

May 6, 1974

Regular Board Meeting

Board of Trustees

7:00 P.M.

**Present:** Mayor Sidney J. Fitzgerald, and Trustees Lloyd A. Green, Warner Strong, David McGuire and Mary Lou Wilson.

**2 Min. Silence:** Mayor Fitzgerald called the meeting to order and asked for a two minute silence.

**Vouchers:** Motion by Trustee Green, 2nd by Trustee McGuire and carried, to authorize the treasurer to pay the vouchers as presented in the amount of \$15,658.06.

**Minutes:** The following amendments were made to the previous board meeting on 4/22/74:-

At 8:36 P.M. the Village Board reconvened to a general session at which Village Attorney, Laura Jane Poyzer was present, not absent, as wording might indicate.

Regarding Review Trowbridge Matter: Lt. Wm. Benedict of the Wayne Co. Sheriff's Dept. advised Patrolman Jas. Smith and Sheriff Deputy R. Bennie to not awaken Patrolman Fred Trowbridge so that Police Chief Donald Henry might be the one to verify the patrolman sleeping in the patrol car, when he arrived.

On motion by Trustee Strong, 2nd by Trustee McGuire, the minutes of the previous meeting were approved with the amendments.

**Vil.Att. Letter:** Village Attorney Laura Jane Poyzer informed the board by a letter to Mayor Fitzgerald that she would accept the position of Village Attorney for the next fiscal year at an annual salary of \$6,000.00 but that this amount did not include any litigation or bond issues.

**Hwy.Trk.:** Trustee Green advised that he is delving into the matter in view of the correspondence from U.W. Sherburne, low bidder, who informed the board that a truck would not be available from their supplier until the spring of 1975.

**Citizen Program:** Trustee Wilson informed the board that she had recently talked to Mrs. Ann Moss relative to a planned program in October for new citizens of the United States in our village and town.

**Clean. Towpath:** Mayor Fitzgerald commented that he would talk further with Bruce Wideman relative to the cleaning of the debris in the Towpath.

**E.Fost.& Howell Sts. Sew.Line:** Olgerts Sniedze, Woodward Associates, Webster, N.Y., Consulting Engineers, advised that the timing is good for bidding the extension of the sewer line. Bid opening could be early in June, 1974, with a possible construction starting date of the latter part of July.

**Test Bor. Report:** The test borings, he continued, showed water only four (4) feet underground with very bad digging, hard-pan being beneath the surface.

**App. to State:** O. Sneidze advised the board that he had prepared the necessary forms for submission to the State Department of Health for their approval. The forms, he continued, should be signed by the mayor, on board approval. Board so agreed.

**Court Discuss:** District Attorney Stephen Sirkin, Public Defender Ronald Valentine, Village of Palmyra Acting Police Justice Charles Richardson were present. Village Attorney Laura Jane Poyzer had previously submitted a letter to Mayor Fitzgerald relative to the scope of services to be performed by an Acting Police Justice, which was read by Mayor Fitzgerald. In essence, an Acting Police Justice, can handle a case only when the Police Justice is not available. As soon as the Police Justice is available, he is then to continue or pick up the case so started by the Acting Police Justice.

**Richardson Comm.:** Acting Police Justice, Charles Richardson commented that he has not acted without Police Justice Rubery's knowledge. The cases on his docket (Richardson's), he continued, have been turned over to Police Justice Rubery, with a few exceptions. Is it legal for Police Justice Rubery to take over cases started by Acting Police Justice Richardson and if it is, do both Village Attorney Poyzer and District Attorney Sirkin agree with this?

**Mayor Fitzgerald:**



Dep. May. Is it necessary to bring formal charges, at this point?  
Green:

Attorney  
Poyzer: It is his legal right to have formal charges brought against him.

Attorney If a penalty is to be imposed, which would jeopardize his figure,  
Sapienza: then he would want to have a hearing. No formal type charges so far, but if it would affect his Civil Service, then they would demand a hearing.

Dep. May.  
Green: Should action be taken?

Trustee  
Strong: Yes, we have not had a complete written report.

Dep. May. Commented that he personally felt that the board acted too hastily.  
Green: He felt that the matter should not have been brought to the board, only the Police Department and Police Commissioner should have handled it. He further commented that he would like to see the Police Department handle it now and the matter dropped.

Attorney  
Sapienza Patrolman Trowbridge did shut off the lights on the police car.

W. Reeves: Advised that he was angry at reading the account in the papers. He said that he has a radio and listens. Commented that he feels that Trowbridge is a fine policeman, even though he does have two jobs and goes to school. This matter was no mortal sin.

Trustee  
Wilson: Maybe he shouldn't try to hold two jobs and go to school.

W. Reeves: Commented that he believed that the man got a wrong shake.

Pol. Chf. Wished to go on record as agreeing with Deputy Mayor Green's  
Henry: comments and suggestion.

Trustee  
Strong: Emphasized that the police department should check with the Sheriff's Department every 1/2 hour.

Trow- Related again the facts relative to checking for 1-1/2 hours  
bridge: buildings with a high powered light which blinds the eyes.

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

WHEREAS, Patrolman Trowbridge has been the brunt of criticism during the last two weeks for dropping off to sleep for a matter of fifteen (15) minutes at approximately 10:45 P.M. on the west edge of the Village of Palmyra, when he should have picked up a man to relieve him at the 11:00 P.M. shift,

BE IT RESOLVED THAT, the incident be dropped and the Village Board shall take no further action but any disciplinary action may be imposed by the Palmyra Police Department and the Police Commissioner.

Proof of Pub.: The Proof of Publication of the Adoption of Local Law #3, 1974 is herewith attached.

Adjourn: Deputy Mayor Green adjourned the meeting at 10:53 P.M.

Theresa P. Otte, Clerk Treas.

STATE OF NEW YORK  
COUNTY OF WAYNE

Darlene E. Matteson

of the Wayne County Journal, a public newspaper, printed and published weekly at  
Wayne County, New York, and that a legal secretary  
of which the undersigned is a free copy was only published therein once in  
each week for one week beginning Apr. 17, 1974  
and ending Apr. 17, 1974

Darlene E. Matteson  
Notary Public for the State of New York  
day of April, 1974, at Wayne County, New York  
\$8.64  
Notary Public for the State of New York

LOUIS A. MATTHEW, Notary Public  
State of New York, County of Wayne  
My Commission Expires on 12/31/75

302B

NOTICE OF ADOPTION  
LOCAL LAW No. 3, 1974  
PLEASE TAKE NOTICE that  
at the regular meeting of the  
Board of Trustees of the Village  
of Palmyra on April 8, 1974, Local  
Law No. 3, 1974, was adopted  
which will amend the Zoning  
Ordinance (Local Law No. 3 of  
1967) as follows: to include as  
customary home occupations or  
professions the office of an ar-  
chitect, artist, dentist, doctor,  
engineer and lawyer; to allow  
operation in an R-1 district of a  
physician's office by special  
permit; to increase the lot area,  
width and yard requirements in  
an R-1 district; to require a  
special permit for multiple  
dwellings and dwellings in  
groups, an R-2 district; to amend  
the provisions concerning non-  
conforming sign removal; and to  
increase the size of permitted  
signs in commercial districts.  
Said Local Law shall take effect  
upon the date of filing in the  
office of the Secretary of State of  
New York.

dated: April 10, 1974

VILLAGE OF PALMYRA  
Theresa P. Otte,  
Clerk Treasurer

STATE OF NEW YORK,  
COUNTY OF WAYNE

ss:

Darlene E. Matteson

being duly sworn, says that she is the Secretary  
of the Palmyra Courier-Journal, a public newspaper, printed and published weekly at  
Palmyra, Wayne County, N. Y., and that a Legal Secretary  
of which the annexed printed slip is a true copy, was duly published therein once in  
each week for one week, beginning Apr. 17, 1974  
and ending Apr. 17, 1974

Darlene E. Matteson

Sworn before me this 18th  
day of April 1974

Fees \$8.64

Louis A. Markeze  
Notary Public, Wayne County.

LOUIS A. MARKEZE, Notary Public  
State of New York, County of Monroe  
My Commission Expires March 30, 1975



- Attorney Poyzer:** If the Village Police Justice is available, in accordance with the opinions in my letter, he should act.
- Trustee Strong:** Why can't Town Justice act?
- Atty. Poyzer:** The Judicial Conference should be the one to rule on such a matter, and would investigate same. District Attorney Sirkin agreed.
- Mayor Fitzgerald:** Asked Public Defender Valentine what his opinion on the matter is.
- Pub.Def. Valentine:** From the legal standpoint, the elected village justice is the one who should handle the cases unless the matter has gone to a plea or the commencement of a trial. As long as the village justice is available, he should be the one to handle the cases. There have been times when calls have been made at 2:00 A.M. in the morning to Police Justice Rubery's office and naturally he would not be available to answer the phone. In the Village of Newark, of the recent 100 cases handled by Public Defender Valentine, none have been in front of the Acting Police Justice. Acting Police Justice should be used only in emergencies.
- Dist.Atty. Sirkin:** At times a Town Justice would have to hand back to the Village Justice a case that he may have arraigned.
- Trustee Green:** Apologized to the gentlemen for infringing on their time to reiterate the same opinion already submitted by Attorney Poyzer, which clarified the matter.
- Plea Bargain.:** Mayor Fitzgerald wondered if the papers drawn by the police department are so faulty that many of those apprehended appear to be allowed to go "Scot Free" or with a reduced charge.
- Dist.Atty. Sirkin:** Commented that of 25 burglary convictions, 30% were from the Village of Palmyra that have appeared in his court. He wanted to compliment the Palmyra Police Force for their enforcement. He commented that a police officer who makes an arrest needs reasonable cause but not proof beyond reasonable doubt.
- Pub.Def. Valentine:** Commented that many cases are dismissed on plea bargaining. Occasionally, problems arise because of government agencies. The conduct of the court is not the jurisdiction of a village board. A village does not have the facilities to handle 14 and 15 year olds. This is a matter for family court.
- D.Sinclair Funeral Home:** Donald Sinclair, presently manager of the Cady & Mate Funeral Home, advised the board that he is planning to construct a new funeral home as well as a residence for his family and himself which will face on Vienna Street with the back on East Main Street just outside the village limits in the vicinity where Vienna Street meets East Main Street, or Route #31, in a triangular or "flat-iron" shaped area. He commented that originally there was an old farmhouse here which was serviced with water from the Village of Palmyra. He would like to obtain permission from the Village Board to be allowed to connect his new buildings to the Village water supply. The following resolution was made by Trustee Strong, 2nd by Trustee Wilson:
- Resol. to grant request:** **WHEREAS**, Donald Sinclair, funeral director has requested permission to connect to the village water lines outside of the village limits on Vienna Street, which is already serviced with water, but not a district, to supply water to a proposed funeral home and private residence, **BE IT RESOLVED THAT**, he be informed that this board shall grant this request provided that he apply to the village clerk for service and with the payment of \$200.00, the usual fee for connection, and the charge for water consumption shall be double that of the village rate.
- |       |                 |     |
|-------|-----------------|-----|
| Vote: | Trustee McGuire | Aye |
|       | Trustee Strong  | Aye |
|       | Trustee Wilson  | Aye |
|       | Trustee Green   | Aye |



May 6, 1974

R. Peterson,  
Wayne  
Co. Plan.  
Board:

Robert Peterson, Chairman of the Wayne County Planning Board, and Supervisor Roy Aplin, Town of Palmyra, discussed with the board the long range plans of the county for water. Chairman Peterson revealed that in the next fifteen to twenty years, it is expected that the county will need 15 to 20 million gallons of water per day to meet consumer needs. The easiest option would be to buy water from the Monroe County Water Authority. The cost would be amortized on the county tax base. A possible 20¢ per \$1,000. assessed valuation could be expected for the Village of Palmyra. The Monroe County Water Authority would sell to Wayne County at the rate of 61¢ but the county rate to the village would be closer to 71¢ to 73¢ per 1,000 gallons.

The county, he continued, has not acted on the resolution presented to the County Board of Supervisors, relative to this proposal.

Cost:  
\$7-\$8  
Million:

The cost for a system across the county could be estimated at seven to eight million. With the installation of such a line, this would not mean that the village could not continue to use its own line to Canandaigua Lake. The capital cost of the construction of the line would be borne by all the county but user cost would be levied on only the villages or towns who would use the metered water. There are 25 villages and towns in the county, which Chairman Peterson intends to confer with.

Super.  
Aplin:

Town of Palmyra Supervisor Roy Aplin, commented that the resolution drafted and turned down by the Board of Supervisors, indicates that the Monroe County Water Authority would "pin" down the county. A mention was made of Gananda. Monroe County Water Authority has to sell to Gananda, as there is no other place they can get the required amount for the project.

Summary:

Chairman Peterson summarized that in essence the Monroe County Water Authority would be a "back-up" system for the Village of Palmyra should the need arise.

Brd. Super.  
Allocate  
Funds:

Wayne County planner Robert Peterson was questioned relative to possible allocation of funds from the Wayne Co. Board of Supervisors, such as those appropriated to the Village of Lyons, to revitalize its downtown district, for the Village of Palmyra, in view of a newspaper article on 4/17/74, clipped by clerk, Mr. Peterson said that other villages are applying for funds which are specified to be used for lighting, paving, curbing. Board informed him that they, too, want to receive a share in this. He commented that the downtown business men have paid more in sales tax than in county tax. The county program would help to make a study of the south side of the village's Main Street.

Fire  
Dept.  
Resol. to  
Incorp.:

The following resolution was presented by Trustee Wilson:

**BE IT RESOLVED THAT**, the Palmyra Fire Department under Section 10-1004 and Section 402 of the Membership Corporation Law shall approve the incorporation of the Palmyra Fire Company. Motion by Trustee Strong to table the matter. Motion died for lack of a second.

The following resolution was made by Trustee Wilson:

**BE IT RESOLVED THAT**, the Palmyra Fire Department under Section 10-1004 and Section 402 of the Membership Corporation Law shall approve the incorporation of the Palmyra Fire Company. Second by Trustee Green.

Vote:	Trustee McGuire	Aye
	Trustee Green	Aye
	Trustee Wilson	Aye
	Trustee Strong	Naye

Carried.

L. Potter  
Case:

Attorney L. J. Poyzer advised that she had received a letter from Attorney Strobbridge, who suggested that they discuss the matter of the notices sent by Zoning Officer Wideman to Laurence Potter, and the Laundromat relative to the repairing of the hanging signs, which are illegal.



- Fire Dept. Members:** On motion by Trustee McGuire, 2nd by Trustee Wilson and carried, the following names were submitted for trainees in the Palmyra Fire Department on the recommendation of the Board of Fire Commissioners with membership contingent upon the training period prescribed: William R. Quick, 123 Vienna St., and Michael W. Johncox, 198 Canandaigua Rd.
- Codes:** Attorney Paul Rubery informed the Village Attorney Laura Jane Poyzer that the renumbering of the codification of the ordinances and local laws by General Code Publishers was a system devised by the code publishers. In order to become legal, he commented, a Local Law must be adopted to legalize the numbering system.
- Police Report:** Motion by Trustee McGuire, 2nd by Trustee Green and carried, to accept the Police Report for the month of April. Highlights include 164 complaints investigated, 3 each of public intoxication and criminal trespass, along with 27 apprehended for speeding. Total fines and bail forfeitures collected for motor vehicle and criminal arrests amounted to \$525.00.
- Sales Tax Resol.:** Mayor Fitzgerald commented that when he attended the county meeting of the mayors, it was proposed that the funds could be presented in cash but this resolution did not indicate this choice. Clerk asked to contact the treasurer of the county for a clarification.
- Senior Citizens Month:** Mayor Fitzgerald has hereby declared that the month of May shall be so designated as Senior Citizens Month.
- Memorial Day Parade:** Letter received from the Palmyra Memorial Post VFW extended an invitation to all board members to be present for the annual Memorial Day Parade on May 27, 1974 at 9:00 A.M. Board members to decide if they can attend and so advise the post.
- Fire Dept.:** A letter indicated that the Palmyra Fire Company will have a parade on August 24, 1974 at 6:30 P.M. in conjunction with the Palmyra Fair. Board members are invited to be a part of the festivities for this annual event.
- Arrow Light:** Clerk advised a communication from the NYS Dept. of Transportation indicated that the junction of Routes #31 and #21, that arrow lights as of 4/10/74 will be effective. In addition, a flashing red facing south will be displayed continuously.
- Pub.Svc. Comm.:** The Public Service Commission requested use of the Park & Club Bldg. the week of May 14, 1974 beginning at 10:00 A.M. to 5:00 P.M. through 5/17/74 for the purpose of hearing the case of the Rochester Gas & Electric Corp. and the Niagara Mohawk Power Corp. relative to the installation of high voltage lines in the Wayne County area. Permission for use of the building granted.
- Marine Midland Bank:** A letter received by the clerk from the Marine Midland Bank, Rochester, advised that Mr. Thomas Brunner has been allocated the investment program of the Pliny T. Sexton Trust Fund and the Cemetery Trust Fund in place of Robert Callahan, who resigned.
- Zoning:** Bruce Wideman, Zoning Officer, presented each board member with a proposed amendment to the Zoning Code which would deal with architectural control. Board was asked to study the matter and voice an opinion at the next board meeting.
- Official Rpt. of Audit:** Clerk advised that the official report of the financial audit had been received. Notice in the legal section of the village Courier-Journal will be published as of 5/8/74.



May 6, 1974

**LEGAL NOTICE**

Notice is hereby given that the state comptroller has caused an examination to be made of the accounts and fiscal affairs of Village of Palmyra, County of Wayne for the period beginning on June 1, 1970 and ending on May 31, 1973. The report of such examination has been filed in my office where it is a public record, available for inspection by all interested persons.

VILLAGE OF PALMYRA  
Theresa P. Otte, Clerk  
M.8 (372)

STATE OF NEW YORK, )

COUNTY OF WAYNE )

ss:

Darlene E. Matteson

Secretary

being duly sworn, says that she is the

of the Palmyra Courier-Journal, a public newspaper, printed and published weekly at

Palmyra, Wayne County, N. Y., and that a Legal Notice

of which the annexed printed slip is a true copy, was duly published therein once in

each week for one ~~successive~~ weeks, beginning May 8, 1974and ending May 8, 1974*Darlene E. Matteson*

Sworn before me this

9th

day of

May1974Fees \$3.84*Louis A. Marlese*

Notary Public, Wayne County.

LOUIS A. MARKESE, Notary Public  
State of New York, County of Monroe  
My Commission Expires March 30, 1975.

FILL IN BELOW (1) or (2) -- whichever applies:

CERTIFICATION OF CLERKTO BE FILED WITH PROOF OF PUBLICATION

(1) I CERTIFY that the PALMYRA COURIER JOURNAL  
(Name of Newspaper)

is the official newspaper of VILLAGE OF PALMYRA  
(Name of Municipality, District, Agency or Activity)

DATED May 8, 1974 (Signed*Theresa P. Otte*

Clerk-Secretary

\*\*\*\*\*

Adjourn: Mayor Fitzgerald adjourned the meeting at 11:05 P.M.

Theresa P. Otte, Clerk Treas.

\* \* \* \* \*



May 6, 1974

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FORM NO-LITIGATION CERTIFICATE  
(Urban Renewal Capital Grant or Loan and Subsidy Contracts)

We, the undersigned officials of the Village of Palmyra, New York, do hereby certify that no litigation other than as hereinafter set forth in detail, of any nature is now pending or threatened or contemplated in any municipal, State or Federal court, questioning, restraining or enjoining the issuance, execution or delivery of any documents necessary or required for the payment to the Agency of the Municipality of any or all of the monies to be paid pursuant to the State Capital Grant, Contract No. NYSUR-172, (NYR-212), nor pursuant to the Cooperation Agreement between the Municipality and Agency dated May 8, 1972. We further certify that no litigation as above mentioned has been or is being prosecuted, in any manner questioning the Authority or proceedings for the issuance, execution or payment of the said Capital Grant or local funds as provided in said Cooperation Agreement or affecting the validity of either thereof and that neither the Urban Renewal Project, the title and incumbency of the signatories hereto or their respective offices are being contested and that the authority of the Chief Fiscal Officer of the Agency to execute and deliver the documents necessary for the payment of such Capital Grant has not been repealed, rescinded or revoked, or challenged.

We further certify that these are our signatures and that the seal of the municipality impressed upon this certificate is the legally adopted, proper and only official seal of the Municipality.

WITNESS our hands and municipal seal this 6th day of May

1974.

(SEAL)

Signature

Official Title

Expiration of Office

Laura Jane Poyser

Village Attorney

April 1, 1975

Sidney J. Fitzguald

Mayor

April 1, 1976



May 6, 1974

STATE OF NEW YORK:

: ss.

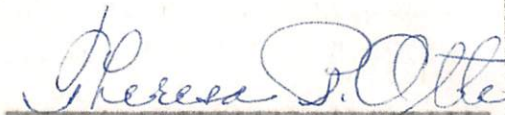
COUNTY OF WAYNE :

I, the undersigned Clerk of the Village of Palmyra, Wayne County, New York, DO HEREBY CERTIFY:

That I have compared the annexed copy of Resolution by Village of Palmyra Authorizing Execution of Capital Grant Contract, in conjunction with the New York State Urban Renewal Assistance Program, with the original thereof on file in my office, and that the same is a true and correct copy of the whole of said original.

That said original was duly adopted and filed in my office on the 6th day of May, 1974

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Palmyra this 8<sup>th</sup> day of May, 1974.



Village Clerk



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Regular Board Meeting

May 20, 1974  
Board of Trustees

7:00 P.M.

**Present:** Mayor Sidney J. Fitzgerald and Trustees David McGuire, Mary Lou Wilson, Warner Strong and Lloyd A. green.

**2 Min. Silence:** Mayor Fitzgerald asked that there be a 2 minute silence prior to the meeting.

**Vouchers:** Motion by Trustee McGuire, 2nd by Trustee Strong that payment of the vouchers in the amount of \$190,427.00 be approved.

**Minutes:** Motion by Trustee Strong, 2nd by Trustee Wilson that the minutes of the previous meeting be accepted.



- Time & 1/2 Fed. Law:** Hiram VanEtten, operator of the Water and Sewer Plants informed the board that in accordance with a new Federal Law, it is mandatory that workers be paid time and one-half for any overtime over forty hours per week. Heretofore, it has been a decision of a municipality.
- Vandal. Sew. Plant:** H. VanEtten, Sewer Plant Operator, informed the board that 9 panes of glass were shattered at the sewer plant over the weekend. Vandalism insurance would cover with \$100.00 deductible. VanEtten asked if the board wished him to obtain a quote for the painting of the water storage tank. Funds have been placed in the new fiscal year budget. In addition, the roadway leading to the sewer plant is to be repaired and resurfaced. Funds placed in budget for same. Board agreed that he should make arrangements for obtaining quotes or bids, as case may be.
- Paint Water Tank Sewer Access Rd.**
- Creek Bed:** Ray Smith, Public Works Forman, informed the board that during the night the previous week, when the village was deluged with rain on 5/16/74, he was called to assist several whose homes border the Hathaway Brook, because yards were being flooded. In one instance, he commented, that Douglas D. Duvall, 149 Brookside Terrace, had placed railroad ties along the bank to hold back the soil. However, they were not secured, and as a result were found floating down the brook. Had they not been removed, a problem could arise should they become wedged in a culvert or in the flow of water beneath the road.
- NoPark. Holmes Street?** John Blazey, owner of Blazey Equipment at the Corner of Canal and Holmes Street, commented that it is about impossible for traffic to move north and south on Holmes Street when cars are parked on both sides. Study should be made to ascertain what would be the best solution. With cars parked so close to the corner of Main Street, it is difficult to exit onto Main Street.
- Archit. Rev.Brd.** Mr. Blazey further commented that the village does not need an Architectural Review Board. He emphasized that there are enough boards already which seem to "squash" the business man already.
- Refer to Plan.Brd.** The following motion was made by Trustee Strong, 2nd by Trustee McGuire:
- WHEREAS**, it has been suggested by the Zoning Officer, Bruce Wideman, that there be an Architectural Review Board which would render any suggestions or opinions relative to the remodeling of the business district, in particular,
- BE IT RESOLVED THAT**, the matter be referred to the Village of Palmyra Planning Board for their perusal and opinion.
- Vote:**
- |                 |     |
|-----------------|-----|
| Trustee Strong  | Aye |
| Trustee McGuire | Aye |
| Trustee Wilson  | Aye |
| Trustee Green   | Aye |
- Carried.
- Jail: Smoke Detec.** Trustee McGuire advised that Fire Chief Culver has indicated that a smoke detection system in the men's lockup would be feasible. Chief Culver to take care of the matter.
- Vil. Hall Roof:** Trustee McGuire informed the board that he would draw up some information that would be pertinent for requesting bids on the removal of the slate on the east section of the Village Hall Roof, and replacement with another type of shingling, as well as the repair of the roof on the back fire barn. He indicated that he has obtained 3 quotes from roofers.
- Landfill** Trustee Green informed the board that he has arranged a meeting with the Town for Thursday, May 23, 1974, at which time he expects to decide on a definite commitment with the town.
- NYSE&G:** Trustee Strong mentioned that he would like to know if the Village of Palmyra would get credit for the "In-Kind" services as performed by the New York State Electric & Gas for the installation of the electric and gas lines in the Urban Renewal Area, (Canal, Market & William Street). Matter to be checked out further.



May 20, 1974

- Water Line:** Trustee Strong advised that while there is sufficient time to study the matter at more length, he did feel that in the final analysis, the Village of Palmyra would find it advantageous to agree with the Wayne County Water Study program.
- Wideman re: Notices & Orders:** Bruce Wideman, Zoning Officer, commented that he had notified the House of Flags, 501 East Main Street, that they should cease operation of a home shop on April 15, 1974, and he notified the Potter Laundromat on William Street that the repaired overhanging sign on the village sidewalk was illegal in size and place. He commented that it was the board's decision if they wished him to pursue the matter. Board agreed that he should continue with the matter.
- Clean Towpath ?** B. Wideman informed the board that he had talked with R. Peterson, Chairman of the Wayne County Planning Board, relative to the possibility of cleaning up the "Towpath" for a bike trail. He commented that he would get a map from Mr. Peterson. Picnic areas could be provided but that no snowmobiles or motorcycles would be allowed in the area. Funds are appropriated by the Wayne County Board of Supervisors, which would be separate from those for the rehabilitation of the downtown area. Board instructed Wideman to get further information on the matter.
- King's Court Compl.:** A letter received from Jacqueline Ruth, a resident of the King's Court Apartments, 335 West Main Street, advised that their north view window looked down on the old Erie Canal bed which is littered with trash, including old stoves, refrigerators, etc. Board agreed that Bruce Wideman, Zoning Officer, might investigate and send a notice to the landlord of the property.
- Jaycees Request:** Nelson Cook, President of the Jaycees, advised that the group would like to erect an "Informational Bulletin Board" between the sidewalk and curb in the vicinity of the Village Park for posting events in the Village. The bulletin board would be 4' x 8', with lexan flass. Announcements would be changed every two weeks by the Jaycees. It would have a cedar shaped roof with weather-proofing on the back and two to three feet off the ground.
- Refer to Plan. Brd.** Mayor Fitzgerald advised that the board would refer the matter to the Planning Board, but thanked the group for their suggestion.
- Palmyra Historic Group:** Approximately fourteen (14) members of the Palmyra Historic Society, with President Sheldon Knapp as spokesman, informed the board that they were in favor of an architectural review board. He commented that Pittsford has such a group and Canandaigua is in the process of appointing one.
- Council of Arts:** Sheldon Knapp further commented that there are funds available, up to \$1,500.00 for the formation of such a group. He would have further information at a later date.
- Urban Renewal:** The attached resolution relative to the execution of the Capital Grant Contract in an amount not to exceed \$137,433.00 to assist in carrying out project activities, shall be signed by Mayor Sidney J. Fitzgerald with the approval of the Village Board. (Previous resolution had same wording with the exception that William Roche was named, while Sidney J. Fitzgerald, Mayor, is so designated in this resolution). Resolution on Page 123.
- Approval:** The board unanimously voted to approve Mayor Fitzgerald signing the necessary forms.
- Plan. Brd.** Daniel Pope, Chairman of the Planning Board commented that there is no decision at present relative to the re-zoning of the Urban Renewal Area to R-212. Hopefully, he expects to have a recommendation for the board in June. He commented that rumor indicated that this project should be finished by June, 1975. He believed that this could be extended to a later date.



NEW YORK STATE URBAN RENEWAL ASSISTANCE PROGRAM

RESOLUTION BY VILLAGE OF PALMYRA  
AUTHORIZING EXECUTION OF CAPITAL GRANT CONTRACT

Resolved:

Section 1. The following described area has been found to be a substandard and insanitary area appropriate for urban renewal and has been designated as an urban renewal area within the intent of the urban renewal laws of the State. The Urban Renewal Area is situated in the Village of Palmyra, Wayne County, State of New York and described more fully in the Exhibit A attache hereto and made a part hereof by reference.

Section 2. The existence of said area is impairing and arresting the sound growth and development of the Village and is inimical to the public health, safety, morals and welfare of the inhabitants thereof and of the State.

Section 3. An urban renewal plan has been prepared and approved for the said designated area. The Palmyra Urban Renewal Agency has undertaken and is carrying out an urban renewal project in said area, hereinafter called the "project," as authorized by and to effectuate the purposes of the Housing Act of 1949 as amended and supplemented.

Section 4. The undertaking and carrying out of the project is essential to the sound growth and development of the Village and to the welfare of the inhabitants thereof.

Section 5. It is necessary and in the public interest that the Palmyra Urban Renewal Agency avail itself of the financial assistance provided by Urban Renewal Assistance Laws of the State for the prupose of carrying the project.



Section 6. The Village of Palmyra hereby expresses its intent and recognizes its responsibility to do whatever is necessary or appropriate to assist the Palmyra Urban Renewal Agency to carry out the project.

Section 7. Mayor Sidney J. Fitzgerald, <sup>Mayor</sup> ~~Chairman of the~~ <sup>XXXXXXXXXXXXXXXXXXXX</sup> of the Village of Palmyra, New York, is hereby authorized to execute a Capital Grant Contract among the State of New York, the Village of Palmyra and the Palmyra Urban Renewal Agency in an amount not to exceed \$137,433.00, to assist in carrying out project activities, a copy of which is attached hereto.



10000



MAIN STREET URBAN RENEWAL AREA NO. 1

Palmyra Urban Renewal Agency  
Palmyra, New York

EXHIBIT A

BOUNDARY DESCRIPTION

Located in the Village of Palmyra, County of Wayne, State of New York, and bounded generally as follows:

BEGINNING at the intersection of the westerly line of William Street and the southerly line of Canal Street; thence west along the southerly line of Canal Street approximately 65 feet to a point; thence north from said point across Canal Street and continuing along a property line to the southerly line of the former Erie Canal right-of-way; thence east along the southerly line of the former Erie Canal right-of-way for a distance of approximately 396.9 feet to a property line; thence north along said property line for a distance of approximately 43.7 feet to a line; thence east along said line to the easterly line of Division Street; thence south along the easterly line of Division Street to the northerly line of Canal Street; thence southeast along the northerly line of Canal Street to the easterly line of Market Street, as extended; thence south along the easterly line of Market Street to the intersection of a property line, as extended; said property line being approximately 364 feet from the south line of Canal Street; thence west along said property line for a distance of approximately 91.5 feet to a property line; thence south approximately 6.5 feet to a property line; thence west approximately 28 feet to a property line; thence north approximately 15.5 feet to a property line; thence west approximately 3 feet to a property line; thence north approximately 32 feet to a property line; thence west approximately 105.5 feet to a property line; thence north approximately 118 feet to a property line; thence west approximately 20 feet to a property line; thence north approximately 80 feet to a property line; thence west along said property line to the westerly line of William Street; thence north along the westerly line of William Street to the south line of Canal Street, the point of BEGINNING.

Resol.:

STATE OF NEW YORK;

; ss.

COUNTY OF WAYNE :

I, the undersigned Clerk of the Village of Palmyra, Wayne County, New York, DO HEREBY CERTIFY:

That I have compared the annexed copy of the resolution by the Village of Palmyra Authorizing Authority to the Mayor of the Village of Palmyra, Sidney J. Fitzgerald, to execute the Capital Grant Contract, in conjunction with the New York State Urban Renewal Assistance Program, with the original thereof on file in my office, and that the same is a true and correct copy of the whole of said original.

That said original was duly adopted and filed in my office on the 20th day of May, 1974.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Palmyra this 20<sup>th</sup> day of May, 1974.

  
Village Clerk

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May 20, 1974

**Discuss.:** A general discussion relative to the area of East Main Street, Holmes Street and Canal, which tends to form a "flat-iron" by Canal joining East Main. He mentioned that the non-conforming uses here are at a minimum. Most all in this area are residential. At present the Planning Board can find no justification for re-zoning this area to C-1. The Planning Board has suggested that an entirely new area such as a C--A--1, might be considered. It is very difficult to accomplish without "spot zoning". Chairman Pope advised that the board would submit an opinion.

**3 Day Seminar:** The following motion was made by Trustee Green, 2nd by Trustee McGuire as follows:  
**WHEREAS**, the United States Government is sponsoring a "3 Day Seminar" relative to information on obtaining federal funds for municipalities,  
**BE IT RESOLVED THAT**, the Village of Palmyra send Trustee Warner Strong to the seminar, with expenses to be paid by the Village of Palmyra.  
 Vote: Unanimously approved.

**Repave Gates Street:** Trustee Green advised that he intends to have Public Works Foreman Raymond Smith, prepare the manholes to be raised on Gates Street so that a major repaving project may be undertaken.

**Memorial Day:** A letter from the Palmyra Memorial Post, V.F.W., invited all board members to participate in the Memorial Day Parade on May 27, 1974 at 9:00 A.M. All board members with the exception of Trustee Green indicated that they would be able to accept the invitation. Clerk to so notify the post.

**Sales Tax Revenue:** The following resolution was proposed by Trustee Green, 2nd by Trustee McGuire:  
**RESOLVED THAT**, effective for the 1975 calendar year and thereafter until rescinded as provided by law, the Village of Palmyra does hereby elect pursuant to Section 1262 of the Tax Law of the State of New York to receive direct payment of the amounts which, in the absence of such election, would be applied pursuant to said section to reduce county taxes and general town taxes levied upon real property in the Village of Palmyra, and it is further,  
**REVOLSED THAT**, a certified copy of this resolution be mailed by registered mail to the Wayne County Treasurer, he being the Chief Fiscal Officer of the County in which the Village of Palmyra is located.  
 Vote: Trustee Strong Aye  
 Trustee McGuire Aye  
 Trustee Green Aye  
 Trustee Wilson Aye

**Invest. Counsel:** Bernard P. Donegan, Investment Counseling, advised the board by letter that he would like to discuss with the board the permanent financing of the balance of the up-dating of the sewer project. Board agreed that Trustee Strong and the Treasurer should discuss the matter with Mr. Donegan at some convenient time.

**Audit of Urban Renewal:** The attached Proof of Publication relative to the audit by the N.Y.S. Department of Audit & Control of the Urban Renewal records.

RECEIVED  
JAN 11 1974

RECEIVED

JAN 11 1974

JAN 11 1974

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# NOTICE

Notice is hereby given that the state comptroller has caused an examination to be made of the accounts and fiscal affairs of Palmyra Urban Renewal Agency, Village of Palmyra, Wayne County for the period beginning on June 1, 1970 and ending on May 31, 1973. The report of such examination has been filed in the Urban Renewal Office, 608 E. Main St., where it is a public record, available for inspection by all interested persons.

Date: May 7, 1974

Arthur H. McKeown  
Secretary-Treasurer

M.15

(380)

STATE OF NEW YORK, )

ss:

COUNTY OF WAYNE )

Darlene E. Matteson

being duly sworn, says that she is the Secretary  
of the Palmyra Courier-Journal, a public newspaper, printed and published weekly at  
Palmyra, Wayne County, N. Y., and that a Legal Notice  
of which the annexed printed slip is a true copy, was duly published therein once in  
each week for one ~~ninety~~ weeks, beginning May 15, 1974  
and ending May 15, 1974

Darlene E. Matteson

Sworn before me this 17<sup>th</sup>  
day of May 19 74

Fees \$4.80

Gordon R. Morrison  
GORDON R. MORRISON, Notary Public

For The State of New York Notary Public, Wayne County.  
Qualified in Monroe County

My Commission Expires March 30, 1975

**Resol.** The attached resolution was proposed by Trustee Green, 2nd by  
**Trans.** Trustee McGuire relative to the transfer of overspent accounts with  
**Funds:** funds remaining in other accounts.  
**Vote:** Unanimously carried.

The following resolution was proposed by Trustee Green  
 2nd by Trustee McGuire,

WHEREAS, the treasurer has advised that certain accounts have been overspent, and,  
 WHEREAS, other accounts have a remaining balance,  
 BE IT RESOLVED THAT, the following transfers be made to cover the deficit accounts:

Acct. #1110.1	\$122.00	From	A1210.4
Acct. #1110.4	\$175.00	"	A1210.4
Acct. #1325.4	\$300.00	"	A1210.2 (\$100.) A1950.0 \$100.) A1964.4 \$100.)
Acct. #1410.4	\$400.00	"	A5182.4
Acct. #1420.4	\$150.00	"	A1920.4 ( 25.00) A1930.4 100.00 A1440.1 25.00
Acct. #1450.2	\$175.00	"	A1362.4 \$125.00) A1355.4 50.00) <del>XXXXXXXXXXXXXX</del>
Acct. #1620.1	\$2,750.00	"	A5182.4
Acct. #1620.4	\$3,000.00	"	A1990.4
Acct. #3120.4	\$1,000.00	"	A3120.1
Acct. #7140.1	\$ 200.00	"	A7140.2
Acct. #7140.4	\$ 200.00	"	A7140.2
Acct. #8170.1	\$ 2,000.00	"	A1990.4

**Vote:** Trustee McGuire  
 Trustee Green  
 Trustee Wilson  
 Trustee Strong

Aye  
Aye  
Aye  
Aye

**Resol.:** The following motion was made by Trustee Strong, 2nd by Trustee Green as follows:  
**WHEREAS**, the treasurer has advised that there are certain monies unexpended in various accounts, and,  
**WHEREAS**, it would be advantageous to transfer these funds to other accounts for future use,  
**BE IT RESOLVED THAT**, the amount of \$28,000.00 shall be transferred from the General Fund Accounts to the Capital Fund account for a reserve for highway streets, and highway equipment, and the sum of \$15,000.00 shall be transferred from the General Water Fund, to the Capital Reserve Water Fund and the amount of \$15,000.00 shall be transferred from the General Sewer Fund to the Capital Sewer Reserve Fund.  
**Vote:** Unanimously carried.

**Urban** A motion was made by Trustee Strong, 2nd by Trustee Green that a  
**Renewal:** loan for the purpose of paying Meli Construction for the work of the installation of the water lines, storm sewers, sidewalks, etc. with the Marine Midland Bank shall be approved.  
**Vote:** Trustee Strong Aye  
 Trustee McGuire Aye  
 Trustee Green Aye  
 Trustee Wilson Aye



May 20, 1974

**Guarantee:** Motion was made by Trustee McGuire, 2nd by Trustee Green that a proper resolution to be drawn by Village Attorney Laura Jane Poyzer shall be approved.

Vote: Trustee Strong Aye  
Trustee McGuire Aye  
Trustee Green Aye  
Trustee Wilson Aye

**Lockup Inspec.:** An inspection of the Village Lockup was made on 4/17/74 and found to be satisfactory. Only recommendation on the report received to the clerk on May 15, 1974 indicated that constant supervision must be provided when detention occurs.

**Adjourn:** Mayor Fitzgerald adjourned the meeting at 10:15 P.M.

Theresa P. Otte, Clerk Treasurer

\*\*\*\*\*

June 5, 1974  
Justice Room

2:00 P.M.

**Special Bid Opening**

**Present:** Hiram VanEtten, Operator of the Sewer Plant and Olgerts Sneider, Woodward Associates.

**Proof of Publica.:** Advertisement for Bids for the extension of the sewer system on Howell Street to the south and on East Foster Street to the west were advertised in the Palmyra Courier-Journal on May 8, 1974. Proof of Publication is so attached.

#### LEGAL NOTICE

##### ADVERTISEMENT FOR BIDS

Foster and Howell Streets  
Sanitary Sewer Extension  
and Pumping Station

Sealed bids will be received by the Village of Palmyra, New York for construction of approximately 2100 lineal feet of 8 inch sanitary sewer, 350 lineal feet of 4 inch forcemain, and a pre-fabricated concrete pumping station.

Bids will be received at the office of the Village Clerk, 144 East Main Street, Palmyra, New York 14522, until 2:00 P.M. on Wednesday, June 5, 1974 at which time and place all bids will be publicly opened and all bid prices read aloud.

The Contract Documents including drawings and specifications may be examined or obtained at the office of Woodward Associates, Consulting Engineers, 13 East Main Street, Webster, New York 14580, or at the office of the Village Clerk. Deposit, in the form of a check or money order, payable to the Village Clerk is required in the amount of Ten Dollars (\$10) for each set of Contract Documents obtained.

Full refund will be made to actual bidders for the return of one set in good condition within thirty days of the receipt of bids. Refund for the return of other sets in good condition within thirty days of the receipt of bids will be fifty per cent of the deposit.

Bids must be accompanied by bid security in the amount of ten per cent of the total bid.

The Village of Palmyra reserves the right to reject any and all bids.

Date: May 8, 1974

Theresa P. Otte,  
Clerk-Treasurer

M.8

(377)

STATE OF NEW YORK, )

COUNTY OF WAYNE )

ss:

Darlene E. Matteson

Secretary

being duly sworn, says that she is the—

of the Palmyra Courier-Journal, a public newspaper, printed and published weekly at

Palmyra, Wayne County, N. Y., and that a Legal Notice

of which the annexed printed slip is a true copy, was duly published therein once in

each week for one ~~XXXXXX~~ week, beginning May 8, 1974

and ending May 8, 1974

Sworn before me this 9th

day of May 1974

Fees \$12.72

Darlene E. Matteson  
Notary Public, Wayne County.

LOUIS A. MARKESE, Notary Public  
State of New York, County of Monroe  
My Commission Expires March 30, 1975

**B** Following bids were received:

ario Pipeline, Inc.	\$110,000.00
n E. Fisher Const. Co.	128,670.00
okstone Const. Co., Inc.	160,000.00
ele-Perkins Corp.	118,500.00
ensma Co., Inc.	114,000.00
ry J. Benedict	111,685.00

were informed that the bids would be turned over to  
d of Trustees and the engineer for study after which  
ould be accepted or all bids would be rejected.

**Closed:** Bid opening closed at 2:20 P.M.

Theresa P. Otte, Clerk Treas.

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