

On motion by Trustee Green, 2nd by Trustee Strong and unanimously approved, it is hereby adopted.

**Adjourn:** Mayor Fitzgerald adjourned the meeting at 10:45 P.M.

Theresa P. Otte, Clerk Treasurer

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## Regular Board Meeting

## Board of Trustees

7:00 P.M.

- Present:** Mayor Sidney J. Fitzgerald, and Trustees David McGuire, Lloyd A. Green, Warner Strong. Absent, Trustee Mary Lou Wilson.
- Vouchers:** Motion by Trustee Green, 2nd by Trustee McGuire, to approve payment of the vouchers in the amount of \$73,274.23.
- 2 Min. Silence:** Mayor Fitzgerald requested that the meeting open with the usual two-minute silence.
- Minutes:** Correction to previous minutes. Clerk was asked to note that R. Madsen is not a Fire Commissioner but is the Asst. Fire Chief. With the above correction, on motion by Trustee Strong, 2nd by Trustee McGuire, the minutes of the previous meeting were accepted.
- Poppy Day:** Mayor Fitzgerald advised that on May 23, 1975, he would so proclaim that the Village of Palmyra should be cognizant that this day will be acknowledged as "Buddy Poppy Day".
- National Hearing Month:** Mayor Fitzgerald advised that the month of May has been designated as National Hearing Month. As Mayor of the Village of Palmyra, he wished to acknowledge that it behooves each citizen to avail himself of the services for detection of a hearing problem.
- Police Report:** Motion by Trustee Green, 2nd by Trustee McGuire and carried, to accept the Police Report for the month of April, 1975. Highlights of the report revealed that 179 complaints were investigated, three each Petit Larceny and Issuing Bad Checks, with 14 apprehended for speeding and 10 driving while intoxicated. Total fines and bail forfeitures amounted to \$515.00.
- Water Plant Bid:** A letter was read by Mayor Fitzgerald which was received from Lozier Engineers, Rochester, New York, Wayne Ackart, who advised that they would recommend the acceptance of the bid of Wm. A. McCormick & Sons, Inc., in the amount of \$125,860.00 for the remodeling of the Water Plant.
- Resol. to Accept:** The following resolution was proposed by Trustee Strong, 2nd by Trustee Green:  
**WHEREAS**, on April 21, 1975, bids were received for the construction of additions to the water treatment plant for the Village of Palmyra, New York; and,  
**WHEREAS**, the Village of Palmyra Board has carefully considered the Engineer's report on these bids, and;  
**NOW, THEREFORE, BE IT RESOLVED**, that the contract for construction be awarded to the lowest responsible bidder, Wm. A. McCormick & Sons, Inc., at an estimated contract sum of \$125,860.00.
- Vote:**
- |                 |        |
|-----------------|--------|
| Trustee McGuire | Aye    |
| Trustee Green   | Aye    |
| Trustee Strong  | Aye    |
| Trustee Wilson  | Absent |
- Acceptance of the bid, carried.
- CSEA:** **Trustee** Strong advised that ground rules for the Civil Service Employees Association, which is the union that has been recognized to represent the employees of the Village of Palmyra who have chosen to join, must be laid down. A counter proposal should be given to the employees. It was suggested that Trustee Strong and Trustee Green be appointed to represent the Village Board in negotiations with the CSEA. Mayor Fitzgerald asked these Trustees to assume the responsibility of these negotiations.
- Exxon Sta.:** Trustee Green advised that delineators would be placed at the intersection of Park Drive, East Main Street and Canal, to attempt to divert traffic for an easier flow onto Main Street East.
- Agway Drainage:** Sewer Plant Operator, Hiram VanEtten, advised that there is a constant offensive odor and drainage from the Palmyra Agway located on East Main Street, property which borders the south lot line of the Village of Palmyra Sewage Disposal Plant. The drainage together with the washing down of dirt on the bank is a breeding spot for rats. Operator VanEtten asked to contact Zoning Officer Bruce Wideman to have him check on the matter.

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

COUNTY

TOWN

VILLAGE

of Palmyra

Village

Local Law No. 7 of the year 19 75

relating to the term of office of the Village of Palmyra

A local law ~~Clerk-Treasurer for the 1975 official year.~~

(Insert title)

Be it enacted by the Board of Trustees of the

(Name of Legislative Body)

COUNTY

TOWN

VILLAGE

of Palmyra

as follows:

1. Notwithstanding the provisions of paragraph 3 of section 3-302 of the Village Law, the term of office of the Village Clerk-Treasurer appointed for the Village of Palmyra in the year 1975 shall be one year, to expire March 31, 1976, and thereafter the successor to that office shall be appointed for a two year term pursuant to the provisions of paragraph 3 of section 3-302 of the Village Law.

2. This local law shall take effect immediately upon filing with the Secretary of State of New York State.



**Filter Wall:** Through the cooperation of Zoning Officer Wideman and the Village of Palmyra crews and the men at the sewer plant, it has been possible to replace the blocks of the filter wall that had to be replaced at a cost of \$350.00.

**Public Hearing:** Proof of Publication so attached relative to a public hearing regarding the proposed Local Law #7, 1975 in connection with the term of office of the Village Clerk-Treasurer for one year. Hearing scheduled for 8:00 P.M.

### AFFIDAVIT OF PUBLICATION

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

#### LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE THAT, the Board of Trustees of the Village of Palmyra will hold a Public Hearing on May 19, 1975 at 8:00 P.M.E.D.S.T. in the Trustees Room of the Village Hall at 144 East Main Street, Palmyra, New York, to consider the adoption of Local Law No. 7 relating to the term of office of the Clerk-Treasurer of the Village of Palmyra for the 1975 official year.

Said Local Law is on file in the Village Clerk's Office at 144 East Main Street, and may be viewed during office hours, Monday through Friday, from 9:00 A.M. until 5:00 P.M.

Dated: May 6, 1975

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

M.7

(99)

Gregory L. Rheude, being duly sworn, deposes and says that he is the foreman of the Canandaigua Messenger, 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:

May 7, 1975

*Gregory L. Rheude*  
Foreman of the Publisher

Subscribed and sworn to before me

this 12<sup>th</sup> day of May 1975

*A. Constance Waterbury*  
Notary Public

Fee: \$ 8.84

A. CONSTANCE WATERBURY  
Notary Public in the State of N. Y.  
Ontario County No. 1041  
Commission Expires March 30, 1977

**Close Hearing:** There being no questions raised, the public hearing was closed by Mayor Fitzgerald at 8:05 P.M.

Theresa P. Otte, Clerk Treas.

**Reconvene:** Mayor Fitzgerald reconvened the regular board meeting at 8:10 P.M.

**Present:** Mayor Sidney J. Fitzgerald and Trustees David McGuire, Lloyd A. Green, Warner Strong, Village Attorney Laura Jane Poyzer. Absent, Trustee Mary Lou Wilson.

**Adopt Loc. Law #7, '75:** The following resolution was proposed by Trustee Green, 2nd by Trustee Strong:  
**WHEREAS**, the Board of Trustees of the Village of Palmyra has held a public hearing and duly noted the legal notice of same regarding a proposed Local Law #7, 1975,  
**BE IT RESOLVED THAT**, Local Law #7, 1975, relative to the term of office of the Village Clerk-Treasurer for a period of one year shall be adopted.

Vote:

Trustee McGuire	Aye
Trustee Green	Aye
Trustee Strong	Aye
Trustee Wilson	Absent

Resolution and Local Law adopted.



May 19, 1975

**Urb. Ren.:** Mayor Fitzgerald reported regarding a developer, Conifer Assoc., who have laid out a very complete proposal regarding the starting of a building for the elderly. They would buy the land, erect the building, finance and guarantee rentals in the \$140.00 bracket, as well as contact the state and federal government for subsidies. They also indicated that they would have available services for management at a later date. Mayor Fitzgerald indicated that the group agreed to advertising for 15 days for any others who might be interested in this project, before accepting the offer of Conifer.

**Fire Dept.:** Eugene Spanganberg advised that the Fire Department has a schematic drawing relative to a proposed Fire House. He questioned if the village board had funds to have an engineer prepare a scaled drawing. Trustee Strong commented that there was a previous discussion regarding a \$500.00 allotment for such a drawing.

**Motion to Obtain Drawing:** The following motion was made by Trustee McGuire, 2nd by Trustee Strong:

**WHEREAS**, the Palmyra Fire Department has indicated that they have prepared a schematic drawing of their immediate needs for the housing of fire equipment,  
**BE IT RESOLVED THAT**, Lozier Engineers, Rochester, New York, be contacted to prepare a scaled drawing at a cost not to exceed \$500.00 for further study by the Fire Department and the Board of Trustees of the Village of Palmyra.  
 Mr. Spanganberg indicated that it may be possible for the Fire Department to share one-half of this cost.

**Report of Flagpole Accident:** A complete report on the incident and death of a William Corcoran who had climbed the flagpole at the corner of Fayette and East Main Street about 1:00 A.M. on 5/17/75 was received by Patrolman James Smith who investigated the accident. Patrolman Smith made several suggestions regarding the possible prevention at some future time of such an incident. Consensus of board seemed to be that village does carry liability insurance and it is not possible to constantly be on guard to ferret out any pitfalls or dangers of people who are prone to take their lives in their own hands to attempt such a hazardous climb.

**Conf. of Mayors Mtg.:** The following motion was proposed by Trustee Green, 2nd by Trustee Strong:  
**WHEREAS**, the Conference of Mayors will have a conference at Grossinger's the first of June, 1975, at which time it would be advantageous for the Village Attorney, Laura Jane Poyzer, to attend,  
**BE IT RESOLVED THAT**, Miss Poyzer shall be asked to attend the conference at village expense to avail herself of the various meetings pertinent to the department of law.

**Planned Use Report:** Clerk advised that the Planned Use Report of Revenue Sharing Funds for the next year, 7/1/75 - 6/30/76 must be published. Trustee Green advised that we should allocate the funds for the repair of village streets. Board agreed. (\$27,582.00 allocated).

**Unpaid WA & SE Bills + Other On Unpds:** In accordance with State Village Law, all unpaid water and sewer bills as of 4/30/75 may be added to village taxes, + other items. On motion by Trustee Green, 2nd by Trustee McGuire and carried, clerk-treasurer was instructed to add those unpaids to the taxes to be levied as of 6/1/75.

**Division for Youth:** The following resolution was proposed by Trustee Strong, 2nd by Trustee McGuire:  
**WHEREAS**, the Town of Palmyra and the Village of Palmyra have a joint project for Division of Youth,  
**BE IT RESOLVED THAT**, the Village of Palmyra shall contract for the ensuing year with the New York State Division for Youth with the Village of Palmyra as dispersing agent on the joint project with the Town of Palmyra.  
 Motion carried.



## AFFIDAVIT OF PUBLICATION

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

**LEGAL  
NOTICE OF  
WATER & SEWER ARREARS  
ADDED TO TAXES**

Notification is hereby given that pursuant to State Village Law, Sections 11-1116, delinquent water rents plus accrued penalties and Section 11-1118, delinquent Sewer Rents plus accrued penalties as of April 30, 1975 will be included in the 1975 Tax Roll.

Theresa P. Otte,  
Village Treasurer  
Dated: April 8, 1975  
A.9

(69)

Gregory L. Rhende, being duly sworn, deposes and says that he is the foreman of the Canandaigua Messenger, 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 9, 1975

Gregory L. Rhende  
Foreman of the Publisher

Subscribed and sworn to before me

this 14<sup>th</sup> day of April 19 75  
Dorothy S. Schorr  
Notary Public

Fee: \$ 5.70

DOROTHY S. SCHORR  
Notary Public, State of New York  
No. 8844260  
Commission Expires March 30, 1976

## MISCELLANEOUS BILLS ADDED TO TAX ROLL JUNE 1, 1975

<u>Major number</u>	<u>Owner</u>	<u>Assessment</u>	<u>Amount</u>
178	250 Fayette St.	Tax Search	\$ 1.00
229	214 Johnson St.	Sidewalk	\$140.00
236	369 W. Jackson	Tax Search	\$ 1.00
354	134 Fayette St.	Frozen water meter	\$ 12.50
440	128 Gates St.	Tax Search	\$ 1.00
454	218 Canandaigua St.	Tax Search	\$ 1.00
552	317 Hathaway Pl.	Tree Spraying	\$ 8.00
653	267 Vienna St.	Sidewalk	\$ 20.00
672	321 Hathaway Pl.	Tree Spraying	\$ 16.00
695	644 E. Main St.	Tax Search	\$ 1.00
755	229 E. Foster St.	Sidewalk	\$ 20.00
Total			\$221.50

May 19, 1975

## Hearing:

~~WHEREAS~~, during the last two decades great strides have been made to detect hearing loss and to ~~promote~~ devise equipment to assist those afflicted with incurable loss of hearing,

BE IT RESOLVED THAT IN conjunction with the local chapter of the National Grange, the Village of Palmyra shall proclaim the month of May as National Hearing Month, during which time the public is urged to avail itself of turning in old batteries for collection as well as outmoded hearing aids and to urge further legislation for the promotion of better hearing, and,

BE IT FURTHER RESOLVED, as Mayor of the Village of Palmyra, I, Sidney J. Fitzgerald, ask the cooperation of young and old to avail themselves of the opportunity to be tested for hearing when provided.



From: Ptlm. James D. Smith

Subject: William C. Corcoran; Fall From Steel Flag Pole

At 12:51 A.M., on May 17, 1975, I received a call from the Wayne County Sheriffs Dispatcher, that a Donald McGuire had called to report a man was on top of the Steel Pole. I arrived at the scene at 12:53 A.M. and found a male subject sitting at the top of the Main structure of the pole which is approximately 100 feet in the air. Talked with a by-stander and determined the man was a William C. Corcoran, age 34. The area was cordoned off and the Fire Chief, Richard Culver was notified at 12:55 A.M. for his assistance in a rescue attempt. Rev. John Burgess was at the scene offering any assistance he could, along with Lt. Benedict, Sgt. Fletcher and Deputy Pulver, from the Sheriffs Dept. and Ptlm. Nichols of Macedon P.D.

Several attempts to talk Mr. Corcoran down were made by two close friends, Richard Torrelleas and Paul Youngman and by his employer, Frank Rauber, but he was not about to come down at this time. At 1:05 A.M., the Fire Dept Oxygen Squad was asked to stand by at the scene, along with a call put into the Geneva Fire Dept at 1:16 A.M. for the use of their rescue net and Canandaigua Fire Dept; at 1:18 A.M. for their 100 foot Aerial Truck. The Chief of Police was notified at 1:16 A.M. as to what the situation was.

The Canandaigua Fire Dept. was the first to arrive, at about 1:35 A.M., at which time they placed their ladder at the base of the pole. When Geneva Fire Dept. arrived, at about 1:45 A.M., with the rescue net, it was determined that the net would not be of any use as the height of 100' was too great if the subject should fall. Several factors were taken into consideration: 1), He would fall where the men holding the net would have to move in order to get under him, 2), He would fall on one or more of the men attempting to get under him, causing serious injury or death to them, 3), The height he was at would be too great for the net and would pass through the net. Therefore, the Aerial Ladder was extended to its fullest point, missing the platform Mr. Corcoran was standing on by approximately 2', but was close enough for a rescue.

While the Aerial Ladder was being placed against the pole, Mr. Corcoran was standing up and moving around on the small platform of the Steel Pole. In a last attempt to talk Mr. Corcoran down before the firemen went up the ladder, as a microphone was at the top of the ladder, an effort was under way to locate a subject in the crowd who wanted to make an effort to talk him down. But before a person could be located, Mr. Corcoran apparently lost his grip in moving around the pole and fell to his death on the blacktop below, at 2:13 A.M.

Upon immediately checking Mr. Corcoran by the members of the Oxygen Squad, a pulse was obtained for a few seconds before it was lost. The Coroner, Dr. Reeves, was notified at 2:13 A.M. and arrived at the scene about 2:30 A.M. Dr. Reeves pronounced Mr. Corcoran dead at about 2:32 A.M. and a positive identification was made by papers in Mr. Corcoran's pocket. A strong odor of alcohol was noticed at the time, as well as when he was on top of the pole, he had several cans of beer with him of which he was drinking from.

Additional investigation showed that Mr. Corcoran was at the Rauber residence on Fayette St. And left about 8:30 P.M. He was then at the American Legion Post on Oyler St. with a close friend, James Calhoun, who stated Corcoran was intoxicated when he left him.

Also, the investigation showed that Mr. Corcoran had gone up the Flag Pole on St. Patrick's Day to put up an Irish Flag.

In closing I offer three possible remedies to prevent a future reoccurrence of this tragedy, as this is not the first time Mr. Corcoran or anyone else has climbed the Steel Pole.

1. A barbed wire ring around the structure at a height that no one would be hurt, but would deter anyone from getting to high.
2. An inverted cone affair that would cover the base of the structure so that no one could get a foot hold to climb the pole.
3. Take the pole down.

Respectively submitted,

*James D. Smith*  
James D. Smith  
Senior Patrolman

cc: Chief Henry  
Dave McGuire  
Lloyd Green  
Mary Lou Wilson  
Warner Strong  
Fire Chief Culver





**Veterans Plot:** Mrs. Ann Guest discussed with the village board the Veterans Plot in the Palmyra Cemetery. Attorney Paul Rubery, attorney for the Town of Palmyra and Village Attorney Laura Jane Poyzer, agreed that it is the option of the Town of Palmyra to indicate who might be buried in this plot. The resolution so passed in 1883 specified that a veteran may be buried if he does not leave sufficient funds to defray his funeral expenses. Until this is changed, it would be the rule to be followed. Clerk asked to inform both the American Legion and the Veterans of Foreign Wars.

**Request Burial for Veterans:** Mrs. Guest, member of the American Legion, asked that the Village Board consider allocating a section of land on East Foster Street for the burial of veterans in the Palmyra Cemetery. Trustee Green suggested that a letter so requesting such a plot should be sent from the legion.

**Adjourn:** Mayor Fitzgerald adjourned the meeting at 9:20 P.M.

Theresa P. Otte, Clerk Treas.

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