

Regular Board Meeting

Board of Trustees

7:30 P.M.

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

2 Min.

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

Vouchers Motion by Trustee Wilson, 2nd by Trustee VanBortel and carried, to authorize the treasurer to issue checks in the amount of \$14,200.53.

Minutes: On motion by Trustee Wilson, 2nd by Trustee VanBortel and carried, the minutes of the previous meeting were accepted with the following amendment:

"Beautification: **WHEREAS**, to effectively allow for two-way traffic at this point (Market Street,) it would be necessary to remove and relocate the street light, teardrop and replace the curbing, at a cost of \$4,000., together with changing the traffic ordinance to allow for two-way traffic farther south on Market Street, from approximately 155 feet from East Main Street to 115 feet from East Main Street."

Manure: Mrs. David McEwen, 235 Birdsall, conferred with the board relative to the horse manure drainage. She advised that a new drainage system was being installed from the horse barns to Hathaway Brook. Clerk advised that this matter had been checked by the Sewer Department which advised that new eave troughs had been installed on the barns which would eliminate flooding on property adjacent to the barns on Birdsall Parkway.

New Barn: Mrs. McEwen questioned the construction of the new barn on the premises. Trustee Wilson advised that a ruling from the State Department of Audit & Control was being sought regarding non-profit organizations, such as fair associations, regarding their adherence to zoning regulations of a village. Mrs. McEwen emphasized that animals were presently being housed in the new barn.

Zoning Change: Mayor Davin advised that Dr. Brandetsas has desired to add to his present dental offices, but inasmuch as the lot is small, and building is located in an R-1 district, his request was denied by the Zoning Board of Appeals. She advised that she would like to recommend that wording in ordinance be added to include the word dentist along with physician. The Planning Board should make the recommendation to the Village Board.

Beautification Project: Robert Peterson, Chairman of the Wayne Co. Planning Board and Cliff Williams discussed the matter of the demolition of the Freezer Locker on Market Street as a part of the project. They advised that this could be done by a Change Order. A projected cost for the demolition by Crown Asphalt, would be \$15,985. Care would be required to reinforce both the south and north walls of the building. General discussion of pros and cons of removal by the contractor. Generally speaking, a storm drain should be installed, but prior to installation, the building should be removed. Mr. Peterson commented that the Wayne County Planning Board could prepare the proper specs and would advertise. Village Attorney Poyzer interjected that it would be apropos for the Village Board to prepare a proper resolution.

Resol.: The following resolution was proposed by Trustee VanBortel, 2nd by Trustee Wilson:
WHEREAS, the Wayne County Planning Board has advised that in conjunction with Beautification Project in the Village of Palmyra, it would be possible to incorporate the demolition of the Freezer Locker, Market Street, property of the Village of Palmyra,
BE IT RESOLVED THAT, the Board of Trustees of the Village of Palmyra shall authorize the Wayne County Planning Board to obtain specifications for the demolition of the Freezer Locker, Market Street, from Lozier Engineers, Rochester, and shall advertise for bids of the building.

VOTE:

Trustee Wilson	Aye
Trustee VanBortel	Aye
Trustee Green	Naye
Trustee Reeves	Absent
Mayor Davin	Aye

Resolution approved.

October 4, 1976

Volkomer Sidewalk: Sidewalk at 325 East Main Street was removed by Contractors. Discovery of pipes which had been installed in 1955 to heat sidewalk. Accidentally, they were removed. Mr. Volkomer advised they should be replaced. Discussion revealed that Mr. Volkomer should be given choice of receiving a maximum of \$500. without reinstallation of the pipes. Cliff Williams advised that he would contact Mr. Volkomer.

"Big M" Side-walk: Colacino's "Big M", William Street, sidewalk was discussed by Cliff Williams. He advised walk is "wavy". He advised it would be easier to put in new rather than try to salvage. Cost would be about same.

Resol.: The following resolution was proposed by Trustee Wilson, 2nd by Trustee VanBortel:

WHEREAS, Cliff Williams, spokesman for the Wayne County Planning Board and in charge of the Village of Palmyra Beautification Project, in behalf of the County of Wayne, has advised that the sidewalk on William Street, abutting the property of Colacino's "Big M", is in need of repair, and,

WHEREAS, Mr. Williams has indicated that the cost for replacement of the sidewalk would be equivalent to attempting to repair individual sections,

BE IT RESOLVED THAT, the Board of Trustees of the Village of Palmyra shall authorize the project engineers to install new sidewalk in this area.

VOTE:

Trustee Wilson	Aye
Trustee VanBortel	Aye
Trustee Reeves	Absent
Trustee Green	Naye
Mayor Davin	Aye

Resolution approved.

Division Street: Trustee Green commented that the immediate area at the corner of Canal and Division Street, primarily in front of the Village Barns, was badly in need of repair, much of the section damaged by heavy equipment of the contractors for the beautification project. Robert Peterson commented that he would ask Crown Asphalt to place a binder on the street to at least level off as much as possible.

Leaf Sucker: Discussion of a warranty on a leaf-sucker. Trustee Green advised that John Blazey was the low bidder at \$4,600. and would recommend that purchase of the leaf-sucker be ordered from him. Trustee Green commented that Blazey would obtain leaf-sucker from a supplier or dealer in Buffalo and has been assured that delivery would be within 30 days.

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

WHEREAS, the Board of Trustees advertised for bids for a leaf sucker, and,

WHEREAS, four (4) bids were submitted,

BE IT RESOLVED THAT, the low bid of John Blazey of \$4,600. be accepted.

Vote:

Trustee Green	Aye
Trustee VanBortel	Aye
Trustee Wilson	Naye
Trustee Reeves	Absent
Mayor Davin	Naye

Resolution defeated.

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

WHEREAS, the Board of Trustees advertised for bids for a leaf-sucker, and,

WHEREAS, four (4) bids were submitted,

BE IT RESOLVED THAT, the low bid of John Blazey of \$4,600.00 be accepted with the stipulation that he try to obtain a definite warranty on the piece of equipment.

Vote:

Trustee Green	Aye
Trustee VanBortel	Aye
Trustee Wilson	Aye
Trustee Reeves	Absent

Resolution adopted.

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.

~~xCountyx~~

~~xCity~~

of

PALMYRA

~~xTown~~

Village

Local Law No.4..... of the year 19 76.....

A local law No. 4 to amend Chapter 18 of the Code of the Village of Palmyra
(Insert title)
entitled Sewer Rental, to increase the sewer rent rates.

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

~~County~~

~~City~~

of

PALMYRA

as follows:

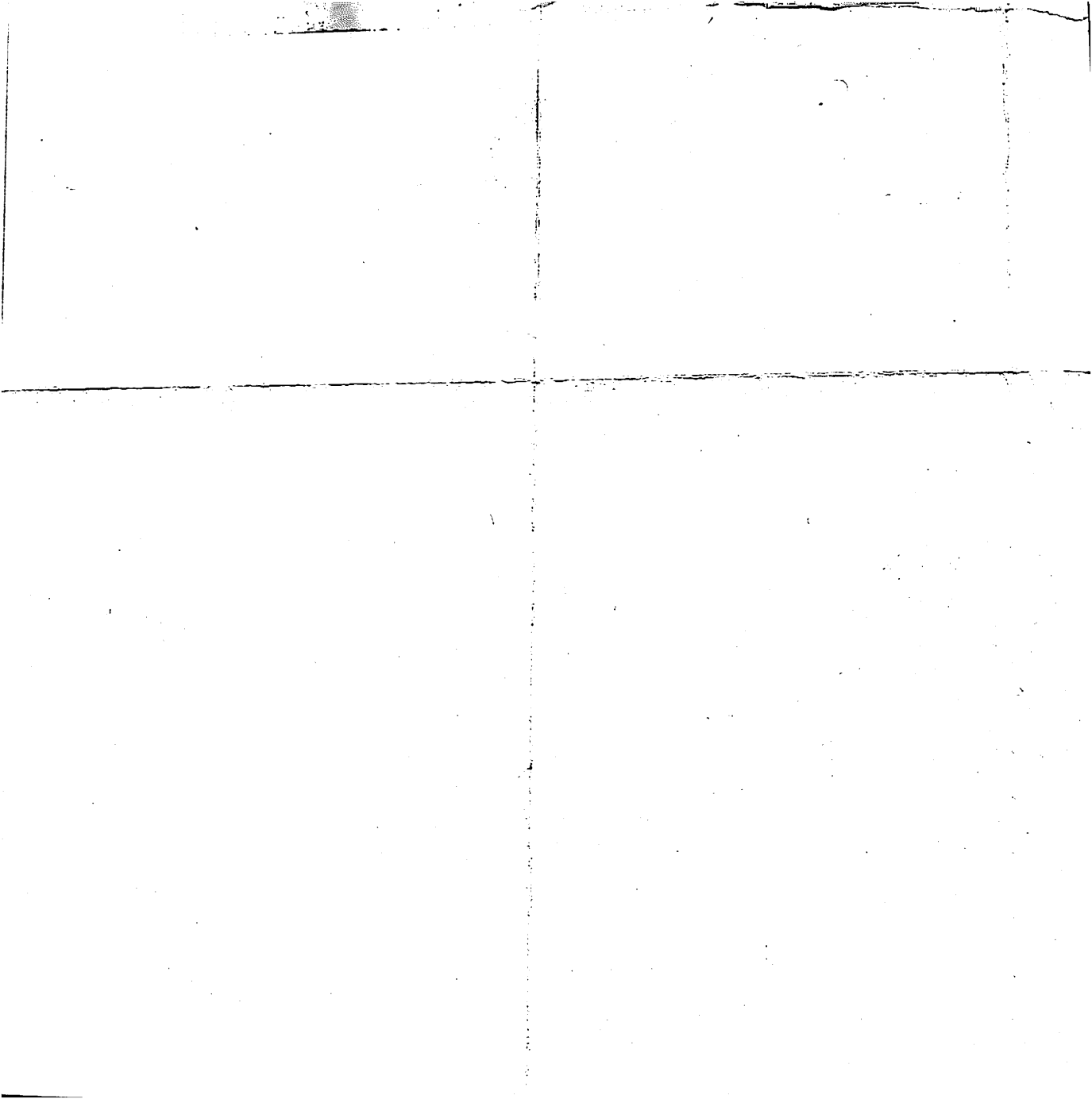
~~Town~~

Village

Section 1. Section 18-7, Charges and consumption, of Chapter 18, Sewer Rental, of the Code of the Village of Palmyra is hereby amended by deleting and repealing the first sentence of said section, and by adding thereto a new first sentence which shall replace the sentence hereby repealed, and which shall read as follows:

The sewer rent charged to each premises, except those premises hereinafter mentioned in § 18-11, is hereby established at the rate of seven dollars (\$7.00) for each unit per month.

Section 2. This local law shall take effect immediately upon filing in the office of the Secretary of State of New York 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~~

~~Town~~

Village

of PALMYRA

Local Law No. 4 of the year 19 76.....

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(Insert title)
entitled Sewer Rental, to increase the sewer rent rates.

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(Name of Legislative Body)

~~County~~

~~City~~

~~Town~~

Village

of PALMYRA as follows:

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

October 4, 1976

Specs for Police Car: Police Chief Donald Henry submitted proposed specs for a new 1977 Police Car. Board instructed clerk to advertise for bids, to be opened at the next board meeting.

Fire Dept.: Fire Department Chief Culver advised that inspection of all village buildings would be done during Fire Prevention week. Village Board members were invited to attend an Open House on October 10th following the annual inspection by the board of all equipment and the department members at 10:00 A.M., 10/10/76.

Market Street: Mayor Davin read a letter that she had received from DiCampi Districuting, Geneva, requesting that one-side parking be kept on Market Street so that suppliers, like himself, might deliver goods to the merchants on this street. Such a letter was also received by Mayor Davin from Roy Mason, Newark, New York.

Assessor: General discussion regarding Robert Kirchhoff, assessor, the transfer of records, eventual completion of new assessments by the county and computerized information. Mayor Davin suggested that it might be well for the board to consider going to R. Kirchhoff's home, where he has all the village maps and records relating to assessments on October 18, 1976, following the regular board meeting. Hopefully, the time might be 9:00-9:30 P.M.

Conifer Dev.: Steve Whitney, Conifer Development, has indicated that final plans for the Senior Citizen Housing to be built on Canal Street in the Urban Renewal Area, have been submitted to HUD. A tentative schedule for the ground breaking will be in November.

Adjourn: Mayor Davin adjourned the meeting at 10:12 P.M.

Theresa P. Otte, Clerk Treas.

* * * * *

October 18, 1976
Board of Trustees

Public Hearing

7:00 P.M.

Present: Mayor M. Katherine Davin, and Trustees Gary VanBortel, Mary Lou Wilson, William Reeves. Absent, Trustee Lloyd A. Green.

Subject: Proposed Local Law #4, 1976, regarding increase in sewer rates.

- Fire Contract:** Trustee Wilson advised that the Town of Palmyra is placing in their budget the amount of \$15,000.00 for fire protection for the year 1977 and for the year 1978, the amount of \$18,000.00. The contract to be drawn will be for two (2) years. Trustee Wilson further advised that the Town of Manchester has indicated that they will place the amount of \$800.00 for the next two (2) years in their budget for fire protection from the Village of Palmyra.
- Resol.:** Trustee Wilson proposed the following resolution, 2nd by Trustee VanBortel:
BE IT RESOLVED THAT, the Village of Palmyra shall notify the Town of Manchester and the Town of Palmyra that the Village of Palmyra shall accept a contract with both, such contracts to be for a two year period with the Town of Manchester to pay the sum of \$800.00 per year and the Town of Palmyra to pay the sum of \$15,000. the first year and the sum of \$18,000.00 the second year.
Vote: Unanimously approved.
- Weykman Bldg.:** Village Attorney, Laura Jane Poyzer, advised that she had no new information regarding the Weykman Bldg., 305 East Main Street, M. Strobbridge, attorney, had indicated that he would negotiate with Burditt's attorney. Attorney discussed the possibility of suits being filed against the owner and the village in case an accident should occur to anyone trespassing in the building. Board agreed letter should be sent via registered mail to Weykman.
- Zoning Costs:** Trustee Wilson advised that the Village of Macedon charges \$40.00 for a zoning hearing. In regard to the previous discussion regarding the Fair Assoc. and the construction of a building, Attorney Poyzer commented that she believes that the decision rendered at that time, is still valid. To her knowledge, no appeal has been made.
- Police Dept.:** On motion by Trustee Green, 2nd by Trustee VanBortel and carried, the Police Report for the month of September, 1976 was accepted. Highlights of the report indicated: 190 complaints investigated together with 13 accidents and 10 assists to other departments; 5 were apprehended for Petit Larceny, together with 3 each of Assault 3rd Degree and Burglary 3rd Degree. Motor vehicle arrests indicated 2 each of "No Insurance" and Unlicensed Operators. Total fines and bail forfeitures amounted to \$105.00.
- Justice Rubery Talks:** Village Justice Paul Rubery conferred with Trustee Reeves and Police Department Patrolmen and Police Chief Henry on 9/29/76 at which time he discussed the proper handling of the various forms and procedures necessary in order to present a charged person to the court. In addition, it was learned that parents should be called for consultation regarding an infraction of the law by 16 yr. olds and under. Parents, according to Justice Rubery, are responsible for their children's wrong-doings. Clerk was asked to send a letter to Justice Rubery to thank him for his informative meeting with the department.
- Permit for Dogs:** Clerk advised that Cheryl Vaughan, 216 Victor Rd., Macedon, had requested a permit from the Village Board to house 4 dogs at the home of Terry Burcroff, Willow Street. Motion by Trustee Green, 2nd by Trustee Wilson and carried, to deny the permit.
- Loc. Law #4, 1976:** Proposed Local Law #4, 1976 was introduced by Trustee Green, 2nd by Trustee Wilson and placed on the desks of board members. Proposed Local Law #4, will increase the sewer rates to \$7.00 per month per unit. Public hearing will be held on October 18, 1976 at 7:00 P.M.

Proof of Mayor Davin read the Affidavit of Publication regarding the hearing.
Pub.:

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Palmyra, in the Village Hall at 144 East Main Street on October 18, 1976 at 7:00 P.M.E.D.S.T. to consider the amendment of Chapter 18 of the Code of the Village of Palmyra entitled Sewer Rental which would increase the sewer rates beginning December 1, 1976.
October 6, 1976
BY ORDER OF THE BOARD OF TRUSTEES
Theresa P. Otte, Clerk
O.8 [434]

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

October 8, 1976

Geraldine A. Allen

Foreman of the Publisher

Subscribed and sworn to before me

this *8* day of *Oct* 19*76*

Michael N. Donovan

Notary Public

MICHAEL N. DONOVAN

Fee: \$5.13

WAYNE COUNTY COMM. EXPIRES 3/30/78
#4632609

Citizens: Approximately 6 citizens present.

Resume: Mayor Davin asked the clerk to outline the reasons for the increase.
of Sew.
Incr.:

Clerk advised that with the installation of the East Foster Street, Howell Street, Sewer Line together with a pumping station, following the annexation of this property, funds in the amount of \$125,000.00 were borrowed to finance the project, in 1974. Prior to installation of some nine (9) buildings (homes & doctor's office), clerk had informed the village board that during the next twenty years, only some \$11,000. would be raised in this area at \$17.28 per unit to help defray the cost. It was the board's decision that the cost of this project should be spread over the entire village. In June, 1976, the amount of \$23,000., was withdrawn from the sewer savings account leaving a balance of \$102,000. to be paid within the next three years.

In addition, clerk continued, an amount of \$45,000. remains to be paid on a \$600,000. borrowing in 1971 for the up-dating of the sewage disposal plant to include chlorination of the effluent. Clerk advised because of the timely reports of the engineers, Woodward Associates, state and federal funds were promptly received, and with reserve funds in the sewer account, plus a favorable market for investments in Certificates of Deposits for funds in the \$100,000. bracket and over, interest was received to help in paying interest on the borrowed money. The \$45,000. will be amortized in the next *five* years in Statutory Installment Bonds in increments of \$7,500 plus interest.

In essence in order to meet these obligations, it has been determined that it would be necessary to increase the sewer rate to \$21.00 per unit.

October 18, 1976

H.B. Nesbitt: Henry B. Nesbitt, Esq., and citizen on Canandaigua Street commented that he was present when the hearing was held for annexation of this property. The problem, he commented, is that the annexation has cost the taxpayer some \$125,000. It is his feeling that as a taxpayer that this unfair to ask the whole village to pay, and could be illegal to subsidize only a doctor's office. There should be an ad valorem tax levied on those living in this area. He suggested that the board explore some other method of paying. He further advised that he felt it was economically wrong to start with. Moreover, he advised that he had no complaint regarding Dr. Smith, but at the time the matter was brought up to the village board when he was attorney, he had warned the board, that this should not be a cost to be borne by the whole village, but that some arrangement should be made for the cost to be spread primarily on the benefited district.

Trustee Reeves: Trustee Reeves interjected that this is a special group or tax district. An ad valorem tax gets special benefit.

J. Roney: Jud Roney, 121 West Foster Street, commented that if the board puts through as a tax on the village tax rate, the people could at least include this on their income tax returns. He felt that this present suggested method of paying is inequable. He suggested that the board investigate further for possible federal or state funds to aid in the project. He further commented that he would prefer an increase in the tax rate.

Clerk: Clerk advised that she had checked with the engineers, Woodward Associates, when the project was first begun regarding any possible state or federal funds. They in turn advised that only funds are available for a "Disposal Plant", and not for the extension of sewer lines.

Mayor Davin: Mayor Davin interjected that there was tremendous pressure on the village board to "keep a doctor" in the area.

H.B. Nesbitt: Charged board to explore other avenues of ad valorem tax. He added that perhaps the village attorney should search further to ascertain if there may be other ways of paying for this.

Close Hearing: Mayor Davin asked if there were any further comments. There being none, the hearing was closed at 7:45 P.M.

Theresa P. Otte, Clerk Treas.

* * * * *

October 18, 1976

Regular Board Meeting

Board of Trustees

7:49 P.M.

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

2 Min. Silence: Mayor Davin opened the meeting with a two-minute silence.

Vouchers: Motion by Trustee VanBortel, 2nd by Trustee Wilson and carried, to authorize the treasurer to issue checks in the amount of \$16,676.88 for vouchers as presented.

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

Conifer Bldg. Permit: Zoning Officer, Bruce Wideman, informed the board that Conifer Associates, who are the builders of the complex for senior citizens, has asked "a special price" for building permit. Wideman indicated that Mr. Whitney, of Conifer Associates, had advised that following the testing by borings, it was apparent that "special pilings" will be needed in order to support the building. Wideman also advised, that at the time of demolition of these buildings, he did not feel that there was adequate supervision on the part of the village to assure that the ground was sufficiently compacted.

Resol.: The following resolution was proposed by Trustee Reeves, 2nd by Trustee VanBortel:
WHEREAS, an established fee in accordance with the code of the Village of Palmyra is set at 1.00 per \$1,000. valuation,
BE IT RESOLVED THAT, Conifer Associates, shall be charged the regular fee of \$1.00 per \$1,000. valuation or a charge of \$1,000.00 for a building permit.
 Unanimously approved.

Sealer for Side-walks: Zoning Officer Wideman suggested that a de-icing compound be placed on the new sidewalks just installed as a part of the Beautification Project. Linseed oil could be used, although this might discolor. A more expensive material could be used which would not have this effect.

Hist. Pal.: Zoning Officer Wideman advised that he had approved of the Bldg. Permit for the Museum placed on Market Street, the former Villani Bldg. on William Street, on condition that the overhang or porte-cochere on the building be removed. Wideman advised that merchants were asked to remove their overhanging signs. It will be the village board's decision if they wish to allow it to remain.

Direct. Signs: Zoning Officer Wideman commented that he would like to have the directional sign placed at the northwest corner of William and East Main Street, removed and reset in front of the Knapp Insurance Agency. He commented that anyone moving east cannot see the sign on the northwest corner. Board agreed that each would view the sign and make a decision at the next meeting.

Zon.Chg. A letter was received from the Planning Board recommending a change in the zoning to incorporate the word "dentist" together with doctor for application of a Special Permit in a R-1 Residential Zone.
 Motion by Trustee Reeves, 2nd by Trustee VanBortel and carried, to request Attorney Poyzer to prepare the proper Local Law for this change.

Police Car Bid: Bids were opened by Mayor Davin at 8:00 P.M. for a 1977 Police Car. Proof of Publication is so attached.

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
 PLEASE TAKE NOTICE that the Board of Trustees of the Village of Palmyra requests sealed bids for a 1977 Police Car, to be submitted no later than 8:00 P.M. on October 18, 1976, at which time they will be publicly opened in the office of the Village Clerk at 144 East Main Street, Palmyra, New York.

Specifications are available in detail at the office of the Village Clerk. Bids shall be sealed and marked "POLICE CAR BID." Section 103-d of the General Municipal Law requires a non-collusive certificate attached to the bid signed by the bidder.

The purchase of the above will be awarded by the Board of Trustees of the Village of Palmyra to the lowest responsible bidder. In cases where two or more responsible bidders submit identical bids as to price, the Board of Trustees may award the contract to either of such bidders. The Board of Trustees may reject all bids and readvertise for new bids in their discretion.

October 6, 1976
 VILLAGE OF PALMYRA
 Theresa P. Otte, Clerk
 O.8

[435]

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

October 8, 1976

Foreman of the Publisher

Subscribed and sworn to before me

this 8 day of Oct 1976

Notary Public

MICHAEL N. DONOVAN

Fee: \$ 10.55

WAYNE COUNTY COMM. EXPIRES 3/30/80

#4632609

October 18, 1976

Police
Car
Bids:

The following bids were received:

Finewood Motors, Inc., Newark, N.Y.	\$6,423.72
Less: Trade-In	<u>2,229.87</u>

Price to be paid by Village	<u>\$4,193.85</u>
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Alternate Bid to include Power Door Locks & Tilt Steering Wheel	<u>\$4,315.20</u>
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U.W. Sherburne, Inc., Palmyra, N.Y.	\$6,999.00
Less: Trade-In	<u>2,300.00</u>

Price to be paid by Village	<u>\$4,699.00</u>
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Alternate Bid to include Power Door Locks & Tilt Steering Wheel	<u>\$4,837.00</u>
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Non-collusive statements were attached to both the bids. Mayor Davin advised that the bids would be turned over to the Police Committee for study.

Bldg.
Permit:

Mayor Davin advised that there is no retaining wall on the south side of the Urban Renewal Area. Funds have been placed in escrow to finish up the project. The final drawings have been submitted to H.U.D. If it is possible, Mayor Davin advised, to erect the retaining wall, they would hope to let the bids.

Fire
Dept.:

Eugene Spanganberg and Paul Evans, Commissioners for the Palmyra Fire Department, together with Robert Sherman, of Sherman & Sherman, Newark, N.Y., Architects, conferred with the board relative to a proposed housing for the fire equipment.

Subject:
Fire
House -

Mr. Sherman commented that his most recent project was the Firehouse built in the Village of Lyons. Mr. Sherman commented further that a proposed cost would be about \$350,000.00 with 10,000 sq.ft. of space in the area. He advised that space would be needed primarily for equipment and by keeping it simple, economically it could be feasible. Federal funds might be available.

Spanganberg commented that the board must decide where the department is to be placed, due to the cramped quarters now in use. Trustee Reeves countered, "Financially, how are we going to go about it?"

Trustee VanBortel interjected that the plight of the department should be made well known, that they do need a new building. In addition, the cost of the facility must be realistic. It would be apropos to get all information available.

Mayor Davin informed the board that funds would not be available until next June.

Trustee Wilson added that the Farmers Home Funds would be also available in June.

Prelim.
Dwgs.:

Spanganberg questioned the cost of preliminary drawings. Mr. Sherman advised that an estimated cost would be some \$1,000. for preliminary plans. The Lyons facility, he added, cost about \$250,000. with firemen doing much of the inside work.

Resol.
to
Proceed:

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

WHEREAS, it is apparent that a new facility is needed to house the fire equipment, and,
WHEREAS, Robert Sherman of Sherman & Sherman, Newark, New York, has indicated that a preliminary plan cost would be some \$1,000.,
BE IT RESOLVED THAT, Sherman & Sherman, Newark, N.Y. shall be instructed to prepare such preliminary plans at a cost of \$1,000.00.

Unanimously approved.

Propos.
Loc. Law
#5, 1976:

Proposed Local Law #5, 1976 relative to a zoning change to include the word "dentist" with doctor, which would allow for the application of a Special Permit in an R-1 residential area, was placed on the desks of the Board members. Copy attached on Page 153.

Motion by Trustee VanBortel, 2nd by Trustee Wilson and carried, to schedule a hearing on November 1, 1976 at 7:00 P.M.

(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.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 19 76
~~County~~
~~City~~ of Palmyra was duly passed by the Board of Trustees
~~Town~~ (Name of Legislative Body)
~~Village~~
on November 1 19 76 in accordance with the applicable provisions of law.

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. 5 of the year 19 76

To amend Chapter 29, Zoning, of the Code of the Village of
A local law Palmyra, by amending Section 29-14, Residence 1 (R-1) District
(Insert title)

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

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

Section 1. Chapter 29 of the Code of the Village of Palmyra, Section 29-14, subdivision D.(2) is hereby amended to read as follows:

(2) Hospital and/or office of a licensed physician or dentist.

Section 2. This local law shall take effect upon the date of filing in the office of the Secretary of State of New York State.

#5:

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.

November 1, 1976

October 18, 1976

- Floods:** Mayor Davin advised that she had had several calls relative to the gushing of water down Fayette Street and down East Jackson to converge on the property of Prindle at the corner of Prospect Drive and Fayette with much of the spillage flooding the property of Harold Baker on the corner of East Jackson and Fayette. Trustee Reeves remarked that during the last rain storm that water came onto his back yard also, from this area, nearly to his doorstep. His property is next door to the Prindles at 220 Fayette. Mayor Davin commented that Trustee Green had indicated that he would contact the Environmental Conservation to ask their assistance.
- Leaf-Sucker:** Mayor Davin advised that after the approval of the board to purchase the Leaf-Sucker from John Blazey, Palmyra, N.Y., circumstances arose beyond the control of Mr. Blazey, and he was forced to notify the village that he would not be able to supply the machine. the following resolution was proposed by Trustee Wilson, 2nd by Trustee Reeves:
- Resol.:** **WHEREAS**, a low bid was received from John Blazey, Palmyra, N.Y. in the amount of \$4,600., and,
WHEREAS, after notifying J. Blazey of the Village of Palmyra acceptance of the bid, and,
WHEREAS, due to circumstances beyond the control of J. Blazey which prevented him from supplying the machine,
BE IT RESOLVED THAT, the next lowest bid in the amount of \$4,646.00 offered by Walter Roberts, Cazenovia, N.Y. shall be accepted.
- Unanimously approved.
- Fire Dept. Member:** On the recommendation of the Board of Fire Commissioners, the name of Samuel D. Lupica, 93 Maple Ave., was submitted to the Village Board for approval. On motion by Trustee Wilson, 2nd by Trustee Reeves and carried, Samuel D. Lupica is accepted for membership pending the completion of the training period.
- Div. for Youth:** On motion by Trustee Wilson, 2nd by Trustee VanBortel and carried, Mayor Davin was authorized to sign the Recreation Project Application for reimbursement of State Aid funds in the amount of \$1,741.20 for the joint project of the Town of Palmyra and the Village of Palmyra for Community Center activities for the current year January 1, 1977 to December 31, 1977.
- Police Patrol.:** On motion by Trustee Reeves, 2nd by Trustee Wilson and carried, the appointment of Thomas F. Crane, Marion, N.Y. to the Police Department beginning October 25, 1976 was unanimously approved, as a Probationary Patrolman.
- Pol. Dept. Files:** Trustee Reeves advised that he had obtained files and lockers at no cost to the village and would be placed in the "ladies jail", when the front of the iron cell is removed. He advised that he hopes to have a cross-reference file set up.
- Drive-Way:** Complaints have been received regarding the parking lot entrance on Cuyler Street, inasmuch as it is not possible to have two cars meet at the entrance.
- Volkomer Laundro.:** Cliff Williams, Wayne County Planning Board, advised that Mr. Volkomer, owner of the Laundromat on East Main Street, in the Beautification Project had advised that he wanted the heated pipes installed and would not accept a cash settlement.
- Regional Trans.:** Mayor Davin advised that Supervisor Aplin had indicated that he would notify her when a discussion would be held regarding a possible bus system for Wayne County which would pass through Palmyra, Marion, etc.

Weykman Bldg.: Attorney Poyzer advised that it will be necessary to reserve the papers on Weykman. In regard to the selling of the building, the attorneys are working on the matter to ascertain proper procedure for payment of delinquent taxes. Attorney Poyzer has talked with the County Attorney, who in turn would make some recommendation to the Wayne County Board of Supervisors. General discussion regarding the shoring up of the building and trying to make it safe. If the village were to do this, a bill could then be sent to the owner.

Mayor Corres.: Mayor Davin commented on several letters that she had received relative to various meetings.

Lazerson Request: Attorney H.B. Nesbitt, presented a letter to the Village Board together with a Petition from Irving and Pauline Lazerson, owners of property at 511 Vienna Street which requested a change in the zoning from R-1 to C-3. A letter received by Mayor Davin from the Planning Board advised that it was the unanimous opinion of the Planning Board that the above suggested change would not be beneficial and would impose a hardship upon other owners of property in this area. It was, therefore, their recommendation that the present zoning be retained.

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

WHEREAS, Henry B. Nesbitt, Esq. properly submitted a petition in behalf of Irving & Pauline Lazerson, owners of property at 511 Vienna Street which requested a change in the zoning from R-1 to C-3,

BE IT RESOLVED THAT, on the recommendation of the Village of Palmyra Planning Board and the unanimous agreement of the Village Board, this petition shall be denied.

Unanimously denied.

Adjourn: Mayor Davin adjourned the meeting at 10:35 P.M.

Theresa P. Otte, Clerk Treas.

* * * * *

Public Hearing November 1, 1976 Board of Trustees 7:00 P.M.

Present: Mayor M. Katherine Davin and Trustees Mary Lou Wilson, Lloyd A. Green, William Reeves, and Gary VanBortel.

Subject: Proposed Local Law #5, 1976 - relative to the inclusion of the word "dentist" in Section 1, Chapter 29, sub-section 29-14, subdivision D (2).

Citizens: Two (2) present. Zoning Officer Wideman.

Proof of Public.: Mayor Davin read the affidavit of publication relative to the hearing and the proposed change in the Zoning Code.

AFFIDAVIT OF PUBLICATION

LEGAL NOTICE

NOTICE IS HEREBY GIVEN: that a Public Hearing will be held by the Board of Trustees of the Village of Palmyra on November 1, 1976 at 7:00 P.M., in the Trustees Room of the Village Hall at 144 East Main Street, Palmyra, New York to consider the amendment of Chapter 29, Zoning, of the Code of the Village of Palmyra, in relation to Section 29-14, Residence [R-1] Districts:

Section 1. Chapter 29 of the Code of the Village of Palmyra, Section 29-14, subdivision D.[2] is hereby amended to read as follows:

[2] Hospital and/or office of a licensed physician or dentist.

Section 2. This local law shall take effect upon the date of filing in the office of the Secretary of State of New York State.

VILLAGE OF PALMYRA

Theresa P. Otte, Clerk

Dated: October 19, 1976

O.22

[488]

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

October 22, 1976

Geraldine Allen

Foreman of the Publisher

November 1, 1976

Letter from the Planning Board was read in which the Planning Board recommended the inclusion of the word "dentist".

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.

~~xCounty~~

~~xCity~~

~~xTown~~

Village

of PALMYRA

Local Law No. 5 of the year 19 76

To amend Chapter 29, Zoning, of the Code of the Village of
A local law Palmyra, by amending Section 29-14, Residence 1 (R-1) Districts.
(Insert title)

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

~~xCounty~~

~~xCity~~

~~xTown~~

Village

PALMYRA

as follows:

Section 1. Chapter 29 of the Code of the Village of Palmyra, Section 29-14, subdivision D.(2) is hereby amended to read as follows:

(2) Hospital and/or office of a licensed physician or dentist.

Section 2. This local law shall take effect upon the date of filing in the office of the Secretary of State of New York State.

No objections were voiced.

Hearing

Closed:

Mayor Davin closed the hearing at 7:12 P.M.

Theresa P. Otte, Clerk Treas.

* * * * *

November 1, 1976

Regular Board Meeting

Board of Trustees

7:15 P.M.

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

2 Min.

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

Vouchers: Motion by Trustee Reeves, 2nd by Trustee Wilson and carried, to authorize the treasurer to issue checks in the amount of \$38,999.01 for vouchers as presented.

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

Town
Board
Repres.:

Nelson Cook, Councilman on the Town of Palmyra Board conferred with the board relative to a letter received from the Village Clerk in July, 1975 at the direction of the Village Board to request the Town of Palmyra to place funds in their budget for the installation of "Master Meters" at the entrance of the four water districts, namely, Maple Avenue, Canandaigua Road, Johnson Road, and Division Street District. Mr. Cook commented that he had researched the matter to learn that the cost of such a meter would be some \$3,000.00 plus with labor involved for installation, which would include a proper "pit", which would add at least another \$3,000. per meter. He further commented that only the Maple Avenue Water District could support such an installation. It would be necessary to have a bond issue. The Town Board, he continued, cannot justify the cost.

Loss of
Vil.Rev.:

Clerk informed the board that the reason for the request to the town is a more accurate check of the water that is being used in the town districts. In case of fire, none of the water is metered. In addition, should a leak in the main line go undetected for some time, additional loss of water plus revenue to the village could be at stake.

Mr. Cook advised that it might be possible to install just two meters, one for Maple Avenue and Division Street and one for Canandaigua Road. At this time he could not promise that funds would be appropriated.

Sewer
Rate
Increase

Mayor Davin reviewed the general background of the installation of the sewer line on East Foster and south Howell Street. She commented that there was a Permissive Referendum and the Notice of Estoppel, all in accordance with village law. In addition she read a letter which she had prepared, recommending rate increase. Trustee Green commented that Mayor Davin had done her "homework" well. In addition, he complimented the treasurer for prudent investments of funds for the up-dating of the sewer disposal plant, thereby alleviating the need for a sewer rate increase. However, he continued, after reviewing all the information, including the income without an increase along with the anticipated disbursements, it was apparent that a rate increase would be in order.

Adopt
Loc.Law
#4, 1976:

The following resolution was proposed by Trustee Green, 2nd by Trustee VanBortel:
WHEREAS, the Village of Palmyra has had a public hearing regarding a proposed increase in sewer rates which would amend Chapter 18 of the Code of the Village of Palmyra to increase the per unit rate per month from \$5.78 to \$7.00, and,
WHEREAS, it is apparent that such increase is warranted,
BE IT RESOLVED THAT, Local Law #4, 1976, shall be adopted and take effect upon filing in the office of the Secretary, State of New York State.

Discussion.

Vote:

Trustee Green	Aye
Trustee VanBortel	Aye
Trustee Wilson	Aye
Trustee Reeves	Abstain

Adopted: Loc. Law #4, 1976.

Rev.Shar. Funds: The following resolution was proposed by Trustee Green, 2nd by Trustee VanBortel:

WHEREAS, it has been ascertained that there are some \$32,000. in Revenue Sharing Funds which might be appropriated to reduce the debt of \$102,000. of the original \$125,000. for the installation of the sanitary sewer line on East Foster-Howell Street,
BE IT RESOLVED THAT, the sum of \$32,000. shall be designated for a payment on the \$102,000. Bond Anticipation Note which will be due 6/2/1977, from the Revenue Sharing Funds.

Vote:

Unanimously approved.

Local Law
#4,1976:

(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.

Theresa P. Otte
Clerk of the Board of Supervisors, City, Town or Village Clerk or Officer designated by Local Legislative Body

Theresa P. Otte, Clerk of the Village of Palmyra

Date: *November 1, 1976*

(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 proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Laura Jane Taylor
(Title of Officer) Village Attorney

☒ County
☒ City of Palmyra
☒ Town
Village

Dated: *November 1, 1976*

(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. **4** of the year 19 **76**

A local law ~~No. 4 to amend Chapter 18 of the Code of the Village of Palmyra~~
(Insert title)
entitled Sewer Rental, to increase the sewer rent rates.

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

~~County~~
~~City~~ of **PALMYRA** as follows:
~~Town~~
Village

Section 1. Section 18-7, Charges and consumption, of Chapter 18, Sewer Rental, of the Code of the Village of Palmyra is hereby amended by deleting and repealing the first sentence of said section, and by adding thereto a new first sentence which shall replace the sentence hereby repealed, and which shall read as follows:

The sewer rent charged to each premises, except those premises hereinafter mentioned in § 18-11, is hereby established at the rate of seven dollars (\$7.00) for each unit per month.

Section 2. This local law shall take effect immediately 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. 4 of 1976.
of the ~~County~~ City of PALMYRA was duly passed by the Board of Trustees
~~Town~~ Village (Name of Legislative Body)
on November 1976 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 _____ or
Town (Name of Legislative Body)
Village
_____ 19_____ and was approved _____ by the _____ or
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 electe on a county-wide basis or if there be none the chairman of the board of supervisors, the mayor of city or village or the supervisor of a town, where such officer is vested with power to approve veto local laws or ordinances.

(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.5..... of 19..76

~~County~~
of the ~~City~~ of Palmyra was duly passed by the Board of Trustees
~~Town~~ (Name of Legislative Body)
~~Village~~

on November 19..76. 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-
cable provisions of law.
annual

(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
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.

(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. 5 of the year 19 76....

To amend Chapter 29, Zoning, of the Code of the Village of
A local law Palmyra, by amending Section 29-14, Residence 1 (R-1) Districts.
(Insert title)

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

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

Section 1. Chapter 29 of the Code of the Village of Palmyra,
Section 29-14, subdivision D.(2) is hereby amended to read
as follows:

- (2) Hospital and/or office of a licensed physician
or dentist.

Section 2. This local law shall take effect upon the date of
filing in the office of the Secretary of State of New York State.

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

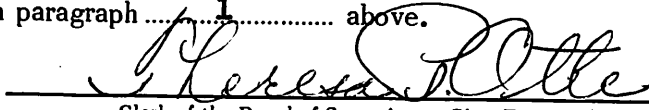
5. I hereby certify that the local law annexed hereto, designated as local law No. of, 19... of the City of..... having been submitted to referendum pursuant to provisions of § 36 of the Municipal Home Rule Law and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ^{special} ~~general~~ 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 ... 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 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 that it was finally adopted in the manner indicated in paragraph 1 above.



~~Clerk of the Board of Supervisors, City, Town or Village Clerk or County Clerk~~
designated by Local Legislative Body

Theresa P. Otte, Village Clerk

Date: November 1, 1976

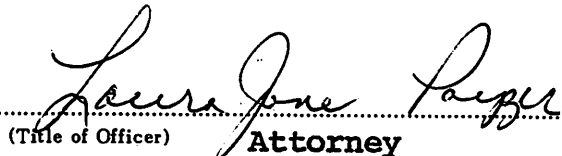
(Seal)

(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 the proper proceedings have been had or taken for the enactment of the local law annexed hereto.


.....
(Title of Officer) Attorney

~~County~~
~~City~~ of Palmyra, New York
~~Town~~
Village

ed: November 1, 1976

Adopt

Loc.Law

#5, 1976:

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

WHEREAS, the Village of Palmyra had a public hearing relative to a proposed change in zoning to include the name "dentist", in Chapter #29, Section 29-14 subdivision D,
BE IT RESOLVED THAT, proposed Local Law #5, 1976 relative to the inclusion of the word "dentist" in Chapter #29, Section 29-14 subdivision D, be adopted.

Vote:

Unanimously approved.

Quaker
Road

Complaint:

The following citizens of Quaker Road, Town of Macedon, addressed the Village Board: Mr. & Mrs. Noble, Mr. & Mrs. Goetzman, Mr. & Mrs. Diesenroth, Mrs. McPike, Mrs. Devito, Mr. & Mrs. Bruce Davidson, as well as William Zadorozny, Stafford Street, Palmyra, N.Y.

Mrs. Goetzman, spokesman for the group advised that they wished to register a complaint with the Village Board relative to the loud speaker system of the Palmyra Motors, the noise of which, filters across the canal and seems to descend on the properties of the owners on Quaker Road. She advised that she had called repeatedly to the Palmyra Motors, who in turn occasionally promised to turn the speakers down, but almost immediately turned back up to full blast.

Clerk advised that Mrs. William Williamson, 500 West Main Street, called to inform the village of the noise nuisance. Mrs. Goetzman continued that the group had engaged a lawyer who in turn had written to the Palmyra Motors. Four years ago something was done to stop the annoyance but this past spring it started again.

Mrs. Goetzman revealed that she had made a spot check on areas as far as Aldrich Drive, who indicated that they, too, were bothered by the noise.

Police were called. They in turn would go to Palmyra Motors, who would turn down the speakers, but only temporarily.

Mr. Diesenroth advised that until this year he was not aware of the noise, in view of the fact that he recently moved to the area. He interjected that excess noise in parks has to be quelled and felt the same should apply in this case.

Contact

Pal.Mtrs.

Trustee Reeves advised that he would volunteer and go to the Palmyra Motors to talk with the foreman or Mr. VanBortel, owner.

Hwy.Tax:

Mayor Davin advised that she had talked with the State Dept. of Audit & Control regarding "Items #3 & #4" in the Town of Palmyra Budget. Item #3 refers to Machinery which is proposed in the Town Budget in the amount of \$26,375., and Item #4 is Highway Maintenance in the amount of \$62,277. The Village, she continued, is assessed some \$12,114.00 on Item #3, and \$28,650.00 on Item #4. If the Town of Palmyra would exempt the Village residents from paying these amounts, it would reduce the homeowners tax by some \$2.10/M. Mayor Davin advised that she felt someone from the Village Board should be present at the Town Budget Hearing to request these exemptions. Trustee Green advised that he would plan to go to speak in behalf of the Village.

Sidewalk
Sealer:

Mayor Davin commented that she had talked with Bob Metz regarding the newly installed sidewalks on Main Street in relation to possible "pitting" because of usage of salt in the coming winter. Mr. Metz revealed that there is a pre-sealer in the walks.

Park.Lot
Cuyler
Street:

Complaints had been received regarding the narrowness of the exit and entrance on Cuyler Street of the Parking Lot south of the Bowling Alley, so designated in the Beautification project. Entrance was purposely narrowed to prevent cars either entering or leaving from hitting cars already parked next to the sidewalk.

Fire
Dept.Prop.
Building:

Trustee Wilson informed the board that the architect, Sherman & Sherman, is working with the Fire Department to draw proposed plans for a firehouse.

Flooding: Mayor Davin read a letter received from Ralph Naeye, manager of the Swiss Chalet Apts. who advised that he had been unjustly accused of allowing debris to build up in the brook adjacent to the apartments on Fayette Street. He commented that the village built grates which holds back the debris and ultimately will not allow water to penetrate through the grates, which in turn floods the surrounding area. Clerk commented that the Highway Foreman, Raymond Smith, does clean the grates periodically, but the recent "flash" rainstorms have caused additional buildup. Due to lack of enough "hands" to be every place at once, flooding has developed, spilling over into cellars of property adjacent to the corner of East Jackson, Fayette and Prospect Drive. Trustee Green suggested clerk contact Woodward Associates, Webster, to ask their assistance or suggestions in solving the problem.

Conifer Develop. Mayor Davin commented that Conifer Development Associates, contractors for the proposed senior citizen housing in the Urban Renewal Area, are asking that the Village give a "name" to the proposed housing unit. In addition, they inquired about the assessment of the proposed building and land for tax purposes.

Police Report: Motion by Trustee Reeves, 2nd by Trustee Wilson and carried, the Police Report for the month of October was accepted. Highlights of the report revealed 181 complaints were investigated together with 7 cases of Criminal Mischief and 8 of Petit Larceny, along with 6 apprehended for Illegal Parking and 3 for speeding. Total fines and bail forfeitures amounted to \$190.00.

Police Car Bid: The following resolution was proposed by Trustee Reeves, 2nd by Trustee Wilson:
WHEREAS, the Village of Palmyra requested bids for a 1977 Police car on 10/18/76, and,
WHEREAS, two bids were received,
BE IT RESOLVED THAT, the low bid of Finewood Motors, Newark, N.Y. be accepted for a 1977 Plymouth Fury for a trade-in price of \$4,270.20, which will include power door locks.
 Vote:

Unanimously approved.

Fair-grds. Bldg.: Attorney Poyzer advised that the building recently constructed at the Palmyra Agriculture Fairgrounds, was new to the extent that the old one was torn down and a new one was replaced in the exact place. New walls were put on the old foundation. In view of this, the Zoning Officer has agreed that this would be well within the permitted use. However, a Building Permit should be applied for. Attorney Poyzer continued that it was her understanding that Attorney Gilmore would call Raymond LeRoy, President of the Fair Association, who in turn would then contact Bruce Wideman to obtain the proper permit.

Escrow Urb. Ren: Mayor Davin commented that there might be approximately \$100,000. in bits and pieces, but not in one fund, left of the Urban Renewal project. Urban Renewal does have about \$19,000. in order to finish up in the general checking account.

N.Y.S. Elec. & Gas: Letter received from the New York State Electric & Gas for permission to place Cathodic Protection work on gas main facilities on Burnham Rd. Motion by Trustee Reeves, 2nd by Trustee Green and carried, to authorize the Gas & Electric to perform this work.

Wallace & Tiernan Wat. Tank Protec.: Clerk advised a contract for the cathodic protection in the 1 million gallon water tank in the amount of \$499.00 had been sent to the village. Clerk advised that there was a slight increase - \$50/yr. Motion by Trustee VanBortel, 2nd by Trustee Green and carried, to contract with Wallace & Tiernan for the cathodic protection of the water tank.

November 1, 1976

Blue Cross Letter received from the Rochester Hospital Blue Cross/
Blue Shield Blue Shield advised that beginning January 1, 1977, according to law, coverage must be provided for full maternity coverage with the exception if the public employer is a government agency, such as a village. Board agreed that clerk should so inform Blue Cross/Blue Shield that the village would like to be exempt from this additional coverage in view of the fact that it is a government unit.

Chg.Ord. Clerk reviewed a proposed Change Order #4 which would result in an increase in cost of \$7,198. for the updating of the
#4
Wat.Plnt.: Filter Plant. Trustee VanBortel advised that he would like to discuss the matter with Water Plant Operator VanEtten and the contractor before authorizing the approval.

State N.Y.S. Dept. of Health advised by letter that turbidity tests at
Dept. of the Filter Plant are satisfactory. It will not be necessary
Health: that actual samples be submitted to the state in view of the fact that the Village now has equipment to make the test. However, monthly reports still must be submitted.

Business The following motion was proposed by Trustee Wilson, 2nd by
Sign: Trustee Reeves:
WHEREAS, the business sign denoting laundromat, etc., is placed in front of the First Federal Savings & Loan Bank on East Main Street at the corner of William and East Main, and,
WHEREAS, it would cause considerable work and damage to remove it to place it in front of Knapp Insurance Agency,
BE IT RESOLVED THAT, the sign shall remain in front of the First Federal Savings & Loan.

Unanimously approved.

Treas. On motion by Trustee Green, 2nd by Trustee Wilson and carried,
Report: the Treasurer's Report for the fiscal year, 6/1/75-5/31/76 was approved and accepted by the Village Board.

Affidav. Affidavit of Publication of filing the report with the State
of Pub.: Dept. of Audit & Control is so attached.

Adjourn: Mayor Davin adjourned the meeting at 10:03 P.M.

Theresa P. Otte, Clerk Treas.

AFFIDAVIT OF PUBLICATION

LEGAL NOTICE
 NOTICE IS HEREBY GIVEN
 that the Treasurer of the Village
 of Palmyra has filed the annual
 financial report for the fiscal
 year ended May 31, 1976 with
 the N.Y. State Dept. of Audit &
 Control for the Village of
 Palmyra and a copy is on file for
 inspection in the office of the
 Village Clerk.
 October 22, 1976
 Theresa P. Otte,
 Clerk Treasurer
 O.29 [451]

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

October 29, 1976

Foreman of the Publisher

Subscribed and sworn to before me

this 29 day of Oct 1976

Notary Public

MICHAEL N. DONOVAN

WAYNE COUNTY COMM. EXPIRES 3/30/78

Fee: \$ 4.56

#4032609