

VILLAGE OF PALMYRA BOARD OF TRUSTEES  
PUBLIC HEARING  
REGULAR MEETING  
August 1,2011 7:00 p.m.

**ROLL CALL:** Present: Mayor Daly, Trustees Bradstreet , Husk, Piccola, and Nolan and Attorney Williams.

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER:** Mayor Daly called the public hearing to order at 7:00 p.m. and asked Deputy Clerk Piccola to read the following legal notices as were published in the official Village newspaper on July 22, 2011:

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 200 of the Village Code entitled "Zoning". The substance of the local law will create three overlay districts which will allow greater flexibility for the use of commercial buildings proposed in the following areas.

Hyde Parkway Overlay District RC-1: 405 W. Main Street, 101 and 102 Hyde Parkway;

Cuyler Street Overlay District RC-2: 122,126,127 and 134 Cuyler Street;

Mill Street Overlay District RC-3: 385 Prospect and 103 Vienna Street;

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 1st day August, 2011 at the Palmyra Village Hall, 144 East Main Street, Palmyra, NY beginning at 7:00 p.m. for the purpose of hearing comments for or against the adoption of the proposed local law.

PLEASE TAKE FURTHER NOTICE that the environmental significance of the proposed Local Law will be reviewed at said public hearing.

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: July 22, 2011

By Order of the Village Board of the Village of Palmyra

Alicia M. Lynch  
Village Clerk

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NOTICE IS HEREBY GIVEN, that there has been introduced before the Village of Palmyra a proposed local law, which, if adopted would amend Chapter 200 of the Village Code entitled "Zoning". The substance of the local law will rezone the following addresses: 100,102,104,115,119,120, 150, 312, 334 and 338 Kent Street from Industrial to R2 Residential.

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Code Enforcement Officer Wooden explained that the creation of an overlay district keeps the zoning for that area in place but allows for additional specific uses without the necessity of applying for a variance. The areas being considered all have had commercial-type businesses in them.

Mayor Daly explained that due to the Village Board receiving a petition from the residents on Vienna Street opposing it, the overlay district for 103 Vienna and 385 Prospect Drive was no longer being considered. She asked for any comments from the public regarding the other two overlay districts and/or the rezoning of Kent Street.

Several residents had some questions that were answered by CEO Wooden and the Village Board after which the Mayor closed the public hearing at 7:30 p.m.

### **REGULAR MEETING**

**APPROVAL OF MINUTES:** Motion was made by Trustee Husk, second by Trustee Piccola to approve the minutes from July 11, 2011 as submitted. Vote, 4 ayes. CARRIED.

**APPROVAL OF ABSTRACTS:** Motion was made by Trustee Bradstreet, second by Trustee Nolan to approve payment of Abstract #3, vouchers 140-193 for \$70,247.62 and Abstract #4, vouchers 194-217 for \$15,434.43. Vote, 4 ayes. CARRIED.

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

- Wayne County Tourism news
- Casting call information
- Assemblyman Oaks letter
- Invitation to WC Board of Supervisors August meeting at Fairgrounds
- Announced next Board meeting will be Tues. Sept. 6, 2011 @ Sexton Bldg.
- Annual Update Document – Filed w/State

### **TRUSTEE REPORTS**

**Trustee Bradstreet** reported that he met the Instructor, Jamie Neiss, of the Conservatory of Dance, 505 West Main St.. He also met with the Environmental Science Instructor Jason Sharpinski at the High School about opportunities for students to work/intern with Brian Beida, Gary Hopkins & Gary Laberge. Dan Wooden reported on activities in his department. On July 14<sup>th</sup>, the Zoning Dept. approved an application for an addition to 427 Vienna St.

**Trustee Husk** met with Supt. Hopkins about the proposed Rotary service project; taking care of abandoned monuments and grave. Supt. Hopkins will work with the Rotary to make sure cemetery regulations are followed. Motion was made by Trustee Husk, second by Trustee Nolan to authorize the Palmyra Macedon Rotary Club's service project of "adopting" and maintaining abandoned cemetery urns under the direction of Supt. Hopkins. Vote, 4 ayes. CARRIED.

Trustee Husk reported that he has spoken with the Skate Park Committee and they will be meeting in September to get back on track.

Trustee Husk also reported that Supt. Hopkins has been in contact with DEC about their recommendations for logging on Prospect Hill.

**Trustee Nolan** reported that WCWSA and Clark Patterson Lee have been in discussion about some long term future upgrades.

**Trustee Piccola** reviewed the report from Hwy. Supt. Boesel mentioning that two rounds of leaf pickup were completed in July. The Elgin Whirlwind Vac truck was in for repairs. Catch basin repairs took place on Jackson, Vienna & W. Foster St. Crack sealing took place on Jackson St. and Hathaway Place. Suit Kote is scheduled to slurry seal Jackson St., W. Foster (between Hyde and Stafford) and Fayette St. He has been receiving quotes to seal the North and South municipal parking lots. The crews repaired a water service leak at 353 Canandaigua St. The survey work has been completed for the W. Foster St. project and forwarded to Clark Patterson Lee. The unexplained sink hole on Brookside Terrace has been repaired. The new Caterpillar loader should be here by the first of September. The SRTS project will be the focus in the next few weeks, continuing through fall as weather permitting.

**Attorney Williams** distributed copies of a proposal for a local law to restrict disruptive protesting activities at funeral related events. Motion was made by Trustee Piccola, second by Trustee Nolan to schedule a public hearing for the proposed local law for Sept. 19<sup>th</sup>. Vote, 4 ayes. CARRIED.

**Mayor Daly** provided her usual written report and wanted to especially thank the Fire Dept., Sgt. Showman and Supt. Hopkins for their efforts during the search for Thelma Wiedman. She briefly reported on the new dance studio and the new business on the east end, Modern Manufacturing.

### **NEW/OLD BUSINESS:**

**NEGATIVE DECLARATION:** Motion was made by Trustee Piccola, second by Trustee Bradstreet to adopt the following resolution:

"BE IT RESOLVED that the Village of Palmyra Planning Board acted as lead agent with regard to the proposed zoning overlay district and the rezoning of Kent Street from Industrial to Residential (R-2) and that no negative environmental impacts were demonstrated and that pursuant to 6 NYCRR section 617 of said regulations, it is hereby determined that the actions proposed in said applications will not have a significant effect on the environment and may proceed without further review.

Vote, 4 ayes. CARRIED.

**LOCAL LAWS:** Motion was made by Trustee Nolan, second by Trustee Piccola to adopt Local Law #1, creating the Hyde Parkway Overlay District RC-1: 405 W. Main Street, 101 and 102 Hyde Parkway and the Cuyler Street Overlay District RC-2: 122,126,127 and 134 Cuyler Street, noting said local law is in compliance with the Village's master plan. Vote, 4 ayes. CARRIED.

Motion was made by Trustee Nolan, second by Trustee Piccola to adopt Local Law #2, amending Chapter 200 of the Village Code entitled "Zoning" by rezoning the following addresses: 100,102,104,115,119,120, 150, 312, 334 and 338 Kent Street from Industrial to R2 Residential noting said local law is in compliance with the Village's master plan. Vote, 4 ayes. CARRIED.

**TAX CAP:** NYCOM will be holding "training schools" on the implementation of the new tax cap law.

**MARINA WI FI:** The Board discussed the possibility of making a Wi-Fi hot spot at the marina. A likely resource for the funds for the needed equipment would be the Micro Enterprise funds but there was a question about what the monthly internet fee would be and where the expenditure would be charged. Mayor Daly will look into the monthly fees.

**INTERFUND LOAN:** Motion was made by Trustee Piccola, second by Trustee Nolan, to approve an Interfund Loan of \$15,000 from H71 Sewer Treatment Plant Upgrade to H50 Comfort Station. Vote, 4 ayes. CARRIED.

**WAYNE COUNTY CABLEVISION COMMISSION:** The Board discussed the Time Warner Cable Franchise Fee. The Village currently receives 3%, but could raise it to as much as 5%. Attorney Williams suggested raising it now as the new tax cap law will be limiting other resources soon. Motion was made by Trustee Nolan, second by Trustee Bradstreet, to establish the Time Warner franchise fee at 5%. Vote, 4 ayes. CARRIED.

**PIRATE CLOSURES:** Motion was made by Trustee Bradstreet, second by Trustee Piccola to approve the following street closures for Pirate Weekend:

Main Street – from Market to Rt. 21S on Sat. 10:45 am thru parade and Bed Race

Lower Mural parking lot from Friday 5 p.m. to Sunday at 7 p.m.

Market Street – Sat. during the parade (approx. 11:00-11:30 am)

Market St. from upper lot entrance to Canal St. (7am – 7pm)

Marina lots:

East ½ of front lot (Sat. 7am-7pm)

Entire rear lot (Fri 5pm – Sat 7pm)

Vote, 4 ayes. CARRIED. The Police Department has been notified.

**LOAN COMMITTEE:** The Board is in receipt of a letter of interest from resident Edward Perkins to serve on the MicroEnterprise Loan Committee. Motion was made by Trustee Bradstreet, second by Trustee Nolan to appoint Edward Perkins to the Loan Committee. Vote, 4 ayes. CARRIED.

**EXECUTIVE SESSION:** Motion was made by Trustee Piccola, second by Trustee Husk, for personnel matters at 8:30 p.m. Vote, 4 ayes. CARRIED.

**ADJOURNMENT:** Motion by Trustee Nolan, second by Trustee Piccola, to adjourn at 8:55 p.m.. Vote, 4 ayes. CARRIED.

This meeting was clerked by Deputy Clerk Mary Piccola and transcribed by Clerk Treasurer Alicia M. Lynch

Respectfully submitted,

Alicia M. Lynch  
Clerk Treasurer