

**VILLAGE OF PALMYRA BOARD OF TRUSTEES**  
**ANNUAL ORGANIZATIONAL MEETING**  
**REGULAR MEETING**  
December 4, 2023      6:30 pm

**ROLL CALL:** Present: Mayor Husk, Trustees Leo, Luke, Perry, Warters      Absent: Attorney St.Martin

**OTHER ATTENDEES:** Georgeann Graham, Tracy Vanderwall, Linda Valley, MaryAnn Williams

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER:** Mayor Husk called the Annual Organizational Meeting to order at 6:30 pm.

**ANNUAL ORGANIZATIONAL MEETING:**

BE IT RESOLVED that the Board of Trustees reestablishes the following trustee liaisons for a period of one year from December 4, 2023 through December 2, 2024. 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. The majority shall be considered three (3) votes.

1. Audit	Trustee Luke
2. Buildings and Grounds (Marina, Village Hall, Sexton Building, Flagpole, Trails)	Trustee Perry
3. Fire Department	Trustee Leo and Warters
4. Personnel	Trustees Perry and Mayor Husk (alternate Trustee Luke)
5. Zoning	Trustee Warters
6. Revitalization and Economic Development	Trustee Luke
7. Streets and Highway	Mayor Husk and Trustee Perry
8. Water and Sewer	Trustee Luke
9. Youth and Palmyra Community Center	Trustee Leo
10. Celebrations and Special Events	Trustee Luke
11. Veterans	Trustee Warters
12. Seniors	Mayor Husk
13. Fairgrounds/Union Agricultural Society	Trustee Leo and Trustee Perry
14. Preservation	Trustee Warters
15. Union Negotiations	Trustee Perry and Trustee Luke (alternate Mayor Husk)
16. Palmyra Macedon Central School District	Trustee Perry
17. Consultant to the Mayor	Former Mayor Christopher Piccola

**CLERK-** Mayor previously appointed Rebecca Wetherby, as CLERK TREASURER, for a  
**TREASURER** period of TREASURER two years from December 5, 2022 through December 2, 2024.

**TAX** Mayor appointed Rebecca Wetherby as TAX COLLECTOR, as part of the duties of the  
**COLLECTOR** CLERK TREASURER'S two year term at December 5, 2022 meeting.

**ACTING** Mayor Husk appointed Sherman Yates as acting JUSTICE for a period of one year from  
**JUSTICE** December 4, 2023 through December 2, 2024 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 appointed Patricia Peterson, COURT CLERK, for a period of one year December  
**CLERK** 4, 2023 through December 2, 2024 as per Village Law 4-400, Sub. Para. C, ii. with Justice approval.

December 4, 2023

**VILLAGE ATTORNEY** Mayor appointed Matthew S. Martin, as Village Attorney, for a period of December 4, 2023 through December 2, 2024.

**DOG WARDEN** Mayor appointed Tracy Brown as DOG WARDEN/ANIMAL CONTROL OFFICER from December 4, 2023 through December 4, 2024.

**VILLAGE HISTORIANS** Mayor appointed Bonnie and Steve Hayes, VILLAGE HISTORIANS, for a period of one year from December 4, 2023 through December 2, 2024.

**LAKE WATERSHED COMMISSIONERS** Mayor appointed Martin Aman as Commissioner for the Village of the Canandaigua Lake Watershed Commission and Brian Bieda as Alternate Commissioner.

**ZONING / PLANNING BOARD OF APPEALS** Mayor moved the appointment of Timothy Denniston as chair of the Zoning Board of Appeals, term through November 30, 2025. John Goodspeed, term through November 30, 2027  
Note: Previously appointed:  
\* David Nagle, term through November 30, 2025  
\* Christopher Tome and Elaine Hartnagel, terms through November 30, 2026  
Alternate: Carrie Deming

**PRESERVATION BOARD** Mayor moved the appointment of Christine Daly as Chair of the Preservation Board from November 30, 2023 through November 30, 2025.

Eleanor Drake term through November 30, 2024  
James Elliott term through November 30, 2026  
Michael Haskins on a term through November 30, 2027  
Lisa Ondra Premyslovsky- term through November 30, 2028  
Alternate: Kathy Staeger- term through November 30, 2027

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

- |                   |                  |              |               |
|-------------------|------------------|--------------|---------------|
| 1. President      | Gary LaBerge     | 3. Secretary | John Morrisey |
| 2. Vice-president | John Gammariello | 4. Treasurer | Jeanna Savage |

**FIRE DEPT. OFFICIALS** Mayor advised, based on the Palmyra Fire Department changes during the year, that the following appointments continue until the 2024 elections.

- |                          |                |                           |                  |
|--------------------------|----------------|---------------------------|------------------|
| 1. Fire Chief            | Lucas Shulla   | 3. Second Assistant Chief | Richard Sturgill |
| 2. First Assistant Chief | Mikel Hallings | 4. Third Assistant Chief  | Warren Frederick |

**BANK DEPOSITORY** Community Bank N.S. 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.

**HEALTH OFFICER** Mayor, previously appointed Daniel Harris, MD, as HEALTH OFFICER from December 7, 2020 through December 2, 2024.

**REGISTRAR VITAL STATISTICS** Mayor previously appointed Irene Unterborn, Town Clerk, REGISTRAR FOR VITAL STATISTICS until December 31, 2023. The Mayor is reappointing her from January 1, 2024 to December 31, 2027.

**PRE-PAYMENT OF SPECIFIC ITEMS:** The Board recognizes that in some cases, items need to be paid in a timely fashion that doesn't always coincide with Board meetings and hereby authorizes the following items to be paid prior to the board meetings: Utilities, Hospitalization, Payroll, Postage, Disability Insurance, Social Security and Retirement.

**INVESTMENT COUNSELOR** 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 *FingerLakes Times* 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 Deputy Clerks and Court Clerk bond amount of \$50,000, Clerk Treasurer/Tax Collector, bond amount of \$850,000 and \$5,000 per for all other employees.

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

- |  |  |
|--|--|
| 1. Christmas Day (December 25, 2023)             | 7. Juneteenth (June 19, 2024)                  |
| 2. New Year's Day (January 1, 2024)              | 8. Independence Day (July 4, 2024)             |
| 3. Martin Luther King Jr. Day (January 15, 2024) | 9. Labor Day (September 2, 2024)               |
| 4. Washington's Birthday (February 19, 2024)     | 10. Columbus Day (October 14, 2024)            |
| 5. Good Friday (March 29, 2024)                  | 11. Veterans' Day (Observed November 11, 2024) |
| 6. Memorial Day (May 27, 2024)                   | 12. Thanksgiving (November 28, 2024)           |
|  | 13. Day after Thanksgiving (November 29, 2024) |

**INVESTMENT POLICY** The following investment policies has been reviewed and hereby reapproved without changes/ with the following italicized changes:

**Chapter A205 Investment Policy**

[HISTORY: Adopted by the Board of Trustees of the Village of Palmyra 5-21-2001.  
Amendments noted where applicable.]

- |  |  |
|--|--|
| § A205-1 <b>Scope.</b>                       | § A205-8 <b>Collateralizing of deposits.</b>                   |
| § A205-2 <b>Objectives.</b>                  | § A205-9 <b>Safekeeping and collateralization.</b>             |
| § A205-3 <b>Delegation of authority.</b>     | § A205-10 <b>Permitted investments.</b>                        |
| § A205-4 <b>Prudence.</b>                    | § A205-11 <b>Authorized financial institutions and dealers</b> |
| § A205-5 <b>Diversification.</b>             | § A205-12 <b>Purchase of investments.</b>                      |
| § A205-6 <b>Internal controls.</b>           | § A205-13 <b>Repurchase agreements.</b>                        |
| § A205-7 <b>Designation of depositaries.</b> | § A205-14 <b>Schedule of Eligible Securities.</b>              |

§ A205-1 **Scope.**

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

§ A205-2 **Objectives.**

The primary objectives of the local government's investment activities are, in priority order:

- A.** To conform with all applicable federal, state and other legal requirements (legal);
- B.** To adequately safeguard principal (safety);
- C.** To provide sufficient liquidity to meet all operating requirements (liquidity); and
- D.** To obtain a reasonable rate of return (yield).

§ A205-3 **Delegation of authority.**

The governing board's responsibility for administration of the investment program is delegated to the Village Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information, and regulate the activities of subordinate employees.

§ A205-4 **Prudence.**

- A.** All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Palmyra to govern effectively.
- B.** Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation , but for investment, considering the safety of the principal as well as the probable income to be derived.
- C.** All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

§ A205-5 **Diversification.**

It is the policy of the Village of Palmyra to diversify its deposits and investments by financial institution, by investment instrument, and by maturing scheduling.

§ A205-6 **Internal controls.**

- A.** It is the policy of the Village of Palmyra for all moneys collected by any officer or employee of the government to transfer those funds to the Village Treasurer within three days of deposit, or within the time period specified in law, whichever is shorter.
- B.** The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

§ A205-7 **Designation of depositaries.**

The banks and trust companies authorized for the deposit of moneys up to the maximum amounts are:

<b>Depository Name</b>	<b>Maximum Amount</b>	<b>Depository Name</b>	<b>Maximum Amount</b>
HSBC	None	Chase Manhattan	None
M&T	None	Chase One	None
Ontario National	None		

**§ A205-8 Collateralizing of deposits.**

In accordance with the provisions of General Municipal Law (GML) § 10, all deposits of the Village of Palmyra, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- A.** By a pledge of “eligible securities” with an aggregate “market value” as provided by GML § 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
- B.** By an eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by a least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
- C.** By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

**§ A205-9 Safekeeping and collateralization.**

- A.** Eligible securities used for collateralizing deposits shall be held by the depository bank or trust company subject to security and custodial agreements.
- B.** The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village of Palmyra or its custodial bank.
- C.** The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility.

Such an agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**§ A205-10 Permitted investments.**

**A.** As authorized by General Municipal Law § 11, the Village of Palmyra authorizes the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash-flow needs in the following types of investments:

- (1) Special time deposit accounts;
- (2) Certificates of deposit;
- (3) Obligations of the United States of America;
- (4) Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- (5) Obligations of the State of New York;
- (6) Obligations issued pursuant to Local Finance Law (LFL) § 24.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Village of Palmyra;
- (7) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments;
- (8) Certificates of participation (COPs) issued pursuant to GML § 109-b;
- (9) Obligations of this local government, but only with moneys in a reserve fund established pursuant to GML § 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

**B.** All investment obligations shall be payable or redeemable at the option of the Village of Palmyra within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Palmyra within two years of the date of purchase.

**§ A205-11 Authorized financial institutions and dealers.**

The Village of Palmyra shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Village of Palmyra. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated annually.

**§ A205-12 Purchase of investments.**

**A.** The Treasurer is authorized to contract for the purchase of investments:

- (1) Directly, including through a repurchase agreement, from an authorized trading partner.

- (2) By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
- (3) By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

**B.** All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Palmyra by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law § 10.

**C.** The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### § A205-13 **Repurchase agreements.**

Repurchase agreements are authorized subject to the following restrictions:

- A.** All repurchase agreements must be entered into subject to a master repurchase agreement.
- B.** Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- C.** Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- D.** No substitution of securities will be allowed.
- E.** The custodian shall be a party other than the trading partner.

#### § A205-14 **Schedule of Eligible Securities.**

The Schedule of Eligible Securities is as follows:

- A.** Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- B.** Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys.

C. Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by a least one nationally recognized statistical rating corporation.

**PROCUREMENT POLICY:** The following procurement policy has been reviewed and hereby reapproved without changes/with the following italicized changes:

**Chapter A206 Procurement Policy**

[HISTORY: Adopted by the Board of Trustees of the Village of Palmyra 5-21-2001, as amended 2-4-2002. Amendments noted where applicable.]

**Chapter 206 Procurement Policy**

§ A206-1 **Adoption and intent.**

§ A206-2 **Procurement procedure.**

§ A206-3 **Procedures waived under certain circumstances.**

§ A206-4 **When effective.**

§ A206-1 **Adoption and intent.**

The Village of Palmyra does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

§ A206-2 **Procurement procedure.**

A. Price quotation and proposal requirements.

**(1)**

Purchases.

<b>Estimated Amount of Purchase</b>	<b>Method</b>
\$250 to \$999	2 verbal quotes
\$1,000 to <i>\$20,000</i>	3 written/fax quotations or written request for proposals

**(2)**

Public works contracts.

<b>Estimated Amount of Public Works Contract</b>	<b>Method</b>
\$250 to \$999	2 verbal quotes
\$1,000 to \$9,999	2 written/fax quotes
\$10,000 to \$35,000	3 written/fax quotes or written request for proposals

B. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

C. Documentation is required of each action taken in connection with each procurement.

D. Purchase contracts are awarded on the basis of "Best Value" rather than the Lowest Responsible Bidder," with the exception of purchase contracts or contracts for services of public works subject to the "Prevailing Wage" requirements of Article 8 of the Labor Law.

Documentation and an explanation is required whenever a contract is awarded to other than the



lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

**§ A206-3 Procedures waived under certain circumstances.**

Pursuant to General Municipal Law § 104-b, Subdivision 2f, the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Palmyra to solicit quotations or document the basis for not accepting the lowest bid:

**A.** Professional services or service requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgement, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines: whether the services are subject to state licensing or testing requirements; whether substantial formal education or training is a necessary prerequisite to the performance of the services; and whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney, services of a physician, technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant, investment management services; printing services involving extensive writing, editing or art work, management of municipality owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of prepackaged software.

**B.** Emergency purchases pursuant to § 103, Subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This does not preclude alternate proposals if time permits.

**C.** Purchases of surplus and secondhand goods. If alternate proposals are required, the Village is precluded from purchasing surplus and secondhand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

**D.** Goods and services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

**E.** Purchase orders. Goods and services valued at **\$500** or above will be contracted for through the use of a purchase order. A blanket purchase order will be issued for no more than **\$1000**.

§ A206-4 **When effective.**

The policy shall go in effect immediately.

**CODE OF ETHICS**

The following Code of Ethics policy has been reviewed and hereby reapproved without changes/ with the following italicized changes:

**Chapter 16 Ethics, Code of**

[HISTORY: Adopted by the Board of Trustees of the Village of Palmyra 11-9 1970 by L.L. No. 5- 1970 (Ch. 8 of the 1974 Code). Amendments noted where applicable.]

§ 16-1 **Legislative intent.**

§ 16-2 **Definitions.**

§ 16-3 **Standards of conduct.**

§ 16-4 **Claims against Village.**

§ 16-5 **Distribution of code.**

§ 16-6 **Penalties for offenses.**

§ 16-1 **Legislative intent.**

Pursuant to the provisions of General Municipal Law § 806, the Board of Trustees of the Village of Palmyra recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this chapter to promulgate these rules of ethical conduct for the officers and employees of the Village of Palmyra. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Palmyra. The rules of ethical conduct of this chapter, as adopted, shall not conflict with but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

§ 16-2 **Definitions.** For the purpose of this chapter, the terms used herein are defined as follows:

**INTEREST** A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this chapter, a municipal officer or employee shall be deemed to have an interest in the contract of:

**A.** His spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves.

**B.** A

firm, partnership or association of which such officer or employee is a member or employee.

**C.** A corporation of

which such officer or employee is an officer, director or employee.

**D.** A

corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

**MUNICIPAL OFFICER OR EMPLOYEE**

An officer or employee of the Village of Palmyra, whether paid or unpaid, including members of NY administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a fire chief or assistant fire chief.

§ 16-3 **Standards of conduct.** Every officer or employee of the Village of Palmyra shall be subject to and abide by the following standards of conduct:

- A. Gifts.** He shall not directly or indirectly solicit any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part.
- B. Confidential information.** He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.
- C. Representation before one's own agency.** He shall not receive, or enter into, any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.
- D. Representation before any agency for a contingent fee.** He shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
- E. Disclosure of interest in legislation.** To the extent that he knows thereof, a member of the Board of Trustees of the Village of Palmyra, Palmyra Urban Renewal Agency, Planning Board of the Village of Palmyra, Zoning Board of Appeals of the Village of Palmyra and Board of Fire Commissioners of the Village of Palmyra, and any officer or employee of said boards or agencies, whether paid or unpaid, who participates in the discussion or gives official opinion to said boards or agencies, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation or any other action of said boards or agencies.
- F. Investments in conflict with official duties.** He shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with his official duties.
- G. Private employment.** He shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.
- H. Future employment.** He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Village of Palmyra in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

§ 16-4 **Claims against Village.**

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Village of Palmyra, or any

agency thereof, on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

**§ 16-5 Distribution of code.**

The Mayor of the Village of Palmyra shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the said Village within 30 days after the effective date of this chapter. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

**§ 16-6 Penalties for offenses.**

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended, or removed from office or employment, as the case may be, in the manner provided by law.

**HOSTILE WORK ENV/** The following Hostile Work Environment and Sexual Harassment policy has been reviewed and hereby reapproved without changes/ with the following italicized changes:

**SEXUAL HARASSMENT POLICY**

**HOSTILE WORK ENVIRONMENT POLICY**

**Preamble**

Sexual harassment in the workplace is not merely an offensive working condition, it is against the law. Like harassment on the basis of color, race, religion or national origin, sexual harassment which discriminates on the basis of gender, is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 as amended, and the New York State Human Rights Law.

**I. Definitions/Descriptions/Prohibited Conduct:**

**A. Definitions:**

1. The Equal Employment Opportunity Commission (EEOC) of the United States Government defines sexual harassment in the workplace or in the academic setting as:  
“The use of one’s authority or power, either explicitly or implicitly, to coerce another into unwanted sexual relations or to punish another for his or her refusal; or the creation of an intimidating, hostile or offensive working environment through verbal or physical conduct of a sexual nature.”
2. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature will constitute sexual harassment when:
  - a. Submission to the conduct is either an explicit or implicit term or condition of employment; or
  - b. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the person rejecting or submitting to the conduct, or
  - c. The conduct has the purpose or effect of unreasonably interfering with an affected person’s work performance, or creating an intimidating, hostile, or offensive work environment.

**B. Descriptions:**

1. Sexual harassment includes all behavior that prevents or impairs an individual’s full enjoyment of educational or workplace rights, benefits, environments, or opportunities. These behaviors include but are not limited to:

- a. Sexist remarks, jokes, or behavior.
- b. Unwelcome sexual advances, including unwanted touching
- c. Request for sexual favors
- d. Sexual assault, including attempted or completed physical assault
- e. The use of professional authority to inappropriately draw attention to the gender, sexuality or sexual orientation of an employee, colleague, or student
- f. Insults, including lewd remarks or conduct
- g. Visual displays of degrading sexual images or pornography
- h. Pressure to accept unwelcome social invitations

C. Statement of Prohibited Conduct:

1. General Considerations: An atmosphere where sexual harassment if present cannot and does not foster solid, positive and trusting human relationships. Both are necessary ingredients for a municipality to operate professionally. The impact on the victim of sexual harassment can be profound. Studies on the effect of sexual harassment reveal disturbing consequences, such as loss of self-confidence, decline in academic performance, and inhibited forms of professional interaction. Sexual harassment has no place in the Village of Palmyra. It is behavior that we must seek to identify and eradicate.

Every Village employee is entitled to a working environment free from sexual harassment. Sexual harassment has devastating economic, psychological and physical effect on its victims. Its cost to the Village is enormous in both human and financial terms, including the replacement of personnel who leave their jobs, increased use of health benefit plans due to emotional and physical stress, and decline individual and workplace productivity. Sexual harassment has no place in the Village workplace. Ignoring the problem is tolerating the problem, and the Village is determined that sexual harassment will not be tolerated. The Village supports this policy and will adhere to the given mandates by prohibiting sexual harassment in all phases of employment. Sexual harassment is unlawful, and such prohibited conduct exposes not only the Village, but individuals involved in such conduct, to significant liability under the law. Employees at all times should treat other employees respectfully and with dignity in a manner so as not to offend the sensibilities of a coworker. Accordingly, the Village of Palmyra is committed to vigorously enforcing its sexual harassment policy at all levels within the agency.

2. Prohibited Conduct: The Village of Palmyra considers the following conduct to represent some of the types of acts that violate this agency's sexual harassment policy.
  - a. Physical assaults of a sexual nature, such as:
    - Rape, sexual battery, molestation, or attempts to commit these assaults.
    - Intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
  - b. Unwanted sexual advancements, propositions, or other sexual comments, such as:
    - Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way that such conduct in his or her presence is unwelcome.

- Preferential treatment of promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
  - Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.
- c. Sexual or discriminatory displays or publications anywhere in the Village of Palmyra workplace by Village employees, such as:
- Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually suggestive, sexually demeaning, pornographic, or bringing into the Village of Palmyra work environment or possessing any such material to read, display or view at work.
  - A picture will be presumed to be sexually suggestive if it depicts a person of either sex who is not fully clothed or in clothes that are not suited to or ordinarily accepted for the accomplishment of routine work in and around the Village of Palmyra and who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body.
  - Reading or otherwise publicizing in the work environment material that is in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic.
  - Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace.
  - Retaliation for sexual harassment complaints, such as Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work-related matters with any employee because that employee has complained about or resisted harassment, discrimination, or retaliation.
  - Intentionally pressuring, falsely denying, lying about or otherwise covering up or attempting to cover up conduct such as that described in any item above.
  - Other acts: The above is not to be construed as an all-inclusive list of prohibited acts under this policy.

Sexual harassment is unlawful and hurts other employees. Any of the prohibited conduct described here is sexual harassment of anyone at whom it is directed or who is otherwise subjected to it. Each incident of harassment contributes to a general atmosphere in which all persons who share the victim's sex suffer the consequences. Sexually oriented acts or sex-based conduct have no legitimate business purposes; accordingly, the employee who engages in such conduct should be and will be made to bear the full responsibility for such unlawful conduct.

## II. Consequences for Violation of Policy:

The village of Palmyra is committed to eradicating sexual harassment from its workplace. As such violations will not be tolerated and each offense will be met with specific consequences. The parameters established by Civil Service Law and appropriate clauses of negotiated agreements will be considered in imposing written reprimand, fines, suspension, demotion, or

termination. Progressive discipline is an underlying principle and increasingly more severe actions will be imposed should repeat violations occur.

A written record of each action taken pursuant to the policy will be placed in the offending employee's personnel file. The record will reflect the conduct, and the warning given, or other discipline imposed.

### III. General Procedure:

The names, responsibilities, work locations, and phone numbers of each investigative officer (typically the Mayor) will be routinely and continuously posted so that an employee seeking such name can ensure anonymity and remain inconspicuous to all of the employees in the unit or department in which he or she works.

The investigative officer (i.e., the Mayor) may appoint "designees" to assist him/her in handling sexual harassment complaints. Persons appointed as designees shall not conduct an investigation until they have received training equivalent to that received by the investigative officers. The purpose of having several persons to whom complaints may be made is to avoid a situation in which an employee is faced with complaining to the person, or a close associate of the person, who would be the subject of the complaint.

Complaints of acts of sexual harassment or retaliation that are in violation of the sexual harassment policy will be accepted in writing or orally, and anonymous complaints will be taken seriously and investigated. Anyone who has observed sexual harassment or retaliation should report it to a designated officer. A complaint need not be limited to someone who was the target of harassment or retaliation.

Only those who have an immediate need to know, including the investigative officer and/or his or her designee, the alleged target of harassment or retaliation, the alleged harassers or retaliators and any witnesses, will or may find out the identity of the complainant. All parties contacted in the course of an investigation will be advised that all parties involved in a charge are entitled to respect and that any retaliation or reprisal against an individual who is an alleged target of harassment or retaliation, who had made a complaint, or who has provided evidence in connection with a complaint is a separate actionable offense as provided in the schedule of penalties. This complaint process will be administered consistent with current labor laws as appropriate.

#### Specific Procedures for Complainants:

Employees who feel that discrimination has occurred on the basis of sexual harassment have certain rights under the law and have various administrative and legal remedies available to them. However, it has always been our goal to address and resolve these matters at the workplace through an internal discrimination complaint procedure. Therefore, if an employee of the Village feels that he or she is a victim of sexual harassment, it should promptly be reported, in confidence, to:

Mayor David Husk  
Village of Palmyra  
144 East Main St.  
Palmyra NY 14522  
585-597-4849

Swift, thorough, and confidential investigations of allegations of sexual harassment will be conducted on a case-by-case basis and appropriate measures, including disciplinary actions, will be taken if the alleged sexual harassment is proven.

Responsibility for handling complaints of sexual harassment will rest with the Mayor under the general supervision of the Village Board. It will be the responsibility of all staff to cooperate with such investigations, with due regard for confidentiality to ensure protection of the complainant and the accused. Additionally, there will be appropriate follow-up to determine if sexual harassment has been effectively stopped.

The Village will also be conducting an agency-wide training program on sexual harassment in order to increase staff awareness and sensitivity in this area. It is hoped that this effort will minimize the need for sanction.

Nothing in this policy statement shall be construed to enlarge upon or limit or abridge the rights of any person under the United States or State Constitutions or the Statutes of the United States or the State of New York.

- A. The complainant should present the complaint as promptly as possible to the Mayor after the alleged harassment occurs. Failure to present a complaint promptly may preclude recourse to legal procedures beyond the jurisdiction of the Village of Palmyra should the complainant decide to pursue such action at a later date.
  - 1. The initial discussion between the complainant and the Mayor should be kept confidential, with no written record.
  - 2. The Mayor has the authority to make a good faith effort to resolve the complaint through processes at this stage. There may be cases that can be resolved through efforts of mediation and for which the alleged offender apologizes for her/his actions.
  - 3. If the complainant, after the initial discussion with the Mayor, decides to proceed, the complainant should submit a written statement to the Mayor.
  - 4. The Mayor informs the alleged offender of the allegation and of the identity of the complainant in writing. A copy of this is sent to the complainant. Efforts should be made to protect the complainant from retaliatory action by the person(s) named in the complaint.
- B. The Mayor alerts the Village board that a complaint has been filed and promptly calls a meeting of the Village Board. Each member of the Board shall receive a copy of the written statement of the complaint.
- C. The Board may vote to either accept the complaint for full review or decline to consider the complaint. The Board will base its decision on its judgment of its capacity to handle the matter in light of its resources and competence; the seriousness of the complaint; the degree to which the complaint alleges specific violations of the Village's Sexual Harassment Policy; the likelihood that the Village will be able to make a positive contribution to resolving the problem. If the Board decides to decline consideration of the complaint, it will submit an explanation in writing to the complainant and the alleged offender.
- D. The Mayor will gather all facts pertinent to the allegations of the complaint.
  - 1. The investigation will be conducted promptly and objectively.



2. The investigation will include statements by the complaint(s), person(s) accused, and others as necessary.
- E. The Board has the following options:
1. If the Board concludes that on the basis of the investigation insufficient evidence of harassment exists to warrant any action, may close the investigation and so notify the complainant and alleged offender in writing.
  2. If the Board concludes on the basis of the investigation that sexual harassment has occurred and that the claim is valid then in addition to a counseling memorandum, the matter may be treated as a disciplinary matter for union employees and shall be handled under the appropriate provisions of the Collective Bargaining Agreement for the Department of Public Works employees and police officer employees and /or New York State Law. The Village at all times retains sole discretion to determine the appropriate disciplinary and/or corrective action to be taken with regard to the meritorious complaint.
  3. If disciplinary charges are filed against a union employee on the grounds that the Village has determined the employee is guilty of unlawful harassment, the accused employee may exercise his/her rights through the disciplinary procedure provided for in his/her Labor Contract and/or State Law.
- F. Every effort will be made to maintain confidentiality throughout the process, but total confidentiality cannot be guaranteed. The Board will protect the privacy of both the complainant and persons accused in every way possible during the process of the complaint and thereafter.
- G. The Village prohibits any form of retaliation against any member or employee of the Village filing a complaint against a member. Any retaliatory action of any kind taken against a complainant under this procedure is prohibited and will be the basis for a separate complaint subject to disciplinary action by the Board.
- H. If, after investigating a complaint the Board determines that a complainant knowingly made a false complaint or knowingly provided false information regarding a complaint, the Board may decide that disciplinary actions, as above, are warranted and the Village may take action in accordance with the provisions of the applicable Collective Bargaining Agreement and/or State Law.
- I. The decision of the Village Board is final.
- IV. Procedures for Education and Training: Education and training for employees at each level of the work force are critical to the success of the Village of Palmyra's policy against sexual harassment.

As part of general orientation, each recently hired employee will be given a copy of the sexual harassment policy statement, requested to read it and sign a receipt so that they are on notice of the standards of behavior expected. In addition, all employees will receive training on the topic every two years.

All employees with supervisory authority over other employees and all employees working in a managerial capacity will participate in a training session on sexual harassment preventions.

Copies of the Village of Palmyra's sexual harassment policy statement and accompanying procedures will be available at the Village of Palmyra Village Clerk's Office at 144 East Main St. Palmyra, NY 14522.

**WORKPLACE** The following Workplace Violence policy has been reviewed and hereby reapproved  
**VIOLENCE** without changes/ with the following italicized changes:

**Workplace Violence Prevention Policy & Incident Reporting**

Village of Palmyra *is committed to the* safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Village of Palmyra's property or work sites will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

12 NYCRR PART 800.6 (Code rule 800.6) Workplace Violence.

Any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

- (i) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- (ii) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- (iii) Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- (iv) Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards to which our employees could be exposed. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. The Village of Palmyra has identified response personnel that include a member of management and an employee representative. If appropriate, the Village of Palmyra will provide counseling services or referrals for employees.

All Village of Palmyra personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

**Designated Contact Person:**

Name: Mayor David A. Husk      Department: Management: Board of Trustees  
Phone: 315-597-4849                      Location: Village Hall

**Workplace Violence Committee:**

Mayor David Husk	Supt. Mike Boesel	Eric Schmid, Union President and Steward
Supt. Gary Hopkins	Chief Kyle DiNardo	Patty Burditt, Union President
Fire Chief	Lucas Shulla	Clerk Treasurer Rebecca Wetherby

**Record Keeping System**

- Records will be evaluated annually by the Village and the Employee Representative.
- Records will be maintained at the office of the Clerk Treasurer
- Records will include:
  - Incident Reports
  - Incident Log
  - Relevant records kept by the Village as required by statutes

**Responsibilities**

- The Clerk Treasurer is responsible for managing the Workplace Violence Prevention Program by:
  - ensuring that the Workplace Violence Policy Statement is available and posted on each department's bulletin board.
  - acting on the basis of anonymous complaints when there is a reasonable basis to believe that a violation of this policy has occurred or that the safety and well being of employees would be served by an investigation.
  - coordinating an immediate investigation, in cooperation with the Palmyra Police Dept.
  - selecting the people necessary to perform the incident investigation including a Bargaining Unit representative, when appropriate.
  - taking immediate steps to eliminate any possible recurrence.
  - assuring that workplace violence training is conducted for all employees at new hire and annually thereafter.
  - working closely with the Palmyra Police Dept. to ensure WPVP is up-to-date per law.
- Department Heads will:
  - immediately inform the Clerk Treasurer of any reported incident.
  - work closely with the Clerk Treasurer to ensure that workplace violence training is conducted for all employees.
  - ensure all employees are aware of this policy.
  - promote annual workplace violence prevention training for all employees.
  - be aware of stress-defusing measures for dealing with potentially violent situations.
  - intervene in any incident to implement this policy.
  - take immediate action when necessary, including, but not limited to, calling 911 to summon police, fire or ambulance services as appropriate.
- The Workplace Violence Prevention Committee will:
  - include at a minimum a member from the Clerk Treasurer office, the Police Chief, Fire Chief, Department Heads and an authorize employee rep from the bargaining units.
  - report directly to the Mayor.
  - annually review risk assessments and incident reports, identify any trends in the types of incidents and review the effectiveness of the mitigating actions taken.
- Employees will:

- call 911 to summon police, fire or ambulance services as necessary, if the incident being reported is an active incident or employees fear a threat to themselves or others is taking place or about to take place.
- report to their supervisor or the Clerk Treasurer any incident of workplace violence.
- participate in annual workplace violence prevention training.
- report to their supervisor and/or the Clerk Treasurer any warning signs of a potentially threatening situation which arouse concern.
- maintain the confidentiality of workplace violence investigations to the extent possible.

Training:

- \*Explanation of NYS Workplace Violence Labor Law
- \*Location of Village of Palmyra Workplace Violence Statement
- \*Measures employees can take to protect themselves
  - Conflict resolution, nonviolent self-defense responses
  - How to identify risk factors
  - What to do in an emergency
- Workplace Violence Incident Report

## Fund Balance Policy – Village of Palmyra

### I. PURPOSE

The Board of Trustees for the Village of Palmyra recognizes that the maintenance of a fund balance is necessary to the protection of the financial integrity of the Village and is fiscally beneficial for both the Village and the taxpayer. This policy will make sure that the Village maintains sufficient fund balances and reserves in order to:

- Provide satisfactory cash flow for daily financial needs,
- Secure and preserve investment grade bond ratings (if necessary)
- Offset significant economic declines or revenue shortages, and
- Provide funds for unexpected expenditures associated with emergencies.

### II. DEFINITIONS

**Fund Balance** is the difference between assets and liabilities in a governmental fund. The governmental funds account for tax-supported activities and typically these include:

#### **RESERVED PORTION OF FUND BALANCE**

**1) Non-spendable fund balance** – These balances would represent amounts that are not in a spendable form (e.g., inventory, prepaid items) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).

**2) Restricted fund balance** – Amounts are considered restricted when limits are placed on the use of resources that are either externally imposed by creditors, grantors, contributors, laws or regulations of other governments, or laws with constitutional provisions or enabling legislation. Examples of such funds include grant funds, and specifically levied for property tax (pensions, debt service, etc).

#### **UNRESTRICTED PORTION OF FUND BALANCE**

**3) Committed (Contingent) fund balance** – amounts that can be used only for the specific purposes determined by a formal action (eg. resolution) of the Board of Trustees. Commitments may be changed or lifted only by referring to the formal action that imposed the restriction on the use of funds originally. Examples of such funds may be capital projects or any other programs that were approved by the Village Board of Trustees

**4) Assigned (Appropriated) fund balance** – amounts intended to be used by the government for specific purposes, but are neither Restricted nor Contingent.

**5) Unassigned (Unappropriated) fund balance** – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

### III. **FUNDS**

**General Fund:** Where a government accounts for everything not reported in another fund.

**Special Funds:** For reporting specific revenue sources that are limited to being used for a particular purpose, such as water and sewer expenditures.

**Capital Project Funds:** Which track the accumulation and use of resources for constructing, acquiring, and rehabilitating capital assets, such as buildings and roads.

**Permanent Funds:** Where a government reports principal amounts that are restricted to being invested to produce income but cannot be spent, such as the Cemetery Trust and the Sexton Trust.

**Debt Service Funds** are used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

### IV. **MINIMUM UNASSIGNED FUND BALANCE**

It is the goal of the Village to achieve and maintain an unassigned fund balance in the General, Water and Sewer fund at the end of the fiscal year of not less than 10% and not more than 20% of budgeted expenditures. If the unassigned fund balance at fiscal year-end falls below the goal, the Village shall develop a restoration plan to achieve and maintain the minimum fund balance. Should unassigned fund balance of the General Water and Sewer funds ever exceed the maximum (20%) range, the Village will consider such fund balance surpluses for one-time expenditures that are non-recurring in nature and which will not require additional expense outlays for maintenance, additional staffing or other recurring expenditures or reserves.

### V. **AMENDMENT OF POLICY**

This policy may be amended from time to time according to the discretion of the Village of Palmyra Board of Trustees.

### **SETTING OF STANDARD WORK DAYS:**

The Village Board hereby re-establishes the following hours to be recognized as a normal standard working day for the corresponding positions:

<b><u>Positions</u></b>	<b><u>Std. Work Day</u></b>	<b><u>Term Expiration</u></b>
Court Clerk	8	12/2/2024
Clerk Treasurer	8	12/2/2024
Village Justice	6	12/5/2026
Acting Village Justice	6	12/2/2024
Village Trustee	6	12/4/2023 or 12/2/2024
Police Clerk	7.5	None
Deputy Clerk	7	None
Working Foreman	8	None

HEO	8	None
MEO I	8	None
MEO II	8	None
Laborer	8	None
Chief of Police	8	None
Police Sergeant	8	None
Police Officer	8	None
Dog Warden/ACO	6	12/2/2024
Fire House Custodian	6	None
Code Enforcement Officer	6	None
Crossing Guards	6	None
Bailiff	6	None

**RULES OF N.Y. Village Law, the Local Laws of the Village of Palmyra and the following rules of**  
**PROCEDURE** 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 6:30 p.m. 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, with Mayor's knowledge, may have an item placed on the agenda at any time. This includes during the meeting by a majority vote of the Board. If necessary, a supplemental agenda may be distributed at the beginning of the meeting. The public does not have the authority to place an item on the agenda. If a concern does arise, they should first contact the Department Head or Supervisor to ask questions regarding their issue. If unsatisfied with the response from them, the resident should seek out the Board Liaison in charge of the area. If the resident still feels they haven't been given the information desires the Mayor may consider if it then goes on the agenda.

**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
- 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:**

If you are on the agenda, you will be given a four-minute floor privilege. As a courtesy to those who attend the Board Meeting, you are requested not to interrupt the meeting, and refrain from conversation that would interfere with those attending being able to hear the Board transact its business. If in fact someone interferes with the meeting or the conversation with other spectators should require a warning and it is ignored, the person will be asked to leave the room. If they refuse to leave, they could be charged with Disorderly Conduct. For public hearings, speaking will be limited to topics on the agenda.

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.

**DEPUTY MAYOR:** Mayor Husk appointed Trustee Perry as Deputy Mayor.

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

- |                        |                     |
|------------------------|---------------------|
| 1. Budget Officer      | Mayor David A. Husk |
| 2. Police Commissioner | Mayor David A. Husk |

**MOTION TO ACCEPT REORGANIZATIONAL APPOINTMENTS AND POLICIES AS LISTED**

**ABOVE** Motion was made by Trustee Perry, seconded by Trustee Wartens to approve. Vote, 4 ayes. CARRIED.

**REGULAR MEETING:** Mayor called the Regular Meeting to order at 6:39 pm

**APPROVAL OF MINUTES:** Motion was made by Trustee Perry, seconded by Trustee Luke to approve the minutes of November 20, 2023, as submitted. Vote, 3 ayes. 1 abstain, Trustee Wartens. CARRIED.

Motion was made by Trustee Perry, seconded by Trustee Wartens to approve the minutes of November 27, 2023, as submitted. Vote, 3 ayes. 2 Abstains, Leo and Luke. CARRIED.

**BUDGET ADJUSTMENTS**

Increase revenue line A2665 (Sale of Equipment) by \$4100

Increase expenditure line A8810.2 (Cemetery Equipment) by \$4100 (These net to zero.)

Motion to approve the budget adjustments above was made by Trustee Perry, seconded by Trustee Wartens. Vote, 4 ayes. CARRIED

**APPROVAL OF ABSTRACT:** Motion was made by Trustee Wartens, seconded by Trustee Luke to approve payment of **ABSTRACT 7A** vouchers **24-00426** to **24-00452** for **\$229,334.38**. Vote, 4 ayes. CARRIED.

**CORRESPONDENCE/ANNOUNCEMENTS/INFORMATION:**

Awarded Clean Energy Grant for \$5000 for use at the Village Hall for energy efficient projects.

On 12/3 the Board was given: November Reserve and Capital Project reports, 12/1 Revenue and Expense report, Bank and CD Balances as of 11/30/23

**TRUSTEE REPORTS:**

**Trustee Leo-** No report

**Trustee Luke** – Thursday 12/7 is the horse drawn rides and there will be Santa at the library with cocoa. Small Business Saturday was busy in the Village. Hoping to expand participants for the Scavenger Hunt next year.

**Trustee Perry** – Highway is finishing leaf and brush pickup.

**MOTION TO SURPLUS COLT AND BUSHMASTER RIFLES AND OLD 380 AMMUNITION**

was made by Trustee Perry, seconded by Trustee Leo. Vote, 4 ayes. CARRIED

**Trustee Wartens-** Fire Department calls for November will be on file in the Village Clerk's office

December 4, 2023



**Mayor Husk-** Police Department had 373 calls of service in November with 51 traffic stops.

December 16<sup>th</sup> is the Hometown Heroes event at the American Legion

**Clerk-Treasurer R. Wetherby-** Submitted *Annual Roster of Interior Firefighters, Fire District, Department or Company Annual Claims report and Volunteer Firefighter Enhanced Cancer Disability Benefits Program Attestation/Proof of Benefits* to Homeland Security and Emergency Service, Office of Fire Prevention and Control on December 1.

**NEW/OLD BUSINESS:**

**JOINT TOWN AND VILLAGE COMMUNITY CENTER CONTRACT** Motion to authorize Mayor Husk to sign the above contract was made by Trustee Luke, seconded by Trustee Wartens.

**DESTRUCTION OF DOCUMENTS** Motion to approve the destruction of the documents below according to retention schedule was made by Trustee Perry, seconded by Trustee Luke. Vote, 4 ayes. CARRIED

Dates of Records	Retention	Schedule Item	Item Description
2013-2016	6 years	582	Certificates of Insurance
2011	6 years	1057	Village Tax Search
2013-2016	6 years	1057	Village Tax Search
2015-2020	3 years	714	Employment Applications-Not hired
2008-2014	6 years	712	Wayne County Youth - State Aid Funding for Community Center
2019-2021	1 year	66	Postal Returns (sans tax lieu information)
2010-2017	6 years	430b	Water and Sewer Work Orders
2014-2017	6 years	430b	Water and Sewer Final Readings
2011-2016	3 years	606	Peddlers Permits
2013	0-6 years	548	Direct Energy Disclosure Statement (Vendor File)
2013	6 years	854	Wayne County Youth and Aging Nutrition Site Rental Agreements
2015-2016	6 years	854	Wayne County Youth and Aging Nutrition Site Rental Agreements
2015-2019	3 years	568	Visitor Registers and Patron Usage Records- Sexton Building
2013-2015	6 years	1219	Third Party Agreement-Advanced Occupational Services for Drug Testing
2013-2015	6 years	1327	Service Agreement with Network Support Service

**EXECUTIVE SESSION:** None was held.

**ADJOURNMENT:** Motion was made by Trustee Perry and seconded by Trustee Wartens to adjourn at 6:47pm. Vote, 4 ayes. CARRIED

Respectfully submitted,  
Rebecca Wetherby  
Clerk Treasurer

December 4, 2023