

**VILLAGE OF PALMYRA BOARD OF TRUSTEES**

**PUBLIC HEARING**

**REGULAR MEETING**

October 15, 2018          6:30 p.m.

**ROLL CALL:** Present: Mayor Husk, Trustees Luke, Nolan, Perry and Warters and Attorney Williams.

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING:** Mayor Husk declared the Public Hearing to order noting that the following legal was published in the official Village newspaper:

**NOTICE OF PUBLIC HEARING**

For the approval of a Cable Television Agreement between Time Warner Cable Northeast LLC and the Village of Palmyra

Please take notice that the Village of Palmyra will hold a Public Hearing on October 15<sup>th</sup> at 6:30 p.m. at Village Hall, 144 East Main St. Palmyra NY 14522 regarding granting a cable television franchise agreement by and between the Village of Palmyra and Time Warner Cable Northeast LLC, I/k/a Charter Communications.

A copy of the agreement is available for public inspection during normal business hours at the Village Clerk's office, 144 East Main St. Palmyra NY. At such public hearing, all persons will be given an opportunity to be heard. Written and oral statements will be taken at that time. Time limitations may be imposed for each oral statement, if necessary.

Dated: October 1, 2018

By Order of the Village Board of Trustees  
Village of Palmyra

As there were no comments forthcoming from the Public hearing, Mayor Husk declared the public hearing closed at 6:35 p.m.

**MOMENT OF REMEMBRANCE:** Mayor Husk asked the public to keep Mr. Bob Raeman and his family in their thoughts and prayers. The Village just received news that Bob has some serious health conditions. He was our engineer on many projects throughout the Village for well over twenty years and we have depended on his expertise in many areas.

**PRESENTATION:** Mayor Husk presented certificates to the Harbor Host volunteers and thanked them for being such good ambassadors for the Village. Volunteers earning certificates this year were: Mark and Marie Barber, RaeAnn and Michael Barrett, Rollo Black, Michael Braell, Lynn & Lynden Crossman, Carolyn and Van Curtis, Keith and Marlene Flint, Barbara Furgeson, Nance and Frederick Gill, Sharon and Sparky Hall, Marsha Herbst, Aurora and Lorenzo Hinojosa, Diane and Kenneth Kirk, Josie Naeye, Karen and Merlin Lindsay, Georgia and Sherwood Rocks, Patti Rising, John Robbins, Paul and MaryAnn Stager, Faris and Franklin Stevens, Deb Trombino, Patty Wilson, Catherine and Curtis Zaugg and last but not least their fearless leader former mayor Vicky Daly. As everyone is aware, this will be Vicky's last year spearheading the Harbor Host program. It was Vicky's vision that the Harbor Host program began and through her tireless efforts it thrived providing tourists with any information they required. The program is also an official supporter of Village businesses and organizations. Mayor Husk presented her with a special gift in gratitude of her considerable time and efforts through the Harbor Host program.

**REGULAR MEETING**

**APPROVAL OF MINUTES:** Motion was made by Trustee Nolan, second by Trustee Luke to approve the minutes from October 1, 2018 as submitted. Vote, 4 ayes. CARRIED.

**APPROVAL OF ABSTRACT:** Motion was made by Trustee Nolan, second by Trustee Wartors to approve payment of Abstract #5B, vouchers 407-444 for \$49,950.42. Vote, 4 ayes. CARRIED.

**CORRESPONDENCE/ANNOUNCEMENTS:** The following correspondence has been received and will remain on file in the office of the Clerk Treasurer:

- MRB Open House

**TRUSTEE REPORTS**

**Trustee Luke** – no report.

**Trustee Nolan** reviewed the monthly operating report for September which will remain on file at the Village Hall. Trustee Nolan also informed the Board that it is time to earnestly start looking into the replacement of the raw water line.

**Trustee Perry** – no report.

**Trustee Wartors** deferred to Chief Frederick for his report. Chief Frederick shared pricing for 24 Bail Out bags. They have received a grant from Division of Justice department which will cover the costs; \$7,248 for all them. Purchase must be made first and then be reimbursed. Motion was made by Trustee Wartors, second by Trustee Perry for the purchase of the bail out bags for \$7,248 to be reimbursed from the DOJ grant. Vote, ayes. CARRIED.

**Mayor Husk** reviewed the report from the Hwy. Supt. Boesel highlighting that the 2016 Ford F-350 pickup declared surplus at the last meeting sold for \$28,000 in the Monroe Co. Municipal auction; \$500 over the guaranteed price. The new truck has arrived and will go in service soon. A copy of Supt. Boesel's report will remain on file in Village Hall.

**OLD/NEW BUSINESS:**

**TIME WARNER CABLE FRANCHISE AGREEMENT:** Motion was made by Trustee Perry, second by Trustee Wartors to adopt the following resolution:

An application has been duly made to the Board of the Village of Palmyra, County of Wayne, New York, by Time Warner Cable Northeast LLC, I/k/a Charter Communications, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Time Warner Cable's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

NOW, THEREFORE, the Board of the Village of Palmyra finds that:

1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Village of Palmyra hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the Village of Palmyra for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED that the Board of the Village of Palmyra hereby confirms acceptance of this Franchise Renewal Agreement.

Vote, 4 ayes. CARRIED.

**RELEVY:** Motion was made by Trustee Nolan, second by Trustee Perry to re-levy any unpaid Village taxes as of Oct. 31, 2018 to the County for collection with the Town and County taxes. 4 ayes. CARRIED

**BUDGET TRANSFERS:** The new software does payroll a little different and as a result budget transfers are needed from the water and sewer funds to the General Fund for Social Security and FICA when salaries are paid from those funds, ie. the office staff's salaries are charged off by thirds to all three funds and so are the Social Security and FICA costs. Motion was made by Trustee Luke, second by Trustee Perry to transfer \$2675 from F9030.8 and \$2625 from G9030.8 to A9030.8 Social Security. Vote, 4 ayes. CARRIED.

Additionally, motion was made by Trustee Nolan, second by Trustee Luke to transfer \$17,292.11 from F8330.430 WCWSA O&M contractual to F8330.4 Transmission and Distribution contractual and \$17,292.10 from G8130.430 WCWSA O&M contractual G8130.4 to Sewer Treatment Disp. to correct four posting errors. Vote, 4 ayes. CARRIED.

Motion was made by Trustee Perry, second by Trustee Wartens, to transfer \$731.98 from A3120.2 Police Equip/Cap Outlay to A3120.4 Police Misc/Contractual to correct the Ewing Lettering and Graphics for lettering on the new police car. Vote, 4 ayes. CARRIED.

**UTILITY BILLING:** Following the significant fire at 363 West Jackson St. water billing was curtailed but sewer and meter charges were still assessed against the property even though it had no valid Certificate of Occupancy. Motion was made by Trustee Perry, second by Trustee Nolan, to adjust the utility billing for 363 West Jackson St. and curtail all utility billing against the property until a CoO is issued. Vote, 4 ayes. CARRIED.

**PHONE SYSTEM:** Clerk Lynch updated the Board on the status of the phone system. Work continues but a new cable modem was installed today that really improved the Village office's internet speeds.

**REGIONAL WASTEWATER TREATMENT PLANT AGREEMENT:** Attorney Williams has reviewed the fourth draft of the Inter-municipal Agreement for the Regional Wastewater Treatment Plant and suggested adopting it subject to his review of several exhibits yet to be added. Motion was made by Trustee Nolan, second by Trustee Wartens moved to accept the Western Regional Wastewater Treatment System subject to attorney approval. Vote, 4 ayes. CARRIED.

**IMA PALMYRA TOWN/VILLAGE SUPPLEMENTAL AGREEMENT:** Motion was made by Trustee Wartens, second by Trustee Nolan moved to accept the supplemental agreement between the Town and Village of Palmyra, subject to attorney approval. Vote, 4 ayes. CARRIED.

**ADJOURNMENT:** Motion was made and seconded to adjourn at 7:40 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Clerk Treasurer