

**VILLAGE OF PALMYRA  
BOARD OF TRUSTEES  
May 2, 2005            7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC HEARING:** Mayor Daly called the public hearing to order noting that the following legal had been published in the official village newspaper:

**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 189-Water of the Village Code entitled "Cross-Connection Control Program". The substance of the amendment is to provide regulations to ensure against contamination of the public water system.

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 2nd day May, 2005 at the Palmyra Village Hall, 144 East Main Street, Palmyra, NY at 6:30 p.m. 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: April 4, 2005

By Order of the Village Board of the Village of Palmyra

Alicia M. Lynch  
Village Clerk

Mayor Daly asked for any comments from the public. As there were no forthcoming comments, she closed the public hearing .

Motion was made by Trustee Celentano, second by Trustee Palmer to adopt Local Law #2, 2005 Cross-Connection Control Program. Vote, 4 ayes. CARRIED.

**APPROVAL OF MINUTES:** Trustee Piccola moved to adopt the minutes from March 15, 2005 as submitted. Second by Trustee Palmer. Vote, 3 ayes, Daly, Piccola and Palmer, 2 abstain, Celentano and Hopkins. CARRIED.

Trustee Celentano moved to adopt the minutes from April 4, 2005 as submitted. Second by Trustee Hopkins. Vote, 4 ayes Piccola, Palmer, Hopkins, and Celentano. CARRIED.

Trustee Hopkins moved to adopt the minutes from April 18, 2005 as submitted. Second by Trustee Palmer. Vote, 3 ayes, Daly, Palmer and Hopkins, 2 abstain, Celentano and Piccola. CARRIED.

**APPROVAL OF VOUCHERS:** Motion was made by Trustee Celentano, second by Trustee Palmer to approve vouchers #857-858 for payment for \$15,334.57. Vote, 4 ayes. CARRIED.

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

- Notice from Village of Fairport – Luncheon Meeting, Western Erie Canal Heritage Corridor, May 13, 2005
- Summer schedule for Board meetings, first Monday evening only, June – August
- May 16<sup>th</sup> – Public Hearing on Sign ordinance
- May 17<sup>th</sup> – Public meeting at Wayne County Courthouse, 1:00 pm on the new law changes for the Empire Zone

**TRUSTEE REPORTS:** Trustee Piccola reported that the highway crew has completed its first complete pass of the village for brush pickup. The schedule will be the same as last year, the first and third Mondays of the month. He reminded everyone to please put leaves and brush out by the roadside loose. When bagged it takes much longer to pickup as the bags must be ripped open.

He also reported that the CHPS aid will be about \$1000 more than anticipated for 2005.

Slurry and crack sealing will begin next week on Jackson, Canal and Dar- Lind and Throop. Midland will take care of the notifications.

Motion was made by Trustee Piccola to declare the following items as surplus so that they may be included in the municipal auction:

1. an outside door
2. power auger
3. loader tires
4. side rail pick up tool box
5. pick up tool box

Second by Trustee Celentano. Vote, 4 ayes. CARRIED.

**DUMP TRUCK:** The following resolution was offered by Trustee Piccola, who moved its adoption, seconded by Trustee Celentano, to wit,

**BOND RESOLUTION  
(SUBJECT TO PERMISSIVE REFERENDUM)**

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF A DUMP TRUCK WITH PLOW IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$130,000 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 a dump truck with plow, in and for the Village of Palmyra, Wayne County, New York, including other apparatus and incidental expenses in connection therewith, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimate cost of \$130,000.

**Section 2.** It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$130,000 of serial bonds of the Village hereby authorized to be issued therefor 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 purposes 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 the serial bonds herein will 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. To the extent not paid from other legally available revenues, 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:

- a. Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- b. 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
- c. 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. Upon this resolution taking effect, the same shall be published in full or in summary thereof 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 Treasurer in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

BY ORDER OF THE BOARD OF TRUSTEES  
VILLAGE OF PALMYRA  
ALICIA M. LYNCH, CLERK TREASURER

Vote, 5 ayes. CARRIED.

**Trustee Celentano** reported that the monthly operational report for the water and wastewater plants is on file in the Clerk's office.

**Trustee Hopkins** reported that the previous announced dates for the movies in the park will be rescheduled as Andy Waters is not available on those dates. He also reported that the new Palmyra brochures have been delivered.

**Trustee Palmer** reported that one of the buildings and grounds maintenance crew was involved in a small accident with the pick up truck. The door and mirror were damaged. The estimate for repair is \$1,139.00. Trustee Palmer moved that the repairs come out of the Sexton expendable fund. Second by Trustee Celentano. Vote, 4 ayes. CARRIED.

Superintendents Boesel has solicited funding from our local government representatives for the cemetery road project. The estimate so far is about \$30,000.

The purchases and the plantings of the trees have been made to take advantage of the tree grant from Wayne County Water and Soil. The Village will receive reimbursement for up to \$1600.00.

**Attorney Williams** - no report.

Mayor Daly provided her customary written report. Referencing the Mayor's report, Trustee Palmer asked if perhaps it wouldn't be wiser to renovate the dock we already have in the village for the crewing. Mayor Daly reported that will probably be what will eventually occur. Representatives from the DEC indicated that they would rather see it located somewhere other than adjacent to the wetlands near the marina.

**NEW/OLD BUSINESS:**

**SURVEILLANCE EQUIPMENT:** Motion by Trustee Celentano, second by Trustee Piccola to expend up to \$7,846.00, for the surveillance equipment to be installed at the Marina and to authorize Mayor Daly to send a letter of commitment to Mr. Warters. Vote, 3 ayes, Piccola, Hopkins, and Celentano, 1 abstain, Palmer. CARRIED. The Village portion, \$1,961.59, will be expended from the Trail Capital project, H46; the balance will come from the Burn grant.

**PERSONNEL POLICY MANUAL:** The Board discussed options regarding the updating of the personnel policy. Trustee Palmer volunteered to help the Mayor to assemble and bring it back to the Board for review.

**PARKING/CANAL STREET/TOWPATH:** The Board discussed a request from Eudora Eigley regarding parking on Canal Street in front of the two low-rise buildings on the north side of the street. She reports that a few residents have a tendency to park there all day all night which does not leave any parking space available for residents wishing to unload groceries or visitors or to stop for a quick visit. She suggested that two parking spaces be converted to "loading" zones with a fifteen minute parking limit. The Board agreed and asked the Village attorney to prepare the local law. Motion was made Trustee Palmer, second by Trustee Hopkins to schedule the public hearing on this issue for June 6<sup>th</sup>. Vote, 4 ayes. CARRIED.

**PIGEON STRIPS:** The Mayor suggested that merchants be allowed to purchase pigeon deterrent strips as part of the façade/beautification project. Commercial properties owners would be able to receive a 50% match on the cost of the pigeon deterrents, up to \$250.00. The Village needs a letter indicating the business' intent to do so before purchase of the materials. The grant would be for materials only, not labor and will have to be purchased in Palmyra. After installation, a copy of the sales receipts would be submitted to the Village. Motion by Trustee Piccola, second by Trustee Celentano to include purchase of the pigeon strips as part of the façade program. Vote, 4 ayes. CARRIED.

Motion by Trustee Palmer, second by Trustee Hopkins to enter executive session for discussion of a contractual matter and personnel. Vote, 4 ayes. CARRIED.

**EXECUTIVE SESSION**

Motion by Trustee Celentano, second by Trustee Hopkins to re-enter public session with no action having been taken. Vote, 4 ayes. CARRIED.

**SUMMER HELP:** Motion was made by Trustee Palmer, second by Trustee Celentano, to approve hiring Ryan Bernhardt as a seasonal worker in the Buildings, Grounds and Maintenance Department. Vote, 4 ayes. CARRIED.

**ADJOURNMENT:** Motion to adjourn at 8:05 p.m. by Trustee Celentano, second by Trustee Piccola. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Village Clerk