

DECEMBER 15, 1980

Present: Mayor Wilson; Trustees McGrath and Abbott; and Laura Jane Poyzer, Village Attorney. Zoning Enforcement Officer, Jack Ryan, was present for the remainder of the meeting.

Zng.Enfor. Off.'s Resignation Wthdrwn.: Discussion was held on the plight of the Village without the services of a Zoning Enforcement Officer. Mayor Wilson asked Mr. Ryan if he would serve, withdrawing his resignation, for perhaps another month or so until a replacement could be found. Mr. Ryan agreed to perform in this capacity for an indefinite period of time following which Trustee McGrath made the motion that Mr. Ryan's resignation be withdrawn, seconded by Trustee Abbott. All voted "aye," motion carried.

State Fire Code: Mr. Ryan stated that the State Fire Code should be adopted as quickly as possible and that a property owner on Market Street was building without a permit.

Palmyra Inn: Mayor Wilson reported that Marine Midland had signed a Purchase Offer regarding the former Palmyra Inn owned by Mr. George Yohonn, contingent upon non-intervention by Historic Palmyra, Inc.

UR Certificates: Trustee Abbott motioned that the Urban Renewal Certificates, prepared by Attorney Paul T. Rubery, be approved and executed by the Mayor, Village Attorney and Village Clerk. Trustee McGrath seconded, all voted "aye," motion carried.

H&L Survey: The Mayor requested that the Clerk keep a close check on the survey being prepared by Harnish & Lookup regarding the Webaco property on E. Main as same is needed as quickly as possible.

Voucher Approv.: Trustee McGrath made the motion that Voucher payments in the amounts of \$12,606.07 be approved. Trustee Abbott seconded, all voted "aye," motion carried.

Adjournment: There being no more business to come before the Board, Trustee Abbott motioned adjournment at 9:45 p.m. Trustee McGrath seconded, all voted "aye," motion carried.

Ethel B. Johnson
Village Clerk

JANUARY 5, 1981

Regular Board Meeting

Board of Trustees

7:00 p.m.

Present: Mary Lou Wilson, Mayor; Trustees Lloyd Green, George Abbott, James DePoint and Mary Kay McGrath; and Village Attorney, Laura Jane Poyzer.

Moment of Silence: Mayor Wilson requested that a moment of silence be observed prior to conducting the business of the Board.

Canaltown Days: Mayor Wilson read a letter from Mr. Richard Watson, General Chairman of Canaltown Days, in which he stated that Canaltown Days are scheduled for September 17-20, 1981. The Board held a short discussion on the need for additional bathroom facilities.

Revenue Sharing: Mayor Wilson read a letter from the Honorable Frank Horton in which he spoke of Federal Revenue Sharing Funds having been apportioned.

Mingo vs. Pirnie: A communication from Mr. James A. Spitz, Jr. was read by the Mayor regarding Mingo vs. Pirnie. Mr. Spitz enclosed a "Notice of Appeal" filed by dissenter Attorney Hancock.

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- Police Dept. Appt.: Trustee Abbott spoke of two interviews held recently by the Mayor, Chief of Police, and himself for prospective policemen. Following a discussion, Mayor Wilson made the motion to appoint Mr. Charles Walker, who previously worked on a part-time basis, to the position of a provisional policeman pending the outcome of a Civil Service Examination. Trustee McGrath seconded the motion, all voted "aye," motion carried. Mr. Abbott added that Mr. Walker would attain probationary patrolman status providing he passed the test. The Clerk was asked to inform Mr. Walker, by letter, of his appointment effective 1/5/81. Having interviewed a prospect for a part-time position, it was stated that Police Chief Henry was checking into the matter.
- Fire Dept. Mtgs.: Trustee Abbott spoke of having talked with Fire Chief Spanganberg and of their mutual agreement to meet once a month on a night other than Thursday - regular Fire Company meeting night.
- Resign. of Zng. Officer: Mayor Wilson read a letter of resignation from Mr. Jack Ryan, Village Zoning Enforcement Officer. The Clerk was directed to send a letter of appreciation to Mr. Ryan for his past efforts. The Mayor requested the Clerk to prepare an advertisement for a Zoning Officer, placing same in the Village's official newspaper - and that interested parties should contact Trustee DePoint.
- Sr.Cit.s Request: The Clerk related that the Senior Citizens would like to reserve the Park & Club Rooms every other Saturday night for card playing. Trustee Abbott made the motion to permit this use, Trustee McGrath seconded. All voted "aye," motion carried. Mayor Wilson added that the Clerk should include in the letter to the Senior Citizens, that same would be on a six-months' trial basis as with all organizations.
- Park & Club Rms.: Trustee McGrath led a discussion on the Park & Club Rooms and felt that some of the expenses therein might be offset if a small fee were charged for its use, excluding Girl Scouts. She also spoke of some repairs needed and the need for putting on storm windows. The Mayor requested Mrs. McGrath to research how often the building is used and by whom.
- IRS Rul. re Sewer Charges: A short discussion was held on IRS Ruling 79-201, Section 164, wherein sewer benefitted charges paid during 1980 are not tax deductible. The Clerk was requested to prepare a newspaper release and the eventuality of mailing postcards to area residents is a distinct possibility. No decision was made as to placing a Legal Notice in the newspaper.
- Municipal-ity Ins.: Mayor Wilson spoke of the Upstate Municipal Risk Association wherein municipalities join together to reduce rising insurance costs. She stated that Trustee DePoint had checked into the advantages of same and had recommended that the Village enter this Association. Trustee Abbott motioned that the Village pay \$75.00 to join the Upstate Municipal Risk Association, Trustee McGrath seconded. All voted "aye," motion carried.
- Village/Town Ser. Agree.: Attorney Poyzer presented the Water Service Agreement with the Town utilizing Mr. Kruger's services, stating an increase from \$1200. to \$1500. for the period 1/1/81 - 12/31/81. Trustee Abbott made the motion to accept the Contract as written for presentation to the Town of Palmyra, Trustee McGrath seconded. All voted "aye," motion carried.
- Dist. Eval. Sheets: The Clerk was instructed to distribute several Evaluation Sheets from the POLICY MANUAL to Chief Henry for future evaluations of Police Department personnel.
- Exec. Sess.: At 7:40 p.m., Trustee McGrath moved that the Board exercise Executive Session for the purpose of discussing legal matters. Trustee Abbott seconded, all voted "aye," motion carried.
- Trustee Abbott made the motion at 9:25 p.m. that the Board emerge from Executive Session. Trustee McGrath seconded the motion, all voted "aye," motion carried.

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"Personal"
Ins.Quote:

A quote from Chapman's "Personal" Insurance for the Village Board was related by Mayor Wilson. It was stated that quotes from Knapp's and VanParys' are forthcoming. Discussion was held on the extent of coverage and Trustee DePoint felt coverage to be superfluous except for the Board. It was felt that the premiums were expensive. Trustee DePoint reiterated his willingness to review the Village's insurance policies and coverage.

Zoning Bd.
Hearings:

Discussion held on Zoning Board Hearing regarding Mr. John Maletta's proposed gas station. Mayor Wilson stated that this should be referred to the Zoning Board where it originated. She added that Zoning Board member, Mr. Harold Gilman, desired to wait until February to conduct any Hearings when it is anticipated that Mr. Luther Sheldon, Chairman, would have recovered sufficiently to conduct said Hearing. A Public Hearing on Mr. Michael Poretta was also discussed. Trustee DePoint felt that there had been a disservice to Attorney Gary Morell in this instance, in that Hearings should have occurred in December, 1980, but could not due to having temporarily lost the Village Zoning Enforcement Officer - and Mr. Sheldon's illness. Mayor Wilson pointed out that Mr. Maletta had not provided the necessary \$25.00 fee. Following discussion, the Clerk was instructed to contact Mr. Morell and let him make the decision whether or not to schedule the Hearings on 1/21/81 with only three members of the Zoning Board present - or to wait until February.

Village
Hall
Renova.:

Trustee McGrath spoke of a communication from the Town of Palmyra regarding the joint Village/Town plans for Village Hall renovation, dated 12/31/80. She opposed the unsigned Memo from the Town Supervisor instead of a commitment which Village/Town discussed at a joint meeting on 12/18/80. In reviewing the Memo, Mayor Wilson stated that work force would be made up of three CETA workers and a Supervisor which would include a local Supervisor. The CETA Supervisor would also be a "worker." A lengthy discussion was held on hiring CETA workers. Mayor Wilson stated that she had been told by Mr. Mark Higgins that CETA workers could not be hired except through the Union. She posed the problem of who would take the responsibility of the bookwork regarding CETA workers. Trustee DePoint said that he opposed having Village personnel utilized for this purpose. Mayor Wilson stated that the Town had made an offer in this regard and that papers were all set to go. Discussion held on Town having full control over who gets hired and whether or not to permit the Town to bid. Trustee DePoint felt that the Town could bid it subject to Village Board approval. Trustee Green agreed to permit the Town to handle the CETA workers. He spoke of capital jobs - State Labor rates - and that bidding has to be at State Labor Rate.

Additional discussion was held on utilities when the Village Hall is renovated. Trustee McGrath stated that they are proposed to be shared jointly except for Police Department which is slated in the plan to be placed in the back garage. Mayor Wilson added that they would balance out equally.

Trustee Green spoke of the "Job Chairman's" responsibilities and Trustee DePoint suggested a "Clerk of the Work's" who would be paid a percentage, inspecting, overseeing the work. He asked if this would be an additional expenditure in addition to the \$120,000. He also asked where the Village would obtain such a person - and how much he would be paid. Mr. DePoint felt it "ridiculous" to have CETA workers and not have a "Clerk of the Work's." Said "Clerk" is necessary to avoid lawsuits if job is not done properly, also, he would have to be bonded and report to the Village Board periodically. Trustee McGrath stated that she had asked Architect Sherman who would be responsible for the renovation and he had stated that he would be "in" on the renovation process. Mrs. McGrath stated that the original quote did not include a new boiler and that interest rates and materials have gone up, therefore, an additional ten per cent should be added to allow for fluctuation. Mayor Wilson spoke of insulation and

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that more is needed than plan calls for. It was stated that more information was needed from Mr. Sherman in this regard.

Village
Hall
Renova.
Cont'd:

Discussion was held on a "conditional" deed for transferring one-half of Village Hall ownership to Town, and the need for a resolution to be proposed. Item #3 of the above mentioned Town Memo was discussed by Trustee McGrath in that "keeping as much money and jobs as possible within our community" - although a good idea - was not planned for the building renovation. Trustee Green felt that Village crews might be able to assist regarding piles of rubble, etc. Mayor Wilson read the Resolution of the Village Board one year hence regarding the Board's willingness to plan the renovation on a "shared" basis.

The discussion ended with Trustee DePoint suggesting that Trustee McGrath and himself meet with Supervisor Fred Kaempffe and Councilman Bruce Wideman before the Board Meeting on 1/19/81 to discuss the total cost package.

Jaycees:

Mr. Riccuto and Mr. Opydyke, representing the Palmyra Jaycees, appeared before the Board, per the Board's request. Mayor Wilson spoke of the Jaycees having utilized the upstairs Park & Club Rooms for approximately one year. She wanted to know how often they used the rooms, that there had been a few minor complaints regarding noise, that they had placed a refrigerator there without approval by the Board - however, an inspection of the rooms revealed that they had been fairly well maintained.

Mr. Riccuto stated that the Jaycees held three meetings a month and that on occasion their affiliate - the JayNcees - used the rooms, especially during their "Toys for Tots" campaign. He added that heavy use was made of the rooms during the latter part of November and December due to commitments to basket deliveries for Palmyra King's Daughters, etc. Both Mr. Riccuto and Mr. Opydyke spoke of improvements they had made in the rooms and the major problem during Canaltown Days was the downpour of rain. They stated that they could begin their meetings earlier in the evening thereby ending them earlier when it was stated that the Highway Superintendent maintains very long hours, especially during the winter months. When asked if they would like to continue to use the rooms they said "yes" and added that if their property were taken care of and the doors locked, that other organizations could share use of the rooms.

The Jaycee representatives spoke of some old items that were stored there and the Mayor asked them not to throw them away - that they should be checked first. Mayor Wilson stated that the Board would permit further use of the rooms on a six month's basis but that they should check with the Board before making any changes. She added that an understanding would be reached before Canaltown Days, 1981. The Clerk was instructed to confirm the above by letter.

JayNcees'
"Thank-
you":

Mayor Wilson read a "thank-you" letter from the JayNcees for use of the Park & Club Rooms in connection with their "Toys for Tots" campaign.

Community
Center
Gym:

Mr. Francis Rush, local plumbing and heating serviceman, appeared before the Board to make a recommendation to close off the upstairs Community Center Gym due to the loss of a tremendous amount of heat - and to report on the state of the Village Hall boiler. He has repeatedly repaired cracks in the boiler recently and felt it could not be utilized much longer. Mr. Rush also felt that utilities could be cut in about half by closing off the upstairs. It was pointed out by Trustee DePoint that he had discussed this matter with Community Center Director, Mr. James Campbell, and that Mr. Campbell would go along with said closing since it had to occur "sometime." Discussion was held on the effects to walls, outside brick, etc. if heat were to be cut off. Trustee McGrath stated that Architect Sherman had said that a small amount of heat should be maintained

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Community Center Gym Cont'd:

in the vacant room. Trustee Green felt that some lights might be needed there at some point in time to which Mr. Rush answered that they could be turned on again in the summer. It was pointed out that the upstairs room used as a gym by the Center was cold - 40 - 50 degrees - even when the heat was on. Mr. Rush reiterated that it was like throwing money away to attempt to heat it. Trustee McGrath made the motion to authorize Mr. Rush to cut off heat to upstairs and disconnect electricity - and repair boiler. Discussion on the cost of this work led to Mr. Rush's quote of \$450.-\$500. to drain the upstairs system, cut off all of the lines, and repair the boiler - and that said work could all be done at the same time. Trustee Abbott seconded Trustee McGrath's motion. All voted "aye," motion carried.

Deed to Town:

Deeding one-half of the Village Hall to the Town of Palmyra was again discussed. Attorney Poyzer stated that this had been discussed earlier in the day with Mr. Rubery, Attorney for the Town, and that he was not aware of the 12/31/80 Memo from the Town to the Village. She stated that he had drawn up an agreement to purchase some time ago, rather a lease with option. He talked of the Village's Resolution and a check found it merely discussed in the 11/3/80 Board Minutes. Mayor Wilson felt that deed should be held until renovation finished. Attorney Poyzer added that a deed doesn't take effect until same is delivered. Trustee DePoint spoke of a "conditional" deed for one-half of the property and added that the Town shall never "own" the property - just a one-half ownership. Attorney Poyzer spoke of a "reverter" clause and questioned about management afterwards, i.e. if problems encountered, who would be responsible for future major repairs. She spoke, also, of potential lawsuits - for example, replacing the furnace - what if the Town wouldn't agree? Mayor Wilson stated that this was something the attorneys would have to resolve. Discussion was held on the restriction of Revenue Sharing and Ms. Poyzer said that there might be some stipulation in Revenue Sharing which states that municipalities may own a building jointly.

Towpath Sidewalks:

Trustee McGrath brought up the condition of the sidewalks leading from Towpath I & II. She stated that she had spoken with Towpath owner, Conifer Development, and the Village Highway Superintendent, regarding the hazardous conditions for Senior Citizens in walking downtown. It was brought up that a member of the Highway crew had been hand-shoveling the sidewalks on Foster Street. It was determined that this was the responsibility of the Fairgrounds' Association and the Clerk was instructed to inform them by letter to maintain said sidewalks. A snow blower, although not budgeted for this year, was said to cost approximately \$1000. Trustee Green spoke of additional help the Cemetery crew is lending the Village.

Skating Rink:

Trustee McGrath said that the area in back of the Village Park earmarked for a skating rink had been flooded by the Village crew but snow had not been plowed. The question arose as to whether or not the Village would have to pay someone to clean it off. No determination was made.

Miscell.:

Trustee McGrath stated that proposed charge for use of the Club rooms had been placed on "hold." She also stated that the Community Center plans were at a standstill and, in ending her Committee Report, that the weather had been too cold to place the new roof on the Village Barn.

Police Report:

Trustee Abbott read excerpts from the December, 1980, Police Chief's Report. Trustee McGrath moved that the report be accepted as read, Trustee Abbott seconded. All voted "aye," motion carried.

Fireman Approv.:

Trustee Abbott proposed the application of Mr. James Otto as a fireman. Trustee McGrath moved that Mr. Otto's application be approved, Trustee Abbott seconded. All voted "aye," motion carried.

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- Perm. Appt. - Alvaro: Patrolman Alvaro's probationary period ends on 1/12/81 and Trustee Abbott read a recommendation for satisfactory completion of same by Chief Henry. Trustee Abbott made the motion that Patrolman Alvaro be appointed on a permanent basis, Trustee McGrath seconded. All voted "aye," motion carried.
- Date Cg. - Walker: Patrolman Charles Walker's full time appointment was changed from 1/5/81 to 1/12/81 so that he could give a two-week notice to his present employer. Trustee Abbott spoke of a good prospect for a part-time Patrolman and the possibility of another one.
- Old NAPA Bldg.: Trustee Green stated that the old NAPA building on Division Street is ready for demolition, however, Village crews are too busy with snow removal.
- Sewer Red. Rate: A letter was read from Mrs. Sarah Wahl requesting a sewer reduction rate since she maintains only one and one-half units as opposed to two and one-half units previously. The Clerk was instructed to check with Water & Sewer Supt. and notify Mrs. Wahl - and that if a reduction is made, it would be on a permanent basis.
- First Quart. W&S Billing: Trustee DePoint stated that the First Quarter, 1981, billing for water and sewer would reflect the last reading so residents would have them as a permanent record.
- Vehicle Repairs: Trustee DePoint felt that the Village vehicle repairs should be standardized and localized when possible. The Clerk was instructed to write the Water & Sewer Supt. informing him of same.
- Requests fr. Audits: Trustee DePoint stated that in preparation for the Annual Budget, a request should be made of the Fire Department, Community Center, Library, Museum and Palmyra Economic Development Corporation for a complete listing of their finances, savings accounts, Certificates of Deposit, etc. The Clerk was requested to draft a letter asking for a reply by 3/1/81, which would give them ample time for a response.
- Value Manage.: Regarding an outstanding bill from Value Management amounting to over \$709., Trustee DePoint felt the charge was above and beyond the contracted work done on the VILLAGE OF PALMYRA POLICY MANUAL. Trustee Green said that any calls may be directed to him, however, Trustee DePoint stated that he would dictate a letter to the Clerk.
- Tn. of Manch. Fire Cont.: Attorney Poyzer read from the Fire Contract received on 1/5/81 from the Town of Manchester. Following discussion, the Board agreed not to sign same until Ms. Poyzer talked with Attorney Retchless as to whether or not the Contract could be amended, option to terminate, etc.
- NYSE&G Reg. re Repairs: Letters were read from New York State Electric & Gas in which they requested permission to break the street surface at 134 and 137 Washington St. Trustee Green asked that the breaking occur where they had previously dug, if possible, and the Clerk was instructed to request same. Trustee Abbott made the motion for the request to be granted, Trustee DePoint seconded. All voted "aye," motion carried.
- NYSE&G Prop. Incr. - St. Ltq.: Mayor Wilson read a letter which originated in the NYSE&G Geneva Office wherein the Board was informed that a substantial increase in rates had been proposed for street lighting. The Clerk was instructed to write a letter to the Public Service Commission stating that the Village Board is opposed to such an increase.
- Resolution re Street Swpr.: Resolution #81-01 to make payment for the Village street sweeper was introduced. Trustee DePoint made the motion that \$65,997.00 be expended to pay for the street sweeper, Trustee Abbott seconded. All voted "aye," Resolution adopted and attached hereto.

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- IRS Ruling: Treasurer Dickinson read a 12/15/81 communication from IRS regarding a new revenue procedure which rescinds municipality time deposits up to a 14-day maximum on all new maturity of public time deposits. She stated that if the Village has need to borrow money, the banks shall charge prime rate. It was stated that the Village should write to respective Congressmen requesting they rescind Rev. Proc. 80.55.
- Skorc Prop.: Mayor Wilson informed the Board that the County had generously offered the Skorc Property, situated at 646 E. Main St., to the Village. Discussion held on its worth and the understanding that there are no outstanding taxes against the property. Atty. Poyzer was requested to write to the County stating that the Village would like the valuable piece of property.
- Criss-Cross Direct. Lease: Discussion was held on the advantage of leasing a Criss-Cross Directory prepared by Haines & Co., Inc. It was determined by the Board that the Directory was not needed in the Village Office and that the \$45.00 could be better used elsewhere.
- Additional Phone Ser. fr. Mayor: An innovation by the N. Y. Telephone Company - "call waiting" and "call forwarding" was discussed by the Board for the Mayor's use. Installation charges of \$16.25 plus a monthly charge of \$5.11 would be paid for by the Village. Trustee McGrath made the motion that this additional phone service be allowed the Mayor and paid for by the Village. Trustee Abbott seconded, all voted "aye," motion carried.
- Voucher Approv.: Trustee Green made the motion that voucher amounts of \$73,704.70 be paid with the exception of one voucher from the Fire Dept. Trustee Abbott seconded, all voted "aye," motion carried.
- Approv. of 12/15/80 Minutes: Mayor Wilson requested that the 12/15/80 Minutes reflect that the appointment of Mr. Charles Walker to the Police Department was an appointment by the Mayor as opposed to Trustee Abbott. Trustee McGrath moved that the Minutes be accepted incorporating the above change, Trustee Abbott seconded. All voted "aye," motion carried.
- Adjournment: With no remaining business to come before the Board, Trustee McGrath made the motion for adjournment at 9:40 p.m. Trustee Abbott seconded. All voted "aye," motion carried.

Ethel B. Johnson
Village Clerk

RESOLUTION #81-01

January 5, 1981

Trustee Green moved adoption of the following Resolution:

"WHEREAS, a new street sweeper was purchased by the Village of Palmyra and received on December 5, 1980, and,

WHEREAS, the Board of Trustees budgeted \$60,000.00 from Federal Revenue Sharing Funds and \$2,000.00 from Account #A8170.2 for said sweeper, and bid was \$65,997.00,

NOW, THEREFORE, BE IT RESOLVED, that \$3,997.00 be taken from Contingency Fund #A1990.4 to pay for said sweeper on January 5, 1981."

Trustee DePoint seconded Trustee Green's motion to adopt the above Resolution, all voted "aye", Resolution #81-01 unanimously adopted. This Resolution shall take effect immediately.

BOARD OF TRUSTEES

Regular Board Meeting

January 19, 1981

7:00 p.m.

Present: Mary Lou Wilson, Mayor; Trustees Lloyd Green, James DePoint, Mary Kay McGrath and George Abbott; and Village Attorney, Laura Jane Poyzer.

Moment of Silence: Mayor Wilson requested that a moment of silence be observed prior to conducting the business of the Board.

JANUARY 19, 1981

Approval
of
Minutes:

Attorney Poyzer's correction of a deed not taking effect until it is "delivered" instead of "recorded" was noted by the Clerk. Trustee Green moved that the Minutes of 1/5/81 meeting be accepted with above correction. Trustee McGrath seconded, all voted "aye," motion carried.

Commun.
Center:

Trustee Green took exception to headlines in Courier-Journal that Village Board "voted" to close the Community Center Gym which has been housed on the second floor of the Village Hall for many years. The Board's vote on 1/5/81 Board Meeting was to cut off heat to upstairs and disconnect electricity upon the recommendation of Mr. Francis Rush, local plumbing and heating expert. Mr. Rush had pointed out that heating the area used by Community Center for gym was a waste of energy, and it was stated that the temperature there was 40-50 degrees even when heat was maintained.

Trustee McGrath spoke of having attended the Town Board Meeting on 1/8/81 and their objection to cutting heat and electricity to gym without approval by the Town Board since they partially fund the Community Center. Discussion held on Town's unwillingness to jointly fund the Center gym at its new location, or apparent reluctance. Trustee DePoint felt that Community Center Director and Board are aware of where the problem lies - people should be made aware of the Town's lack of cooperation. It was pointed out by Trustee McGrath that the Director and young people are the ones who are suffering, and that the completed portion of the new Center on Stafford Street is due to open on 1/21/81. The upstairs gym was to have been closed on 6/1/81 in any event.

Mayor Wilson questioned if the various organizations wanted to use the upstairs of the Village Hall without heat, should this be permitted. The Board agreed to such permission. Trustee McGrath wanted to know what procedure the Village Board would follow if the Town did not come up with a commitment of \$50,000. for a Community Center Gymnasium. Discussion was discontinued.

Chamber
of
Comm.:

Mrs. Betty Alderman appeared before the Board, representing the Palmyra Chamber of Commerce. She wanted to know the status of the "Weykman Property" at 305 E. Main Street. Mayor Wilson pointed out that the Village does not own said property - that it belongs to the County of Wayne. Mrs. Alderman stated that the Chamber's understanding is that there is a tentative purchase offer on this property by the Palmyra Economic Development Corporation, and that they would like the Village to consider forgiving the taxes. Mayor Wilson said that P.E.D.C. had approached the Board and their request had been denied. Trustees DePoint and McGrath felt that something tangible must be realized from P.E.D.C. It was pointed out that an Urban Renewal parcel had been optioned to P.E.D.C. The Board agreed that forgiving taxes on the "Weykman Property" would set a precedent and a firm commitment must be received by P.E.D.C. before any consideration would be made regarding taxes. Mrs. Alderman's comments included P.E.D.C.'s non-profit organization status and that the Chamber was concerned because nothing had been done with the property thus far. Trustee McGrath felt that something should be done about a few businesses closing thereby vacating buildings - as opposed to the concern about a vacant lot. Discussion was discontinued.

Chamber's
Flea
Market:

Mayor Wilson questioned what the Chamber had been working on and was told by Mrs. Alderman their plans for a "Flea Market" to be held in the "lower parking lot" from the middle of April until Canaltown Days. She added that merchants would be encouraged to run promotional sales to tie in with the "Flea Market". Mayor Wilson stated that permission had been granted the Chamber for such a project in the Summer of 1980. Trustee DePoint said that the Chamber should be commended and offered the assistance of the Village in any way possible. Trustee Green spoke of "Spring Clean-up" held in May and the placing of dumpsters in the area of the proposed "Flea Market." Mrs. Alderman said that the Chamber would prefer a permanent, indoor area for the proposed "Flea Market."

Req. frm. Chamber: Mrs. Alderman brought out the concern of the Chamber regarding the closing of Palmyra Motors, Inc. (Mr. Howard VanBortel). She also requested that a representative from the Village Board attend Chamber meetings, adding that the Chamber now numbers 30 paid members.

Patrolman Commenda.: Mr. Charles Richardson spoke briefly about a commendation letter he was writing in regard to Patrolman Nicholas Alvaro who assisted him when he was locked out of his car during freezing temperatures. Concerning P.E.D.C., Mr. Richardson stated that he had been in touch with Messrs. Harold and Joseph Bramer of Clyde, New York, in the hope that they might take a look at Palmyra for a five-and-dime store. He requested that a letter be written to the Bramer's. Mr. Richardson talked of the First Annual Meeting of P.E.D.C., Mr. Donald Seconi's recent resignation and his replacement - Mr. Warner Strong.

Marine Mid. re: Pal. Inn: Messrs. Eluid Mumby, Wm. LaForte and Phil Williams, representing Marine Midland Bank, approached the Board regarding 109 Cuyler Street (Palmyra Inn/old Moose Club). Mr. LaForte said at the outset that Marine Midland has a contract with owner, Mr. George Yohonn, to purchase the above property. He said that the contract was contingent on receiving permission to demolish the burned-out building - and that closing could occur no later than 6/1/81. He spoke of having checked into permits needed and the channels through which Marine Midland would go to ensure safety. Mr. Williams added that future plans call for black-topping the area for a parking lot and that Marine Midland has no plans for any additions or building a new bank. Mr. Mumby spoke of parking, stating that many Village patrons utilize M.M.'s parking lots. Trustee McGrath added that Village property extends only 14' beyond building - remainder of driveway belongs to Marine Midland. Easements were discussed and Mr. Mumby stated that due to their boundaries, Village fire trucks could not have backed out except for easement. Trustee DePoint asked approximately how many additional parking spaces would be available in proposed plan to demolish the structure and black-topping it for parking - to which Mr. Williams answered "40-50". Trustee Green said that the Village had been aware that M.M.'s property line was in close proximity to the Village Hall. He spoke of alternate parking lot across the street and that there could be control of where employees park, even with the addition of Town employees when renovation occurs - can't exercise control over where public parks.

Marine Midland representatives spoke of having been in Palmyra since 1936 - would like to remain here. They spoke of their role in "Beautification" Assessment and that they did not foresee any problems regarding parking - could be contributing factor to both the bank and the community. Anxious for a decision from the Board, they asked if the Board would act upon same during the evening. Trustee DePoint and Mayor Wilson thanked the M.M. representatives for coming to the Board meeting and the Board acted immediately upon M.M.'s request. Resolution #81-02, to grant approval of Marine Midland's proposed plan to purchase and demolish the structure at 109 Cuyler Street for the purpose of providing additional parking, was introduced. Trustee DePoint moved that the Resolution be adopted, Trustee Green seconded. All voted "aye," Resolution #81-02 was unanimously adopted and attached hereto.

Assess. Rev. Suits: Attorney Poyzer spoke of the Assessment Review Suits regarding the City of Canandaigua and the Towns of Hopewell and Gorham. Agreement has been reached with Attorney Ed Fox about how to proceed with the City of Canandaigua. Hopewell and Gorham objected about appointed levy, wanting restriction on using levy. Pay bills under protest or pay penalty. Average agreed and established for Canandaigua which will have bearing on Hopewell & Gorham.

JANUARY 19, 1981

Water
Ord.:

Atty. Poyzer mentioned additions to Water Ordinance to bring it "up to par" and suggestions made by Water Superintendent, Mr. Harold Kruger.

Urban
Renewal:

The papers submitted to HUD regarding Urban Renewal were being processed, according to Atty. Poyzer who had a telephone conversation with UR Attorney, Paul T. Rubery, on 12/16/80.

Manchester
Fire Cont.:

Regarding the Manchester Fire Contract, Attorney Poyzer said that she had checked with Attorney Retchless of Clifton Springs as to whether the Village could terminate the Contract at the end of one year. Atty. Retchless informed her that given six month's notice, the Contract could be terminated at the end of the first year. She suggested that a letter be written to him upon execution of said Contract stating the Board's desire. Trustee McGrath made the motion that the Contract be executed, Trustee DePoint seconded. All voted "aye," motion carried.

Water
Contracts:

The Mormon, Towns of Manchester and Macedon Water Contracts were touched upon briefly. Atty. Poyzer stated that she had had no communications from them, however, a letter had been received from Garlock Inc. stating that "since the Village has a prior commitment to Garlock and since the Village has guaranteed Garlock a minimum of 420 gallons per minute, then Garlock has no objection to the Village reviewing or entering into new contracts to sell surplus water."

Open
Container
Law:

Atty. Poyzer spoke of "Open Container Law" violations which were scheduled for trial in August, 1979. Violators pled guilty, however, after disposition they hired an attorney and had cases reopened. They are now scheduled for trial on 2/4/81. Board has to determine whether or not to retain Atty. Poyzer to prosecute. She added that she had not received answers to her previous letters. A lengthy discussion was held on this matter - would have to bring Patrolman back as a witness, ten per cent chance of winning, having preserved the evidence, etc. Board generally felt it would be hopeless, however, it was emphasized that this should not be allowed to reoccur - Village's procedure should be tightened in this regard, and hereafter Village Justice should notify Village Attorney immediately when the case comes into court so that future undue delays in prosecution could be avoided.

Toxic
Substance
Law:

Materials on the "Toxic Substance La" had been referred to Atty. Poyzer. Discussion led to the Clerk being asked to check the matter with W&S Supt., Mr. Harold Kruger.

OSHA
Mtg.:

Trustee McGrath shall attend the OSHA Meeting in Rochester on 1/30/81, representing the Village of Palmyra.

Village
Hall
Renovat.:

The Memo from the Town Supervisor dated 12/31/81--and Atty. Poyzer's Memo to the Mayor of 1/19/81 suggesting some alternatives for the Village was discussed at length. Town Councilman Nelson Cook was present for this portion of the Board Meeting. Trustee DePoint informed Mr. Cook that the Town would not get out-right ownership for one-half of the Village Hall until such time as the renovation was completed. Deed conveys an interest in property - your one-half would vest at a certain period of time. Atty. Poyzer stated that an escrow agreement would be less difficult to work with to which Trustee DePoint agreed, i.e. deed drawn and hold in escrow until Town completes their portion, or promise. Mr. Cook felt that during the joint meetings, attorneys had not explained fully the process to follow, and added that the Town Board had allocated \$35,000. toward renovation. Discussion centered around CETA employees, some rooms jointly shared, Town Board investing as they go along, parking, etc. Mayor Wilson, speaking of the \$35,000. already set aside by the Town for renovation, had the understanding that when Revenue Sharing funds came through the Town would make up the \$55,000. Trustee McGrath mentioned the Architect's bill and the increase when he has to re-work plan to include CETA workers. She judged the renovation to cost \$148,000. without CETA, and the willingness of the

- Village Hall Renova.: Village to incur debt and the Town's unwillingness. Trustee Green felt that the job should be bid - no one knows how much money is involved. Trustee McGrath felt this unfair to general contractors if Village should take another route. Trustee Green added that Village could fix building up for "ourselves." Mayor Wilson, Trustees Abbott and McGrath had thought the matter was settled with the Town following the joint meeting on 12/18/80. Mr. Cook thought that the Town would reach a decision at their Board Meeting on 1/22/81. Mayor Wilson and Trustee DePoint agreed to attend the Town Board meeting in an attempt to reach an agreement. Atty. Poyzer stated that it would be impossible for the Village and Town to get together without other considerations, the issue of management, expenditures, etc.
- Harboring Dogs: Mayor Wilson read a letter from Mrs. Rutledge on Howell St. requesting the Board's permission to harbor five dogs. Trustee Abbott was requested to investigate the matter and report at the 2/2/81 Bd. Mtg., along with his recommendations.
- Resign.of Zng. Bd. Chair.: Mayor Wilson read a letter from Mr. Luther Sheldon in which he submitted his resignation as Chairman of the Zoning Board of Appeals. The Board reluctantly accepted his resignation after twenty-six years of faithful service and the Clerk was directed to write a letter of appreciation. Trustee DePoint made the motion that when Mr. Sheldon regains his health - that the Board should show its appreciation for his years of service in the form of a ceremony and plaque presentation. Trustee Abbott seconded the motion, all voted "aye," motion carried.
- Zng.Bd. Appoint.: Upon the recommendation of Trustee DePoint that Mr. Joseph VanScott had agreed to function on the Zoning Board of Appeals, Mayor Wilson made the appointment. The Zoning Board now has a full complement. The Clerk was asked to write Mr. VanScott thanking him for accepting said appointment to the Board which is an important extension of Village government.
- Outstand. Citizens: Trustee DePoint suggested that the Village identify a man and woman each year as outstanding citizens - for their contributions to the community. No set criteria - give them individual plaques and larger plaque in Village Hall hallway. The Board agreed and Trustee DePoint was asked by the Mayor to appoint a Committee for selection.
- Zng.Bd. Chair.: Trustee DePoint stated that he had been in contact with Mr. Robert Culver regarding chairmanship of the Zoning Board of Appeals. Mr. Culver had agreed to accept same and Mayor Wilson thereby appointed him. The Clerk was instructed to write Mr. Culver a letter thanking him for his acceptance.
- Appt. of Zng. Enf. Officer: Trustee DePoint spoke of several applications and interviews for the position of Zoning Enforcement Officer, and based upon these he recommended that Mr. Davis E. Frederiksen of 405 West Main St. receive the appointment. Mayor Wilson thereby appointed Mr. Frederiksen as Building Inspector and Zoning Enforcement Officer for the Village of Palmyra at a salary of \$2800. per year. The Clerk was asked to write Mr. Frederiksen informing him of his appointment and request that he come to the Board Meeting on 2/2/81 so that the Board could meet him.
- Plann.Bd. Mtg.: Mayor Wilson stated that the Planning Board had a meeting on 1/17/81 with Mr. Jack Ryan - the Board would like to retain his services to assist and make suggestions regarding Zoning changes. Mr. Ryan said that he would act with the Planning Board on a "consultant" basis. The Board determined that Mr. Ryan would be continued on the payroll "for a month or so" in this capacity.
- Comm.Ctr. Funding.: Atty. Poyzer asked what needed to be done to establish the organization to channel money from the Town to the Village. Trustee DePoint said that a Joint Commission would be in order. Atty. Poyzer volunteered to set up a meeting with Town Atty., Mr. J. Sapienza and herself to work out a logical solution. Trustee DePoint felt this wouldn't be necessary as he spoke of Mr. Sapienza's original letter in which he outlined procedures. Mayor Wilson said that this had been turned down - the Joint Commission was not to have been formed until the building was completed. Atty. Poyzer asked

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Comm. Ctr.
Funding
Cont'd:

if those involved wanted to find a different way of going about it so that the work could begin. Mayor Wilson stated that something needed to be done so that all monies could be dumped into one fund. Trustee McGrath suggested Farmers' Home or Marine Midland - Town and Village would place their payments directly into said acct. "Holder" would draw out of same. Atty. Poyzer pointed out that banks want guarantee from the municipality - Trustee McGrath added that Community Center cannot borrow. Mr. Nelson Cook asked that attorneys set it up and put project up for bid. Discussion was held on sources from which Village would obtain its share - Atty. Poyzer said that interval payments affects legal procedures as far as a municipality is concerned. Trustee McGrath stated that having lowered taxes last year \$.20 denies the Village of approximately \$70,000. it might have had to work with. No determination made on sources from which Village would obtain its share.

Fire Dept.
Req.:

Trustee Abbott stated that Mayor Wilson and himself had met with Fire Chief Spanganberg on a recent Saturday morning. Among other matters, the Fire Chief requested permission for some members to attend "Search & Rescue" School for which registration would cost \$50.00. The Board unanimously approved of this expenditure.

Fire
Ins.:

Insurance companies - Chapman's and VanPary's - were asked to review Fire Dept. insurance, and Trustee Abbott spoke of the Fire Chief's request for arrangements to be made for an inspection of hazard^{ous} conditions in the Village and enforcement for compliance. Mayor Wilson said that the Fire Chief would approach the Board on this matter in the near future. Trustee DePoint felt that the Fire Chief should write to Planning Bd. to recommend reorganization of existing Zoning Ord. Mayor Wilson stated that ultimate decision would be made by Village Bd. and the possibility of a "Local Law."

Voucher
Approv.
re Fire Co.:

A previous voucher in the amount of \$418. for training films, etc. was approved for the Fire Dept. by the Board, and it was pointed out that this occurred on a quarterly basis.

Trng. for
Patrolman:

Trustee Abbott said that Patrolman Charles Walker, whose appointment was effective on 1/12/81, had begun his training.

F.D. Applic.
Approval:

The Fire Dept. Application of Mr. Stephen Pratt, 334 W. Main St. was presented to the Board. Trustee Abbott made the motion that said Application be approved, Mayor Wilson seconded. All voted "aye," motion carried.

Skating
Rink:

Trustee McGrath said that the skating rink is being used by several area residents and that attempts were being made to keep it cleared of snow.

Village
Barn
Roof:

The new Village Barn roof had been completed, according to Trustee McGrath and comments made that Siddon's of Rochester had done "a good job." A bill from Provoost of Newark in the amount of \$783.63 was questioned since it did not appear that much, if any, work had been accomplished before they notified the Village that repairs could not be made for Contract price. Trustee Green said that he had seen Provoost employes working on the roof but could not be sure how much had been done. Trustee McGrath stated that she would contact Provoost to inform them that their bill seemed excessive - and to ask for a breakdown of their bill.

Resol. to
Trn. Unpd.
Taxes to
Co.:

Resolution #81-03 to turn unpaid Village taxes over to the Co. was introduced. Trustee Green moved that the Resolution be adopted, Trustee DePoint seconded. All voted "aye," Resolution unanimously adopted and attached hereto.

Fiddlers'
Assoc.:

Mayor Wilson read a letter from Mr. Don Henderson, President of Ye' Olde Fiddlers' Assoc., wherein they requested permission to approach the Board regarding holding their 50th Anniversary Celebration at the Fairgrounds on 8/81. Trustee DePoint felt that the matter had been resolved when the Bd. notified the Fairgrounds' Assoc. last Fall of the Bd.'s desire for the celebration

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- Fiddlers' Assoc.: to be held elsewhere. Mayor Wilson said that the Fairgrounds' Assoc. had referred the matter back to the Village. The Clerk was instructed to write a letter to Mr. Henderson, giving them a date to attend a Bd. Mtg.
- Palmyra Motors: Discussion was held on a draft letter which had been written to G.M.A.C. regarding the closing of Palmyra Motors, Inc. - and its impact on the Village. Suggestions and additions were made and the Clerk instructed to finalize the letter. Trustee Green made the point of the Village having lost a valuable asset - it is not a personal matter with Mr. VanBortel. Village needs to get a similar business in its place.
- Municipal Risk Ins.: The Board voted on 12/15/80 to pay \$75.00 to join the Municipal Risk Assoc. - an association in which municipalities join together to reduce rising insurance costs. It was discovered that a Membership Fee of \$50.00 is necessary, also, for Villages operating under a five million dollar budget. Trustee DePoint made the motion to expend the additional \$50.00 - Trustee Abbott seconded, all voted "aye," motion carried.
- Fire Ext.: The Community Center Director asked about the disposition of the fire extinguishers placed upstairs in the Village Hall in view of the fact that equipment, etc. had been moved to new Community Center site. The Board determined that they should remain intact and Trustee Green stated that others would be placed in new Center.
- Sr. Cit. Exempt.: Mayor Wilson stated that a communication from Assessor Roney revealed that no new applications had been filed on 1/1/81 - Status Day - regarding senior citizen exemptions on real estate property located in the Village of Palmyra.
- Voucher Approv.: Trustee McGrath motioned that voucher amounts of \$22,530.36 be approved, Trustee Abbott seconded. All voted "aye," motion carried.
- Approv. re Confs.: It was brought out that important conferences were being held in Albany and New York which the Mayor and Village Atty., respectively, should and would like to attend. Trustee McGrath motioned that expenses be incurred for Mayor Wilson to attend the N.Y. State Conference of Mayors' legislative meeting in Albany, 1/24/81 - 1/26/81; and that \$75.00 be contributed by the Village for Atty. Poyzer's attendance at a conference in New York City.
- Executive Session: At 10:50 p.m. Trustee DePoint made the motion that the Board exercise Executive Session to discuss personnel matters. Trustee Abbott seconded, all voted "aye," motion carried.
- Adjournment: The Board emerged from Executive Session at 11:00 p.m. and with no further business to come before said Board, with the above members present, Trustee Green motioned adjournment. Trustee McGrath seconded, all voted "aye," motion carried.

Ethel B. Johnson
Village Clerk

RESOLUTION #81-02

January 5, 1981

Trustee DePoint moved adoption of the following Resolution:

"WHEREAS, the Palmyra Branch of Marine Midland Bank is located at 170 East Main Street, Palmyra, New York, and has served the citizens of Palmyra for a period of forty-five years, and

WHEREAS, said Bank has expanded its services as the needs of Palmyra proper have expanded, and

WHEREAS, the officials of Marine Midland Bank have recently indicated that such expansion must include plans for additional facilities for banking customers, and

WHEREAS, the premises adjoining the southerly premises of Marine Midland Bank is for sale and the building thereon has been partially burned out, resulting in an unsightly condition in the neighborhood and downtown area,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Palmyra hereby expresses its support of Marine Midland Bank's intended acquisition of the adjoining site located at 109 Cuyler Street, more recently known as "The Palmyra Inn," the proposed plans for demolition of said structure, and Marine Midland Bank's use of the site for installation of a parking lot within the time-frame as decided upon by banking officials, consistent with all applicable building and zoning requirements."

Trustee Green seconded Trustee DePoint's motion to adopt the above Resolution, all voted "aye," Resolution #81-02 unanimously adopted.

X X X Tent. The Legal Notice of filing of tentative Assessment Roll for the Assess. Village of Palmyra is attached hereto.
Roll:

RESOLUTION #81-03

January 19, 1981

Trustee Green moved adoption of the following Resolution:

"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 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." This resolution shall take effect immediately.

Trustee DePoint seconded Trustee Green's motion to adopt the above Resolution, all voted "aye," Resolution #81-03 unanimously adopted.

AFFIDAVIT OF PUBLICATION

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

**LEGAL NOTICE
VILLAGE OF PALMYRA
NOTICE OF COMPLETION
OF TENTATIVE
ASSESSMENT
ROLL AND OF THE
HEARING OF
COMPLAINTS
(PURSUANT TO SECTION
1406 OF THE REAL
PROPERTY TAX LAW)
NOTICE IS HEREBY
GIVEN that the Assessor of
the Village of Palmyra,
County of Wayne, has
completed the Tentative
Assessment Roll for the
current year, 1981. The Roll
may be seen and examined
by any persons at all times
during the business day
until the third Tuesday of
February, between the
hours of 9:00 A.M. and 5:00
P.M., except 12:00 in the
afternoon to 1:00 P.M.,
excepting Saturdays and
Sundays, in the Office of
the Village Clerk at 144 East
Main Street.
A copy of the Tentative
Assessment Roll will also
be available at the Office of
the Assessor, 138 East Main
Street, Second Floor,
Palmyra Florist Building.
The Assessor will be in his
office each morning until**

11:30 A.M., and will be available afternoons and evenings by appointment. Aggrieved persons are invited to discuss their assessments with the Assessor.
On said **THIRD TUESDAY, FEBRUARY 17, 1981**, from 2:00 P.M. until 4:00 P.M., and 7:00 P.M. until 9:00 P.M., the Board of Assessment Review will hear complaints in the Park & Club Rooms, 149 East Main Street, Palmyra, New York.
Persons desiring to meet with the Board of Assessment Review should: 1) Obtain a "Complaint" Form from either the Village Clerk or from the Office of the Assessor; 2) Fill out the Form, and 3) Request an appointment to be heard. Applicants with an advance appointment will be given priority. The Assessor's telephone number is (315) 597-2184.
Judson M. Roney,
Assessor
VILLAGE OF
PALMYRA
Ethel B. Johnson,
Village Clerk
Date: January 19, 1981
(685) (J28)

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

.....Jan 28, 1981.....
.....
.....
.....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me
this *29* day of *Jan* 19 *81*
Michael Johnson
Notary Public