

Budget Hearing

7:30 P.M.

Present: Mayor M. K. Davin; Trustees: D. West, M. L. Wilson, D. Williamson.
Also present: Attorney L. J. Poyzer. Absent: Trustee L. Green.

Budget Hearing Legal: Mayor Davin opened the hearing by reading the Legal placed in the newspaper on April 6, 1979. She then turned the hearing over to Mr. Roy McMaster of Donegan, Inc. who helped the Board in preparing this budget. He gave a summary explanation of the budget and answered questions pertaining to it. Mrs. Lois Lynch and Paul Braun were present at this hearing.

AFFIDAVIT OF PUBLICATION

NEW YORK, }
y of Wayne, } ss:

....James..Werner....., being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

.....April 6, 1979.....

James Werner
Foreman of the Publisher

Subscribed and sworn to before me

this *11th* day of *APR* 19*79*

Notary Public

ROGER M. WALLACE
Notary Public, State of New York
Qualified in Ontario County
My Commission Expires March 30, 19*81*

Fee : \$ 9.12

LEGAL NOTICE
NOTICE OF PUBLIC
HEARING
PLEASE TAKE NOTICE:
That a Public Hearing will
be held on April 16th, 1979
at 7:30 pm. in the Trustees
Room of the Village Hall,
144 East Main Street,
relative to the tentative
budget for the ensuing year
June 1, 1979 - May 31, 1980
for the Village of Palmyra. A
copy of the tentative budget
may be inspected in the
office of the Village Clerk
on Monday through Friday
during the hours from 9:00
am to 5:00 pm.
Dated: March 30, 1979
BY ORDER OF THE
BOARD OF TRUSTEES
VILLAGE OF PALMYRA
Phyllis G. Dickinson,
Deputy Clerk
A,6 (152)

Adjourn: Mayor Davin adjourned the Budget hearing at 8:20 P.M.

Phyllis G. Dickinson, Deputy Clerk

April 16, 1979

Regular Board Meeting

8:21 P.M.

Regular Meeting: Mayor Davin called the regular meeting of the Board of Trustees at 8:21 P.M.

Present: Mayor Davin, Trustees: West, Wilson and Williamson.
Absent: L. Green.

Mom. of Silence: Mayor Davin opened the meeting with a moment of silence.

M.Meehan Manning & Napier: Mr. Michael Meehan of Manning & Napier, Investment Counselors, appeared before the Board to discuss their services in investing the Village present accounts in order to realize a more efficient cash flow in the various accounts.

M.Vande, Hist. Resource Inventory Mark Vande appeared before the Board to relate that the Mayor in behalf of the Village must enter into a contract with the New York State Office of Parks and Recreation in order to complete the Historic Resource inventory to receive funds and that the cost to the Village will not exceed \$1500.00. It was decided to obtain a determination to Section 7, subsection (b) in regards to the Worker's Compensation Law before the Mayor would sign this contract. Deputy Clerk was instructed to call the Wayne County Self Insurance Plan in regards to this determination.

April 16, 1979

Fire Dept.
Sealing
Driveway:

Trustee Wilson reported to the Board that the driveway and parking lot at the new Firehouse should be sealed this summer and that it would cost approximately \$3000.00 to perform this blacktop sealing. Since this expenditure had not been included in this year's Fire Department budget, Trustee Wilson suggested that monies from the Town of Manchester contract be used in paying for the sealing. She also suggested that \$1,000.00 be used from Federal Revenue Sharing Funds to help defray expenses for future cleaning supplies at the new Firehall.

Resol.:

Trustee Wilson moved, seconded by West that the Village withdraw approximately \$3000.00 from the Capital Reserve Fund Fire account in order to pay for sealing the blacktop drive at the Fire Station, said amount being the Town of Manchester's payments for the contract for Fire Protection for the past four years. Motion carried.

Patrol
Car
Bids:

Trustee Wilson announced that the Village should prepare bid specs for the purchase of a patrol car. Trustee Wilson will review the specs before placing the bid in the newspaper.

Budget
Adoption:

Motion by Trustee West, seconded by Wilson to adopt the Budget (1979-80) and set the tax rate at \$9.59 per thousand. Motion carried.

Proposed
Loc.Law
Fairgrounds

Motion by Williamson, seconded by Wilson to set a date of April 30, 1979 to hold a Public Hearing on the proposed change in the Zoning Code re Agricultural Fairgrounds. The hearing will be held at 7:30 P.M. in the Park & Club Rooms, 149 E. Main. Motion carried.

Wilkie,
Farr &
Gallagher
Stat. Inst.
Bond
Beaut.
District
Refinanc-
ing:

Attorney Poyzer related to the Board that she had received an opinion from Willkie Farr & Gallagher, bond Attorneys, that it would not be feasible to extend the present statutory installment bond for the Beautification project to a ten year period. The only way that an extension could be accomplished is by the issuance of "advanced refunding bonds" but the statute is an extremely complicated one. It is generally used in the case of a very large bond issues and the fees for issuance of these bonds are very much higher than is the cost of the original bonds. It is a most difficult process in refinancing the original statutory installment bond. This opinion was sought because the property owners in the special beautification district are unhappy with the original five year financing plan.

Conifer-
Parcel #1
Urb.Ren.
Area:

Attorney Poyzer reported that she had received a phone call from Mr. Obourn of Conifer Developers requesting that the "reverter" clause be removed from the deed for developing Parcel #1 in the Urban Renewal area. They also need an easement for water drainage in that area. The Board feels that they do not want the "reverter" clause removed from the deed.

Applic.
Fire Dept:

Upon a recommendation by the Fire Commissioners, a motion by Wilson, seconded by Williamson to accept the application of John V. Francis into the Fire Department. Carried.

Sounding
Board:

Mayor Davin announced that the next "Sounding Board" Forum would be held on Wednesday, April 18, 1979. A discussion will be on the Child Abuse Law.

Comm.Ctr:

Trustee West reported that the main steel has been placed at the new Community Center. The fund drive will begin the first week in May.

Minutes
4-2-79:

The minutes of the meeting of April 2, 1979 could not be approved because of a lack of a quorum vote.

Vouchers:

Motion by Williamson, seconded by Wilson to pay the vouchers in the amount of \$12,881.10. Motion carried.

- Coverlet Museum:** Mayor Davin announced that Historic Palmyra volunteers were recently honored for their coverlet museum project. They received a citation from America the Beautiful fund for the countless hours spent in restoring the renovating the museum building.
- Adjourn:** Motion by West, seconded by Wilson to adjourn the meeting. Carried. Meeting adjourned at 11:20 P.M.

Phyllis G. Dickinson, Deputy Clerk

* * * * *

Public Hearing April 30, 1979
Park & Club Bldg. 7:30 P.M.

Present: Mayor M. Katherine Davin, and Trustees Mary Lou Wilson, David West, David Williamson. Absent, Trustee Lloyd A. Green. Also present, Village Attorney, Miss Laura Jane Poyzer, Daniel Pope, III, Chairman of the Village of Palmyra Planning Board, and Luther Sheldon, Chairman of the Village of Palmyra Zoning Board of Appeals.

Approximately 30-35 Village Residents.

Legal Notice: Mayor Davin opened the Public Hearing by reading the Legal Notice of publication in the Courier-Journal as of 4/20/79, relative to the proposed changes in the Zoning Code of the Village of Palmyra by enactment of a Local Law. Proof of Publication is so attached. Page 148.

Letter Presented Mr. Henry Deys, West Jackson Street, read a letter in behalf of David J. McEwen, 235 Birdsall Pkwy, who was unable to be present at the hearing. The letter in essence, revealed the feelings of himself along with other residents of the Village who, in particular, live adjacent to the Palmyra Agricultural Fairgrounds. It is his opinion that the Palmyra Fair Society is trying to expand the use of the Fairgrounds beyond that permitted under the Zoning Code.

D. Pope Comments: Daniel Pope, Chairman of the Planning Board, advised that his group along with members of the Palmyra Agricultural Society and other area citizens, had spent many months in delving into the facets of arriving at a fair and equitable solution which would, hopefully, engender a "good neighbor policy" between the Palmyra Fair Association and the surrounding neighborhood. Mr. Pope commented that if the Village Board so chooses to adopt the proposed Local Law, it would then be within the law of the Palmyra Fair Association to construct a new "horse barn" which would house twenty (20) animals, such building to be placed 125 feet from any property line, not less than 200 feet nor more than 600 feet from any rear street line and not less than 600 feet nor more than 800 feet from any westerly through street line.

L.Sheldon Comments: Luther Sheldon, Chairman of the Zoning Board of Appeals, questioned that if the proposed Local Law were adopted, would the present "horse barn", which is presently adjacent to the property of a number of Birdsall property residents, be torn down when a new building might be erected. Village Attorney Poyzer clarified that if a new horse barn is erected, it would, also, be possible to leave the present one standing for use during the fair week.

J.Wilson Mr. Jack Wilson, Birdsall Parkway, made several remarks which were irrelevant to the hearing at which time Mayor Davin advised that he was out of order. Mr. Wilson did advise that he was not alone in asking that the Fair Association should be compelled to clean up the manure which accumulates, especially during Fair Week, promptly after the fair is over.

April 30, 1979

**Question
of
Parking:**

Mayor Davin clarified questions of parking along side streets during Fair Week. She advised that in the past the Police Department has placed "NO PARKING" signs along streets bounding the grounds. However, she pointed out, that there is no local ordinance which can enforce the No Parking. Mayor Davin added, that with the adoption of the proposed Local Law, the Police Department would have jurisdiction and a legal right to impose a fine for illegal parking on side streets during Fair Week.

**Zon. Chg.
to
Ag. Clar.**

A misinterpretation in reading of the legal prompted some citizens to question if the Village Board had intentions of zoning the Fairgrounds to AGRICULTURAL. Mayor Davin informed the citizens that the Fair Association is known as the Palmyra Agricultural Society or Agricultural Fairgrounds and is located in an R-1 Zone and shall remain in a R-1 Zone, and shall not be rezoned to agriculture.

**Trans-
cript:**

Mayor Davin advised that a complete transcript of the proceedings has been recorded by Mrs. Saxman, such recording shall be filed with Mrs. Saxman until such time as the Village Board may recommend that the recording be transcribed for attachment to the above resume of the public hearing.

**Hearing
Closed:**

Mayor Davin advised that if there were no further questions or comments, that this hearing would be closed at 8:45 P.M.

Theresa P. Otte, Clerk Treasurer

LEGAL NOTICE**PLEASE TAKE NOTICE:**

That a Public Hearing will be held April 30, 1979 at 7:30 P.M. in the Park & Club Bldg., 144 E. Main Street, relative to a Proposed Local Law to amend Chapter 29, ZONING, of the Code of the Village of Palmyra. Proposed Local Law reads as follows:

**VILLAGE OF PALMYRA
LOCAL LAW 1979**

A Local Law to amend Chapter 29, ZONING, of the Code of the Village of Palmyra to provide for an agricultural fairgrounds as a permitted use in an R-1 District.

Be it enacted by the Board of Trustees of the Village of Palmyra as follows:

Section 1. Section 29-9, Definitions, of Article II, Word Usage and Definitions, of Chapter 29 of the Code of the Village of Palmyra, is hereby amended by addition of the following definition, to follow the definition of ACCESSORY USE:

**AGRICULTURAL FAIR-
GROUNDS** - An area of land, including structures thereon, that is used primarily for the display and judging of agricultural products, animals and machinery, during a period of not to exceed seven (7) days per year, or such additional period of time as may be required by state regulations in order to qualify for premium payment.

Section 2. Subdivision B, Permitted Uses, of Section 29-14, Residence 1 (R-1) Districts, of Chapter 29 of the Code of the Village of Palmyra, is hereby amended by the addition of a new subsection (10) to read as follows:

(10) Agricultural Fairgrounds on a site of not less than thirty (30) acres, provided that the buildings for the housing of animals

be located not less than one hundred twenty five (125) feet from any property line, not less than two hundred (200) feet nor more than six hundred (600) feet from any rear street line, and not less than six hundred (600) feet nor more than eight hundred (800) feet from any westerly through street line; and provided further that buildings for uses other than housing of animals be located not less than fifty five (55) feet from any property line and not less than forty (40) feet from any existing structure.

Section 3. Section 29-21, Use regulations, of Article V, Supplementary Regulations and Exceptions, of Chapter 29 of the Code of the Village of Palmyra, is hereby amended by the addition of a new subdivision C to read as follows:

C. Agricultural Fairgrounds in an R-1 District. Buildings for the housing of animals for purposes other than agricultural display shall contain not more than twenty (20) stalls and not more than twenty (20) such animals shall be kept on the Agricultural Fairgrounds at any time, with the exception of fair week. Uses other than an agricultural fair or exhibition shall have prior written approval of the Board of Trustees of the Village of Palmyra.

Section 4. Section 29-22, Temporary Uses, of Article V, Supplementary Regulations and Exceptions, of Chapter 29 of the Code of the Village of Palmyra, is hereby amended by the addition of a new subdivision E to read as follows:

E. Agricultural fair or exhibition. An agricultural fair may be conducted by a chartered agricultural society during a period of not more than seven (7) consecutive days in any calendar year, or such additional period of time as may be required by state regulations in order to qualify for premium payment, within the

premises of an Agricultural Fairgrounds. An exhibition of agricultural products and/or animals may be conducted by a chartered society for not more than one (1) day in any week and

in not more than nine (9) weeks in any calendar year, unless the Board of Trustees of the Village of Palmyra shall approve additional events; such exhibition to be conducted within the premises of an Agricultural Fairgrounds. For purposes of this subdivision, a week shall mean a period of seven (7) consecutive days commencing on Sunday and ending on the following Saturday.

Section 5. Subsection (2), Parking units required, of subdivision B, Required parking, of section 29-29, Off-street parking, of Chapter 29, of the Code of the Village of Palmyra, is hereby amended by the addition of a new paragraph (s) to read as follows:

(s) For agricultural fairgrounds: sufficient spaces to accommodate all patrons and visitors.

Section 6. This local law shall take effect upon the date of filing in the office of the Secretary of State of New York State.

Dated: April 17, 1979

BY ORDER OF THE
BOARD OF TRUSTEES
VILLAGE OF PALMYRA
Phyllis G. Dickinson
Deputy Clerk

A20

(169)

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

James Werner....., being duly sworn,
deposes and says that he is the foreman of
the Timesaver Advertising Inc., publisher of
the COURIER-JOURNAL, a public news-
paper published weekly at Palmyra, N.Y., in
the County of Wayne, and that the notice of
which the annexed is a true copy, clipped
from said newspaper, was regularly
published in said Courier-Journal on the
following dates:

...April 20, 1979.....
.....
.....
.....

James Werner.....
Foreman of the Publisher

Subscribed and sworn to before me

this 30th day of April 1979

[Signature]
Notary Public

Fee : \$ 54.15

ROGER M. WALLACE
Notary Public, State of New York
Qualified in Ontario County
My Commission Expires March 30, 1981