

**VILLAGE OF PALMYRA
BOARD OF TRUSTEES**
March 7, 2005 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Mayor Daly, Trustees Piccola, Celentano, Hopkins, and Palmer, Attorney Williams, Roy McMaster, and Ron Finewood.

CALL TO ORDER: Mayor Daly called the public hearing to order at 7:00 p.m. and referenced the following legal which appeared in the official Village newspaper, the *Courier-Journal* on March 2, 2004:

**LEGAL NOTICE OF PUBLIC HEARING
2005-2006**

The Village of Palmyra will hold a public hearing (in conjunction with the regular board meeting) on Monday, March 7, 2005 at 7:00 pm. The hearing will be held in the Trustee's Room of the Village Hall, 144 East Main Street, Palmyra, Wayne County, New York.

The hearing is for the purpose of allowing the Village residents to provide the Board of Trustees written or oral comments or ask questions on the tentative 2005-2006 budgets of the Village funds.

Compensation proposed to be paid each member of the Village Trustees is \$4,400; and to the Mayor \$5,500. A copy of the "Tentative 2005-2006 Budget" will be on file and available for public inspection in the Office of the Village Clerk during normal office hours.

Alicia M. Lynch
Village Clerk Treasurer

Roy McMaster, from Fiscal Advisors gave a brief overview of the Village budget, including all three funds, General, Water and Sewer as well as the Village debt service. The new proposed tax rate for 2005-2006 is \$12.33 per thousand. Mayor Daly asked for comments and/or questions from the public. The public hearing was closed as there were no comments from the public.

Mayor Daly called the public hearing to order for the rezoning of the Finewood property on East Foster Street. She waived the reading of the following legal which appeared in the February 23rd issue of the *Courier Journal* as required by law:

**LEGAL NOTICE
VILLAGE OF PALMYRA
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held by the Village Board of the Village of Palmyra on March 7, 2005, at 7:00 p.m. at the Village Hall located at 144 East Main Street, Palmyra, New York, regarding the adoption of a local law of the Village of Palmyra for the year 2005, which would amend the Village Zoning Law as follows:

The following property, situate in the Village of Palmyra, which is presently defined in Chapter 200 of the Village Code, as a residence one (R-1) district, is hereby re-zoned and designated residence two (R-2) under said Chapter 200 of the Village Code, subject to all regulations created and established relative to said R-2 District.

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN: Village of Palmyra, County of Wayne and State of New York, bounded and described as follows:

Beginning at an iron pipe in the south line of East Foster Street marking the northwest corner of land now or formerly owned by Pamela J. Boise, as recorded in the Office of the Wayne County Clerk in Liber 969 of Deeds at Page 969, said point being N 82-47-45 W, 450.84 feet from the angle point in East Foster Street, and running thence;

1) S 03-40-15 W, along the west line of land now or formerly owned by said Boise, for a distance of 333.00 feet to an iron pipe marking the northwest corner of other land now or formerly owned by William R. Romeiser and Diane N. Rood, as recorded in Liber 913 of Deeds at Page 166, thence;

2) S 03-39-19 W, along the west line of land now or formerly owned by Romeiser and Rood, and passing through an iron pipe 69.04 feet distant, marking the northwest corner of land now or formerly owned by Kenneth F. and Penelope A. Miller, and continuing on the same course along the west line of land now or formerly owned by said Miller 367.30 feet distant farther, comprising a total distance of 436.34 feet to an iron rebar marking the northeast corner of land now or formerly owned by Watson Living Trust, as recorded in Liber 964 of Deeds at Page 720, thence;

3) N 82-30-16 W, along the north line of land now or formerly owned by said Trust, for a distance of 432.15 feet to an iron pipe marking the northeasterly terminus of Rolfe Street, thence;

4) N 81-34-17 W, along the northerly terminus of Rolfe Street for a distance of 31.37 feet to an iron pin marking the southeast corner of land now or formerly owned by Larry and Marchelle Harloff as recorded in Liber 824 of Deeds at Page 709, thence:

b) N 14-42-36 E, along the east line of land now or formerly owned by said Harloff, along the east line of land now or formerly owned by Douglas and Desiree Dion Fix, as recorded in Liber 939 of Deeds at Page 263, along the east line of land now or formerly owned by Cynthia H. Ziegler, as recorded in Liber 871 of Deeds at Page 74, along the east line of land now or formerly owned by James A. and Patricia Ann Black, as recorded in Liber 839 of Deeds at Page 710, and along the east line of land now or formerly owned by Michael R. and Kelly L. Darbyshire, as recorded in Liber 984 of Deeds at Page 227, for a total distance of 580.2 foot to an iron pin in the south line of land now or formerly owned by James and Agnes Nolan, as recorded in Liber 465 of Deeds at Page 495, thence;

6) S 82-41-45 E, along the south line of land now or formerly owned by said Nolan, along the south line of land now or formerly owned by Donald F. and Linda E. Pettingill, as recorded in Liber 830 of Deeds at Page 361, and along the south line of land now or formerly owned by Thomas B. and Mary P. St. Thomas, as recorded in Liber 885 of Deeds at Page 612, for a total distance of 248.57 feet to a point, thence;

7) N 06-57-15 E, along the east line of land now or formerly owned by said St. Thomas, for a distance of 189.75 feet to an iron pipe in the south line of East Foster Street, thence;

8) S 82-47-45 E, along the south line of East Foster Street, for a distance of 92.44 feet to the point and place of beginning, comprising an area of 5.827 acres of land, according to a survey prepared by John A. Green. & Associates dated September 2, 2004.

Being and intending to describe the same premises conveyed in the following two deeds:

Parcel (1.) Agnes E. Griffith to Allendale Columbia School, dated December 28, 1992, and recorded in the Office of the Wayne County Clerk in Liber 878 of beads, at Page 212.

Parcel (2) Agnes E. Griffith to Allendale Columbia School, dated December 31, 1997, and recorded in the Office of the Wayne County Clerk in Liber 946 of Deeds, at Page 581.

PLEASE TAKE FURTHER NOTICE that the environmental significance of the proposed local law will be reviewed at said public hearing.

Any resident of the Village of Palmyra shall be entitled to be heard upon said proposed local law at such public hearing. Copies of said proposed local law are available for review at No. 144 East Main Street, Palmyra, New York.

Alicia Lynch

Village Clerk Treasurer

Mayor Daly invited Ron Finewood to come forward and review his proposed project for the former Allendale Columbia property located at the bottom of the hill on East Foster Street. Several area residents in attendance voiced their concerns about the project. Concerns included the creek and water drainage, wildlife disturbance, noise levels, light pollution and setback requirements. Mayor Daly closed the public hearing at 8:30 p.m.

APPROVAL OF MINUTES: Motion by Trustee Celentano, second by Trustee Piccola to approve the minutes from February 21, 2005. Vote, 4 ayes. CARRIED.

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

- Notice for WCVOA meeting on March 16, 2005.

TRUSTEE REPORTS: Trustee Piccola reported that Bob Grier will be at the April 4th meeting to discuss the proposal to the sign ordinance amended from the International Code version. For the highway department, Trustee Piccola reported that the crews have been filling potholes. A village resident called Superintendent Boesel and asked why the Marina parking lot is not plowed. She felt it would be a good place to park in order to use the trail. The consensus of the Board was to leave the marina closed for the winter.

The sewer flushing machine that has been purchased is on back order. Superintendent Boesel will be calling them to get a delivery date fixed but the Village did not include any penalties in the purchase documents that we can impose for a late delivery.

Trustee Piccola asked Attorney Williams if it would be possible to declare a piece of equipment as surplus but still use it until the auction. Attorney Williams replied in the affirmative. Motion by Trustee Piccola, second by Trustee Celentano to declare the sewer flusher and the '87 dump truck as surplus, to be sold at the May municipal auction. Vote, 4 ayes. CARRIED.

There are problems with the 1997 Ford pickup that was involved in the accident. Trustee Piccola reviewed the history of the truck. After the accident, the highway crew repaired the truck by installing a new box. However, it appears that box is too heavy for the truck. Superintendent Boesel has found an old box that will work and would like to remove the new box and put it in storage until such time the Village purchases a larger pick up that can support it. He would also like to beef up the suspension on the F150 by replacing the springs. Hopefully, we'll be able to get another year out of it.

The Board asked that Trustee Piccola pass along congratulations to the boys' basketball team. Trustee Piccola thanked the Police and Fire departments for the escorts following the sectional games.

Trustee Celentano reported that the monthly operating reports for the wastewater and water plants have been submitted by STES and will be on file in Village Hall. The water quality report has also been submitted. Motion by Trustee Celentano to endorse the water quality report and approve the publication of same which will be distributed to all Village water users with the Timesaver. Vote, 4 ayes. CARRIED.

Trustee Hopkins reported further on the Village Hall garage roof. He has obtained an estimate for installing trusses on the garage for \$6800, materials only. Following the Village procurement guidelines, he will need to get three written quotes for anything up to \$19,999.

Reporting for youth and senior citizens, Trustee Hopkins moved to approve the request from Pal-Mac Youth Baseball to hold their annual opening day parade on April 30th at 10:00 a.m. subject to notification and approval from the Police Department. The parade will follow the same route as in the past and Chief Dalton reported his department has already scheduled it. Second was made by Trustee Palmer. Vote, 4 ayes. CARRIED.

Trustee Palmer reported that the Buildings and Grounds crew has been busy readying equipment for spring and cleaning out the upstairs of Village Hall. They will be continuing their efforts across the street at the Park and Club Rooms. Motion was made by Trustee Palmer, second by Trustee Piccola to approve the flag policy for inclusion in the rules and regulations for the Palmyra cemetery. Vote, 4 ayes. CARRIED.

Reporting for the Fire Department, Trustee Palmer moved to accept David Oakley for membership into the Fire Department pending completion of the required training and a satisfactory physical examination. Second was made by Trustee Celentano. Vote, 4 ayes. CARRIED. Recent elections results within the Fire Department and Fire

Company include Warren Frederick as Chief and Jeremy Bell as the new president. Finger Lakes Ambulance would like to enter into a Medicare billing agreement with the PFD Ambulance. The agreement would allow Finger Lakes Ambulance to bill Medicare for Paramedic Intercepts which provides non-transporting ALS support to the PFD Ambulance. Attorney William would like to research further and will report back on that April 4th. Problems can arise when volunteer ambulances are involved with Medicaid billing.

Also, bids were opened on the new pumper, for which 87% of the funding will come from the FEMA grant. The only bid received came from Pierce Manufacturing for \$149,000. We are still waiting to hear from the broker about the value of our present pumper and what can expect to sell it for. We will need to get at least \$20,000 for it before we can proceed with any purchase.

Attorney William is still working on the backflow prevention law.

Mayor Daly provided her customary written report. One of the highlights of her report was notification from Senator Nozzolio at NYCOM that the Village would be receiving a \$25,000 member item grant towards renovation of the steel flagpole. Mayor Daly has asked Dan Wooden to measure for new curtain rods for the meeting rooms on the west side of the Park and Club room building.

NEW/OLD BUSINESS:

SEQR: Motion was made by Trustee Celentano, second by Trustee Palmer that a Short Environmental Assessment Form has been submitted for the zoning change on the Finewood property on East Foster Street and the Village Board declares that based on the information provided in the SEQR, there will be no adverse environmental impacts due to the rezoning of the 5.8 acre parcel. Vote, 4 ayes. CARRIED.

BUDGET: Motion by Trustee Celentano, second by Trustee Piccola to adopt the 2005-2006 budget as presented at the public hearing. Vote, 4 ayes. CARRIED.

SEWER PLANT STUDY: In an effort to keep Garlock from relocating, Peg Churchill, director of the WCIDA, would like Board permission to investigate with Brian Bieda, STES, any upgrades that might be needed at the wastewater treatment plant to accept flows from Garlock. If any needs are identified, step two would be to write a grant application for possible funding of such a project. Motion was made by Trustee Celentano, second by Trustee Piccola to approve Mrs. Churchill's request. Vote, 4 ayes. CARRIED.

AMTRAK FUNDING: Motion was made by Trustee Celentano, second by Trustee Palmer, to adopt the following resolution opposing federal budget cuts to eliminate Amtrak funding:

WHEREAS, President Bush has recommended that funding for Amtrak be eliminated in the 2005 Federal Budget, which would critically impact, and in many places completely eliminate, national passenger rail service; and

WHEREAS, the County of Wayne has received a grant from Senator Nozzolio in the amount of \$1,000,000 to design and construct a passenger rail station in the Village of Lyons; and

WHEREAS, Wayne County completed a rider-ship research study that concluded that the proposed Lyons Amtrak Passenger Station would generate 27,000 new riders in its first stable year; and

WHEREAS, the restoration of passenger rail service to Wayne County is a critically important economic development initiative, consistent with efforts to revitalize the Erie Canal Corridor, provide additional transportation choices and improve the quality of life for the residents of this region; now, therefore be it

RESOLVED, that the Village of Palmyra Board of Trustees strongly opposes President Bush's proposal to eliminate funding for Amtrak, which will likely bring to an end a 15 year old efforts to construct a passenger rail station in the Village of Lyons, Wayne County, and urges our representatives in the United States Congress and Senate to protect this project from any proposed or pending budget reductions that may compromise or eliminate passenger rail service to the Finger Lakes Region; and be it further

RESOLVED, that the Clerk Treasurer of the Board of Trustees is authorized and directed to send a copy of this resolution to Congressman James T. Walsh, Senator Charles Schumer, Senator Hillary Rodham Clinton, Governor George Pataki, Senator Michael Nozzolio, Assemblyman Robert Oaks, the National Association of Counties, the United States Conference of Mayors, the New York Association of Counties, the New York State Association of Villages, and the New York Conference of Mayors and the Empire State Rail Association.

Vote: Trustee Celentano	aye	Trustee Hopkins	aye
Trustee Palmer	aye	Trustee Piccola	aye
Mayor Daly	aye	5 ayes	CARRIED.

COMMUNITY DEVELOPMENT BLOCK GRANTS: Motion was made by Trustee Palmer, second by Trustee Piccola, to adopt the following resolution opposing federal budget cuts to eliminate the CDBG program:

WHEREAS, President Bush has recommended that the federally funded Community Development Block Grant Program be eliminated; and

WHEREAS, Wayne County and its communities have received over \$25 million from the Community Development Block Grant Program in the last 10 years for the installation of water and sewer lines, the rehabilitation of owner and renter occupied housing, downtown revitalization and economic development; and

WHEREAS, the elimination of this program will deal a critical blow to our efforts to improve the quality of life for our residents and negatively impact the revitalization of the Upstate New York economy, which lags well behind the rest of the nation in the creation of jobs; and

WHEREAS, Community Development Block Grant funds are considered a crucial component of Wayne County's overall economic development strategy; and

WHEREAS, without these funds our ability to redefine our economy, improve quality of life and attract appropriate business in an increasingly competitive environment will be critically and permanently compromised; now, therefore, be it

RESOLVED, that the Village of Palmyra Board of Trustees strongly opposes President Bush's proposal to eliminate the Community Development Block Grant Program and urges our representatives in the United States Congress and Senate to protect this program from any proposed or pending budget reductions that will jeopardize our ability to sustain and improve the economic health of Wayne County, the Finger Lakes Region and Upstate New York; and

RESOLVED, that the Clerk Treasurer of the Village of Palmyra Board of Trustees is authorized and directed to send a copy of this resolution to Congressman James T. Walsh, Senator Charles Schumer, Senator Hillary Rodham Clinton, Governor George Pataki, Senator Michael Nozzolio, Assemblyman Robert Oaks, the National Association of Counties, the United States Conference of Mayors, the New York Association of Counties, the New York State Association of Villages, and the New York Conference of Mayors.

Vote: Trustee Celentano	abstain	Trustee Hopkins	aye
Trustee Palmer	aye	Trustee Piccola	aye
Mayor Daly	aye	4 ayes, 1 abstain	CARRIED.

GRANT APPLICATIONS: The Genesee Transportation Council is accepting applications for funding for transportation projects and studies for their 2005 fiscal year. The Route 21 truck traffic problem is a perfect fit for this program. The minimum grant request is \$20,000; a 20% match would be required from the applicant. The Wayne Planning Board would like to submit an application on the Town and Village's behalf, so the 20% would get split between the two municipalities. Motion was made by Trustee Celentano, second by Trustee Hopkins to approve the grant application for the air quality study and to split the 20% match with the Town of Palmyra. Vote, 4 ayes. CARRIED.

BUDGET TRANSFER: Motion was made by Trustee Celentano, second by Trustee Piccola to transfer another \$8,167.29 from A1990.4 Contingency to A3620.4 Safety

Inspection, Misc./ Contractual to cover contract shortages for 2004-2005. Vote, 4 ayes. CARRIED.

GREATER ROCHESTER ENTERPRISE: Greater Rochester Enterprise is a regional economic development organization supported by a team of private and public sector leaders dedicated to improving economic performance in the Greater Rochester region. GRE does for municipalities what they cannot do for themselves in marketing. The Village has committed to \$200.00 in the 2005-2006 budget. Mayor Daly recommended that the Village participate this year as well. Trustee Celentano moved to transfer \$200 from contingency for participation this year in the Wayne County/GRE development effort. Second by Trustee Piccola. Vote, 4 ayes. CARRIED.

SURVEILLANCE GRANT: Chief Dalton once again confirmed that the Village did receive a \$10,000 matching grant from the Edward Byrne Memorial Formula Grant Awards for crime prevention. Surveillance equipment will be purchased for the marina. We were able to receive two written quotes; a third company was contacted but never replied with a quote. The low quote was submitted by Gabriel Digital for \$6,600. It looks like all the "bugs" have been worked out so the Chief will be moving forward with the purchase.

SEWER CONTRACT: Mayor-Daly reported briefly on her meeting with Supervisor Lyons regarding negotiating a new sewer rate for Town customers. The current billing rate to the Town is \$2.50 per thousand gallons or approximately \$1300 to 1600 income per quarter to the Village. Our contract with the Town states "the rate paid by the Townshall be increased in the same proportion to any increase in rates imposed by the Village to Village users". Supervisor Lyor. offered \$3.50 per thousand. The Board asked to have some information on how many sewer customers would be affected within the Town and offered suggestions for further negotiations. Mayor Daly will report back in April.

REASSESSMENTS: The Village water line through Canandaigua and the Town of Manchester has been reassessed. Parcel #323689 636.89-9-235.450/111S went from an assessment of \$146,000 to \$1,085,445; an increase in the estimated tax of over \$29,000. The Board directed the Clerk Treasurer to call for an appointment with the assessor in Manchester for a hearing.

RE-ZONING FINWOOD PROPERTY R-1 TO R2: Trustee Palmer moved to change the zoning on the Finewood property from R-1 to R2. Trustee Piccola seconded the motion. A short discussion took place about different options instead of re-zoning the property. Attorney Williams suggested that the Board table the motion, get more information from Mr. Finewood and consider other options. Trustee Piccola moved to table the motion, second by Trustee Hopkins. Vote, 4 ayes. CARRIED.

Motion by Trustee Celentano, second by Trustee Piccola to enter executive session at 9:50 p.m. for discussion of personnel. Vote, 4 ayes. CARRIED.

EXECUTIVE SESSION

Motion by Trustee Celentano, second by Trustee Piccola to re-enter public session at 10:15 p.m. with no action having been taken Vote, 4 ayes. CARRIED.

ADJOURNMENT: Motion to adjourn at 10:16 p.m. by Trustee Piccola, second by Trustee Celentano. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Village Clerk