

**VILLAGE OF PALMYRA BOARD OF TRUSTEES
REGULAR MEETING**

May 18, 1998 6:30 p.m.

PRESENT: Mayor Wilson, Trustees, Salomon, DeVogelaere, Celentano and Gunkler.

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

PLEDGE OF ALLEGIANCE

ABSTRACT #15: Motion by Trustee Gunkler to approve vouchers 1168-1170 for \$231.87 dated 4/30/98, vouchers 1171-1174 for \$450.99 dated 1/5/98 and Abstract #15, vouchers 1175-1247 for \$67,676.29 pending the appropriate signatures. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

TRANSFERS: Motion by Mayor Wilson to authorize Village Treasurer, Darlene Matteson to make the necessary year end transfers and to provide this list to the Board when completed. Second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

MINUTES: Motion by Trustee Gunkler, second by Trustee DeVogelaere to approve the minutes from May 4, 1998. Vote, 4 ayes, 1 abstain. (Trustee Celentano due to his absence.) CARRIED.

CORRESPONDENCE: The following correspondence has been received and is on file at the Village Clerk's office:

1. Thank you from residents, Bill & Lois Parsons, to the Village Police Department.

TRUSTEE REPORTS: Trustee Celentano reported that the municipal auction was very large this year. There was about \$2.1 million in sales and about 3,000 people in attendance. Brush pick up will be the second and fourth Thursday of the month. Trustee Celentano urged residents to put the refuse out by the street no more than 1-2 days in advance of pick up date and do not put it in the street. An ad has been placed in Timesaver and Courier with dates of pick up. The bid opening was discussed for the Jackson Street and Hyde Park improvements.

JACKSON ST. /HYDE PARK PROJECTS: Motion was made by Trustee Celentano, second by Mayor Wilson to award the contract for Jackson Street reconstruction and water main improvements for Jackson and Hyde Park to the low bidder, Villager Construction, at the alternate bid price of \$336,018.25. Vote, 5 ayes. CARRIED.

Trustee Gunkler motioned to approve the application of Michael Storto and Carolyn Matarese for membership into the Fire Department pending the appropriate training and physical. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

In lieu of a report, the following resolution was offered by Trustee DeVogelaere who moved its adoption, seconded by Mayor Wilson, to wit:

BOND RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASE OF MACHINERY AND APPARATUS, FOR THE PARKS AND CEMETERY CONSTRUCTION AND MAINTENANCE IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$90,000, AND THE ISSUANCE OF \$75,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the Board of Trustees of the Village of Palmyra, Wayne County, New York, as follows:

Section 1. The purchase of machinery and apparatus for park and cemetery construction and maintenance in and for the Village of Palmyra, Wayne County, New York, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimated cost of \$90,000.

- Section 2. The plan for the financing of the aforesaid maximum estimated cost shall be as follows:
- a). by the issuance of not exceeding \$90,000 serial bonds of said Village hereby authorized to be issued therefor pursuant to the Local Finance Law and

b). by the appropriation and expenditure of \$15,000 available current funds of said Village hereby.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purpose is five years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of said bonds will not 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. All other matters except as provided herein relating to the bonds herein and the manner of execution of the 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 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 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 in the Courier Journal, which is hereby designated as 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. Voting as follows:

Trustee Salomon	aye	Mayor Wilson	aye
Trustee DeVogelaere	aye	Trustee Gunkler	aye
Trustee Celentano	aye	<u>Unanimous/Carried</u>	Defeated

Regarding the Certificate of Occupancy requirements for single family homes, planning board chair, Elaine Hartnagel surveyed neighboring villages and cities. None of those that she contacted require a C of O when a single family residence sells. It was suggested that the trustees review the report prior to the next meeting.

Trustee Salomon reported that the fire hydrant in front of the post office will be operational by Memorial Day weekend. With regards to the Canandaigua Watershed commission and Steve Stauffer's recommendation, Trustee Salomon offered the following motion, second by Trustee Celentano.

WHEREAS, The member municipalities of the Canandaigua Lake Watershed Commission (hereinafter referred to as the Commission) have completed the process of proposing revisions to the existing Rules and Regulations, Part 132 of the Public Health Law; and

WHEREAS, The Commission is now recommending that the proposed revision of part 132 be sent to the New York State Department of Health to begin the state-level review process; now therefore That we, the Village of Palmyra, as a member municipality, does hereby endorse the revision of Part 132 and the forwarding of all required documents to the New York State Department of Health. Vote: 5 ayes. **CARRIED.**

These revisions will be submitted to NYS Department of Health, then on to the State Legislature for approval.

Mayor Wilson scheduled the first meeting in June (1st) for an informational meeting with engineer, contractor and residents of Jackson and Hyde Park. He also reported that the Park & Club Rooms' facilities will be available for the May Festival. In addition, Mayor

Wilson relayed the intent of DH Associates to donate their building to the Village. This is the three story building on Main Street formerly used as offices for Garlock. This issue will be studied further by both parties.

Mayor Wilson has met with Steve Cleason, APD, regarding the Village’s intended response to SHPO’s requirement of a more stringent archeological study of the area for the Marina. We will be asking SHPO to waive this requirement as the area was previously disturbed when the Canal was built.

The meeting went well between the Village, the Wetlands committee and the Canal Authority. A management system for the wetland area is being proposed and will involve a sluice gate being built where the berm was breached.

The ad that will be placed for notification on the HUD loans was discussed. A direct mailing will be done as well. We will be advertising in the Courier-Journal and the Finger Lakes Time at the prices quoted by same. Steve Buchiere suggested that perhaps it should be advertised to target a larger audience, ie. the Rochester Business Journal. This can be handled through the staff at the Timesaver. Motion by Mayor Wilson, second by Trustee DeVogelaere to spend up to \$300.00 for advertising costs for the CCI business loan. Vote, 5 ayes. CARRIED.

TAX LEVY: Motion by Mayor Wilson, second by Trustee to approve the following tax levy and warrant as presented and prepared by the Village Treasurer and to authorize signature of same.

TAX LEVY RESOLUTION

A resolution levying the total taxes and other charges extended and levied against each parcel of real property shown on the rolls prepared and verified by the assessors for the 1998-1999 fiscal year.

RESOLVED that there be levied and assessed against the real property of the Village of Palmyra the following sums for Village government and other charges for the fiscal year 1998-1999 a tax rate of \$8.51 per thousand of assessed valuation.

TAX RATE CALCULATION:		
General Fund Tax Levy X \$1,000 =	\$	765,288.00 X \$1,000 =
Assessed Valuation	<u>\$89,893,038.00</u>	<u>\$8.51</u> Thousand
General Fund Levy (A980-A1001)		\$765,288.00
Omitted Taxes of Previous Years		
Excess on Roll		
Total Taxes for Current Budget		
Delinquent Water Rents & Charges (A250/A630)	\$	12,855.55
Delinquent Sewer Rents & Charges (A250/A630)	\$	17,488.54
Delinquent Special Assessments (A250/A630)		
Total Real Property Taxes & Other Charges on Roll		\$795,632.09

TAX WARRANT

TO: Darlene Matteson
Village Treasurer

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$795,632.09for the following purposes:

For the current Budget	\$765,288.00
For Omitted Taxes of Previous Year	
For Charges for Services	
For Relevied Water Rents & Charges	\$ 12,855.55
For Relevied Sewer Rents & Charges	\$ 17,488.54
For Special Assessments	
TOTAL	\$795,632.09

YOU ARE FUTHER COMMANDED to receive and collect such sums without additional charge between the first day of June and the first day of July, 1997, both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five per centum for the first month or fraction thereof until paid.

YOU ARE FURTHER COMMANDED to return the tax roll and warrant to the village clerk on or before the first day of November, 1998, and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid,

showing person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

DATED:

MAYOR

ATTEST: _____
Village Clerk

UNIFIED COURT SYSTEM: Motion by Mayor Wilson, second by Trustee Celentano to adopt the following resolution:

The Village Board of Palmyra, New York, County of Wayne has consented to the temporary assignment of its justice(s) to preside in other town/village courts in the Seventh Judicial District as need arises during the year 1998 and approved the temporary assignment of judges from other town/village courts in the Seventh Judicial District to its court as need arises during the year 1998. Vote, 5 ayes. CARRIED.

FAIR HOUSING: In order to ensure that the Village complies with Fair Housing requirements, Trustee Salomon recommended the adoption of the Fair Housing and the Anti-Displacement Plans as prepared by Mr. Stu Brown and resolved that:

The Village of Palmyra has appointed Alicia Lynch as the local Fair Housing Officer for the Community. The Village has also adopted a Fair Housing Plan and maintains resource material concerning Fair Housing, including Title VIII of the Civil Rights Act of 1968 and the Fair Housing Amendment Act of 1988. The Federal Fair Housing Law, as well as the Laws of New York State, prohibit discrimination in the sale, rental, financing and brokerage of housing based on race, color, religion, sex, handicap, familial status, or national origin.

Persons who feel they have been victims of housing discrimination may receive assistance in filing a complaint by contacting Alicia Lynch at 144 East Main Street, Palmyra, New York 14522. Telephone 315-597-4849. Copies of the Fair Housing Plan or other related materials are also available from U.S. Department of Housing and Urban Development, on request.

Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

MARGARET DENEFF: Resident Margaret DeNeef inquired why the Village allows the ambulance to park at Salzburg Village. She also reported that it was used as a “moving van” when a certain couple from Salzburg moved into a different building. Mayor Wilson explained that the Palmyra Volunteer Ambulance receives no Village tax monies and therefore the Village has no say in the procedures used.

MEMO OF UNDERSTANDING: The memo of understanding which re-capped the meetings between Wayne County Water Authority, the Towns of Macedon, Manchester and Palmyra, and the Village of Palmyra was discussed at lengths. Trustee Salomon asked if we were expected to sign this now. Mayor Wilson said he did not see anything there that we didn’t verbally agree to. It is just to put everyone on the same page. In order to insure we are not bound to any specific terms, motion was made by Mayor Wilson to sign the agreement subject to final contract and with village attorney’s approval. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

ANNOUNCEMENTS: Resident Elaine Hartnagel reported that Palmyra’s own, Scott Parsons has been named Chief of Police in Webster.

Mayor Wilson reported that the sale of the Garlock House is still pending.

Also from Mrs. Hartnagel, the Economic Development committee has developed a subcommittee to plan the “marketing” brochure.

EXECUTIVE SESSION: Motion to move into executive session for personnel issues by Mayor Wilson at 8:00 pm. Second by Trustee Celentano. Vote, 5 ayes. CARRIED.

RECONVENE: Motion to return to public session at 8:50 pm by Mayor Wilson, second by Trustee Celentano. Vote, 5 ayes. CARRIED.

NEW POLICE OFFICER: Motion by Mayor Wilson to hire Carl Adriaanson pending the satisfactory answers to financial questions by Village attorney, Nesbitt, and with the commencement date to be determined later. Second by Trustee Gunkler. Vote, 5 ayes. CARRIED.

ADJOURNMENT: Motion to adjourn at 8:52 pm by Trustee Gunkler, second by Trustee Celentano. Vote, 5 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Village Clerk

