

## Regular Board Meeting

## Board of Trustees

**Present:** Mayor M. Katherine Davin and Trustees Mary Lou Wilson, Lloyd A. Green, Gary VanBortel, Village Attorney Laura Jane Poyzer. Absent, Trustee William Reeves (hospitalized).

**2 Min.**

**Silence:** Mayor Davin opened the meeting with a two minute silence.

**Vouchers:** Motion by Trustee Green, 2nd by Trustee VanBortel and carried, to authorize the treasurer to issue checks in the amount of \$50,288.82, in payment of the vouchers as presented.

**Minutes:** Motion by Trustee Wilson, 2nd by Trustee VanBortel and carried, to approve the minutes of the previous meeting.

**Cham. of Comm. Repres.:** Al Hunt, owner of Hunt's Carpets, East Main Street, spoke to the board in behalf of the Palmyra Chamber of Commerce by reading a letter prepared by the group relative to littering on and along the Main Street business area. In addition, the letter suggested stricter enforcement of the Two Hour Parking posted in the business area. Letter requested board to clean up the litter inasmuch as tourists entering the downtown area would not be prone to stop in a untidy shopping area. Board thanked him for his comments and advised they would place both matters under scrutiny.

**Complnt. re: Wayne Co., Bev.:** Village Board received a letter from Mr. & Mrs. Thurlow Robbins, Mill Street, which property abuts onto the property of the Wayne County Food & Beverage, 502 East Main, corner of Mill and Main, relative to their belief that zoning rules have been disregarded. Zoning Officer, Bruce Wideman, informed the board, statement by statement, that all the zoning laws have been adhered to. The primary problem over which he, as Zoning Officer, has no control, is the noise of "slamming trash containers and the noise of customers, entering or leaving the establishment at midnight or later". This, Wideman, commented would be a police problem. Zoning Officer Wideman advised that he would personally talk with Mr. & Mrs. Robbins to try to clarify the matter in their minds.

**Canal Project:** Zoning Officer Wideman advised that the clearing of the former Erie Canal Towpath area is moving along well. The people who have been hired for the job do not have any skills for this type of work, but are laboring well. Mr. Wideman commented that he generally checks on the project, daily.

**Weykman Bldg.:** Mayor Davin advised that the floors fell to the basement in the Weykman Bldg., 305 East Main Street, following a fire on 6/16/77. Prior to this, fire in 1969 gutted most of the inside, and as a result the Village of Palmyra has been trying to ascertain the reputed owner to the premises. Mayor Davin and Zoning Officer Wideman advised that they viewed the building following a call from Don McGuire, owner of "The Place" on Market Street, whose walls abut adjacent to the walls of the Weykman Bldg. Mayor Davin advised that she called the Wayne County Board of Supervisors regarding the condition of the building, inasmuch as the Wayne County Board of Supervisors are now the reputed owners of the building. Mayor Davin further advised that Zoning Officer Wideman served a "Notice & Order" on the Wayne County Board of Supervisors on 6/17/77 to request that the building be demolished.

**Comm. Ctr.:** Mayor Davin commented that HUD feels that the excess funds from the Urban Renewal Project should be allocated to other areas rather than a Community Center. However, Paul Szymanski, Candeub, Fleissig Associates has countered that the funds would be more effective if used for a Community Center Project and strongly recommended that they be so allocated.

June 20, 1977

**Policy  
Manual:**

The following resolution was proposed by Trustee Green, 2nd by Trustee VanBortel:

**WHEREAS**, Dr. Charles Ganim, Value Management Consultants, Buffalo, New York, has prepared a cost figure for the Village of Palmyra for the preparation of a Policy Manual, and,  
**WHEREAS**, it has been determined that it would be advantageous to have such prepared at a cost of \$6,000. to be spread over a two year period with a figure of \$55.00 per hour for any negotiations that might ensue,

**BE IT RESOLVED THAT**, the services of Dr. Charles Ganim, Value Management Consultants, Buffalo, New York, shall be engaged for a contract figure of \$6,000.00 spread over a two year period for the preparation of a Policy Manual and a price of \$55.00 per hour for negotiations as services may be needed.

Vote:

Trustee Wilson      Aye  
Trustee Green      Aye

Trustee VanBortel      Aye  
Trustee Reeves      Absent

Resolution approved.

**Union  
Contract:**

The following resolution was proposed by Trustee Green, 2nd by Trustee VanBortel:

**WHEREAS**, the Union Contract with the Village of Palmyra Employees expired as of 5/31/77, and,

**WHEREAS**, a new contract for a two year period beginning June 1, 1977 and expiring May 31, 1979, has been drawn to the satisfaction of both the Union and the Village of Palmyra,

**BE IT RESOLVED THAT**, the Mayor of the Village of Palmyra, M. Katherine Davin, shall be authorized to sign the contract in behalf of the Village of Palmyra.

Unanimously approved.

**State  
San.  
Code:**

Mayor Davin advised that information received by her recently indicated that it will become increasingly hard to sell water to an outside applicant and user, in view of the volume of reporting forms now proposed to be used. Mayor Davin advised that when Ron Rudio of the New York State Department of Conservation, Avon, made his annual inspection of the filter plant recently, it was revealed that there is a 20% loss of water from the intake to the volume received and used. Mayor Davin turned the information over to Trustee VanBortel for further study.

**Zon.Brd.  
Resig.:**

A letter of resignation as a member of the Zoning Board of Appeals was received from Richard McGuire, who advised that he is moving to Macedon, N.Y.

On motion by Trustee Green, 2nd by Trustee Wilson and carried, resignation was accepted. Clerk asked to write him a letter thanking him for his years on the board.

**Vil.Mgr.:**

A letter received from Henry B. Nesbitt, Esq., suggested that the Village Board pursue the matter again relative to the position of Village Manager for the Village of Palmyra. Mayor Davin informed the board that when she was at the Conference of Mayors, she discussed the matter with several. An annual salary for a Village Manager could be some \$40,000., with the Village Manager being granted power but the Village Board would still have the responsibility.

**Canal Town  
Days:**

Mayor Davin advised that she had received a letter from Richard Pickett inviting the Village Board members to be a part of the parade on Canal Town Days on September 17, 1977.

**Resume of  
Engin.:**

Dennis Means presented to the board a resume of his qualifications for engineering services. Clerk asked to file for future reference.

**Compul.  
Arbitrat.:**

Mayor Davin advised that at the Conference of Mayors, the Governor talked to the group relative to Compulsory Arbitration advising the group that he was opposed, but later did sign the bill for two more years.

**Sewer  
Rental:**

Mayor Davin informed the board that the village can file notice so that it will be possible for the taxpayer to figure the sewer rental as a part of his income tax return.

**Lease  
Vil.Land:**

Mayor Davin commented that some communities lease land to industry or any other enterprise rather than selling the land outright.

- Court Night:** Police Justice William Abbott has advised that he has made arrangements to change his Court Night from Monday to Friday at 7:30 p.m. beginning July 8, 1977.
- Pkg. Sign:** Mayor Davin commented that Police Justice Abbott has indicated that several cases of illegal parking have been ruled "No Cause" in view of the fact that the Parking Signs on East Main Street especially in the vicinity of the Pub and Sweet & Spice Shoppe, as well as in front of the telephone booth adjacent to the Village Hall, do not specify from which spot to the next where there is to be No Parking. As a result, cars park on the crosswalk in each of these areas.
- Police Report:** On motion by Trustee Green, 2nd by Trustee Wilson and carried, the Police Report for the month of May, 1977 was accepted. Highlights of the report indicated 170 complaints investigated together with 15 accidents; along with 4 cases of Petit Larceny and 30 offenders noted for Illegal Parking. Total fines and bail forfeitures collected amounted to \$170.00.
- I. Lazerson:** Henry B. Nesbitt, Esq., introduced Irving Lazerson, Hyde Parkway, who read a letter that he had prepared relative to his property at the corner of Kent and Vienna Street, together with property that extends from Vienna, north to Main Street and thence east to include Ludwig Motors. Mr. Nesbitt commented that the boundary line is vague and the use is not clear. Mr. Nesbitt further commented that the map does not scale off correctly. Trustee Wilson suggested that the matter be turned over to Village Attorney, Laura Jane Poyzer to study. In addition, Attorney Nesbitt advised that he would check in Lyons to determine if the property has two (2) tax bills or one. Attorney Nesbitt further commented that Mr. Lazerson is concerned in view of the fact that the Village Board did not approve of a proposed Local Law which would re-zone the section on Vienna and Kent to C-3, which he, Mr. Lazerson, had assumed to be already in a commercial area. Trustee Wilson commented that perhaps Mr. Lazerson should consider applying to the Zoning Board of Appeals.
- N. Cook re: Req. for Water:** Nelson Cook, Town of Palmyra Councilman, presented a map which he advised indicated an area east of the Village of Palmyra on Route #31 which the Town of Palmyra would like to service with Village Water. Clerk commented that the Town of Palmyra must apply to the Water Resources Commission and obtain an opinion from the Office of the Comptroller of the State of New York, before the Village of Palmyra could commit itself. Trustee VanBortel asked the amount of water that would be required now and what the potential might be in the future. After this is determined, the Village Board might be able to ascertain if it would be feasible for them to pursue the matter further. Trustee Green suggested the possibility of the Town and Village studying a joint venture of a storage tank, filter plant, etc. Trustee Green commented that if they, the Town, were considering raw water to be filtered, this would be one facet to study, but if they wished filtered water, other avenues should be thoroughly checked before the Village could commit itself.
- G. Griffin re; Beaut. Proj.:** Gerry Griffin, owner of property at 239 East Main Street, Canaltown Record Shop, discussed the alley between his property and the property west of him. He advised that a section had been sprayed with red paint to allow for a flower bed. He commented that someone from the village told the contractor to fill in the area. Therefore, he feels that he is being "gyped". He commented that the area should be re-excavated or he should be reimbursed for an incorrect procedure.
- Transportation:** Gerry Griffin and tenant, Al White, advised that they want to start a Taxi Service for Palmyra to transport people to the airport, Geneva, etc. Board advised that there would be no license required on his part. However, if another cab company desired to start such a business, this would be permissible.
- Grants:** Mayor Davin advised that the federal government has recently funded a program of matching funds for buildings. G. Griffin commented that he was of the opinion that he might be able to obtain funds for renovation without expending any on his part.

June 20, 1977

- Fire Dept:** Eugene Spanganberg, Richard Culver, Paul Evans, advised the board that soil samples from the area proposed for the new firehouse on East Main Street, in front of the sewage disposal plant, property of the Village of Palmyra, has proved that peers will be required. 3' x 6' slabs will be laid. There is an 8' drop from the front of the proposed building to the rear, north side. Fill will be required.
- Water Line:** Spanganberg advised that a 4" water line would be needed on the north side. Clerk commented that the sewer disposal plant together with Breens Market, Agway, Evy's, and Seaway Gas are serviced by a line from Kent Street. To obtain water for the firehouse, it would be suggested that a tap be made from the south side 12" line by Blair's beneath the pavement.
- 6" Line:** Further discussion indicated that a 6" line would be more efficient for the operations needed by the department.
- Fill:** Fire Department members inquired if it would be possible to use village trucks for drawing fill on weekends. Trustee Green advised that he would talk with Ray Smith regarding this.
- Agway fence:** Trustee Wilson advised that the Agway fence is 15' to the west of their property line on village property. More recently, their trucks have been exiting onto village land. However, with the proposed building, a dangerous situation could ensue. Trustee Wilson commented that she would discuss the matter with Agway to ascertain if another arrangement might be possible.
- Fire Siren:** E. Spanganberg advised that the Civil Defense Unit would give matching funds for a new whistle for the department. Cost of new equipment would be about \$7,000.
- Debris:** E. Spanganberg commented that there would be considerable debris with the removal of the foliage in the area. Board agreed it would be permissible to remove it to the north of the area in the swampy land.
- Police Justice:** Mayor Davin advised that an application for Police Justice was received from Warner Strong, West Jackson Street. Board instructed clerk to write to thank him for applying and advise that the matter is still under advisement.
- Letter Complaint:** David Nussbaumer, 250 Vienna Street, advised by letter that cemetery crew had cut foliage too close to the fence, near his property, thereby cutting down new grape vines at a cost of \$25.00.  
Motion by Trustee Wilson, 2nd by Trustee VanBortel to instruct clerk to send a voucher to Mr. Nussbaumer for \$25.00 to repay him for vines.  
Motion carried.
- Letter Complaint:** Letter received from Mrs. Janet Butler, 256 Vienna Street, advised that cemetery crews had cut down some wild tiger lillies. In the past the same thing apparently happened to some of her bushes. However, the main complaint at this time, and over a period of time, is the black walnut tree or trees that are clustered in the area that continually drop leaves, shells, etc. on her lawn. She commented that she had tried unsuccessfully to get someone from the village to remove the trees, but discussion seems to indicate that they are her property when they are just on the line. Mayor Davin advised that she would talk with Mr. Kaveny regarding this matter.
- NYSE&G:** A request from the New York State Electric & Gas to perform maintenance work on the gas facilities at #435 Stafford, 115 West Jackson, 381 Prospect Dr., 405 W. Jackson, 402 Canal, 423 Canal, 217 Howell, was received.  
Motion by Trustee Green, 2nd by Trustee Wilson and carried, to approve of the excavation of these village streets.

**Bank Park Lot:** Last fall Mayor Davin wrote to the Marine Midland Bank to ask their cooperation in replacing the blacktop in their parking area. Clerk advised Mr. Mumby, Manager, informed her that they have let a contract with A&B Roadways, Marion. Bank west property line reached within 15' of the east wall of the Village Hall. It would be advantageous to ascertain cost of blacktopping this area at the same time Marine Midland is getting work done. Clerk instructed to contact A&B to obtain a quotation.

**Water Work-shop:** Water Plant Operator Hiram VanEtten advised that a seminar or workshop would be held on June 21, 1977 from 8:30 A.M. to 1:00 P.M. in the Civil Defense Bldg., Newark, N.Y. to which he would like to recommend that both his assistants, Harold Kruger and David Shulters, attend. Motion by Trustee Green, 2nd by Trustee VanBortel and carried, to allow them to attend this workshop.

**Collec. of Taxes:** Affidavit of Publication of Notice of Collection of Taxes by the Village Treasurer is so attached.

### AFFIDAVIT OF PUBLICATION

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

Geraldine A. Allen 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:

June 3, 1977

**LEGAL NOTICE  
NOTICE OF COLLECTION  
OF TAXES**  
**PLEASE TAKE NOTICE:**  
That, I, the undersigned, Clerk-Treasurer of the Village of Palmyra, New York have received the tax roll and warrant for the collection of taxes for the fiscal year June 1, 1977 to May 31, 1978, and that I will attend at the Village Hall, Palmyra, New York, from June 1, 1977 from 9:00 A.M.E.D.S.T. until 12:00 Noon and from 1:00 P.M. in the afternoon through 4:30 P.M.E.D.S.T., except Saturdays, Sundays, and Holidays for the purpose of receiving such taxes, during which period taxes may be paid to me without additional charge.  
**TAKE FURTHER NOTICE:**  
that on all such taxes remaining unpaid after July 1, 1977, that five per cent [5%] will be added for the first month, with an additional one-half percentum [1/2%] for each month or fraction thereof thereafter until paid.  
Dated: June 1, 1977  
VILLAGE OF PALMYRA  
NEW YORK  
Theresa P. Otte,  
Clerk Treas.  
J.3 [618]

Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of June 1977  
Michael N. Donovan  
Notary Public

Fee: \$ 11.68

MICHAEL N. DONOVAN  
WAYNE COUNTY COMM. EXPIRES 3/30/78  
#4632609

**Resig. Vill. Trustee:** Letter dated June 20, 1977 addressed to Mayor Davin was received from Trustee Gary VanBortel. Trustee VanBortel advised that because of business responsibilities, he felt he should resign as a Village Board member, to be effective July 1, 1977. Motion by Trustee Wilson, 2nd by Trustee Green and carried, to accept the resignation with regret.

**Adjourn:** Mayor Davin adjourned the meeting at 10:50 P.M.

Theresa P. Otte, Clerk Treasurer

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July 5, 1977

## Regular Board Meeting

## Board of Trustees

7:30 P.M.

**Present:** Mayor M. Katherine Davin, and Trustees Mary Lou Wilson, William Reeves, Lloyd A. Green, Village Attorney, Laura Jane Poyzer.

**2 Min.**

**Silence:** Mayor Davin opened the meeting with a two minute silence.

**Vouchers:** Motion by Trustee Green, 2nd by Trustee Reeves and carried, to approve payment of the vouchers as presented and authorize the treasurer to issue checks in the amount of \$10,238.05.

**Minutes:** Motion by Trustee Green, 2nd by Trustee Wilson and carried, to accept the minutes of the previous meeting.

**Litter:** Previous board meeting complaint was received from Mr. Hunt, Hunt's Carpets, East Main Street, representative of the local Chamber of Commerce, advising that the village Main Street area was "unclean", filled with litter, cans, papers, etc. Board members viewed Main Street at various times during the past two weeks and could not find that the area is that untidy.

**Fire Dept.:** Trustee Wilson advised that the Village is still waiting for the guidelines to be followed in relation to the grant of \$319,000.00, which has been publicized as being allocated to the Village of Palmyra for the construction of a Fire Hall.

**Agway Letter:** John Aiken, Mgr. of Agway Cooperative, East Main Street, advised by letter that he would like to suggest that the east boundary line of the Village of Palmyra property and the west boundary line of Agway, consist of a common driveway to be used by both, but not to have an exit or access to Route #31. He indicated the main purpose of the drive would be for their trucks to load and unload materials. Board instructed clerk to so advise Mr. Aiken that such an arrangement would be satisfactory.

**Comm. Ctr.:** Mayor Davin advised that she has been trying to reach Anna Walker, from the HUD office to ascertain the "hold up" of the excess Urban Renewal funds, but has been unsuccessful in reaching her.

**Robbins Compl.:** Zoning Officer Wideman advised that he personally talked with Mr. & Mrs. Thurlow Robbins, Mill Street, whose property is adjacent to the Wayne Food and Beverage at the corner of East Main & Mill Street, regarding their letter indicating several violations of zoning, noise, etc. Mr. Wideman pointed out to them that the property was re-zoned C-1 which allows for the type of business they are conducting. The additional building that he, owner of the business is proposing, also meets the zoning requirements. In regard to the late evening disturbances, noise of cars, etc., this would be a matter for the police to control and not a zoning matter.

**Envir. Quality Review Act:** Mayor Davin advised that the Planning Board is working on a proposed Local Law relative to the State Environmental Quality Review Act to be adopted that would be pertinent to the Village of Palmyra.

**Parade:** Mayor Davin advised that she had received a letter from the Palmyra Fire Department inviting board members to participate in the Firemen's Parade on August 27, 1977 at 6:00 P.M., in conjunction with the Wayne County Fair Association.

**Robert Mitten:** Mayor Davin read a letter that she had received from Robert Mitten, former Palmyran, who commented that he congratulated the Village of Palmyra for its spread in the National Geographic magazine in May showing in particular the Steel Flag Pole with flag flying.

**Zon.Mem. Resig.:** William Abbott submitted his resignation to the Village Board as a member of the Zoning Board of Appeals due to recent election as Police Justice of the Village of Palmyra. Board accepted resignation instructing clerk to write to thank him for his efforts.

**Plan Brd Resig:** Mayor Davin advised that Richard Pickett a member of the Planning Board had indicated that he would be willing to become a member of the Zoning Board of Appeals if the Village Board would so approve.

**Pickett to Zon. Brd.:** On motion by Trustee Green, 2nd by Trustee Wilson and carried, Richard Pickett was appointed to the zoning Board of Appeals to fill the vacancy created by the resignation of William Abbott.

**Joan Wiedrick Zon. Mem.:** Mayor Davin advised that she would like to appoint Mrs. Joan Wiedrick, Walker Street, as a member of the Zoning Board of Appeals, a vacancy caused by the resignation of Richard McGuire, as of 6/20/77.

**Parsons Letter:** A letter was read by Mayor Davin addressed to the Village Board from John Parsons, West Jackson Street, who advised that he would be interested in the appointment as a member of the Village Board. Mr. Parsons outlined his reasons, indicating his availability as he is now retired. A follow up letter was read by Mayor Davin from the Republican Party endorsing Mr. Parsons.

**D. Condon Appoint:** Mayor Davin advised that she would like to appoint Daniel Condon, Burnham Heights, as a member of the Board of Trustees, to fill the vacancy created by the resignation of Gary VanBortel, such appointment to expire as of March 31, 1978. Mayor Davin read a brief resume of Mr. Condon's affiliations indicating that he would be interested in filling the vacancy. Board members indicated preference for Mr. Parsons inasmuch as he is retired and perhaps would have more time to become involved.

**Police Report:** On motion by Trustee Reeves, 2nd by Trustee Green and carried, the Police Report for the month of June, 1977 was accepted. Highlights of the report revealed 182 complaints investigated along with 15 accidents; 15 were apprehended for Petit Larceny and 8 for Criminal Mischief; together with 34 cited for Illegal Parking. Total fines and bail forfeitures amounted to \$260.00.

**Black-top Vill. Hall:** Village Clerk advised that A&B Roadway, who have been engaged by the Marine Midland Bank to resurface and blacktop their parking lot, east of the Village Hall, have quoted a figure of \$560.00 to resurface the 15' x 100' strip east of the Village Hall, owned by the Village of Palmyra, at the same time they, A&B would be working on the bank lot. Board members felt this a reasonable price, providing A&B would put the figure in writing.

**Dwntwn Impr. Assess:** Mayor Davin advised that there would be an inspection of the Down-town Improvement Project on July 7, 1977 at 8:30 A.M. at which time Cliff Williams, Wayne Co. Planning Dept., Wayne Ackart, Lozier Engineers, Crown Asphalt representatives and project supervisors, Bill Brusso and Walter Bradley would be there. Any board members are invited to attend. Mayor Davin advised that with the completion of the work, C. Williams has indicated that he will have a projected assessment prepared for viewing by the Village Board in order that the Village may assess the properties involved for some \$70,000., their share of the project.

**Act. Pol Justice:** Clerk commented that no appointment has been made for an Acting Police Justice to serve in the absence of the Police Justice. Board agreed to table at present.

**Sewer Rental to Tax?:** Question has arisen regarding the sewer rental as a part of the property owner's income tax return. Village Attorney Poyzer commented that it may be possible to spread that part of the interest paid by the Village annually to each property owner for figuring on his income tax. Village Attorney Poyzer advised that she would delve into the matter.

**Adjourn:** Mayor Davin adjourned the meeting at 9:08 P.M.

Theresa P. Otte, Clerk Treasurer

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July 18, 1977

## Regular Board Meeting

## Board of Trustees

7:30 P.M.

**Present:** Mayor M. Katherine Davin and Trustees Daniel Condon, Mary Lou Wilson, Lloyd A. Green. Absent, William Reeves. Present, Village Attorney, Laura Jane Poyzer.

**2 Min.**

**Silence:** Mayor Davin opened the meeting with a two minute period of silence.

**New Brd. Member:** Mayor Davin introduced Daniel Condon to the Village Board who will replace Gary VanBortel, resigned, until March 31, 1978, at which time a trustee would be elected to fill the unexpired term of Mr. VanBortel for a two year period.

**Vouchers:** Motion by Trustee Green, 2nd by Trustee Wilson and carried, to authorize the treasurer to issue checks in the amount of \$337,549.86 for vouchers as presented.

**Minutes:** Motion by Trustee Green, 2nd by Trustee Condon and carried, to approve the minutes of the previous meeting.

**Comm. Ctr.:** Village Attorney Poyzer advised that she has received the Abstract relative to the land to be leased by the Village of Palmyra from the Palmyra Union Agricultural Society in the vicinity of the northeast corner of West Foster and Stafford Streets, for the purpose of erecting a Community Center, which appeared to have a slight error in wording, but can be rectified easily. Mayor Davin advised that she had called Anna Walker's office in Buffalo and Representative Frank Horton's office in Washington to ascertain the status of the excess Urban Renewal Funds to be allocated to this project, but no definite information could be obtained as to when they might be released.

**Lease Approval:** The following resolution was proposed by Trustee Wilson, 2nd by Trustee Green:

**WHEREAS**, It has been determined that the Palmyra Agricultural Society would be willing to lease an area of land in the northeast section of the intersection of West Foster and Stafford Streets, to the Village of Palmyra, for the purpose of erecting a Community Center,

**BE IT RESOLVED THAT**, Village Attorney Laura Jane Poyzer shall be instructed to prepare a proper lease agreement between the Village of Palmyra and the Palmyra Agricultural Society for the area of land in the northeast section of the intersection of West Foster and Stafford Street for the purpose of erecting a Community Center, and,

**BE IT FURTHER RESOLVED THAT**, the Mayor of the Village of Palmyra, M. Katherine Davin, shall be authorized to sign the lease agreement in behalf of the Village of Palmyra.

Vote:

Unanimously approved.

**Abstract & Survey Fee:**

The following resolution was proposed by Trustee Wilson, 2nd by Trustee Green:

**WHEREAS**, it was necessary to obtain a Title Search of the proposed property to be leased by the Village of Palmyra for the Community Center proposed building on land owned by the Palmyra Agricultural Society from the Monroe Abstract & Title, and,

**WHEREAS**, it was necessary to have a survey done by Harnish & Lookup for the same area,

**BE IT RESOLVED THAT**, the treasurer shall be authorized to send vouchers to Monroe Abstract & Title and Harnish & Lookup for their signatures and submission of fees in connection with the survey and title search.

VOTE:

Unanimously approved.

- Rod & Gun Club:** Village Attorney Poyzer advised that she does not have any information relative to taxes, etc. on this property on Division Street.
- I. Lazerson Compl.:** Mayor Davin advised that Irving Lazerson had called her on the phone to discuss again his property at the corner of Vienna & Kent Street, which he feels, should be included in the C-3 Zone from Main Street, and not this limited area in the R-1 Zone. Mayor Davin commented that she had indicated to Mr. Lazerson that this should be a matter for his attorney, Henry B. Nesbitt and the Village Attorney, Laura Jane Poyzer, to determine. The proper channels, she commented to him, had been taken with a public hearing relative to changing the zoning, but following the hearing and weighing all the facts, it was determined by the Village Board that a change in the zoning would not be in the best interest of the area involved. Mayor Davin further advised that she suggested Mr. Lazerson adhere to any advice that his attorney might give him.
- Beaut. Dist.:** Mayor Davin gave all board members sheets which indicate the proposed assessments on the area involved in the Beautification District with assessments indicating a single payment as well as a 20 Yr. Payment Plan.  
The Village Board must first adopt a resolution for the method of assessing the cost of the project. A map must be procured which will indicate all properties involved in the assessment or beautification project. There must be a reason for the assessment. The drainage or storm drain cost was \$69,000. Practically all will benefit from this. The map should indicate numbers which in turn would denote specific properties.
- Licensed Vehicles:** Mayor Davin commented that there is a licensed vehicle at the corner of West Jackson and Tremont Street which has a flat tire, and has been unattended for quite some time. She asked Village Attorney Poyzer to review the ordinances to ascertain if there might be any law on the books that might force removal of the car.
- Fire Dept.:** Gene Spanganberg, Fire Commissioner, informed the board that Sherman & Sherman, architects in charge of drawing proposed plans for a firehouse, are in a quandry regarding the grant funds that have been publicized as being allocated to the Village of Palmyra. Robert Peterson, Chairman of the Wayne County Planning Board, who has instigated the application for grant funds for a firehouse, indicated to Spanganberg that he should revise the plans to include a kitchen area, meeting rooms, etc. Alternate things could be incorporated into the building.
- Fire Dept. Members:** On the recommendation of the Board of Fire Commissioners, the following motion was proposed by Trustee Wilson, 2nd by Trustee Condon:  
On the recommendation of the Board of Fire Commissioners and subject to prescribed training the following may be accepted for membership in the Fire Department: William Freyn, 23 Trolley Road; Robert L. Leisten, 8 East Foster; Ronald C. Madsen, 48 Canandaigua Road.  
Motion approved.
- Butler Letter:** Mayor Davin advised that she conferred with Cemetery Custodian William Kaveny together with Mrs. Janet Butler, 256 Vienna Street, relative to a tree which is adjacent to the cemetery lot line. Mayor Davin commented that after much discussion, it would appear that the tree in question is the property of Mrs. Butler and would be a cost that she would have to bear to have it removed.
- Inspect of Beaut. Project:** Mayor Davin advised that Trustee Wilson, Wayne Ackart, Lozier Engineers and Crown Asphalt, and herself viewed the complete Beautification Project in the downtown area. Mayor Davin advised that all approved of the work, with a few minor items to be completed.
- Pol. Dept. Resig.:** On motion by Trustee Green, 2nd by Trustee Condon and carried, the resignation of William Kallberg as of July 20, 1977 was accepted with regret.
- Pol. Conf.:** Trustee Reeves advised that Dr. Charles Ganim, Value Mgmt. Consultants, who have been retained by the Village of Palmyra to represent the Village in wage and union contract negotiations, together with Police Chief Henry, will confer within the next few days relative to the possibility of appointing a Sergeant in the Police Dept.

July 18, 1977

- Tel. Service:** Mayor Davin advised that in view of the fact that the telephone company would not arrange for a public hearing in Wayne County relative to the extension of toll service within the county, she had written letters to Albany to the main office of New York Telephone requesting that extended service be instituted.
- Urb. Ren. Audit:** On motion by Trustee Green, 2nd by Trustee Wilson and carried, the official audit of the New York State Department of Audit & Control was accepted by the Village of Palmyra in behalf of the Urban Renewal Agency Report.
- J. Griffin re: Vandalism, Etc.:** Jerry Griffin, owner of the Canaltown Record Shop, East Main Street, and friend, Al White, conferred with the board citing the vandalism for the third time this year to Griffin's building. J. Griffin complained that there seems to be constant loitering in front of his property, together with destruction of it with red paint splashed on the sidewalk. In addition, raucous, loud people disturb the area in the middle of the night. Mayor Davin suggested that he call the police immediately. J. Griffin indicated that a curfew would be the answer. In addition, he added, there are those youths who are chronic alcoholics. Trustee Wilson questioned if there would be an age limit on the curfew. Trustee Green interjected the thought, "Are they coming downtown or are they people who already live in the downtown area?" Mayor Davin commented that Trustee Reeves is well aware of the situation. J. Griffin suggested that the Sheriff's Department have a base station in the west end of the county, that is outside of Macedon, so that they could be reached more easily. J. Griffin also suggested that the Open Container Law be enforced, as well as loitering. J. Griffin added that he would go to the state level if necessary. The paint in his alley and on the sidewalk, he continued, should be removed by the village. He emphasized that he would review the agreement between the Village and himself relative to the lease of his area for the Beautification Project. In his opinion, the village should clean up the paint.
- Wayne Co. Sounding:** Mayor Davin advised that the Wayne County Sounding Board would be meeting on July 20, 1977 at 7:30 P.M. in the County Court House at which time the matter of a County Executive would be explored.
- Letter re: Fire Display:** Mayor Davin read a letter received from Sharon & Mary Joyce, ages 11 & 9, and Tricia Rigney, age 7, suggesting fireworks display especially on 4th of July. Trustee Wilson commented that Bi-Centennial committee had hoped last year to have same but cost about \$5,000.00 plus need for a certified person to put on the display was not at all possible. Clerk asked to reply to the girls.
- Gutters:** Clerk informed the board that an estimate for two sections of 20' each gutters on the Village Hall was received in the amount of \$325.00 from W. McConnell, Palmyra. Board instructed clerk to check with Kroh Gutter Service for another estimate.
- Lions Club:** Gene Bucknam, Lions Club member, asked permission to place a movable stand on the 22nd and 23rd of July in front of the Park & Club Bldg. to sell hots and pop to earn money for their club. Board agreed providing stand did not interfere with pedestrian traffic.
- Burning Erie Canal Project:** Clerk advised that she informed Vincent Craft, Fire Department member, to order the Erie Canal Towpath project workers to cease burning due to the heat and the pollution of the air in addition to the danger of a rapidly spreading fire. V. Craft advised he had talked with Fire Chief Harry White, who had indicated that he had not given permission or a permit to allow burning in the Towpath area.

- Grass Plant:** Chairman of the Canal Town Days, Richard Watson, suggested that the new grass to be replaced in front of the 1st Federal Savings Masonic Temple, & Park & Club Bldg., be delayed until after Canal Town Days in September, in view of the fact so many people would be in the Village and it would be trampled on again.
- NYSE&G:** New York State Electric & Gas asked permission to break the surface of the sidewalk on Market Street for the purpose of installing new gas service in Historical Bldg.  
Motion by Trustee Wilson, 2nd by Trustee Condon and carried, to grant this request.
- Water Dept.:** Letter received from N.Y. State Dept. of Health relative to record keeping procedure of various tests. Water Plant Operator VanEtten advised that he had previously instigated the record keeping procedure for his own benefit quite some time ago.
- Cert. of Dep.:** Treasurer Theresa Otte advised that she had placed increments of \$100,000. in Marine Midland, Central Trust and Lincoln First, each of which offered the best interest rate on Certificates of Deposit for periods of 3 mos., 6 mos. and 9 mos. Rates obtained are 5.40%, 5.70% and 6.05%.
- Adjourn** Mayor Davin adjourned the meeting at 9:10 P.M.

Theresa P. Otte, Clerk Treas.

\* \* \* \* \*

August 1, 1977

Regular Board Meeting      Board of Trustees      7:30 P.M.

**Present:** Mayor M. Katherine Davin, and Trustees Mary Lou Wilson, Daniel Condon, Lloyd A. Green, William Reeves, Village Attorney, Laura Jane Poyzer.

**2 Min. Silence** Mayor Davin opened the meeting with a moment of silence.

**Vouchers** Motion by Trustee Green, 2nd by Trustee Reeves and carried, to approve payment of the vouchers in the amount of \$6,907.18 and authorize the treasurer to issue checks for these vouchers as presented.

**Minutes** Mayor Davin advised that the names of Walter Bradley and Bob Brusso in place of Wayne Ackart of Lozier Engineers were present at the inspection of the Beautification Area. With the name change on motion by Trustee Green, 2nd by Trustee Reeves and carried, the minutes of the previous meeting were accepted.

**Police Dept.:** Trustee Reeves advised that he would like to recommend hiring Robert M. Mingo, Fairport, N.Y., as a patrolman for the Police Department.  
On motion by Trustee Reeves, 2nd by Trustee Green and carried, Robert M. Mingo, Fairport, N.Y. is appointed probationary patrolman for the Police Department to begin his duties as soon as he may be available for duty, at a starting salary of \$178.18 per week.

**Police Report:** On motion by Trustee Reeves, 2nd by Trustee Wilson and carried, the Police Report for the month of July, 1977 was accepted.  
Trustee Reeves commented that the department had issued 60 illegal parking violations during the last month.  
Trustee Reeves commented that he wished to clarify a statement relative to an appointment of a man in the Police Department who might be named a "Sgt." He explained that the man would have to take an examination prepared by Civil Service. His duties, if he passed, would not "glue" him to a desk, but rather would allow him to be in charge when the Police Chief was not on duty.

**Erie Canal Proj:** Zoning Officer Bruce Wideman, in charge of the Beautification of the Erie Canal Project, advised that the area is being cleared of debris and should be finished by late fall, the target date.

August 1, 1977

Dwntwn  
Beaut.:

Robert Peterson, Chairman of the Wayne County Planning Board and Cliff Williams, conferred with the board, advising that there are several items to be taken care of specifically, the replacement of trees, which have died.

Firehse:

Mr. Peterson commented that the original application of \$319,000. to the Economic Development Administration (EDA), for which the Village has received notification by Application #NY 1139, that it is being reviewed, also advised that through a re-run of funding figures, they, the Wayne County Planning Board, are re-applying in behalf of the Village of Palmyra for funding in the amount of \$422,000.00. This has happened due to the fact that in the third round of funding procedure, the Village of Sodus was cut entirely out. It is possible, he continued, that in the next round, the Village of Palmyra may get cut a nominal amount. Mr. Peterson advised that he had talked with Robert Sherman, of Sherman & Sherman, architects, who advised that in the previous figure of a cost of a firehouse, extras, such as black-top, fixtures in a kitchen area were deleted. It would be possible with the additional funding to incorporate these "extras", the cost of the total project amounting to some \$439,000.

Admin.  
Cost:

Mr. Peterson informed the board that a figure of \$5,000.00 for the administration of the paper work involved with the applications and eventually in the construction progress project itself, should be expected and assumed by the Village of Palmyra. The following resolution was proposed by Trustee Reeves, 2nd by Trustee Wilson:

**WHEREAS**, The Wayne County Planning Board through its knowledge of applying for federally funded projects has made application in behalf of the Village of Palmyra for funds for the purpose of constructing a firehouse which may involve a cost of some \$442,000.00, and,

**WHEREAS**, Cliff Williams, employee of the Wayne County Planning Board, has consented to handle the applications together with any financial arrangements,

**BE IT RESOLVED THAT**, the Village of Palmyra shall agree to allocate the sum of \$5,000.00 as an overall fee to be paid to Cliff Williams for the management of the funds, when received, and as a construction supervisor of the proposed building.

Vote:

Trustee Wilson	Aye	Trustee Reeves	Aye
Trustee Green	Aye	Trustee Condon	Aye

Resolution approved.

No Bid  
Yet!:

Mr. Peterson indicated that no bidding on the project could be anticipated for another two months, at least. He added that it is not possible to request bids until receipt of bid conditions.

Weykman  
Bldg.:

**Mention** was made of the former Weykman Bldg., 305 East Main Street, which was recently demolished and which according to recent information, was deeded to the County of Wayne, specifically as of December, 1976.

Village Attorney Laura Jane Poyzer interjected that an agreement would have been proper between the Village and County in order to agree to forgive the taxes owing to the Village of Palmyra. County Planner Peterson suggested that after the county finishes the project of fixing up the vacant spot of land and the walls of the two buildings adjoining, it might be apropos to request that the area be transferred to the Village of Palmyra. Mr. Peterson indicated that in all probability the area, land alone, could sell for some \$7,000.

West  
Main  
Canal  
Project:

Mr. Peterson commented that the Marina Park at the west end of the Village, adjacent to the Palmyra Motors and the Aquaduct and Locks cost the County of Wayne some \$51,000. Village Board members wished to convey their appreciation to the County of Wayne for their efforts in beautifying this particular area for the benefit of any who might desire to stop.

- Avail. Land:** Trustee Green commented that he had been approached by Spencer Knapp, owner of property, which is surrounded by the block of streets known as West Main, Washington, West Jackson and Canandaigua. An area in the center, which is unoccupied and used primarily for garden or back-lot sections adjoining property owned by residents on the streets, would be available for sale for the purpose of constructing a firehouse. Board asked Trustee Green to thank Mr. Knapp for the offer, but land owned by the Village will be used for the firehouse.
- Comm. Ctr.:** Trustee Wilson advised that the excess Urban Renewal money to be received for the purpose of constructing a Community Center in the amount of \$66,240.10, according to information received by the Village Clerk, will not be sent to the Community Center as they had anticipated. Mayor Davin explained the process of funding revealing that contractor would submit claim to the Village, who in turn would submit claim to the "Feds", who in turn would deposit funds in the amount of the claim in an account at our local bank, and in turn the treasurer of the village could then draw a check to the contractor for the amount that he had claimed. The full amount will not be deposited to a village or any other account, but rather as funds are needed.
- Hwy.:** Trustee Green advised that Church Street is now finished.
- Raw Water Line:** Clerk advised that the raw water line will be repaired in the vicinity of Curran Road in a wooded area. Blair's of Rochester will be present to install the proper valves to repair the leaks. In conjunction with the repair, radio stations have been asked to request the limited use of water from Midnight, Tuesday, until Thursday Noon, inasmuch as it will not be possible during this time to filter any raw water to be pumped into the million gallon tank for distribution. Water Plant Operator Hiram VanEtten has alerted Garlock, Inc., and asked the cooperation of Pulcini's Car Wash to close during this period. In addition, Mr. VanEtten asked the Village of Manchester to draw water during this period so that there will not be so much water pouring into the area where the valves are to be installed.
- Filter Plant Pumps:** Trustee Green commented that he had talked with Worthington Pump relative to the pumps that were installed in the renovation of the Filter Plant, which do not seem to be operating properly. Trustee Condon commented that he had visited both the Water Plant and Sewer Plant recently and felt that Operator VanEtten kept both plants in excellent condition together with relevant records of operation.
- Speed Sign:** Trustee Condon advised that a recent accident has caused him to inquire if the "55 Mi./Hr." Speed sign at the west end of West Main Street approximately opposite Burnham Heights, might be removed farther to the west, preferably across the Aquaduct bridge. Clerk advised that this is a State Highway with signs installed by the N.Y.S. Dept. of Transportation. It would be possible to request that they review the situation for possibly moving to another spot.
- Police Dept.:** General discussion of Police Protection. Trustee Reeves commented that with only one man on duty, it is not possible to have him everywhere at once. Trustee Reeves indicated that some of the problems in the downtown area, stem from the people who live in the upstairs apartments. They have no porches and as a result often descend the stairs to sit on the last step abutting the sidewalk. When weather is warm, many of them are prone to even "hang out" of the windows. Mayor Davin commented that former Fire Chief Richard Culver had advised that only by the adoption of the State Fire Code in relation to the structure of buildings, would it be possible to evict tenants because of unsafe living conditions relating to fire regulations.

August 1, 1977

**Unempl.  
Survey:**

Mayor Davin reminded the board that funds had been placed in the budget in the amount of \$7,700. to defray the expense of mandatory Unemployment Insurance for the village beginning January 1, 1978. The National Institute of Municipal Law Officers had previously sent a survey to the village for completion relative to the "burden" it would place on the village if this becomes mandatory. More recently, a follow-up letter requesting funds to participate in a "Constitutional Challenge" in the amount of \$250.00 (minimum amount based on per capita of village), was received.

The following resolution was proposed by Trustee Wilson, 2nd by Trustee Green:

**WHEREAS**, the Village of Palmyra would like to participate in the challenge to defeat the mandatory Unemployment Insurance to be imposed on villages as of 1/1/78, and,

**WHEREAS**, the Village of Palmyra has submitted information as part of a survey to the National Institute of Municipal Law Officers, who are heading up the challenge,

**BE IT RESOLVED THAT**, the treasurershall be instructed to send a voucher in the amount of \$250.00 to be completed by the National Institute and in turn upon receipt of same a check shall be mailed as the Village of Palmyra contribution, the minimum amount required based on the per capita of the village.

Vote:

Trustee Wilson	Aye	Trustee Condon	Aye
Trustee Green	Aye	Trustee Reeves	Aye

Resolution adopted.

**Lazerson  
Letters:**

Mayor Davin reviewed the recent letters received from Mr. Irving Lazerson, owner of property on the corner of Vienna & Kent, which extends north to East Main Street, indicating that Village Attorney Poyzer and H.B. Nesbitt, Attorney for Mr. Lazerson had advised that the matter had been clarified.

Mayor Davin continued that a new letter of July 25, 1977 reviewed the Kent Street & Vienna Street Zoning. Letter indicated that zoning was conceived in 1954 and his area was changed from all commercial to part residential and commercial, change of which he was not aware.

Mr. Lazerson questioned why his other letters, specifically 6.29/77 was not read at the meeting. In addition, he asked what could he expect from the meeting of the two attorneys.

General discussion by the board which summarized should indicate if his property were now rezoned, it would definitely be "Spot Zoning".

**State  
Aid  
Sewer:**

Mayor Davin advised letter was received advising that N.Y.S. Envir. Conservation will be reimbursing villages at the rate of 25% of approved eligible expenses, for fiscal year 7/1/76 - 6/30/77.

**Cable  
T.V.:**

Communication received by Mayor Davin from the State of New York regarding the billing practices of various Cable T.V. companies. Matter to be investigated at state level.

**Seminars:**

Mayor Davin advised that there are brochures for various seminars in the future, if any board members are interested.

**Clk.  
Conf.:**

The following resolution was proposed by Trustee Condon, 2nd by Trustee Reeves and carried:

**WHEREAS**, the annual N.Y. State Conference of Mayors in conjunction with the New York State Department of Audit & Control will sponsor a Conference in September for clerks, treasurers, and other village officials, and,

**WHEREAS**, funds have been appropriated to allow the clerk-treasurer to attend the conference,

**BE IT RESOLVED THAT**, the Village Clerk/Treasurer shall be allowed to attend the fall conference at Kutchers at village expense.

**Insurance:**

Mayor Davin advised that the insurance policy together with a bill had been received from VanParys which showed an increase of some \$3,000. over last year. Trustee Reeves suggested that the village should check with other companies for their cost of such coverage. Board asked clerk to check with some other companies.

Rev. Clerk advised that it would be necessary to have a Public Hearing  
Shar.: relative to the entitlement period beginning January 1, 1978.  
Board set hearing for August 15, 1977 at 7:00 P.M.

Audit The following resolution was proposed by Trustee Wilson, 2nd by  
of Trustee Condon and carried:  
Accts: WHEREAS, the New York State Department of Audit & Control has made  
an examination of the accounts and affairs of the Village of Palmyra  
beginning June 1, 1973 - May 31, 1976,  
BE IT RESOLVED THAT, such report shall be accepted by the Board  
of Trustees of the Village of Palmyra.

Town Clerk advised that letter has been sent to the Town of Palmyra  
Water on several occasions regarding the installation of "Master Meters"  
Master at the point where village and town connect. Town of Palmyra has  
Meters: not indicated that this will be done, advising that cost was more  
than they could expend.

Water Clerk advised letter sent to the Town of Palmyra advising that their  
Con- contract with the Village of Palmyra will expire on November 30, 1977.  
tract: Clerk mentioned that perhaps some thought might be given to in-  
corporating in the new water contract stipulation relative to the  
installation of Master Meters.

Sewer The following resolution was proposed by Trustee Green, 2nd by  
Removal: Trustee Wilson:  
WHEREAS, the reputed owner of a building at #305 East Main Street  
was Lawrence Weykman, and,  
WHEREAS, it has been determined that the County of Wayne filed a  
deed for the property in December, 1976, and,  
WHEREAS, the County of Wayne has had the building demolished by a  
contractor, leaving a barren strip of land,  
BE IT RESOLVED THAT, THE SEWER FEE WHICH HAS BEEN LEVIED quarterly  
on this building, when standing, shall be removed from the sewer  
records as of September 1, 1977, in the amount of \$15.75.  
Vote:

Unanimously approved.

Proof Legal Notice of Examination of Accounts is so attached:  
of  
Pub.:

### AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE  
NOTICE  
NOTICE IS HEREBY GIVEN  
that the State Comptroller has  
caused an examination to be  
made of the accounts and  
fiscal affairs of Village of  
Palmyra - County of Wayne for  
the period beginning on June  
1, 1973 and ending on May 31,  
1976. The report of such  
examination has been filed in  
my office where it is a public  
record, available for inspec-  
tion by all interested persons.  
Theresa P. Otte  
Clerk  
J.29 [660]

Elizabeth M. Main, 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:

July 29, 1977

Elizabeth M. Main  
Foreman of the Publisher

Subscribed and sworn to before me  
this 3 day of August 1977  
Michael J. Donovan  
Notary Public

Fee: \$ 5.70

August 15, 1977

Public Hearing

Board of Trustees

7:00 P.M.

**Present:** Mayor M. Katherine Davin, Trustees Mary Lou Wilson, Daniel Condon, William Reeves. Absent, Village Attorney Laura Jane Poyzer, and Trustee Lloyd A. Green.

**Subject:** Revenue Sharing Funds in the amount of \$28,181.00 for 9th Entitlement Period beginning January 1, 1978.

**Proof of Publica:** Mayor Davin read the legal notice of publication advising that a hearing would be held inviting citizens to participate, especially Senior Citizens.

### AFFIDAVIT OF PUBLICATION

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

**LEGAL NOTICE**  
**PLEASE TAKE NOTICE:**  
that a public hearing will be held on August 15, 1977 at 7:00 P.M. in the Trustees Room of the Village Hall at 144 East Main Street, Palmyra, New York relative to the proposed use of Federal Revenue Sharing Funds in the amount of \$28,181., Entitlement Period #9, to be received by the Village of Palmyra beginning January 1, 1978.

Public participation, either written or oral will be accepted by the Village Board for the use of these funds. The Village Board reserves the right to evaluate all suggestions which may be rejected or revised.

Senior citizens, or organizations representing their interest, are asked to participate in suggesting uses for these funds.

Dated: August 2, 1977.

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

A.5

[667]

Elizabeth M. Main, 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:

August 5, 1977

*Elizabeth M. Main*  
Foreman of the Publisher

Subscribed and sworn to before me

this 5 day of Aug 19 77

*Michael N. Donovan*  
Notary Public

Fee: \$ 9.97

MICHAEL N. DONOVAN  
WAYNE COUNTY COMM. EXPIRES 3/30/78  
1461009

**Citizens:** Six (6) village residents were present.

**Uses for Funds:** General discussion of uses for funds which indicated that in the last few years no new trees have been planted on some village streets, where it was necessary to remove diseased trees; there are still a number of streets within the village that should be repaved, namely East and West Charlotte Avenue as well as Birdsall Parkway; additional funds might be appropriated to the Museum or Library, provided a contract or agreement were drawn to so indicate the additional amount; salaries for the Police Department, which would allow for the hiring of another man; a payment on the Bond Anticipation Note in the amount of \$70,000. which will be due in June, 1978, which was originally issued for the installation of a sanitary sewer line on East Foster/Howell Street area.

**Close Hearing:** Mayor Davin advised that if there were no further suggestions for uses of the funds, the hearing would be closed at 7:25 P.M.

Theresa P. Otte, Clerk Treas.

\* \* \* \* \*

## Regular Board Meeting Board of Trustees

7:30 P.M.

**Present:** Mayor M. Katherine Davin, and Trustees Mary Lou Wilson, Daniel Condon, William Reeves. Absent, Trustee Lloyd A. Green and Village Attorney, Laura Jane Poyzer.

**2 Min.**

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

**Vouchers:** Motion by Trustee Reeves, 2nd by Trustee Wilson and carried, to authorize the treasurer to issue checks in the amount of \$30,178.80 for the vouchers as presented.

**Minutes:** Motion by Trustee Condon, 2nd by Trustee Wilson and carried, to approve the minutes of the previous meeting.

**Mahoney Request:** Mr. & Mrs. Morris Mahoney, R.D. #1, Palmyra, N.Y., owners of property at 401 Canal Street, presented a letter which they read asking permission to place top soil and grass seed, between their house property and the actual "street road". They advised that their tenants have agreed not to park in this area and would like to have grass up to the street. Board agreed that they could go ahead with this project. The Mahoneys did suggest that the board might want to consider NO PARKING on one side of Canal Street.

**Zoning:** Zoning Officer Wideman advised that he did not have anything to report. Trustee Reeves questioned the "junk Cars" in the rear yards on Fayette Street, to which Zoning Officer Wideman commented that they had been placed there in preparation of the "Demolition Derbies" to be held at the Wayne County Fair the following week.

**Towpath Towers:** Mayor Davin informed the board that Trustee Wilson, Steve Whitney, of Conifer Development, Mr. Cassera, Zoning Officer Wideman and herself conferred relative to the progress of the senior citizen complex. There had been a question of placing such large cement blocks for wall, but Mr. Whitney advised that this was a new technique which when coated has proven to be more durable.

**Erie Canal Project:** Mayor Davin commented that the clearing of the former Erie Canal Towpath area under the direction of Bruce Wideman, work being done by CETA workers, was going along well. She, Mayor Davin, advised that a walk along the area was very worthwhile and as time and effort continues, it will be beautified.

**Wetland :** Zoning Officer Wideman advised that in his opinion the area north of the Towpath could reasonably be singled out as "WETLAND" area. Mayor Davin commented that because of the birds and wildlife, it might be apropos to request the State NOT to deposit the sludge from the Barge Canal in this area as anticipated. Mayor Davin advised that she would write to the Avon Office of the Conservation, citing Section #662.4 of the Freshwater Wetland Act, to request their investigation prior to allowing sludge to be dumped.

**Resol.:** The following resolution was proposed by Trustee Wilson, 2nd by Trustee Condon:  
**WHEREAS**, it has been ascertained that the State of New York Department of Canal Transportation is contemplating the dredging of the Barge Canal area, and depositing the sludge in the vicinity south of the Barge Canal which would be north of the Erie Canal Towpath area which is being presently cleared for beautification under the direction of Bruce Wideman, Zoning Officer with the assistance of CETA employees, and,  
**WHEREAS**, it is obvious that there is a wild life sanctuary of birds, flowers, etc., in this area,  
**BE IT RESOLVED THAT**, the Mayor of the Village of Palmyra, M. Katherine Davin, shall write to the New York State Department of Conservation, citing Section #662.4 of the Freshwater Wetland Act, to request their investigation prior to allowing sludge to be dumped.

**Vote:**

Unanimously approved.

August 15, 1977

- Junk Cars:** Zoning Officer Wideman advised that he has no jurisdiction of cars that may be parked between the sidewalk and curb, if they are licensed. Both Canal and Vienna Street are narrow and as a result, many renters or home owners park cars between the sidewalk and curb. Perhaps the Village should consider "One-Side Parking" on these streets.
- Comm. Ctr.:** Plans have been received from Harnish & Lockup for the proposed Community Center. Bids are to be opened soon. Candeb & Fleissig have submitted a contract for their services which they indicate would be approximately 10% of the cost of the project. Trustee Condon suggested that the contract did not seem to specifically state that they would undertake an Environmental Review. Trustee Reeves commented that if Candeb & Fleissig would clarify this vagueness, the mayor could be authorized to sign the agreement.
- Author. Mayor to Sign:** The following resolution was proposed by Trustee Reeves, 2nd by Trustee Condon:  
**WHEREAS**, Candeb & Fleissig, Associates have submitted an agreement for their services in conjunction with the proposed Community Center Project,  
**BE IT RESOLVED THAT**, Mayor M. Katherine Davin shall be authorized to sign the agreement providing clarification can be ascertained relative to the Environmental Review and providing Village Attorney Laura Jane Poyzer, agrees that such contract is in order.  
 Vote:  
 Unanimously approved.
- Fire Dept.:** Trustee Wilson advised that the Wayne County Planning Board is working on a revised application for a Federal Grant in the amount of \$422,000. for the construction of a proposed fire-house.
- Water Line Break:** Trustee Condon advised that the sauerkraut factory in Shortsville called to advise that there was a leak in the yard area of the factory, apparently from the Village of Palmyra raw water line. Trustee Condon theorized that after the leak was repaired on Curran Road, with the water allowed to again surge freely through the line, the pressure was so great that it sprung a leak in this area.
- B. Cowell Spring Street:** Barney Cowell, Spring Street, called Trustee Condon to ask him to have the connection from his line to the village corrected so that he would have better water pressure. Trustee Condon advised that he visited Mr. Cowell, viewed the basement where the water lines were installed by the owner several years ago to find that he, the owner, has installed many "elbows", used parts, etc. Trustee Condon advised him that this was his responsibility and not the responsibility of the village.
- Cooper. Radio, Press:** Mayor Davin advised that Hiram VanEtten, Operator of the Water Treatment Plant wanted to inform the Village Board that he was very pleased with the cooperation of the villagers at the time of the repair of the raw water line on Curran Road. Clerk Otte mentioned that letters had been sent to Floyd Pulcini, operator of the Pulcini Car Wash, who closed his business for some 60 hours and the Palmyra Laundromat, who closed for nearly 12 hours, to assist in the conservation of water during the period of repair.
- Taxi Service:** Mayor Davin suggested that Jerry Griffin, who previously had advised that he, along with a friend, Al White, would be opening a Taxi Service in the Palmyra Area, should present to the board his credentials relative to a proper license, and proper insurance coverage. Motion by Trustee Reeves, 2nd by Trustee Condon and carried, that Jerry Griffin produce the proper credentials prior to commencing a taxi service in the Village of Palmyra.
- Lazerson Letters:** Mayor Davin advised that Village Attorney, Laura Jane Poyzer, had informed her that she had answered the letters posed by Mr. Irving Lazerson relative to re-zoning of his property at the northeast corner of Kent and Vienna Streets.

Flood Map: Mayor Davin advised that H.U.D. has submitted a map to the Village of Palmyra which indicated in the northeast quadrant of the Village of Palmyra, and unhabited area, measuring some 600 x 900 feet, that such area has been designated as Zone A -- Flood Prone. Mayor Davin advised that proper forms will be reviewed by the clerk for completion to be submitted to HUD to grant flood insurance coverage for Palmyra residents.

Courses Offered: Mayor Davin advised that the Community College at Canandaigua, Geneva High School, in particular are offering courses on various subjects which would be paid for by the State. Courses are for public employees. Mayor Davin commented that she would be interested in Effective Written & Oral Communications. Clerk has some applications, if any board members might be interested.

Fire-mens Parade: Mayor Davin polled board members who might be able to participate in the Firemen's Parade on Saturday, August 27th, at 6:00 P.M. Clerk asked to inform Parade Chairman, John Paul Evankovich, that Trustee Wilson and Trustee Condon would be present.

55 MPH Speed: Recent accident prompted village board to write the New York State Department of Transportation to request movement of a 55 Mi./Hr. sign farther west, rather than opposite Burnham Heights, on the Palmyra Motors side, West Main Street. Clerk advised a letter received from the department indicates that the sign will be moved in the near future so that traffic will not pick up speed at approximately Hyde Parkway with the viewing of the 55 mi/hr. sign some 300' farther west. Sign will be placed probably, beyond the bridge to the west.

Binding Arbit.: Mayor Davin advised that State Senator Fred Warder and Assemblyman James Hurley both voted for the Binding Arbitration to continue for another two years.

Muscular Carnival: Dawn Coon, Fox Road, requested permission to use the Village Park on Saturday, August 20, 1977 from 11:00 A.M. to 5:00 P.M. for a "Kiddie Carnival" to raise any funds for the Muscular Dystrophy Drive. Board unanimously approved her use of the park for this purpose.

Blinker Light: Mrs. Henry Griffith, corner of West Foster and Canandaigua Street, suggested that a blinker light be placed on this corner to slow traffic entering the village. Clerk informed the board that such a light would be at the expense of the village, for purchasing and maintaining, such as the one at the corner of Canandaigua and East & West Jackson. Trustee Reeves advised that he would have the Police Dept. study the matter.

Canal Town Days: Canal Town Days Committee advised that they would like to install at their expense additional 2 to 4 circuit breakers in the Village Park in the Bandstand area. F. Spanganberg would be doing the installation. Would be left for others to use after Canal Town Days. Motion by Trustee Reeves, 2nd by Trustee Wilson and carried, to authorize the Canal Town Committee to proceed with this work at their expense and liability if any problems arise during installation.

Act. Pol. Justice: Clerk recalled to the board that no Acting Police Justice has been appointed. Clerk has received several letters from the Office of Court Administration inquiring if such has been appointed.

Quality Review: Clerk commented that no communication has been received from the Planning Board relative to recommendation of a State Environmental Quality Review Act.

Beer Permit-Fair: Palmyra Fire Department has requested permission to have a "Beer Tent" at the rear of the Fairgrounds to raise funds. Motion by Trustee Wilson, 2nd by Trustee Condon and carried, to grant their request.

Games of Chance: V.F.W., represented by Louis Carroll, 229 E. Foster Street, inquired if they, the V.F.W. might sponsor games of chance of Thursday, Friday and Saturday at the Wayne County Fair. Motion by Trustee Reeves, 2nd by Trustee Wilson and carried, to allow games of chance during this particular period.

Adjourn: Mayor Davin adjourned the meeting at 9:45 P.M.

Theresa P. Otte, Clerk Treas.

September 6, 1977

Regular Board MeetingBoard of Trustees7:30 P.M.

Present: Mayor M. Katherine Davin and Trustees Daniel Condon, Mary Lou Wilson, Lloyd A. Green and William Reeves. Village Attorney, Laura Jane Poyzer.

2 Min.

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

Vouchers: Motion by Trustee Reeves, 2nd by Trustee Condon and carried, to approve payment of the vouchers in the amount of \$51,376.51.

Minutes: Mayor Davin advised that a clarification of the construction of Towpath Towers should be made in the previous minutes.

The following amendment should be made:

"Pre-cast concrete slabs placed on concrete block wall. Rebars inserted in vertical units are then groated in place."

On motion by Trustee Reeves, 2nd by Trustee Green, the minutes of the previous regular board meeting with the above amendment were accepted.

On motion by Trustee Wilson, 2nd by Trustee Condon and carried, the minutes of the hearing were accepted and approved.

Low  
Swamp  
Area:

Bruce Wideman, Zoning Officer, advised that Mayor Davin had asked that he view the area behind the property of William Kaveny on Kent Street, which does show on the Storm Sewer Map to have drainage but according to Ray Smith, Highway Foreman, it has not been operable due to some obstruction in the line. It would appear that the storm sewer line may be located beneath the houses in this area, therefore, making it difficult to excavate to determine the trouble. Mr. Kaveny has advised that it is not possible to drain the water from his back yard area and it has now become a "frog pond".

Wideman continued that according to the map there should be some 380' of line. It has been possible to find the outlet but they have not been able to determine where the inlet is located.

Trustee Green interjected that he would talk with Ray Smith.

However, Trustee Green continued, if the Village is going to consider alleviating the problem in this area, there are two other areas, one, Scribner's trailer on Stafford Street, and Trustee Green's back yard lot area.

Clerk verified Trustee Green's water problem advising that in 1967 he had written to the board regarding the flooding condition in his rear property.

Wet-  
lands:

Zoning Officer Wideman advised that he expects to confer with someone later in the week relative to the placing of sludge from the Barge Canal Area onto the area which could be designated for Wild Life and Wild Plants.

Mr. Wideman further commented that he expects to hire two more laborers for the Erie Canal Project.

Spring  
Street  
Paving:

Trustee Condon advised that since the paving of Spring Street, the road bed, itself, was raised, causing water to run off now in the area toward the filter plant wall. As a result, Water Plant Operator, VanEtten, advised that the basement now has water following a heavy rain. Mr. Wideman was asked to check on this.

Griffin  
Taxi  
Service:

Jerry Griffin, East Main Street, owner of Canaltown Record Shop, had previously indicated that he would provide for taxi service in and around the village.

J. Griffin presented for verification his license as well as insurance which indicated \$25,000/person and \$50,000. each accident with \$10,000. for property damage.

L. VanParys  
Insurance:

Louis VanParys, owner of VanParys Insurance Agency, conferred with the board advising that the premium had jumped some 27%, much of which was due to increase in payroll. The basic increase, he reiterated, was on payroll. Other types of business which manufacture and sell for profit, are rated on this but municipalities are rated on payroll. The insurance coverage for public works has increased. There are sixteen vehicles including fire-trucks, which are covered for liability, comprehensive, vandalism and glass. The village has had claims over the years. The legal defense has been paid for by the insurance. He pointed out that the Community Center as well as the Police Department is covered.

Personal  
Injury:

Mr. VanParys advised that the premium of some \$1,065 broadens the protection for slander, false arrest, which the village does have. Mr. VanParys commented that Aetna, the carrier, did not send the policy to VanParys Associates until in July, at which time he informed Mayor Davin of the increase. Discussion by the Village Board indicated that it would be helpful to have a reasonable figure by March 1st. Mr. VanParys advised that he would request such a figure from the carrier by March 1, 1978.

Umbrella  
Policy:

Discussion of an "Umbrella Policy" which would provide increased limits over and above the present coverage. Mr. VanParys suggested that the board may want to consider a "Commercial Umbrella" in order to obtain a million coverage for a premium of some \$2,000. Board thanked Mr. VanParys for his information.

Cable-  
vision  
Indus-  
try:

Cablevision Industries, Inc., represented by Alan Gerry, President; William Kirk, Attorney from Waterloo, and Harry Calhoun, Consultant, conferred with the board advising that they are in a position to accept the responsibilities of Information Transfer, Inc. the cablevision company which services the Village of Palmyra, providing the Village of Palmyra will acknowledge transfer of the franchise.

Back-  
ground:

Spokesman for the group advised that they have operated the cablevision in Seneca Falls, Geneva and Canandaigua since 1972. It is their desire to purchase Information Transfer, pull it out of debt and provide additional channel plus "Home Box Office". This would take 30-90 days after they assumed ownership of the firm. They advised that they had talked with Village Attorney Poyzer informing her of their intentions.

Rates-  
Same!

Trustee Green asked if the rates would remain the same. Answer was YES.

Resol.to  
Accept:

The following resolution was proposed by Trustee Reeves, 2nd by Trustee Green:

"WHEREAS, Information Transfer, Inc. has experienced financial problems, and,  
WHEREAS, Cablevision Industries, Inc., Wierk Avenue, Liberty, New York, has indicated a desire to assume the management of Information Transfer, Inc., to provide the same services as previously rendered, in addition to supplementary services,  
BE IT RESOLVED THAT, the Village of Palmyra shall approve the assignment of Information Transfer, Inc. to Cablevision, Industries, Liberty, New York of the present contract with the Village of Palmyra, Wayne County, New York, providing such assignment is approved by the State of New York Commission on Cable Television."  
Vote:

Trustee Condon	Aye
Trustee Green	Aye
Trustee Wilson	Aye
Trustee Reeves	Aye

Resolution approved.

3% Util.

Tax --

Discuss.:

Attorney Poyzer and Mr. Calhoun discussed the 3% Utility Tax incorporated in the agreement with the Village of Palmyra as originally offered by Information Transfer. Mr. Calhoun advised that a legal opinion would be sent to Attorney Poyzer to which she commented that she did have such an opinion but that her interpretation was that 3% of the Gross Earnings of the industry should be paid to the Village and the Village taxes as assessed should also be paid, not the taxes deducted from the 3% earnings and the difference paid to the Village. Mr. Kirk and Mr. Calhoun, both agreed that the 3% should come to the Village as stipulated in the contract.

Ins.  
Coverage

Mayor Davin advised that the insurance has been in force since April. As indicated by Mr. VanParys, he did not receive the policy until July, at which time he advised Mayor Davin by letter of the increase.

Mayor Davin further indicated that she had had a call from Chapman Insurance Agency who informed her that they would like to have a fair chance of obtaining the village business. Board discussed matter further advising clerk to write letters to insurance agencies advising them to prepare a brochure of figures for village insurance by March 1st, 1978.

September 6, 1977Police Car:

Trustee Reeves advised that the 1974 Ford, traded in to Sherburne Garage has now been purchased by the Village of Palmyra for \$1,300.

Trustee Reeves commented that he intends to get other figures for the replacement of the 1977 Plymouth. In order to adequately provide coverage, it will be necessary to invest in another radio for the 2nd car. He indicated that he would hope to obtain one for \$1,100.

In addition, another portable radio would be advantageous. To offset some of the additional expense, it is expected that the village will realize some \$750.00 (as-is junk - the Police Car (1977 Plymouth) plus some collision insurance.

Police Walk Beat:

Trustee Reeves commented that several people had commented to him that they were not only surprised but pleased to see an officer walking the beat, not in the downtown area, but in the residential area. In addition, he continued, the radar is being placed in various spots all over the village.

Anti-Recession Funds:

Trustee Reeves asked possible method of paying for the extra unexpected pieces of equipment.

Treasurer Otte advised that it would be possible to pay the police wages from either the Anti-Recession Funds or from Revenue Sharing, and transfer appropriated Personal Services Wages to the Police Equipment Fund.

Resol.:

The following resolution was proposed by Trustee Reeves, 2nd by Trustee Green:

WHEREAS, it is anticipated that additional equipment will be needed which will include another police car, radio, for car, and portable radio, and,

WHEREAS, funds were not appropriated in the fiscal budget 6/1/77 5/31/78, to cover unexpected emergency needs, and,

WHEREAS, the treasurer has advised that funds might be used from the Anti-Recession Funds to pay the Police Payroll, so that the appropriated funds for Police Payroll might be transferred to the equipment fund,

BE IT RESOLVED THAT, the Treasurer shall be instructed to pay the Police Payroll from Anti-Recession Funds and transfer an equal amount from the appropriated Police Payroll Budget to the Equipment account, when it is determined the amount of the expenditures, but in no case more than \$5,000.00 without authorization from the Village Board.

Vote:

Trustee Reeves	Aye
Trustee Wilson	Aye
Trustee Condon	Aye
Trustee Green	Aye

Resolution Approved.

Firehse:

Trustee Wilson advised that there has been no word regarding the E.D.A. Funds for the proposed Firehouse. The new application for \$422,000. was submitted.

Fire Dept. Members:

On motion by Trustee Wilson, 2nd by Trustee Reeves and carried, the following applicants were accepted for membership in the fire department, on the recommendation of the Board of Commissioners, and on the completion of the training course: Donald White, 126 West Jackson Street, Keith A. Petty, 405 Canal Street, and James Sampson, 310 Spring Street.

Comm. Ctr.:

Trustee Wilson advised that bids were received last week for a proposed Community Center. Both bids were very high some \$260,000. They are being reviewed by the committee.

Storm Sewer:

Trustee Green advised that Highway Foreman Smith has been working on installing storm sewer and grates at the corner of Cuyler and East Jackson, in accordance with the suggestions of K.G. Woodward Associates.

- Tn. Wat. Contract Trustee Condon advises that he had conferred with Councilman Nelson Cook of the Town of Palmyra relative to the Water Contract. Councilman Cook advised that they (the Town of Palmyra) would like to be able to extend the water line on Route #31, east, which would mean a need of some 50,000 gals. of water per day. Line would extend to approximately Paul Johnson's property on Route 31. Clerk reminded board that they, the Town of Palmyra, should apply to the New York State Water Resources Commission prior to ascertaining whether or not a line could be built. Trustee Condon advised that he had talked with Hiram VanEtten, operator of the Water Treatment Plant, who suggested that a million gallon tank on Maple Avenue or the vicinity of, in the Town of Palmyra, owned by the Town of Palmyra, would alleviate much of the pressure of a low supply of water or demand of large quantities at one time.
- Joint Meeting: Trustee Condon suggested that a joint meeting of the boards might be feasible. Mayor Davin asked that Trustee Green and Trustee Condon meet with two of the Town of Palmyra Board members to discuss this matter of water.
- Filter Plant: Trustee Condon advised that it would be his suggestion that funds be placed in next year's budget to complete the blacktop area in the immediate vicinity of the Filter Plant. He also commented that there are a couple of sections that were not completed by American Roadways to the satisfaction of the residents. Trustee Green advised that he would contact American Roadways to have the matter taken care of.
- Plan. Brd. Member: Mayor Davin advised that she would like to appoint Sidney Fitzgerald a member of the Planning Board, in place of Richard Pickett, who is now a member of the Zoning Board.
- Canal Town Parade: Mayor Davin advised that all board members are invited to participate in the Canaltown Parade on Saturday, September 17, 1977 at 5:00 P.M.
- Justice Confer: Village Police Justice William Abbott advised that he would like to attend the Justice Conference which will cost some \$37.00/da., plus travel expense. Motion by Trustee Reeves, 2nd by Trustee Wilson and carried, to authorize Police Justice Abbott to attend the Justice Conference at Village Expense.
- Police Report: On motion by Trustee Reeves, 2nd by Trustee Wilson and carried, the Police Report for the month of August, 1977 was accepted. Highlights of the report revealed that 208 complaints were investigated along with 12 assists for other departments, 13 were apprehended for Criminal Mischief and 17 for Menacing, coupled with 85 cited for illegal parking and 11 for speeding. Total fines and bail forfeitures amounted to \$315.00.
- Ann. Treas. Rpt.: On motion by Trustee Green, 2nd by Trustee Condon and carried, the board audited the Treasurer's Report for the year 6/1/76-5/31/77.

September 6, 1977

Penn. Cen. R.R.: Treasurer Otte advised that for several years, as the board is well aware, the New York Central Railroad, has not paid the village taxes, until the last two years. Prior to that from 1970 through 1975, the treasurer has filed liens on the property. During the last year or so the company is in the process of re-organization and as a result attorneys have advised that they would be able to offer a compromise of taxes. Treasurer Otte revealed that the back taxes alone amount to some \$319.00 but the penalties add up to about \$150.00. It has been the policy and according to Village Law that no partial payments shall be accepted. On motion by Trustee Green, 2nd by Trustee Condon, board agreed that Treasurer should ask for the complete amount that is due the Village of Palmyra and not accept a partial settlement. Motion carried.

Refund: NYSE&G Taxes: The following resolution was proposed by Trustee Reeves, 2nd by Trustee Condon:  
WHEREAS, the New York State Electric & Gas Company has advised that through a clerical error, the pre-agreed assessment in the amount of \$196,510. was not carried forward on the village tax roll, but rather the previous year assessment in the amount of \$232,416.00, which resulted in an over-assessment in the amount of \$35,906. and,  
WHEREAS, the Wayne County Real Property Tax Service, whose director is Donald D. Johnson, has written a letter to the Village of Palmyra to advise of the incorrect assessment, and,  
WHEREAS, the New York State Electric & Gas Company has paid and excess tax in the amount of \$658.88 for the fiscal year June 1, 1977-May 31, 1978,  
BE IT RESOLVED THAT, the Treasurer shall be instructed to refund the amount of \$658.88 to the New York State Electric & Gas Company as an overpayment of taxes levied as of June 1, 1977 by the Village of Palmyra.

Vote:

Trustee Green	Aye
Trustee Condon	Aye
Trustee Wilson	Aye
Trustee Reeves	Aye

Resolution adopted.

Transfer Funds: The following resolution was proposed by Trustee Wilson, 2nd by Trustee Reeves:  
WHEREAS, the fiscal budget for the year 6/1/77-5/31/78 has an appropriation of -\$100.00 in Account #A1964.0 - Refund of Real Estate Taxes, and,  
WHEREAS, it is apparent that a refund is in order to the New York State Electric & Gas Company in the amount of \$658.88,  
BE IT RESOLVED THAT, the amount of \$1,000.00 shall be transferred from the Contingent Account #A1990.4 to Account #A1964.0 Refund of Real Estate Taxes.

Vote:

Unanimously approved.

Citizen & South. Div.: Treasurer Otte advised that the Citizens and South National Bank has advised that the Dividends will be cut from 13¢/share to 6¢/share.

Act. Pol. Justice: Clerk reminded the board that an Acting Police Justice should be appointed.

Beautification Assessment: Mayor Davin advised that Assessor Robert Kirchhoff had prepared a map for the assessment district of the Beautification. Board reviewed the map to find that one piece of property was not included in the district. Mayor Davin commented that shd would contact Mr. Kirchhoff to have this piece of property included and hopefully at the next board meeting a date could be set for a public hearing on the assessments.

Adjourn: Mayor Davin adjourned the meeting at 10:25 P.M.

Theresa P. Otte, Clerk Treas.

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