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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 Apr. 18, 1973
and ending Apr. 18, 1973

Darlene E. Matteson

Sworn before me this 20 TH
day of APRil 1973

Frank R. Galusha

FRANK R. GALUSHA, Notary Public
State of New York, Monroe County
Commission Expires March 30, 1975

Notary Public, Wayne County.

**Notice of Hearing
NOTICE OF HEARING ON
PETITION TO ANNEX
TERRITORY TO THE VILLAGE
OF PALMYRA, NEW YORK.**

NOTICE IS HEREBY GIVEN, pursuant to Section 704 of the General Municipal Law that a petition by Ronald F. Littlejohn, Marjorie Littlejohn, Mary Fiero, William C. Hoge of Palmyra Congregation of Jehovahs Witnesses, Amelia A. DeRoo, Elmer J. DeRoo, Sr., Esther B. Pembroke, Galen H. Pembroke, Alyce DeRycke, Gustaf L. DeRycke, John D. Blankenberg, Theresa M. Wizeman, James A. Cleason of Cleason Equipment Inc., Eva R. Lape, Carlton H. Lape, Joan Shaffer, Robert B. Shaffer, Rev. William H. Hickey of St. Anne's Roman Catholic Church, Mildred M. Bush, Sidney J. Fitzgerald, Mayor of the Village of Palmyra, for the annexation to the Village of Palmyra of certain territories adjoining said Village has been received by the Board of Trustees of the Village of Palmyra, being the village to which it is proposed to annex the following described territory: ALL THAT TRACT OR PARCEL OF LAND, situate in lot nos. 38 & 52, Township 12, Range 2, Town of Palmyra, County of Wayne, State of New York, bounded and described as follows: Beginning at a point on the present corporation line (south) of the Village of Palmyra, said point being westerly as measured along said south corporation line, 1170.53 feet from the present southeasterly corner of said Village corporation line, said point of beginning also being 200 feet easterly from as measured at right angles to the easterly line of Howell Street, and running thence from said point of beginning the following courses and distances along the easterly line of the parcel herein described to be annexed to the Village of Palmyra, S 5 degrees 22' W parallel with and 200 feet distant easterly from the easterly line of Howell Street, 279.12 feet to a point and S 6 degrees 10' 30" W parallel with and 200 feet distant easterly from the easterly line of Howell Street, 347.27 feet to a point on land reputedly owned by Galen H. Pembroke; thence S 82 degrees 08' 30" W along the southerly line of the parcel herein described to be annexed to the Village of Palmyra through land of said Pembroke and crossing Howell Street and continuing along the southerly line of lands reputedly owned by Barbara DePauw and land reputedly owned by Palmyra Congregation of Jehovahs Witnesses, continuing on the same course through land of Frederick D. and Nancy Estey for a total distance of 1629.70 feet to a point on the easterly line of Johnson Street near the south west corner of a parcel of land

thence the following courses and distances along the westerly line of the parcel herein described to be annexed, N 5 degrees 13' 30" E along the easterly line of Johnson Street, 307.45 feet to a point 0.24 feet south of the centerline of Foster Street; thence N 9 degrees 01' 30" E along the easterly line of Johnson Street, 293.92 feet to a point where said street line is intersected by the present south corporation line of the Village of Palmyra, thence S 83 degrees 32' E along said present corporation line 861.70 feet to a point; thence S 82 degrees 27' E along said present corporation line, 754.07 feet to the point and place of beginning, comprising an area of 23.082 acres according to a plan prepared by Harnish & Lookup, Assoc. on April 10, 1973.

All bearings referred to the north meridian used for the annexation to the south corporation line of 1942.

On the 10th day of May, 1973, at 7:30 o'clock in the afternoon thereof, eastern day light savings time, at the Justice Room in the Village Hall in the Village of Palmyra, a joint hearing will be held by the aforesaid Board of Trustees of the Village of Palmyra and the Town Board of the Town of Palmyra, upon said petition.

That at the same time the Village Board will conduct a hearing as to the zoning of said above described parcel a R2, residents district.

That the members of the aforesaid governing board of the Village of Palmyra, Town of Palmyra, will meet at the time and place above specified and will hear any objections which may be presented against such petition for annexation upon any of the following grounds:

a. That a person signing the petition is not qualified therefor, or

b. The persons signing such petition do not constitute twenty percent of the persons residing within such territory qualified to vote for town officers, or

c. That the persons signing such petition do not represent the owners of a majority in value of the property within such territory upon the last preceding town assessment roll, or

d. That the petition does not otherwise substantially comply in form or content with the provisions of Section 703 of the General Municipal Law of the State of New York.

e. That the proposed annexation is or is not in the over-all public interest of the territory proposed to be annexed, or of the local government or governments to which the territory is proposed to be annexed, or of the remaining area of the local government or governments in which such territory is situated, or of any school district, fire district or other district corporation, public benefit corporation, fire protection district, fire alarm district or town or county improvement district, situated wholly or partly in the territory proposed to be annexed.

Objections, based upon subparagraphs a, b, c, or d above must be in writing.

Dated: April 16, 1973

Village of Palmyra
Theresa P. Offe, Clerk
Town of Palmyra
Betty B. Stubbings,
Clerk

AFFIDAVIT OF POSTING

State of New York :
: ss.

County of Wayne :

Phyllis G. Dickinson, being duly sworn, deposes and says, that she is over twenty-one years of age; that she resides in the Village of Palmyra, New York, that on the 23rd April, 1973, she posted six copies of the annexed Notice of Public Hearing relative to a petition to annex territory to the Village of Palmyra, New York pursuant to Section 704 of the General Municipal Law on places of business within the Village of Palmyra, New York, which are respectively described as follows:

1. Marine Midland Trust Co. Bulletin Board
2. Town of Palmyra Bulletin Board
3. Village Hall Bulletin Board
4. Breen's Market Bulletin Board
5. Knapp Insurance Agency Bulletin Board
6. Van Parys Associates Bulletin Board

That the above are six (6) of the most conspicuous public places in said Village of Palmyra, Wayne County, New York

Phyllis G. Dickinson
Deputy Clerk

Sworn to before me this 23rd day of April 1973

Henry B. Nesbitt

HENRY B. NESBITT
Notary Public in the State of New York
WAYNE COUNTY, N. Y.
Commission Expires March 30, 1974

State of New York

: as :

County of Wayne

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1. Marine Midland Trust Co. Bulletin Board
2. Town of Palmyra Bulletin Board
3. Village Hall Bulletin Board
4. Green's Market Bulletin Board
5. Knapp Insurance Agency Bulletin Board
6. Van Tarys Associates Bulletin Board

That the above are six (6) of the most conspicuous public places in said Village of Palmyra, Wayne County, New York

Phyllis G. Dickinson
Deputy Clerk

Sworn to before me this

1973

Henry A. [Signature]
day of April 1973

HENRY B. NEBITT
Notary Public in and for the State of New York
WAYNE COUNTY, N.Y.
Commission Expires March 30, 1974

Public Hearing

Present: Mayor Sidney J. Fitzgerald and Trustees Robert Brown, Lloyd Green, Warner Strong and David McGuire. Zoning Officer Bruce Wideman.

Town of Palmyra Supervisor Bedette and Town Board Members Andrew Baran, Harry White, Raymond LeRoy.

Subject: Petition to Annex Territory to the Village of Palmyra in the Town of Palmyra located east of Johnson Road, known as East Foster Street, and an extension of Howell Street south.

Proof of Publication: The complete Proof of Publication of the Notice of Public Hearing as printed in the Palmyra Courier-Journal, 4/18/73 was read.

Affid. of Posting: The Affidavit of Posting by the Deputy Clerk of the Village of Palmyra was so noted and is herewith attached:

May 10, 1973

Transcript of Hearing: A complete transcript of this hearing was recorded by Mrs. Mary DeVey, Newark, N.Y. and so attached to the annexation file and will become a Local Law #1 or #2 of 1973.

Hearing Closed: The Public Hearing was closed at 7:50 P.M.

Phyllis G. Dickinson, Deputy Clerk

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May 10, 1973

Special Board Meeting

7:55 P.M.

Present: Mayor Fitzgerald, Trustees Green, Brown, Strong, McGuire and Zoning Officer Bruce Wideman.

Annex. Howell St. Ext. & E. Foster: Motion made by Trustee Strong, 2nd by Trustee McGuire to accept annexation of Howell Street Extension and East Foster Street. Motion carried.

Landfill: Discussion of the landfill on Garnsey Road and Mayor Fitzgerald suggested that the financing could come from Revenue Sharing. Trustee Strong said that he had investigated the possibility of renting equipment; bulldozer would cost \$2,000.00/month plus \$20,000.00 for 2 men at a total cost of approx. \$40,000.00 per year to operate the landfill with our highway crews. It was also suggested that the Village charge the Town of Palmyra more per ticket.

B. Wide-man re: Annex. Howell St. etc.: Mr. Wideman stated that as a result of the above approval of annexing Howell St. and E. Foster St. to the Village shall immediately upon such annexation, automatically be classified "R1 - District" until a zoning plan for said area has been adopted by the Village Board. He further stated that the Planning Board has to recommend appropriate zoning for the annexed area within not more than two months after the effective date of annexation. The clerk was instructed to write the Planning Board of such annexation.

Adjourn: The meeting was adjourned by the Mayor at 8:15 P.M.

Phyllis G. Dickinson, Deputy Clerk

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May 14, 1973

Special Board Meeting

7:00 P.M.

Present: Mayor Fitzgerald and Trustees David McGuire, Robert Brown, Lloyd Green, Warner Strong. Police Chief Donald Henry, Village Attorney H. B. Nesbitt, Police Justice Paul Rubery.

Executive Session: On motion by Trustee McGuire, 2nd by Trustee Green and carried, the board went into Executive Session at 7:45 P.M.

Special Meeting Dump: The Mayor ordered a special meeting at 9:15 P.M. Trustee Green reported that he had discussed the landfill situation with Siegel Gilfus and Mr. Gilfus disclosed that he would be willing to take over the operation of the landfill for \$10,000.00 per year and that the village crews would have to undertake the hauling of the dirt for covering the landfill. After further discussion, it was decided to look into the situation further. A vote was taken on Mr. Granger's bid on the landfill. Trustees Brown, Green and McGuire voted Aye to reject the bid with Trustee Strong voting Naye. The clerk was instructed to re-advertise for bids on the operation of the landfill with the opening of bids to be on June 4th at 7:00 P.M. E.D.S.T.

Clean-Up Week: The week of May 21 - May 26th will be declared Clean-Up Week with no more pick-up after May 31st until further notice.

Repairs to Route 31: Board is requesting action of the N.Y.S. Dept. of Transportation regarding pavement conditions and repairing Route 31 this current year.

Adjourn: Mayor Fitzgerald adjourned meeting at 10:05 P.M.

Phyllis G. Dickinson, Deputy Clerk

May 21, 1973

Regular Board Meeting Board of Trustees 7:00 P.M.

Present: Mayor Sidney J. Fitzgerald, and Trustees David McGuire, Robert Brown, Lloyd Green and Warner Strong.

Vouchers: Motion by Trustee Green, 2nd by Trustee McGuire and carried, to approve payment of the vouchers in the amount of \$56,087.22.

Minutes: Motion by Trustee Green, 2nd by Trustee McGuire, for approval of the minutes of the previous meeting.

Wat. Line Howell Street: Trustee Brown advised that pipe for the extension of the water line from the south end of Howell Street to extend into the Town of Palmyra and thence west, which property has been approved for annexation by the Village of Palmyra, following a public hearing, will cost approximately \$1,000.00. Trustee Brown further commented that he expects work to commence within the near future.

Canand. St. Ext-ension: Board agreed that James Sapienza may be so informed that he may commence the proceedings to annex his property along with other properties adjacent to his to the Village of Palmyra.

Canal Town Days: Attorney Paul Rubery requested by letter that the Village of Palmyra consider decorating the "Village Hall" for Canal Town Days which will commence on Friday, September 14th and continue through Sunday, September 15, 1973. In addition, he suggested that the village make arrangements for barricading East Main Street from Canandaigua to Fayette. Board members commented that the State Department of Transportation, Mr. John Jermano, would have to be contacted inasmuch as this highway is a main route, Route #31, and usually is not closed to traffic for such a long period unless in case of an emergency.

Rpt. rby Jaycees: A report was received from Nelson Cook in behalf of the Jaycees which indicated the number of hours involved by Jaycees members in assisting in the removal of the overhanging signs on East Main Street in the business area. Board thanked Mr. Cook for their efforts in this endeavor.

Mall for Main St.?: Mr. Cook mentioned and showed a picture of a mall in Ottawa, Canada, which had originally been a thoroughfare. It would be the suggestion of the Jaycees that thought should be given by the village to such an idea for our business area by diverting traffic from approximately Park Drive and East Main Street, using the old Erie Canal Bed as a roadbed, to possibly Church Street, thereby eliminating traffic through the business area and allowing pedestrians to cross at will.

Vandalism: General discussion. Mayor Fitzgerald and the board agreed that this is a topic to be reviewed at another time.

Memorial Day: Ann Moss, in behalf of the American Legion Post invited board members to be a part of the parade which will form at the Canandaigua Street Elementary School at 9:00 A.M. Cars would be provided. In case of inclement weather, services will be held in the school. Memorial Day will be observed on May 28, 1973.

Zon.Ofc. Recomm.: Zoning Officer, Bruce Wideman suggested that the board consider the regulations regarding gutters and curbs for a public hearing. Motion by Trustee Strong, 2nd by Trustee Green and carried, to set a public hearing date for June 18, 1973.

May 21, 1973

- Dr. Smith Office:** Zoning Officer Wideman mentioned that it would be necessary to amend the zoning in relation to allowing a doctor's office in an R-1 Area, the area which is located east of Johnson Street, known as East Foster, connecting to Howell Street, part of which also has petitioned for annexation. (Public hearing was held 5/10/73).
- Wat. Line Break:** H. VanEtten, operator of the Water Plant, advised that the break in the transmission line which is located barely 3' from the edge of the tavern at the corner of the East Lake Road and Lake Shore Drive, Canandaigua, N.Y. will be repaired as soon as possible. Trustee Strong commented that the work crew should get on this to repair immediately. Trustee Brown advised that Ray Smith, highway forman has been busy with other jobs in the village and would hope to get at this soon. H. VanEtten interjected that the backhoe belonging to the village is not capable of doing the work and outside help will be required. The Village, however, can shore up the sides of the excavation.
- Hire Contractor:** Motion was made by Trustee Strong, 2nd by Trustee Green and carried to allow Trustee Brown to make any arrangements necessary to obtain or hire an outside contractor for this work.
- Fill in Erie Canal Bed?:** A suggestion was made and discussion followed relative to the possibility of filling in the Erie Canal Bed behind the homes on West Main Street. Frances Beatty, Hansen Street, whose home adjoins the Erie Canal Bank on the north, commented that she would be opposed to the filling in the bank inasmuch as this would invite objectionable motorcycles, cars, etc. to use this area as a runway. Matter was tabled.
- W. Roche, Urb. Ren.:** William Roche, Urban Renewal Director, informed the board that the Urban Renewal Agency had received the amount of \$760,000.00 from the Federal Govt, and the state will probably be sending in their contribution the end of this month or the first part of June, the amount of \$135,000.00. The Palmyra Bldg. Supply is the only business which has not re-located. However, they are in the process.
- Workable Program:** W. Roche commented that it will be necessary for a Recertification of the Workable Program. This will entail the updating of the various codes of the village (Housing, Building, Electrical and Zoning), which is the duty of the zoning officer. Secondly, he continued, a contract with Lozier Associates should be drawn relative to their part in behalf of the Village of Palmyra, which will entail water, sewer, and road or highway work in the Urban Renewal Area.
- Annex. of Howell & E. Foster:** Attorney Nesbitt suggested that it would be apropos for both the Village of Palmyra and the Town of Palmyra exchange formal approval of the annexation of this area.
- Landfill:** A discussion ensued relative to changing the specs for bidding in relation to the dirt fill and the hours. Landfill committee to draw up proper specs.
- Emergency Light Bar:** Last year application had been made to the State for State Aid up to 50% of the cost of an Emergency Light Bar and Electronic Siren for attachment to the Police Car. Proper agreements have now been received from the State of New York to approve our application. The following motion was made by Trustee Green, 2nd by Trustee McGuire and carried:
BE IT RESOLVED by the Board of Trustees of the Village of Palmyra that:-
WHEREAS, the Village of Palmyra has made application to the Secretary of Transportation for approval of Interdepartmental Traffic Safety Committee Project No. PT73-073, pursuant to said Public Law #89-564, as amended, and has approved such project,
BE IT RESOLVED THAT, the Mayor of the Village of Palmyra, Sidney J. Fitzgerald, shall sign the Agreement as provided by the State of New York, in behalf of the Village of Palmyra.

Prospect Hill: Mrs. Carol Mahoney, E. Charlotte, spoke in behalf of about 20 young people who desired to know whether or not it would be permissable to have "parties" and hour of vacating on Prospect Hill. Most were concerned if there would be a curfew. General discussion ensued regarding disorderly conduct along with littering in the park area. It was mentioned that it is impossible to police this area 24 hrs. a day, especially at night. In addition, nearby residents often have complained of cars speeding up and down the hill.

Curfew Suggest: The young people seemed to feel that if the hill would be kept open until 10:00 P.M. weekdays and midnite weekends, along with the possibility of a fee charge, with one person being held responsible for the use of the hill, that this would insure proper care of the area. Board agreed to weigh their suggestions.

Slow Traffic Canand. Street: Mrs. Ann Moss and Mrs. Alice Cowell, school crossing guards at the Canandaigua-Jackson area, suggested that a flashing light at approximately the Reformed Church might help to slow down the traffic before it nears the school crossing. In addition, they desired to have the speed limit sign moved to another spot which would tend to slow traffic sooner. Trustee Brown volunteered to look into the matter.

G&E Request: New York State Gas & Electric has asked permission to break the surface on Cuyler Street where VanScott Bros. are building a new house for the installation of a gas line. Board unanimously agreed to grant request, providing they repair the break in a satisfactory manner.

Petition Re: Signs: Martin Collie presented to Mayor Fitzgerald a petition signed by 1,187, (911) of which are Palmyra residents and (276) out of town residents. The petition asked that the merchants be allowed to erect any type of sign that they so chose to advertise their store. General discussion by Martin Collie, Mayor Fitzgerald and John Blazey. Mayor Fitzgerald read a letter which **opposed the installation of** any type of sign. Motion was made by Trustee Strong, 2nd by Trustee Green and carried, to refer the petition to the Planning Board. David Davin commented that he feels that the village stores are patronized mostly by town and village residents, who are aware where the stores are without any overhanging signs.

Landfill: Trustee Strong discussed the landfill specs suggesting that Monday, Wednesday and Friday, might be days for village residents with a \$1.00/yd. charge. On Tuesday & Thursday, the commercial haulers could use the landfill. It was mentioned that the haulers have their own routes and perhaps this idea would not be acceptable to them.

Repaving: Trustee Brown informed the board of the proposed schedule relative to oil and stone on various streets and a blacktop job on one street. Trustee Green suggested that a survey be made of all village streets. Motion was made by Trustee Strong, 2nd by Trustee Green that streets be oiled and stoned and repave in accordance with Trustee Brown's suggestion.

Voice vote:

Trustee Strong	Aye
Trustee Green	Naye
Trustee McGuire	Aye
Trustee Brown	Aye

Motion carried.

Adjourn: Mayor Fitzgerald adjourned the meeting at 10:00 P.M.

Theresa P. Otte, Clerk Treasurer

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