

November 6, 1978

Public Hearing

7:00 P.M.

Present: Mayor Davin, Trustees L. Green, M.L. Wilson. Trustee Williamson arrived at the public hearing at 7:30 P.M. Also present, Attorney L. J. Poyzer. Absent: Trustee D. West.

Legal Notice: Mayor Davin opened the meeting by reading the legal notice of the public hearing which was published in the Courier-Journal on October 20, 1978. Affidavit of Publication is so attached.

AFFIDAVIT OF PUBLICATION

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

Rosalie J. Mouton....., 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:

October 20, 1978.....
.....
.....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me
this *24* day of *Oct* 19*78*
Michael N. Donovan
Notary Public

LEGAL NOTICE
NOTICE OF
PUBLIC HEARING
NOTICE IS HEREBY
GIVEN that the Board of
Trustees of the Village of
Palmyra will hold a Public
Hearing on the proposed
establishment of a
Separate Board of Police
Commissioners pursuant to
Village Law Section 3-308.
Said hearing will be held
in the Village Clerk's Office,
144 E. Main Street, Palmyra,
New York at 7:00 P.M. on
Monday, November 6, 1978,
at which time all interested
persons will be heard.
Dated: October 17, 1978
VILLAGE OF PALMYRA
Phyllis G. Dickinson
Deputy Clerk
O.20 (023)

Fee: \$ 7.70
MICHAEL N. DONOVAN
WAYNE COUNTY COMM. EXPIRES 7/30/80

Mayor Davin stated that the Board's reason for forming a board of Police Commissioners was to establish policies and goals of the department to create liaison between the police department and Village Board. She stated that each person would be allowed to speak at this hearing. She requested that each person identify himself and speak loudly so all could hear the statements.

Henry Nesbitt: Mr. Nesbitt asked the Board why personalities were mentioned at the Board meeting October 16, 1978 when a board of police commissioners was first discussed.

Ann Guest: Ann Guest asked the Board to give the qualifications of the names mentioned.

Mayor Davin: Mayor Davin said that the names of George Contant and William Reeves were mentioned because they were interested in the operations of the police department and were concerned citizens of the village as a whole.

L. Lynch: Mrs. Lynch asked if the populace could be informed of problems between the Board and Police Department.

Mayor Davin: Most of the problems in the department were concerning personnel matters and could not be discussed openly.

Henry Nesbitt: Posed the question, "Why can't the Board solve problems without forming a Police Commission?" Mrs. Davin answered that the Board is a part-time Board and does not have the time to give to all the problems.

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- Ann Guest: Does this mean that the present commissioner cannot handle the situation?
- R.Fisher: Does this mean that the board can establish a separate highway commission also? Mayor Davin replied that it could if it so chose.
- R.Bullard: Mr. Bullard stated that he was not in favor of a Police Commission unless a commissioner supports the Police Department. He offered to serve on the Commission.
- G.Contant: Mr. Contant stated that the budget in 1960 in the Police Department was \$24,000.00 and in 1970, it was \$44,000.00 and \$110,000.00 for the 77-78 budget. He believes that a police commissioner needs help from other citizens.
- R. Marr: Mr. Marr asked what the problem is between the police department and Board. Mayor Davin repeated that most of the problems are of a personnel nature.
- J.Blazey, Jr.: Mr. Blazey asked if a commission were formed, would the commission study each patrolman's record. Mayor Davin replied that this would be a part of the board of police commissioners responsibilities.
- J.Blazey, Sr.: Mr. Blazey said he had a written report for the Village Board to consider and presented such report to Mayor Davin.
- F.Trowbridge: Mr. Trowbridge asked, "What is a Police Department worth to the people. He believes that the citizens do not understand why a commission is being formed.
- R.Mingo: Mr. Mingo suggested that a commission be formed by a vote of the people as suggested in a flyer distributed by the Citizen's Committee.
- M.Day: Mr. Day stated that a police commissioner is needed who has more time to give to the department.
- R.Rolland: Mr. Rolland commented that a Police Commission could create more problems because of diversified thoughts in solving many of the needs of the department and Board.
- L.Mooney: Mr. Mooney stated that he believed the purpose of the proposed commission is to solve communication problems between the Police Department and the Village Board. He feels a commission should be established to study the Police Department.
- Chief Henry: Chief Henry addressed the Board citing several occasions that he had written requests to the Board and had received no response to these requests. He also said he was not informed by the Board that they were proposing to establish a police commission until he learned of the proposal as written in the newspaper.
- L.Green: Trustee Green noted that the public should be made aware of the good side of the department and that through the press, a poor side of the department is always shown. He feels that a formation of a police commission can demonstrate the positive side of the Police Department.
- Adjourn: Mayor Davin closed the hearing at 8:30 P.M.

Phyllis G. Dickinson, Deputy Clerk

* * * * *

November 6, 1978

Regular Board Meeting Board of Trustees

8:45 P.M.

Present: Mayor Davin, Trustees Green, Williamson, Wilson and Attorney L. J. Poyzer, **Absent:** Trustee West.

R. Crossett Richard Crossett and Peter Obourn of Conifer Developers appeared before the Board and reported that the new senior citizens building, Towpath Manor, has been a successful venture and that there is a waiting list of prospective tenants. They feel that there is a big problem with the assessment of the building. They figure that Towpath Manor is assessed for \$500.00 per unit while a like building in Honeoye Falls is assessed at \$300.00 per unit. Mr. Crossett stated that a lawsuit will be filed in January 1979 to get the assessment reduced on Towpath Manor. Conifer would like to build a 32 unit apartment across the street from Towpath Manor with FHA funds and they are prepared to close on the land for the proposed building. Mr. Crossett feels that the sewer rents being charged at Towpath Manor are very excessive and feels if these same rates are charged for the new proposed building, these charges would be 5% of the cost of monthly rental of an apartment. They plan to charge a monthly rent for an apartment at \$165.00. He appealed to the Board to give consideration to charging them one-third of the present sewer rates.

Mayor Davin told Mr. Crossett and Mr. Obourn she believes the Board can survey the problem of the sewer rates and try to consider some relief for them.

Exec. Session: Motion by Trustee Williamson, seconded by Trustee Green for the Board to go into Executive Session to discuss with the president of the CSEA, Frederick Trowbridge, and CSEA representative, Vincent Sicari, Article 13 of the Village union contract at 8:20 P.M. Motion carried.

Adjourn: Motion by Trustee Green, seconded by Trustee Williamson to adjourn the Executive Session at 8:45 P.M.

* * * * *

Reconvene: Motion by Green, seconded by Williamson to reconvene regular board meeting at 8:45 P.M.

Present: Mayor Davin, Trustees Green, Williamson, Wilson and Attorney L. J. Poyzer. **Absent:** Trustee West.

Minutes: The minutes of the regular board meeting of October 16, 1978 were approved with the following correction of Paul Evans bill for the kitchen cabinets at the new Firehouse is \$3800.00 instead of \$3700.00. Motion by Trustee Green, seconded by Wilson to accept corrected minutes. Carried.

Vouchers: Motion by Trustee Wilson, seconded by Green to pay vouchers in the amount of \$28,970.04.
Motion by Green, seconded by Wilson to pay vouchers of 9-18-78 in the amount of \$20,259.51.
Board directed Deputy Clerk not to pay bill #418 in the amount of \$378.30 to BIF dated 11-6-78 until Trustee Williamson confers with Supt. Kruger on the invoice.

Dep. Clk.: Motion by Trustee Green, seconded by Williamson to increase the salary of the Deputy Clerk to \$15.00 per week for additional responsibilities incurred during the Clerk-Treasurer's absence, beginning Nov. 1, 1978. The increase is to be used from Anti-Recession funds.

Comm. Reports: Trustee Wilson reported that American Roadways will repair the drainage problem later in the week at the Post Office parking lot. They will work in conjunction with the County Highway Department to layout the patch work and costs will be paid by the county.

Vill. Hall Renovat.: Trustee Williamson reported that he had had a conference with Councilman Wheeler in planning the renovation of the Village Hall. He stated that the Town's needs require the east side of the building and suggests a joint conference room be considered for use by both municipalities.

November 6, 1978

Fair
Comm.:

Mayor Davin reported that she had met with three citizens and three members of the Fair Association along with the Attorney for the Fair Association and Don Wallace, member of the Planning Board, to discuss the problems in the area of the fairgrounds. She said that the Planning Board will meet with these two committees and offer a recommendation.

WA.&SE
Trainee:

Trustee Williamson stated that three applicants have been interviewed for the Water & Sewer Trainee position. An appointment will be made at the November 20th Board meeting from the Civil Service eligibility list.

Trustee Williamson reported that he had met with Arthur McKeown of the King's Daughters' Library Board and investigated the defective wiring in the library and he would hope that the Village could lend some financial aid in installing the proper wiring in that building.

Tn.&Vill.
Highway
Barn
Consol.:

Trustee Williamson said that there is very little useable space in the present Town Highway barns for joint use with the Town and Village and he suggested a pole barn might be the best feasible solution to housing both these departments.

Proc.
Mormons:

Mayor Davin announced that the week of November 19-25 will be recognized as "National Family Week" as proclaimed by President Carter, the Congress of the United States and the Church of Jesus Christ of Latter Day Saints.

Police
Comm.
Recom:

Mayor Davin made a recommendation to establish a separate Board of Police Commissioners with the following powers and responsibilities.

1. Establish policies and goals for the Village Police Department.
2. Act as liaison between Police Department and Village Board.
3. Review the performances of the Patrolmen and Police Chief individually and the Department as a whole.
4. Investigate complaints from citizens on police actions.
5. Meet on a regular basis, report to the Board of Trustees.
6. Make recommendations based on reviews and investigations.

The Mayor further suggested that appointments of the Commissioners be made every April at the Board's annual organizational meeting, and that length of the term be one year.

Motion
to
establish
Police
Comm.:

Motion by Trustee Green, second by Trustee Williamson to establish a separate Board of Police Commissioners pursuant to Village Law, Section 3-308 with the responsibilities and duties above proposed, such Board to perform their duties subject to the approval of the Village Board of Trustees, and to be composed of three to five commissioners, the term of each official to be for one year.

Discuss-
ion of
Motion:

Trustee Williamson remarked that he noted that the police department was well represented by friends and relatives at the public hearing and they would have a negative feeling about the establishment of a separate board of police commissioners.

Trustee Green stated that perhaps it was about time that a commission be established so that the public can be informed of some of the problems. He also stated that he had been police commissioner before and the problem is that by the time a person begins to realize what the problems are in the Police Department, he is no longer Commissioner. He remarked that William Reeves discovered the problems early in his tenure as police commissioner and tried to do something about the situation.

Mayor Davin stated that she had been mayor long enough to recognize the problems in the police department and the problems have existed for years and former trustees have told her that they have attempted to tackle these problems. She further stated that these problems, unfortunately, are of the nature concerning personnel and one is unable to discuss personnel problems with the public, but, she is ready to commit political suicide, if necessary, in order to solve the police department problems. She feels that something has to be done soon before something extremely unpleasant happens and the Village is faced with a lawsuit.

Trustee Green feels that a commission would be an approach to the solution improving the overall effectiveness of the department. The Police Department is an expensive department and that the village should have a picture of where the tax money is being spent. He feels that communications are not too good and that morale in the department is very low. A commission could lend support in areas where time is not available. The negative side of the police department is always brought out and a commission could show the positive sides of the department.

Vote on motion: Trustee Williamson then called for a roll call vote.

Trustee Green	- Aye
Trustee Wilson	- Aye
Trustee Williamson	- Aye
Trustee West	- Absent

Motion carried.

Resol. The following resolution was proposed by Trustee Green, seconded
Trans. by Trustee Williamson:
Funds to
C.D.'s: **WHEREAS**, various savings accounts of the Village of Palmyra are classified as Time Deposit Accounts, which require notification to the bank 90 days prior to withdrawal of funds, and,
WHEREAS, the Treasurer, Theresa P. Otte, had notified the bank in proper form of notice of withdrawal of funds on 7-25-78 for withdrawal on 10/23/78, and,
WHEREAS, these accounts bear interest at the rate of 5% per annum, and,
WHEREAS, the Treasurer noted that the rate of interest for Certificates of Deposit in the last few months has been on the "up-swing", or 9.35% for funds in increments of over \$100,000.00 for a period of 119 days,
BE IT RESOLVED THAT, the Treasurer shall be authorized to withdraw the sum of \$15,000 from Capital Reserve Dump; \$8000 from Capital Reserve Sewer; \$5000 from P.T. Sexton Trust Fund; \$50,000 from Capital Reserve Fire; \$20,000 from Cemetery Trust Fund and \$502,000 from Capital Reserve Water for a total of \$600,000 to be placed in a Certificate of Deposit for 119 days to receive interest at the rate of 9.35%.

Resolution carried.

Adjourn: Motion by Trustee Green, seconded by Trustee Williamson to adjourn. Meeting adjourned at 11:50 P.M.

Phyllis G. Dickinson, Deputy Clerk

November 20, 1978

Regular Board Meeting

Board of Trustees

7:30 P.M.

Present: Mayor M. K. Davin, David Williamson, Trustee; David West, Trustee; M. L. Wilson, Trustee. Absent: Trustee L. Green. Attorney Poyzer was present at 9:00 P.M.

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

Minutes: Motion by Trustee Williamson, seconded by Trustee Wilson to accept the minutes of the regular meeting of November 6, 1978. Motion carried. The minutes of the Public Hearing on November 6, 1978 were set aside to be amended.

Committee Reports:
Vill. Hall Renovat.: Trustee Williamson reported that he had met with Councilman Edwin Wheeler, Bruce Wideman and Architects Robert Sherman, R. Stevens and Mark Vande to explore the possibilities of renovating the Village Hall to accommodate the Town and Village facilities. Trustee Williamson feels that there is room for a joint conference room and plans will be presented on November 29th with guidelines set at a figure of \$40,000.00. Trustee Williamson suggested that the upstairs of the Village Hall be contained in future plans. He also feels that the present village hall is very sound and lends itself to possible effective renovation. One of the first "musts" is a new heating system to be installed.

Trustee Williamson has checked into the state bid price of gasoline with the following prices presented to the Board:

.4151 for regular gasoline
.4401 for premium gasoline
.4321 for lead free gasoline

These state bid prices are with Texaco in Newark and will be with Gulf Corp. in January. Deputy Clerk was instructed to contact Mr. Sawyer in Newark to secure prices for delivery to the Village Barns for a 1000 underground tank for regular gas and a 550 gallon tank for unleaded gas.

Cemetery Employees: Trustee Williamson also reported that the cemetery employees will work in the highway department through the winter months until the cemetery reopens in the spring of 1979. They can be utilized in painting both at the sewer plant, the Park and Club building and various jobs with the highway department.

Req. Purch. of Land rear of 425 Canal: Mayor Davin received a letter from Hart Pierce, Attorney for Mrs. Beulah White requesting the purchase of 33.3 feet at the rear of her property from the Village. She desires to purchase this bit of land to square up her property in order to get a clear title to the existing property she now owns.

Zoning: Trustee Wilson disclosed that Daniel Pope, Chairman of the Planning Board has requested of the Board to accept their recommendations of the proposed Environmental Protection Law and that the Planning Board has revised the Zoning Code - "Small Home Businesses".

Exterior Finish Firehouse: Trustee Wilson has asked a local contractor to submit a bid for applying a finish to the Firehouse. A letter was read from Robert Sherman stating that the cracks appearing in the floor at the new Firehouse should be repaired before he can authorize the construction work entirely completed.

Beaut. District: Donald Chase and Donald Wallace appeared on the behalf of the Chamber of Commerce questioning the difference in the new taxing set-up for the Beautification District. It was their understanding that the merchants would pay their share of the taxing on a twenty year basis rather than a five year plan as disclosed on the recent tax bills sent to the merchants. They feel they should have been informed of the five year plan of assessment. The Board will look further into spreading the taxing into a ten year plan.

- Beaut. Dist.:** Mr. Chase and Mr. Wallace also registered displeasure of snow removal work done last winter and feel that a fire hazard exists if snow is not removed in the parking lots at the rear of the stores north of Main Street. They feel that their special tax district deserves consideration in fulfilling the contract between the Village and the merchants in the matter of proper snow removal.
- Environ. Prot. Law D. Pope:** Daniel Pope, Chairman of the Planning Board appeared before the Board urging them to enact the Environmental Protection Law even though the State may revise the law. Mr. Pope feels that the Village should have this law on their books.
- New Comm. Center:** Trustee West reported that footers are in at the new Community Center and that water service has been installed.
- P.O. Drainage:** Trustee Wilson stated that the drainage problem has been remedied at the rear of the Post Office and the work is 80% effective but she feels that a swail has yet to be implimented to fully make the job 100% effective.
- New Equip. Pol. Dept.:** Mayor Davin read a letter from Chief Henry, Police Dept., that the department had received a grant from the State totalling approximately \$3500.00 worth of equipment. The equipment received this date includes a CMI Speedgun radar detection unit, a Breathalyzer used in determining of blood alcohol content in DWI arrests. An alert prescreening device will be included in the equipment which is also used in determining the use of alcohol in DWI arrests. This grant was made at no cost to the Village.
- Sewer Service:** A letter was received from Supervisor Aplin for a request from Mrs. Elmer Bauer, 2904 West Foster St. of the Town of Palmyra to install sewer service to three property owners who live on the south side of West Foster which is in the Town of Palmyra. Trustee Williamson will explore the matter.
- Conifer-Sewer rates Assess.:** Mayor Davin read a letter from Conifer Associates asking the Board to consider a reduction in their sewer rates at Towpath Manor. They feel they should pay for eight units rather than the sixty-five units they are now charged. The letter was turned over to Attorney Poyzer for suggestions.
- A. Guest:** Ann Guest appeared before the Board with several questions concerning the P. T. Sexton Trust fund. She asked where the money came from to renovate the Park and Club building and how much income is derived from the securities held in the trust fund. She also questioned the mayor if the Chief of Police would be consulted as to the selection of commissioners for the newly formed Police Commission. The Mayor answered that the selection of Police Commissioners was the mayor's appointment.
- B. White Request Purch. of Land:** The Board agreed to sell approximately 33.3 feet of land to Mrs. Beulah White at 425 Canal Street in order for her to have a clear title to her property for resale. Attorney Poyzer will contact Mrs. White's attorney, Hart Pierce, to arrange the contract of sale. Motion by Williamson, seconded by West to sell that parcel of land as per attached resolution. Carried. (Resolution attached on Page 104).
- Exec. Session:** Motion by Trustee Williamson, seconded by Trustee Wilson to move into Executive Session to discuss a union problem and personnel matter at 9:10 P.M. Carried.
- Resol.:** Motion by Williamson, seconded by West that in the matter of the grievance filed by Robert Mingo against the Village of Palmyra, that the union representative be notified, in accordance with Step 2 of the contract grievance procedure, that the Village Board is of the opinion that the letter of reprimand was reasonable and justified and will not be withdrawn by the Village Board.
- Resolution carried.
- Recon-vene:** Motion by Wilson, seconded by Williamson to reconvene the regular board meeting at 9:45 P.M. Carried.
- Present:** Mayor Davin, Trustees Williamson, West and Wilson; Attorney Poyzer. Absent: Trustee Green.

Nov. 20, 1978

RESOL.:

*Resol. Bd
meet 11/20/98*

WHEREAS, the Village of Palmyra is presently the owner of real property located on and being parts of abandoned Erie Canal Land, in the Village of Palmyra, Wayne County, New York, having taken title thereto by Letters Patent of the State of New York dated August 5, 1926, and recorded in the Wayne County Clerk's Office in Liber 284 of Deeds at page 110, and

WHEREAS, a portion of said real estate was formerly land of the old Erie Canal which has been abandoned for many years and is not in use and no use is contemplated therefor and has not been dedicated to public use nor use by the public and it is not contemplated that it will be used by the public in the future, and

WHEREAS, Beulah A. White of Palmyra, New York, has offered to purchase a portion of said premises for the sum of \$100⁰⁰ cash on closing, and

WHEREAS, it is the considered opinion of this Board of Trustees that said sum represents the fair market value of the portion of said premises which the said Beulah A. White proposes to purchase,

NOW, THEREFORE, BE IT RESOLVED, that

1. The parcel of land described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Palmyra, County of Wayne, State of New York bounded and described as follows:

Beginning at an iron pipe on the southerly Blue Line of the Erie Canal, said iron pipe being the northeast corner of land owned by Beulah A. White, as recorded in the office of the Wayne County Clerk in Liber 414 of Deeds at page 227, and said iron pipe being in the westerly line of land owned by John S. Blazey, and being

WHEREAS, the Village of Palmyra is presently the owner of real property located on and being parts of abandoned Erie Canal land, in the Village of Palmyra, Wayne County, New York, having taken title thereto by Letters Patent of the State of New York dated August 5, 1926, and recorded in the Wayne County Clerk's Office in Liber 284 of Deeds at page 110, and

WHEREAS, a portion of said real estate was formerly land of the old Erie Canal which has been abandoned for many years and is not in use and no use is contemplated therefor and has not been dedicated to public use nor use by the public and it is not contemplated that it will be used by the public in the future, and

WHEREAS, Beniah A. White of Palmyra, New York, has offered to purchase a portion of said premises for the sum of \$100 cash on closing, and

WHEREAS, it is the considered opinion of this Board of Trustees that said sum represents the fair market value of the portion of said premises which the said Beniah A. White proposes to purchase,

NOW, THEREFORE, BE IT RESOLVED, that

1. The parcel of land described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Palmyra, County of Wayne, State of New York bounded and described as follows:

Beginning at an iron pipe on the southerly line of the Erie Canal, said iron pipe being the northeast corner of land owned by Beniah A. White, as recorded in the office of the Wayne County Clerk in Liber 414 of Deeds at page 227, and said iron pipe being in the westerly line of land owned by John S. Blaney, and being

N 22° 14' E, 85.25 feet from an iron pipe on the northerly line of Canal Street; and running thence from said point of beginning, N 62° 19' W along the Blue Line, 33.24 feet to an iron pipe; thence the following courses and distances through land owned by the Village of Palmyra, N 22° 37' 40" E, 4.39 feet to an iron pipe, and S 67° 40' 30" E, 33.06 feet to an iron pipe on the westerly line of land owned by said John S. Blazey; thence S 22° 14' W along the westerly line of land owned by John S. Blazey, 7.50 feet to the point and place of beginning, comprising an area of 197 square feet, according to a survey made by Harnish & Lookup, Associates on October 24, 1978.

Being a portion of the premises conveyed by The People of the State of New York to the Village of Palmyra, dated August 5, 1926 and recorded in the office of the Wayne County Clerk in Liber 284 of Deeds at page 110.

is of no use to the Village of Palmyra and is not in present use by the Village of Palmyra and there is contemplated no future use by the Village of Palmyra.

2. That it is the considered judgment of the Board of Trustees that the sale of said parcel for a fair market value would be to the benefit of the Village of Palmyra.

3. That the offer to purchase said parcel of land for the sum of \$ 100⁰⁰ by Beulah A. White is a reasonable and advantageous offer.

4. That the Board of Trustees of the Village of Palmyra hereby accepts said offer.

5. That the Mayor of the Village of Palmyra be and she hereby is authorized to execute a quitclaim deed to said parcel of land in accord with the above description and the Clerk of the Village of Palmyra be and she hereby is authorized and directed to attest thereto and place the seal of the Village thereon.

6. That the Clerk of the Village of Palmyra be and she hereby

N 22° 14' E, 85.25 feet from an iron pipe on the northerly line of Canal Street; and running thence from said point of beginning, N 62° 12' W along the line, 33.24 feet to an iron pipe; thence the following courses and distances through land owned by the Village of Palmyra, N 22° 37' 40" E, 4.39 feet to an iron pipe, and S 67° 40' 30" E, 33.08 feet to an iron pipe on the westerly line of land owned by said John S. Blazey; thence S 22° 14' W along the westerly line of land owned by John S. Blazey, 7.50 feet to the point and place of beginning, comprising an area of 197 square feet, according to a survey made by Harnish & Lockup, Associates on October 24, 1978.

Being a portion of the premises conveyed by The People of the State of New York to the Village of Palmyra, dated August 5, 1926 and recorded in the office of the Wayne County Clerk in Liber 284 of Deeds at page 110.

It is of no use to the Village of Palmyra and is not in present use by the Village of Palmyra and there is contemplated no future use by the Village of Palmyra.

2. That it is the considered judgment of the Board of Trustees that the sale of said parcel for a fair market value would be to the benefit of the Village of Palmyra.

3. That the offer to purchase said parcel of land for the sum of \$ 100 by Beulah A. White is a reasonable and advantageous offer.

4. That the Board of Trustees of the Village of Palmyra hereby accepts said offer.

5. That the Mayor of the Village of Palmyra be and she hereby is authorized to execute a duplicate deed to said parcel of land in accord with the above description and the Clerk of the Village of Palmyra be and she hereby is authorized and directed to attest thereto and place the seal of the Village thereon.

6. That the Clerk of the Village of Palmyra be and she hereby

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is authorized and directed to deliver said deed, properly executed and acknowledged, to Beulah A. White upon the payment to the Treasurer of the Village of Palmyra the sum of \$ 100⁰⁰ and the said sum shall be deposited to the credit of the General Funds of the Village of Palmyra.

7. That a copy of said survey map of Harnish & Lookup is attached to this resolution describing the parcel to be conveyed.

is authorized and directed to deliver said deed, properly executed and acknowledged, to Benish A. White upon the payment to the Treasurer of the Village of Palmyra the sum of \$ 100.00 and the said sum shall be deposited to the credit of the General Funds of the Village of Palmyra.

7. That a copy of said survey map of Harnish & Lookup is attached to this resolution describing the parcel to be conveyed.

November 20, 1978

Negot. CSEA Contract: Mayor Davin read a letter from Vincent Sicari, chief negotiator for the Village of Palmyra unit, CSEA asking for the Board to set a date sometime in early December to initiate negotiations of a new contract for the year 1979-1980. Deputy Clerk was instructed to write a letter to Mr. Sicari setting a date for a meeting in early January 1980.

Board of Police Comm.: Mayor Davin reported to the Board that she had interviewed seven men who offered to serve as Police Commissioners and that she would make the following appointments:

1. Ronald A. White, 115 W. Jackson St., to serve until April, 1980. Motion by Williamson, seconded by Wilson to appoint Mr. White. Carried.
2. George Contant, 202 Cuyler St., to serve until April, 1979. Motion by West, seconded by Williamson to appoint Mr. Contant. Carried.
3. William Reeves, 220 Fayette St., to serve until April, 1979. Motion by Williamson, seconded by Wilson to appoint Mr. Reeves. Carried.

R.Mingo Tape Recorder: Robert Mingo requested the Board to have his tape recorder returned to him and permission was granted on the condition that the tape be erased.

Catholic Prot.: Motion by Williamson, seconded by Wilson to authorize Clerk to sign catholic protection agreement proposal to Wallace & Tiernan for a cost of \$584.00 annual rate for the village water storage tank. Carried.

Vouchers: Motion by Williamson, seconded by West to pay vouchers in the amount of \$12,380.51 excluding voucher #15 for Robert B. Sherman and including the BIF invoice in the amount of \$378.30.

Min. of Public Hearing: The Board has asked the Deputy Clerk to review her notes taken at the Public Hearing on November 6, 1978 before these minutes can be accepted.

Adjourn: Motion by Williamson, seconded by West to adjourn meeting. Meeting adjourned at 10:29 P.M.

Phyllis G. Dickinson,
Deputy Clerk

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Regular Board Meeting December 4, 1978
Board of Trustees 7:30 P.M.

Present: Mayor M. Katherine Davin, and Trustees Mary Lou Wilson, David Williamson, David West, Village Attorney Laura Jane Poyzer.
Absent: Trustee Lloyd A. Green.

Citizens: Approximately - 10.

Moment Silence: Mayor Davin asked that a moment of silence be observed during which time thought should be dedicated to the memory of Paul Cherry, deceased, owner of the Ben Franklin Store on Main Street for many years.

Minutes: Motion by Trustee Wilson, 2nd by Trustee Williamson and carried, to accept the minutes of 11/20/78. Public Hearing minutes of 11/6/78, which was re-drafted, will be reviewed by board members for acceptance at the next meeting.

Vouchers: Motion by Trustee Williamson, 2nd by Trustee West and carried to approve payment of the vouchers with the exception of \$106.32 on Voucher #458, which the board felt should be clarified. Amount approved for payment was \$3,275.65.

December 4, 1978

**Police
Report:**

Motion by Trustee Wilson, 2nd by Trustee Williamson and carried to accept the Police Report for the month of November, 1978. Highlights of the report reveal that 151 complaints were investigated along with 14 accidents; together with 4 apprehended for criminal mischief; of the 52 motor vehicle arrests, 27 were cited for illegal parking and 10 apprehended for speeding. Total fines and bail forfeitures collected amounted to \$105.00.

**Comm.
Reports:**

Trustee West advised that one block wall of facer brick is complete in the new COMMUNITY CENTER. The steel has not been received. As a result, work will be a month behind, providing steel arrives in January, 1979.

**Prospect
Hill:**

Trustee West advised that he had conferred with Bruce Wideman regarding removal of dead limbs by residents of Palmyra. Removal of such limbs, both agreed, must be supervised. Permits would be issued to residents who might wish to remove limbs for firewood on Prospect Hill Park.

**Dog
Control:**

Mayor Davin questioned Trustee West regarding bitches in heat. Trustee West advised that he had prepared revisions on the present local dog control law. Must be typed and will be presented for review in the near future.

**Thanks to
Deputy
Clerk:**

Mayor Davin interjected that Clerk-Treasurer Theresa P. Otte was again back at work. Mayor Davin felt a voice of thanks should be accorded Mrs. Phyllis G. Dickinson, Deputy Clerk, for the excellent performance in handling village affairs during Mrs. Otte's absence. Clerk advised that she wanted to publicly thank Mrs. Dickinson in assuming the responsibilities of both the clerk and the treasurer during her unexpected absence due to illness. Mrs. Otte commented that the village was fortunate to have such competent help that could take over in an emergency.

**Fire
Dept.:**

Trustee Wilson informed the board that the new fire whistle has been repaired and should perform properly. Trustee Wilson advised that the finish has not been acceptable. However, there is no report from Iversen Construction, Contractors, of the new Firehouse. Trustee Williamson advised that he had had someone view the exterior finish of the Firehouse who commented that in three or four years the finish would be deteriorated.

Cemetery:

Trustee Williamson advised that two men from the Cemetery Department are working for the highway Department. Trustee Williamson feels that Mrs. Barbara Kaveny, a former cemetery employee, who is receiving unemployment insurance should be asked to return to work in the highway department. Clerk asked to write her a letter to this effect.

**Sidewalk
Plowing:**

Trustee Williamson advised that he has information relative to having sidewalks plowed. It would be possible, he indicated, to obtain used equipment.

**Consol. of
Vil. & Tn.
Offices:**

Trustee Williamson commented that at the present time it costs some \$12,301.00 for heat, light, repairs of the Village Hall. Trustee Williamson advised that he has received three (3) proposals relative to renovation for including Town and Village offices under one roof. Robert Sherman submitted a letter, while Harnish & Lookup and Al Parry Associates submitted more formal proposals. Trustee Williamson felt board members should view the proposed plans before the next board meeting.

**Wat. & Sew.
Vacancy:**

Trustee Williamson informed the board that he and Mr. Kruger had interviewed a person for the position. He is on the Civil Service list. Two who were interviewed on the Civil Service list did not choose to accept the position. Trustee Williamson added that if the third man does not accept, it would be possible to hire a trainee, one who has not taken the Civil Service test.

**Consol. of
Tn. & Vil.
Study:**

Trustee Williamson advised that he would be contacting Town Board members to arrange for a meeting to discuss the possibilities of Consolidation of Village and Town.

Day of
Deposit-
Day of
With-
drawal:

Trustee Williamson advised that he felt village funds should be placed in "Day of Deposit-Day of Withdrawal" leaving a minimum of funds in the general checking account for payment of bills and payroll. Mayor Davin interjected that the Treasurer had just conferred with Donegan Associates, who have recommended this procedure and that this will be initiated so that village funds will receive additional interest, besides interest received by Certificates of Deposit invested for longer periods.

Retire-
ment of
Clk.-
Treas.:

Trustee Williamson interjected, directing his words to the Clerk Treasurer, Mrs. Otte, that he felt it would be apropos if she would inform the board regarding her plans for retirement. He added that she need not do so immediately, but felt that within the near future the board should be so informed. Mrs. Otte advised that she would cogitate on that subject but had not any definite thoughts at present.

Beaut.
Dist.:

Mayor Davin advised that at the last board meeting a question was raised by a representation of the merchants regarding the payment within five years of the merchants' share of the Beautification Project. Mayor Davin advised that she had asked the treasurer to review the matter.

Resume of
Funding
Beaut.
Project:

Treasurer Otte advised that according to law, a resolution was incorporated in the minutes of the regular meeting of the Board of Trustees on July 6, 1976, which indicated that up to \$73,333. in bonds could be issued for the merchants' share of the project.

On February 24, 1978, she continued, a legal notice appeared in the Palmyra Courier-Journal Legal Section, that, in essence stated that the assessment had been completed, was on file in the office of the clerk and that if within thirty days a property owner wished to pay his share in full, he might do so. No property owner chose to pay.

In the interim, she continued, the treasurer of the Village was charged with exploring the borrowing of \$70,000.00 to "pay back" the Village of Palmyra, who had previously paid the merchants' share along with the village's share to the county. Bond Attorneys, Willkie Farr & Gallagher in New York were contacted to ask their advice. A Statutory Installment Bond was recommended. A Statutory Installment Bond, to span ten years would be allowable, if it were possible to find a bank who would be willing to accept such a maturity schedule for such a small issue. Coupon bonds were not recommended.

It was then the responsibility of the treasurer, she continued, to contact area banks, Marine Midland, Palmyra; Security Trust in Shortsville; Central Trust in Marion; Lincoln First in Macedon; to ascertain if any would be willing to underwrite a Statutory Installment Bond for up to ten years and the rate of interest. All banks agreed on 5 years for maturity, with rates ranging from 5.95%, 5.75%, and Lincoln First and Marine Midland offering 5.50%. Since Marine Midland is local, we chose to accept their bid, at 5.50%, meaning the same rate of interest for the next five years, with principal payments of \$14,000.00 annually. The bond attorney in New York was then contacted for the preparation of the Statutory Installment Bond. Their fee for this one bond, which included, according to law, their legal opinion as to the validity and good faith of the village for payment, and an arbitrage statement prepared by them and signed by the treasurer, was \$700.00.

It would have been possible, she added, to request a Bond Anticipation Note for a one year period, which could have been extended and renewed for five years, at the end of which time any unpaid principal, for instance, \$35,000.00 would have to be permanently financed, such as a Statutory Installment Bond. Had we chosen to "go this route", the rate of interest, on the Bond Anticipation Note that would be renewed annually up to five years, would fluctuate with the economy. It could go up, possibly to 7% or more. On the other hand, it might go down below 5%. With the renewal each year, and the preparation of a new Bond Anticipation Note by the Bond Attorneys, a fee based on the unpaid balance of the note would be charged, by the bond attorneys.

December 4, 1978

Resume:

As an example, assuming that the average interest rate would be 6%, the total interest would amount to \$22,575.00 for ten years. In addition, the bond attorneys' fees would be some \$2,800.00. These totals of Principal of \$70,000.00, interest of \$22,575.00 and bond attorneys fees of \$2,800.00 would amount to \$95,375.00 for ten years. Of course, this could be less, should interest rates drop, or more, if they rose.

The five year Statutory Installment Bond agreed on amounts to \$82,260.00, which includes \$70,000.00, face of the note, interest of \$11,560.00 and bond attorney fee of \$700.00.

Finally, she advised, according to law, a municipality is allowed to issue only one Statutory Installment Bond in a year. Inasmuch as the Village of Palmyra was not planning to arrange for any bonded indebtedness in the ensuing year, and inasmuch as the Village of Palmyra will be responsible for the payment of the indebtedness, it seemed logical to arrange for liquidation of the indebtedness at this time.

Police
Comm.:

Mayor Davin advised that the three persons chosen to be members of the "Lay Police Commission" have been sworn in. They are: George Contant, Cuyler Street; William Reeves, Fayette Street; and Ronald White, West Jackson Street.

Hyde
Park:

Trustee Wilson questioned if all the drives on Hyde Parkway had been finished. Board informed that all approaches have been replaced satisfactorily.

Sew. Ded.
Rpt. for
IRS:

Mayor Davin advised that a report had been received from B.P. Donegan, Inc., Victor, N.Y. relative to the percentage allowed by village property owners for inclusion in their income tax if they itemize. The sewer percentage for this year will be 57.93% of the gross amount of annual sewer charges to the property owner. Cards will be sent to the property owner in the near future.

Canaltown
Days:

Mayor Davin advised that a letter has been received from next year's Chairman, Richard Watson, advising Canaltown Days will be scheduled for September 13-16, 1979. Trustee Wilson commented that it would be advisable to have more trash cans.

N.Y.S.
Dept.
Health:
Water-
Cross
Connec.
Control

Mayor Davin advised that a letter has been received from the New York State Department of Health which recommends that an ordinance be adopted by the Village of Palmyra which would prohibit unprotected cross-connections of potable water within the village limits. Mayor Davin asked Village Attorney Poyzer to review the suggested ordinance as proposed by the Dept. of Health.

Tn. of
Palmyra
Fire
Agree:
(2 Yr.):

On motion by Trustee Wilson, 2nd by Trustee West and carried, Mayor Davin was authorized to sign the two year agreement with the Town of Palmyra for Fire Protection with payments by the Town in 1979 in the amount of \$19,500.00 and \$21,000.00 in 1980.

N.Y.S.
Elec.
& Gas:

Mayor Davin advised that a letter has been received from the New York State Electric & Gas advising that the present contract will expire on 4/1/79. Letter indicates that rate increase can be expected. Board instructed clerk to invite a representative of the N.Y.S. Electric & Gas to attend the meeting of 12/18/78 or 1/2/79 at 8:00 P.M.

Wayne Co.
Yth. Bur.:

Information received from Robert C. Oaks, Director, Wayne County Youth Bureau, advised that 100% reimbursement would be available in 1979 for supplemental youth development providing application meets the requirements. Clerk Otte informed the board that Community Center Director, James Campbell is aware of the program being offered and will advise the village of his recommendations.

Land Soil
Survey:

Mayor Davin advised that the County of Wayne has presented a volume of information relative to the land-soil in the County of Wayne for use in village offices.

Deed to
B. White:

On motion by Trustee Wilson, 2nd by Trustee West and carried, Mayor Davin was authorized to sign a deed in exchange for a check in the amount of \$100.00 for land adjacent to the property of B. White, Canal Street, such land a part of the Old Erie Canal bed, owned by the Village of Palmyra.

December 4, 1978

- Pol. Car Washes:** Bill received from Contant's Texaco Gas Station for two car washes, which included interior cleaning, in the amount of \$30.00, prompted board to request clerk to write a letter to Police Chief Henry to advise him that police cars should be taken down to the Village Barns for complete cleaning in the future.
- Prop. Loc. Law #1, 1978:** Proposed Local Law #1, 1978 Section 29-44 Special Permit requirements to be amended which would allow for an additional home occupation, namely, hair styling limited to one chair. (Complete proposed Local Law is so attached on Page 110).
- Pub. Hrng. 12/19/78:** Motion by Trustee Wilson, 2nd by Trustee Williamson to set the date of a Public Hearing for December 19, 1978, at 8:00 P.M. in the Village Hall.
- Union Contract Expires 5/31/79:** Mayor Davin advised that a letter had been received from Mr. Sicari, CSEA Union representative suggesting that negotiations should begin for a new contract the early part of January, 1979, inasmuch as the present union contract will expire 5/31/79. Mayor Davin commented that she would contact Trustee L. Green to ascertain his preference for consultants on management side. Value Managements, Buffalo, N.Y., she continued assisted the Village in negotiations previously.
- Conifer Assoc. Request:** Village Attorney Poyzer informed the board that she has written to the New York State Department of Audit & Control to request an opinion regarding the request of Conifer Associates to assess a special rate for sewerage and water at the Towpath Manor Apartments as well as the proposed apartments on the north side of Canal Street.
- Bond Issue to Mature 1990:** Attorney Poyzer pointed out that the complete structure of the sewer rental would have to be altered inasmuch as the Village of Palmyra does have a Sewer Bond Issue that will not mature until 1990, as a result it would not be proper to make any changes, but there might be a redefining of a "unit basis".
- PERB:** Mayor Davin advised that she had received a letter recommending names of arbitrators, should the village wish to go to arbitration.
- Exec. Session:** Motion by Trustee Wilson, 2nd by Trustee Williamson and carried, to convene the Village Board in an Executive Session at 8:45 P.M. to discuss arbitration proceedings.
- Theresa P. Otte, Clerk Treasurer
- Reconvene** The Village of Palmyra Board of Trustees reconvened in regular meeting at 9:15 P.M.
- Present:** Mayor M. Katherine Davin, and Trustees Mary Lou Wilson, David Williamson, David West, Village Attorney Laura Jane Poyzer. Absent, Trustee Lloyd Green.
- Reconvene:** Motion by Trustee Williamson, 2nd by Trustee Wilson and carried, to resume the regular board meeting of December 4, 1978.
- Decertification:** John Rigney, Canandaigua Street, questioned Mayor Davin if the Village was pursuing the decertification of the CSEA Union. Mayor Davin informed him that the village is investigating the matter. Mr. Rigney questioned if a consultant had been hired to pursue the matter. Mayor Davin commented that no firm is needed at this point.
- Arbitrators:** Mayor Davin advised that the list of arbitrators were viewed, but none were appointed.
- Rev. Shar. & Anti-Recess. Rpt.:** Treasurer Otte advised that a news item had been prepared in accordance with a directive from the Federal level regarding notification to the public of a report on file in the office of the Village Clerk regarding the actual expenditures from Federal Revenue Sharing and Federal Anti-Recession Funds for the fiscal year 6/1/77 - 5/31/78.

December 4, 1978

U.S. AIR FORCE

TO: [illegible]
FROM: [illegible]
SUBJECT: [illegible]

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75. [illegible]



(d) Buildings are spaced adequately for privacy and fire safety.

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

A. In Residence 1 Districts.

B. Subdivision A of section 29-44 is hereby amended by deleting the present paragraph (1), by renumbering present paragraphs (2) through (6), to become paragraphs (1) through (5), and by the addition of a new paragraph (6) to read as follows:

(6) For a customary home occupation or profession in accordance with Section 29-14D(7), the Board shall find, in addition to the general requirements, that:

- (a) the occupation or profession will not detract from the uses of neighboring properties.
- (b) adequate off street parking is available for the intended use.
- (c) the occupation or profession will not cause a hazard to health, safety or reasonable use of neighboring properties by reason of noise, traffic or other conditions.

C. The opening sentence of renumbered paragraph (3) of subdivision A of section 29-44 is hereby amended to read as follows:

(3) For a parking lot for more than five (5) vehicles, for a use on the premises in an R-1 District, as provided in §29-14D(4), the Board shall find, in addition to the general requirements, that:

D. Paragraph (3) of subdivision B, In Residence 2 Districts, of section 29-44 is hereby amended to read as follows:

(3) For a parking lot for a use off the premises on a lot abutting a Commercial or Industrial District, in accordance with § 29-15D(4), the Board shall find, in addition to the general requirements, that:

- (a) There is an unmet need for the parking which cannot reasonably be met within the Commercial or Industrial Districts.
- (b) The parking lot with its entrances and exits will not detract from the quiet enjoyment of residential uses.

E. Subdivision B, In Residence 2 Districts, is hereby amended by the addition of a new paragraph (4) to read as follows:

(4) For a multiple dwelling or dwelling group containing more than three (3) dwelling units, as provided in § 29-15 D(5), the Board shall find, in addition to the general requirements, that:

- (a) The development, as planned, relates harmoniously with existing and anticipated development in the surrounding area, especially with relationship to the design and placement of structures, recreation areas, parking areas and driveways, walkways, service facilities and other improvements.
- (b) The development relates adequately to the character of the land and existing landscape features and that landscaping appropriate to the use and area is to be installed.

(c) Not more than eight (8) dwelling units shall be provided in any one (1) dwelling.

(Please Use this Form for Filing your Local Law with the Secretary of State)

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~~
~~City~~ of Palmyra
~~Town~~
Village

Local Law No. of the year 19 78.....

A local law to amend Chapter 29, Zoning, of the Code of the Village of Palmyra
(Insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ of Palmyra as follows:
~~Town~~
Village

1. In section 29-9, Definitions, of ARTICLE II, Word Usage and Definitions, the paragraph entitled "CUSTOMARY HOME OCCUPATION OR PROFESSION" is hereby amended to read as follows:

CUSTOMARY HOME OCCUPATION OR PROFESSION - One (1) of the following specific uses when carried on within a dwelling by a resident thereof with the incidental assistance of not more than one (1) nonresident person: office of an accountant, architect, artist, dentist, doctor, engineer, lawyer, surgeon, osteopath; studio of an instructor in the arts limited to instruction of four (4) persons at a time; custom dressmaking and millinery occupation; hair styling occupation limited to one (1) chair; provided that the use shall not require the utilization of more than three (3) rooms nor occupy more than three hundred (300) square feet, that there be no exterior display or indication of the use other than permitted signs and that no inventory of goods be sold or mentioned. No use not included shall be permitted.

2. Subdivision C, Permitted accessory uses, of section 29-14, Residence 1 (R-1) Districts, is hereby amended by deleting and repealing the present paragraph (1), and by renumbering paragraphs (2) through (7), to become paragraphs (1) through (6).
3. Subdivision D, Uses requiring a special permit in accordance with §§29-41B and 29-44A, is hereby amended by the addition of paragraph (7), to read as follows:
(7) Customary home occupations and professions.
4. Section 29-44, Special Permit Requirements, is hereby amended as follows:

A. The title of subdivision A of section 29-44 is hereby

SEQR
Semi-
nar:

Clerk Otte informed the board that a seminar would be held on December 5, 1978 at the Monroe Community College, Rochester, N.Y. at 7:00 P.M. relative to the clarification of the State Environmental Quality Review Act Regulations. Mayor Davin advised that Village Attorney and she planned to attend the meeting. Motion by Trustee Wilson, 2nd by Trustee West and carried, to reimburse Village Attorney Poyzer and Mayor Davin for any expense incurred for this seminar.

HUD:

Mayor Davin advised that notice had been received from the HUD office in Buffalo, indicating that correspondence should be directed to James P. Sweeney, Deputy Regional Administrator, inasmuch as the Office of the Area Manager was vacant.

Adjourn:

Mayor Davin adjourned the meeting at 9:30 P.M.

Theresa P. Otte, Clerk Treas.

* * * * *

Regular Board Meeting December 18, 1978 Board of Trustees 7:30 P.M.

Present: Mayor M. Katherine Davin and Trustees Lloyd A. Green, David Williamson, David West, Mary Lou Wilson, and 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 West to authorize the treasurer to draw checks for the vouchers as presented in the amount of \$35,075.76, which represents a 5% retainage of the bill of Iversen Construction of \$34,200.80, because of incomplete work.
Roll call vote: Trustee West Aye
 Trustee Green Aye
 Trustee Wilson Aye
 Trustee Williamson Naye

Motion carried.

Minutes:

Motion by Trustee West, 2nd by Trustee Wilson and carried, to accept the minutes of the regular board meeting of December 4, 1978.
Motion by Trustee Williamson, 2nd by Trustee Green and carried, to accept the re-drafted minutes of the Public Hearing on November 6, 1978.
Mayor Davin commented that so much time has elapsed since the hearing, that it would be advisable to agree that the minutes are complete and indicate the overall comments of the group that was present.

B. Wideman: Bruce Wideman, Zoning Officer, advised that the State has now indicated that the dikes will remain, but no further sludge will be dumped in the area north of the Old Erie Canal and south of the present Barge Canal adjacent to Church Street. Mayor Davin advised that she had received a letter from the state so indicating this information.
Zoning Officer Wideman advised that the house on Main Street of concern to Village Board members, because of the unkept condition, will be taken care of, within the week.

Cars on
Lawns:

Trustee Williamson commented that he had noted many cars parked on lawns. B. Wideman informed him that this is a police matter, not a zoning violation.

Wood-
Cutting:

Trustee West advised that he and Bruce Wideman feel that it would be advantageous to have or allow both Town of Palmyra and Village of Palmyra residents access to the Prospect Hill Park as well as the Old Erie Canal Project for the purpose of removing dead debris from the area. He added that no trees that are alive can be cut. Only branches that are lying on the ground may be removed.

Tickets:

Trustee West added that tickets should be purchased at the village office, which would cost \$1.00 for a load of wood to be placed in a trunk of a car, while a pick-up truck will require a \$5.00 ticket. Funds received from the sale of the tickets would go to the Community Center Project. Trustee West and Bruce Wideman will supervise the clean-up.

December 18, 1978

**Tickets
(Cont'd):**

People desiring to pick up debris, must also sign a release absolving the village of any injury that they might sustain while in the woods. Dates, he continues for the project, would be December 30, 1978 and January 6, 1979 from 10:00 A.M. - 4:00 P.M., weather permitting.

Resol.:

The following resolution was proposed by Trustee West, 2nd by Trustee Williamson:

WHEREAS, in order to rid the Prospect Park area and the Old Erie Canal Area of dead wood that has fallen, and,
WHEREAS, a donation of \$1.00 or \$5.00 may be given depending on the amount, being either a trunk of a car or a pick-up truck to be filled, and,
WHEREAS, a person can only pick up the debris one time and not take the wood for re-sale,
BE IT RESOLVED THAT, Trustee West and Zoning Officer Bruce Wideman shall be in charge of the project on 12/30/78 and 1/6/79, from 10:00 A.M. to 4:00 P.M., weather permitting, and,
BE IT FURTHER RESOLVED, that people desiring to pick-up the debris must sign a release absolving the Village of any harm that they might sustain at the time they obtain the tickets in the office of the Village Clerk.
 Vote:

Unanimously approved.

Comm.Ctr.:

Trustee West advised the board that the next meeting of the Community Center Board will be for the election of officers. The consensus of opinion is that it would be advantageous to hire a professional fund raiser, so that funds for the completion of the building can be realized.

**Comm.Ctr.
Project:**

Trustee West commented that the steel is expected to arrive in January for the Community Center building thereby assuring the closing in of the building by early February, 1979.

**Dog
Control:**

Trustee West informed the board that there is no drug that can be given to a dog which is a week or so "in heat". If it is possible to give the dog a pill on the first day, control can be expected. If the dog owner desires, there are pills to be given to dogs on a daily basis. Village Attorney Laura Jane Poyzer informed the board that the Village of Livonia have adopted a new dog ordinance which is very comprehensive. As soon as they send her a copy of the ordinance, she would suggest that the board review it.

**Executive
Session:**

On motion by Trustee Green, 2nd by Trustee Williamson and carried, to move into executive meeting to discuss personnel and legal matters at 8:06 P.M.

Theresa P. Otte, Clerk Treas.

Reconvene:

On motion by Trustee West, 2nd by Trustee Wilson and carried, the board re-convened in the regular meeting at 8:36 P.M.

Present:

Mayor M. Katherine Davin, and Trustees Mary Lou Wilson, David West, David Williamson, Lloyd A. Green, and Village Attorney, Laura Jane Poyzer.

Hwy.Rpt.:

Trustee Green advised that the plow previously bid, with low bidder, James Hanna, Rochester, N.Y., in the amount of \$9,150.00, to include component parts, has now been received in satisfactory condition, ready for use. Trustee Green advised that the two streets which were to be paved, Crescent Drive and Hathaway Drive, were not both done within the time limit. Hathaway Drive has not been completed by Wesley Paving. Trustee Green questioned if it would be possible to cancel the contract.

**Police
Rpt.:**

Trustee Green informed the board that the organization meeting of the Police Commission was held on December 11, 1978, at which time guidelines, as suggested by Mayor Davin, were reviewed. George Contant, member of the Commission, suggested that a new image should be envisioned for the department, and William Reeves, member, enlarged on this adding that rather than concentrating on arrests, it might be well to concentrate on crime prevention, along with investigate complaints from private citizens. Trustee Green felt that the commission will have a good rapport with other members of the police department as well as citizens.

December 18, 1978

Grievance: Trustee Green advised that he had a letter signed by all members of the Police Commission, William Reeves, George Contant, Ronald White, and himself recommending that the letter of reprimand against Robert Mingo, Patrolman, be withdrawn from his file. The letter read as follows:

"It is the Police Commission's recommendation that the Village Board withdraw the letter of reprimand and grievance proceedings against Patrolman R. Mingo in the matter of parking in front of the Garlock House.

"Our reason for the recommendation is that since we are a new commission, we would like to wipe the slate clean and take a fresh approach to the administration of the Police Department."

Mayor Davin questioned Trustee Green if the Police Commission would condone this behavior; whereupon, Trustee Green commented that the commission does not condone, but feels that it should be a "Good Neighbor Policy".

Trustee Williamson interjected that the Board does honor the mayor's intention and out of respect for her felt that the letter should be attached to the village board's resolution.

Trustee Wilson commented that she was anxious to have the commission get off to a good start.

**Resol.
Re:
R.Mingo:**

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

WHEREAS, the newly formed Police Commission has deemed it in the best interest of the Village of Palmyra to recommend the removal of the letter of reprimand in the file of Patrolman Robert Mingo relative to the matter of parking in front of the Garlock House, **BE IT RESOLVED THAT**, the Board of Trustees of the Village of Palmyra shall instruct the clerk to remove the letter of reprimand relating to the parking in front of the Garlock House from the file of Patrolman Robert Mingo.

Vote:

Unanimously approved.

Bob Fisher: Questioned if this was a direct command. (Private citizen, West Jackson Street.)

Trustee Williamson responded to Mr. Fisher that he had come in to the meeting late and did not hear all the conversation.

Mayor Davin pointed out that she is head of all departments of the village and has the right to solicit the cooperation and assistance of any member of the department.

**Brd. of
Police
Commiss.:**

Trustee Green informed the board that the Board of Police Commissioners met Saturday morning with each member of the Police Department, talking to each member alone on a personal basis. Trustee Green suggested that any complaints or compliments would be welcomed by the Board of Commissioners.

Next meeting of the Police Commission, which will be open to the public, according to Trustee Green, will be December 20, 1978 at 7:00 P.M.

**Car
Washes:**

Trustee Green advised that a discussion relative to car washes for the Police Car at the Texaco Gas Station has prompted him to advise that the car will be sent to Texaco periodically for a complete cleaning. Patrolmen do take the car to the automatic car wash two or three times a week, but after several months, it is necessary to have the car cleaned "inside and out". Trustee Williamson suggested that a letter might be sent to Mr. Contant, operator of the Texaco Gas Station, explaining the situation. Mayor Davin thanked Trustee Green for the excellent start of the Police Commission.

Sidewalk
Tractor
"NO":

Trustee Green advised that he had reviewed the matter of plowing sidewalks in the areas where school children need to walk to school. He commented that after much thought, he feels that it would become too big a job and too much of a burden on the highway crew. In addition, it would probably be necessary to hire additional help. Mayor Davin interjected that property owners should be alerted to clean their own sidewalks in front of their property. No penalty would be imposed, but they should be asked to keep their walks free of ice and snow.

Zoning:

Mayor Davin announced that there will be a public hearing on December 19, 1978 at 8:00 P.M. relative to various revisions in zoning.

SEQR
Meeting:

Mayor Davin advised that Attorney Poyzer and herself attended the State Environmental Quality Control meeting on December 5, 1978 at Monroe Community College. Summation of information gleaned revealed that it has been recommended that villages follow the guidelines as set down by the State. Each municipality does have individual situations, but at the present time it would be best to adopt the state regulations. A municipality is protected by the state.

Fire Dept.
Applicat.:

Trustee Wilson moved that the following names be accepted for membership in the Fire Department pending completion of training as prescribed by the department:

Steven D. Armstrong, 201 Stafford Street
Donald B. Gray, 326 Hathaway Place

2nd by Trustee Green and on vote, unanimously approved.

Iversen
Const.
Bill:

Discussion relative to the invoice of Iversen Construction in the amount of \$34,200.

Mayor Davin indicated that she felt some should be withheld inasmuch as there are four (4) defects on the new firehouse that have not been finished to the board's satisfaction.

Trustee Williamson recommended that payment be withheld until the January 2, 1979 meeting.

Trustee Wilson recommended that 5% of the \$34,200. or some \$1,700.00 be withheld.

Trustee Green reiterated that Robert Sherman drew the plans, bids and specs and that the contractors did meet the specs of finished work as outlined. He repeated this several times.

Resol.:

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

WHEREAS, Iversen Construction, contractor for the new firehouse, has not finished to the satisfaction of the Board of Trustees, four (4) items, and,

WHEREAS, an invoice in the amount of \$34,200.00 has been presented for payment, representing the completion and fulfillment of the contract,

BE IT RESOLVED THAT, a retainage in the amount of 5% shall be withheld until such time as the items are completed for the satisfaction of the board.

Discussion:

R. McCarthy, citizen, advised that he felt Mr. Sherman's recommendations should be honored.

Trustee Williamson advised that Paul Evans, local contractor and member of the fire department, is not satisfied with the work.

Attorney Poyzer advised that someone reliable would have to state the contract was not met.

Question:

Mayor Davin asked for a voice vote on the above resolution. Vote:

Trustee Green	Aye	Trustee Williamson	Naye
Trustee Wilson	Aye	Trustee West	Aye
Mayor Davin	Aye		

Resolution adopted: To withhold 5% of the \$34,200.00.

December 18, 1978

- No Park. on W. Jack & Canan.:** A letter was received from Lorene Warner, West Jackson Street, suggesting that the board consider "No Parking" from the corner of Canandaigua Street west to the entrance of the driveway of Mrs. David Levis on West Jackson, with the same on the other side of the street, especially in front of St. Anne's school. Mayor Davin suggested that the matter be turned over to the Police Committee for study.
- Trustee Green mentioned that thought might be given also to the intersection of Mill, Vienna and Prospect Drive. Trustee Green advised that he would have the Police Commission review the matter.
- Snow Ordin.:** Trustee Williamson suggested that the Snow Removal Ordinance relating to parking of cars on village streets between the hours of 1:00A.M. and 7:00 A.M. should be changed. Trustee Green responded that the Police Commission would review, considering primarily a common sense approach.
- Sewer Drying Beds:** Trustee Williamson advised a letter had been received by Harold Kruger, operator of the Sewage Disposal Plant, from the Dept. of Environmental Control relative to the buildup of sludge in the drying beds at the Sewer Plant. Trustee Williamson commented that he had asked Mr. Kruger to contact Mr. Rudio, State Dept. of Health, Geneva, to advise him that the Village of Palmyra is investigating the cost of blacktopping the beds in the early summer, thereby allowing the removal of the sludge periodically. Trustee Williamson indicated that Mr. Pulcini would charge about \$1,100.00 to clean the beds.
- Wat.&SE Trainee:** Trustee Williamson indicated that there are two (2) additional people to be interviewed for the position as a third man in the Water & Sewer Plant operation. He indicated that probably (1) would qualify.
- Watershed Report:** Mayor Davin advised that a letter had been received from the New York State Dept. of Health regarding the Village of Palmyra report of the Watershed Inspections. Clerk Otte interjected that the City of Canandaigua hires a person to be the water shed inspector for all those municipalities that draw water from Canandaigua Lake. Our share of the cost of the salary and any other expense is based on the total annual draw from the lake in proportion to those other communities. The watershed inspector will make a report to the Department of Health and in turn submit a copy of the report to the Village of Palmyra as well as to other municipalities.
- Unemploy. B.Kaveny:** Trustee Williamson advised that he had talked with Barbara Kaveny relative to working on the highway department. She suggested that she be allowed to work alternate hours for the department, so that she could continue her schooling. Trustee Williamson informed her that she would be required to work the hours that the highway crew are working. Trustee Williamson indicated that since she is not able to conform to the village's working hours, the unemployment insurance would cease.
- Urb.Ren. Rpt.:** Mayor Davin advised that the Urban Renewal Agency Board have agreed to give \$10,000.00 to Conifer Development to fill in the north side of Canal Street, area noted as Parcel #1, Urban Renewal. They, Conifer Associates, according to Attorney Poyzer, are ready to close for the purchase of this property. An amount of some \$16,000.00 will then be left in the Urban Renewal Agency Fund. This amount, according to Mayor Davin, will revert to the Village.
- Master Meter:** The installation of the Master Meter on Canandaigua Road South, in the Town of Palmyra, is progressing. Village crews under the direction of Ray Smith are working on their part.

December 18, 1978

**Trust
Funds:**

Trustee Williamson questioned if the investment funds of the P.T. Sexton and Cemetery Trust Fund Accounts have ever been reviewed by any other banks. He indicated that the annual yield appears to be very small, barely 5%, and it would appear that perhaps these funds should be placed in more lucrative channels. Trustee Green and Clerk Otte both replied that village funds cannot be invested in various diverse stocks, etc., and cannot be held by the investor, but must be kept in the safe deposit box in the local bank under the care of the treasurer. However, they added, he was at liberty to check with any other investment firms for their recommendations, providing they meet the criteria as set by the State Department of Audit & Control.

**Good
Work to
Dept.
Heads:**

Trustee Williamson suggested that letters be sent to Department Heads thanking them for their help and assistance during the year as Village Employees and advising them of their continued service and support has aided in accomplishing the goals of the Village Board.

Vil.Hall:

Mayor Davin advised that she had viewed the proposals submitted for renovation of the Village Hall. She indicated that the Town of Palmyra has not given a recommendation for their needs. The anticipated cost probably would be at least \$10,000. Discussion of possible funds available for restoration. The building is not in the National Register of Buildings for Restoration. The initial repairs should be considered, especially a new furnace.

**New C.D.
Funds:**

Mayor Davin advised that Paul Szymanski, Candeub, Fleissig & Associates, had informed her that there will be a new round of Community Development Funds available to municipalities who would qualify. Mayor Davin said that she had called John Steele of the Wayne Co. Planning Board to ask if there would be a group project, as last year. Both Szymanski and Steele indicated that there are no definite guidelines, but a deadline date is set for February 5, 1978 (1979). They indicated that the Village of Palmyra had a good chance of receiving funds. At this time it is apparent that all communities will apply individually.

**Resol.Re:
Deed to
Parcel #1:**

The following resolution was offered by Trustee Green, 2nd by Trustee West:

WHEREAS, Conifer Associates, Rochester, New York, have placed an offer for the purchase of land known as Parcel #1, Urban Renewal Area, located on the north side of Canal Street, in the amount of \$17,800.00, for the purpose of building housing for the elderly,

BE IT RESOLVED THAT, Mayor M. Katherine Davin, is hereby authorized to sign the title of transfer in behalf of the Village of Palmyra to Conifer Associates, Rochester, New York, with the stipulation that such parcel of land shall be used for construction of housing for the elderly, for the set price of \$17,800.00.

Vote:

Trustee West	Aye
Trustee Wilson	Aye
Trustee Green	Aye
Trustee Williamson	Aye

Resolution adopted.

**CSEA
Request:**

A request from Mr. Sicari, representative of the CSEA Union, indicated that negotiations should begin for the preparation of a new contract. Trustee Green advised that Jim Spitz is to work with him.

Trustee Green revealed that possibly "Decertification of the Union" may be accomplished.

December 18, 1978

Accept
Town
Assess.:

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

WHEREAS, the Village of Palmyra has found it advantageous to adopt the inside village assessment from the Town of Palmyra Assessment Roll,

BE IT RESOLVED THAT, the Village of Palmyra shall adopt the inside Village Assessment from the Town of Palmyra Assessment Roll for purposes of levying taxes as of June 1, 1979.

Vote:

Unanimously adopted.

Tn.of
Manch.
Fire
Cont.:

A proposed Fire Contract with the Town of Manchester and the Village of Palmyra was submitted by the Town of Manchester. Mayor Davin suggested that before the agreements are signed, she would prefer that Trustee Wilson and Village Attorney Poyzer review the contracts.

Ziegler
Letter:

Clerk Otte advised a letter was received from Mrs. Fred Ziegler, 149 Canandaigua Street, who felt that she was being charged too much in sewer and water. A review of her ledger sheet indicated that there is only one water meter for eight apartments. Water consumption averages 8,000 cu. ft. per quarter indicating that with 8 apartments, it would indicate water consumption of 1,000 cu. ft. per quarter.

Mrs. Ziegler also indicated that the village crews have to periodically go into the west section of her property to clean out the sewer. She indicated that she did not believe her husband, now deceased, had been paid for an easement. Clerk Otte advised a review of records indicated that a check in the amount of \$1,200.00 was sent to Mr. Ziegler on October 11, 1960 for easement privileges. Clerk asked to write her a letter to this effect.

Canaltn.
Days:

Mayor Davin suggested that Highway Trustee direct the placement of benches in the Village Park for next year's Canaltown Days.

Letter
From
Brazil:

Mayor Davin advised that she had received a letter from a person in Brazil, who was writing to advise that he had noted from a recent magazine that she was the Mayor of a small village.

Adjourn:

Mayor Davin adjourned the meeting at 10:40 P.M.

Theresa P. Otte, Clerk Treasurer

December 19, 1978

Public Hearing

Board of Trustees

8:00 P.M.

Present: Mayor M. Katherine Davin, and Trustees David Williamson, Mary Lou Wilson, David West. Absent, Trustee Lloyd A. Green, Village Attorney Laura Jane Poyzer.

3 Citizens.

Subject: Amendment to Local Law #3, 1967, Zoning relating to Customary Home Occupations, by adding "hair styling occupation" limited to one (1) chair, together with redefining and insertions in R-2 districts as it may relate to parking, along with additions and deletions in R-1 and R-2.

Proof of
Public.:

Mayor Davin called the meeting for the public hearing to order by reading the Notice of Public Hearing, with Proof of Publication noted in the Courier-Journal as of December 8, 1978. Affidavit of Publication is so attached, along with Loc. Law #1.

December 19, 1978

Legal
Notice:STATE OF NEW YORK,
County of Wayne,LEGAL NOTICE
NOTICE OF
PUBLIC HEARING

PLEASE TAKE NOTICE THAT, a public hearing will be held before the Board of Trustees of the Village of Palmyra on the 19th day of December, 1978, at 8:00 P.M. in the evening in the Village Hall, 144 East Main Street, Palmyra, New York, Wayne County, to consider the adoption of LOCAL LAW NO. 1 of 1978 to AMEND LOCAL LAW NO. 3 of 1967, Chapter No. 29, Zoning, of the Code of the Village of Palmyra.

The proposed Local Law would read as follows:

1. In section 29-9, Definitions, of ARTICLE II, Word Usage and Definitions, the paragraph entitled "CUSTOMARY HOME OCCUPATION OR PROFESSION" is hereby amended to read as follows: CUSTOMARY HOME OCCUPATION OR PROFESSION - One (1) of the following specific uses when carried on within a dwelling by a resident thereof with the incidental assistance of not more than one (1) nonresident person: office of an accountant, architect, artist, dentist, doctor, engineer, lawyer, surgeon, osteopath; studio or an instructor in the arts limited to instruction of four (4) persons at a time; custom dressmaking and millinery occupation; hair styling occupation limited to one (1) chair; provided that the use shall not require the utilization of more than three (3) rooms nor occupy more than three hundred (300) square feet, that there be no exterior display or indication of the use other than permitted signs and that no inventory of goods be sold or mentioned. No use not included shall be permitted.

2. Subdivision C, Permitted accessory uses, of section 29-14, Residence 1 (R-1) Districts, is hereby amended by deleting and repealing the present paragraph (1), and by renumbering paragraphs (2) through (7), to become paragraphs (1) through (6).

3. Subdivision D, Uses requiring a special permit in accordance with Nos. 29-41B and 29-44A, is hereby amended by the addition of paragraph (7), to read as follows:

(7) Customary home occupations and professions.

4. Section 29-44, Special Permit Requirements, is hereby amended as follows:

A. The title of subdivision A of section 29-44 is hereby amended to read:

A. In Residence 1 Districts.

AFFIDAVIT OF PUBLICATION

B. Subdivision A of section 29-44 is hereby amended by deleting the present paragraph (1), by renumbering present paragraphs (2) through (6), to become paragraphs (1) through (5), and by the addition of a new paragraph (6) to read as follows:

(6) For a customary home occupation or profession in accordance with Section 29-14D (7), the Board shall find, in addition to the general requirements, that:

(a) the occupation or profession will not detract from the uses of neighboring properties.

(b) adequate off street parking is available for the intended use.

(c) the occupation or profession will not cause a hazard to health, safety or reasonable use of neighboring properties by reason of noise, traffic or other conditions.

C. The opening sentence of renumbered paragraph (3) of subdivision A of section 29-44 is hereby amended to read as follows:

(3) For a parking lot for more than five (5) vehicles, for a use on the premises in an R-1 District, as provided

in §29-14D (4), the Board shall find, in addition to the general requirements, that: D. Paragraph (3) of subdivision B, in Residence 2 Districts, of section 29-44 is hereby amended to read as follows:

(3) For a parking lot for a use off the premises on a lot abutting a Commercial or Industrial District, in accordance with §29-15D (4), the Board shall find, in addition to the general requirements, that:

(a) There is an unmet need for the parking which cannot reasonably be met within the Commercial or Industrial Districts.

(b) The parking lot with its entrances and exits will not detract from the quiet enjoyment of residential uses.

E. Subdivision B, in Residence 2 Districts, is hereby amended by the addition of a new paragraph (4) to read as follows:

(4) For a multiple dwelling or dwelling group containing more than three (3) dwelling units, as provided in §29-15D (5), the Board shall find, in addition to the general requirements, that:

(a) The development, as planned, relates harmoniously with existing and anticipated development in the surrounding area, especially with relationship to the design and placement of structures, recreation areas, parking areas and driveways, walkways, service facilities and other improvements.

(b) The development relates adequately to the character of the land and existing landscape features and that landscaping appropriate to the use and area is to be installed.

Rosalie J. Mouton....., 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:

December 8, 1978

Foreman of the Publisher

Subscribed and sworn to before me

this 13 day of Dec 1978

Notary Public

Fee : \$ 65.55

(c) Not more than eight (8) dwelling units shall be provided in any one (1) dwelling.

(d) Buildings are spaced adequately for privacy and fire safety.

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

The proposed Local Law is on file in the office of the Village Clerk of the Village of Palmyra where same may be inspected during office hours, Monday through Friday, 9:00 A.M. to 5:00 P.M.

ALL PERSONS INTERESTED AND CITIZENS shall have an opportunity to be heard on said proposal at the time and place aforesaid:

Dated: December 4, 1978
BY ORDER OF THE
VILLAGE BOARD
OF PALMYRA

Theresa P. Otte,
Clerk Treasurer

D.8 (068)

MICHAEL N. DOUGLAS
WAYNE COUNTY COM. EX. TREASURER
#1031409

(Please Use this Form for Filing your Local Law with the Secretary of State)

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~~
~~City~~ of Palmyra
~~Town~~
Village

Local Law No. 1 of the year 19 78.....

A local law to amend Chapter 29, Zoning, of the Code of the Village of Palmyra
(Insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ of Palmyra
~~Town~~
Village as follows:

1. In section 29-9, Definitions, of ARTICLE II, Word Usage and Definitions, the paragraph entitled "CUSTOMARY HOME OCCUPATION OR PROFESSION" is hereby amended to read as follows:

CUSTOMARY HOME OCCUPATION OR PROFESSION - One (1) of the following specific uses when carried on within a dwelling by a resident thereof with the incidental assistance of not more than one (1) nonresident person: office of an accountant, architect, artist, dentist, doctor, engineer, lawyer, surgeon, osteopath; studio of an instructor in the arts limited to instruction of four (4) persons at a time; custom dressmaking and millinery occupation; hair styling occupation limited to one (1) chair; provided that the use shall not require the utilization of more than three (3) rooms nor occupy more than three hundred (300) square feet, that there be no exterior display or indication of the use other than permitted signs and that no inventory of goods be sold or mentioned. No use not included shall be permitted.
2. Subdivision C, Permitted accessory uses, of section 29-14, Residence 1 (R-1) Districts, is hereby amended by deleting and repealing the present paragraph (1), and by renumbering paragraphs (2) through (7), to become paragraphs (1) through (6).
3. Subdivision D, Uses requiring a special permit in accordance with §§29-41B and 29-44A, is hereby amended by the addition of paragraph (7), to read as follows:

(7) Customary home occupations and professions.
4. Section 29-44, Special Permit Requirements, is hereby amended as follows:

A. The title of subdivision A of section 29-44 is hereby amended to read:

(If additional space is needed, please attach sheets of the same size as this and number each)

- A. In Residence 1 Districts.
- B. Subdivision A of section 29-44 is hereby amended by deleting the present paragraph (1), by renumbering present paragraphs (2) through (6), to become paragraphs (1) through (5), and by the addition of a new paragraph (6) to read as follows:
- (6) For a customary home occupation or profession in accordance with Section 29-14D(7), the Board shall find, in addition to the general requirements, that:
- (a) the occupation or profession will not detract from the uses of neighboring properties.
- (b) adequate off street parking is available for the intended use.
- (c) the occupation or profession will not cause a hazard to health, safety or reasonable use of neighboring properties by reason of noise, traffic or other conditions.
- C. The opening sentence of renumbered paragraph (3) of subdivision A of section 29-44 is hereby amended to read as follows:
- (3) For a parking lot for more than five (5) vehicles, for a use on the premises in an R-1 District, as provided in §29-14D(4), the Board shall find, in addition to the general requirements, that:
- D. Paragraph (3) of subdivision B, In Residence 2 Districts, of section 29-44 is hereby amended to read as follows:
- (3) For a parking lot for a use off the premises on a lot abutting a Commercial or Industrial District, in accordance with § 29-15D(4), the Board shall find, in addition to the general requirements, that:
- (a) There is an unmet need for the parking which cannot reasonably be met within the Commercial or Industrial Districts.
- (b) The parking lot with its entrances and exits will not detract from the quiet enjoyment of residential uses.
- E. Subdivision B, In Residence 2 Districts, is hereby amended by the addition of a new paragraph (4) to read as follows:
- (4) For a multiple dwelling or dwelling group containing more than three (3) dwelling units, as provided in § 29-15 D(5), the Board shall find, in addition to the general requirements, that:
- (a) The development, as planned, relates harmoniously with existing and anticipated development in the surrounding area, especially with relationship to the design and placement of structures, recreation areas, parking areas and driveways, walkways, service facilities and other improvements.
- (b) The development relates adequately to the character of the land and existing landscape features and that landscaping appropriate to the use and area is to be installed.
- (c) Not more than eight (8) dwelling units shall be provided in any one (1) dwelling.
- (d) Buildings are spaced adequately for privacy and fire safety.

December 19, 1978

- Review of Chgs:** Mayor Davin reviewed the changes calling specific attention to CUSTOMARY HOME OCCUPATION OR PROFESSION, emphasizing that the addition of wording "hair styling occupation limited to one (1) chair;" is being added to the customary home occupation category.
- B.Wideman:** Bruce Wideman, Zoning Officer, commented that an office of an accountant had been also added with a change of allowing four (4) persons at a time as opposed to one (1) in a studio or an instructor in the arts. Room space would remain the same.
- D.Williamson:** Trustee Williamson questioned the use of signs in an R-1 area to denote a place of business or occupation.
- B.Wideman:** Informed the group that the sign must be very small, 3' high and 1' in width.
- Mrs.Free-land:** Questioned how far should the sign be placed from the street.
- B.Wideman:** Replied that sign must be placed on the lawn of the property owner. Cannot be placed between the sidewalk and curb on Village property.
- Mayor Davin:** Questioned the wording of "adequate parking". This wording appeared to be vague. In addition, she continued, if there are three people to have their hair styled in one hour, there should be at least three (3) parking spaces available for them. She further advised that OFF-STREET Parking must be made available to the prospective customers. She further commented that a category of home occupations relate to hair-dressing, and barber shops but lawyers, doctors, engineers, etc., are classified as professionals. Again she reiterated that the wording of "adequate" should be more clearly defined, such as stating actual number.
- B.Wideman:** Interjected that any change should be reviewed and presented by the Planning Board.
- Mrs.Free-land:** Advised that she is desirous of having her hair-dressing business at Stafford Street address where she plans to have one (1) chair with two (2) dryers. She is presently out in the country. Mrs. Freeland questioned if a permit would be required to allow her to have the hair-dressing business, providing the board approved of the amendment.
- Mayor Davin:** Indicated that no permit would be needed.
- Mrs.Free-land:** Asked if a sign would be allowed. In addition, she added that she would like to urge the board to adopt the change to allow hair-dressing in a residential area.
- B.Wideman:** Commented that a sign would be allowed, 3' x 1', or three (3) square feet. Mr. Wideman mentioned that he personally feels that a beauty shop should not be considered as a profession.
- Mayor Davin:** Commented that at the present time it is necessary to publish any zoning change in its entirety, this particular change with additional numbering changes, etc., cost \$65.55. She advised that Village Attorney Poyzer is seeking to determine if it may be possible to publish a notice of a change, summarizing the particular change. At the present time our code specifies that a zoning change must be published in full.
- Freelands excused themselves from the hearing.
- B.Wideman:** Commented that a multiple dwelling is defined as more than three (3) units. He further explained that the inclusion of "E", Subdivision B, in Residence 2 Districts, with the inclusion of a new paragraph (4) to relate to Multiple Dwellings of more than 3 units as in Section 29-15 D(5), subtitles (a), (b), (c), (d), is superfluous. The Village of Palmyra, he added, has adopted the State Building Code and all new structures must conform to their standards. At the present time, all buildings, new construction, can have only eight (8) units for apartment complexes, with a

December 19, 1978

B. Wideman: stipulation of 40' apart.

Mr. Wideman added that if the proposed Local Law is adopted, Mrs. Freeland will still have to go before the Zoning Board of Appeals for a Special Permit to be allowed to have the beauty shop in her home on Stafford Street.

Discussion: Board agrees that the word "adequate" is much too vague and should be clarified.
Under Section 29-29 "Off-Street Parking", Sub-Section "B" Required Parking, subtitle #2, sub explanation (d) "For each home occupation: one (1)", meaning one parking space available, it should read:
"One parking place for each member of the family who may have a car, plus parking space for each prospective customer."

Final Comments: Mayor Davin informed the board that there is adequate parking which has been made available in the downtown to prospective customers, plus there is available store fronts in the downtown area that would lend itself well to a beauty shop, in particular.

Trustee West felt that a more definite explanation of "Parking Lot" must be drawn.

Trustee Wilson commented that Mrs. Freeland would indicate that there is adequate parking at the rear of her house, but should the property be sold in a few years and another type of "Home Occupation" business be established, would parking be adequate for it.

Mr. Wideman, Zoning Officer, felt that by adopting this Local Law, the Village would be opening up other areas for use in the village for the establishment of other home businesses.

Close Hearing: Mayor Davin closed the hearing at 10:00 P.M.

Theresa P. Otte, Clerk Treasurer.

Regular Board Meeting January 2, 1979
Board of Trustees 7:30 P.M.

Present: Mayor M. Katherine Davin, and Trustees Lloyd A. Green, David Williamson, Mary Lou Wilson, David West.

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

Minutes: Motion by Trustee Williamson, 2nd by Trustee West to approve the minutes of the regular board meeting of 12/18/78.
Motion by Trustee Green, 2nd by Trustee West and carried to approve minutes of the public hearing 12/19/78.

Vouchers: Motion by Trustee West, 2nd by Trustee Williamson to authorize the treasurer to issue checks for vouchers presented with the exception of Voucher #19 to Finger Lakes Plumbing Supply in the amount of \$15,940.00. Total vouchers approved amounted to \$6,542.80.

WA & SE Dept.: Trustee Williamson advised that he had met with Harold Kruger, Operator of the Water & Sewer Plants to discuss the application of Carlton W. Timerson, Newark, New York, who is listed as a person qualified having passed the Civil Service Examination with a score of 89%. Trustee Williamson advised that he had attended the Community College of the Finger Lakes. Trustee Williamson commented that he had checked with another municipality to ascertain if it might be possible to have a "cooperative program" between two communities with a "trainee". He added it was deemed advised that the other community would need a full time person. Mayor Davin interjected that inasmuch as the board was discussing personnel, it might be apropos to convene in executive meeting.

Exec. Mtg.: Motion by Trustee Williamson, 2nd by Trustee Green and carried to convene in an executive meeting at 7:45 P.M. to discuss personal matters.

Theresa P. Otte, Clerk Treasurer

January 2, 1979

Re-convene: Motion by Trustee Green, 2nd by Trustee Williamson to reconvene in the regular meeting of the Village Board at 7:57 P.M.

Present: Mayor M. Katherine Davin and Trustees Lloyd A. Green, Mary Lou Wilson, David West, David Williamson, Absent, Village Attorney Laura Jane Poyzer.

WA & SE Trainee Appoint: Mayor Davin advised that she would appoint Carlton W. Timerson, Newark, New York on the recommendation of Mr. Kruger and Mr. Williamson as a trainee for the Water & Sewer Department. Board unanimously approved the appointment.

N.Y.S. Elec. & Gas: Mr. Bob Fanning and Mr. Bill Wilson, representatives of the New York State Electric & Gas Company conferred with the board relative to the street lighting contract which will expire on April 1, 1979. The present contract, they advised was drawn for five (5) years with an option to renew each year. The annual cost in the last few years has been \$29,309.45.

New Proposal: They advised that the new contract will be for a one (1) year period with renewal under the following conditions: that there could be a rate increase because of the escalating costs to the Gas & Electric for their supplies, and a field adjustment cost. Mr. Fanning & Mr. Wilson advised that the rates are fixed, but can be increased if approved by the State Utility Commission. However, the field adjustment cost is a variable that they cannot determine for the next two or even five years. The new contract should be signed by April 2, 1979. Mr. Wilson discussed the old incandescent system. He commented that at the authorization of the Village Board, the whole village has been up-dated since 1970 to provide better lighting. Trustee Wilson questioned the one year contract. Mr. Wilson responded that all contracts with villages will be on a one year basis with clauses as outlined. Trustee Green questioned "Supposing the Village decided not to sign the contract." Mr. Wilson replied that in this case, the New York State Electric & Gas would be authorized to remove all fixtures and all appurtenances thereto. Should the village then decide to contract with the New York State Electric & Gas, the rates would automatically be raised. Trustee Williamson commented on President Carter's guidelines for electric and gas consumption and raising of rates.

Gen. Disc.: To cut down on the cost of lights, there is a possibility of reducing the Kilowatt Hours. Discussion of the Parking Lot lights. These are the property of the Village and must be maintained by the village. Mr. Wilson commented that when the contract was drawn in 1965 between the Village and the Gas & Electric, there was a decrease in the rates. However, to date, there has been no increase in rates since prior to that date. The increase has been due to the up-dating of the system.

Comm. Ctr.: James Campbell, Director of the Community Center informed the Board that he had checked with Mr. Oaks, Wayne County Youth Bureau relative to funds that are available to the Village and Town. Mr. Campbell advised that the village would be entitled to \$380.00 and would be 100% reimbursable. He commented that he learned it would be possible to use the funds for: (1) Expanding the Arts & Crafts program in the summer; (2) Expand the Junior programs by sponsoring field trips; and (3) Institute a Tennis Clinic.

Resol.: The following resolution was proposed by Trustee West, 2nd by Trustee Green:

WHEREAS, it has been determined that through the County of Wayne as a recipient of State Funds, it would be possible for the Village of Palmyra to obtain some \$380.00, with 100% refundable, **BE IT RESOLVED THAT**, Mayor M. Katherine Davin shall be authorized to sign the application in behalf of the Village of Palmyra for application of funds in the amount of \$380.00 for the Palmyra Community Center.

Vote: Unanimously approved.
Resolution adopted.

January 2, 1979

Comm.Ctr.: Community Center Director, James Campbell, advised that the Community Center Board has discussed the possibility of obtaining the services of a Fund Raiser, such as a consultant who would be able to give direction as to the proper and best procedure for soliciting pledges and funds for the completion of the community center building.

Signs: Trustee Williamson commented that he had not noted any signs on the corner of West Jackson and Canandaigua Street as suggested by a recent letter of Lorene Warner which would deter vehicles from parking so near the intersection.
W.Jack-son - Trustee Green advised that this matter has been turned over to the Police Commission to study and in turn will be viewed by the Police Department.

Tn.&Vil. Offices: Trustee Williamson advised that the Town of Palmyra is asking for a cost figure per square footage of use of the Village Hall area that might be available to them for their office space. He advised that he will be conferring with the Town and the consultants to obtain some reasonable cost figure per square foot.

Manches. Fire Contr.: Clerk advised that Attorney Retchless, attorney for the Town of Manchester, had just today delivered the Fire Contracts as proposed to the Village of Palmyra.
 Trustee Wilson advised that the Fire Department feels that the contract should be drawn for only two years as opposed to the five years as outlined in the agreement. Trustee Wilson commented that they have agreed to a payment of \$1,000.00 per year. Trustee Wilson instructed the clerk to send a copy of the agreement to Village Attorney Poyzer for study before the board authorized Mayor Davin to sign the agreements, pending deleting the five year term and inserting the two year term.

C.D.Fds: Trustee Wilson advised that the County of Wayne has received guidelines for the appropriation of Community Development Funds to be allocated to this area in the next few months. The County of Wayne, she advised, has hired Conifer Associates, Rochester, New York, to prepare the necessary applications.
 Mayor Davin commented that it might be apropos if Trustee Wilson informed John Steele, Wayne County Planning Board by phone that the Village would like to be included in the application for funds. In the interim, the clerk will submit a confirming letter to the county.

Resol.: The following resolution was proposed by Trustee Wilson, 2nd by Trustee West and carried:
WHEREAS: the Village of Palmyra is desirous of applying for funds under the HUD Discretionary Grant Preapplication for Small Cities and Villages, and
WHEREAS, the County of Wayne has indicated that they will be available to assist Villages in preparing the preapplication and arranging any public hearings,
BE IT RESOLVED THAT, the Village of Palmyra shall avail itself of the services of the County of Wayne to prepare the necessary notice of public hearings and the preapplication for application under the HUD Discretionary Grant Preapplication for Small Cities and Villages.

Vote: Unanimously approved.

Resolution adopted.

D.Pope, Chrmn. Plan. Brd.: Mayor Davin advised that she had asked Daniel Pope, III, Chairman of the Planning Board to confer with the board relative to the proposed changes in the Zoning relating to Local Law #1, 1979. Mr. Pope explained that the Planning Board was prompted by an application that was denied a special permit by the Zoning Board of Appeals in September, 1978, because the customary home occupation was not listed as an occupation qualifying for a special permit, such occupation being "hair dressing".
 Mr. Pope continued that both Luther Sheldon, Chairman of the Zoning Board of Appeals and Bruce Wideman, Zoning Officer, both oppose allowing this specific occupation in this category on the grounds that it is in competition with other beauty shops in the local downtown business district who have to pay the regular overhead of any business.

January 2, 1979

D. Pope: Mr. Pope advised that his group felt that this should be classified as requiring a Special Permit. Mayor Davin questioned the intent of one (1) chair and the wording "adequate" referring to parking. Mr. Pope replied that the application must still go to the Zoning Board of Appeals to obtain a special permit and it would be up to the Zoning Board to ascertain that there would be adequate off-street parking available. General discussion of parking available. Discussion by Mr. Pope of changes outlined in the proposed local law which relate to change of titles and additions to or deletions from various sections regarding Customary Home Occupations.

Resol. Loc. Law #1, 1979: The following resolution was proposed by Trustee Green, 2nd by Trustee West: Local Law #1, 1979 is so attached, Page 127. **WHEREAS**, the Village of Palmyra has held a public hearing relative to the adoption of Local Law #1, 1979, in relation to Customary Home Occupations and various additions and deletions to changing of sections in the Code Book. **BE IT RESOLVED THAT**, the Board of Trustees shall adopt Local Law #1, 1979.

Discussion: Trustee Williamson commented that he would like to be assured that parking would be adequate if these home occupations are allowed to operate in residential areas. Mayor Davin responded that the Zoning Board of Appeals must rule on this matter.

Vote:

Unanimously approved.

Resolution relating to Local Law #1, 1979 is adopted.

Fair-grnds: Mr. Pope discussed having a meeting relative to defining of use of the buildings on the fairgrounds. Mayor Davin commented that Attorney Gary Morell suggested having a referendum each time the board may wish to act on a fairground matter for erection of a new building. Village Attorney Poyzer, Mayor Davin continued, had indicated that this is no longer legal.

Donegan Assoc: Mayor Davin advised that on January 15, 1979, at 8:00 P.M., Bernard Donegan, Donegan Associates, would confer with the board.

Hwy. Dept.: Trustee Green advised that any complaints about snow removal require first priorities; namely, the streets, themselves in order that fire trucks, ambulances, etc. can get through, then the Parking Lots will be taken care of. Unless the streets are cleaned, he continued, there is no sense of cleaning the Parking Lots.

Police Dept.: Trustee Green informed the board that the Police Commission met on December 20, 1978 at which time the public was invited to participate. He commented that he was anxious to get input from the public and this proved to be a meeting of sharing of information. Trustee Green pointed out that the Mayor of the Village makes appointments of village personnel and not the Police Commission as noted in last week's paper. Trustee advised that the Police Commission had decided to meet on the 2nd and fourth Wednesday of the months until they feel they may be able to get by with one (1) meeting per month. Trustee Green advised that they had recommended the removal of the reprimand in Mingo's file. Trustee Green informed the board that they had asked Chief Henry to make some recommendations relative to parking on West Jackson, Prospect Drive, Vienna and Mill intersections. Trustee Green further advised that the Police Commission will determine changes by first viewing the requests and needs of the people.

JANUARY 2, 1979

LOCAL LAW #1-1979

Min. 1/2/79
page 126 1/2

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~XXXX~~
County

~~City~~

~~Town~~

Village

Palmyra

Local Law No. 1 of the year 19 79

A local law to amend Chapter 29, Zoning, of the Code of the Village of Palmyra
(Insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~

~~City~~

~~Town~~

Village

Palmyra

as follows:

1. In section 29-9, Definitions, of ARTICLE II, Word Usage and Definitions, the paragraph entitled "CUSTOMARY HOME OCCUPATION OR PROFESSION" is hereby amended to read as follows:

CUSTOMARY HOME OCCUPATION OR PROFESSION - One (1) of the following specific uses when carried on within a dwelling by a resident thereof with the incidental assistance of not more than one (1) nonresident person: office of an accountant, architect, artist, dentist, doctor, engineer, lawyer, surgeon, osteopath; studio of an instructor in the arts limited to instruction of four (4) persons at a time; custom dressmaking and millinery occupation; hair styling occupation limited to one (1) chair; provided that the use shall not require the utilization of more than three (3) rooms nor occupy more than three hundred (300) square feet, that there be no exterior display or indication of the use other than permitted signs and that no inventory of goods be sold or mentioned. No use not included shall be permitted.
2. Subdivision C, Permitted accessory uses, of section 29-14, Residence 1 (R-1) Districts, is hereby amended by deleting and repealing the present paragraph (1), and by renumbering paragraphs (2) through (7), to become paragraphs (1) through (6).
3. Subdivision D, Uses requiring a special permit in accordance with SS29-41B and 29-44A, is hereby amended by the addition of paragraph (7), to read as follows:

(7) Customary home occupations and professions.
4. Section 29-44, Special Permit Requirements, is hereby amended as follows:

(If additional space is needed, please attach sheets of the same size as this and number each)

- A. The title of subdivision A of section 29-44 is hereby amended to read:
- A. In Residence 1 Districts.
- B. Subdivision A of section 29-44 is hereby amended by deleting the present paragraph (1), by renumbering present paragraphs (2) through (6), to become paragraphs (1) through (5), and by the addition of a new paragraph (6) to read as follows:
 - (6) For a customary home occupation or profession in accordance with Section 29-14D(7), the Board shall find, in addition to the general requirements, that:
 - (a) the occupation or profession will not detract from the uses of neighboring properties.
 - (b) adequate off street parking is available for the intended use.
 - (c) the occupation or profession will not cause a hazard to health, safety or reasonable use of neighboring properties by reason of noise, traffic or other conditions.
- C. The opening sentence of renumbered paragraph (3) of subdivision A of Section 29-44 is hereby amended to read as follows:
 - (3) For a parking lot for more than five (5) vehicles, for a use on the premises in an R-1 District, as provided in S29-14D(4), the Board shall find, in addition to the general requirements, that:
- D. Paragraph (3) of subdivision B, In Residence 2 Districts, of section 29-44 is hereby amended to read as follows:
 - (3) For a parking lot for a use off the premises on a lot abutting a Commercial or Industrial District, in accordance with S29-15D(4), the Board shall find, in addition to the general requirements, that:
 - (a) There is an unmet need for the parking which cannot reasonably be met within the Commercial or Industrial Districts.
 - (b) The parking lot with its entrances and exits will not detract from the quiet enjoyment of residential uses.
- E. Subdivision B, In Residence 2 Districts, is hereby amended by the addition of a new paragraph (4) to read as follows:
 - (4) For a multiple dwelling or dwelling group containing more than three (3) dwelling units, as provided in S29-15D(5), the Board shall find, in addition to the general requirements, that:
 - (a) The development, as planned, relates harmoniously with existing and anticipated development in the surrounding area, especially with relationship to the design and placement of structures, recreation areas, parking areas and driveways, walkways, service facilities and other improvements.

- (b) The development relates adequately to the character of the land and existing landscape features and that landscaping appropriate to the use and area is to be installed.
 - (c) Not more than eight (8) dwelling units shall be provided in any one (1) dwelling.
 - (d) Buildings are spaced adequately for privacy and fire safety.
5. This local law shall take effect upon filing in the office of the Secretary of State of New York State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No. #1 of 1979
~~County~~
~~City~~ PALMYRA
of the ~~Town~~ of was duly passed by the Board of Trustees
(Village) (Name of Legislative Body)
on January 2, 1979 in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by
Town (Name of Legislative Body)
Village
on 19..... and was approved by the
not disapproved repassed after disapproval Elective Chief Executive Officer
and was deemed duly adopted on 19....., in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village
on 19..... and was approved by the
not disapproved repassed after disapproval Elective Chief Executive Officer
on 19..... Such local law was submitted to the people by reason of a
mandatory referendum and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19....., in accordance with the appli-
annual
cable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by the On
Town (Name of Legislative Body)
Village
..... 19..... and was approved by the On
not disapproved repassed after disapproval Elective Chief Executive Officer
..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or if there be none the chairman of the board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

(City local law concerning Charter revision proposed by petition.)

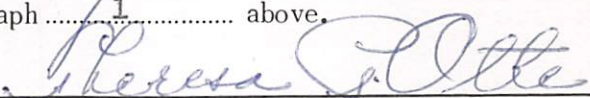
5. I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on 19 became operative.

(County local law concerning adoption of Charter.)

6. I hereby certify that the local law annexed hereto, designated as Local Law No. of 197 of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



Village Clerk or Officer
designated by Local Legislative Body
Theresa P. Otte, Village Clerk

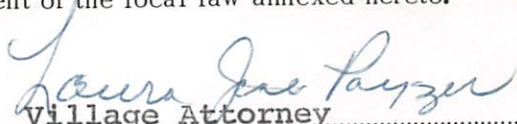
Date: January 3, 1979

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF WAYNE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Village Attorney
(Title of Officer)
~~County~~
~~City~~ of PALMYRA
~~Town~~
Village

Dated: January 3, 1979

January 2, 1979

LOC.LAW
#1,1979:

Blank
page -
see attached.

January 2, 1979

- Dog Control:** Trustee West advised that he has not had any further information from Attorney Poyzer relative to the "Dog Control".
- Wood Cutting:** Trustee West commented that there were a few who turned out for the wood cutting on Prospect Hill and the Erie Canal area on December 30, 1978. Some people, he advised, thought that the wood would be already cut for pick-up!!! Trustee West felt that it might be advisable to schedule the wood cutting project again in the spring when the weather would be more conducive to removing it from the areas.
- Internal Revenue re: Sew. Ded:** Mayor Davin advised that a letter has been received from the Internal Revenue authorizing village property owners to deduct 57.93% of their 1978 sewer bills for income tax purposes. Cards will be sent out to residents within the next day or two.
- Snow Removal Ord.:** Mayor Davin advised that she had received a sample ordinance from General Code Publishers relative to snow removal on sidewalks so that pedestrians might have a place to walk. Notice indicated that if walks were not shoveled within 24 hrs. after the snowfall, village crews would remove snow at a set charge of \$10.00 plus time and labor for crews.
- Genesee Reg. Trans.:** Mayor Davin advised that there will be a meeting of the Genesee Regional Transportation authority in the Jury Selection Room of the Wayne County Court House on January 17, 1979, at 1:30 P.M. The commission is planning to study needs of the elderly. Mayor Davin advised that she would not be able to attend the meeting. Trustee Wilson commented that it may be possible for her to go to part of the hearing.
- N.Y.S. Elec. & Gas:** New York State Electric & Gas, Newark, N.Y. requests permission to break the surface of street at six locations for the purpose of performing Cathodic Protection on gas main in areas namely on Stafford Street, 2 locations; Gates Street, 2 locations; West Jackson Street, 2 locations. Surface will be restored to satisfactory condition and any injury or damage that may result will be their responsibility. Motion by Trustee Green, 2nd by Trustee Williamson to authorize the New York State Electric & Gas to perform the cathodic protection as outlined in the prints. Motion carried.
- W.Kaveny Letter:** A letter was received from William Kaveny, owner of the Palmyra Recreation Center on Cuyler Street, addressed to the clerk, which advised that a bill was received in the amount of \$966.69 representing his annual share for the next five years of the beautification project assessed to the merchants. Mr. Kaveny outlined in his letter that he did not feel that he or his business should have been included in the beautification project. He indicated that the parking lot was already there next to his building. It, the lot, was only blacktopped and did not in any way add to his business. He indicated in order to take in some \$6,000.00 more per year from his business, he would have to raise his rates, in order to be able to raise \$1,000. to pay this extra tax. He indicated that to raise the rates would be a sure way to drive business away from his bowling hall. He questioned what the village really obtained for the \$140,000.00 expended.
- Beautif.:** Discussion followed as to possible ways of assisting merchants in spreading the cost to ten years.
- Adjourn:** Mayor Davin adjourned the meeting at 10:55 P.M.

Theresa P. Otte, Clerk Treas.

* * * * *