

November 25, 1970

311 300

Special Board Meeting

Board of Trustees Room

5:00 P.M.

Present: Mayor David Nussbaumer, and Trustees David McGuire and Paul Mierke. Attorney Henry B. Nesbitt.

Proof of Publication: The Proof of Publication relative to the request for sealed bids to be opened at 5:00 P.M. on 11/25/70 for the purchase of a payloader less the trade-in of a Trojan model payloader was read by Mayor Nussbaumer.

Bids: The following bids were received and opened:

1. P.D. Service, Pavilion N.Y.	
Model #1700	\$29,841.00
Trade-in	8,344.00
	<u>\$21,497.00</u>
P.D. Service, Pavilion, N.Y.	
Model #1900	\$30,644.00
Less Trade-in	8,147.00
	<u>\$22,497.00</u>
2. Dow & Co., Inc., Rochester, N.Y.	
Model #H-60"B"	\$29,125.00
Less Trade-in	7,000.00
	<u>\$22,125.00</u>
3. Syracuse Supply, Rochester, N.Y.	
Model #920	\$26,140.00
Less Trade-in	5,250.00
	<u>\$20,890.00</u>

All bids had a non-collusive certificate attached as well as a certified check for 5% of the bid.

Adjourn: Mayor Nussbaumer adjourned the meeting at 5:15 P.M. informing all concerned that the village had 30 days in which to decide during which time the bids would be turned over to the committee and the village attorney for review.

Theresa P. Otte, Clerk Treas.

LEGAL NOTICE

PLEASE TAKE NOTICE that pursuant to resolution of the Village Board of the Village of Palmyra, Wayne County, New York, sealed bids for the purchase of a PAY LOADER will be received at the office of the Clerk of the Village of Palmyra at the Village Hall, Main Street, Palmyra, New York, until 5:00 P.M. o'clock, Eastern Standard Time, on the 25th day of November, 1970, at which time they will be publicly opened.

Bids will be submitted in sealed envelopes at the above address and shall bear on the face thereof the name and the address of the bidder.

The item to be bid will comply with detailed specifications available to any interested bidder at the office of the Clerk of the Village of Palmyra at the Village Hall, Main Street, Palmyra, New York.

As a part of the contract price to be bid as aforementioned, the bidder will make a dollar allowance on the trade-in of a 1961 Trojan Payloader.

The contract for the purchase of the above item will be awarded by the Village Board of the Village of Palmyra to the lowest responsible bidder. In cases where two or more responsible bidders submit identical bids as to price, the Village Board may award the contract to either of such bidders.

Each bid must be accompanied by a certified check payable to the Village of Palmyra in the amount of five per cent (5%) of the bid price. Such check will be returned to the unsuccessful bidders promptly and to the successful bidder on the execution of the contract of purchase.

No bid received may be withdrawn by any bidder for a period of thirty (30) days from the date of the bid opening. Section 103-d

STATE OF NEW YORK,
COUNTY OF WAYNE

ss:

Audrey Krup

being duly sworn, says that she is the secretary
of the Palmyra Courier-Journal, a public newspaper, printed and published weekly at Palmyra, Wayne County, N. Y., and that a copy
of which the annexed printed slip is a true copy, was duly published therein once in each week for one successive weeks, beginning 11-19-70 and ending 11-19-70

Sworn before me this 20

day of November 19 70

Harry K. White

Notary Public, Wayne County.

HARRY K. WHITE, Notary Public
State of New York, County of Monroe
Qualified in Wayne County
My Commission Expires, March 30, 19 71

December 7, 1970

907HV

Regular Board Meeting

Board of Trustees

7:00 P.M.

- Present:** Mayor David Nussbaumer, and Trustees Donald Leysaht, David McGuire, Paul Mierke, and Donald Sinclair. Village Attorney, Henry B. Nesbitt.
- Vouchers:** On motion by Trustee Leysath, 2nd by Trustee McGuire and carried vouchers were approved for payment in the amount of \$2,166.01.
- Police: Report** The Police Report for the month of November, 1970 was reviewed. On motion by Trustee McGuire, 2nd by Trustee Sinclair, the report was accepted. Highlights of the report revealed that fines and bail forfeitures for motor vehicle and criminal offenses amounted to \$335.00. Of the 45 motor vehicle arrests, 26 were for speeding, and of the 21 criminal matters, 5 were charged with criminal possession of a dangerous drug and 5 with criminal possession of a dangerous instrument.
- Bids for Loader REJECTED:** The following motion was made by Trustee Sinclair, 2nd by Trustee Mierke and carried:-
BE IT RESOLVED: That the bids submitted on November 25, 1970 for a loader to replace the Trojan Payloader be and hereby are all rejected.
- Replace : Sewer Bed Roof** The following motion was made by Trustee Leysath, 2nd by Trustee McGuire and carried:
BE IT RESOLVED: That the Board of Trustees of the Village of Palmyra accept the bid of Roche Kimberly Construction Co., Palmyra, New York, in the amount of \$4,850.00 as submitted on October 26, 1970 for the replacement of the designated area of the roof torn from the rafters by the tornado storm which devastated areas of the village on August 30, 1970. Insurance adjustments will allow \$4,750.00.
- Weykman Bldg.:** The following motion was made by Trustee Sinclair, 2nd by Trustee Leysath and carried:-
RESOLVED: That the Board of Trustees of the Village of Palmyra instruct the village highway crews to knock out and board up the broken windows and open spaces in the Weykman Bldg. at 305½ East Main Street in that at the present time while a notice was placed on this building as UNSAFE, the would-be owners are reluctant to reveal themselves. Therefore, for the safety of pedestrians and temptation for vandalism, it is deemed the prerogative of this board to assume the responsibility of closing in the building until such time when demolition may be accomplished.
- Comm.Ctr.:** Two young boys, one a Boland, asked the board if it would be possible to have the Community Center open on Monday and Tuesday nights in that they did not have any place or anything to do on these nights. Board informed them that they would discuss the matter with the Community Center Director.
- Town : Discusses Water** Tony Malone of Hershey, Malone, Rochester, New York, Engineers and Raymond LeRoy, Councilman of the Town of Palmyra aired their views on the possibility of a new water line from the west by way of a connection with the Town of Macedon on the north of the Canal. Actually, water would be received from Macedon Center.
In summation, a possible method would be to have a meter on Division Street, which should the need arise, could be turned on to allow water to flow into the Village of Palmyra. Moreover, it was the thought of the Town Board that a water line be extended from Stafford Street south to include Stafford Road to the county line. The Town of Palmyra would finance the installation of the line which the Village could then charge for water usage. The consensus of opinion seemed to be that while Stafford Road would receive water, it still would not be annexed to the Village of Palmyra. Mr. Malone commented that this would be a matter for the 2 political subdivisions, the Town and Village, to resolve. In his opinion, he commented, that it would be beneficial to both to agree to follow the suggestions provided. Annexation would entail a majority of land owners in the area.

December 7, 1970

W.Strong
Request:

Warner Strong, West Jackson Street, and a member of the Jaycees, asked the board to give him an estimate of the footage of the present village hall, including the housing of the fire trucks. His group is working on a proposal of combining a municipal building with a community center and housing for fire trucks. Clerk was asked to obtain such an estimated figure.

New Fire
Dept.
Members:

On recommendation of the Board of Fire Commissioners, the following were approved for membership in the department on motion by Trustee McGuire, 2nd by Trustee Sinclair and carried: Adrian Francis Fortuna, R.D. 2A, Palmyra, New York (Marquart Trailer Camp) and Peter D. Weston, 69 Maple Ave., Palmyra, N.Y. pending completion of the training required by the Fire Department.

Reduce
Drury
Sewer:

Walter Drury, 501 East Main Street, had written a letter to the village requesting reduction in his sewer since his house is no longer a two family home. The water cashier reviewed the records which revealed that the water consumption even in the present quarter is over 4,000 cu. ft. Therefore, the sewer rate can only be reduced to \$21.60/quarter as against the previous rate of \$34.56. Motion by Trustee Sinclair, 2nd by Trustee Leysath and carried to reduce the rate to \$21.60 beginning with the December 1, 1970 billing.

Lights
in Park:

Clerk had contacted the N.Y.S. Elec. & Gas for suggestion from them to adequately light the village park, especially in the north back area. A suggested plan of 4 lights, such as are placed on village streets was presented for an annual cost of \$220.00 to become a part of the street lighting contract. The board agreed this would be an excellent plan with the addition of comparable lights in the area of the bandstand. Clerk was asked to so inform the Gas & Electric company for an additional figure.

Sale of :
Fire Dept.
"Grass-
hopper"

Anson Johnson, Jr., West Main Street, had indicated that he would like to purchase the outmoded fire department "grass-hopper" for his personal use and would offer the village the amount of \$100.00. Motion by Trustee Warner, 2nd by Trustee Sinclair and carried.

8 Day
Nite:

The group which have called themselves "8 Day-Nite" had approached John Lagana, owner of the bowling alley at 108 Cuyler for permission to use the basement of his building which had previously been a "Teen Center", nearly 10 yrs. ago. On the suggestion of the Village Board, Fire Chief James C. O'Brien was asked to inspect the spot for fire safety. A letter was received from Fire Chief O'Brien which indicated that exits were not adequate and if there were to be cooking facilities, exhaust fans should be provided. (H.B. Nesbitt, Attorney, took the letter for reference.)

Civil Serv.:
Exam. for
Comm.Ctr.
Director

The clerk advised that a call had been received from the Lyons office of the N.Y.S. Civil Service informing the village that inasmuch as there was a full time director of the community center, it would be necessary for him to take a Civil Service examination in February, 1971. James Cunningham, of the Community Center Board, will advise the salary range for publication.

W. Roche :
Re; U.D.C.

William Roche, Urban Renewal Director informed the Village Board that the Urban Development Corporation is making a study on the county level in order to speed up work in several communities in the county. The Wayne Economic Development Corporation has been designated as the spot to funnel all material. The Urban Development Corporation are active but cautious in developing. They were pleasantly surprised to learn that the Village of Palmyra was involved in the Urban Renewal Program and indicated they would be interested in assisting to put the plan in action. They indicated that in the last 1½ yrs. they had worked in 6 areas which progressed well.

Pub.Hear.:
Set

Clerk reminded the board that a public hearing had been set for a "Snow-Mobile" Ordinance on December 14, 1970 at 7:00 P.M. and at 8:00 P.M. a Public Hearing would be held relative to new "Stop Signs" through the village.

December 7, 1970

90FHV

Close: The following resolution was offered by Trustee Leysath, 2nd
Ofc. by Trustee Sinclair and carried: RESOLVED: That the Village
Office will close on December 24, 1970 at 1:00 P.M. prior to
the Christmas holiday.

Adjourn: Mayor Nussbaumer adjourned the meeting at 10:05 P.M.

Theresa P. Otte, Clerk Treas.

Public Hearing December 14, 1970
Park & Club Bldg. 7:00P.M.

Present: Mayor David Nussbaumer, and Trustees David McGuire, Donald
Leysath and Donald Sinclair. Absent, Trustee Paul Mierke.
Village Attorney, H.B. Nesbitt.

Citizens: Approximately 25 citizens appeared for the hearing.

Subject: Proposed Snowmobile Ordinance with the Village of Palmyra.

Mayor Nussbaumer opened the meeting at 7:00 P.M. commenting
that this was a public hearing relative to the enactment of
an Ordinance in the Village of Palmyra which relates to the
regulation of Snowmobiles within the Village of Palmyra.
He further advised that Section 90 of the Village Law
requires that the Village Clerk give notice of such a hear-
ing by the publication of a notice in the official news-
paper of the village or by posting a notice in at least
four public places in the village. The latter method was
chosen and the attached affidavit of posting testifies to the
notice.

Mayor Nussbaumer read the ordinance as proposed in its
entirety.

Affidavit
of Post. :

AFFIDAVIT OF POSTING

State of New York :
County of Wayne : ss.

Theresa P. Otte, 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
14th day of December, 1970, she posted copies of the
annexed Ordinance in four (4) public places within the

COMMUNIST PARTY OF THE U.S.A.
STATE COMMITTEE
LOCAL BRANCH - 1000 2ND AVE. 10TH FLOOR
NEW YORK, N.Y. 10022

SMOKE TO PAPER ME 1010

Affidavit
of Post. :

AFFIDAVIT OF POSTING

State of New York :
: ss.
County of Wayne :

Theresa P. Otte, 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 1st day of December, 1970, she posted copies of the annexed Ordinance in four (4) public places 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. Knapp Insurance Agency Bulletin Board.

That the above are four (4) of the most conspicuous public places in said Village of Palmyra, Wayne County, New York.

Theresa P. Otte

Sworn to before me this

1st day of December 1970.

Ruth A. Barnhart

RUTH A. BARNHART
Notary Public in the State of New York
WAYNE COUNTY, N. Y.
Commission Expires March 30, 1971.

December 14, 1970

E. Dickinson
son
Comments:

Edward Dickinson, Birdsall Parkway, a snowmobile owner, commented that he along with other members of the newly former Snowmobile Club felt that the Village of Palmyra was being foresighted to draw up an ordinance at this time. Rhett Butler confirmed this and added that all their members were anxious to have rules and regulations drawn up so that club members would not be penalized if there were no ordinance by the by the disregard or respect of property by those who might not belong to any club. At this point, Mrs. Blake Duffy, Cuyler Street, expounded that she was not in favor of rules or regulations as by the time a person was noted on the street after hours, the police department could no longer find him. She was not objecting to snowmobiles in the country, but she definitely felt that they did not belong in the village. She further exclaimed that they were noisy and distracting to small children who might be trying to go to sleep early in the evening. Rhett Butler commented further that it would be his suggestion that Snowmobile routes should be so marked, in particular on streets where a snowmobile would be allowed.

Objection:

Adjourn:

This portion of the hearing was adjourned at 7:45 P.M. by Mayor Nussbaumer.

(A Complete Transcript will be forthcoming from Mrs. DeVey)

Letter to
R. Smith:

The following motion was made by Trustee McGuire, 2nd by Trustee Sinclair and carried: RESOLVED: That the highway crew be allowed to close on December 24, at 12:00 Noon, for the Christmas holiday, with the stipulation that a full day's pay be given the employees.

Adjourn:

Mayor Nussbaumer adjourned the meeting at 7:55 P.M.

Theresa P. Otte, Clerk Treas.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Trustees of the Village of Palmyra, Wayne County, New York, at the Park and Club Building, 149 East Main Street, in the Village of Palmyra, Wayne County, New York, at 7:00 P. M., Eastern Standard Time, on December 14, 1970, upon the question, of the enactment of the following Ordinance of the Village of Palmyra entitled: "An Ordinance for the Regulation of Snowmobiles within the Village of Palmyra, Wayne County, New York, Pursuant the Provisions of Article 8 of the Conservation Law of the State of New York", to wit:

THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, PURSUANT
THE PROVISIONS OF ARTICLE 8 OF THE CONSERVATION LAW OF THE
STATE OF NEW YORK

Section 1. Declaration of Purpose and Policy.

The restrictions and the regulations concerning the operation of snowmobiles within the limits of the Village of Palmyra are hereby established for the purpose of promoting the public safety, convenience, and welfare of the inhabitants of the Village of Palmyra.

Section 2. Definitions

The words and terms used in this Ordinance, unless otherwise expressly stated, or unless the context or subject matter otherwise requires, shall have the same meaning as defined in Section 8-0105 of the Conservation Law of the State of New York.

Section 3. Regulations

Except as hereinafter specifically permitted by this Ordinance, all snowmobiles operated on public or private property within the Village of Palmyra shall comply with all the provisions of Article 8 of the Conservation Law of the State of New York.

(a) Operation of snowmobiles on the public streets of the Village of Palmyra within the Village of Palmyra is hereby permitted pursuant the provisions of Section 4 of Article 8 of the Conservation Law of the State of New York.

(b) No person under the age of eighteen (18) years shall operate a snowmobile on the public streets of the Village of Palmyra except that a person over the age of sixteen (16) years ^{and under the age of 18 years} may operate said vehicle conditioned upon said person holding a snowmobile safety certificate.

(c) No person shall operate a snowmobile on the public streets of the Village of Palmyra after the hour of 10:00 P. M. on Sunday, Monday,

Tuesday, Wednesday, Thursday, and 12:00 P. M. on Friday and Saturday,

(d) No person shall operate a snowmobile on the public streets of the Village of Palmyra on any day prior to the hour of 8:00 A. M. at any time.

(e) No person shall operate a snowmobile on the public streets of the Village of Palmyra without a certificate establishing that the operator is insured with an insurance company licensed to do business within the State of New York to a liability limit of not less than \$10,000.00/\$20,000.00.

(f) No person shall operate a snowmobile on the public streets of the Village of Palmyra without compliance with the traffic laws of the Village and the State of New York as to the movement of motor vehicles on public highways concerning but not limited to speed, driving on the right, stop signs, stop lights and parking.

Section 4. Penalties

Any person violating any of the provisions of this Ordinance shall be punished, upon conviction, by a fine of not exceeding \$250.00 for each violation. In addition each violation of this enactment shall constitute disorderly conduct and each person violating the same shall be a disorderly person.

Dated: November 23, 1970

BY ORDER OF THE BOARD OF
TRUSTEES OF THE VILLAGE OF
PALMYRA, WAYNE COUNTY,
NEW YORK

Theresa P. Otte, Village Clerk

AN ORDINANCE FOR THE REGULATION OF SNOWMOBILES WITHIN
THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, PURSUANT
THE PROVISIONS OF ARTICLE 8 OF THE CONSERVATION LAW OF THE
STATE OF NEW YORK

Section 1. Declaration of Purpose and Policy.

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Tuesday, Wednesday, Thursday, and 12:00 P. M. on Friday and Saturday.

(d) No person shall operate a snowmobile on the public streets of the Village of Palmyra after midnight and prior to the hour of 8:00 A. M. at any time.

(e) No person shall operate a snowmobile on the public streets of the Village of Palmyra without a certificate establishing that the operator is insured with an insurance company licensed to do business within the State of New York to a liability limit of not less than \$10,000.00/20,000.00

(f) No person shall operate a snowmobile on the public streets of the Village of Palmyra without compliance with the traffic laws of the Village and the State of New York as to the movement of motor vehicles on public highways concerning but not limited to speed, driving on the right, stop signs, stop lights, and parking.

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