#### VILLAGE OF PALMYRA BOARD OF TRUSTEES PUBLIC HEARING – 2013-2014 BUDGET PUBLIC HEARING – LOCAL LAW #3, 2013 REGULAR MEETING March 18, 2013 7:00 p.m.

**PRESENT:** Mayor Piccola, Trustees Husk, Luke, Nolan and Perry, and Attorney Williams.

#### PLEDGE OF ALLEGIANCE

**<u>CALL TO ORDER</u>**: Mayor Piccola called the public hearing on the budget to order noting the following legal had been published in the official Village newspaper:

# LEGAL NOTICE OF PUBLIC HEARING 2013-2014

The Village of Palmyra will hold a public hearing (in conjunction with the regular board meeting) on Monday, March 18, 2013 at 7:00 pm. The hearing will be held in the Trustee's Room of the Village Hall, 144 East Main Street, Palmyra, Wayne County, New York.

The hearing is for the purpose of allowing the Village residents to provide the Board of Trustees written or oral comments or ask questions on the tentative 2013-2014 budgets of the Village funds.

Compensation proposed to be paid each member of the Village Trustees is \$4,668; and to the Mayor \$5,835. A copy of the "Tentative 2013-14 Budget" will be on file and available for public inspection in the Office of the Village Clerk during normal office hours.

Alicia M. Lynch Village Clerk Treasurer

As there were no comments from the public, motion was made by Trustee Husk, second by Trustee Nolan to close the public hearing at 7:05 p.m. Vote, 4 ayes. CARRIED.

**<u>CALL TO ORDER</u>**: Mayor Piccola called the public hearing to order for Local Law #3 noting the following legal had been published in the official Village newspaper:

#### LEGAL NOTICE OF PUBLIC HEARING VILLAGE OF PALMRYA NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN, that there has been introduced before the Village of Palmyra a proposed local law, which, if adopted would amend Chapter 116 of the Village Code entitled "Historic Preservation".

NOTICE IS FURTHER HEREBY GIVEN that, pursuant to section 20 of the Municipal Home Rule Law, the Village Board will hold a public hearing on the 18th day March, 2013 at the Palmyra Village Hall, 144 East Main Street, Palmyra, NY beginning at 7:05 p.m. for the purpose of hearing comments for or against the adoption of the proposed local law.

Any person may appear in person or by representative. Copies of the proposed local law may be examined in the Village Clerk's office during normal business hours.

Alicia M. Lynch Village Clerk Treasurer

Mayor Piccola asked for public comment regarding proposed changes to the Historic Preservation ordinance. Questions were asked of the Historic Commission from the trustees and the public. After all public comments were voiced, motion was made by

Trustee Perry, second by Trustee Nolan to close the public hearing at 7:30. Vote, 4 ayes. CARRIED.

# **REGULAR MEETING**

<u>APPROVAL OF MINUTES</u>: Motion was made by Trustee Nolan, second by Trustee Perry to approve the minutes from March 4, 2013 as submitted. Vote, 4 ayes. CARRIED.

<u>APPROVAL OF ABSTRACT #10B:</u> Motion was made by Trustee Husk, second by Trustee Nolan to approve payment of Abstract #10A, vouchers 750-788 for \$44,176.56. Vote, 4 ayes. CARRIED.

**<u>CORRESPONDENCE/ANNOUNCEMENTS/INFORMATION</u>**: The following correspondence has been received and is on file in the office of the Clerk Treasurer:

- Newark Wayne Community Hospital info on new Emergency Center grand opening on April 19 at 10:30 am
- Training seminar information
- WC Business Council bulletin
- NYS DOL inspection has been completed at Hwy. Dept.
- Letter from Baldwinsville mayor regarding impact of State budget cuts in Canal system
- Letter from Church of Latter Day Saints regarding cast volunteers
- Letter from Mayors Against Illegal Guns asking for support: Motion was made by Trustee Nolan, second by Trustee Perry to authorize the mayor to sign the Statement of Principals and forward same to Mayors Against Illegal Guns. Vote, 4 ayes. CARRIED.
- NYCOM update on State Budget

## TRUSTEE REPORTS

**Trustee Husk** reported on the progress of the timber harvest on Prospect Hill. He reported that the one large tree next to the water storage tank will be removed by the timber harvesting company when the weather and the wind permits.

**Trustee Luke** gave an update on the Gus Macker tournament, bonfire and dance. The Pirates of Palmyra would like permission to hold their event this summer. They are proposing no big changes; once again the movie on Friday night in the park and the 5K and bed races on Saturday. The police department has already been notified. Motion was made by Trustee Luke, second by Trustee Nolan to approve Pirates weekend on August 9-10, 2013. Vote, 4 ayes. CARRIED.

**Trustee Nolan** reported that he and the Mayor have attended meetings with Garlock regarding renewal of the water contract They have also met with another community regarding possible purchase of water in the future. He reviewed the monthly operating report for the water and wastewater treatment plants for February.

**Trustee Perry** reported that the new officers have been voted on at the Fire Department. Motion was made by Trustee Perry, second by Trustee Husk to approve all new officers for the Fire Department except 14-2. Vote, 4 ayes. CARRIED.

Attorney Williams – no report.

Mayor Piccola – no report.

## **NEW/OLD BUSINESS:**

**RENTAL INSPECTIONS:** Several landlords addressed the Board regarding rental property inspections and shared a letter that was sent to Tracy Vanderwall from the Code Enforcement Office. Mayor Piccola read the letter aloud and the discussion continued. A question arose about the legality of inspecting single family rentals in the first place. They also expressed a concern about the price of our inspections. According to the group, the Village charges more than all our neighboring communities. The Board promised to look into it further.

**<u>BUDGET APPROVAL</u>**: Motion was made by Trustee Nolan, second by Trustee Perry to adopt the 2013-2014 budget as presented with a tax rate of \$12.20. Vote, 4 ayes. CARRIED.

**LOCAL LAW #3 APROVAL:** Motion was made by Trustee Perry, second by Trustee Nolan to make the non-material changes to Local Law #3, 2013 as discussed. Vote, 3 ayes, 1 nay, Trustee Husk. CARRIED.

Motion was made by Trustee Perry, second by Trustee Luke to adopt Local Law #3, entitled Historic Preservation as amended and reprinted below:

#### Village of Palmyra HISTORIC PRESERVATION ORDINANCE

AN ORDINANCE relating to the establishment of landmarks or historic districts in the Village of Palmyra.

#### Section 1: Purpose

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts are necessary to promote the economic, cultural, educational, and general welfare of the public. Inasmuch as the identity of a people is founded on its past and inasmuch as the Village of Palmyra has many significant historic, architectural and cultural resources, which constitute its heritage, this act is intended to:

- (A) protect and enhance the landmarks and historic districts, which represent distinctive elements of the Village of Palmyra's historic, architectural, and cultural heritage;
- (B) foster civic pride in the accomplishments of the past;
- (C) protect and enhance the Village of Palmyra's attractiveness to visitors and the support and stimulus to the economy thereby provided, and
- (D) insure the harmonious, orderly, and efficient growth and development of the Village.

#### Section 2: Historic Preservation Commission

There is hereby created a commission to be known as the Village of Palmyra Historic Preservation Commission.

- (A) The Commission shall consist of five (5) members <u>and up to two (2) alternates</u> to be appointed by the Palmyra Village Mayor. Members shall be residents of the Village of Palmyra who shall have a known interest in historic preservation and architectural development within the village.
- (B) Commission members shall serve for a term of four years, with the exception of the initial term of one of the five (5) members, which shall be one year, two, which shall be two years, and two, which shall be three years.
- (C) The Chairman and Vice Chairman of the Commission shall be elected by and from among the members of the Commission.
- (**D**) The powers of the Commission shall include:
  - (i) Employment of staff and professional consultants as necessary to carry out the duties of the Commission;
  - (ii) Promulgation of rules and regulations as necessary to carry out the duties of the Commission;
  - (iii) Adoption of criteria for the identification of significant historic, architectural, and cultural landmarks and for the delineation of historic districts;

- (iv) Conducting of surveys of significant historic, architectural, and cultural landmarks and historic districts within the Village.
- (v) Designation of identified structures or resources as landmarks and historic districts;
- (vi) Acceptance on behalf of the Village government of the donation of facade easements and development rights and the making of recommendations to the Village government concerning the acquisition of facade easements or other interests in real property as necessary to carry out the purposes of this act;
- (vii) Increasing public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs;
- (viii) Making recommendations to Village government concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the Village;
- (ix) Recommending acquisition of a landmark structure by the Village government where its preservation is essential to the purposes of this act and where private preservation is not feasible; and
- (x) Approval or disapproval of applications for certificates of appropriateness pursuant to this act.
- (E) The Commission shall meet at least quarterly<sub>2</sub> but meetings may be held at any time on the written request of any two of the Commission members or on the call of the Chairman or the Mayor.
- (F) A quorum for the transaction of business shall consist of three (3) of the Commission's members, but not less than a majority of the full-authorized membership may grant or deny a Certificate of Appropriateness.
- (G) The Mayor shall have the power to remove any member of the Commission who fails to attend 75% of the meetings in a calendar year or who fails to attend annual New York State mandated training sessions equivalent to those required of members of the Village Planning Board and the Village Zoning Board of Appeals.

#### Section 3: Designation of Landmarks or Historic Districts

- (A) The Commission may designate an individual property, as a landmark if it:
  - (i) possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
  - (ii) is identified with historic personages; or
  - (iii) embodies the distinguishing characteristics of an architectural style; or
  - (iv) is the work of a designer whose work has significantly influenced an age; or
  - (v) because of unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.
- (B) The Commission may designate a group of properties as a historic district if it:
  - (i) contains properties which meet one or more of the criteria for designation of a landmark; and
  - (ii) by reason of possessing such qualities, it constitutes a distinct section of the Village of Palmyra.

The boundaries of each historic district designated henceforth shall be specified in detail and shall be filed, in writing, in the Village Clerk's Office for public inspection.

- (C) The fact that a property, or group of properties, has been accepted and listed in the State and National Registers of Historic Places, or has been determined eligible for such a listing, shall conclusively satisfy the criteria in subsections A and B above.
- (D) Notice of a proposed designation shall be sent by certified mail return receipt requested to the owner of the property proposed for designation, describing the property and announcing a public hearing by the Commission to consider the designation. Where the proposed designation involves so many owners that I ndividual notice is infeasible, notice may instead be published at least once in a newspaper of general circulation at least 10 days prior to the date of the public hearing. Once the Commission has issued notice of a proposed designation, no building permits shall be issued by the building inspector until the Commission has made its decision.
- (E) The Commission shall hold a public hearing prior to designation of any landmark or historic district. The Commission, owners and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural, or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments, or other evidence offered outside of the hearing.
- (F) The Commission shall forward notice of each property designated as a landmark and the boundaries of each designated historic district to be recorded in the office of the Wayne County Clerk.

#### Section 4: Certificate of Appropriateness for Alteration, Demolition or New Construction Affecting Landmarks in Historic Districts

No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of a landmark or property within a historic district, nor shall any person make any material change in the appearance of such property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements which affect the appearance and cohesiveness of the landmark or historic district, without first obtaining a certificate of appropriateness from the Historic Preservation Commission.

#### Section 5: Criteria for Approval of a Certificate of Appropriateness

(A) In passing upon an application for a certificate of appropriateness, the Historic Preservation Commission shall not consider changes to interior spaces, unless they are open to the public.

The Commission's decision shall be based on the following principles:

(i) properties which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;

(ii) any alteration of existing properties shall be compatible with their historic character, as well as with the surrounding district; and

- (iii) new construction shall be compatible with the district in which it is located.
- (**B**) In applying the principle of compatibility, the Commission shall consider the following factors:

(i) the general design, character and appropriateness to the property of the proposed alteration or new construction;

(ii) the scale of proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;

(iii) texture, materials, and color and their relation to similar features of other properties in the neighborhood;

(iv) visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings

within the facade, roof shape, and the rhythm of spacing of properties on streets, including setback; and

(v) the importance of historic, architectural or other features to the significance of the property.

#### Section 6: Certificate of Appropriateness Application Procedure

- (A) Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such a certificate with the Historic Preservation Commission. The application shall contain:
  - (i) name, address and telephone number of applicant;
  - (ii) location and photographs of property;
  - (iii) elevation drawings of proposed changes;
  - (iv) perspective drawings, including relationship to adjacent properties;
  - (v) samples of color or materials to be used;
  - (vi) where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, and a plan showing the sign's location on the property; and
  - (vii) any other information which the Commission may deem necessary in order to visualize the proposed work
- (B) No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Historic Preservation Commission. The certificate of appropriateness required by this act shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the Village of Palmyra. Before acting on or forwarding to the appropriate board any application for a variance, special use permit, site plan, building permit, demolition permit, sign permit or subdivision the Code Enforcement Office shall first consult a current list of all properties designated as individual Landmarks or as contained within Historic Districts to determine the requesting property's status.
- (C) The Commission shall hold a public hearing on the application at which an opportunity for proponents and opponents of the application to present their views. The Commission shall approve, deny or approve the permit with modifications within 62 business days following the public hearing.
- (D) All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by certified mail- return receipt requested and a copy filed with the Village Clerk's Office for public inspection. The Commission's decision shall state the reasons for denying or modifying any application. The original documents will be housed in the Town of Palmyra Code Enforcement Office. Official copies will also be held in the Palmyra Village Office.
- (E) Certificates of appropriateness shall be valid for 6 months, after which the owner must reapply if he still wishes to start work on the property. The work must be completed in 12 months.

#### Section 7: Hardship Criteria for Demolition

An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply to the Commission for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that:

(A) the applicant cannot afford to maintain or rehabilitate the property, i.e.

(i) in the case of a single family or two family owner occupied house, an inability to preserve the structure without financial hardship; or

- (ii) in the case of a rental or commercial property, an inability to earn a reasonable return on property if the structure is preserved; or
- (iii) in the case of a property owned and used by a non-profit organization, an inability to preserve the structure without financial hardship interfering with the applicant's charitable purpose;
- (B) the property cannot be renovated or adapted by the owner, or by a purchaser, for any use that would result in a reasonable return; or
- (C) the owner has sought financial assistance under established programs for historic preservation and has failed to obtain sufficient assistance to enable him economically to preserve the structure; or
- (**D**) reasonable efforts to find a purchaser interested in acquiring the property and preserving it have failed;
- (E) reasonable efforts to consider relocation of the landmark have been undertaken and determined to be not feasible economically; and
- (F) the hardship is the result of the application of this law and is not the result of any act or omission by the applicant.

## Section 8: Hardship Criteria for Alteration

An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible.

#### Section 9: Hardship Application Procedure

- (A) After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the Commission makes a finding that a hardship exists.
- (**B**) The Commission shall hold a public hearing on the hardship application at which an opportunity will be provided for proponents and opponents of the application to present their views.
- (C) The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.
- (**D**) All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by certified mail -return receipt requested and a copy filed with the Village Clerk's Office for public inspection. The Commission's decision shall state the reasons for granting or denying the hardship application. If the application is granted, the Commission shall approve only such work as is necessary to alleviate the hardship.

#### Section 10: Enforcement

All work performed pursuant to a Certificate of Appropriateness issued under this ordinance shall conform to any requirements included therein. It shall be the duty of the Building Code Enforcement Officer to inspect periodically any such work to assure compliance. In the event work is found that is not being performed in accordance with the Certificate of Appropriateness, or upon notification of such fact by the Historic Preservation Commission, the Building Code Enforcement Officer shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

## Section 11: Maintenance and Repair Required

Nothing in this ordinance shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district, which does not involve a change in design, material, color or outward appearance.

No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Historic Preservation Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.

Examples of such deterioration include:

- (A) deterioration of exterior walls or other vertical support;
- (B) deterioration of roofs or other horizontal members;
- (C) deterioration of exterior chimneys;
- (D) deterioration or crumbling of exterior stucco or mortar;.
- (E) ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.
- (F) deterioration of any feature so as to create a hazardous condition, which could lead to the claim that demolition, is necessary for the public safety.

# Section 12: Violations

- (A) Failure to comply with any of the provisions of this ordinance shall be deemed a violation and the violator shall be liable to a fine as per a schedule to be determined by resolution by the Palmyra Village Board for each day the violation continues.
- (B) Any person who demolishes, alters, constructs, or permits a designated property to fall into a serious state of disrepair in violation of this ordinance shall be required to restore the property and its site to its appearance prior to the violation. Any action to enforce this subsection shall be brought by the Village Attorney. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

#### Section 13: Appeals

Any person aggrieved by a decision of the Historic Preservation Commission relating to hardship or a Certificate of Appropriateness may, within 15 days of the decision, file a written application with the Palmyra Village Board for review of the decision. Reviews shall be conducted based on the same record that was before the Commission and using the same criteria.

Vote, 4 ayes. CARRIED.

**<u>REYNOLDS AUCTION</u>**: Motion was made by Trustee Perry, second by Trustee Husk to approve the request from Reynolds Auction Co. for their Spring and Fall Consignment Auctions for on April 20 and Sept. 28, respectively in the Fair Grounds. Vote, 4 ayes. CARRIED.

**PARTNER AGREEMENT WITH PAL-MAC CSD:** Palmyra Macedon CSD is applying for the Carol M. White Physical Education federal grant which requires local government support. Motion was made by Trustee Nolan, second by Trustee Luke to authorize the Mayor to sign the letter of agreement between Pal-Mac CSD and the Village for the grant application. Vote, 4 ayes. CARRIED.

<u>GATEWAY / DIRECT ENERGY RECOMMENDATION</u>: David Weakley, our representative from Direct Energy (formerly Gateway) is recommending that the Village move back to a variable rate plan for our gas costs. Motion was made by Trustee Husk,

second by Trustee Perry to approve the recommendation and move to the variable rate plan with Direct Energy for natural gas supply. Vote, 4 ayes. CARRIED.

#### LIBRARY REQUEST:

The Palmyra Community Library would like to request some signage for the crosswalk in front of their building. They have had complaints from patrons of some near misses; people walking across on the crosswalk and motorists not stopping. They were wondering if there might be any signs that could be erected on the side of the road in the right away similar to the no parking signs you see in the village. Mayor Piccola will check with the Hwy. Supt.

**<u>BOND RESOLUTION:</u>** Motion was made by Trustee Perry, second by Trustee Nolan to adopt the following resolution:

#### **BOND RESOLUTION DATED MARCH 18, 2013.**

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF FIRE FIGHTING APPARATUS, IN AND FOR THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$100,000 AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$100,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Palmyra, Wayne County, New York, as follows:

<u>Section 1.</u> The purchase of fire fighting apparatus, for the Village of Palmyra, Wayne County, New York, including "turnout gear" and replacement of fire hose, and incidental equipment and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$100,000.

<u>Section 2.</u> It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$100,000 of serial bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

<u>Section 3.</u> It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

<u>Section 4.</u> The faith and credit of said Village of Palmyra, Wayne County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

<u>Section 5.</u> Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

<u>Section 6.</u> All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of

execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt s service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

<u>Section 7.</u> The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

<u>Section 9.</u> Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

<u>Section 10.</u> Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Voting was as follows:

Mayor Piccola	aye
Trustee Husk	aye
Trustee Perry	aye
Trustee Nolan	aye
Trustee Luke	aye

**<u>HISTORIC PRESERVATION</u>**: Motion was made by Trustee Nolan, second by Trustee Luke to appoint Vicky Daly and Tim Kurek, as alternates to the Historic Preservation Commission. Vote, 4 ayes. CARRIED.

**ADJOURNMENT:** Motion by Trustee Perry, second by Trustee Husk to adjourn at 8:15 p.m. Vote, 4 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch, Clerk Treasurer