

VILLAGE OF PALMYRA BOARD OF TRUSTEES

REGULAR MEETING

April 7, 2008

7:00p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Mayor Daly, Trustees Palmer, Husk and Nolan, and Attorney Williams. Trustee Piccola – absent.

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

APPROVAL OF MINUTES: Motion by Trustee Palmer, second by Trustee Husk to approve the minutes from March 18 as submitted. Vote, 3 ayes. CARRIED.

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

- Notification of Preservation Assistance Grants fm.US Senate
- Hill Cumorah cast volunteer projects – ideas anyone?
- Genesee/Finger Lakes *Regional Review*: Article on Palmyra
- Budget reports distributed to Board and Dept. Heads
- Registration information from WC Business Council: D. Gundersen seminar
- Information on PB/ZBA training
- Copy of WC Bd. of Supervisors resolution re: Urging Long Term Viability of Canal System

WATERLINE ASSESSMENTS: Mary Katherine (Katie) Villani spoke about the increased proposed waterline assessment from the Town of Manchester. Evidently, the assessor is basing the new assessment on the Utility Advisory Appraisal Report from the NYS Office of Real Property Services. Villani and Villani represented both the Village of Palmyra and Newark during Peter Wilson's term when a similar increase was being proposed. However, it must have happened long enough ago that the file has been purged from Villani's office. Newark's assessments have actually been decreased, so there will be no opportunity to share any fees with them. Motion was made by Trustee Palmer, second by Trustee Nolan to engage the services of Villani and Villani to proceed with the grievance for the raw water line through the Town of Manchester. Vote, 3 ayes. CARRIED.

DOGS: Resident Cissy Smith addressed the Board to complain about people letting dogs do their business in her lawn. She is sick and tired of it and thinks something should be done. She suggested that the Police should enforce the ordinance by issuing tickets to any dog owner out walking their dog that doesn't have a plastic bag or a dog scooper with them. Attorney Williams said that you can't give a ticket against something that hasn't happened yet or about to happen. Mayor Daly said the Board would take another look at the ordinance to see if there is anyway it can be tightened up.

TRUSTEE REPORTS:

Trustee Husk reported about a mix-up with the budget request for the Fire Department. Apparently, the Fire Department wanted an increase in the line item for annual inspections for Fire equipment; ie. ladders, air packs etc. Chief Frederick inadvertently put the increase in the .2 instead of the .4. Thinking that was the Fire Department's request for a pumper truck, it was cut from the budget. Current Chief Bill Colburn was told that the .4 was increased by \$5,000 and we'll have to wait and see if that increase is sufficient.

EXECUTIVE SESSION: Motion was made by Trustee Palmer, second by Trustee Husk to enter executive session with Chief Colburn for discussion of a personnel matter.

PUBLIC SESSION: Motion was made by Trustee Palmer, second by Trustee Nolan to re-enter public session with no action having taken place in executive session. Vote, 3 ayes. CARRIED.

TRUSTEE REPORTS (cont).

Trustee Nolan reported that there will be a Canal Trail celebration June 7 with a cleanup effort advertised from 9:30-11:30am.

Trustee Palmer – no report.

Trustee Piccola – absent.

Attorney Williams –no report.

Mayor Daly provided her usual written report which included a listing of upcoming events.

NEW/OLD BUSINESS

PERFORMANCE REVIEWS: Clerk Treasurer Lynch distributed copies of the proposed employee evaluation form. There may be some minor changes but substantially it will remain the same. A section for goal setting will be included as well.

WC FAIR PARADE REQUEST: The Board discussed the invitation from the Fair Association for the Firemen's Parade and instructed the Clerk to send the response back in indicating they will not be participating.

YOUTH BASEBALL PARADE REQUEST: Motion was made by Trustee Palmer, second by Trustee Husk to approve the request for permission to have the Youth Baseball parade on May 3rd starting at 10 a.m. Vote, 3 ayes. CARRIED.

CANAL LOCK HOURS: Mayor Daly announced that the State has rescinded its announcement regarding reduced hours for lock operation on the Canal. They will follow the same hours for operation as last year.

CSX DERAILMENT: The Board discussed the recent train derailment on Division St. Although outside of the Village limits, Trustee Husk is concerned about the second derailment in five years and the safety of town and village residents if something more dangerous happens to derail in that area. Senator Schumer is proposing legislature, the Railroad Safety Enhancement Act of 2007, designed to stiffen the penalties for negligent railroad companies and require the railroad companies to upgrade their infrastructure. Mayor Daly will correspond with Schumer to inform him of our concern.

COURT AUDITS: The Board discussed a memo from Judge Rodman asking that the Court audit take place the same time each year. The Clerk will pass the request along to Trustee Piccola who is doing the audits now.

BOND RESOLUTION: Motion was made by Trustee Husk to adopt the following bond resolution:

A RESOLUTION AUTHORIZING THE PURCHASE OF THE EQUIPMENT FOR CONSTRUCTION AND MAINTENANCE FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$160,000 AND AUTHORIZING THE ISSUANCE OF \$160,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

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 purchase of equipment for construction and maintenance, together with incidental equipment and expenses in connection therewith, for the Village of Palmyra, Wayne County, New York, is hereby authorized at a maximum estimated cost of \$160,000.

Section 2. It is hereby determined that the plan for the financing the aforesaid maximum estimate cost is by the issuance of \$160,000 serial bonds of said 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 class of objects or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of said serials bonds herein authorized will not 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:

- 1). Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2). 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
- 3). 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. This resolution, which takes effect immediately, shall be published in summary form in the *Palmyra Courier Journal*, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Second by Trustee Nolan. Roll call vote:

Mayor Daly	aye	Trustee Piccola	absent
Trustee Husk	aye	Trustee Palmer	aye
Trustee Nolan	aye	<u>Unanimous/Carried/Defeated</u>	

GENERAL CODE: An estimate has been received from General Code Publishers to codify LL Nos. 1-2006, 1-2007, 2-2007, 3-2007 and 4-2007 including revisions to the Table of Contents, Disposition List and Index between \$1330 and \$1490 plus 2% shipping and handling. Clerk Treasurer Lynch suggested the Village update at this time versus letting it get out of hand as it did before. Motion was made by Trustee Palmer, second by Trustee Husk to authorize General Code to proceed with the supplement as described in the estimate. Vote, 3 ayes. CARRIED.

ADJOURNMENT: Motion by Trustee Palmer, second by Trustee Nolan to adjourn at 9:00 p.m. Vote, 3 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Clerk Treasurer