

Present: Mary Lou Wilson, Mayor; Trustees McGrath, Rolland & Hays; and Village Atty. Laura J. Poyzer. Trustee DePoint arrived at 7:30 p.m. having been out-of-town.

Moment of Silence: In lieu of the usual "Moment of Silence," Trustee McGrath requested that she read a prayer prior to the Bd. Mtg.

Minutes - 7/21/83 Spec.Mtg.: Regarding the 7/21/83 Minutes - Spec. Bd. Mtg. Trustee Rolland pointed out a correction should be made in "Noise Ord." Hrng. - Mrs. P. Frontuto's comment about excessive fines were made "in absentia," since she could not be acceptance of the Minutes; Trustee Hays seconded. All voted "aye," carried.

Video Mach.: It was brt. to the Bd.'s attention that a question had been raised about placing video games in a local establishment; Village Atty. advised Clk. to write that Village Code does not contain regulations regarding same.

Treas.'s Ann.Rpt.: Mayor Wilson said that the Annual Treasurer's Rpt. for 1982-83 had been completed and filed with the State - same was advertised as having been filed and available for public to view.

Bids: Mayor Wilson spoke of the Bd. having rec'd bids on two pcs. of equipment - wheel loader and brush chipper. Re the chipper, four bids were rec'd tabulation attached hereto was read by the Mayor.

Brush Chipper: Discussion - Trustee McGrath said that bid from Karl Kuemmerling, Inc., Massillon, Ohio, met specs & legal requirements ; has 12" blade req. by Mr. Smith; and she spoke of 60" span from point of entry on other machines were felt to be dangerous, following which she moved that Bd. award bid to Kuemmerling, Inc. in view of chipper's attributes; Trustee Rolland seconded. All voted "aye," carried. Trustee McGrath instructed to order same.

Wheel Loader: Mayor Wilson read tabulation, attached hereto, of six bids rec'd for Highway Dept. wheel loader - and the wide spread of bids. Highway Supt. felt that two met specs, however, priced quite high. Bd. discussion. Trustee Rolland, considering price difference and need to review specs more closely and possible re-bidding, moved that any and all bids for wheel loader be rejected; Trustee Hays seconded. Trustees Hays and Rolland and Mayor Wilson voted "aye," Trustee McGrath abstained. Carried by majority. The Mayor asked Bd. if someone from Cty. should write up specs; following short discussion the Mayor req. Trustee Rolland to handle.

Apt. Hse. Raised: Mayor Wilson said that the burned out apartment house on E. Main St. had been demolished; debris to be removed in near future.

Roof-Water Plnt.: Trustee Hays spoke of roof leaks at Water Plant which, in some instances, is ruining ceilings with water running dwn. between brick walls. Said leaks cannot be patched, Mr. Hays having read a statement from W&WW Supt., H. Kruger. A quote was rec'd from Mr. B. Milke of Macedon Ctr., in amt. of \$2967. Mr. Hays motioned that Bd. enter

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9/6/83

Roof-
Water
Plnt.

Contract with Mr. Milke; Trustee McGrath seconded. Discussion held on source from which money would come - it was stated that "Water Fund" the logical fund; Trustee Hays moved that Bd. authorize Mayor Wilson to execute Contract; Trustee McGrath seconded. All voted "aye" re entering into Contract/authorization for Mayor to sign.

Vienna
St.:

Trustee Hays said that "Progress Meeting" held earlier in day; bus schedule coordinated. Watering street drastically reduced. Discussion on necessity of tree removal - Mr. Hays, DAK Landscaping Rep., Messrs. R. Washburn & R. Galasso, and R Weaver, Cemet. & Pks. Foreman, spent several hrs. checking out each tree in Project area - Bd. as concerned as Engineers re cutting & boxing/damagedone to trees. In addition to DAK, Contractor Schooley to give Bd. a quote which is not pt. of cont. Mr. Hays spoke of urgency of tree removal/discussion on cost - if it exceeds legal limit, same could be spread. Atty. Poyzer said that Bd./bid could not exceed "103 Bidding Limits," following which Mr. Hays motioned that Bd. enter Cont. after consultation with Engineer and authorization be given to Mayor for Cont. execution in order for wk. to begin on the following Thurs.; Trustee Rolland seconded. All voted "aye," carried.

Tn./Vill.
Water Cont.

Trustee Hays moved that Bd. enter into Contract with Town re Water Contract, retroactively, from 2/28/83 to 2/28/84, with authorization for Mayor to execute some with current rates in effect, i.e \$1.34 per cu. ft. for water delivered to residences and \$.81 per 100 cu. ft. for water registered but not recorded at residences.

Rate Hike:

Mt. Hays led a discussion on probability of water rate inc. in Village - rates unchanged since 1972 - moving that minimum rate for each Qtr. be hiked to \$5.00 up to 700 cu.ft.; for each 100 cu.ft. after minimum Qtrly rate shall be \$.75; and rate for water wold in tank lots shall be \$.75 per 100 cu.ft. with a minimum chg. of not less than \$5.00; Trustee Rolland seconded. Atty. Poyzer advised of necessity of Local Law. Trustee Hays ten motioned that Bd. conduct public hrng. at 7:00 p.m., 10/3/83; Trustee Rolland seconded. All "ayes," carried. Clk. instructed to req. W&WW Supt.; Treas. Dickinson; and Roy McMasters of Donegan Assoc. to be present for public hrng.

Mr. Hays req. Clk. to send cover letter with Town Cont. informing them of Village's intent to have public hrng. to change Village's water rate structure. They should be inf., also, that when re-negotiation begins for new Tn./Vill. Water Cont., in all probability will be at higher rate. Short discussion on area meetings re water in Ontario and Monroe Counties.

Cemetery
Trustee
Rolland:

Trustee Rolland said Cemetery operatioonnns are in order; spoke of hiring DAK to handle consultation, schooling offered to P.D. - in interest of Vilage for employees to further education - on which basis he moved that the Bd. authorize payment of \$138.00 to CCFL for Cemetery & Pks. Foreman, R. Weaver, to take three credit hr. crse.; Trustee Hays seconded, all voted "aye," carried.

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9/6/83

Zoning &
Planning:

Re ZBA, Trustee Rolland req. Clk. to write past ZBA Chairman, Robert Culver, thanking him for having served in said post; likewise, a letter to Mr. Don Wallace for having served for a number of years on the Village's Planning Bd. Discussion held on appt. of new ZBA Chairman; J. VanScott serves as Vice-Chairman whom Mr. Rolland has req. to set hrng. dates for cases pending. Trustee DePoint spoke of Mr. Culver having served the Vill. well; gave lot of time.

Spec. Events:

Trustee Rolland spoke of success of concert in the Park; assistance from Mr. Hays and "Revitalization Committee."

Canaltown
Days:

Mr. Rolland, re Canaltown Days, moved that the Bd. dispense with the "Open container Law" for area beginning at Main St., corner of Cuyler & William, westward to Canandaigua & Church Sts., including Park and area immediately surrounding Vill. Hall Parking Lot; Trustee Hays seconded. All voted "aye," carried.

Mummers:

Discussion held on stipend from Vill. to ward Mummers' appearance during Canaltown Days; Vill. donated in 1982 - Committee requested to justify need for monetary assistance. Monies were not placed in budget; response from Committee does not show where they need the money; does Bd. want to consider making same a budget item each year, according to Mr. Hays - it was emphasized that it is taxpayers' money. Mayor said she'd like to see Bd. support them in some way; Trustee McGrath spoke of "in-kind" services performed by Vill. crews - Bd. asked for input from citizens' present; Mrs. P. Frontuto talked of using taxpayers' money, etc. Trustee Hays then moved that Bd. send letter to Canaltown Days' Committee; Committee derives several thousand dollars in "in-kind" services to annual celebration which Bd. feels is adequate - in future yrs., Committee should request funding for budget consideration; Trustee Rolland seconded. All voted "aye," carried. Clk. req. to draft letter.

Trustee
DePoint:

Trustee DePoint moved acceptance of P.D. Rpts. for mo. of 1983; Trustee McGrath seconded. With Trustee Rolland abstaining due to not having reviewed same, Trustees DePoint, McGrath & Hays voted "aye," carried by majority.

CSEA Neg.:

Mr. DePoint said that hrng. to be held at 7 p.m., 9/22/83 re Contract neg.

Traffic-
Canaltown
Days:

Mr. DePoint said to his knowledge, everything in place re traffic control for Canaltown Days until contact from Mayor that DOT Engineer, Mr. J. Edinger had communicated with her regarding re-routing traffic. Lengthy discussion held about traffic detouring up Mill to Prospect Dr. Trustee Hays said an impossibility due to liability now and in future; need for lg. amt. of gravel for fill-in - contractor already behind schedule, etc. Trustee DePoint said 1983 critical as to whether or not DOT would permit closing of Rt. #31 in future. Bd. agreed a serious problem but did not arrive at a solution.

New P.D.
Patrolman:

Trustee DePoint spoke of recommendation from Chief Henry re hiring additional Patrolman for P.D. Dpty. Chief, D. Dalton, was req. to inform the Bd. of his knowledge of arrangements for traffic control for Canaltown Days in addition to P.D. situation re current P.D. coverage. Lengthy discussion held on plight of P.D. re many hrs. of overtime, vacations, absence of P-T Patrolman, and fact that hiring of additional Patrolman not budgeted, i.e. would have to come from contingency fund. The attributes of specific Patrolman were related to the Bd. and the need for same. Status of Mr. F. Trowbridge's position unknown; Trustee Rolland wanted to pursue budget, etc. first as well as reviewing prospective Patrolman's Resume. No action taken.
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9/6/83 - MINUTES

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New P.D. Patrolman: Trustee DePoint spoke of recommendation from. Chief Henry re hiring additional patrolman for P.D. Dpty. Chief, D. Dalton was req to inform the Bd. of his knowledge of arrangements for traffic control for Canaltown Days in addition to P.D. situation re current P.D. coverage. Lengthy discussion held on plight of P.D. re many hrs. of overtime, vacations, absence of P-T Patrolman not budgeted, i.e. would have to come from contingency fnd. The attributes of specific Patrolman were related to the Bd. and the need for same. Status of Mr. F. Trowbridge's position unknown; Trustee Rolland wanted to pursue budget etc. first as well as reviewing prospective Patrolman's Resume. No action taken.

Parking - Canaltown Days: Discussion on "No Parking" areas for Canaltown Days and resolution previously adopted by Bd. Trustee Hays moved that resolution be amended to restrict parking on certain designated streets pursuant to section of Code on 9/17 & 9/18 with said areas to be posted; Trustee Rolland seconded. All "ayes", carried.

Trustee McGrath: Re Community Ctr. Drive, Trustee McGrath said that Mr. G. LaBerge had been in touch - and the \$2500 Vill. has set aside; Tn.'s contribution shall be "in-kind" services only.

Door - Pole Barn: Vehicle Repair Mrs. McGrath said that pole barn door had been ordered, the cost of which was \$1800. She req. the Clk. to send memos to all dpt. hds. that all vehicle/machine repair be referred to the highway dept. including grease & oil changing. Highway crew capable of same - refer to Highway first - F.D. has own mechanic; consult with Supervisor. Trustee Hays said he would begin compiling list of accessories Vill. would need; Trustee McGrath motioned the above; Trustee DePoint seconded. All voted "aye," carried.

Membership- F.D. Trustee McGrath moved acceptance of application of Wm. McCann, Jr., Marion Rd., Palmyra, for F.D. membership - subject to obtaining third signature frm. Fire Commissioner, previously passed physical; Trustee Rolland seconded. All voted "aye," carried.

Schooling- Dpty. Clk. Trustee Hays moved that Bd. approve "Double Entry" Schooling for Dpty. Clk. for six days in Newark at cost of \$15.00 - Trustee Rolland seconded, all voted "aye" carried.

NYSE&G Trustee Rolland moved that Bd. permit NYSE&G break surface at 116 Cuyler St. as req; Trustee DePoint seconded. All voted "aye," carried.

Toys for Tots: The Mayor read req from Jaycees to utilize basement of P&C Rooms to conduct their annual "Toys for Tots" Campaign. Clk. to have any old records removed to Vill. Hall; Trustee Rolland motioned Bd.s approval; Trustee Hays seconded. All voted "aye," carried.

WCVOA Dnr. Mtg. Mayor Wilson said that Wayne Cty. Village Officials' Assoc. dinner-meeting, hosted by Vill. of Palmyra, to be held at The Garlock Hse. on 9/12/83. Assemblyman F. Talomie shall be guest speaker.

Mormons' Req: The Clk inf. the Bd. that req (oral) rec'd from Mormons re: outdoor music for Christmas/Easter; Bd. req letter.

9/6/83

- Proclama- Mayor Wilson proclaimed the week of September 17
tion re through September 23, 1983, as "Constitution Week,"
Constitu.Wk at the request of Mrs. Theresa P. Otte, Regent,
Seneca Chapter, Geneva, National Society Daughters
of the American Revolution. The Proclamation
states in part..."It is the privilege and duty of
the American people to commemorate the one hundred
ninety-sixth anniversary of the drafting of the
Constitution of the United States of America with
appropriate ceremonies and activities"....Trustee
DePoint moved the Board's acceptance of Mayor
Wilson's Proclamation; Trustee Rolland seconded.
All voted "aye," carried.
- Hrng.- Discussion held on public hearing to be conducted by
the Town of Manchester on 9/12/83 re fire Protection
Contract by Vill. Trustee McGrath req clk to write
Bd.'s acceptance of amt. of \$1,739.58; preference
for a two-yr. Contract, in which case rep. does not
need to attend said hrng.
- Easement re Short discussion on communication frm. Atty. P.
Vill Prop. Rubery re easement in area of Highway Barns. Atty.
Poyzer said that vill. would have to declare sm.
area not needed by Vill. - can't give away" - no
longer needed for Vill. purposes. It was feeling
that "Shepardson" property had been sold in which
case the easement may not, at this time, be a
problem.
- Voucher Trustee Rolland moved that vouchers containing three
Payments or more initials/signatures, in the amt. of
\$92,200.99, Abstract #5, be approved for payment and
Mayor authorized to sign Abstract; Trustee Hays
seconded. Trustees Hays, Rolland & McGrath voted
"aye," carried.
- F.D. Aux. The Bd. approved Fire Dept. auxiliary's req to
utilize P&C Rm. kitchen for Canaltown Days; their
chicken barbeque dinner to be served on 9/18/83.
- Citizens' Mrs. E. Drake inquired about Vienna St. driveway
Queries: widths -- was told pre-existing width. Mrs. P.
Frontuto asked about tattoo artist at fair - was told
under control of Fair Assoc./St. Health Dept. - done
in other places. Mrs. Frontuto asked when chipper
would be in operation - Trustee McGrath said
delivery could occur current wk.; Mrs. Frontuto
asked what constitutes a "Workshop Session: such as
Bd. conducted recently; she was told by Mayor that
no business was conducted - Bd. reviewed bids.
- Exec. Trustee McGrath, at 9:40 p.m., motioned that Bd.
Sess.: exercise Exec. Sess. for litigation and personnel
reasons. "ayes," Trustees McGrath, Hays & Rolland,
carried.
- Re-Convene At 10:15 p.m., Trustee Rolland moved adjournment;
Trustee Hays seconded. Trustees Rolland, Hays &
McGrath voted "aye," carried.

Ethel B. Johnson, Clerk

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VILLAGE OF PALMYRA BOARD MEETING SEPTEMBER 6, 1983

Mayor : At the request of Seneca Chapter, Geneva, National Society Daughters
Proclaims of the American Revolution, Mrs. James B. Otte (Theresa P.), Regent,
Constitu- Mayor Mary Lou Wilson hereby proclaims the week of September 17th
tion Wk.: through September 23, 1983 as Constitution Week, as follows:

WHEREAS, It is the privilege and duty of the American people to commemorate the one hundred ninety-sixth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS, Public Law No 915 guarantees the issuance of a proclamation by the President of the United States of America, designating September 17 through 23 of each year as Constitution Week,

NOW, THEREFORE, I, Mary Lou Wilson, as Mayor of the Village of Palmyra, do hereby proclaim the week of September 17 through 23, 1983 as

CONSTITUTION WEEK

and urge all citizens to study the Constitution, to express gratitude for the privilege of American citizenship in our Republic functioning under the superb body of laws - The Constitution of the United States of America.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Village of Palmyra to be fixed at September 6th of the year of our Lord one thousand nine hundred and eighty-three and the Independence of the United States of America, the two hundred and seventh.

Mary Lou Wilson
Mayor

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Attest Ethel B. Johnson
Village Clerk

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BOARD OF TRUSTEES
9/15/83

Special Meeting

5:00 p.m.

Present: Mary Lou Wilson, Mayor; Trustees M. K. McGrath, S. Hays, J. DePoint, and R. Rolland; and Village Atty., Laura Jane Poyzer.

Moment of Silence: Trustees McGrath motioned that a prayer be said "out loud" prior to ea. Bd. Mtg., discussion - determine md. by Bd. "moment of silence" be continued - leaving it up to individuals their respective choices of what to do during MOS.

Purpose of Meeting: Mayor Wilson said that Spec. Mtg. called due to some concern that both Mayor and Deputy Mayor would be away from Village on reg. Bd. Mtg. night - 9/19/83, following which Trustees DePoint moved that 9/19/83 mtg. be cancelled, replaced by Spec. Mtg.; Trustee McGrath seconded. All voted

Charge Person: "aye", carried. Trustee Hays recommended that Mayor appoint most senior Trustee to be in charge in absence of Mayor & Dpty. Mayor - Mayor Wilson acknowledged his recommendation by appointing Trustee McGrath as person in charge.

Am. Leg. Reg. It was brought before the Bd. that the Am. Legion had request that Cuyler St. be blocked off from 7-8 p.m. Sat. night for Canadian "Pipers" "demonstration in front of Legion; also, perm. was reg. for "Pipers" to march across Main St. (Rt. #31) at 11:00 a.m. 9/18/83 to perform for Sr. Cit. Discussion - permission granted as moved by Trustee Hays seconded. All "ayes," carried.

Schooling - Treas. Trustees DePoint moved and Trustee McGrath seconded authorization for Vill. Treas. to attend "Advanced Double-Entry Bookkeeping School" in Newark, N.Y. on Nov. 15, 16 & 17, '83, the apprx. cost of which is \$15.00. All voted "aye," carried.

Outdoor Music: The Bd. acknowledged the Mormons' reg. to pipe outdoor music during Christmas & Easter Seasons. Bd. agreed a nice gesture; Clk. to inform Elder Carlsen of Bd.'s consent.

P&C Rms. Mayor Wilson said that a formal request had been rec'd from Jaycees re use of P&C Rms. on an annual basis; Trustee Hays moved approval - Trustee McGrath seconded. All voted "aye," carried. Some discussion on changing locks; Trustee Hays said that he had previously moved that locks be changed; sign out keys to individual Scout leaders, update list as changes occur, etc.

The Mayor said that G. Scouts asked Jaycees to use the upstairs quarters; Bd. felt req. should go through them - G. Scouts occupy downstairs. Mayor said that she would spk. to leader.

The Mayor read a reg. frm. Jaycees to utilize upstairs of village Hall for annual "Spook House" for Hallowe'en. Bd. determined that same conditions as in previous years - and that Jaycees possess own ins. Discussion on Jaycees' immediate removal when event over; Clk. to have current storage shifted to another room; contact Trustee Hays re. electricity; req.

P&C Rms. Con'd: custodian to clean off stairwell. On the basis of the above. Trustee DePoint moved that Jaycees may use upstairs rms. from 10/29-10/31, 1983; Trustee Hays seconded. All voted "aye" carried.

Committee Reports -

Trustee DePoint: Trustee DePoint said that a "Letter of Appreciation" had been rec'd for regularly patrolling Vienna St. by Chief Henry.

Reg. from Chief for Bd. to consider uniforms for P.D. Clk. Trustee DePoint recommended same - discussion. Clk. to get approx. cost from Chief.

New Patrolmen: Trustee DePoint read Memo from Chief in which he related hrs./cost of overtime for present Patrolmen; vacation fillin, etc. Discussion on hiring new Patrolman; impact on budget; prospect, Patrick Coleman, rec. another offer. Treas. consulted re budget - contingency - set aside \$30,000. - \$16,000. remaining - didn't get anticipated revenues; lower Fund Bal.; increase appropriations; adjust budget. Trustee Rolland spoke of need to know where money coming from - lengthy discussion - Trustee DePoint moved the hiring of Mr. Coleman; there was no second. Trustee Hays motioned tabling matter; Trustee Rolland seconded. Upon Call Vote - Trustees Hays, McGrath and Rolland, "ayes," Trustee DePoint - "Nay." Carried by majority.

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Trustee
Hays
Cont'd:

Service amount not to exceed \$15,000.00 - and to include extension of present on-site inspector and additional inspector to commence services 9/19/83." Lengthy discussion followed which included qualification of Contractor - unable to document Lozier's recommendations; hereafter, everything in writing. Trustee Hays said that 10/31/83 deadline - Contractor five-six weeks behind schedule; paving contractor due 9/19/83 - sub-base and binder coats could be completed by 10/31/83; project could be completed up to point. Citizen E. Hartnagel questioned why st. is so low and was told "that's where basins will go in." Village paying by volume; have to have some standing by to verify each load going in; Contractor could undercut fill. It was stated that Lozier Engineers had recommendations that Contractors prior work was good. Re 1,000 hrs. for engineer - impt. that someone there to ensure job done correctly - more hours/two resident engineers justified at 40 hrs. from 9/23/83 to 10/31/83. Trustee Hays's motion to retain Lozier Engineers; upon Roll Call Vote, Trustees Hays, McGrath and Rolland - "ayes," Trustee DePoint, "nay". Carried.

Trustee DePoint moved that letter be sent from Vill. Atty. to Lozier's re Bd. dissatisfaction with them and Contractor re Vienna St. Project; Trustee Hays seconded - discussion - Mr. Hays requested letter not be sent until completion of project, however, Mr. DePoint stated that if prolonged, They would not know of the dissatisfaction - would assume everything satisfactory unless notified. Upon Roll Call Vote - Trustees Hays and McGrath voted "Nay"; Trustees DePoint and Rolland and Mayor Wilson voted "aye," carried by majority. Trustee Hays also suggested/req. that letter sent to H&E's bonding company to inform them about schedule and problems with deadline.

Mr. Hays said that Contract Agreement with Empire Tree Surgeons re removal of trees on Vienna St. prepared and ready for Mayor's signature.

Public
Hrng. Re.
Water Rate
Inc.
(Loc. Law
#4, '83):

Trustee Hays advised that a public hearing is scheduled for 10/3/83 at 7:00 pm. to propose water rate increase, i.e. water haulers from \$3.00 to \$5.00 per 1,000 gal. tank; residential changes - minimum bill from 500 cu. to 700 cu. ft. (700 cu. ft. @ \$5.00); and flat \$.75 rate for each 100 cu. ft. thereafter. Local Law #4 placed on Board's desk.

Outdated
Law Bks.:

The Bd. acknowledged reg. frm. Judge Baynes to remove outdated law books to his home, new bks. having been rec'd. Bd. would like this reg. in writing, however, even though outdated, should remain in Vill. Hall Ctrm. Trustee Rolland said there may be State mandate that said bks. should be discarded/ burned.

Vienna St.
Resident
Letter:

Trustee Hays motioned that authority be given Mayor to draft letter to be sent to Vienna St. resident thanking them for their cooperation and understanding during Project. Trustee Rolland seconded; Trustees Hays, McGrath & Rolland voted "aye"; Trustee DePoint - "nay". Carried.

Resol.
#83-38

Trustee DePoint motioned passage of following Resolution (#83-38) attached here to. Trustee Rolland seconded. All voted "aye" carried.

Citizens'
Queries:

Mrs. M. Lynch wanted to know how far west traffic will be closed for Caneltown Days' Parade - and was told by Mr. DePoint - probably at Yellow Mills Rd., same as last yr. Mrs. P. Frontuto stated that there appears to be a Zng. problem in Village - they recently submitted Bldg. Perm. for addition and took more than two weeks to have approved & signed by Zng. Officer. Trustee Rolland said that they have to be checked out.

Voucher
Payment:

Trustee DePoint motioned that Treas. pay all amts. on vouchers containing three signatures on Abstract #6, in the amt. of \$20,013.13; Trustee Hays seconded. All voted "aye", carried.

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Resolution #83-38

Trustee _____ motioned passage of following Resolution -

WHEREAS, the estimated ending fund balance for the year ended May 31, 1983, fell short in the amount of \$42,422.88, and

WHEREAS, it is necessary to decrease the appropriations amount of the budget in the amount of \$17,428.88 and decrease the contingency account in the same amount of \$17,428.88,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be instructed to make the necessary changes in the budget reflecting this budget adjustment.

Found as is
on 4/13/98
During Preparation
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Resol. Trustee DePoint motioned passage of following Resolution (83-38)
WHEREAS, the estimated ending fund balance for the year ended May 31, 1983, fell short in the amount of \$42,422.88, and
WHEREAS, it is necessary to decrease the appropriations amount of the budget in the amount of \$17,428.88,
NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be instructed to make the necessary changes in the budget reflecting this budget adjustment.

Citizens' Queries: Mrs. M. Lynch wanted to know how far west traffic will closed for Caneltown Days' Parade - and was told by Mr. DePoint - probably at Yellow Mills Rd., same as last yr. Mrs. P. Frontuto stated that there appears to be a Zng. problem in Village - they recently submitted Bldg. Perm. for addition and took more than two weeks to have approved & signed by Zng. Officer. Trustee Rolland said that they have to be checked out.

Voucher Payment: Trustee DePoint motioned that Treas. pay all amts. on vouchers containing three signatures on Abstract #6, in the amt. of \$20,013.13; Trustee Hays seconded. All voted "aye", carried.

Exec. Sess.: Trustee DePoint moved that the Bd. enter Exec. Sess. to discuss negotiations and litigation at 6:30 p.m.; Trustee Hays seconded. All voted "aye," carried.

Re-Convene: At 7:10 p.m. Trustee DePoint moved the Board re-convene it's regular meeting; seconded by Trustee Hays. Present: Mayor Wilson, Trustee McGrath, DePoint and Hays; Vill. Atty., Laura Jane Poyzer. Absent: Trustee Rolland.

Sidewalks: Trustee Hays motioned that Trustee in chg. of High. Dept. assigned priority and necessary for requisition for sidewalk repair and replacement - staying within the limits of budgeted amount; seconded by Trustee McGrath. All voted "aye," carried.

Chief Henry: Chief D. Henry approached the Bd. to recommend the hiring of new Patrolman. Trustee DePoint moved to take previous motion frm. table made by Trustee Hays earlier in mtg.; Trustee McGrath seconded. All voted "aye," carried, following which Trustee DePoint, upon recommendation frm. Chief Henry, moved the employment of Mr. Patrick L. Coleman as a Patrolman in P.D. Mr. Coleman presently employed by Lyons P.D. - placed at the "top" of Civil Service List - as a full-time Probationary Patrolman; Trustee McGrath seconded. Roll Call Vote - Trustee Hays, DePoint & McGrath - all "ayes," carried.

Adjourn.: Upon a motion by Trustee DePoint; seconded by Trustees Hays and McGrath, the mtg. was adjourned at 7:23 p.m.

Darlene E. Matteson, Dpty. Clk.
& Ethel B. Johnson, Clk.

(The next scheduled Bd. Mtg. is Monday, 10/3/83)

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PRESENT: Mary Lou Wilson, Mayor; Trustees S. Hays, J. DePoint & M. K. McGrath; and Village Atty., Laura Jane Poyzer. Absent - Trustee R. Rolland.

Moment of Silence

PUB. HRNG
LOC LAW
#4

Mayor Wilson read the advertised "Legal Notice", attached hereto to consider the adoption of a Local Law to amend Chapter 27 of the Code of the Village of Palmyra entitled "Water Rates and Charges," increasing the water rates as follows: The minimum rate for each quarter shall be \$5.00 up to 700 cubic feet; for each 100 cubic feet thereafter, the quarterly rate shall be \$.75; and tank lots shall be \$.75 per 100 cubic feet with a minimum charge per tank of not less than \$5.00.

Mr. Roy L. McMasters, representing the Village's consultants, B. Donegan Associates, was present. Mayor Wilson said that Bd. had been discussing proposed water rate increases for past several yrs. Mr. McMasters gave a presentation with hand-outs and lantern slides in which it was shown in cubic feet and gallons how an increase would affect residents. It was pointed out that no increase had been realized in eleven (11) yrs. - since 1972. He spoke of inflation, declining rate scale, treating water, transportation network from Canandaigua Lake, basic operational cost, etc. and that proposed change will not be great enough - perhaps have to be changed in 1984. Trustee DePoint spoke of cost of purification; taxes on lines running through towns, etc.

Discussion on placing monies in Capital Reserve Fund and depletion of \$255,000 - \$285,000. for water line replacement on Vienna St. Trustee Hays, W&WW Commissioner, said taht Bd. was cautious in proposed increase for persons on fixed income; should have been scrutinized on yearly basis in past; tapping into "Fund Balance" - operating Water Dept. at a deficit. Trustee DePoint said taht Bd. would monitor - unsure about increase within nxt. yr. - and spoke of expiration date of Garlock Contract; should negotiate at a considerably higher rate. Mayor Wilson asked Mr. McMasters if proposed increase would cover expenses and was told that it would help - did not think it would "cover". Trustee DePoint suggested sending "signals" to Town Bd. - Village/Town Contract has remained same for past three years. Councilman Ed Wheeler, who was present, questioned percentage increase in round numbers - discussion followed during which it was stated that "average family" will realize no impact at all; major consumer's bill will almost double. Mr. Wheeler wanted to know if amount in Capital Reserve Fund available to public and was told it was - less than one million due to Vienna St. wk. C. Lyons wated to know what "Fund Balance" was and he was informed that it is a separate, distinct fund which contains approx. \$59,000.; declined by one-third in each of past three yrs.; portion used to pay bills - revenues short in 1982-83. Discussion held on need for replacement of nine hydrants. Trustee DePoint spoke of applying to nxt. yr.'s budget, however, he didn't believe it would be enough.

Mayor Wilson asked for questions/comments from citizens who were present when there were none, Trustee DePoint moved that the public hearing be closed at 7:30 p.m. Trustee McGrath seconded. Upon Roll Call Vote - Trustees DePoint, Hays & McGrath voted "aye," carried.

MIN. 9/6/83
& 9/15/83

Trustee DePoint moved acceptance of Bd. Minutes for 9/6/83 & 9/16/83 (Spec. mtg). Trustee Hays spoke of problem with Pages 2 & 3 re Vienna St. in 9/15/83 minutes - following which he moved that the Bd. expend an amount not to exceed \$80. for a tape recorder to tape Bd. mtgs. Discussion - Trustee Hays also suggested limiting major transcript to the motions made and pertinent discussion at future Bd. mtgs. Trustee DePoint suggested that Trustees submit "Committee Reports" to the Clerk prior to Bd. mtgs.; Mayor to send Memo to Dpt. Hds. re submission to rpts. Citizen Sunremi mentioned that the public wold not be as aware of Village Business.

CITIZEN

M. PORRETTA: citizen M. Porretta approached the Bd. re curbing at his place of business located at Mill/Vienna St. Plans are to curb his present driveway on Vienna St. which is his exit/entrance for his residence/personal use. Bd. requested that he consult atty. on easement for same and get bk to Bd.

INC. WATER
RATES:

Regarding Local Law #4 increasing water rates as proposed during public hearing, Mayor Wilson requested Bd. action following which Trustee Hays moved adoption of Local Law #4, 1983; Trustee DePoint seconded. Upon Roll Call Vote - Trustee Hays, DePoint & McGrath voted "aye," Mayor Wilson announced that said Law adopted/will be processed.

COMMITTEE REPORTS

TRUSTEE DEPOINT: Trustee DePoint said that thank-you letters had been sent by the clerk to the enforcement agencies, including Palmyra P.D., State Dept. of Transp., and "Canaltown Days" Committee for their assistance during "Canaltown Days, 1983." He also commended the Village Office staff for their work in connection with "C.T. Days."

Re uniforms for Police Clerk, he said he rec'd estimate for \$250. frm. Chief. discussion - determination made to place in nxt. yr's budget. P.D. Rpt. for 9/83 having been reviewed by Bd., Trustee DePoint mvoed acceptance; Trustee Hays seconded. All voted "aye," carried.

Re Union Contract, no "Fact-finder" Rpt. has been rec'd. New Patrolman Patrick L. Coleman, begins on 10/10/83 - His "probationary" status & base salary approv. by Union.

TRST MCGRATH: Trustee McGrath reported that pole barn overhead door had arrived and placed re Highway; Town did work on Comm. Ctr. driveway. She also reported that she had attended, and spoke, in Auburn at Public Service Commission public hearing re 25% proposed rate increases. Mrs. McGrath spoke of possible increases for various Village services - ZBA Hrngs.; grave openings, lots and foundations; tax searches, snow removal on Burnham Hts. (Tn of Macedon 40%/60% for Village). She was requested by Bd. to research matters and bring bk. to Bd.

Bd. discussion on nine fire hydrants - leaking beyond repair and approx. cost of \$5400. by private contractor. Hydrants cost approx. \$400. ea/ Vill. has some on hand - Vill. crew can accomplish - two men can replace two hydrants per day. Bd. agreed that Village employees will place water hydrants - to be pd. out of water fund. Trustee Hays said that Bd. should be involved in setting priorities in Village dpts.

TRUSTEE HAYS: Re "Vienna St. Reconstruction Project" - completion scheduled for 10/31/83. Mr. Hays reported on "Animal Control"; and mtg. on 10/15/83 re "Revitalization Committee."

Bd. discussion on transcript by Ct. Rptr. re Jury Trial - It was stated that in an appeal situation, Village's responsibility for first two transcripts; defendant pays third - transcript is for defendant. Mr. DePoint said that, in talking with D.A., it is a legitimate cost/two other attorneys indicated likewise. Mayor Wilson submitted "Opinion" from State to the contrary. Trustee Hays suggested that Village obtain machine/someone from office take course for Ct. rpting. No further discussion.

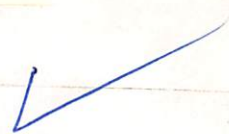
RESOLUTION
#83-39
items 3 & 4

Re petitioning the Town for exemption from Items 3 & 4, Mayor Wilson said that annually the Village requests same; Town did exempt Item 3 a couple of yrs., following which Trustee Hays moved adoption of #83-39; Trustee McGrath seconded. Upon Roll Call Vote, Mayor Wilson, Trustees McGrath, DePoint and Hays voted "aye," carried.

BD. OF ASSESS.
REVIEW

Bd. discussed communication from Assessor J. Roney and independent Bd. of Assess. Rev. Trustee McGrath asked if Bd. had right to make changes in assessments and was told by Atty. Poyzer that this is purpose of same (Grievance Day); she referred to her communication to Bd. of 4/83. Bd. makeup - three/five members - discussed by Bd. Mayor to rpt. bk to Bd.

VanHoovers' req. to purchase portion of land in rear of their Canal St. prop. discussed by Bd., reviewing map. Their interest lies in portion extending to State blue line. Atty. needs Abstract for further study. Question arose that at some point in time, Vill. may need "drive-out" in said area.



*J. DePina
moved*

RESOLUTION # *83-40*

WHEREAS, it was necessary to remove trees and stumps on the Vienna St. Project and \$2745.00 was expended to remove such trees,
WHEREAS, a budget adjustment is necessary to cover this expenditure in the Capital Fund,
THEREFORE, be it resolved that the Treasurer be instructed to make the necessary adjustment in the Contingency account H21910.4 to appropriate money in the H28560.4 line item.

RESOLUTION #

*Carried - Board
majority*

*Truette
McQueth
seconded.
all voted
"aye"
Carried.*

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RAUBER'S Re F. Rauber's Contract for work on the Village Hall, it was stated that
CONTRACT he has moved out-of-town. Trustee DePoint moved that Contract be
cancelled/null and void; Trustee Hays seconded. All voted "aye," carried.

FLUE SHOTS: Customary for Vill. to provide flue shots for employees; Trustee
Hays moved same. Trustee McGrath seconded - all voted "aye," carried.
It was added "with consent of Union." Clk. make appt. with Dr. Wm. Braell.

PURCHASE Atty. Poyzer said that Purchase Offer rec'd from Breen's re portion of
OFFER: land between mkt. & Firehouse - amt. of P.O. - \$3700./deposit of \$200.
included. Trustee Hays moved acceptance of Breen's P.O.; Trustee
McGrath seconded. All ayes, carried.

RESOL. It came to the Bd.'s attention that a budget adjustment was necessary
#83-40 for tree & stump removal for the "Vienna St. Reconstruction Project"
Trustee DePoint moved adoption of Resolution #83-40 in which \$2745.00 to be
expended resulting in a transfer from Contingency Acct. #h21910.4
to h28560.4; Trustee McGrath seconded. All voted "aye," carried,
and attached hereto.

DELINQ. Trustee McGrath reported that Treas. and herself attended public
TAXES hearing by Cty. Bd. of Supervisors re collection of Villages'
delinquent taxes. The Mayor said that the Bd. had not arrived at a
decision. It was pointed out that advantageous for Vill. Bd. to
communicate with Bd. of Supervisors - Vill. would be pleased to sit down
to discuss the cost of repairs to buildings which are going to be given
back to the vill. for deliq. taxes.

At 9:05 p.m. the Mayor opened up the meeting to the public -- Ms. E.
Drake spoke of damage to her lawn during tree removal, etc. and was told by
Mr. Hays to refer to "Empire Tree Surgeons," placing a claim and send
a copy of same to Vill. Mrs. T. Otte thanked the Bd. for Mayor's
Proclamation re "Consitution Week".

VOUCHER PYMT: Trustee DePoint moved that voucher amounts of \$77,903.04 Abstract
#7, containing initials/signatures of at least three Trustees, be
approved for payment; Trustee Hays seconded. All voted "aye," carried.

EXEC. SESS: Trustee DePoint, at 9:15 p.m. moved that the Bd. exercise Exec.
Session. for purposes of discussing litigation and personnel. Trustee
McGrath seconded. All voted "aye", carried.

RE-CONVENE: With the above members present, at 10:05 p.m., Trustee DePoint moved
that the Bd. emerge from Exec. Sess.; Trustee Hays seconded. All
voted "aye," carried. After resuming regular session, Trustee DePoint
moved that Vill. Atty. represent the Vill. in a lawsuit brought by
Mr. David Bliss; Trustee Hays seconded. All "ayes," carried.

ADJOURN: At 10:15 p.m., Mr. Hays moved adjournment; Trustee McGrath seconded.
All voted "aye," carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting

10/17/83

7:00 p.m.

PRESENT: Mayor Mary Lou Wilson; Trustees R. Rolland, S. Hays, & J. DePoint.
Absent: Trustee McGrath and Atty. L. J. Poyzer

MOMENT OF The Mayor called the meeting to order promptly at 7 p.m., requesting
SILENCE: that during the moment of silence Vill. Atty. Poyzer be remembered
as she was having surgery.

MIN. 9/6/83 Trustee DePoint moved acceptance of the 9/6/83 regular bd. mtg.
minutes; Trustee Hays seconded. Ayes - Trustee DePoint, Hays, and Mayor
Wilson. Trustee Rolland abstained. Carried.

MIN. SPEC. BD. The following corrections were made to the Spec. Bd. Mtg. minutes
MTG. 9/15/83 for 9/15/83 - Trustee McGrath's changes re Comm. Ctr. Dr. were read
by Mayor Wilson - "A letter from the Town of Pal. was rec'd stating
that the Town Highway Dept. would prepare the drive and parking lot of
the Comm. Ctr. and put stone and oil on the area. The Town would supply
"in-kind services' only - the amount included. The Mayor asked if there
was money in the budget. Trustee McGrath stated that we had \$2,500
budgeted and that she had talked with Mr. LaBerge in the Spring and
early Summer about getting the project under way. Trustee McGrath
suggested that since the residents of the area had to suffer through

the Summer with the dust and dirt and the worst of the mess was over, that the Bd. consider adding monies to the budgeted amt. in the Spring so that a more permanent surface could be placed and resolve the problem once and for all. The Board agreed to reconsider the matter in the Spring."

Regarding a correction on the "Vienna St." portion of the Minutes, Trustee Hays' corrections are attached hereto. Trustee Hays moved acceptance of the 9/15/83 Minutes, with the noted corrections; Trustee Rolland seconded. Ayes - Mayor Wilson, Trustees Hays & DePoint. Trustee Rolland abstained. Carried.

- MIN. 10/3/83 The 10/3/83 Bd. Minutes were corrected to reflect (Pg. 3)..... "in a jury trial situation instead of appeal".....Trustee DePoint said that he talked with Justice Baynes who had spoken with the District Atty. With the above corrections noted, Trustee Hays moved acceptance of the minutes; Trustee DePoint seconded. Ayes - Mayor Wilson, Trustees DePoint & Hays. Trustee Rolland abstained. Carried.
- COMM. RPTS. Committee Reports having been submitted by the Mayor and respective Trustees, Trustee Rolland moved that said Rpts. be attached to the regular Mtg. Minutes; Trustee DePoint seconded. Ayes - Trustees DePoint, Hays & Rolland.
- ZBA HRNGS: It was announced that J. VanScott, Vice-Chairman of the ZBA, would preside at the folloiwng Hearings: 6:30 p.m. - J. LeFever; 7:00 p.m. - M. & M. Ward; 7:30 p.m. - Dr. J. Brandetsas, and 8:00 p.m. - St. Anne's. Regarding ZBA vacancy, the Mayor said that she had a number of applicants, following which Trustee Rolland moved that the Mayor be authorized by the Bd. to appoint a temporary ZBA member for six months before the above 11/2/83 Hearings. Trustee DePoint seconded, stating that the Mayor makes all appts. anyway. Ayes - Trustee DePoint, Hays & Rolland. Carried.
- WHEEL LDR. Trustee Rolland moved that the Board re-advertise for bids on a 1983
RE-ADVERTISE: wheel loader for the Highway Dept. Bid opening was set for 4:30 p.m. 11/10/83. Trustee Hays seconded. Trustee DePoint moved to exclude the year (1983) from the motion; Trustee Hays seconded. Ayes - Trustees Rolland, Hays & DePoint. Carried.
- CEMETERY LOT: Trustee Rolland moved that the Village Bd. waive payment for a grave opening in veterans' section (Section P, #1389) of the Palmyra Cemetery. He stated that the individual was indigent - Town furnished lot which they pd. for; Trustee Hays seconded. Ayes - Trustees Rolland, Hays & DePoint.
- APPLIC. F.D. Mayor Wilson stated that Applications to join the Fire Dept. had been received from Dougals McCullough, 327 Canandaigua St., and Donald Gray, 326 Hathaway Place. Mayor Wilson moved their acceptance; Trustee Rolland seconded, pending phys. exams. Ayes - Trustees Rolland, Hays & DePoint. Carried.
- REVITAL COMM.: Trustee Hays said that the Trustees' Rm. would be utilized on 1/19/84 for a film and short presentation by Historic Society of N.Y. re "Revitalization & Financing." He stated that public, merchants, etc. would be invited.
- SNOW. ORD. Trustee Rolland moved advertisement of the Village's "Snow Ordinance." which is in effect from 11/1/83 to 4/1/84; Trustee Hays seconded. Ayes - Mayor Wilson; Trustees Rolland & Hays. Trustee DePoint - "Nay".
- GIRL SCOUTS: Bd. discussion on P&C Rms., east side, utilized by Girl Scouts. Bd. said no action needed, however, G.S. May use said rms., conditionally.
- PICT. FRAMING: Trustee Hays moved that aerial view picture of Palmyra in 5/77 issue of National Georgraphic be appropriately framed. Trustee Rolland seconded. Discussion held on framing of antique documents when water pipeline laid, previously approv. by Bd. It was stated by Mayor if reproduction costs exceed \$300. to come bk to bd. All "ayes" carried.
- RESOL. #83-41 Trustee DePoint moved passage of Resol. #83-41 in which the Vill. turns all unpd. taxes over to the Cty. as of 11/1/83. Trustee Rolland seconded. All ayes, carried.

file

VILLAGE OF PALMYRA
COMMITTEE REPORTS

Date: 11/02/83
Richard Rolland

Cemetery: * We have received the new truck and are very happy to have it in time for fall clean up.
* An inspection of the entrance arch shows that it has shifted but that the repair work could wait till spring. Due to the work on Vienna St. and the possibility of the ground shifting we are going to wait and monitor the situation.

Parks: * Nothing to report.

Zoning &
Planning: * Hearings on four applications will be held on 11/2/83 by the ZBA.
* Mr. George Contant was appointed to the ZBA.

Special
Events: * Nothing to report.

Flagpole: * Nothing to report.

Misc.: * The bid specifications for the wheel loader have been picked up by eight bidders.
* We have received the Fact Finder report and are currently studying it.

ACTION
ITEMS: * I am looking into the easement at the village barns.
* I am working on two zoning problems on Stafford St.
* Appointment of ZBA. chairman (working on).
* Appointment to Planning board (working on).

see in for

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The Village of Palmyra

TRUSTEES

JAMES DE POINT
MARY KAY MC GRATH
RICHARD ROLLAND
STEPHEN HAYS

CHIEFS

DONALD HENRY, POLICE
DAVID DALTON, DEPUTY
DAVID MC GUIRE, FIRE

(INCORPORATED 1828)
MARY LOU WILSON, MAYOR
PALMYRA, NEW YORK 14522

TEL. 315-597-4849

DEPARTMENTS

ETHEL B. JOHNSON, CLERK
PHYLLIS G. DICKINSON, TREASURER
RAYMOND SMITH, PUBLIC WORKS
HAROLD KRUGER, WATER & WASTEWATER
LAURA JANE POYZER, ATTORNEY
JOHN BAYNES, JUSTICE
ROGER WEAVER, CEMETERY
JACK RYAN, ZONING

Resolution 8341?

November 10, 1983

Wayne County Treasurer
Lyons, New York, 14489

The following resolution was proposed by Trustee DePoint, seconded by Trustee Rolland:

RESOLVED, that the Village of Palmyra requests the collection of delinquent village taxes by the County of Wayne pursuant to Wayne County Local Law No. 4-1978 and Section 1442 of the Real Property Tax Law; and be it further

RESOLVED, that the Village Clerk is hereby authorized and directed to send a certified copy of this Resolution together with the account and certificate described in Subdivision 3 Section 1436 of the Real Property Tax Law to the Wayne County Treasurer in accordance with the provisions of Section 2 of Wayne County Local Law No. 4-1978.

Resolution unanimously approved.

I, Phyllis G. Dickinson, Treasurer of the Village of Palmyra, Wayne County, New York, DO HEREBY CERTIFY:

That this is a true copy of the resolution passed by the Village Board of Trustees at the regular meeting of the board on October 10, 1983.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village.

Phyllis G. Dickinson

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AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
FOR BIDS FOR A
TWO AND ONE-HALF
YARD WHEEL LOADER
PLEASE TAKE NOTICE:
That the Board of Trustees
of the Village of Palmyra is
seeking bids, sealed, for a
two and one-half yard wheel
loader. A 1970 Trojan,
Model 1700 trade-in may be
seen at the Highway Barns
at the corner of Canal and
Division Streets Monday
through Friday during
regular working hours.

Specifications are
available in detail at the Of-
fice of the Village Clerk, 144
East Main Street, Palmyra,
New York, between the
hours of 9:00 a.m. and 5:00
p.m. Monday through
Friday.

Bids will be received by
the Village Clerk until 4:30
p.m., Thursday, November
10, 1983 at which time they
will be publicly opened.
Section 102-d of the General
Municipal Law requires a
non-collusive certificate at-
tached to the bid signed by
the bidder.

The Board of Trustees of
the Village of Palmyra

reserves the right to reject
any or all bids and re-
advertise.

VILLAGE OF PALMYRA

Ethel B. Johnson

Village Clerk

Dated: Oct. 17, 1983

(398)

(019)

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 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:

Oct. 19, 1983

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this *24th* day of *Oct.* 19 *83*

Judith A. MacDuff
Notary Public

Fee: \$3.12

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1985

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NESBITT & NESBITT
ATTORNEYS AND COUNSELORS AT LAW
122 CUYLER STREET
PALMYRA, NEW YORK 14522

HENRY B. NESBITT
JOHN B. NESBITT

November 7, 1983

TELEPHONE
315-597-4801

Miss MaryLou Wilson
Village of Palmyra
Village Hall
Palmyra, NY 14522

RE: Legal Services; Disability of Laura Jane Poyzer,
Village Attorney

Dear MaryLou:

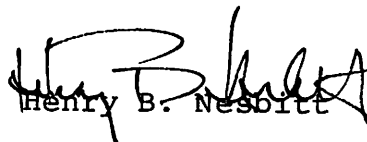
Enclosed herewith, please find a proposed Resolution for
the consideration of the Village Board.

As indicated, it is our understanding that Laura Jane
Poyzer will remain on the rolls of the Village as the official
Village attorney and we will give assistance when the occasion
arises strictly on a case-by-case basis at the rate of \$50.00
per hour, plus disbursements we may incur.

In the event that matters arise which we feel we cannot
handle in the event of a conflict or other reasons, you will
be so notified. Also, if the Board feels, for any reason,
that they prefer to refer matters to other counsel, the Board
would be at their liberty to do so.

Very truly yours,

NESBITT & NESBITT


Henry B. Nesbitt

HBN:Lgg

146

#83-42

RESOLUTION

WHEREAS, Laura Jane Poyzer, the Village Attorney, is presently ~~hospitalized~~ ^{incapacitated} due to illness and is unable to carry on her duties, and

WHEREAS, it is contemplated that she will be unable to resume her activities for a period of four to six weeks, and during said period various legal problems may arise requiring attention, and

WHEREAS, the law firm of Nesbitt and Nesbitt of Palmyra, New York has indicated to this Board that it would assist, based on the rate of \$50.00 per hour during the said period of disability,

NOW, THEREFORE, BE IT RESOLVED that matters of the Village requiring legal attention during the interum period be referred to said firm based on said rate on a case-by-case basis, reserving to this Board the option to retain any other legal consultant at any time during said period of disability.

file

MEMORANDUM

TO: Mr. Jud Roney, Assessor
Town/Village of Palmyra

FROM: Ethel-Mae Johnson, *am* Clerk
VILLAGE OF PALMYRA

RE: Resolution #83-43 - Courtesy Presentation

DATE: 11/9/83

Please be advised that the following Resolution was adopted at the 11/7/83 Village Board Meeting:

Resolution #83-43

"WHEREAS, for several years the Village of Palmyra has found it advantageous to adopt the inside Village Rolls from the Town of Palmyra Assessment Rolls, so that there would be a uniform assessment for the basis of levying taxes with the Town, School and Village, and

WHEREAS, it is apropos that a Resolution shall be adopted annually so stating that the Village of Palmyra will avail itself to the inside Village/Town of Palmyra Rolls,

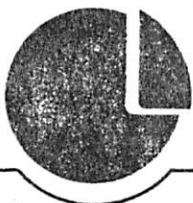
NOW, THEREFORE, BE IT RESOLVED, that the Village of Palmyra shall adopt the Town of Palmyra Rolls as of August 1, 1983, assessments on which to base the June 1, 1984, Tax Levy, with adjustments for any fire losses."

Trustee DePoint moved adoption of the foregoing Resolution; Trustee Polland seconded. Roll Call Vote - Trustees DePoint, Polland and McGrath - "ayes"; Trustee Hays - "Nay." Resolution #83-43 adopted by majority vote.

e.
cc: Mayor Wilson
Mrs. Betty Stubbings, Town Clerk

14I

LOZIER



ARCHITECTS/ENGINEERS

600 PERINTON HILLS FAIRPORT, NEW YORK 14450 716-223-7610

S. Hays

1539-16D
October 24, 1983

WAYNE P. ACKER
MARK P. ALLE
ARTHUR F. BORCHER
LEONARD E. BOWE
WALTER W. BRADLE
JAMES C. DUNLA
JAMES E. DUN
RONALD C. FORSYT
EARL F. GEER I
GLENN C. HAL
EDWIN L. KUMME
THOMAS J. LAWSC
THOMAS J. MCNAMAF
PETER NIELSE
PETER C. OPPEL
LEE A. POWEL
RICHARD S. RANDAL
JOSEPH W. SHAFER J
HOWARD M. SHAPIR
FREDERIC A. TIEDEMAN
EDWARD J. ZELAZN

Mr. Gary D. Morell, Esquire
Converse and Morell
224 East Main Street
Palmyra, New York 14532

Re: Michael J. Porretta
Village of Palmyra

Dear Mr. Morell:

Following our recent telephone conversation, I met with Mr. Porretta at his property located at the corner of Vienna Street and Mill Street in the Village of Palmyra to discuss the location of proposed driveway curb cuts for access to his property.

During our discussion, Mr. Porretta was advised that the new street design does not include a curb cut for Mr. Porretta's property along the northside of Vienna Street. The existing curb cut on Mill Street is not proposed to be disturbed. It was explained to Mr. Porretta that the curb cut on Vienna Street was not to be provided in an attempt to avoid street runoff from draining into his property. Mr. Porretta said that street drainage had run down his driveway and across the paved portion of his property in the past and he did not consider that to be a problem which should lead to the elimination of the curb cut on Vienna Street. Mr. Porretta said that he had been advised by the Village that a driveway entrance from his property to Vienna Street located close to the street intersection is considered a safety hazard.

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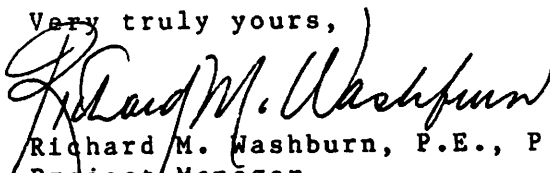
Mr. Gary D. Morell, Esquire
Page 2
October 24, 1983

Mr. Porretta was advised that a curb cut will be provided on Vienna Street for his use. As described to me at the site, Mr. Porretta would like a driveway entrance onto Vienna Street which will be capable of passing two vehicles simultaneously. The request to the Village in the letter dated October 7, 1983 to Ms. Laura Poyzer implies the need for a residential curb cut and driveway on Vienna Street. The Village has instructed Lozier to have the Contractor install a residential curb cut and driveway in a location agreeable to Mr. Porretta to allow ingress and egress on Vienna Street. However, residential driveways are not typically wide enough to pass two vehicles at the same time. The construction of the curb along the frontage of Mr. Porretta's property is planned for completion during the next week or ten days. A curb cut sufficient to provide a ten feet wide driveway will be installed unless specific instructions are given to Lozier by the Village prior to undertaking that work.

It is anticipated and expected that in return for the Village and Engineer's compliance with your request on behalf of Mr. Porretta, that a RELEASE will be prepared, on behalf of Mr. Porretta, to hold the Village of Palmyra, Lozier Architects/Engineers, and the Contractor harmless from any damage occurring as a result of drainage running from Vienna Street onto Mr. Porretta's property.

Should you have questions or require additional information, please feel free to contact me.

Very truly yours,


Richard M. Washburn, P.E., P.L.S.
Project Manager

RMW:jla

xc: Ms. Laura Poyzer, Esq.
Mr. Steve Hays, Trustee, Village of Palmyra
R. Galasso

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LOZIER ENG.: Retaining Lozier Engineers in amt. of \$15,000. for Vienna St., Trustee Rolland moved retainage; Trustee Hays seconded. Ayes - Mayor Wilson Trustees Rolland & Hays. Nay - Trustee DePoint.

BLISS CASE: Mayor Wilson stated that Vill. Atty. had handled.

PORRETTA: Discussion - Bd. to req. Ct. copies of records/documentation.

VOUCHERS: Trustee moved that the Mayor be authorized to sign Abstract 8, in amt. of \$28,698.76, and that voucher payment be made for vouchers signed by three or more Trustees. Trustee Hays seconded. Ayes - Trustees Rolland, Hays & DePoint. Carried.

OFFICE CLOSED: Discussion on office closing on 11/8/83 - Elec. Day. Bd. determined sign on door would be sufficient as opposed to placing in paper due to expense.

ADJOURN: At 7:50 p.m., Trustee Rolland moved adjournment; Trustee Hays seconded. All ayes, carried.

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting

11/7/83

7:00 p.m.

PRESENT: Mayor Mary Lou Wilson; Trustees S. Hays, R. Rolland, J. DePoint & MK McGrath. Absent due to illness: Laura Jane Poyzer, Esq. (Vill. Atty.) (John Nesbitt of Nesbitt & Nesbitt)

MOM. OF SIL: Mayor Wilson requested a moment of silence prior to conducting the business of the Board.

MIN. 10/17/83: Minutes of 10/17/83 Bd. Mtg. retained until 11/21/83 for additions/corrections due to lateness of rec. same.

VIENNA ST. Mr. R. Washburn, Lozier's, was present to brief the Bd. on the "Vienna Street Reconstruction Project." Lengthy discussion among which was notification to Contractor, today's date, that Village will start doing drive-ways as Contractor had not kept commitment. Discussion cont'd.

RESOL. #83-42 Mayor Wilson said that, due to the incapacitation of the Village Atty. LEGAL SERV.: Laura Jane Poyzer, and the necessity of legal services for the Village, that the firm of Nesbitt & Nesbitt would be employed for the duration of period four to six weeks at the rate of FIFTY DOLLARS (\$50.00) per hour. Following the reading of Resolution #83-42, attached hereto, Trustee Hays moved passage of said resolution; Trustee McGrath seconded. Roll call vote - Trustees Hays, McGrath, DePoint & Rolland - all "ayes," Unanimous. Trustee J. DePoint moved amendment to said Resolution that date retroactive to 11/1/83; Trustee Rolland seconded. Roll call vote - all "ayes." Unanimous.

MARKINGS - Mr. Steve Austin of e. Foster St. approached the Bd. re more definitive SCHL. ZN.: markings in area of schools - lengthy discussion by Bd. The Mayor said that first time brt. to attention of Bd., emphasizing present markings, etc. comply with law; Trustee Hays spoke of resolution preparation by legal counsel stating that same is for "additional safety" - beyond what is required. Mr. Austin volunteered to assist the Bd./meet with Trustee McGrath. Trustee Rolland volunteered to search for "ways & means." Cost to be considered; if flashing light approach, place in nxt. yr's budget.

RESOL. #83-43 Mayor Wilson read Resol. #83-43, attached hereto, in which it is stated ASSESS ROLLS that the Village adopt the Town of Palmyra Rolls as of August 1, 1983, assessments on which to base the June 1, 1983, Tax Levy, etc. Trustee DePoint so moved; Trustee Rolland seconded. Roll Call Vote - Trustees DePoint, Rolland and McGrath - "ayes"; Trustee Hays - "Nay." Adopted by majority vote. Notification of Assessor Roney.

WATER CONT. Trustee Hays moved that the Board enter into Contract with Church - MORMONS Latter-Day Saints (Mormons) - at a fixed rate of \$.85 per 1,000 gallons for two years, retroactive to 9/7/83. Trustee Rolland seconded, all voted "aye," carried. Trustee Hays motioned that Mayor Wilson be authorized to execute said Contract; Trustee DePoint seconded - all "ayes," carried.

COMMUNIC. Trustee Hays read proposed letter to Bd. of Supervisors re Highway BD. OF SUP. Pole Barn & Cty. Planner, motioning that said letter be sent; Trustee McGrath seconded. Trustees Hays, McGrath & Rolland - "ayes,"; Trustee DePoint - "nay" - carried by majority.

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CURB CTS. Trustee Hays explained to Bd. why no curb cuts would be md. on
PROSPECT. Prosp. Dr. - south side which is Vill. prop., including west side
of Ms. C. Cochran's according to an agreement dated 8/7/73.

RESCIND Trustee Hays moved that the Bd. rescind "no parking" previously
"NO PARK." established for Vienna, Kent, Throop & Mill Sts. and Prosp. Dr.
during water line replacement/street reconstruction, discussion.
Trustee DePoint seconded - all "ayes,".

SUPERCEDE Trustee Hays moved also, in same project area, that Village supercede
SNOW ORD.: "Snow Ord." no parking due to streets' condition/until surface is
plowable/driveway conditions and non-availability of parking. Trustee
Rolland seconded. Discussion - Counsel to rprepare Local Law for
Board's desks - 11/21/83 Bd. Mtg. All "ayes," Carried.

P.D. RPTS. Having reviewed the Police Dept. Rpts. for 10/83, Trustee
10/83; Rolland moved acceptance; Trustee Hays seconded. All "ayes."
RE-ASSIGN Trustee McGrath directed the Clerk to "Memo" Messrs. Smith &
Weaver that in his capacity as Foreman of Cemet. & Parks, Mr.
Weaver will be in charge of "Village Trees" hereafter. discussion on
VILL/TWN status of Vill./Tn. Fire Contract due to expire on 12/31/83 - pointed
FIRE CONT. out that larger pieces of equipment needed for "Town/50% of fire calls are
"Town" Bd. agreed that Town be notified of amt. of \$26,000. for first
yr. of two-yr. Contract/\$27,000. for 2nd.

COMMUN. Discussion held on a communication to "Vienna St. and area residents
VIENNA ST. re replacement of posts on Crescent Dr. - Mr. Hays felt residents
RESIDENTS: should be notified of procedure for filing claims re "Vienna St.
Reconst. Project." Clk to prepare draft letter.

COMMITT. RPTS. Trustee DePoint motioned that Board Committee Reports be accepted
VOUCHER PYMTS. into Minutes - Trustee Rolland seconded. All "ayes," Trustee Rolland
motioned that all vouchers containing initials or signatures of at
least three Trustees be approved for payment and Mayor authorized
to sign Abstract No. 9. Voucher amts. - \$94,728.08

CONT. RE Mr. Hays said that he and W&WW Supt. negotiating with Flansburg
SLUDGE Enterprises, Inc., of Mumford, N.Y. for removal of "sludge."

EXEC. SESS: At 9:00 p.m. Trustee Rolland moved that the Bd. exercise Exec.
Sess. for purposes of negotiations, Grievance (K. Schneider)
and potential litigation. Trustee Hays seconded. All "ayes."

RE-CONVENE: With the above members present, Trustee DePoint moved the Bd. emerge
frm. Exec. Sess. at 10:00 p.m.; Trustee Hays seconded. All
"ayes."

ADJOURN: Trustee DePoint moved adjournment; Trustee Hays seconded. All "ayes."

Ethel B. Johnson, Clerk

BOARD OF TRUSTEES

Regular Meeting 11/21/83 7:00 p.m.

PRESENT: Mayor Mary Lou Wilson; Trustes M. Kay McGrath, James I. DePoint,
and Stephen Hays; and Attorney John Nesbitt. Absent: Trustee
R. Rolland.

MOM. OF SIL.: The Mayor requested a moment of silence prior to conducting the
business of the board.

MIN. 10/17/83 Trustee DePoint motioned that the Bd. Minutes of 10/17/83 be
accepted as submitted; Trustee Hays seconded. Upon Roll Call
Vote - all "ayes." Carried.

MIN. 11/7/83: Trustee DePoint motioned that the Bd. Minutes of 11/7/83 be
accepted as submitted; Trustee Hays seconded. Upon Roll Call
Vote - all, "ayes." Carried.

TOWPATH MANOR: ms. Ann Guest, local Disaster Chairperson, reported to the Bd.
on the recent occurrence at Towpath Manor, i.e. roof leak and need
for temporary evacuation. She said that evacuation was a smooth operation
and commended the Fire Dept. as well as occupants - Red Cross
set up in Methodist Ch. however, most occupants went with
relatives/friends. It was stated by Bd. that roof patched - new roof
going on - residents returned next day/night.