

**VILLAGE OF PALMYRA
BOARD OF TRUSTEES**
December 20, 2004 7:00 p.m.

PLEDGE OF ALLEGIANCE

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

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

APPROVAL OF MINUTES: Motion by Trustee Piccola, second by Trustee Palmer to approve the minutes from the December 2, 2004 joint meeting with Town Council as submitted. Vote, 3 ayes, 2, abstain Trustees Celentano and Hopkins. CARRIED.
Motion by Trustee Celentano, second by Trustee Piccola to approve the minutes from December 6, 2004 as submitted. Vote, 4 ayes. CARRIED.

APPROVAL OF ABSTRACT: Motion by Trustee Celentano, second by Trustee Piccola to approve payment of Abstract #7, for vouchers 498-587 for \$111,430.91. Vote, 4 ayes. CARRIED.

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

- \$10,000 state grant for surveillance equipment
- \$1,000 grant to Police Dept. – seat belt awareness program

TRUSTEE REPORTS: after guests from the Planning Board.

NEW/OLD BUSINESS:

SIGN ORDINANCE: Planning Board Chair David Morrell explained that the Planning Board has been working on updating the sign ordinance for over a year. He distributed copies of the committee's proposal and introduced fellow committee member, Dave Pray. Mr. Pray explained that the Planning Board assembled sign ordinances from several neighboring communities for the basis of the proposed new sign ordinance. The Board has been working with Dan Wooden, Deputy Building Inspector. Mayor Daly said the Board would review and asked Mr. Morrell to come back for further discussion on January 17, 2005.

TRUSTEE REPORTS:

Trustee Palmer - no report.

Trustee Celentano reported that the monthly maintenance report has been submitted by ST and is on file at Village Hall for any interested party.

ST ENVIRONMENTAL INVOICES: Motion was made by Trustee Celentano, second by Trustee Piccola to approve the following invoices as submitted by ST Environmental to be paid by ST out of the joint account as well as any other invoices that would incur late charges if not paid by the next scheduled Board meeting:

DATE	COMPANY	INVOICE/ACCT.	CHECK AMT.
11/01/04	Jones Chemicals	193478	\$1,920.00
11/01/04	Jones Chemicals	193497	\$560.00
11/15/04	Alpco Recycling	2242	\$20.00
11/01/04	CountryMax	200014	\$7.43
11/10/04	Frontier	394645905	\$21.65
11/15/04	NYSEG	1042401008100-08	\$925.78
11/17/04	Blair Supply	11202228-1	\$743.49
11/09/04	Aftek	501048	\$547.60
11/04/04	Midstate Labs	13048	\$46.00
11/09/04	Midstate Labs	13071	\$25.00
11/09/04	Bill Lee Electric	1109BRKR	\$182.54
11/11/04	Midstate Labs	13097	\$46.00

11/16/04	Midstate Labs	13129	\$50.00
11/26/04	Alpco Recycling	2781	\$40.00
11/24/04	Severn Trent	Lowes P card	\$118.00
12/01/04	Waste Mgmt.	2683332-2225-8	\$442.23
11/30/04	Magnum Auto	6536	\$24.28
11/30/04	Blazey's	490004	\$100.00
11/30/04	Colacino Elec.	611685-00	\$66.96
11/30/04	Santelli's	20574	\$47.80
11/23/04	Midstate Labs	13206	\$610.00
11/30/04	Action Security	STENV	\$204.00
11/25/04	Verizon	3155975498	\$41.64
11/25/04	Verizon	3155975050	\$37.00
11/01/04	NYSEG	4142415002000-01	30.91
12/06/04	NYSEG	4142415001000-03	\$496.17
12/03/04	NYSEG	7142415019200-00	\$36.69
12/02/04	NYSEG	2142409000900-06	\$2,323.44
12/01/04	Midstate Labs	13269	\$50.00
12/03/04	Midstate Labs	13291	\$46.00
12/07/04	RGE	1738	\$52.66
11/30/04	CountryMax	200014	\$32.31

Total Paid as agent for the Village \$ 9895.58

Vote, 4 ayes. CARRIED.

Trustee Hopkins reported that Palmyra had some excellent television coverage on Channel 14 which featured the Alling Coverlet Museum.

Trustee Piccola reported that Mike Boesel has been appointed as Highway Superintendent to fill the vacancy left by the retirement of Nelson Cook. Mr. Boesel will take office January 1st.

Code Enforcement: Bob Grier submitted his year end report and reported that work has now been completed on the fire-damaged parapet on East Main.

Attorney William – excused.

Mayor Daly provided her customary written report. She reminded the Board that Roy McMaster will be at the next Board meeting on Jan. 3, 2005 to discuss budget procedure. She read the following statement into the record:

"I feel compelled to make the following statement because of the unnecessary confusion and anxiety that has been created in the Village of Palmyra.

I begin with 3 basic assumptions. They are:

1. The Village Board has the responsibility to do what is best for the Village of Palmyra as a whole.
2. Media, both print and electronic, have the responsibility of presenting factual information.
3. Citizens of a community have the responsibility of being knowledgeable about their government and its actions.

This, of course, has to do with Local Law #1, 2004, which deals with removal of debris, including snow and ice, from village sidewalks. I will start with the conclusion and work backwards.

- In practice, nothing has changed.
- The new law is a simplification and clarification of an existing law, Local Law #1, 1989, which spoke to the need to keep sidewalks clear of all forms of debris. Snow was not mentioned. The new law is explicit about snow and ice.
- The old law indicates a \$50.00 fine if a walk is not cleared in 24 hours. The new law removes the \$50.00 figure and replaces it with the cost of removal. The Village will not profit by enforcement of this code as it could have in the past.
- The old law makes no mention of waivers due to hardship. The new law does.
- There has not been, in recent memory, a specific Sidewalk Clearing Program. What we have had, and continue to have, is an effort by the Buildings and Grounds Crew and the Highway Crew to clear sidewalks when they are able to do so. It is an extra service provided when possible.

It does not relieve homeowners of their responsibility to keep sidewalks clean. The crews concentrate on the areas near the three schools within the Village. If the residents of Palmyra want all the sidewalks cleared all the time, a larger crew would be required. This would impact the budget.

- Wording for the new law was discussed at a series of Village Board meetings. Attorney Art Williams drafted several versions of the proposed new ordinance. When the Board was comfortable with what we ultimately presented to the public, the date for a public hearing was set. The Village Clerk posted a legal notice in the Courier Journal, our paper of record. In addition, the calendar of coming events on the Village Hall bulletin board listed the hearing. No one, not one Palmyra resident, came to speak specifically to that topic.
- Common sense indicates that if the condition of a sidewalk forces people to walk in the road, an unnecessarily dangerous situation is created. That is what we, and our predecessors in 1989, were trying to prevent. Whether that is the result of lack of clearing or of snow being deposited by snow plowed from an adjacent driveway, it is not in the best interests of the village as a whole.
- In practice, nothing has changed. The two crews will do what they can when they can. Be considerate of your neighbors. When you have a question contact the people who can give you the answers. We will be happy to.

Vicky Daly
December 20, 2004

NEW/OLD BUSINESS:

207C POLICY: The Board discussed the need for having a 207C policy put in place. A 207C policy addresses workmen's compensation procedures for police and paid firemen. Due to the complexity of the issue and the requirements of a written policy, the Board agreed to have the policy written by Attorney MaryLou Conrow. The Village has used her expert services in another 207C matter. The Clerk suggested that we ask the Village attorney if he recommends contacting other Wayne County villages to share the cost of having this done.

POLICE DEPT. COPIER: The eleven year old copier in the police department has died. The Chief submitted NYS contract lease pricing and purchase pricing for a new Toshiba. Lease pricing is \$85.00 per month for a total of \$5100 which includes all service calls, preventative maintenance, labor, travel, parts and supplies including toner, developer and drums. Purchase price would be \$2970 plus \$288/ year for service. Trustee Celentano moved that the Village sign a 60-month lease for a new Toshiba copier off of state bid for use by the police department. Second by Trustee Piccola. Vote, 4 ayes. CARRIED.

PARKING IN THE VILLAGE/LOCAL LAW #3, 2004: Motion was made by Trustee Celentano, second by Trustee Palmer to adopt Local Law #3, 2004 with the following deletions:

Section 183-2.5 Paragraph A and B – delete.

Section 183-10: Prohibition of all-night parking, Paragraph B. "and in the one-way section of Market Street." – delete.

Vote, 4 ayes. CARRIED.

The Board will re-visit the parking restrictions for Hyde Parkway at a later time. The wording for the two hour parking on the east side may need to be reworded.

PARK & CLUB ROOMS/SEXTON BUILDING: Mayor Daly reported that she has been approached by a village resident who is interested in making a sizeable donation to the Village for improvements to the Sexton Building. The Village would be expected to commit to the maintenance and retention of the building and provide in-kind services for painting, curtain rod replacement, and more thorough cleaning. The donor is interested in building integrity, health and safety improvement and improvements to reduce utility bills. Several uses for the money are as follows:

1. Breaks in the building fascia.

2. Replacement countertops in the kitchen.
3. Six burner stove.
4. Replacement commodes in both bathrooms.
5. Carbon Dioxide detector.
6. Replacement floors in the nutrition site and bathrooms.
7. Locked storage cabinets in storeroom.
8. New thermostat.

Motion was made by Trustee Celentano, second by Trustee Hopkins, to accept the donation and offer of aid for the Park and Club Rooms as outlined with gratitude. Vote, 4 ayes. CARRIED.

Motion by Trustee Piccola, second by Trustee Palmer to enter executive session at 8:00 p.m. for discussion of possible litigation. Vote, 4 ayes. CARRIED.

EXECUTIVE SESSION

Motion by Trustee Piccola, second by Trustee Salomon to re-enter public session at 8:38 p.m. with no action having been taken Vote, 4 ayes. CARRIED.

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

Respectfully submitted,

Alicia M. Lynch
Village Clerk