

VILLAGE OF PALMYRA BOARD OF TRUSTEES  
SPECIAL MEETING  
August 25, 2009 4:00 p.m.

**ROLL CALL:** Present: Mayor Daly, Trustees Bradstreet, Husk, and Piccola. Absent: Trustee Nolan.

**CALL TO ORDER:** Mayor Daly called the meeting to order at 4:00 p.m.

**NEW/OLD BUSINESS:**

**BOND RESOLUTION:** The following resolution was offered by Trustee Piccola, who moved its adoption, seconded by Trustee Husk, to wit:

BOND RESOLUTION DATED AUGUST 25, 2009

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE RECONSTRUCTION OF CANANDAIGUA STREET, IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,550,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Action will not have a significant effect on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing;  
NOW, THEREFORE, 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 Canandaigua Street in and for the Village of Palmyra, Wayne County, New York, including water and sewer improvements therein, and incidental improvements and expenses in connection therewith, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimate cost of \$1,550,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,550,000 of serial bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 91 based upon subdivisions 1, 4, and 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein will 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 serial 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 serial 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 serial 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 thereof 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 Treasurer in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

BY ORDER OF THE BOARD OF TRUSTEES  
VILLAGE OF PALMYRA

ALICIA M. LYNCH, CLERK TREASURER

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

Mayor Daly	aye	Trustee Bradstreet	aye
Trustee Husk	aye	Trustee Piccola	aye
Trustee Nolan	absent		

The resolution was thereupon declared duly adopted.

**H50 – COMFORT STATION:** Trustee Piccola gave an update on the Comfort Station project. At this point, we have about \$52,000 coming back in from grant reimbursements. After settling all the interfund loans, we'll have about \$12,000 left to order the lumber for the comfort station building. Trustee Piccola suggested transferring funds from A1640.2 as the sander control (\$4,950) was bought with the proceeds from the auction, radios were budgeted under equipment reserve ( \$2400) and the trailer (\$1000) was not/ will not be purchased this year and the invoice from Geotilites was about \$2000 less than was budgeted. If the lumber estimate is still valid, we will have enough to get the lumber ordered. Mayor Daly called and confirmed with Supt. Hopkins that indeed the quote is still valid. Supt. Hopkins will call once more to confirm and get back to Trustee Husk. Trustee Piccola and Trustee Husk will meet tomorrow with both Supt. Hopkins and Boesel tomorrow at 4:00 to make plans for the project.

**PROGRAM FOR THE ARTS:** After a brief description from Trustee Bradstreet, Trustee Piccola moved to authorize Trustee Bradstreet to submit a grant application for the 2010 DEC Arts program. Second was made by Trustee Husk. Vote, 3 ayes.  
CARRIED.

**KAYAK LAUNCH SIGNAGE:** Trustee Bradstreet requested that an inexpensive sign be put up at the kayak launch. He is concerned that when kayakers see the steps they may not understand that the steps lead down to the kayak launch. Trustee Piccola promised to mention it at the meeting scheduled for the next day with the Superintendents.

**ADJOURNMENT:** Motion by Trustee Piccola, second by Trustee Bradstreet, to adjourn at 5:00 p.m. Vote, 3 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Clerk Treasurer