

**VILLAGE OF PALMYRA BOARD OF TRUSTEES
REGULAR MEETING**

May 1, 2000 6:30 p.m.

PRESENT: Mayor Wilson, Trustees Salomon, Celentano, DeVogelaere, and Gunkler.

CALL TO ORDER: Mayor Wilson called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIENCE

APPROVAL OF MINUTES: Motion by Trustee Gunkler to approve the minutes from April 13, 2000, second by Trustee Celentano. Vote, 5 ayes. CARRIED.

Motion by Trustee Gunkler to approve the minutes from April 17, 2000, second by Trustee Salomon. Vote, 3 ayes, Trustees Celentano and DeVogelaere abstained. CARRIED.

Motion by Trustee Celentano to approve the minutes from April 25, 2000, second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

CORRESPONDENCE/ANNOUNCEMENTS: The following correspondence has been received and is on file at Village Hall:

1. Schedule of events for 2000 for the Wayne County Fairgrounds
2. There will be a mini-workshop on Rt. 31/21 at the next Village Board meeting on May 18th.
3. Parade request from Pal-Mac Youth Baseball for Sat. May 13 @ 10:00 am.
Motion by Trustee Celentano, second by Trustee Celentano to grant permission to PYMB for the parade. Vote, 5 ayes. CARRIED.

TRUSTEE REPORTS

Trustee Gunkler reported that the Fire Department is in the process of getting bids for a new walk-in door for the front of the Fire Hall.

Trustee Celentano - report.

Trustee Salomon reported applications have been resubmitted to the NYS Dept. of Health for the Drinking Water State Revolving Fund (DWSRF). The Village may possibly obtain reimbursement for these four completed projects, the water tower painting, the Eastside booster station, the Zebra mussel control project and the Curran Road transmission line replacement.

Trustee DeVogelaere - no report.

Mayor Wilson reported the bid opening for the reconstruction of Canal Street will take place on May 18, 2000 at 4:30 pm. at Village Hall. The Village has also received confirmation that the county has approved \$51,400 from the Joint Municipal Improvement Project Fund to be used toward the Palmyra Port facility.

NEW/OLD BUSINESS:

241 EAST MAIN STREET: Code Enforcement Officer, Bob Grier reported on the activity that has taken place for 241 East Main Street now that the judge has signed the order declaring it a public nuisance. Seven to eight demolition firms were contacted and asked to provide bids for the removal of the building. Four bids have been submitted ranging from \$15,000 to \$61,000. All of the contractors were interviewed on site with Mr. Grier. He has also spoken with the owners of the CanalTown Video to keep them apprised of the situation. Due to the condition of the building, there was no advertisement for bids. Mr. Grier was fairly certain that the low bidder had not used prevailing wage rates. Based on Mr. Grier's advise, motion was made by Mayor Wilson, second by Trustee Celentano to instruct Village attorney John Nesbitt to draw up an agreement with Greg Smith (apparent low bidder) for the Mayor's signature pending receipt of satisfactory references, Vote, 5 ayes. CARRIED.

The Village will have to pay for the demolition of the building, eventually it will be added to the county tax bill. Motion by Trustee Celentano, second by Trustee Gunkler to pay the demolition bill out of fund balance. Vote, 5 ayes. CARRIED.

FISCAL ADVISORS: Mayor Wilson moved to approve contract with Fiscal Advisors, second by Trustee DeVogelaere. Vote, 5 ayes. CARRIED.

SEQRs AND NEGATIVE DECLARATIONS:

Motion by Trustee Gunkler, second by Trustee Celentano, to declare the Village as lead agent for the following proposed 2000 projects: culvert replacements on Mill and Stafford Streets, village sidewalk replacements and the resurfacing of several Village streets. Vote, 5 ayes. CARRIED.

Motion by Mayor Wilson, second by Trustee Celentano to adopt the SEQR form, and accept the Negative Declaration as prepared by Sniedze Associates for the proposed sidewalk replacement project. Vote, 5 ayes. CARRIED.

Motion by Mayor Wilson, second by Trustee Gunkler to adopt the SEQR form, and accept the Negative Declaration as prepared by Sniedze Associates for the proposed Mill and Stafford Street culvert replacements. Vote, 5 ayes. CARRIED.

Motion by Mayor Wilson, second by Trustee Gunkler to adopt the SEQR form, and accept the Negative Declaration as prepared by Sniedze Associates for the proposed resurfacing of Village streets. Vote, 5 ayes. CARRIED.

BOND RESOLUTION/CULVERTS: The following resolution was offered by Mayor Wilson, who moved its adoption, second was made by Trustee DeVogelaere to-wit:

A RESOLUTION AUTHORIZING THE RECONSTRUCTION OF CULVERTS, INCLUDING INCIDENTAL IMPROVEMENTS, IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$113,500, AND AUTHORIZING, SUBJECT TO **PERMISSIVE REFERENDUM**, THE ISSUANCE OF NOT EXCEEDING \$113,500 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 reconstruction of culverts, including incidental improvements, in and for the Village of Palmyra, Wayne County, New York, is hereby authorized at a maximum estimate cost of \$113,500.

Section 2. SEQR DETERMINATION: It is hereby determined that the aforesaid purposes constitute Type II Action under the SEQR regulations of the State of New York which by definition, will not have any significant impact upon the environment.

Section 3. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$113,500 bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, **SUBJECT TO PERMISSIVE REFERENDUM**.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision 3 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of said bonds will exceed five years.

Section 5. 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 6. 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 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 7. All other matters except as provided herein relating to the 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 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 8. 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 9. 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 10. Upon this resolution taking effect, the same shall be published in full or 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.

Section 11. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

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

Mayor Wilson	aye	Trustee Celentano	aye
Trustee Gunkler	aye	Trustee DeVogelaere	aye
Trustee Salomon	aye	<u>Unanimous/Carried</u>	Defeated

BOND RESOLUTION/CEMENT SIDEWALKS: The following resolution was offered by Trustee Celentano who moved its adoption, second was made by Trustee Gunkler to-wit:

A RESOLUTION AUTHORIZING THE CONSTRUCTION AND RECONSTRUCTION OF CEMENTS SIDEWALKS, INCLUDING INCIDENTAL IMPROVEMENTS, IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$107,400, AND AUTHORIZING, SUBJECT TO **PERMISSIVE REFERENDUM**, THE ISSUANCE OF NOT EXCEEDING \$107,400 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 construction and reconstruction of cement sidewalks including incidental improvements, in and for the Village of Palmyra, Wayne County, New York, is hereby authorized at a maximum estimate cost of \$107,400.

Section 2. SEQR DETERMINATION: It is hereby determined that the aforesaid purposes constitute Type II Action under the SEQR regulations of the State of New York which by definition, will not have any significant impact upon the environment.

Section 3. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$107,400 bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, **SUBJECT TO PERMISSIVE REFERENDUM**.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of said bonds will exceed five years.

Section 5. 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 6. 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 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 7. All other matters except as provided herein relating to the 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 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 8. 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 9. 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 10. Upon this resolution taking effect, the same shall be published in full or 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.

Section 11. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

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

Mayor Wilson	aye	Trustee Celentano	aye
Trustee Gunkler	aye	Trustee DeVogelaere	aye
Trustee Salomon	aye	<u>Unanimous/Carried</u>	Defeated

BOND RESOLUTION/RESURFACING OF ROADS AND STREETS: The following resolution was offered by Trustee Celentano who moved its adoption, second was made by Trustee DeVogelaere to-wit:

A RESOLUTION AUTHORIZING THE RESURFACING OF ROADS AND STREETS, INCLUDING INCIDENTAL IMPROVEMENTS, IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$189,100, AND AUTHORIZING, SUBJECT TO **PERMISSIVE REFERENDUM**, THE ISSUANCE OF NOT EXCEEDING \$189,100 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 resurfacing of roads and streets, including incidental improvements, in and for the Village of Palmyra, Wayne County, New York, is hereby authorized at a maximum estimate cost of \$189,100.

Section 2. SEQR DETERMINATION: It is hereby determined that the aforesaid purposes constitute Type II Action under the SEQR regulations of the State of New York which by definition, will not have any significant impact upon the environment.

Section 3. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$189,100 bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, **SUBJECT TO PERMISSIVE REFERENDUM**.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 20(b) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of said bonds will exceed five years.

Section 5. 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 6. 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 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 7. All other matters except as provided herein relating to the 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 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 8. 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 9. 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 10. Upon this resolution taking effect, the same shall be published in full or 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.

Section 11. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

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

Mayor Wilson	aye	Trustee Celentano	aye
Trustee Gunkler	aye	Trustee DeVogelaere	aye
Trustee Salomon	aye	<u>Unanimous/Carried</u>	Defeated

BOND RESOLUTION/PURCHASE OF VARIOUS EQUIPMENT: The following resolution was offered by Trustee Gunkler who moved its adoption, second was made by Trustee Celentano to-wit:

A RESOLUTION AUTHORIZING VARIOUS PUBLIC PURPOSES IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$85,000, AND AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OF SAID VILLAGE TO PAY THE SAME.

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 following public purposes are hereby authorized in and for the Village of Palmyra, Wayne County, New York:

a). The purchase of a highway truck at a maximum estimated cost of \$50,000, being a specific object or purpose having a period of probable usefulness of five years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law;

b). The purchase of a copier machine at a maximum estimated cost of \$9,000, being a specific object or purpose having a period of probable usefulness of five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law; and

c). The purchase of a police car at an estimated cost of \$26,000, to replace a similar vehicle in service for at least one year or more, being a specific object or purpose having a period of probable usefulness of THREE (3) years pursuant to subdivision 71(1st) of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The total maximum estimated cost of the aforesaid specific objects or purposes is \$85,000, and the plan of financing thereof is by the issuance of \$85,000 bonds of said Village hereby authorized to be issued therefor pursuant to the Local Finance Law, it being hereby determined that such bonds shall be allocated as per the maximum estimated costs set forth in Section 1 hereof.

Section 3. It is hereby further determined that the maximum maturity of such bonds **will not exceed five years, and, in fact, in connection with the police car will not exceed three 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 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 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 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 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.

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

Mayor Wilson	aye	Trustee Celentano	aye
Trustee Gunkler	aye	Trustee DeVogelaere	aye
Trustee Salomon	aye	<u>Unanimous/Carried</u>	Defeated

MEETING SCHEDULE: Motion by Trustee Celentano, second by Trustee Gunkler to move to the summer schedule for Village Board meetings. The Board meetings will be on the first and third Thursday evenings for remainder of May and for the entire month of September; on the first Thursday evening only for June, July and August. Meeting dates will be follows: May 18th, June 8th, July 6th, August 3rd, September 7th and 21st. Vote, 5 ayes. CARRIED.

ADJOURNMENT: Motion to adjourn at 7:20 p.m. by Trustee Celentano. Second was made by Trustee DeVogelaere. Vote, 5 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Village Clerk

