

**VILLAGE OF PALMYRA**  
**BOARD OF TRUSTEES**  
April 19, 2021      6:30 PM  
**REGULAR MEETING**

**ROLL CALL:** Present: Mayor Husk, Trustees Luke, Nolan, Perry, Warters and Attorney Williams (excused at 6:47pm)

**PLEDGE OF ALLEGIANCE**

**REGULAR MEETING:**

**APPROVAL OF MINUTES:** Motion was made by Trustee Nolan, seconded by Trustee Perry to approve the minutes from April 5, 2021. Vote, 4 ayes. CARRIED.

**APPROVAL OF ABSTRACT:** Motion was made by Trustee Warters, seconded by Trustee Perry to approve payment of ABSTRACT **11B**, vouchers 21-00989 through 21-01032 in the amount of \$48,988.54. Vote, 4 ayes. CARRIED.

**CORRESPONDENCE/ANNOUNCEMENTS/INFORMATION**

- Von Burks was served by Code Enforcement Officer Ronald Hall on March 17 with the Code Enforcement complaint for 421 East Main Street at his home in Wolcott.
- Board was given March Capital Project and Reserves breakdown as well as Revenue and Expenditures report as of April 16, 2021

**TRUSTEE REPORTS**

**Trustee Luke-** Received letter of permission to finalize the grant from the Army Corp of Engineers for Terminal Wall project.

**Trustee Nolan-** No report

**Trustee Perry-** No report

**Trustee Warters-** Chief Jeff Bulman was present and reported that AP1 (Aerial Truck) came back last week from being fixed. Among items being fixed were two valves on the bucket of AP1. On Sunday, it was noticed that bucket was tilted due to those valves. Churchville is coming 4/20/21 to correct it. Going forward, the Fire Department will be looking into another vendor to service their trucks, possibly Gorham.

**Attorney Williams-** Excused

**Mayor Husk-** Working with Sergeant Baker and Chief Smith on the police schedule.

**OLD/NEW BUSINESS:**

**LEONARD'S EXPRESS PROJECT:** Jim Taravella (Project Engineer for Labella) and Bill O'Hanlon (Leonard's Express) were at the meeting to inform the Board regarding the building project and how it would affect the water line. The existing rail spur on site limits the placement of where they can build. The existing water line from Canandaigua Lake would be underneath one of the proposed buildings. The plan is to reroute the water line around the building and under the parking lot in the drive aisle.

Attorney Williams advised he will need to see variance paperwork when the project gets further along.

Garlock will need to be communicated to as the raw water line will need to be shut down while it is installed. Everyone involved is hopeful that, when it comes time to reroute the raw water line, it would be only for a day.

Going forward, Brian Bieda (WCWSA), Jason Monroe (Director of Operations, WCWSA), J. Taravella and B. O'Hanlon will be keeping Mayor Husk and Trustee Nolan apprised of the project. At this time, the Board and Attorney Williams are in favor of letting them move forward on the project.

**FOLLOW UP ON RENTAL AGREEMENTS** Mayor Husk spoke to the current tenants at the Spring Street property. There will be an increase of \$25 per month effective July 1, 2021 bringing the rent to \$675. After this, there will be a stair step increase outlined in the new lease agreement. Mayor Husk will work with R. Wetherby to come up with a new lease. Motion to send letter of rental increase for July 1 made by Trustee Perry and seconded by Trustee Nolan. Vote, 4 ayes. CARRIED.

Sexton Building apartment- A discussion was had between the board members regarding what price to set the monthly rent. Rent was decided to be \$575 including all utilities except

phone and internet. Attorney Williams has indicated previously he would assist with a lease agreement. There is also a possibility of \$25 per month for tenant to rent storage space in the old dance studio.

**SMOKING AND SMOKELESS TOBACCO POLICY** As advised by Attorney Williams, the Village gave copies of the proposed policy to Union Representatives Patricia Burditt, Police Representative and James Eckert, Highway, Building and Grounds Representative. We have not received any responses. Motion was made by Trustee Luke and seconded to Trustee Nolan to approve the new policy. Vote, 4 ayes. CARRIED R. Wetherby will be sending the policy and sign off to all Village employees regarding the policy change.

## Prohibitions on Smoking and Use of Smokeless Tobacco Products

### Purpose

The purpose of this policy is to establish Village-wide policies on smoking and the use of tobacco products in: Village buildings, other enclosed or covered spaces, motorized Village equipment, and vehicles. This policy applies to all employees, volunteers, staff, and visitors.

### Definitions

- **Smoking** means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette (including an electronic cigarette), pipe or other lighted instrument or product that emits smoke or vapor, in any manner or in any form.
- **Vaping** means the act of inhaling and exhaling the aerosol, often referred to as vapor, which is produced by an e-cigarette or similar device. Under this policy, vaping is considered smoking.
- **Electronic Cigarette** (e-cigarette) means an electronic device that converts nicotine into a vapor that is inhaled by the user.
- **Smokeless Tobacco** includes snuff, which is fine-grain tobacco that often comes in pouches that users put between their lower lip or cheek and gum, and chewing tobacco, which comes in shredded, twisted or bricked tobacco leaves.

### Policy/Guideline

#### A. Prohibitions on Smoking and Use of Smokeless Tobacco

1. Smoking and use of smokeless tobacco are prohibited in all buildings, and all other enclosed or covered spaces owned or operated by the Village of Palmyra.
2. Entrances to all buildings are designated as smoke and smokeless tobacco-free. Unless otherwise posted, smoking and use of smokeless tobacco are prohibited within twenty-five (25) feet of all doorways, windows, and ventilation systems of all buildings.
3. Smokers are responsible for ensuring that all smoking activity, including the lighting and discarding of smoking materials, takes place more than **twenty-five (25) feet** from the doorways, windows, and ventilation systems of any building to avoid infiltration of smoke into the buildings. Smokeless tobacco users are responsible for discarding the products of their tobacco use responsibly. The smokeless tobacco and/or its juices must be spat into a disposable cup or container that is then disposed of in the trash off property. Spitting tobacco and/or its juices on the floor, sidewalk, grass, landscape beds or pavement is prohibited.
4. Smoking and use of smokeless tobacco are prohibited in all motor vehicles owned, leased or operated by the Village of Palmyra.

#### B. Compliance and Enforcement

1. This policy on smoking and use of smokeless tobacco shall be communicated in writing to all existing employees, all employees upon their hiring, and all persons who violate the prohibition on smoking or use of smokeless tobacco.
2. The Village of Palmyra shall post signs reasonably calculated to inform the public of the institution policy regarding smoking and the use of smokeless tobacco.
3. Village of Palmyra employees may report violations of this policy to their immediate supervisor, a member of the Board of Trustees, or the Village of Palmyra employee directly responsible for the facility in which the violation occurs. Violations may also be reported by employees or others to the Village Clerk's office which is designated to receive such complaints.

4. Any employee who is found to have violated this policy may be subject to disciplinary action.
5. Visitors who are observed violating this policy shall be informed of the policy and asked to cease the violation immediately or leave. If they refuse, police should be called to escort the visitor from the area.

**SURPLUS 1996 ROLLER** to be sold in the 2021 auction. Motion was made by Trustee Nolan and seconded by Trustee Perry. Vote, 4 ayes. CARRIED

**RESOLUTION FOR HOME RULE REQUEST** for Senate Bill S.2605 and Assembly Bill A.4738 which grants uniformed court officers in the Village of Palmyra, in the County of Wayne, Peace Officer status. Motion was made by Trustee Perry and seconded by Trustee Luke.

**ROLL CALL VOTE:**

Trustee Virginia Luke

Trustee Patrick Nolan

Trustee Richard T. Perry, Jr.

Trustee Mark Warters

Mayor David A. Husk

Vote, 5 ayes. CARRIED

Mayor Husk will be sending motion approval and paperwork to the state.

**RESOLUTION FOR APPROVAL OF REVISED TOWN HIGHWAY CONTRACT**

Motion was made by Trustee Perry and seconded by Trustee Warters. Vote, 4 ayes.

CARRIED

**CEMETERY TREE REMOVAL/TRIMMING** Mayor Husk and Trustee Perry are working on this project. There are a few vendors getting us quotes.

**MUNICIPAL OPT OUT** allowing adult-use cannabis dispensaries or on site-consumption licenses by passing a local law by December 31, 2021 or nine months after the effective date of the legislation. Municipalities cannot opt out of adult use legislation. If a municipality opts out, they will not be eligible to receive a share of the sales tax earned on these businesses from the County.

**ADJOURNMENT:** Motion was made by Trustee Luke and seconded by Trustee Perry to adjourn at 7:19 pm. Vote, 4 ayes. CARRIED

Respectfully submitted,

Rebecca Wetherby  
Clerk Treasurer