

VILLAGE OF PALMYRA BOARD OF TRUSTEES
PUBLIC HEARING
ANNUAL ORGANIZATIONAL MEETING
REGULAR MEETING
December 6, 2010 7:00 p.m.

ANNUAL ORGANIZATIONAL MEETING: Motion Trustee Nolan, second by Trustee Bradstreet to adopt the following annual organizational assignments, except where noted, all terms shall run through December 5, 2011.

BE IT RESOLVED that the Board of Trustees reestablishes the following trustee liaisons for a period of one year from 12/6/2010 through 12/5/2011. Each chairperson shall designate a board member who shall assume committee responsibility in the absence of the chairperson. Positions shall be decided by motion and majority of the Village Board. Majority shall be considered three (3) votes.

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|--|---------------------------------|
| 1. Audit | Trustee Piccola |
| 2. Buildings & Grounds (Marina, Village Hall,
Park & Club Rooms, Flagpole Trails) | Trustee Husk |
| 3. Fire Department | Trustee Husk |
| 4. Personnel | Mayor Daly & Trustee Nolan |
| 5. Planning and Zoning | Trustee Bradstreet |
| 6. Revitalization & Economic Development | Mayor Daly & Trustee Bradstreet |
| 7. Streets, & highway | Trustee Piccola |
| 8. Water & Sewer | Trustee Nolan |
| 9. Youth & PCC | Trustee Nolan |
| 10. Celebrations & Special Events, Seniors | Trustee Bradstreet |
| 11. Preservation | Mayor Daly |
| 12. Veterans | Trustee Husk |

CLERK Mayor Daly appointed Alicia M. Lynch, as CLERK TREASURER,
TREASURER appointment for a period of two years from December 1, 2010 through December 3, 2012.

TAX Mayor Daly appointed Alicia M. Lynch, as TAX COLLECTOR,
COLLECTOR as part of the duties of the CLERK TREASURER'S two year term.

ACTING Mayor Daly appointed William Abbott, as acting POLICE JUSTICE
JUSTICE: for a period of one year from December 6, 2010 ending December 5, 2011 as per Village Law 3-301, Section 2z and Note 5 of Revision 1992, Section 8. Appointment is made by the Board of Trustees, with Justice approval.

COURT Mayor Daly appointed Patricia Peterson, COURT CLERK, for a period of one
CLERK: year from December 6, 2010 ending December 5, 2011 as per Village Law 4-400, Sub. Para. C, ii. with Justice approval.

VILLAGE Mayor Daly appointed Arthur B. Williams, as Village Attorney, for a period
ATTORNEY: of one year from December 6, 2010 ending December 5, 2011.

HEALTH Mayor Daly appointed Dr. Malcolm Riggs, MD, as HEALTH OFFICER
OFFICER: as previously established and shall run through December 5, 2011.

REGISTRAR Mayor Daly appointed Lynne Green, Town Clerk, REGISTRAR FOR
VITAL VITAL STATISTICS from December 6, 2010 ending December 5, 2011.
STATISTICS:

ANIMAL Mayor Daly appointed Gary Rose as ANIMAL CONTROL OFFICER
CONTROL from December 6, 2010 ending December 5, 2011.
OFFICER:

VILLAGE Mayor Daly appointed Beth Hoad, VILLAGE HISTORIAN, for a period
HISTORIAN of one year from December 6, 2010 ending December 5, 2011.

PLANNING/ Mayor Daly moved the appointment of Richard T. Perry Jr. as chair of the Zoning
ZONING Board of Appeals, from November 30, 2010 through November 30, 2011 term through
PRESERVATION November 30, 2011.
BOARDS:

- Note: Previously appointed:
- * John Burgess, term through November 30, 2013
 - * Dave Nagle term through November 30, 2012.
 - * Tim Denniston term through November 30, 2014.
 - * Vacancy: term through November 30, 2015

Alternates: Two Vacancies.

Mayor Daly moved the appointment of David Morrell, as Chair of the Planning Board through November 30, 2011 term through November 2016.

Note: Previously appointed:

- * Jennifer Voss term through November 30, 2014.
- * Kathleen Ioele term through November 30, 2013.
- * Joe St. Thomas, term through November 30, 2012.
- * Chris Tome, term through November 30, 2011.
- *Vacancy: term through November 30, 2015.

Alternates: Two Vacancies.

Mayor Daly moved the appointment of Eleanor Drake, as Chair of the Preservation Board through November 30, 2011 term through November 2012.

Previously appointed:

- * Christine Daly term through November 30, 2013.
- * Judy Zanin term through November 30, 2013.

Note: Previously appointed:

- *Michael Haskins term through November 30, 2011.
- *James Elliott term through November 30, 2011.

Alternate:

- *Jeff Jarvis term through November 2012.

YOUTH COMMISSION: Mayor Daly advised that, upon recommendation of the Board of Directors of the Palmyra Community Center, she re-establishes the following officer positions on the YOUTH COMMISSION, election of said officers to be conducted in March:

1. President Tom Hickey
2. Vice-president Mark Giacchetta
3. Secretary Laurie Lawrence
4. Treasurer John Morrisey

FIRE DEPT. OFFICIALS: Mayor Daly advised, on recommendation of the Palmyra Fire Company, Inc. as of December 1, 2010 that the following appointments be made:

1. Fire Chief Bill Colburn
2. First Asst. Chief Derrick Baker
3. Second Asst. Chief Kevin Bruening
4. Third Asst. Chief Jason Dickinson

FIRE DEPT. MAINTEN. MECHANIC: Mayor Daly appointed of Jason Dickinson, as MAINTENANCE MECHANIC of the FIRE DEPARTMENT EQUIPMENT, from December 6, 2010 through December 5, 2011.

BANK DEPOSITORY HSBC shall be the depository for funds of the village; the Village of Palmyra shall utilize the services of said bank regarding Village investments, however, the services of various other banks may also be utilized from time to time, at the discretion of the Village Board.

INVESTMENT COUNSELORS: Roy McMaster, Capital Market Advisors, shall be utilized by the Village Board of Trustees as Investment Counselor for the Village of Palmyra.

OFFICIAL NEWSPAPER: *The Times of Wayne County* shall be approved as the official newspaper for the Village and the *Democrat and Chronicle* to serve as a secondary official newspaper to bring such legal notices, statements, notices for bids and other legal notices for the ensuing year to the attention of the citizens for the Village of Palmyra.

EMPLOYEE BONDS: Bonds shall be provided by Van Parys Associates for the following bond amount for employees set by the Board: To cover the Village part-time clerks, bond amount of \$57,500 and Clerk Treasurer/Tax Collector, bond amount of \$646,000 and \$5,000 per all ther employees.

SPECIAL MEETINGS & HOLIDAYS In the case of special meetings, the Village official newspaper will be notified and notification of such shall be posted on Village Hall as far in advance as possible. Office hours are Monday through Friday, 9:00 am through 5:00 pm. The office shall be closed on the following holidays:

1. Christmas Eve day 2010
2. New Year's Eve Day 2010
3. Martin Luther King (Jan. 17, 2011)
4. Good Friday (April 22, 2011)
5. Memorial Day (May 30, 2011)
6. July 4, 2011
7. Labor Day (Sept 5, 2011)
8. Columbus Day (Oct. , 2011)
9. Veterans' Day (Nov. 11, 2011)
10. Thanksgiving (Nov. 24, 2011)
11. Day after Thanksgiving (Nov. 25, 2011)

RULES OF PROCEDURE: N. Y. Village Law, the Local Laws of the Village of Palmyra and the following rules of procedure are hereby adopted as guidelines to the Village Board of Trustees meeting. The Board of Trustees reserves the right to enact any and all of the stated rules of order should it be deemed necessary.

REGULAR MEETINGS: The regular meetings of the Board of Trustees of the Village of Palmyra shall be held at 7:00 pm. on the First and Third Monday, in the months of September through June, the Board will meet on the first Monday night of the month only for the months of July and August, with the exception that any holidays which may fall on the above dates will automatically move the regular meeting night to the following Monday in the month. The Village Clerk will prepare a written agenda for each Village Board meeting following the same guidelines as resolved in previous years.

QUORUM: A quorum shall be required to conduct business. A quorum of the (5) five member Board of Trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

EXECUTIVE SESSIONS: Executive sessions shall be held in accordance with the NYS Public Officers Law 105. All executive sessions shall be commenced in a public meeting.

AGENDAS: The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Clerk by the Friday preceding the meeting by 12 Noon, however, items may be placed on the agenda at anytime, including during the meeting.

VOTING: Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie.

A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.

An abstention, silence or absence shall be considered a negative vote for the purposes of determining the final vote on a matter.

MINUTES: Minutes shall be taken by the Clerk. Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following:

- Name of the Board
- Date and time of meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment
- Name and title of other village officials and employees present
- Record of communications presented to the Board
- Record of reports made by Board or other village personnel
- Time of adjournment
- Signature of Clerk or person who took the minutes if not the Clerk.

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the Clerk do so. Minutes shall be approved at the next board meeting whenever possible. Amendments to the minutes shall require Board approval.

ORDER OF BUSINESS:

- Call to Order
- Roll call
- Approval of minutes of previous meeting
- Approval of abstract (second meeting of the month)
- Correspondence/Announcements
- Trustee Reports
- Old/New Business
- Public Session
- Adjournment

GENERAL RULES OF PROCEDURE:

The Mayor shall preside at meeting. In the Mayor's absence the Deputy Mayor shall preside. The presiding officer may debate, move and take other action that may be taken by other members of the Board. Motions to close or limit debate may be entertained but shall require a two-thirds vote.

GUIDELINES FOR PUBLIC COMMENT: The public shall be allowed to speak during the Public Comment period of the meeting or at such other time as a majority of the Board shall allow.

All remarks shall be addressed to the Board as a body and not to any member thereof. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Interested parties or their representatives may address the Board by written communications.

GUIDELINES FOR USE OF RECORDING EQUIPMENT: All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording shall be done in a manner which does not interfere with the meeting. The mayor may make the determination that the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Village Board, size of the equipment and the ability of the public to still participate in the meeting. If the mayor make the determination that the recording is intrusive and has the effect of interfering with the meeting, the mayor may request an accommodation to avoid the interference and if not complied with ask the individual to leave the meeting room.

ADJOURNMENT: Meetings shall be adjourned by motion.

AMENDMENTS TO THE RULES OF PROCEDURE: The foregoing procedures may be amended from time to time by a majority of the Board.

Voting as follows:

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

DEPUTY MAYOR: Mayor Daly appointed Trustee Bradstreet to continue in his role as Deputy Mayor.

BUDGET OFFICER/POLICE COMMISSIONER: As per N.Y. Village Law, Deputy Mayor Bradstreet announced the following appointments:

1. Budget Officer Mayor Daly
2. Police Commissioner Mayor Daly

REGULAR MEETING

APPROVAL OF MINUTES: Motion was made by Trustee Bradstreet, second by Trustee Husk to approve the minutes from November 15, 2010 as submitted. Vote, 4 ayes. CARRIED.

Motion was made by Trustee Husk, second by Trustee Piccola to approve the minutes from November 22, 2010 as submitted. Vote, 4 ayes. CARRIED.

APPROVAL OF ABSTRACT: Motion was made by Trustee Nolan, second by Trustee Piccola to approve payment of Abstract #6 supplement, vouchers 520-523 for \$18,317.34. Vote, 4 ayes. CARRIED.

TRUSTEE REPORTS

Trustee Bradstreet reported that there are two vacancies on both the Planning and Zoning Boards for alternates and one regular position. He will be working on finding people for those positions. Don't forget the holiday festivities Friday night in the Park and Club Rooms.

Trustee Husk reported that the Christmas decorations have been put up around the village.

Reporting for the Fire Department, Trustee Husk moved to accept John Burba and Trevor VanHout for membership into the Fire Department following completion of the appropriate training and a satisfactory physical examination. Second was made by Trustee Piccola. Vote, 4 ayes, CARRIED. Trustee Husk reviewed the November report from Finger Lakes Ambulance. There were 58 calls with an average response time of 5.45 minutes.

Trustee Nolan reviewed the operating report from ST for the water and wastewater treatment plants for October.

Crown, Castle, the cell tower property manager, has corresponded with some suggestions of alterations to their site to improve security and safety, especially with regards to the catwalk. For one thing, the climbing pegs have been removed from the first twenty feet. Eric Schumacher also discussed the possibility of a joint venture with the Village for the addition of surveillance equipment.

Trustee Nolan asked Richard Clayton to re-cap costs involved for water supply from Wayne County Water and Sewer Authority when the water tower was shut down for painting. Although there was no meter where the water entered the Village, WCWSA estimated the amount by calculating the volume over and above what is normally transmitted to Macedon. ST also has a good idea of what the Village should be using on any typical day as well. Mr. Clayton felt the volume was fair and reported that Marty Aman gave the Village a slightly better rate than normal. The total owed WCWSA is \$13,246.00. WCWSA will work with the Village with regards to payment and/or credit

for water for the South/East districts. ST incurred \$12,000 worth of overtime but all in all saved the Village almost \$20,000. Another plus was we were able to prove that the system that was put in place to monitor the plant when it was unmanned worked every time. Hyland Hartsough has asked ST to submit an engineering report on the system for submission to the Dept. of Health.

Trustee Nolan and Piccola reviewed final estimates for the water tower painting to try to determine if the Village should proceed at this time with upgrading the water meters. Trustee Piccola suggested that ST's overtime costs should be part of the bond.

Discussion took place again about the water freezing in the tank. The Village may still have to install a circulating pump. The relocation of the new intake pipe just didn't handle the problem.

Back to the cell tower, Mayor Daly reviewed a meeting with Eric Schumaker, cell phone property manager. Crown Castle was more than willing to make some adjustments to make it harder for trespassers to gain access to the catwalk. They would like to attach fencing directly to the old water treatment plant. Motion was made by Trustee Nolan, second by Trustee Piccola to allow Crown Castle to attach fencing to the old water treatment plant to increase security at the cell tower. Vote, 4 ayes. CARRIED.

Trustee Piccola reviewed the report from Supt. Boesel, highlighting that the last round of leaf pickup took place on Nov. 30th and the started one final round of brush pickup. One of the snowplow trucks is in the shop. Street signs will be going up on Canandaigua Street. Rizzo should be back to install two catchbasins/manholes and complete the punch list items. No Parking signs were installed on Hathaway and No Overnight Parking signs for the business district have been ordered.

Trustee Piccola and Mayor Daly met with Bob Raeman and Ron Rink to go over the Route 21 project numbers. The stimulus money was actually more than we anticipated. We thought we were getting \$1,810,000 but the final award was \$2,373,899. The remaining work should run about \$220,000. Clark Patterson Lee anticipates the final project cost should be \$2,047,700 which will include all EIC costs (we thought the Village had to pay those fees). The only part of the project the village will wind up paying for is the original design, bid documents and for the grant submission paperwork; \$211,000. Not only that, because the Village had to re-do the original bond resolution, the first interest payment will not be due until the next budget year. In June of 2012, the first principal payment will be due. Interest on the water bond will also not be due until June 2011. Ron Rink advised the Village not to hold any funds back in order to close out the project and be able to submit for the reimbursements.

Attorney Williams - no report.

Mayor Daly provided her usual written report and corrected some items of the editorial in the Nov. 30th of the Messenger Post as well as the reprinting of it in the Wayne Post. She also spoke about the article about Finger Lakes Healthcare.

NEW/OLD BUSINESS:

VILLAGE HALL BOILER: The Board discussed the poor condition of the boiler in the Village Hall. The Board asked the Clerk to solicit three quotes for a new boiler and report back to the Board.

NEW BADGER METERS:

Motion was made by Trustee Piccola, second by Trustee Nolan to adopt the following permissive referendum:

PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Palmyra, Wayne County, New York, adopted a resolution during a meeting on July 6, 2010, subject to Permissive Referendum as follows;

BE IT RESOLVED that a sum up to and not to exceed ONE HUNDRED FIFTY FIVE THOUSAND DOLLARS (\$155,000) shall be expended from the Capital Reserve Water (HR3) for the upgrading the water meters..

Following publication, the foregoing resolution shall be posted in six (6) conspicuous places and in accordance with Section 9-902 of Village law, shall take effect in thirty (30) days.

BY ORDER OF THE VILLAGE BOARD

Palmyra, New York
Alicia M. Lynch
Village Clerk

Dated: Dec. 6, 2010

Completion: Jan. 6, 2011

Vote, 4 ayes. CARRIED.

BUDGET CALENDAR: Roy McMaster is available on the dates that we submitted to him for budget workshops.

BUDGET TRANSFERS: Motion was made by Trustee Piccola, second by Trustee Nolan, to adopt the following budget transfers to cover the increase in the retirement costs:

Transfers \$13,749.00 from A9015.8 to F9010.8

Transfer \$14,050.00 from G1990.4 Contingency to G9010.8

Vote, 4 ayes. CARRIED.

PROPERTY TAX CAP: Motion was made by Trustee Piccola, second by Trustee Nolan to adopt the following resolution and authorize the Mayor to sign same:

A Property Tax Cap Must Include Mandate Relief

WHEREAS the level of property taxation throughout New York has reached dangerously high levels; and

WHEREAS New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

WHEREAS two of the largest components of every municipal budget over which local officials have little control - pension payments and health insurance cost- are increasing at exorbitant rates; and

WHEREAS in case of pension costs, bills from State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to firefighters and police officers, do not allow local officials to reasonably control the costs such contracts impose on property taxpayers; and

WHEREAS as a solution to New York's property tax crisis, the Governor of New York and New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS a property tax cap will only work if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees;

NOW, THEREFORE, BE IT RESOLVED by the Village of Palmyra that the Governor of the State of New York and the members of the New York State Senate Assembly must reform the cost drivers that lead to high property taxes in New York-including pension benefits, health insurance costs and collective bargaining process-as the central element of any effort to provide overdue property tax relief to the residents and businesses of New York.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor- Elect Andrew Cuomo, Senator Nozzolio, Member of Assembly, Assemblyman Oaks, and the New York State Conference of Mayors.

Vote, 4 ayes. CARRIED.

EXECUTIVE SESSION: Motion was made by Trustee Nolan, second by Trustee Bradstreet, for a contractual matter. Vote, 4 ayes. CARRIED.

PUBLIC SESSION: Motion by Trustee Piccola, second by Trustee Nolan, to move back into public session with no action having taken place. Vote, 4 ayes. CARRIED.

ADJOURNMENT: Motion by Trustee Husk, second by Trustee Nolan, to adjourn at 9:10 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Clerk Treasurer