

**VILLAGE OF PALMYRA BOARD OF TRUSTEES
REGULAR MEETING**

November 5, 2001 6:30 p.m.

CALL TO ORDER: Mayor Gunkler called the meeting to order at 6:30 p.m.

PRESENT: Mayor Gunkler, Trustees Salomon, DeVogelaere, Piccola and Celentano, Attorney Arthur Williams.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: Mayor Gunkler called the public hearing to order at 6:33 p.m.

LEGAL NOTICE
VILLAGE OF PALMYRA
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN, that there has been introduced before the Village of Palmyra a proposed local law, which, if adopted would amend Chapter 12A of the Village Code entitled "Noise". The substance of the amendments is to regulate noise from motor vehicles.

NOTICE IS FURTHER HEREBY GIVEN that, pursuant to section 20 of the Municipal Home Rule Law, the Village Board will hold a public hearing on the 5th day of November, 2001 at the Palmyra Village Hall, 144 East Main Street, Palmyra, NY 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 Village Clerk's office during normal business hours.

Dated: October 15, 2001

By Order of the Village Board of the Village of Palmyra

Alicia M. Lynch
Village Clerk

Mayor Gunkler asked for any comments relating to the new proposed local law. A lengthy discussion took place regarding the fine structure. In fact, it was decided that would be the only changes that the Board felt were necessary. Trustee Celentano moved to change the fine schedule as follows:

- First offense: Up to \$100.00 fine.
 - Second offense: Up to \$250.00 fine.
 - Third offense: Up to \$500.00 fine.
 - Fourth offense: Minimum of \$1000.00 fine.
 - Fifth offense: Minimum of \$2000.00 fine.
- Second by Trustee Salomon. Vote, 5 ayes. CARRIED.

A shorter discussion took place regarding restricted activities under the law but no further changes were suggested to the proposed law.

Mayor Gunkler asked for any further comments from the public, and barring none moved to close the public hearing. Second by Trustee Salomon. Vote, 4 ayes. (Trustee Celentano left meeting for a few minutes.) CARRIED.

APPROVAL OF MINUTES: Motion by Trustee Salomon, second by Trustee Piccola to approve the minutes from October 15, 2001 as submitted. Vote, 4 ayes, 1 abstain - (Trustee Celentano). CARRIED.

CORRESPONDENCE/ANNOUNCEMENTS: Mayor Gunkler made the following announcements:

1. There will be a Veteran's Day Ceremony on Sunday, November 11, 2001 at 11:00 a.m.
2. There will also be a membership dinner at the VFW on December 8th at 7:00 p.m.; Board members and guests invited.

TRUSTEE REPORTS: Trustee Salomon reported that the repair to the potable water line to Garlock has been completed. He introduced Richard Clayton, the new area manager from ST Environmental Services and reported that he will be attending the next Board meeting to give a presentation. ST has submitted the October monthly operational reports for the Water and Wastewater treatment plants. They are on file for public review at Village Hall.

Trustee Salomon has met with Bob Raeman, Sniedze Associates. The Department of Environmental Conservation has issued the approval for the upgrade to the wastewater treatment plant. The SEQR process has been completed. He will tell Bob the Board is ready to move ahead with the bidding process.

Trustee DeVogelaere reported that a contest will take place, pending School Board approval, to design a Village flag. Participants will receive PIG points. Details are still be worked out.

Trustee Celentano apologized for the interruptions from his pager. He reported that the South Main Street parking lot should be completed next week. The driveway aprons have been repaired on Cuyler and Fayette Streets and new sidewalks installed on Church Street and at the Senior Citizen complex. The directional signs have been mounted for the Catholic Church as well.

Highway Superintendent, Mr. Cook would like to purchase a new stainless steel box for the leaf pick up truck at a cost of \$2,500.00. It would certainly last longer than the current one did. In order to cover this expenditure, Trustee Celentano moved to adopt the following resolution:

PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Palmyra, Wayne County, New York, adopted a resolution during a meeting on October 15, 2001 subject to Permissive Referendum as follows;

BE IT RESOLVED that a sum up to and not to exceed TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) shall be expended from the Capital Reserve Equipment HR7 for the purchase of a stainless steel box for the leaf pick up truck. Following publication, the foregoing resolution shall be posted in six (6) conspicuous places and in accordance with Section 9-902 of Village law, shall take effect in thirty (30) days.

BY ORDER OF THE VILLAGE BOARD

Palmyra, New York
Alicia M. Lynch
Village Clerk

Dated: October 15, 2001

Completion: November 15, 2001

Second by Trustee Salomon. Vote, 5 ayes. CARRIED. On a final note, Trustee Celentano said the Highway department will be repairing the parking lot at the library as soon as it can be scheduled.

Trustee Piccola reported that the signs discussed for the Marina have been submitted to the County for pricing.

Attorney Art Williams - no report but requested an executive session to discuss a matter of possible litigation.

NEW/OLD BUSINESS:

NOISE ORDINANCE: Motion by Mayor Gunkler to make the following non-material change to the noise ordinance:

Section 12A-5. Penalties for offenses: If any person shall violate the provisions of this chapter, said person shall be punished by a fine of up to \$100.00 for a first offense; a fine of up to \$250.00 for the second offense, a fine of up to \$500.00 for the third offense, a minimum fine of \$1000.00 for the fourth offense and a fine of not less than \$2000.00 for any subsequent offenses. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

Mayor Gunkler further moved the adoption of Local Law 1, 2001, 12A Noise as amended. Second by Trustee Salomon. Vote, 5 ayes. CARRIED.

Mayor Gunkler moved to go into executive session for the purpose of discussing possible litigation. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

EXECUTIVE SESSION

Motion by Trustee Celentano, second by Trustee DeVogelaere to re-enter public session p.m. with no action having been taken. Vote, 5 ayes. CARRIED.

ADJOURNMENT: Motion to adjourn at 7:30 p.m. by Trustee Celentano, second by Trustee DeVogelaere Vote, 5 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Village Clerk