in 90-120 days.

WATER LINE ASSESSMENT: Richard Clayton met with John Moodie, with Office of Real Property Services, Auditing and Obsolescence in Albany about our raw water line appraisals.

EXECUTIVE SESSION: Motion by Trustee Piccola, second by Trustee Husk to enter into executive session for the discussion of litigation. Vote, 4 ayes. CARRIED.

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

AJOURNMENT: Motion by Trustee Nolan, second by Trustee Husk to adjourn at 9:00 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Clerk Treasurer