

VILLAGE OF PALMYRA BOARD OF TRUSTEES
PUBLIC HEARING
REGULAR MEETING
September 19, 2011 7:00 p.m.

ROLL CALL: Present: Mayor Daly, Trustees Bradstreet , Husk, and Piccola, and Attorney Williams. Absent: Trustee Nolan.

PLEDGE OF ALLEGIANCE

CALL TO ORDER: Mayor Daly called the public hearing to order at 7:00 p.m. and asked the Clerk Treasurer to read the following legal notice as was published in the official Village newspaper on Sept. 11, 2011:

LEGAL NOTICE
VILLAGE OF PALMYRA
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 add a chapter to the Village Code. The substance of the local law will establish restrictions for protesting activities at funeral related events.

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 19th day September, 2011 at the Palmyra Village Hall, 144 East Main Street, Palmyra, NY beginning at 7:00 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.

Dated: September 1, 2011

By Order of the Village Board of the Village of Palmyra

Alicia M. Lynch
Village Clerk

As there were no comments from the public, motion was made by Trustee Husk, second by Trustee Bradstreet to close the public hearing at 7:05. Vote, 3 ayes. CARRIED.

REGULAR MEETING

APPROVAL OF MINUTES: Motion was made by Trustee Piccola, second by Trustee Bradstreet to approve the minutes from Sept. 6, 2011 as submitted. Vote, 3 ayes. CARRIED.

APPROVAL OF ABSTRACTS: Motion was made by Trustee Husk, second by Trustee Piccola to approve payment of Abstract #7, vouchers 270-353 for \$172,937.14. Vote, 3 ayes. CARRIED.

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

- Sign re-location request
- Letter to DOT regarding sign for Port of Palmyra
- 3 PFD members and Engine 25 went to Broome County at County's request for storm cleanup
- Congratulations to Canal Town Days for another successful event

TRUSTEE REPORTS

Trustee Bradstreet reported that the Planning and Zoning Board members have received information on upcoming training. Progress has been made to the Kent Street property cleanup. Mayor Daly, Trustee Bradstreet, CEO Wooden and the Kesslers met regarding the overlay district zoning changes.

Trustee Husk reported that the appointment of 14-4 will remain open until the Fire Dept.'s next election.

Trustee Nolan absent.

Trustee Piccola asked that an ad be placing notifying residents that the last day for brush pick up will be the first Monday of October. Several catch basins have been repaired. Our new loader has been delivered and the old one traded in. The invoice should come in at \$6180.10. Five thousand dollars had already been budgeted, an additional \$1000 will be expended from the line item for equipment. Supt. Boesel would like to let out the bid for the granite curbing for the remainder of Hyde Parkway. Motion to that effect was made by Trustee Piccola, second by Trustee Husk. Vote, 3 ayes. CARRIED.

Trustee Piccola, Mayor Daly, Brian Sherman and Ron Rink met last week about the core sampling of Canandaigua Street being requested by the State. Motion was made by Trustee Piccola, second by Trustee Husk to approve payment of up to \$12,000 for the core sampling and testing to be expended from the H5 grant monies as soon as the invoice comes in and to authorize the Mayor to sign the agreement with SJB Services for the drilling. Vote, 3 ayes.

Attorney Williams reported that he will get the release of easement to the buyers attorney for the sale of the library.

Mayor Daly provided her usual written report and highlighted the meeting with Brian Stratton, John Joyce, Supt. Hopkins, Supt. Boesel, and Trustee Husk about the proposed expansion to the park lands by the Port of Palmyra.

NEW/OLD BUSINESS:

ATTORNEY BILLING FOR THE PIPELINE ASSESSMENT – CONTINGENCY:

Motion was made by Trustee Piccola, second by Trustee Bradstreet to transfer \$16,200.00 from F1990.4 Contingency to F1950.4 Pipeline taxes to pay the attorney bill for litigation services for the Village's water line assessment suit. Vote, 3 ayes. CARRIED.

WATER DISCREPANCY – SCHMITT: The Board agreed that the request from L. Schmitt for a reduction on his water bill must be denied. His current bill was quite a bit more due to a water meter discrepancy between the outside remote reader and the inside meter. His request must be handled as all others have been handled. The Board will offer easier repayment terms but have no authority to waive the water usage fees altogether as the water was used by the household.

RESOLUTION: ADD VILLAGE'S ADDRESS TO ANY STOCK DIVIDEND

CHECKS: Motion was made by Trustee Piccola, second Trustee Bradstreet to authorize the Clerk Treasurer, Alicia M. Lynch to act on behalf of the Village of Palmyra Board of Trustees in requesting that the Chevron Corporation/BNY Mellon Shareowner Services amend the Village's accounts, IDs ending 114, 726: and 074 to include the Village Hall's mailing address as the US Post Office will no longer deliver the dividend checks without a street address and street name. Vote, 3 ayes. CARRIED.

RESOLUTION: ROUTE 31 RESURFACING AND UTILITY WORK

AGREEMENT: Motion was made by Trustee Husk, second by Trustee Bradstreet to adopt the following resolution and to authorize the Mayor to sign the NYS Utility Work Agreement:

WHEREAS, the new York State Department of Transportation proposes the Maintenance by Contract paving of NY Route 31 from Creek Road in the Town of Macedon to Kent Street (Buckman Place) in the Village of Palmyra, with work principally in the Village of Palmyra, County of Wayne, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the adjustment to or relocation of approximately five (5) water valve boxes and valves, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract proposal and Utility Special Note relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans and Utility Special Notes, relating to the above mentioned project.

NOW, THEREFORE, BE IT RESOLVED: That the Village of Palmyra approves of the adjustment to their water valve boxes and appurtenances and the above mentioned work performed on the project and described in the contract proposal relating to the project and that the Village of Palmyra will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED: that the Mayor has the authority to sign, with the concurrence of the Village Board, any and all documentation that may become necessary as a result of this project as it relates to the Village of Palmyra, and

BE IT FURTHER RESOLVED: that the Village Clerk is hereby directed to transmit (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Vote, 3 ayes. CARRIED.

LOCAL LAW #3: Motion was made by Trustee Bradstreet, second by Trustee Husk to adopt Local Law #3 Restricting Disruptive Protesting Activities at Funeral Related Events. Vote, 3 ayes. CARRIED.

EXECUTIVE SESSION: Motion was made by Trustee Piccola, second by Trustee Bradstreet for a matter of litigation at 7:45 p.m. Vote, 3 ayes. CARRIED.

ADJOURNMENT: Motion by Trustee Piccola, second by Trustee Husk to adjourn at 8:05 p.m.. Vote, 3 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch
Clerk Treasurer