

**VILLAGE OF PALMYRA**  
April 17, 2006      7:00 p.m.

**ROLL CALL:** Present: Mayor Daly, Trustees Palmer, Piccola, Celentano and Hopkins, Attorney Williams.

**CALL TO ORDER:** Mayor Daly called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** Motion by Trustee Hopkins, second by Trustee Palmer to approve the minutes from the April 3, 2006 as submitted. Vote, 4 ayes. CARRIED.

**APPROVAL OF ABSTRACT:** Motion by Trustee Hopkins, second by Trustee Palmer to approve payment of Abstract #11, vouchers 943-1022 for \$106,084.95. Vote, 4 ayes. CARRIED.

**CORRESPONDENCE/ANNOUNCEMENTS/INFORMATION:**

- NYS Public Service Commission-public comment period re: rate proposals
- Resignation from Town/Village Historian Sarah Herendeen: Motion was made by Trustee Celentano, second by Trustee Palmer to accept Ms. Herendeen's resignation with regrets. Vote, 4 ayes. CARRIED.

**PRESENTATION:** Mr. Barden, the Canandaigua Lake Watershed inspector distributed copies of his annual report which he submits to the Department of Health. He briefly reviewed and asked for questions from the Board. Mayor Daly thanked him for coming.

**TRUSTEE REPORTS:**

Trustee Piccola reported that after reviewing the current year budget figures, he feels the Village will be able to contract for processing part of the brush pile with a tub grinder; about two days work. He has also told the highway superintendent to proceed scheduling for the resurfacing of Church and Stafford Streets. If unable to be done this budget year, the monies can be encumbered.

Trustee Piccola moved to adopt the following resolution:

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE RECONSTRUCTION OF THE HATHAWAY AND CANAL STREETS, IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$375,000 AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$375,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing;  
NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Palmyra, Wayne County, New York, as follows:

Section 1. The reconstruction of Hathaway and Canal Streets in and for the Village of Palmyra, Wayne County, New York, including sidewalks, curbs, gutters, drainage, landscaping, grading and other incidental improvements and expenses in connection therewith, is hereby authorized; SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimate cost of \$375,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$375,000 of serial bonds of the Village

hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein will exceed five years.

Section 4. The faith and credit of said Village of Palmyra, Wayne County, New York, are hereby irrevocably pledged for the payment of the principal of and 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 5. 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 6. 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, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, 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 7. The validity of such bonds and bond anticipation notes may be contested only if:

- a. Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- b. 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 within twenty days after the date of such publication, or
- c. Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. 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 9. Upon this resolution taking effect, the same shall be published in full or in summary thereof in the *Daily Messenger*, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk Treasurer in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Second was made by Trustee Celentano. Vote, 5 ayes. CARRIED.

And lastly, the highway department has started in with brush pickup in the Village.

**Trustee Palmer** moved to accept James Bowman, Gerald Crego and Dean House for membership into the Fire Department following completion of the appropriate training and a satisfactory physical examination. Second was made by Trustee Celentano. Vote, 4 ayes. CARRIED.

He also reported briefly on the year end report from the Fire Department. There were 243 calls and 768 ambulance calls last year.

For buildings and grounds, Trustee Palmer reported only three applications were received for the seasonal position. For now, Superintendent Weaver will be calling back last year's summer workers. Come fall, we may need to take another look at hiring someone.

He submitted a spreadsheet with possible building/maintenance projects for bonding. The estimates were based on ones that have already been discussed. He does not have any estimates for the driveway into the park. The Board should be planning on discussing further soon for bonding this year.

Here at Village Hall, Jay Harding has repaired a wiring problem in the basement. He has also repaired a breaker on Franklin Street and continues to work on Canal Street lights. The new parking lot lights are up and running at the Marina.

**Trustee Celentano** reported that STES has submitted the monthly operating reports for the water and wastewater plants for March and April. They will be on file at Village Hall for public review

**Trustee Hopkins** reported on Canal Clean Sweep scheduled for April 22<sup>nd</sup>. It entails cleanup from Adqueduct Park east to the Route 21 at noon. It looks like Pal-Mac Rotary club, Cub Scout Pack 99, Den 6 and the Pal-Mac wrestlers will be participating.

**Mayor Daly** reported that Officer O'Konsky is in training to become our bicycle officer.

#### **NEW/OLD BUSINESS:**

**WATER/SEWER RELEVY:** Motion was made by Trustee Celentano, second by Trustee Palmer to relevy any unpaid water/sewer accounts as of April 30, 2006 to the Village tax roll. Vote, 4 ayes. CARRIED.

**WATERSIDE NATURE PARK:** Mayor Daly reported that the Office of Parks, Recreation and Historic Preservation will be administering the \$20,000 member item grant from Nozzolio's office for design of the Waterside Nature Park. As per SHPO's instruction, Trustee Celentano moved to adopt the following resolution:

RESOLVED that Alicia M. Lynch, duly qualified and acting Clerk Treasurer of the Village of Palmyra is hereby authorized to sign legal documents on behalf of the Village.

Second by Trustee Hopkins. Vote, 4 ayes. CARRIED.

Mayor Daly reminded the Board that the design charratte for the waterside park is next Tuesday, April 25 here at Village Hall at 7:00 p.m.

Motion by Trustee Hopkins, second by Trustee Palmer to enter executive session for discussion of a contractual matter. Vote, 4 ayes. CARRIED.

#### **EXECUTIVE SESSION**

Motion by Trustee Celentano, second by Trustee Palmer, to re-enter public session at 7:50 p.m. Vote, 4 ayes. CARRIED.

**ADJOURNMENT:** Motion by Trustee Hopkins, second by Trustee Celentano, to adjourn at 7:50 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Village Clerk