

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

November 17, 2003 6:30 p.m.

CALL TO ORDER: Mayor Daly called the public hearing to order at 6:30 p.m.

ROLL CALL: Present: Mayor Daly, Trustees Piccola, Palmer, and Salomon. Absent: Trustee Celentano.

PLEDGE OF ALLEGIANCE

The Village Clerk read the following legal notice for the public hearing:

VILLAGE OF PALMYRA
NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW

PLEASE TAKE NOTICE that, for the purpose of adopting a codification of the local laws, ordinances and certain resolutions of the Village of Palmyra, said codification to be known as the "Code of the Village of Palmyra," a public hearing will be held by the Board of Trustees at the Village Hall in the Village of Palmyra, on the 17th day of November, 2003, at 6:30 p.m., to consider the enactment of the proposed local law described and summarized below:

PROPOSED LOCAL LAW NO. 2-2003

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF PALMYRA INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE VILLAGE OF PALMYRA"

This local law:

- (1) States the legislative intent of the Board of Trustees in adopting the Code.
- (2) Provides for the designation of the local laws, ordinances and certain resolutions of the Village of Palmyra as the "Code of the Village of Palmyra."
- (3) Repeals local laws and ordinances of a general and permanent nature not included in the Code, except as provided.
- (4) Saves from repeal certain local laws and ordinances and designates certain matters not affected by repeal.
- (5) Retains the meaning and intent of previously adopted legislation.
- (6) Provides for the filing of a copy of the Code in the Village Clerk's office.
- (7) Provides for certain changes in or additions to the Code.
- (8) Prescribes the manner in which amendments and new legislation are to be incorporated into the Code.
- (9) Requires that Code books be kept up-to-date.
- (10) Provides for the sale of Code books by the village and the supplementation thereof.
- (11) Prohibits tampering with Code books, with offenses punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both.
- (12) Establishes severability provisions with respect to the Code generally

convene in public meeting at the place and time aforesaid for the purpose of conducting a public hearing on the proposed local law described above and, as deemed advisable by said Board, taking action on the enactment of said local law.

DATED: October 21, 2003

BY ORDER OF THE BOARD OF TRUSTEES
VILLAGE OF PALMYRA

Alicia M. Lynch, Village Clerk

Mayor Daly opened the floor for public comment. Resident Ron Smith feels that spitting should not be an offense and the Village should not penalize anyone for not shoveling their sidewalks. Mayor Daly explained the reasoning behind both sections in the code. The "spitting law" is not new to the code but the fine has been updated to bring it in line with all other fines. The wording has been changed to the sidewalk ordinance in order to clarify its meaning. Resident Kathy Ioele asked if there had been any changes made to the requirements for fence installations. Mayor Daly reported that none of the zoning requirements had been changed at all.

Mayor Daly closed the public hearing and opened the regular meeting at 7:05 p.m.

APPROVAL OF MINUTES: Motion by Trustee Palmer, second by Trustee Piccola, to approve the minutes from November 3, 2003 as submitted. Vote, 3 ayes. CARRIED.

APPROVAL OF ABSTRACT: Trustee Piccola moved to accept payment of Abstract #6, vouchers #456-539, for \$186,166.97. Second by Trustee Palmer. Vote, 3 ayes. CARRIED.

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

- ?? Meeting November 20, 2003, Village Hall for Micro-enterprise loan applicants
- ?? WCVOA meeting hosted by Village at the Garlock House Nov. 19th @ 6:30 p.m.
- ?? Next board meeting, 12/1 will be the Annual Organizational Meeting, Martin Williams, WC Office of the Aging will be here

TRUSTEE REPORTS:

Trustee Salomon reported that the Town of Palmyra has received correspondence from Johnson Road residents requesting public water. The easiest place for the Town to get it would be from the Village. Although flows on Howell and East Foster Street are low, he believes that Johnson Road would be supplied through a different line. Trustee Salomon is looking into it further, as well as checking with the Town if they would be willing to share any expenses for the Village engineer.

Trustee Palmer reported that the fire truck damaged in the motor vehicle accident suffered minor frame damage and is repairable. It also looks like the Fire Department has found a way to fix the siren for less than \$1000. The fence bordering the cemetery along Crescent was damaged in the recent wind storm. A couple of residents have donated their downed evergreen trees to the Village. Roger will be using them as Christmas tress in the park.

Trustee Piccola reported on the Holiday Open House on December 6. Santa will be at the Palmyra Elementary for breakfast from 8:30 to 11:30, \$4 for adults \$2 for children, under 2 will be free. There will also be a photographer available for pictures with Santa

APPOINTMENTS: The Micro-enterprise loans will be reviewed by a committee from the WCIDA. Stu Brown suggested that the Village add two residents to this committee. Mayor Daly offered the names of Robert Culver and Richard Kirchhoff to serve in this capacity.

The Comprehensive Plan (Master Plan) Committee will be meeting once again. Stuart Brown requested that this committee be expanded. Returning committee members are Michael Boesel, James Elliott, Cindy Surline and Vicky Daly. Mayor Daly offered the names of Fred Alderman, Daniel Pope and Joseph VanScott to join this committee. Motion by Trustee Palmer, second by Trustee Piccola to appoint those names as recommended by the Mayor. Vote, 3 ayes. CARRIED.

RECODIFICATION/LOCAL LAW NO. 2, 2003 : Trustee Palmer offered the following motion:

WHEREAS a public hearing was held the 17th day of November, 2003 by the Board of Trustees of the Village of Palmyra, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Village Law of the State of New York;

WHEREAS at said public hearing the Board of Trustees considered the enactment of proposed Local Law No. 2, 2003 - entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF PALMYRA INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE VILLAGE OF PALMYRA; and

WHEREAS all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No.2, 2003 be enacted and submitted to the Department of State for filing.

Second by Trustee Salomon. Vote, 3 ayes. CARRIED.

EXECUTIVE SESSION: Motion by Trustee Palmer, second by Trustee Piccola to go into executive session for discussion of contractual matter at 7:20 p.m. Vote, 3 ayes. CARRIED.

Motion by Trustee Piccola, second by Trustee Salomon, to re-enter public session with no action having taken place during executive session at 7:45 p.m. Vote, 3 ayes. CARRIED.

ADJOURNMENT: Motion to adjourn at 8:00 p.m. by Trustee Palmer, second by Trustee Piccola. Vote, 3 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Village Clerk

