

October 12, 1970

Special Meeting

Public Hearing

Park & Club Bldg.

6:30 P.M.E.D.S.T.

Present: Mayor David M. Nussbaumer, and board members Paul Mierke, Donald Sinclair, David McGuire. Absent Trustee Donald Leysath. Village Attorney, Henry B. Nesbitt.

Subject: Amendment to Local Law #3, 1967 regarding amending Section #202 - - Definitions Sub. H-03 regarding hospitals.

Legal: Proof of Publication was read by Mayor Nussbaumer.

Wayne Co. Plan. Brod. A letter received from the Wayne County Planning Board recommended that the village has jurisdiction in the changing of the zoning, and for this reason believed that the village could make a better decision.

Citizens Present: The only ciitizen in the Village to be present at this hearing was Charles Richardson, East Foster Street.

Request Rules from State: Trustee D. Sinclair suggested that it would be apropos for the Village of Palmyra to request detailed information from the New York State Department of Health, which would regulate the specifications for the construction of a nursing home. Clerk was instructed to request such information.

Court Stenographer: Mrs. Mary Devey, Newark, N.Y., court stenographer, made a complete transcript of the hearing and will be available at a future date.

Closed: Hearing Mayor Nussbaumer closed the hearing at 7:20 P.M.

Theresa P. Otte, Clerk Treas.

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Regular Board Meeting

Board of Trustees

7:30 P.M.

Present: Mayor David Nussbaumer, and Board Members, Paul Mierke, David McGuire, Donald Sinclair. Absent Trustee Donald Leysath. Village Attorney, Henry B. Nesbitt.

Vouchers: Motion by Trustee McGuire, 2nd by Trustee Sinclair and carried to approve payment of the vouchers as presented.

John Martin Re: Aldrich Drive: John Martin, Webster, developer of the West Jackson Housing Tract advised the village board that he intends to complete the street to be known as "Aldrich Drive: which will be parallel to Hyde Park and Stafford Street, running north and south abutting onto West Jackson on the north and extending south with a cul-de-sac on the south of Aldrich Drive. After he has done the necessary work to be acceptable to the Village of Palmyra, it will be dedicated to the village. He estimates that there is about 2 weeks work before this can be done.

Laurentian Drive: John Martin, owner of the property known as Laurentian Drive, spoke briefly regarding the dedication of the street. Village Attorney, H.B.Nesbitt commented that he had written to John Blythe, attorney for Mr. Martin, regarding the dedication of this street. The street must first conform to specifications. John Martin has agreed that he would be able to put in the sewer to accomodate 3 houses on Laurentian Drive. Attorney Nesbitt suggested that it might be well if Mr. Martin give the village a "right of way" privilege in order for the village crews to be allowed to go on the property to maintain the sewer.

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Gary Morell: Gary Morell, Attorney, discussed a parcel of land to be presented to the Ambulance Volunteers by the Arthurtions to house the ambulance. Mr. Morell asked that the board refer to Section #541 of the Zoning Code which would allow them to place the ambulance in this vicinity (Mill and Vienna Streets). Mr. Morell further cited a case regarding a volunteer group which contracted to provide ambulance service. Village Attorney Nesbitt countered that he would like to have the opportunity to review the case and the letter Mr. Morell had. Same was presented to Mr. Nesbitt.

Industrial Develop.: Daniel S. Pope, Canandaigua Street, and Sheldon Knapp, Washington Street along with Gary Morell advocated the formation of an "Industrial Development Corporation" to be backed by the village board. This would be known as Local Development. The Local Development Board would work closely with the Village Board. The cost to be able to get such a plan moving would be about \$50.00. Mr. Pope commented that PEP was one project where such a board would have been desirable. The Local Development Board, he felt, could have gone out to get an option to purchase land. Mr. Morell commented that there would be no liability as far as the village would be concerned. Trustee Sinclair commented that Russell Fowler, of the Wayne County Development Corporation, has indicated that Macedon and Palmyra are the potential areas in the western part of Wayne County for expansion and it would behoove the Village of Palmyra to be ready for such development. Mr. Pope and Mr. Knapp volunteered to give a list of names to the village board for possible members of the above mentioned development.

Narcotic Council: Ronald Valentine, Attorney and Chairman of the Narcotic Council, informed the Village Board that the drug problem in the last 4 years has become more prevalent. Mr. Valentine along with Robert Disney talked at length regarding their plan. In addition to the Council, it was their suggestion that sub-committees be appointed. One of their suggestions was to form a Youth Narcotic Council which would be headed by James Campbell, Director of the Community Center. Mr. Valentine summed up his remarks by commenting that finding the drug user is not the complete answer in that it goes deeper than this - - underlying reasons which often relates back to the family. Trustee Sinclair questioned if we are concerned with the present users or teaching those of the pitfalls and harm the use of drugs can cause. To this, Mr. Valentine remarked, that he could not really say. Mr. Valentine did remark that users of drugs would not be reported to the police department, only those that were in the market of selling.

\$3000.00 Budget Propos.: Robert Disney had been appointed by Mr. Valentine to propose a budget for the ensuing year for the council which he presented to the board. Indications were that approximately \$3,000.00 would be needed to finance their proposed program. Mr. Disney commented that \$1,000.00 would be refunded by the State, but that they would have to prove evidence of spending up to \$1,000.00 by July 1, 1971 in order to qualify for the reimbursement. Mayor Nussbaumer informed the gentlemen that no funds had been appropriated in the current budget, but that he would confer with Attorney Nesbitt to ascertain if some funds might be available.

D. Dagel Perm. Pol. Appoint: On the recommendation of Police Chief Donald Henry the following resolution was proposed by Trustee McGuire, 2nd by Trustee Sinclair and carried: -

RESOLVED: Whereas Patrolman Delbert Dagel has satisfactorily completed the necessary requirements for Civil Service and for Police School, and in that he has been on the police force for over six months,

BE IT RESOLVED THAT: Delbert Dagel be placed on permanent appointment with the Palmyra Police Department.

THE NARCOTICS GUIDANCE COUNCIL

* required by NACC

CHAIRMAN

Doctor* Lawyer* Citizen Citizen Youth rep. Minister*

YOUTH CHAIRMAN

Council composed of elected, appointed and volunteers

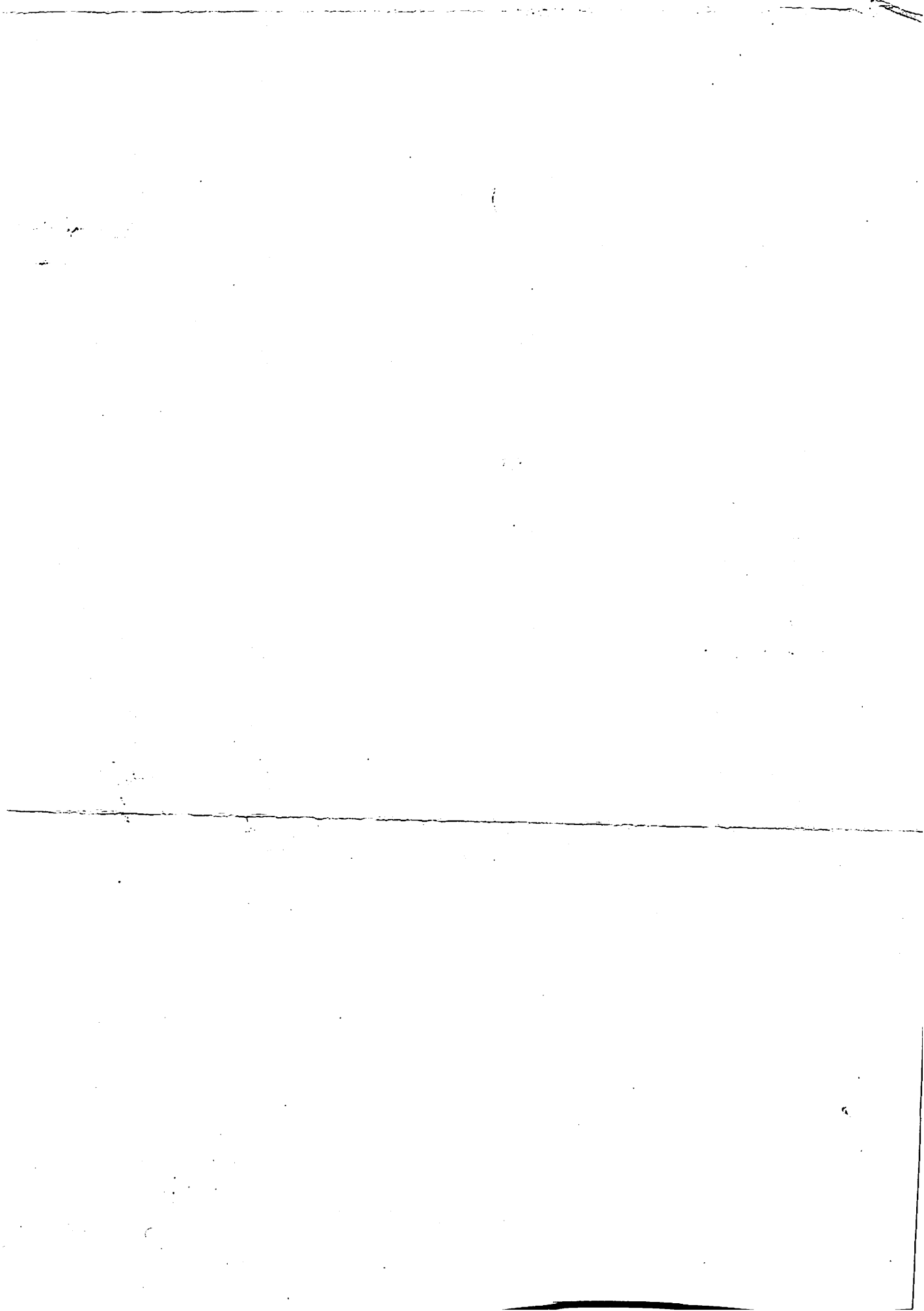
<u>PUBLICITY</u>	<u>SCHOOL EDUCATION</u>	<u>ADULT EDUCATION</u>	<u>COUNSELING</u>	<u>YOUTH ACTIVITIES</u>
NGC	Required	PTA	Wayne County	NGC Youth
Activities	Health	NACC	Council	Palmyra
--	Curriculum	Training	Programs	Youth
General	--	--	Turning	Movement
Articles	Special	Public	Point	--
Radio Ads	Credit	Meetings	School	Eight-Day
--	Courses	Police	Counseling	Night
Volume	Sponson	Training	Church	Turning Point
Distributions	Teacher	Speakers	Ministers	Church Youth
	Education	Service	--	Groups
	Assemblies	Clubs	Professional	Community
	--	--	Counseling	Center
	In-class	Church	--	--
	Presentations	Groups	Hot Line	School
	--	--	--	(Student
	Special	Industrial	Professional	Council)
	Projects	Programs	Reference	
			Special	
			P.O. Box	

Adult NGC

Youth NGC (5)

Working Committees

ESTADOS UNIDOS



<i>Albany Narcotic Guidance Council</i>		
1970 NACC Conferences (4)	\$ 100.00	
Letterhead, envelopes, postcards, etc.	30.00	
Post Office Box (business)	6.00	
Postage	12.00	
Miscellaneous	<u>100.00</u>	\$ 248.00
<i>Youth NCC</i>		
General Funding with approval by		
Adult NCC of Youth Budget	<u>300.00</u>	300.00
<i>Publicity</i>		
Postage	18.00	
Mass Media Ads, Volume Distributions	300.00	
Reproduction Costs	20.00	
General Supplies	20.00	
Graphics	<u>100.00</u>	458.00
<i>School Education</i>		
(Condition upon partial responsibility		
of outside group)		
In school program and projects	50.00	
Sponsorship of Teachers for Drug Conferences	<u>100.00</u>	150.00
<i>Adult Education</i>		
Building fees, projectionists, etc	100.00	
Honorariums	125.00	
Reference Library	50.00	
Police Training	<u>50.00</u>	325.00
<i>Counseling</i>		
Special Problem P.O. Box	6.00	
Hot Line	200.00	
Store Front	300.00	
Professional Counseling	<u>1000.00</u>	1506.00
<i>Youth Activities</i>		
Miscellaneous (possibly self funded		
by existing groups)	<u>100.00</u>	<u>100.00</u>
TOTAL		<u><u>\$2987.00</u></u>

First year 1,000.00 to be refunded
then a 50-50 basis.

Robert Doline, Asst. Commissioner
Essex Park South
Albany, N.Y.

- J. Smith :** On the recommendation of Police Chief Donald Henry, the following motion was proposed by Trustee McGuire, 2nd by Trustee Mierke and carried:
- RESOLVED:** Whereas Patrolman James Smith has satisfactorily completed the necessary requirements for Civil Service and for the Police School and, whereas, he has been on the police force for over six months,
BE IT RESOLVED THAT: James Smith be placed on permanent appointment with the Palmyra Police Department.
- D. Dagel:** Officer Dagel informed the village board that he had been notified that he had been classified 1-A in the Selective Service. He requested that the Village Board write a letter in his behalf to the Draft Board to ask for a deferment. Clerk was instructed to draft such a letter which would be signed by all board members.
- A. Johnson**
Lower
Sewer: Anson Johnson, Jr., 116 West Main Street, advised by letter that the former apartment in his house was no longer occupied and would appreciate a reduction in the sewer rent as of September 15, 1970. Motion by Trustee McGuire, 2nd by Trustee Sinclair and carried to lower the sewer rate from \$34.56 to 17.28 as of 12/1/70 with a credit due Mr. Johnson in the amount of \$11.52 to be shown on his December 1, 1970 bill for the months of October and November, 1970.
- Garlock, Inc:** Garlock, Inc., wrote to the Village Board in care of the Mayor to express their appreciation for the assistance of both the Palmyra Police Department and the Fire Department during the bomb scare on September 16, 1970 in their factory.
- Junk Cars:** Mayor Nussbaumer informed the board that his neighbor, Melvin Raymond, 246 Vienna, had brought into his back yard approximately 12-15 junk cars. Zoning Officer Bruce Wideman informed Mayor Nussbaumer that he would talk with Attorney Nesbitt about the situation to ascertain if something could be done to rid this area of the accumulation of junk cars from which Mr. Raymond apparently uses the parts.
- Parking**
Meters: Many of the parking meter stations along the Main Street have posts but there are no heads. Chief Henry has advised that he has used all the usable parts that he has available in the basement to repair the meters and would now need other parts or new heads or return the unused heads for a partial payment on new meters, if such would be possible. Clerk was asked to write Duncan for such an estimate.
- Cert. of**
Deposit: The following motion was made by Trustee Mierke, 2nd by Trustee McGuire and carried:
RESOLVED: Whereas a pre-advance grant in the amount of \$31,750.00 for the proposed construction and up-dating of the sewer plant has been received by the Village of Palmyra from the State of New York,
BE IT RESOLVED THAT: the Treasurer be requested to invest \$30,000.00 in a Certificate of Deposit for a period of 6 mos.
- Pre-Con.**
Grant
(State)
- N.Y. Tel.**
Request: The New York Telephone Co. has requested permission to place an anchor and guy on a pole at 158 to 164 Canandaigua Street. Motion by Trustee Mierke, 2nd by Trustee McGuire and carried to grant the request with the stipulation that they paint the guy wire a color to be seen by anyone walking between the sidewalk and curb.
- Police**
Report: On motion by Trustee Sinclair, 2nd by Trustee McGuire and carried the Police Report for the month of September, 1970 was accepted as presented by Police Chief Henry. Of primary interest in the report were total fines and bail forfeitures collected during the month for motor vehicle and criminal offenses amounting to \$120.00 and parking meter fees in the amount of \$24.50. Speeders topped the list

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of motor vehicle arrests numbering 13 of 28, with 4 petit larceny cases of the 11 criminal matters handled by the department.

T.Deagman,
Maple Ave,
Removed
Wat.Meter:

The end of August, Thomas Deagman, Maple Avenue, had called the clerk's office to inform her that he had removed the water meter so that he could the next day get parts to repair some plumbing problems. The clerk informed him that it was illegal to tamper with a water meter. Water Plant Operator, H. Van Etten and H. Kruger, assistant, went to the house to replace the meter. Inasmuch as this could be considered a part of the water contract with the Town of Palmyra, the Town Board was so informed. They in turn are planning to press charges for the removal of the meter.

Asjourn: Mayor Nussbaumer adjourned the meeting at 10:25 P.M.

Theresa P. Otte, Clerk Treas.

October 19, 1970

Public Hearing Board of Trustees 7:00 P.M.E.D.S.T.

Present: Mayor David Nussbaumer, and Board Members, David McGuire, Paul Mierke, Donald Sinclair. Absent Donald Leysath. Village Attorney, Henry B. Nesbitt.

Notice of Hearing: Mayor Nussbaumer read the notice of the hearing and so noted that it was published in the local paper on 10/8/70.

Complete transcript of the hearing was so recorded by Mrs. Mary DeVey and is so filed with the Local Law.

Hearing Closed: Mayor Nussbaumer closed the hearing at 7:15 P.M.

Phyllis Dickinson, Deputy Clerk
Pro-tem

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that pursuant the provisions of Section 20, Subdivision 5, of the Municipality Home Rule Law of the State of New York, a public hearing will be held by the Board of Trustees of the Village of Palmyra on the 19th day of October, 1970, at 7:00 P.M., prevailing time, in the Village Board Room at the Village Hall in said Village, on the question of the enactment by the Village Board of the Village of Palmyra of a Local Law adopting a Code of Ethics setting forth for the guidance of its officers and employees the standards of conduct reasonably expected of them including disclosure of interest in legislation, holding of investments in conflict with official duties, private employment in conflict with official duties, future employment and such other standards relating to the conduct of officers and employees.

A copy of said proposed Local Law is on file in the office of the Clerk of the Village of Palmyra and may be examined by any interested person from 9:00 A.M. to 5:00 P.M., prior to the date of the hearing, excluding Saturdays, Sundays, and Holidays.

Dated: September 29, 1970

BY ORDER OF THE
BOARD OF TRUSTEES
OF THE VILLAGE OF
PALMYRA
Theresa P. Otte, Clerk

STATE OF NEW YORK,
COUNTY OF WAYNE

ss:

Audrey Dwyer

being duly sworn, says that she is the secretary
of the Palmyra Courier-Journal, a public newspaper, printed and published weekly at Palmyra, Wayne County, N. Y., and that a copy
of which the annexed printed slip is a true copy, was duly published therein once in each week for 1 successive weeks, beginning 10-8-70 and ending 10-8-70

Audrey Dwyer

Sworn before me this 9
day of Oct 1970

Harry K. White
Notary Public, Wayne County.

HARRY K. WHITE, Notary Public
State of New York, County of Monroe
Qualified in Wayne County
My Commission Expires, March 30, 1971
Fees

(f) Investments in conflict with official duties. He shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his official duties.

(g) Private employment. He shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.

(h) Future employment. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Village of Palmyra in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

Section 4. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Village of Palmyra, or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 5. Distribution of Code of Ethics. The Mayor of the Village of Palmyra shall cause a copy of this code of ethics to be distributed to every officer and employee of the said Village within 30 days after the effective date of this local law. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

Section 6. Penalties. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Section 7. Effective date. This local law shall take effect five (5) days after it is filed as provided in Section twenty-seven

or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part.

(b) Confidential information. He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.

(c) Representation before one's own agency. He shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

(d) Representation before any agency for a contingent fee. He shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

(e) Disclosure of interest in legislation. To the extent that he knows thereof, a member of the Board of Trustees of the Village of Palmyra, Palmyra Urban Renewal Agency, Planning Board of the Village of Palmyra, Zoning Board of Appeals of the Village of Palmyra, and Board of Fire Commissioners of the Village of Palmyra, and any officer or employee of said Boards or Agencies, whether paid or unpaid, who participates in the discussion or gives official opinion to said Boards or Agencies, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation or any other action of said Boards or Agencies.

Local Law No. 4 of the Year 1970

Section 1. Pursuant to the provisions of Section eight hundred six of the general municipal law, the Board of Trustees of the Village of Palmyra recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this local law to promulgate these rules of ethical conduct for the officers and employees of the Village of Palmyra. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Palmyra. The rules of ethical conduct of this local law as adopted, shall not conflict with, but shall be in addition to any prohibition of Article eighteen of the general municipal law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2. Definition. (a) "Municipal Officer or Employee" means an officer or employee of the Village of Palmyra, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer.

(b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

Section 3. Standards of Conduct. Every officer or employee of the Village of Palmyra shall be subject to and abide by the following standards of conduct:

(a) Gifts. He shall not directly or indirectly, solicit any gift; or accept or receive any gift whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise,