

VILLAGE OF PALMYRA BOARD OF TRUSTEES
PUBLIC HEARING
ANNUAL ORGANIZATIONAL MEETING
REGULAR MEETING
December 6, 2004 7:00 p.m.

PRESENT: Mayor Daly, Trustee Celentano, Trustee Hopkins, Trustee Piccola, Trustee Palmer and Attorney Williams.

PUBLIC HEARING

CALL TO ORDER: Mayor Daly called the public hearing to order at 7:00 p.m. with the reading of the following legal notice. She opened the floor up for comments from the public. As there were no forthcoming comments, Mayor Daly closed the public hearing at 7:02 p.m.

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

NOTICE IS HEREBY GIVEN, that there has been introduced before the Village of Palmyra Local Law #2, 2004, which, if adopted would amend chapter 155 of the Village Code entitled Snowplowing. Proposed Local Law #2, 2004 redefines the requirements of amber lights on top of snowplowing equipment.

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 6th day of December, 2004 at 7:00 p.m. 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 laws.

Any person may appear in person or by representative. A copy of the proposed local law may be examined in the Village Clerk Treasurer's office during normal business hours.

Dated: November 16, 2004

By Order of the Village Board of the Village of Palmyra

Alicia M. Lynch
Village Clerk

Mayor Daly opened the annual organizational meeting at 7:02.

ANNUAL ORGANIZATIONAL MEETING: Motion by Trustee Celentano, second by Trustee Palmer to adopt the following annual organizational assignments, except where noted, all terms shall run through December 5, 2005.

BE IT RESOLVED that the Board of Trustees reestablishes the following trustee liaisons for a period of one year from 12/6/2004 through 12/5/2005. Each chairperson shall designate a board member who shall assume committee responsibility in the absence of the chairperson. Positions shall be decided by motion and majority of the Village Board. Majority shall be considered three (3) votes.

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| 1. Audit | Trustees Palmer & Piccola |
| 2. Buildings & Grounds (Marina, Village Hall, Park & Club Rooms, Flagpole Trails) | Trustee Palmer |
| 3. Economic Support Group (Special Events) | Trustee Hopkins |
| 4. Fire Department | Trustee Palmer |
| 5. Personnel | Mayor Daly & Trustee Palmer |
| 6. Planning and Zoning | Trustee Piccola |
| 7. Revitalization | Mayor Daly |
| 8. Streets, & highway | Trustee Piccola |
| 9. Water & Sewer | Trustee Celentano |
| 10. Youth & senior citizens, PCC | Trustee Hopkins |

CLERK Mayor Daly moved the appointment of Alicia M. Lynch, as
TREASURER CLERK TREASURER, appointment for a period of two years from December 6, 2004 through December 4, 2006 as per Local Law #7, 1975.

TAX COLLECTOR Mayor Daly moved the appointment of Alicia M. Lynch, as TAX COLLECTOR as part of the duties of the Clerk Treasurer two year term.

ACTING JUSTICE: Mayor Daly moved the appointment of William Abbott, as acting POLICE JUSTICE for a period of one year from December 6, 2004 ending December 5, 2005 as per Village Law 3-301, Section 2z and Note 5 of Revision 1992, Section 8. Appointment is made by the Board of Trustees, with Justice approval.

COURT Mayor Daly moved the appointment of Patricia Peterson, COURT CLERK,

CLERK: appointment for a period of one year from December 6, 2004 ending December 5, 2005 as per Village Law 4-400, Sub. Para. C, ii. with Justice approval.

VILLAGE ATTORNEY: Mayor Daly moved the appointment of Arthur B. Williams, as Village Attorney, or a period of one year from December 6, 2004 ending December 5, 2005.

HEALTH OFFICER: Mayor Daly moved the appointment of Dr. Malcolm Riggs, MD, as HEALTH OFFICER as previously established and shall run through December 5, 2005.

REGISTRAR VITAL STATISTICS: Mayor Daly moved the appointment of Lynne Green, Town Clerk, REGISTRAR FOR VITAL STATISTICS appointment from December 6, 2004 through December 5, 2005.

ANIMAL CONTROL OFFICER: Mayor Daly moved the appointment of Gary Rose as ANIMAL CONTROL OFFICER appointment from December 6, 2004 through December 5, 2005.

VILLAGE HISTORIAN Mayor Daly moved the appointment of Beth Hoad, Village Historian, appointment for a period of one year from December 6, 2004 ending December 5, 2005.

PLANNING/ZONING BOARDS: Mayor Daly moved the appointment of David McDowell as a member of the Zoning Board of Appeals, term from November 30, 2003 through November 30, 2008 and his appointment as chair of the Zoning Board through November 30, 2005.
 Note: Previously appointed:
 Steve Landgrebe term beginning November 30, 2001 through November 30, 2005
 Steve Hays, term beginning November 30, 2001 through November 30, 2006
 James Hemmings term beginning November 30, 2004 through November 30, 2009
 Frank Record Jr. term beginning December 16, 2002 through November 30, 2007.
 Alternates:
 Tim Kurek term beginning May 6, 2003 through November 30, 2008.
 Vacancies: One alternate.
 Mayor Daly moved the appointment of David Morrell, term from November 30, 2003 through November 30, 2005 as Chair of the Planning Board term to expire November 30, 2005.
 Note: Previously appointed:
 Kathy Wooden term beginning November 30, 2001 through November 30, 2006
 Kevin Bell term beginning December 1, 2004 through November 30, 2009
 Kathy Boesel term beginning December 16, 2002 through November 30, 2007
 David Pray term beginning October 7, 2003 through November 30, 2008
 Alternate: Jennifer Voss term beginning February 9, 2004 through November 30, 2009.

YOUTH COMMISSION: Mayor Daly advised that, upon recommendation of the Board of Directors of the Palmyra Community Center, she re-establishes the following officer positions on the YOUTH COMMISSION, election of said officers to be conducted in March:

1. President	Tom Hickey
2. Vice-president	David Pray
3. Secretary	Missy Husk
4. Treasurer	Jacky Nolan

FIRE DEPT. OFFICIALS: Mayor Daly advised, on recommendation of the Palmyra Fire Company, Inc. as of December 1, 2004 that the following appointments be made:

1. Fire Chief	Kevin Bruening
2. First Asst. Chief	Jason Dickinson
3. Second Asst. Chief	Bill Colburn
4. Third Asst. Chief	Justin Spencer

FIRE DEPT. MAINTEN. MECHANIC: Mayor Daly moved the appointment of James Eckert, as MAINTENANCE MECHANIC of the FIRE DEPARTMENT EQUIPMENT, appointment from December 6, 2004 through December 5, 2004.

DEPUTY OR ACTING MAYOR: Mayor Daly moved the appointment of Mark Palmer, a Trustee, as DEPUTY OR ACTING MAYOR, to serve during the absence of the Mayor, when required as per Village Law, Article 4, 1.h.

BANK DEPOSITORY HSBC shall be the depository for funds of the village; the Village of Palmyra shall utilize the services of said bank regarding Village investments, however, the services of various other banks may also be utilized from time to time, at the discretion of the Village Board.

INVESTMENT COUNSELORS: Roy McMaster, Fiscal Advisors, Cicero, NY, shall be utilized by the Village Board of Trustees as Investment Counselor for the Village of Palmyra.

OFFICIAL NEWSPAPER: *The Courier Journal* shall be approved as the official newspaper for the Village and the *Daily Messenger* to serve as a secondary official newspaper to bring such legal notices, statements, notices for bids and other legal notices for the ensuing year to the attention of the citizens for the Village of Palmyra.

EMPLOYEE BONDS: Mayor Daly moved that bonds be provided by Van Parys Associates for the following bond amount for employees set by the Board:
To cover the Village part-time clerks, bond amount of \$57,500 and Clerk Treasurer/Tax Collector, bond amount of \$646,000 and \$5,000 per all other employees.

SPECIAL MEETINGS & HOLIDAYS In the case of special meetings, the Village official newspaper will be notified and notification of such shall be posted on Village Hall as far in advance as possible. Office hours are Monday through Friday, 9:00 am through 5:00 pm. The office shall be closed on the following holidays:

1. Good Friday	6. Thanksgiving
2. Memorial Day	7. Day after Thanksgiving
3. July 4 th	8. Christmas (Dec. 26)
4. Labor Day	9. New Year's Day (Jan. 2)
5. Veteran's Day	

As per N.Y. Village Law, Deputy Mayor Palmer announced the following appointments:

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|------------------------|------------|
| 1. Budget Officer | Mayor Daly |
| 2. Police Commissioner | Mayor Daly |

RULES OF PROCEDURE: N. Y. Village Law, the Local Laws of the Village of Palmyra and the following rules of procedure are hereby adopted as guidelines to the Village Board of Trustees meeting. The Board of Trustees reserves the right to enact any and all of the stated rules of order should it be deemed necessary.

REGULAR MEETINGS: The regular meetings of the Board of Trustees of the Village of Palmyra shall be held at 7:00 pm. on the First and Third Monday, in the months of September through May, the Board will meet on the first Monday night of the month only for the months of June, July and August, with the exception that any holidays which may fall on the above dates will automatically move the regular meeting night to the next day evening. The Village Clerk will prepare a written agenda for each Village Board meeting following the same guidelines as resolved in previous years.

QUORUM: A quorum shall be required to conduct business. A quorum of the (5) five member Board of Trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

EXECUTIVE SESSIONS: Executive sessions shall be held in accordance with the NYS Public Officers Law 105. All executive sessions shall be commenced in a public meeting.

AGENDAS: The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Clerk by the Friday preceding the meeting by 12 Noon, however, items may be placed on the agenda at anytime, including during the meeting.

VOTING: Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie.

A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.

A abstention, silence or absence shall be considered a negative vote for the purposes of determining the final vote on a matter.

MINUTES: Minutes shall be taken by the Clerk. Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following:

- Name of the Board
- Date and time of meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment
- Name and title of other village officials and employees present
- Record of communications presented to the Board
- Record of reports made by Board or other village personnel
- Time of adjournment
- Signature of Clerk or person who took the minutes if not the Clerk.

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the Clerk do so. Minutes shall be approved at the next board meeting whenever possible. Amendments to the minutes shall require Board approval.

ORDER OF BUSINESS:

- Call to Order
- Roll call
- Approval of minutes of previous meeting
- Approval of abstract (second meeting of the month)
- Correspondence/Announcements
- Trustee Reports
- Old/New Business
- Public Session
- Adjournment

GENERAL RULES OF PROCEDURE:

The Mayor shall preside at meeting. In the Mayor's absence the Deputy Mayor shall preside. The presiding officer may debate, move and take other action that may be taken by other members of the Board. Motions to close or limit debate may be entertained but shall require a two-thirds vote.

GUIDELINES FOR PUBLIC COMMENT: The public shall be allowed to speak during the Public Comment period of the meeting or at such other time as a majority of the Board shall allow.

All remarks shall be addressed to the Board as a body and not to any member thereof. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Interested parties or their representatives may address the Board by written communications.

GUIDELINES FOR USE OF RECORDING EQUIPMENT: All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording shall be done in a manner which does not interfere with the meeting. The mayor may make the determination that the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Village Board, size of the equipment and the ability of the public to still participate in the meeting. If the mayor make the determination that the recording is intrusive and has the effect of interfering with the meeting, the mayor may request an accommodation to avoid the interference and if not complied with ask the individual to leave the meeting room.

ADJOURNMENT: Meetings shall be adjourned by motion.

AMENDMENTS TO THE RULES OF PROCEDURE: The foregoing procedures may be amended from time to time by a majority of the Board.

Voting as follows:

Trustee Hopkins	aye	Trustee Palmer	aye
Trustee Piccola	aye	Trustee Celentano	aye
		Vote: 4 ayes.	CARRIED.

EXECUTIVE SESSION: Motion by Trustee Celentano, second by Trustee Hopkins to enter into executive session at 7:05 p.m. for the discussion of confidential fiscal information relating to a Micro Enterprise Loan Program application. Vote, 4 ayes. CARRIED.

PUBLIC SESSION: Motion by Trustee Celentano, second by Trustee Piccola to reenter public session with no action having been taken. Vote, 4 ayes. CARRIED.

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

- Tentative budget calendar
- Time Warner – possible programming change
- Holiday closing schedule for Village Hall, Closed Dec. 24th and Dec. 31st
- Landmark Society Awards – Dec. 5, 2004
- Skateboard helmets

APPROVAL OF MINUTES: Motion by Trustee Piccola, second by Trustee Palmer to approve the minutes from November 15, 2004 as submitted. Vote, 4 ayes, Trustees Palmer, Piccola, Celentano and Mayor Daly. One abstain, Trustee Hopkins. CARRIED.

TRUSTEE REPORTS: Trustee Piccola reported on the success of the Holiday Open House. There were 27 merchants participating. For planning and zoning, Trustee Piccola moved to accept Kathleen Ioele as an alternate on the Planning Board. Second by Trustee Celentano. Vote, 4 ayes. CARRIED.

Trustee Celentano reported on the incoming bids for the sewer cleaning machine. After reviewing the bids with Attorney Williams, Highway Superintendent Cook recommended that the Village award the contract for the new cleaner to Foster Equipment, the second lowest bidder. The apparent low bidder's proposal did not meet the minimum written specifications. For example, the low bid machine was only a 72 horsepower versus 86 horsepower from Fosters with a one year warranty versus a three-year warranty. Motion by Trustee Celentano, second by Trustee Palmer to award the contract for the new sewer cleaner for \$39,483.00 to Fosters Equipment. Vote, 4 ayes. CARRIED.

Trustee Hopkins also reported on the Holiday Open House. There were over 400 breakfasts served at the Grade School and the first home-based business fair in the gym seemed to be a good addition to the event. Santa got rave reviews and the "picture money" went to the Clergy Council.

Trustee Palmer reported that Bob Raeman will be reporting on his findings on the Park and Club Rooms and the addition of a fire escape off the second floor. Mr. Raeman will also be submitting an estimate for making the bathrooms handicapped accessible at the Fire Hall. One of the ambulances is out of use right now but should be able to be fixed in house.

Attorney Williams asked to be excused from the next meeting due to a Magistrates meeting. The Board approved his request.

Mayor Daly provided her usual written report and reported that the new joint Comprehensive Plan for the Town and Village passed last Thursday night.

NEW/OLD BUSINESS

MICRO-ENTERPRISE LOAN: Motion was made by Trustee Celentano, second by Trustee Palmer to approve the Micro-Enterprise Loan for the Attridges of Country Connections for \$10,000.

LOCAL LAW #2, 2004: Motion by Trustee Celentano, second by Trustee Palmer to adopt Local Law #2, 2004 and submit to the State for filing. This will require the amber light on top of snow plowing equipment to be working. Vote, 4 ayes. CARRIED.

FIRE CONTRACT: Motion by Trustee Celentano, second by Trustee Piccola to authorize the Mayor to sign the contract for fire protection between the Town, Village and Fire Department. Vote, 4 ayes. CARRIED.

YEARLY GOALS: The Board discussed goals for the upcoming year. The Mayor would like to see the completion of the policy manual and 207C policy, implementation of a new sign ordinance as well as improved signage in the Village, the continued development of a long range plan for equipment replacement and long range plan for maintenance work on the Village Hall and the Sexton Building. She would also like to aggressively search for grant monies. Trustee Celentano believes that we need to take another look at providing sidewalks on Stafford Street. Trustee Palmer thinks we can't put off much longer road replacement in the cemetery.

EXECUTIVE SESSION: Motion by Trustee Celentano, second by Trustee Piccola to enter into executive session at 8:10 p.m. for the discussion of possible litigation. Vote, 4 ayes. CARRIED.

PUBLIC SESSION: Motion by Trustee Celentano, second by Trustee Piccola to reenter public session with no action having been taken. Vote, 4 ayes. CARRIED.

AJOURNMENT: Motion by Trustee Celentano, second by Trustee Piccola to adjourn at 8:15 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Clerk Treasurer