

VILLAGE OF PALMYRA BOARD OF TRUSTEES  
REGULAR MEETING  
July 6, 2009 7:00 p.m.

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

**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 Nolan, second by Trustee Husk, to approve the minutes from June 15, 2009 as submitted. Vote, 4 ayes.  
CARRIED.

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

- Claremont Park resident thank you to Hwy. crew
- Community Resource Guide – newly published
- EMS June report
- Preservation League article

**TRUSTEE REPORTS**

**Trustee Bradstreet** reported that the Zoning Board met last Thursday for some in house training. The July 4<sup>th</sup> celebration was well attended, including WC Supervisor Jim Hoffman. Some wonderful creative writing by the Middle and High School students and art work from the Elementary school students were submitted for the event and displayed in the Park and Club Rooms. There was also a Civil War camp and dunking booth. Refreshments were provided by the American Legion and Candy Corner Fudge Square. Volunteers and suggestions were solicited for next year's celebration and six people stepped forward as well as several constructive suggestions. There were over twenty veterans that "signed in". Rebecca King presented Trustee Bradstreet with the creative writing efforts of the students for the past year and Trustee Bradstreet suggested we put it on display someplace in Village Hall.

On July 14<sup>th</sup>, Trustee Bradstreet will be greeting the cyclists at Nazareth College which later in the day will be moving through the Village.

**Trustee Husk** met with the Skate Park Committee to discuss the contract. They requested that one change be added to the contract in 6D; when the Village needs to close the park they would like "appropriate timely notice to be given." Trustee Husk thought that 24 to 48 hours which should not be a problem. Mayor Daly suggested that Atty. Williams be instructed to add 24 to 48 hours notice to the contract under 6D instead of appropriate timely notice. Motion to that effect was made by Trustee Piccola, second by Trustee Nolan. Vote, 4 ayes. CARRIED.

Trustee Husk turned the floor over to Supt. Hopkins to explain the addition and construction of a traditional kayak launch at the marina. Supt. Hopkins explained that he has discussed the project with Supt. Boesel. Being that the water level at the marina is extremely low due to the sunken barge on the canal, now be would the perfect time to construct a traditional kayak launch. Using the stone left over from the Comfort Station parking lot, the crews could drop the stone in next to the existing dock to build a "ramp" down in the water. However, with all the recent rainfall, the crews are unable to get any heavy equipment in there to move the stone. Another option that Supt. Hopkins had discussed with Trustee Bradstreet would be to build a ramp next to the existing dock with lumber which would also be handicapped accessible. He explained the costs associated with both types of access. The lumber type would be more expensive; \$600 - \$900 versus the \$200-300 needed for the stone ramp. Trustee Piccola shared research that he had found for personal watercraft launchers using a roller system. It was agreed

that the original intent was the simpler version with the lower cost if the crews would be able to complete it when the water level was lowered.

Lastly from Supt. Hopkins, another tree has been hit and will need replacing.

**Trustee Nolan** no report.

**Trustee Piccola** reported that the foundation and sidewalks for the comfort station are in and the parking lot has been completed.

Motion was made by Trustee Piccola, second by Trustee Bradstreet to do an IFL from H10 MicroEnterprise of \$10,000 to H50 to cover vouchers 94-99 for Comfort Station project. The total amount for these vouchers will be included in Abstract 2. Vote, 4 ayes. CARRIED.

Lastly, for the highway department, brush pick up continues and the storm drainage pipe is being installed on Hyde Parkway.

**Attorney Williams** – absent.

**Mayor Daly** provided her written report.

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

**KENT STREET RESIDENTS:** Several Kent Street tax payers attended the meeting to request that their Kent Street residences have their Village taxes waived. They feel that they do not receive any services for their money. Many of the residents voiced their concerns and complaints. Mayor Daly told the residents that the Village has consulted Atty. Williams and we are waiting for his research as to if these properties could be severed from the Village. One of their concerns voiced by Matt Scribner, was the quality of their water. Mayor Daly said Severn Trent would check into that. When asked what do they get for their tax dollars, Mayor Daly explained the main pieces would be police and fire protection, village water rates, street lighting and snow removal. Another one of their concerns is that the street is zoned industrial and buyers can not get a residential mortgage. They must use a private lender or the seller must provide the financing.

Basically, they would like to be “un-annexed” from the Village. This question can not be answered until the village attorney reports back. The Board admitted frankly to the Kent Street residents that if the Village were to give up the tax revenues from the Kent Street, the rest of the residents in the Village would have to pick up that deficit. The Village boundaries were established long ago, removal of Kent Street would involve changing these boundaries.

The question of the availability of natural gas and sewer services was discussed as well. The residences have requested gas in the past but were told it would not be profitable for NYSEG to install it. Trustee Husk volunteered to approach NYSEG on behalf of the Kent Street residents about making natural gas available to them. A sewer line would require approvals for NYS Canal Authority and once again more information is needed. Further discussion was tabled until the next Board meeting on August 3<sup>rd</sup>.

**PROPERTY MAINTENANCE:** Building Inspector Wooden dropped off comments for the Board to consider if it is decided to amend Chapter 194 Property Maintenance of the Village Code. However, due to the lateness that the Board received the information, discussion was tabled until August 3<sup>rd</sup>. Trustee Piccola thanked Dan Wooden for his extremely quick response on this issue.

**JUSTICE COURT ASSISTANCE PROGRAM:** Motion was made by Trustee Husk, second by Trustee Nolan to adopt the following resolution:

**WHEREAS**, the State of New York has enacted a law establishing the Justice Court Assistance Program, L. 1999, C. 280 that will enable communities to apply to the Chief Administrative Judge for a grant of State funds to assist in the operation of justice courts; and

**WHEREAS**, the availability of grant funding would enhance the ability of the village Justice court to provide suitable and sufficient service to the community.

**NOW THEREFORE BE IT RESOLVED**, that the Village Board hereby authorizes the Mayor to file an application for a Justice Court Assistance Program grant for the New York State fiscal year ending March 31, 2010 for the maximum amount available. Vote, 4 ayes. CARRIED.

**WATERLINE ASSESSMENTS:** Attorney Villani reported that Manchester has denied our request to lower our assessment. She suggested that the Village pursue initiating a PILOT program on the water line. The Board decided not to set a dollar limit for a PILOT at this time as the Board still has not received the final report on the water study or heard from the Real Property Office in Albany. Mayor Daly will ask Attorney Villani to sound out the Manchester Town Board about a PILOT with no dollar amount suggested. In the meantime, the next step would be for Attorney Villani to file Notice and Petition for judicial review of the assessments pursuant to Article 7 of NYS Real Property Tax Law. This paperwork has already been submitted by Attorney Villani. The Board discussed possibilities of “giving” the water line to a not-for-profit organization. Richard Clayton will pursue with Attorney Williams.

**GRANT OPPORTUNITIES:** Genesee Transportation Council is requesting applications for road projects. NYS DEC is also taking applications for water quality management projects. No news on the grant the Village submitted for the remote water readers; the response was enormous and it may be quite awhile before the grant recipients are announced.

**COMPLAINT:** Trustee Husk received a complaint from Brad and Dad’s about animals being attracted to the dumpster at the Fire Department. According to Debbie Rothfuss and Chief Colburn, raccoons are able to gain access by using the adjoining tree. Trustee Husk will look into it further.

**EXECUTIVE SESSION:** Motion was made by Trustee Piccola, second by Trustee Nolan to enter into executive session for discussion of a personnel and contractual matter at 7:52 p.m. Vote, 4 ayes. CARRIED.

**PUBLIC SESSION:** Motion was made by Trustee Piccola second by Trustee Bradstreet to re-enter public session with no action having been taken at 8:47 p.m. Vote, 4 ayes.

**ADJOURNMENT:** Motion by Trustee Husk, second by Trustee Bradstreet, to adjourn at 8:55 p.m. Vote, 4 ayes. CARRIED.

Mary Piccola stood in for the Clerk Treasurer for this meeting, the minutes were transcribed by the Clerk Treasurer.

Respectfully submitted,

Alicia M. Lynch  
Clerk Treasurer