

VILLAGE OF PALMYRA BOARD OF TRUSTEES  
February 1, 2010 6:30 p.m.

**ROLL CALL:** Present: Mayor Daly, Trustees Bradstreet, Husk, Nolan and Piccola and Attorney Williams. Trustee Piccola arrived at 7:00 p.m.

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

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** Motion was made by Trustee Bradstreet, second by Trustee Piccola to approve the minutes from January 14, 2010 as submitted. Vote 3 ayes. CARRIED. Motion was made by Trustee Bradstreet, second by Trustee Nolan to approve the minutes from January 18, 2010 as submitted. Vote 3, CARRIED.

**CORRESPONDENCE/ANNOUNCEMENTS/INFORMATION**

- Budget meeting date changes: Thursday Feb. 11, Mar. 1 and Mar. 8<sup>th</sup> and March 15 at 6:00 p.m. (all Mondays), February 15<sup>th</sup> will be a regular Board meeting.

**TRUSTEE REPORTS**

**Trustee Bradstreet** reported that he attended the Four Chaplains service at the Western Presbyterian Church yesterday. He also attended the presentation on the results of the Regional High School feasibility study.

Bird Fest planning is going well. There are already more vendors committed than what were here last year.

Jamie Hemmings has resigned from the Palmyra Pathways Committee. Palmyra resident Clint Rullo, a NYS DOT engineer, has agreed to pick up where Jamie left off. Clint will be submitting the paperwork for the Canal Trail clean sweep.

On April 3, 2010, the Village will host "Kites over Palmyra", in the Fairgrounds. Palmyra resident Rick Westover, a professional kiter, will be helping out with his contacts. In fact, he has posted the event on the American Kite Fliers Association's website; aka.kite.org. There will be kite flying, tethered balloon rides and for \$200 there will be one-hour to two hour balloon riders. Mr. Westover has over 200 kites to put on display and he will give a demonstration on how to build a kite. There may be acrobatic kite and "large" kite flying demonstrations as well. The event will run from 11:00 am to 4:00 pm. The Fairgrounds has agreed to give a discount for the Fairgrounds usage. They are trying to contact model airplane clubs to participate too. In case April 3 is not conducive to flying, April 10<sup>th</sup> will be the "rain" date.

**Trustee Nolan** discussed the water/sewer rate study. Trustee Nolan referred to the quote from Schumann Construction for the Water Treatment Plant roof. The Board should review the quotation for discussion at the budget workshops. Richard Clayton has talked with Brad Jacobs and reviewed his suggestions about what can be done to improve the life of the exterior walls of the water plant. Richard Clayton suggested budgeting perhaps \$4000 a year and doing rehab of the water treatment plant in bits and pieces.

**Trustee Piccola** reported that the roof has been completed on the Comfort Station. Supt. Hopkins will be putting together quotes for the completion of the Comfort Station interior.

There will probably be just one more request for reimbursement to the Comfort Station grant. The last request must be no less the 20% of the total cost of the project.

For the Highway Department, Trustee Piccola reported that the 2009 Cat930H loader is one year old, has 547 hours on it and is now passed the warranty period. The Village can take advantage of the Caterpillar \$10 per Hour Buyback Program. Based on Teitsworth estimate, the buyback program is probably a better deal.

Motion was made by Trustee Piccola, second by Trustee Bradstreet, to order a new Caterpillar for \$6000 through the Buyback program to be transferred from Contingency A1990.4 to A5110.2 Street Maintenance, Equipment. Vote, 4 ayes. CARRIED. Trustee Piccola will instruct Supt. Boesel to order it.

Mayor Daly asked the Board to consider options for getting picnic tables for the new Comfort Station pavilion. They were not part of the grant application.

**Trustee Husk** no report as Trustee Piccola had already reported on the Comfort Station progress.

**Attorney Williams** – no report.

**Mayor Daly** provided her usual written report and pointed out a correction to news from the Preservation Committee. Iain Gellatly will be unable to speak Feb. 18th; Cynthia Howk, from the Landmark Society will speak on the upcoming Preservation annual conference.

We received information today from Parks and Trails NY that warns that there may be some State park closings with the next state budget. If that strikes a nerve with you, please contact your local representatives.

We have a new business in town at 603 East Main Street, a service garage opened by Craig O'Connor. She reminded everyone about the upcoming curling on the Canal event on Feb. 21<sup>st</sup>.

## **NEW/OLD BUSINESS**

**SHARED SERVICE GRANT:** An informal request has been sent to the village from Todd Blanchard of the Town of Macedon to possibly participate in a Shared services grant for ambulance consolidation. Mayor Daly talked to the State about the grant and found that it is a 90/10 grant with a Feb. 24<sup>th</sup> due date. She reported that just like the other shared services grant that was awarded us for equipment, the Village will have to submit a resolution. However, at this point in time, we have no estimates of what a consolidated ambulance service would cost and in the Mayor's opinion we shouldn't sign up without knowing how much. The resolution does not have to be in until the end of February. She recommended that the Board think about it for the time being until we find out if all four municipalities are going to participate and thereby enabling some definite costs to be put together. Trustee Piccola asked who would be writing the grant; the other one we submitted was done by Stuart Brown and Trustee Piccola thought that cost about \$750.00. Trustee Husk reported that the School District is going to sign on the application too and he assumed the grant writing would be done by the Town of Macedon or possibly through a grant writer at the School district. Further discussion was tabled until we have more information on how many will be participating.

**TERMINAL WALL PROJECT:** The Canal Corporation has asked to be updated on the Village's plans for the terminal wall grant. Trustee Piccola reported that Supt. Boesel has done some research into demolishing the house but we would still have to pay to have put in a landfill. We could apply to change the scope of the project but the second phase of the archeological survey still needs to be completed. Then we would still have to do the parking lot and improve the board launch. The general consensus of the Board was that considering the outlook for our budget and given all the other projects we are in the middle of, we have enough on our plate at this time. Mayor Daly will notify the Canal Corporation that the project will not be moving forward. The Board discussed getting the house and property back on the tax rolls. Mayor Daly will contact a realtor.

**SHERIFF VIRTS:** Mayor Daly welcomed new sheriff, Barry Virts. He has pledged to visit each village Board yearly. He is very cognizant of the third tax that Village residents pay. Village residents fund state police, the sheriff's department and the Palmyra Police Dept. The Sheriff's Department has 180 employees. 89 patrol officers, 89 at the jail. The WC Sheriff can help the Village in many areas. The Sheriff's Department has special units; the canine units, criminal investigators, marine patrol, the scuba team, snowmobile patrol, a Emergency Response team, accident reconstruction and a Juvenile Officer. He has met with the police chiefs and they plan to do special impact projects; ie. DWI checks. He is a proponent for collaboration with the local police departments for training. He promised that the Sheriffs will have a presence at the Wayne County Fair and CanalTown Days. Sheriff Virts asked that any requests for coverage for special events be put in writing as soon as possible.

**PUBLIC HEARING:** Motion was made by Trustee Nolan, second by Trustee Bradstreet to set a public hearing to amend Chapter 189 Water for February to extend deadline for net payments of water/sewer bills to the 15<sup>th</sup> of the following month and to address the re-levying of delinquent water/sewer bills to the village tax bills. . Vote, 4 ayes. CARRIED.

**BOND RESOLUTION:** Due to the too late publication date of the Jan. 21<sup>st</sup> bond resolution, motion was made by Trustee Piccola, second by Trustee Bradstreet to readopt the following bond resolution:

BOND RESOLUTION DATED FEBRUARY 1, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$590,000 BONDS OF THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, TO PAY A PORTION OF THE COSTS OF THE WATERLINE REPLACEMENT PORTION OF THE CANANDAIGUA STREET PROJECT, IN AND FOR SAID VILLAGE.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Village Board of Trustees of the Village of Palmyra, Wayne County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the waterline replacement portion of the Canandaigua Street Construction Project, in and for the Village of Palmyra, Wayne County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, there is hereby authorized to be issued an additional \$590,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost of such specific object or purpose is now determined to be \$2,350,000, and the plan for the financing thereof is as follows:

- (a) By the issuance of the \$1,550,000 bonds of said Village, heretofore authorized to be issued therefor pursuant to a bond resolution dated August 25, 2010; and
- (b) By the issuance of the additional \$590,000 bonds of said Village herein authorized.
- (c) By the expenditure of \$210,000 monies of the Water Capital Reserve Fund which monies are hereby authorized to be expended therefor.

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 91 of paragraph a of Section 11.00 of the Local Finance Law, based on subdivisions 1, 4 and 20(c) thereof. It is hereby further determined that the maximum maturity of the bonds herein authorized shall 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 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. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, provided, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of

municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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:

- 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 is 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 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 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.

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

**REFERENDUM**

Vote, 4 ayes. CARRIED

**COMMUNITY CENTER CONTRACT:** Motion was made by Trustee Nolan, second by Trustee Piccola to approve the Community Center Contract and authorize the Mayor to sign same. Vote, 4 ayes. CARRIED.

**EXECUTIVE SESSION:** Motion was made by Trustee Nolan , second by Trustee Piccola to move into executive session at 7:40 p.m. for contractual. Vote, 4 ayes. CARRIED.

**PUBLIC SESSION:** Motion by Trustee Bradstreet, second by Trustee Husk, to move back into public session with no action having taken place at 8:25 p.m. Vote, 4 ayes. CARRIED.

**PURCHASING:** The Clerk was instructed to send letters need to all Department Heads about a purchasing freeze unless approved by trustees.

**PROCEDURE FOR "ATHLETIC PARADES":** The Board agreed that there needs to be a procedure in place when athletic teams return to the village after a competition. It was agreed that trustee approval should be given before the Fire trucks roll out and they certainly do not need to go all the way to Macedon and back. Trustee Nolan will contact the school district.

**ADJOURNMENT:** Motion by Trustee Nolan, second by Trustee Piccola , to adjourn at 8:35 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch, Clerk Treasurer

