

VILLAGE OF PALMYRA
BOARD OF TRUSTEES
April 5, 2021 6:00 PM
PUBLIC HEARING and REGULAR MEETING

ROLL CALL: Present: Mayor Husk, Trustees Luke, Nolan, Perry, Warters and Attorney Williams (Entered at 6:23pm)

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: Mayor Husk opened the Public Hearing by reading the following, which had been published in the *Wayne County Times* newspaper on March 28, 2021.

LEGAL NOTICE OF PUBLIC HEARING
2021-2022

The Village of Palmyra will hold a public hearing (in conjunction with the regular board meeting) on Monday, April 5, 2021 at 6:00 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 2021-2022 Budget of the Village funds.

Compensation proposed to be paid each member of the Village Trustees is \$5468; and to the Mayor \$6836. A copy of the "Tentative 2021-2022 Budget" will be on file and available for public inspection in the Office of the Village Clerk during normal office hours.

Rebecca Wetherby
Village Clerk Treasurer

One resident attended the meeting, stayed under the tax cap. at a rate of tax rate of \$12.12
The resident requested a copy of the budget and had some questions for the board.

Motion to close the Public Hearing was made by Trustee Nolan, seconded by Trustee Luke.
Votes, 4 ayes. CARRIED. Public Hearing was closed at 6:21pm

CALL TO ORDER: Mayor Husk called the regular meeting to order at 6:22 pm.

REGULAR MEETING:

PANDEMIC RELIEF BILL: Mayor Husk referenced the article in the Times from a couple weeks ago with money we should be getting from the Bill. The money won't come directly to the Village – it has to go through the State of New York, which will, in turn, determine specific amounts allotted to cities, villages, and towns. The counties will receive their funds directly from the Federal government. The money can only be used for certain items, ie. infrastructure, broadband. Hopefully we will be getting the funds this fiscal year. At that point, we will determine what projects can be done. Mayor Husk believes that the money would have to be used prior to December 2024.

STEVE VENTURINO: suggested that the 80 feet of 12-inch pipe from the Canandaigua water line replacement project be used to provide a short-term solution to the problem on E. Foster Street, rather than being scrapped. Left a message with Mike Boesel, Highway Superintendent, but he was on vacation last week. Mayor Husk will speak to M. Boesel and get his perspective on Mr. Venturino's proposal

APPROVAL OF MINUTES: Motion was made by Trustee Nolan, seconded by Trustee Warters to approve the minutes from March 15, 2021. Vote, 4 ayes. CARRIED.

APPROVAL OF ABSTRACT: Motion was made by Trustee Warters, seconded by Trustee Nolan to approve payment of ABSTRACT 11A, vouchers 21-00936 through 21-00987 in the amount of \$ 44,764.04. Vote, 4 ayes. CARRIED.

CORRESPONDENCE/ANNOUNCEMENTS/INFORMATION

- Submitted Police Reform Plan March 24. Received confirmation email.
- Café Aqueduct applying for liquor license

HISTORIC PRESERVATION COMMISSION QUARTERLY REPORT

Jim Elliott, presented the report. He acknowledged that this has been a challenging year for the Committee, as it has for everyone. Although the Committee missed two meetings, they still conducted their required number. In addition to the written report, Mr. Elliott stated that the

Committee has been approached by the group currently using the Baptist Church. They are seeking funding to repair the stained-glass windows and replace the steeple that was removed in the 1950s. The Committee has invited the group to attend one of their upcoming meetings to discuss avenues for funding.

J. Elliott also stated that Mr. Salameda, who lives on the corner of Cuyler and Jackson, is scheduled to attend the Committee's next meeting to discuss the advantages of his property being designated a registered local landmark with regard to access to funds for repairs and renovations.

In response to a question from the Board, J. Elliott stated that the Methodist church is still vacant, and that it is his understanding that although the church has been approached by individuals wanting to turn the building into apartments, the church is currently maintaining that they would only sell it for use as a place of worship.

J. Elliott said that the Masonic Temple has no parking area of its own, and relies on Nima's Pizza to allow them to use the parking lot behind them on meeting nights. The apartment at the Masonic Temple is currently unoccupied as it is being renovated, but the Village has allowed their previous tenants to use the far north parking space behind the Park and Club Rooms, except from Thursday through Sunday on Canaltown Days Weekend. J. Elliott is seeking to put language in the lease that their tenant may only use the one specific parking space, and that if any violation occurs they would lose the privilege to park there. Mayor Husk concurred that he had spoken with Trustee Perry and that the Village would be granting J. Elliott's request. Mr. Williams stated that the agreement would need to be put in writing. J. Elliott is hoping to rent property by May and appear before the Board to have their signature on the new lease. Motion for allowing Masonic Temple apartment tenant 1 parking spot, Motion was made by Trustee Perry, seconded by Trustee Luke Vote, 4 ayes. CARRIED.

PALMYRA FIRE DEPARTMENT APPOINTMENTS effective April 5, 2021 from March 4, 2021 elections.

Chief- Jeffrey Bulman

First Assistant Chief- Warren Frederick

Second Assistant Chief- Lucas Schulla

Third Assistant Chief- Mikel Hallings

Motion to approve Palmyra Fire Department appointments by Trustee Luke, seconded by Trustee Nolan. Vote, 4 ayes, CARRIED.

Chief Bulman was present and turned in the Fire Department reports which will be on file in the Village Clerk's office.

TRUSTEE REPORTS

Trustee Luke asked about the Village's website. R. Wetherby is hopeful that website will be live in the next week or so. She is waiting for Department Head pictures and biographies from others.

Trustee Nolan- No report

Trustee Perry- No report

Trustee Wartors- No report

Attorney Williams- No report

Mayor Husk- No report

OLD/NEW BUSINESS:

PLACEMENT OF MAIN STREET AMERICAN FLAGS on light poles (two at each end and two in the middle) to see where light falls was to have been done by April 2.

Trustee Perry will check on the status of the installation with Gary Hopkins, Cemetery and Parks Superintendent.

RENTAL RATE FOR APARTMENT IN SEXTON BUILDING AND SPRING STREET HOUSE:

: The Spring Street House has been rented at a rate of \$650.00 per month, including utilities, for the past 10 years. R. Wetherby has been told by Deb Hall of the Landlord's Association that the Village could increase the rent to \$675.00 and stay within a 5% increase. Attorney Williams stated that with a written lease the Village wouldn't be able to raise the rent until the lease came up for renewal. If it's a month-to-month lease agreement, the Village would have to give 30 days' notice before the rent is due.

The Sexton Building apartment is 2-bedrooms, approximately 1000 square feet. The individual who rents the apartment will have access to the first floor unless the Village closes it off, which would require ensuring two forms of egress from the apartment. The Board discussed an appropriate amount to charge for rent for each property. Discussion will continue at next Board Meeting when current lease is supplied.

Trustee Perry will go through the Sexton Building apartment with Mr. Hopkins to be sure it is safe and ready to be rented.

RESOLUTION FOR BID AUTHORIZATION for the 150' x 8' floating dock with an option for installation. Motion to bid authorization by Trustee Luke, seconded by Trustee Nolan. Vote, 4 ayes, CARRIED.

SMOKING AND SMOKELESS TOBACCO POLICY The Board reviewed a revised Policy for the Village buildings, grounds, and vehicles, which would include prohibiting the use of smokeless tobacco, vaping, and e-cigarettes within 25 feet of the properties. Attorney Williams reminded the Board that the policy is subject to impact negotiations with the union. Mayor Husk will present the proposed policy to the unions and discuss at next meeting.

BOND RESOLUTION for purchase of Highway dump truck.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$137,000 BONDS OF THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF A DUMP TRUCK, FOR SAID VILLAGE.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, 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, for the Village of Palmyra, Wayne County, New York, including incidental equipment and expenses in connection therewith, at a maximum estimated cost of \$137,000, is hereby authorized.

Section 2.

It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$137,000 serial bonds of said 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 specific object or purpose is 5 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 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 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.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

MAYOR DAVID A HUSK, AYE
TRUSTEE VIRGINIA LUKE, AYE
TRUSTEE PATRICK NOLAN, AYE
DEPUTY MAYOR RICHARD PERRY, JR, AYE
TRUSTEE MARK WARTERS, AYE

VOTE, 5 AYES. MOTION CARRIED

LEGAL NOTICE OF ESTOPPEL for Highway dump truck. This will be published in the Wayne County Times newspaper April 11, 2021.

The bond resolution, summary of which is published herewith, has been adopted on April 5, 2021, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Palmyra, Wayne County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Village Clerk of the Village for a period of twenty days from the date of publication of this Notice.

Dated: Palmyra, New York, April 5, 2021.
/s/Rebecca Wetherby Village Clerk

BOND RESOLUTION DATED APRIL 5, 2021. A RESOLUTION AUTHORIZING THE ISSUANCE OF \$137,000 BONDS OF THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF A DUMP TRUCK, FOR SAID VILLAGE.

Specific object or purpose: Purchase of a dump truck
Period of probable usefulness: 5 years
Maximum estimated cost: \$137,000
Amount of obligations to be issued: \$137,000 bonds
SEQRA status: Type II Action

ROLL CALL VOTE TO APPROVE AND PUBLISH THE LEGAL NOTICE OF ESTOPPEL

MAYOR DAVID A HUSK, AYE
TRUSTEE VIRGINIA LUKE, AYE
TRUSTEE PATRICK NOLAN, AYE
DEPUTY MAYOR RICHARD PERRY, JR, AYE
TRUSTEE MARK WARTERS, AYE

VOTE, 5 AYES. MOTION CARRIED

PERSONNEL- HIRING OF SUSAN GORMAN for per diem Court Clerk position at a rate of \$15.00 per hour. This is at the recommendation of Judge Terry Rodman. This position is already budgeted. Motion was made by Trustee Nolan and seconded by Trustee Perry. Vote, 4 ayes. CARRIED

SURPLUS 2003 HIGHWAY TRUCK (T17) to be sold in the 2021 auction. Motion was made by Trustee Warters and seconded by Trustee Perry. Vote, 4 ayes. CARRIED

SURPLUS 2009 FORD CROWN VICTORIA to be sold in the 2021 auction. Motion was made by Trustee Warters and seconded by Trustee Perry. Vote, 4 ayes. CARRIED

MOTION TO APPROVE SEWER CREDIT REQUEST: for Cathy Contant at 337 Birdsall Pkwy due to water leaking in her slab and not being returned to the sewer for the last year. Motion was made by Trustee Nolan, seconded by Trustee Perry to credit \$100.50 for the last year of leakage. Votes, 4 ayes. CARRIED

MOTION TO APPROVE 2021-2022 BUDGET at a tax rate of \$12.12. Motion was made by Trustee Warters and seconded by Trustee Perry to adjourn at 7:05 p.m. Vote, 4 ayes. CARRIED

ADJOURNMENT: Motion was made by Trustee Warters and seconded by Trustee Perry to adjourn at 7:05 p.m. Vote, 4 ayes. CARRIED

Respectfully submitted,

Rebecca Wetherby
Clerk Treasurer