

BOARD OF TRUSTEES
1/17/83

311

Regular Meeting

7:00 p.m.

Present: Mary Lou Wilson, Mayor; Trustees - M.K. McGrath, R. Rolland, S. Hays, J.I. DePoint; and Attorney, Laura J. Poyzer.

Moment of Silence Mayor Wilson asked for a moment of silence prior to calling the meeting to order.

Public Hearing

Local Law #1, 1983: Mayor Wilson said that a public hearing would be conducted, as advertised, regarding Local Law #1, 1983, - an amendment to the Village Code on "Speed Restrictions," following which she read the "Legal Notice" of said hearing.

She asked for citizens' questions on the above - Mrs. M. Lynch felt the law "sounded good"; Mr. Sunremi asked about the number of feet from the property line and was told "300." Mrs. L. Lynch asked about Foster St. Extension and was told it would include West Foster St.; Mrs. M. Lynch wanted to know if this would be in effect during H.S. games; Mrs. L. Lynch asked about weekends and the hours were quoted from law; Mrs. E. Hartnagel asked about the signs being changed, i.e. from 25 mph.

No further comments/questions were posed; Mayor Wilson received the Trustees' approval - Trustee Hays moved adoption of Local Law #1, 1983; Trustee McGrath seconded. Upon Roll Call vote, all voted "aye," and the Mayor announced the adoption of Local Law #1, 1983 attached hereto.

Minutes 1/4/83: Mayor Wilson called for additions/corrections re 1/4/83 Bd. Minutes; when there were none, Trustee DePoint moved their acceptance as submitted. Trustee McGrath seconded, all "ayes" upon Roll Call Vote.

Committee Reports -

Trustee Hays: Trustee Hays said that the "Revitalization Committee" met on 1/15/83. Said Committee chose to publicize their meetings and what they are taking on as project; reporting to newspaper on a regular basis.

Regarding "Animal Control," nothing out of ordinary, however, he suggested publishing new "Dog Ordinance" for next two weeks so that public had opportunity to know in detail what rules are. Discussion held on enforcement; Mr. Hays said that for the present time it would be handled through complaints - may be working with P.D.; Mayor Wilson said that more monies may have to be budgeted for next fiscal year.

Purchasing - Mr. Hays spoke of State bids for diesel oil and gas; Mr. Weaver working on purchasing procedure.

Resol. #83-02: Trustee Hays motioned the adoption of Resolution #83-02 authorizing Mayor Wilson to execute one-yr. agreement between Town/Village re Community Center in amt. of \$13,500; Trustee Rolland seconded - Discussion. Mr. Hays felt that the Town had been most generous - increased from \$12,500. in 1982 to \$13,500. in 1983. Mayor Wilson asked for a Roll Call Vote - all "ayes," resolution adopted and attached hereto.

Trustee Rolland Trustee Rolland said that Zoning Hrng. scheduled for 1/18/83 re Palmyra Motors Bldg., owned by Columbia Banking - basically just an extension on variance on land & bldg. He asked for any comments from Bd. prior to Hearing. The question was asked the number of extensions - Ms. Poyzer said "two" - one-yr. on bldg. and one on land; both are up, will now coincide.

Re-Zng. Committee: Mr. Rolland said that he was attempting to get Committee together for 1/26/83 mtg. He added that he would be meeting with Zng. Officer and Atty. re building/zoning matters on the following Sat.

Trustee DePoint: Re Laurentioan Drive decision has not been rendered yet by Judge - water now running in larger stream.

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Resol.
#83-03

Mr. DePoint said that amt. of \$10,000. had been placed in budget for new Police car; waited for State bids to come out - rec'd by Canandaigua Motors - and recommended that Village purchase 318 h.p. Plymouth Fury for \$8,884.85 - 60-90 day delivery. Trustee DePoint added that oldest car - 1978 Ford - would be sold, using newer car as a backup (54,000 miles), following which he motioned passage of Resol. #83- ; Truatee Hays seconded. Discussion - won't get better price than State bid; was budgeted. Input from citizens was asked since this is "new business." No comments - Roll Call Voyer - all "ayes," Resol. #83-03 adopted and attached hereto.

Trustee
McGrath:

Trustee McGrath submitted name of Randy C. Madsen of Canandaigua Rd. as member of "Fire Police" - extension of Fire Dept. Mr. Depoint wanted to know if Village could require physicals and was told by Atty. Poyzer that Village could. Lengthy discussion ensued - Ms. Poyzer said that Bd. might have to cover in Contract; affecting present employees - object of negotiations. Mr. DePoint emphasized Village's potential liability; pre-existing physical condition. Trustee McGrath pointed out that difficult to find enough people to fill F.D. vacancies. Discussion centered around date Bd. should begin requirements of physicals - draft as of 1/31/83, according to Mayor, in order to let F.D. know; others favored 1/1/83 as effective date. No action taken - Trustee McGrath requested to talk with F.D. re physical exam. requirement.

Appraisal
Request

Trustee McGrath spoke of a request from Mr. Joseph Frontuto of Cuyler St. for appraisal of wk. he performed on art-work in Village Hall hallway. Mrs. McGrath said that Village pd. \$3,495.; paid Mrs. M. Riggs approx. \$1,000. for framing and hanging; \$536. pd. for materials, frames and canvas; Miss Lorene Warner did history and research.

Mrs. McGrath said that she had problems with giving an accurate and honest estimate for Mr. Frontuto. Bd. did not feel they could arrive at an amount - or would have the right. It was agreed that letter would be written to Mr. Frontuto stating the Bd.'s position, and thanking hin for his efforts.

Vienna
St.:

Bid openings for Vienna St., would occur at 11 a.m. on 1/18/83, according to Mrs. McGrath. She suggested Bd. hiring an engineer for Vienna St. & Prosp. Dr. - Ray & Pete Smith fully qualified to oversee paving of Throop and Kent St. She questioned whether or not same should be bid; not a part of Lozier's contract. Lengthy discussion held - Mrs. McGrath suggested writing reputable area engineers such as Hershey-Malone/Lozier/Larsen's/Harnish & Lookup, asking them if they would be interested in contracting with Village for engineering wk., and spoke of protecting Village taxpayers. Mr. Depoint said that Bd. would have 45 days afterwards - and made his feelings known that engineer expensive/may not be necessary.

P&C Rms.:

Mrs. McGrath said that Girl Scout leaders unhappy about condition of P&C Rms., esp. the floors. Discussion on cost of refinishing/carpeting/linoleum - need resolution to do something more permanent. Mr. DePoint reiterated the need, having gone with Mrs. McGrath to inspect the P&C Rms. Mrs. McGrath req. to get estimate re above.

Exec.
Sess.

Trustee DePoint moved that the Bd. exercise Exec. Sess. at 7:50 p.m. for the purpose of discussing personnel and litigation matters; Trustee Rolland seconded. All "ayes" upon Roll Call Vote.

Re-convene

With the above Bd. members present, the Bd. re-convened at 8:30 p.m. upon a motion by Mr. Depoint; seconded by Trustee Rolland. All "ayes" upon Roll Call Vote.

Sewer Inst.
W. Fost. St.

With some of those involved who were present, Mayor Wilson said that, regarding sewer installation on W. Foster St., the letter from Supervisor Aplin of the Town of Palmyra did not contain sufficient information - that effort would be made by next Bd. Mtg. - 2/7/83, to receive names and locations.

Donegan Assoc.:

Mr. B. Donegan approached the Bd. regarding questions the Bd. had regarding the Village's "Investment Portfolio," and "Bond Portfolio."

Regarding the "Investment Portfolio," Mr. Donegan spoke of frequency of investments - 1/5; 12/15; 12/9 & 11/12/82 letters which followed up telephone recommendations to Treas., passing out summations for the Bd. to follow. Re Cemetery, he spoke of main objective, i.e. market timing to sell stock and place more of the investments on fixed income side to transfer - can't spend "perpetual fund." Investment ideas to produce dollars - corporate bonds; utility stocks and annuities; high quality securities with minimum amt. of principal not limited to normal type investment - commercial banks only; savings and checking accts.; re-purchase agreements & CD's; since last mtg., Comptroller's Office, re money market funds, says municipalities can use - collateralized position; first \$100,000. insured - ask bank to pledge collateral over and above. Discussion continued -

Water fund - different purpose/different user base - both Village & Town, Size of corpus on Cemetery - probably more than \$70,000. Issue-by-issue basis - as Mr. Donegan went over his prepared recommendations with Bd.

Re "Bond Portfolio," Mr. Depoint emphasized that Bd. is in "Fudiciary capacity" position, as Mr. Donegan continued from his text. Mr. Hays asked about a fund rpt. - shares and market value total at time of rpt. which, according to Mr. Donegan, was current as of 1/13/83. The Bd. requested more info. and Mayor Wilson said that, perhaps, the Bd. could act upon at 2/7/83 mtg. She also asked where he felt Securities should be maintained - to which Mr. Donegan answered, in Village's possession or that of a commercial bank.

Regarding Mr. Donegan's original Contract for \$4,900., Mayor Wilson stated that since Donegan Assoc. would be doing less work, i.e. bonding for Vienna St., would their Contract amt. be decreased. Mr. Donegan spoke of time/effort rather than dollar amt., however, willing to reduce Contract amt. to \$4,400. - \$500. reduction, following which he graphically demonstrated to the Bd. the extent of wk. involved. Citing low current int. rate of 6%, he spoke of marketability of notes: 1) Competitive bidding; local/out-of-town; 2) Legal opinion on Bond Counsel (Wilkie-Farr); 3) Official statement; 4) Notice of sale; 5) Setting terms and conditions of bid opening (time, place & time of day) - can have impact on int. rate; 6) Denomination of notes; 7) Callable vs. non-callable (call back and re-finance); 8) Place of delivery (no problem); 9) Demand for municipal credit in marketplace; and 10) Supply of other municipal notes available on marketplace.

Mr. Donegan elaborated upon "Moody's Credit Rating" and Mayor Wilson asked what determines int. rates - 1) Credit rating standings of various communities; 2) Term of bond or note; 3) Insurance; 4) Timing of bond sale; 5) Supply of money; 6) Demand for municipals; 7) Rate of inflation; 8) Prior bond sale results; and 9) Denominations and blocks. Mr. Donegan spoke of Palmyra's light debt load - might fall into F AAA-1 Moody's category; Village would make application for credit rating - fee would be approx. \$1,000. He then recommended keeping credit rating current - one-time charge - publication comes out annually - complete papers ea. yr. so can be updated in rating bk. Mr. DePoint said this would be good for subsequent borrowing.

Re "credit rating," Mr. Donegan cited the following: 1) Sufficient size to make application - \$1 million, change standards - lower total amt.; 2) Maturity schedule; 3) Coordinate with N.Y. City Bond Counsel; 4) Moody's Credit Rating; 5) Notify underwriters; 6) Details' resolution; 7) Proof to NYC; 8) Brochure printed; 9) Bond buyer ads; 10) Bond printer; 11) Debt statement; 12) Final proof printed; 13) Mail O.S. affidavit; 14) Sale date; 15) Closing arrangements; 16) Settlement date; and 17) Dunbar Register (principal & interest). He said that Brochure under Comptroller's jurisdiction - "State Aid" now "N.Y. State Revenue Sharing."

Mr. Donegan said that he would send "Addendum" to his 9/7/82 letter/contract, emphasizing that printing of bonds would cost approx. \$2,000.; Moody's - \$1,000., Legal ad - Bond buyer - \$1,100., one-time publication - could use Village's official newspaper, however, doesn't reach potential buyers; Official statement - \$500.; Xerox \$300. (Midtown Printing???) \$150. to \$1,100. (bond buyer) advertising - bigger potential mkt. When questioned if local citizens could buy, he said they could once it is found out who

1/17/83

Donegan
Cont'd:

"purser" is. He said corporate entity (local bank) - have them put bid in - or two persons could go in person to the bank or brokerage firm and tell them you want it - buy from them; can be sold before it is bid - would lower interest rates. Discussion discontinued - Mayor Wilson thanked Mr. Donegan for coming - the Bd. would decide upon whether or not to contract with Donegan Assoc.

Congress-
man Horton

Mayor Wilson said that Congressman Frank Horton would meet with constituents from 9 a.m. - 12 Noon in the Village Hall on 2/19/83 (Sat.).

Grievance
Day:

In conjunction with Assessor Roney, The Village Bd. acting in the capacity of the "Assessment Bd. of Review" would meet from 4-6 p.m. and 7-9 p.m. in the Village Hall on 2/15/83 (Tues.). Trustees DePoint & McGrath, and possibly Mayor Wilson, will meet from 4-6 p.m.; and Trustees Hays & Rolland from 7-9 p.m. on the above date.

Church
Parking

Trustee McGrath read a communication from St. Anne's Father Weis, dated 1/14/83, in which he requested - on behalf of all of the churches - extending parking into the park area; the cost to be borne by the churches. No action taken.

Engineer

Discussion by Bd. on the hiring of an engineer for Vienna St. and cost of same; construction cost - hard/soft; how much for streets/water; two projects - pay out of one; engineer's breakdown. Mr. Donegan spoke of two budgets, i.e. 1) Street; 2) Water - monies already spent; transfer from Capt. Res. - keep track of ea. category - three pieces of paper - 1) Bal. sheet; 2) Expenses; & 3) Revenues. Bond Resol. posting up on 2/3/83 - 2/4/83 would be in position to enter money market and borrow money, however, he emphasized that Donegan needs "go ahead" first. Will be some interest earnings in Village's favor. Mr. Donegan departed at 10 p.m.

Cable
T.V.:

Mayor Wilson spoke of letter from Cablevision regarding a higher copy-right fee which might have to do with raising rates. Cable's letter req. Village to write to Congressman Kemp or Horton re the above.

Highway

Discussion held on Highway Barn - money rec'd frm. UR should go into "Special Projects Fund"; letter from HUD says should be placed in "Gen. Fund." Mr. DePoint wanted to see HUD's letter. Mayor Wilson said that reason needed if transferred - check with Treas.

Mr. DePoint departed at 9:25 p.m.

P.D.:

Regarding Patrolman Kevin Schneider, Trustee Rolland moved that he be paid same rate as other Patrolmen, retroactive to his 26th week of probationary period. Trustee Hays seconded; all "ayes" upon Roll Call Vote - Carried.

Donegan's
Contract:

Mayor Wilson said that Bd. had retained Donegan's 9/7/82 Contract in amt. of \$4900., taking into consideration his earlier offer to decrease by \$400., asking what was the pleasure of the Bd. Trustee McGrath motioned that the Bd. take note of the reduction, authorizing the Mayor to execute new Contract upon arrival of "Addendum." Trustee Hays seconded. When there was no more discussion and upon all "ayes" upon a Roll Call Vote - Trustees Hays, Rolland and McGrath, Mayor Wilson announced passage by a majority. Resol. #83-04 attached hereto.

Resol.
#83-04:Voucher
Payment

Trustee Hays moved that voucher amts. of \$19,579.74, Abstract No. 14, be approved for payment; Trustee Rolland seconded. Roll Call Vote - all "ayes," carried.

Fair
Assoc.:

The Clerk informed the Bd. of a req. by "Empire Antique Cars" for approval of a show at the Fairgrounds 7/24/83 with a rain date for 7/31/83. The Mayor spoke of a limited amt. of activities at the Fairgrounds and req. the Clerk to check with Pres., Raymond LeRoy.

Adjourn:

Upon a motion by Trustee Rolland at 10:15 p.m. the Bd. adjourned; seconded by Trustee Hays. Upon Roll Call Vote - all "ayes," carried.

Ethel B. Johnson

(The next regular meeting of the Village Bd. is scheduled for 2/17/83)

Refer to Local Law # 3 - 1982

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

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

~~County~~
~~City~~
~~Town~~
Village

of PALMYRA
Local Law No. 1 of the year 19 83

A local law to amend Chapter 21A, Speed Restrictions, of the Code of the
(Insert title)

Village of Palmyra, to make Routes 31 and 21 subject to the maximum speed of 30 miles per hour, and to establish a 20 mile per hour speed limit in the school zones.

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

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

Section 1. Article II, Speed, of the ordinance adopted June 13, 1941, which ordinance is entitled "Ordinance relating to speed, parking, etc. on public streets within the Village of Palmyra" is repealed.

Section 2. Paragraphs (1), (2) and (3) of subdivision A. of section 21 A-1, Maximum Speed Limits, of Chapter 21A of the Code of the Village of Palmyra, are repealed, and new paragraphs (1), (2) and (3) are hereby added to section 21 A-1, subdivision A., to read as follows:

- (1) On the portion of Hyde Parkway as more particularly described in subdivision B. of this section, during the times stated in said subdivision B.
- (2) On the portion of West Foster Street as more particularly described in subdivision B. of this section, during the times stated in said subdivision B.
- (3) On the portion of Canandaigua Street as more particularly described in subdivision B. of this section, during the times stated in said subdivision B.

Section 3. The first sentence of subdivision B. of section 21 A-1, Maximum Speed Limits, of Chapter 21A of the Code of the Village of Palmyra is amended to read as follows:

B. Twenty (20) miles per hour is hereby established as the maximum speed at which vehicles may proceed during school days between the hours of seven o'clock A.M. and six o'clock P.M., on or along the following highway areas:

Section 4. Subdivision B. of section 21 A-1, Maximum Speed Limits, of Chapter 21A of the Code of the Village of Palmyra, is amended by adding thereto a new paragraph (3) to read as

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

follows:

(3) Canandaigua Street, from a point three hundred (300) feet north of the intersection of the north building line of the Palmyra Elementary School as said building line is projected westerly, with the Canandaigua Street east boundary, to a point three hundred feet south of the intersection of the south building line of the Palmyra Elementary School as said line is projected westerly, with the Canandaigua Street east boundary.

Section 5. This local law shall take effect immediately upon filing with the Secretary of State of New York State, except for those portions which require the approval of the New York State Department of Transportation, which portions shall take effect upon approval by said Department.

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

(Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No.1..... of 19.83.

~~XXXXX~~
~~County~~
of the ~~XXX~~ of Palmyra was duly passed by the Board of Trustees
~~XXXX~~
Village (Name of Legislative Body)

on January 17, 1983 in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village

on 19..... and was approved not disapproved by the
repassed after disapproval Elective Chief Executive Officer *

and was deemed duly adopted on 19....., in accordance with the applicable provisions of law.

(Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village

on 19..... and was approved not disapproved by the
repassed after disapproval Elective Chief Executive Officer *

on 19..... Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19....., in accordance with the appli-
annual
cable provisions of law.

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

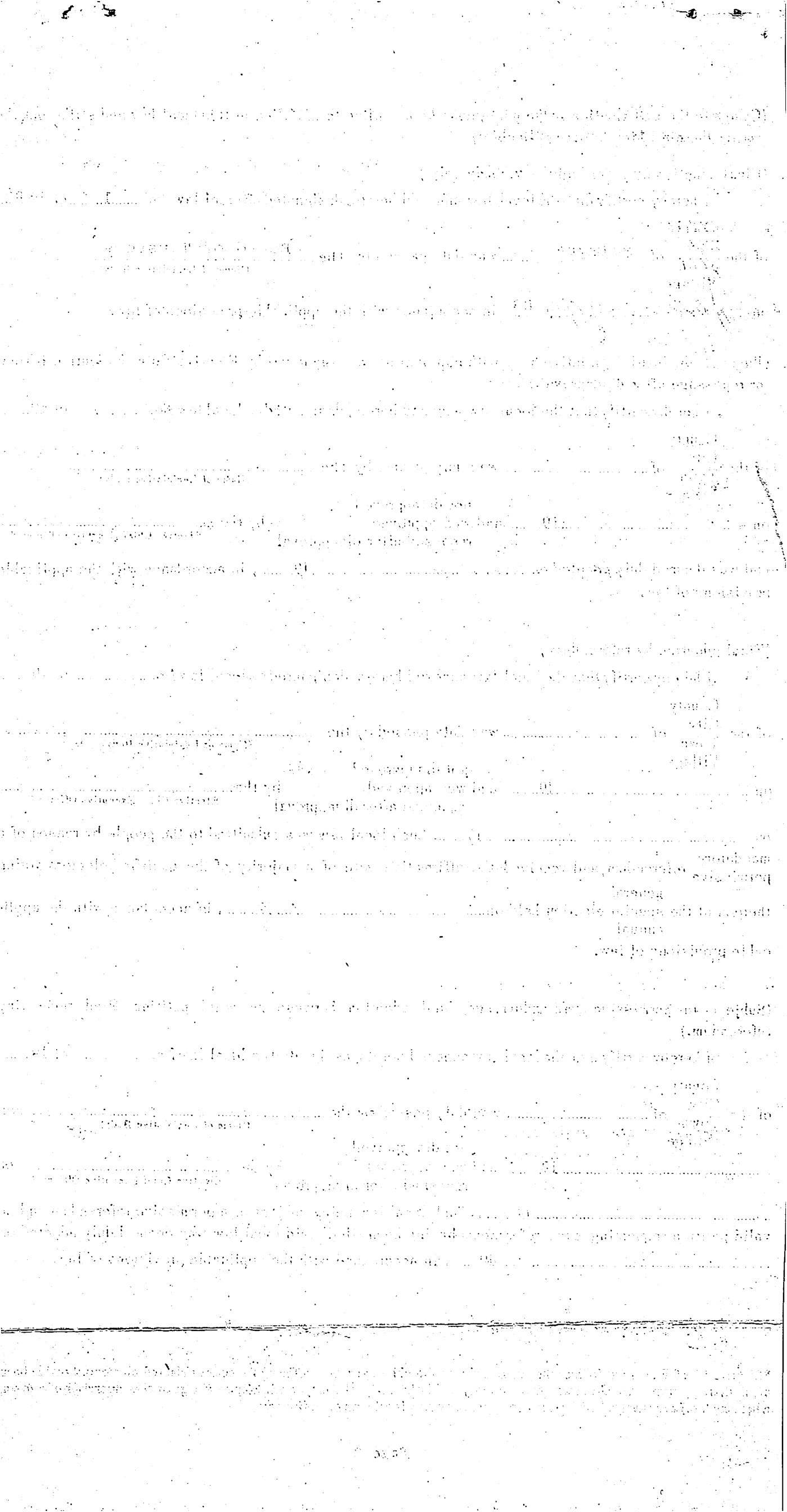
I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village

..... 19..... and was approved not disapproved by the
repassed after disapproval Elective Chief Executive Officer *

..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

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



Jan. 17, 1983

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

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

6. (County local law concerning adoption of Charter.)

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

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

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

E. B. Johnson

~~CLERK OF THE COUNTY, CLERK OF THE TOWN, CLERK OF THE VILLAGE~~ or Village Clerk or officer designated by local legislative body

Date: January 17, 1983.

(Seal)

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

STATE OF NEW YORK
COUNTY OF WAYNE.....

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

Laura Jane Poyzer
.....
Signature
Laura Jane Poyzer
.....
Village Attorney
.....
Title

Date: *January 17, 1983*

~~CLERK OF THE COUNTY, CLERK OF THE TOWN, CLERK OF THE VILLAGE~~
of Palmyra
Town

Reserved for Resolution
and Legal Notice

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