

VILLAGE OF PALMYRA BOARD OF TRUSTEES
PUBLIC HEARING - BUDGET
REGULAR MEETING
March 16, 2009 7:00 p.m.

ROLL CALL: Present: Mayor Daly, Trustees Bradstreet, Husk, Piccola, and Nolan, Attorney Williams, Roy McMaster, Supt. Hopkins, Judge Rodman, Supt. Boesel, and Richard Clayton.

PLEDGE OF ALLEGIANCE

CALL TO ORDER: Mayor Daly called the public hearing to order at 7:00 p.m. noting the following legal as published in the official Village newspaper on March 11th:

LEGAL NOTICE OF PUBLIC HEARING
2009-2010

The Village of Palmyra will hold a public hearing (in conjunction with the regular board meeting) on Monday, March 16, 2009 at 7:00 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 2009-2010 budgets of the Village funds.

Compensation proposed to be paid each member of the Village Trustees is \$4,532; and to the Mayor \$5,665. A copy of the "Tentative 2009-2010 Budget" will be on file and available for public inspection in the Office of the Village Clerk during normal office hours.

Alicia M. Lynch
Village Clerk Treasurer

Mayor Daly turned the floor over to Roy McMaster, Capital Market Advisors. Mr. McMaster briefly reviewed the General, Water, and Sewer funds. The proposed tax rate for 2009-10 will be \$11.50 per thousand; a \$1.23 decrease from last year due to the increase in the assessed valuations and drop in the debt service. Mayor Daly asked for comments of questions from the public.

Trustee Piccola asked Mr. McMaster about borrowing the engineering costs for the Canandaigua Street Economic Stimulus Project. Mayor Daly will call Bob Raeman tomorrow to get some estimates for the breakdown on costs associated with the different funds; ie. general, water and sewer. It will not affect the 09-10 budget.

Motion was made by Trustee Piccola, second by Trustee Nolan to close the public hearing as there were no comments or questions forthcoming from the public. Vote, 4 ayes. CARRIED.

BUDGET: Motion was made by Trustee Piccola, second by Trustee Nolan to adopt the budget as presented. Vote:

| | | | |
|--------------------|-----|-----------------|-----|
| Mayor Daly | aye | Trustee Nolan | aye |
| Trustee Bradstreet | aye | Trustee Piccola | aye |
| Trustee Husk | aye | | |

Vote, 5 ayes. CARRIED. Mayor Daly thanked the trustees and department heads for their hard work with the budget preparation and Trustee Bradstreet thanked Roy McMaster for his professional advice.

AMERICAN LEGION PRESENTATION: Trustee Bradstreet moved adoption of the following resolution as read by Mayor Daly to the representatives from the American Legion Post:

WHEREAS the American Legion celebrates its ninetieth year of existence honoring and serving our veterans, and
WHEREAS the James R. Hickey Post 120 celebrates its ninetieth year in the Village of Palmyra and its sixtieth year in its Cuyler Street post home, and
WHEREAS during the entirety of its ninety years in Palmyra, the James R. Hickey Post 120 has served not only its members but also the people of the Community with dedication and generosity, and
WHEREAS the James R. Hickey Post 120 is an integral part of a grateful community,

THEREFORE let it be known that in the Village of Palmyra, Wayne County, New York, that Saturday, March 21, 2009 will be known as

**JAMES R. HICKEY POST 120
AMERICAN LEGION DAY**

So proclaimed by the Palmyra Village Board
March 16, 2009

Victoria W. Daly, Mayor

Second was made by Trustee Husk. Vote, 4 ayes. CARRIED.

REGULAR MEETING

APPROVAL OF MINUTES: Motion by Trustee Piccola , second by Trustee Husk, to approve the minutes from March 2, 2009 as submitted. Vote, 4 ayes. CARRIED.

APPROVAL OF ABSTRACT: Motion was made by Trustee Nolan, second by Trustee Bradstreet to approve payment of Abstract #10, voucher 716 of 2/27/09 and vouchers 717-783 of 3/16/09 a total of for \$206,783.75. Vote, 4 ayes. CARRIED.

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

- Thank you from the Craft family
- NYCOM 2008 Local Govt. Report, Local Govt.

TRUSTEE REPORTS

Trustee Bradstreet reported that the presenter list keeps growing for Bird Fest. Kris Forsythe, a rehabilitator from Marion, will bring a turkey vulture, a redtail hawk, and a great horned owl. Advertising for the advent is going well; The Palmyra and Macedon DayCare centers will be sending fliers home with the children. Rebeccan King's High School creative writing class are enthused about presenting poetry and non-fiction essays relating to the theme of *honoring our own* for the 4th of July celebration. It will tie in nicely with the efforts for increased community service with the school district.

Lastly, Trustee Bradstreet will be meeting with the Senior Citizens next week.

Trustee Husk – no report.

Trustee Nolan reported that he attended a meeting today on the County level about the possibility of a community-wide water department. Discussion has just begun, and at this point it is just a conception. Another meeting has been scheduled for April 20.

Trustee Piccola reported that the new Vacall truck has been delivered and a full sweep has been done of the Village. Additional work by the Highway crew includes: all the creeks and culverts were all cleared in the Village, two catch basins were replaced on Stafford and the one in front of the Elementary School was repaired. Discussion took place about a one-day CPR and first aid training course (\$45-\$50 each) which would include instruction in the use of a defibulator. If the training takes place in the Village it would be an additional \$5 per person. The training would take place during regular business hours so staff would be paid while attending. Supt. Boesel has suggested that the highway and Bldgs. and Grounds crews take the training; he will be suggesting it to the Town Board too. He hasn't mentioned it to the crews yet. Trustee Husk felt it should be like we did the Driver's Safety Course; Village paid for course but it was done on employees own time. Mayor Daly suggested the Board wait until Supt. Boesel gets feed back from the crew.

Attorney Williams – no report.

Mayor Daly provided her written report and highlighted that she met with Michelle McCadden with Richard Clayton and Brian Bieda. Her company that specializes in water tank service and maintenance. Mayor Daly met her at the last NYCOM gathering.

NEW/OLD BUSINESS:

MR. AND MRS. RIGNEY: Resident Mr. Rigney addressed the Board about his water bill and the huge discrepancy he now owes for. Mayor Daly and Trustee Piccola both responded to his questions. Attorney Williams explained that the Village can waive

interest and penalties but cannot forgive the water usage. The Rigneys are going to their attorney April 14th and asked that the manual billing be waived until after that time. The Board agreed to that but urged the Rigneys to ask their attorney to contact Attorney Williams in hopes of clearing the matter up before the tax bills are printed.

PCC CONTRACT: Motion was made by Trustee Piccola, second by Trustee Nolan to authorize the Mayor to sign the contract with the Town and the Palmyra Community Center for 2009. Vote, 4 ayes. CARRIED.

NEGATIVE DECLARATION/CANANDAIGUA ST ECONOMIC STIMULUS

PROJECT: Motion was made by Trustee Bradstreet, second by Trustee Piccola to declare that as a result of the completion of the long Environmental Assessment Form for the Canandaigua St. Economic Stimulus project there will be no adverse impact on the environment due as a result of the project. Vote, 4 ayes. CARRIED.

WATER LINE ASSESSMENTS: There was further discussion about the reassessment of the raw water line by Manchester. The following illustrates the assessments as they stand and what has been proposed:

| TAX ACCOUNT NUMBER | LOCALITY | ASSESSED VALUE 2007-08 | ASSESSED VALUE 2008-09 | PROPOSED | 2009 TOWN/CCTY TAX AMT. | 2008-09 SCHOOL TAXES | PAID TO | PLUS / MINUS |
|--------------------|-----------------------------|------------------------|------------------------|---------------|-------------------------|----------------------|------------|--------------|
| 636.89-9-235.450 | 111S TOWN OF MANCHESTER | \$146,000.00 | \$919,076.00 | \$571,521 | \$7,431.60 | \$23,925.77 | RED JACKET | +295% |
| 636.89-9-235.450 | 112M TOWN OF MANCHESTER | \$72,000.00 | \$220,793.00 | \$137,299 | \$1,775.00 | \$5,535.34 | PAL-MAC | +90% |
| 636.03-9-235.450 | 101S VILLAGE OF SHORTSVILLE | \$12,538.00 | \$6,153.00 | (was reduced) | \$44.27 | \$160.18 | RED JACKET | n/a |

Atty. Villani, the Village’s attorney in this matter, is waiting for further instructions. She had recommended that the Village submit a realistic value to Manchester to consider. The Village proposed no change in assessment to them, which is when they came back with the proposed reduction.

Since that time, Richard Clayton spoke with Supr. Eddinger and both agreed that even though the Village has replaced 20,000 feet of the line, the integrity of the line is still no better than the age and condition of its oldest parts. When the replacement cost of the 20,000 feet is taken into consideration and depreciated it is still lower than what they have proposed. Then, if the condition and age of the balance of the line is taken into consideration, Mr. Clayton feels there should be additional reductions warranted.

Mr. Clayton also stopped into the assessor’s office to get a copy of the tax maps. The assessor told him that right now the Town of Manchester and the Red Jacket school district have both agreed to the 40% reduction but if not settled soon, Ontario County will be getting involved.

Further complicating matters will be the Utility Advisory Report that municipalities consider when assessing water lines. Two assessments have been lowered in the Town of Hopewell and the Town of Canandaigua due to the latest state report. However, the Town of Gorham increased their assessment but only by about 2%. What the Town of Manchester will do with the report when they next review assessments remains to be seen. One would think that considering all the information that Mr. Clayton gave to Albany, that the State Utility report and Manchester as well would follow suit and lower the assessments further. At this rate, the possibility of abandoning the line and going out of the water business is certainly something the Board must seriously consider. The Board concurred that the Village should make one more plea, stressing all points of the discussion and counter offer with a 10% increase.

AMERICAN WAR DAD'S AUXILIARY REQUEST: The American War Dad's Auxiliary have asked permission to do a toll collection to help raise funds following the fire of February 15th. Clerk Treasurer Lynch reported that in the past the Village has not given permission for toll collections due to insurance and liability issues and Route 31 does not belong to the Village. Mayor Daly will so inform Ms. Simmons.

SRTS ENGINEERING BID OFFERING: Mayor Daly shared the bid results for the engineering portion of the SRTS grant as follows:

| | |
|---------------------|----------|
| Clark Patterson Lee | \$11,500 |
| Labella | \$14,300 |
| FRA | \$12,075 |
| LU Engineering | \$20,000 |

Motion was made by Trustee Piccola, second by Trustee Bradstreet to award the engineering contract for the SRTS grant to the low bidder, Clark Patterson Lee for \$11500. Vote, 4 ayes. CARRIED.

RANSCO CHANGE ORDER: Action was tabled until further information was obtained from Clark Patterson Lee.

TIME WARNER CABLE: The Village received the anticipated letter from Time Warner Cable notifying the Village (as Computel foresaw) that Time Warner will pass the "fee on fee" charges onto the consumers. According to Time Warner the waiver of this charge is what was originally agreed to in the Franchise but was struck out and excluded by NYPSC in its order confirming the Franchise. There are four options that the Village has to consider.

1. The Village may elect not to have Time Warner pay the fee on fee thereby saving the collection of same from the residents.
2. The Village may require that Time Warner pay the fee from hence forward which will result in residents paying an additional \$.09 a month for cable service.
3. The Village may elect not to receive any fee on fee payment going forward but elect to receive the \$4,534 for the period of 1/1/2003 through 12/31/2008, resulting in an additional \$.34 on subscribers monthly cable bill.

4. The Village may elect to receive the fee on fee payment both retroactively and going forward resulting in additional \$.09 on subscribers monthly cable bill as well as additional \$.34 /month for one year.

Time Warner will no longer pay interest on these retroactive amounts. If the Village wants to pursue interest payment, we will have to go to court. Computel submitted a form letter for the Mayor to sign which basically elects option 4 but requests that Time Warner does not pass along the fee to Village residents. Motion was made by Trustee Husk, second by Trustee Piccola to authorize the Mayor to sign the letter of claim for the underpaid franchise fees. Vote, 4 ayes. CARRIED. The village will split the \$4,534 refund equally with Computel as per the terms of our contract.

WATER/SEWER MANUAL BILLINGS: Motion was made by Trustee Piccola, second by Trustee Husk, to approve the manual billing schedule for P. Brooks, A. Pulcini and N. Goodness as recommended by the Clerk Treasurer, which bills for meter discrepancies at the “old” water rate of \$2.00 per hcf and waives any penalties. Vote, 4 ayes. CARRIED.

ESTABLISHING CAPITAL PROJECTS: Motion was made by Trustee Husk, second by Trustee Piccola to establish Capital Project H2 Safe Routes to School Grant. Vote, 4 ayes. CARRIED.

Motion was made by Trustee Nolan, second by Trustee Husk to establish Capital Project H3 Grant for Courtroom Renovation. Vote, 4 ayes. CARRIED.

Motion was made by Trustee Bradstreet, second by Trustee Piccola to establish Capital Project H5 Canandaigua St. Economic Stimulus Project. Vote, 4 ayes. CARRIED. .

ADJOURNMENT: Motion by Trustee Bradstreet second by Trustee Husk to adjourn at 9:20 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Clerk Treasurer

