

VILLAGE OF PALMYRA BOARD OF TRUSTEES  
REGULAR MEETING  
September 13, 2010 7:00 p.m.

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

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER:** Mayor Daly called the meeting to order at 7:00 p.m.

**REGULAR MEETING**

**APPROVAL OF MINUTES:** Motion was made by Trustee Piccola, second by Trustee Nolan, to approve the minutes from August 2 and 11, 2010 as submitted. Vote, 3 ayes. CARRIED.

**APPROVAL OF ABSTRACT:** Motion was made by Trustee Piccola, second by Trustee Husk to approve payment of Abstract #3 of August 16 for \$365,462.10 and vouchers 272 and 273 of August 20 for \$250. Vote, 3 ayes. CARRIED.

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

- Received first reimbursement for Canandaigua St.
- New Dog Licensing Protocol
- Official 2010 World Canals Conference Flag Sept. 19-24<sup>th</sup>
- American Legion letter re. Armed Forces Day, May 21, 2011
- Resident letter re. Hwy crews
- Pension amortization options
- Canal Press Event in NYC, Wayne Co. included thanks to Christine Worth
- WCC Flag flying at the Marina
- Who's Who on the Canals
- PCC Playground expansion
- NYS Unified Court System re. Court Audits
- Excellus BCBS rate notice

**TRUSTEE REPORTS**

**Trustee Bradstreet** – absent.

**Trustee Husk** reported on the meetings with 911 about the new ambulance service. He shared a report from Finger Lakes Ambulance with an average response time of 3.77 minutes if the two calls in East Palmyra are excluded; 5.16 minutes if those are included. Since they have taken over, they have responded to 25 calls.

The ambulances were picked up and have been moved off site to secure sites. AM66 had to be towed as it has been out of service; the Village was not aware of this. **Trustee Nolan** reported that we have received notification that DOH has approved our plans when the tower is taken off line. Clark Patterson Lee has submitted a proposal for RFPs for the operation of the water/sewer departments. Trustee Nolan asked the Board to review it.

Trustee Nolan reviewed the operational report for July; it will be on file in the office of the Village Clerk Treasurer.

**Trustee Piccola** reported that Supt. Boesel has met with Waniece Porter and has outlined his plan to correct the heavy erosion problem to her property because of the Village's drainage discharge line.

Excellus BCBS has notified us that they may be increasing their rates next year as much as 23%.

Motion was made by Trustee Piccola, second by Trustee Nolan to acknowledge that the Village court records and dockets were audited by Trustee Piccola on August 9th and everything was found to be in order. Vote, 3 ayes. CARRIED.

The Washington Street project continues; Supt. Boesel is hoping to have it completed by the first of October.

Canandaigua Street will be open to two lanes of traffic for the hours of CanalTown days and on Monday the one way detour will change lanes. The project is a little ahead of schedule.

**Attorney Williams** - no report.

**Mayor Daly** provided her written report and added congratulations to the Village of Lyons for their successful grant application for downtown revival. The mural dedication at the Marina will take place during the CanalTown Days festivities on Saturday at 10:30 am. Pirates will be having a fund raiser on Oct. 11<sup>th</sup> at the VFW; the Red Elvises will be performing. Presales tickets will be \$10.00; \$12.00 at the door.

Trustee Piccola added that the marina expansion plan has been submitted for approval to the Canal Corp.

### **NEW/OLD BUSINESS:**

#### **SNOW REMOVAL – QUESTION OF VILLAGE CONTINUING SCHOOL**

**ROUTES:** The Board discussed continuation of school snow removal routes now that we will be enforcing the snow ordinance. Trustees Piccola and Husk and Mayor Daly feel that we should not continue the practice because if we are going to penalize someone for not shoveling, we shouldn't be providing that service to others. Trustee Nolan thinks the practice is nice and would like to see it continued.

**SPRING ST. FRONT PORCH – PLANS/OPTIONS:** The porch on the Spring Street house is in pretty bad shape. At this time, there is no money for this project. Clerk Lynch will inform the tenants

**PERMISSIVE REFERENDUM: PD AND FD RADIOS:** Motion Trustee Piccola, second by Trustee Husk, to adopt the following resolution:

#### **PERMISSIVE REFERENDUM**

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the Village of Palmyra, Wayne County, New York, adopted a resolution during a meeting on September 13, 2010, subject to Permissive Referendum as follows;

BE IT RESOLVED that a sum up to and not to exceed TWENTY FIVE HUNDRED (2500.00) shall be expended from the Capital Reserve Equipment (HR7) for the upgrade of the police and fire department radios.

Following publication, the foregoing resolution shall be posted in six (6) conspicuous places and in accordance with Section 9-902 of Village law, shall take effect in thirty (30) days.

BY ORDER OF THE VILLAGE BOARD

Palmyra, New York  
Alicia M. Lynch  
Village Clerk

Dated: September 13, 2010

Completion: October 14, 2010

**APPROVAL OF INTERFUND LOANS/ SRTS :** Motion was made by Trustee Piccola, second by Trustee Nolan to approve an interfund loan of \$25000.00 from H5 to H2 Safe Routes to school in order to pay bills and payback the IFL loan to H24 Bldgs. and Grounds. Vote, 3 ayes. CARRIED.

**APPROVAL OF TRANSFER :** Motion was made by Trustee Husk, second by Trustee Piccola to approve a transfer of \$386.63 from A1620.4 to H3-1620.4 to correct a clerical error. Vote, 3 ayes. CARRIED.

**CANALTOWN DAYS STREET & PARKING RESTRICTIONS:** Motion was made by Trustee Piccola second by Trustee Nolan to adopt the following restrictions for CanalTown Days, Sept. 17-19, 2010:

**PARKING PROHIBITED ON BOTH SIDES OF THE STREET:**

Gates Street-the entire length	Hansen Street-the entire length
Walker Street-the entire length	Cuyler Street-Main to Jackson
Liberty Street-the entire length	Canal Street-the entire length
Carroll Street-the entire length	Willow Street-the entire length
Brookside Terrace-the entire length	Canandaigua-the entire length
Maple Ave.-from Canal St. to Quaker	E. Charlotte- the entire length
Main St. - 21S to Mill Street	Williams St.-the entire length
E. Jackson St.-the entire length	Church St.-the entire length
Tremont St.-the entire length	Fayette St.-Main to Walker St.
Sunset Dr.-the entire length	Market St.-Main to Canal St.
Birdsall Pkwy.-the entire length	Mill St.-the entire length
Prospect Dr.-the entire length	West Foster St.-the entire length
Hyde Pkwy.-the entire length	Stafford St.-the entire length

**HANDICAPPED PARKING ONLY -**

Canandaigua St.- East side from Main St. to Jackson St.

**ELEMENTARY SCHOOL:**

Authorize Police Chief to restrict parking according to School District and Fire Chief request.

The Police Chief and Highway Superintendent are both authorized to make additions and deletions as required.

**STREET CLOSINGS FOR CANALTOWN DAYS:**

Saturday (approximately 9 am to 6 pm Main St. (21S to Holmes St.)  
Sunday (approximately 9 am to 6 pm) Main St. (21S to Cuyler St.)

**CLOSING FOR FLOAT COMPETITION**

Saturday (approximately 1 pm to 6 pm) - Claremont Park

**CLOSING FOR PARADES:**

**GRAND PARADE - SATURDAY (approx. 2 - 6 pm)**

Stafford Street	from Foster Street intersection to Main St.
Main Street	from Hyde Pkwy to Holmes
Holmes	from Main St. to Canal St.
Canal St.	from Holmes to Williams St.
Williams St.	from Canal St. to Main St.

**HORSE PARADE - SUNDAY (approx. 2 - 3 pm)**

Gates St.	from Jackson to Main St.
Main St.	from Gates to Holmes
Holmes	from Main St. to Canal St.
Canal St.	from Holmes to Williams
Williams St.	from Canal St. to Main St.

BE IT RESOLVED that the sale of “Poppers” (throwable fireworks), stink bombs and liquid string during any parade in the Village of Palmyra be prohibited and further that the sale or use of at or during CanalTown Days is hereby prohibited.

Be it further resolved that that Bicycles, skateboards, and roller blades be prohibited during CanalTown Days, on Main Street between the intersections of Canandaigua/Church Streets and Fayette/Market St., the Display and Vendor areas and the Palmyra Elementary School grounds.

Be it further resolved that animals including but not limited to dogs and snakes be prohibited during CanalTown Days in these same areas. This restriction shall not apply to “seeing eye” guide dogs.

Vote: 3 ayes. CARRIED.

**ARMED FORCES DAY REQUEST FOR 2011:** The Board discussed the monetary request from the American Legion for Armed Forces Days on May 21. At this time, there is not enough information about the event. It is likely that the only way in which

the Village will be able to participate is through inkind services; ie. highway and buildings and grounds and police coverage.

**SENIOR CITIZENS REQUEST FOR FUNDING:** Senior Citizens have requested \$500 from this years' budget as they were left out during the budget planning period. Motion was made by Trustee Piccola, second by Trustee Nolan to expend \$500 from Contingency A1990.4 to Senior Citizens. Vote, 3 ayes. CARRIED.

**ASSESSMENT RESOLUTION:** Motion was made by Trustee Husk, second by Trustee Piccola to adopt the following resolution:

Payment of Litigation Costs Involving Challenges to Real Property Assessments

Concerning Notice of Petition to Review Tax Assessment Made for the Year 2010

WHEREAS, from time to time, the Village of Palmyra has challenges to assessments of Real Property in the Town; and

WHEREAS, litigation costs of these challenges can be more than the Village can anticipate and afford; and

WHEREAS, Bamberger Wayne Properties, LLC, et al. have filed grievances, after receipt of the decision by members of the Palmyra Board of Assessment Review, claiming excessive and unequal values against the assessments for the properties listed in the attached list of sixteen (16) Village of Palmyra parcels; and

WHEREAS, Bamberger Wayne Properties, LLC, et al. request that the 2010 assessment roll be reviewed, using evidence to show that the assessment of said parcels of real property may be illegal and erroneous; and

WHEREAS, the Town of Palmyra, the Village of Palmyra, the Palmyra-Macedon Central School District and the County of Wayne are all stakeholders in resolving this issue equitably, in accordance with Real Property tax law; and

WHEREAS, the County of Wayne has already established minimum standards for participation and permitted change in an assessment challenge.

NOW, THEREFORE, BE IT RESOLVED that all four (4) stakeholders will share equally in litigation costs and associated court fees for this assessment challenge; and BE IT FURTHER RESOLVED that proceedings will involve the County Attorney and Real Property Tax Services Director as consultants regarding appraisals and/or settlement strategies; and

BE IT FURTHER RESOLVED that the Palmyra Sole Assessor will answer the Notice of Petition in the above-referenced matter and will meet at an ex parte Special Term of the Supreme Court, to be held in the Seventh Judicial District at the Hall of Justice, in the Village of Lyons for the County of Wayne, New York, on the 7<sup>th</sup> day of October, 2010 at 9:30 a.m., or as soon thereafter as counsel can be heard, for review under Article 7 of Real Property Tax Law, as set forth in said petition on the attached list of tax parcels.

Dated: August 26, 2010

Victoria W. Daly, Palmyra Village Mayor

Vote, 3 ayes. CARRIED.

**POLICY REGARDING USAGE OF PAVILION:** Mayor Daly admitted that the pavilion is already being used but a policy should be put in place. Trustee Husk will work on it and have something for Board review by November 1, 2010.

**STATUS OF COMFORT STATION:** There has been no progress on the Comfort Station somewhat due to the lengthened growing season. Supt. Hopkins will meet with Trustee Husk to discuss a game plan.

**HOMEcomings PARADE ROUTE AND INVITATION:** Motion was made by Trustee Piccola, second by Trustee Nolan to approve the request from Pal-Mac CSD for the Homecoming Parade on Friday Oct.1, 2010 at 6:00 pm. the route to be worked out and approved of by Chief Dalton. Vote, 3 ayes. CARRIED.

**MICHELE LINSE REQUEST FOR REIMBURSEMENT:** Richard Clayton and the Clerk Treasurer will go over Ms. Linse's request for damages with Brian Howser.

**ELECTIONS:** Mayor Daly requested that the Board of Elections contact the Village Hall office when they need use of any Village owned building.

**ADJOURNMENT:** Motion by Trustee Husk, second by Trustee Nolan, to adjourn at 8:30 p.m. Vote, 3 ayes. CARRIED.

Respectfully submitted,

Alicia M. Lynch  
Clerk Treasurer