

- Fire Dept. New Members:** On the recommendation of the Board of Fire Commissioners, the following names were presented for acceptance in the fire department pending completion of the regular training course: Howard J. Vickers, 333 Fayette St.; Wendell Giggey, 479 W. Foster St., and K. Lawrence Heath, 150 Stafford Street. On motion by Trustee Brown, 2nd by Trustee Green and carried, the names were approved.
- Pal. Agri. Society:** Trustee Brown reviewed a conference which he had had with the Palmyra Agricultural Society members. They indicated that they would be glad to have the village offices write to President Raymond LeRoy regarding any complaints which may be received by the village from citizens. The Fair Association, they reiterated, are willing to cooperate.
- Pal. Agri. Sewerage:** Trustee Brown commented that the Fair Association is mulling over the idea of placing septic tanks in the grounds to take care of the many trailers which inhibit the fairgrounds during fair week. Attorney Nesbitt interjected that this would not be legal as the sewer ordinance does not tolerate such connections. However, it might be possible for them to have holding tanks, but the proper procedure would be to install a sanitary sewer line on the west side of the grounds. (Complete text of the meeting with the association precedes this transcript of minutes, inasmuch as the meeting was held on 11/1/72).
- Comm. Ctr.:** The Palmyra Fair Association commented that they would be pleased to lease the land for a joint venture of the village and town for a Community Center. This would be an ideal spot for such a community recreation center.
- Dog Leash Law??:** Mrs. Janet O'Dea and Mrs. Heather Valentine, presented the information that they had obtained relative to the number of dogs (529 in village and 1100 in town) for the perusal of the Village Board in their desire to press for a leash law. The dog leash law as used by the Village of Pittsford was shown. It would be their desire to have a 24 hour leash on dogs. Trustee Alderman pointed out that the town collects the fees for the licensing of dogs and the village does not receive any portion, thereof, much to their surprise.
- Dog Warden Comments:** Dog Warden for the Village of Palmyra, Harold Fisher, commented that at present he has had no problems but more recently, small dogs have been dumped by the wayside, in front of homes, etc. As a result, he had been fortunate to find good homes for these puppies, or he has taken them to Lollipop Farm. However, if the situation worsens, he believes that he would need some assistance. Occasionally, he commented, he has wondered about dogs that do not have any identification.
- Control:** Attorney Nesbitt interjected that the petition as presented by these ladies has the word "Control" in relation to the dog as being obedient to the master. It was his thought that this word "Control" should be more clearly defined.
- Laurent. Drive Sew. Line:** Simmons Development Corp. showed slides which they had taken of the Sanitary Sewer Line installed by John Martin & Co. on the pathway Laurentian Drive. The pictures were taken at 3 ft. intervals. Joints, it was noted are of concrete asbestos, and to all appearances, nothing will catch on the joints. Approximately 600 ft. of the sewer line was photographed with a notation that there are 4 breaks that should be repaired by John Martin before he dedicates the street to the village. Simmons suggested that it might be possible to place a clamp at these strategic spots. They advised that it cost approximately 60¢/ft. to take the pictures.
- Breaks - (4)**
- Water Line Tax:** Trustee Alderman commented that the taxes on the water line amount to about \$13,000.00 annually. Attorney Nesbitt advised that if the board feels that the village is overassessed, perhaps they should consider going to grievance day to voice their objections. If, after a properly filed complaint, they are still dissatisfied, it could be taken to court. Attorney Nesbitt concluded that a water line is a proprietary function while a village hall is not.
- Steel Flag Pole:** Clerk informed the board that John Blazey had been contacted to seek his cooperation in attempting to untangle the snarls in the rope on the flag pole. Mr. Blazey wondered if it would be

November 6, 1972

Steel Flag Pole: possible to obtain the services of the "Snorkel" to raise him to a position where he might be able to work on the tangles. He had intimated that he should receive about \$75.00 to climb the mechanism to raise the flag.

Adjourn: Mayor Nussbaumer adjourned the meeting at 9:45 P.M.

Theresa P. Otte, Clerk Treasurer

* * * * *

November 20, 1972

Regular Board Meeting

Board of Trustees

7:00 P.M.

Present: Mayor David M. Nussbaumer, and Trustees David McGuire, Robert Brown, Frederick Alderman. Absent, Trustee Lloyd Green.

Vouchers: Motion by Trustee McGuire, 2nd by Trustee Brown and carried to approve payment of the vouchers in the amount of \$206,005.45.

Minutes: On motion by Trustee Brown, 2nd by Trustee Alderman, and carried, approval of the minutes of the previous meeting were accepted.

Woodward Assoc.: Olgerts Sneidze, Woodward Associates, conferred with the Board relative to the letter which had been received by the village from the New York State Dept. of Environmental Conservation relative to the excessive flow of water in the sanitary sewer at various times of the year, more particularly in the spring during the thawing season. The letter indicated that unless steps were taken immediately to correct these flows, the village might lose State and Federal Aid under the Operation and Maintenance State Aid programs and with the additions and alterations now in progress at the sewerage disposal plant. Suggested corrections were:

1. Remove illegal roof connections.
2. Remove storm water connections.
3. Evaluate entire system by means of closed circuit television, if necessary.

Proposed program to be instituted by the Village should be sent to the N.Y.S. Dept. of Environ. Conservation by 12/1/72.

O.Sneidze Suggests: Mr. Sneidze mentioned that storm drain water, such as roof drains, sump pumps, cellar drains, cross connections of storm water, low areas may flood during storms and get into the manholes. It would be his suggestion that people should be asked publicly to disconnect these drains by a certain date. Following this, the water department might go through properties, checking each house. After this a mass mailing to all property owners, might be in order. (Confer with attorney to ascertain legality). Smoke bombs in roof drains may be of help. Lastly, a check of all main storm sewer connections. If there is still an excess amount of water at the disposal plant, then put dyes in the system and photograph. Trustee Brown and Trustee Green were asked by Mayor Nussbaumer to compose a letter of procedure.

Inspect. Sewer Plant: O. Sneidze commented that there would be an inspection of the work completed by a federal representative on 11/29/72 at 11:30 A.M. at the sewerage disposal plant. H. VanEtten, operator of the Sewage Disposal Plant, commented that various pieces of equipment had been received which are items that are already in the plant, having been previously purchased, prior to the letting of the contract by Mr. VanEtten. Mr. Sneidze had viewed the contract which indicated that these items in question would not have to be accepted.

Change Orders: Mr. Sneidze commented that there has been only one change order in the contract to date.

- Storm Sewer:** Trustee Alderman discussed the storm drain problem between the Village Hall and the Contant Bldg. He commented that it would be necessary to obtain an easement in order to run the roof drain from the village hall into a storm sewer to eventually connect with the storm sewer in the back of the building in the driveway area. It appears that George Contant, owner of the Contant Bldg., would be willing to give such an easement.
- Raw Wat. Line Break (Leak):** Trustee Alderman advised that a leak in the raw water line had been discovered at the vicinity of the Canandaigua Radio Station. If the weather clears, they may be able to repair. However, it would be apropos to contact the Radio Station, which had been alerted before that should it become necessary to do any repair work in this vicinity, their engineer would cooperate to point out the area where their towner lines might be laid.
- Crescent Drive:** Trustee Alderman commented that the weather has not been conducive to installing a storm sewer along Crescent Drive. However, work was begun at the entrance to the cemetery where a new catch basin was installed to eventually tie in with the installation of a storm sewer on Crescent Drive.
- Obsolete Fire-truck:** Trustee Brown advised that he had details of the ladder truck and the tanker for sale. Motion by Trustee Brown, 2nd by Trustee McGuire and carried to advertise these trucks as items for sale.
- Vil. Bldg. Inspected:** A report filed by Fire Chief Richard Culver revealed that the fire extinguishers in the village owned properties should be checked. It was the consensus of the Board that the fire department should take care of the checking of these extinguishers. Also, it was noted that the basement of the Park & Club Bldg. should be cleaned up.
- Vil. Brn. Cracking:** Trustee Alderman informed the board that the village barns on the corner of Canal and Division Streets have many cracks in the back wall. It would appear that the building was built on the top of cinder fill and with the saturation of heavy rains earlier this year, the building appears to have settled, causing the foundations to crumble on the northwest wall. Thought should be given to repairing or constructing some type of inexpensive shelter that could be disassembled and moved.
- Dog Warden:** A letter addressed to Mayor Nussbaumer from Village Attorney Henry B. Nesbitt indicated that the Comptroller's opinions hold that where a town appoints a dog warden, he is obligated to perform his duties in a village within the town, where there is no dog warden. His duties would not include, the enforcement of a village dog ordinance. The Village of Palmyra can appoint a person for the purpose of supervision of dogs. It is unlikely that the village would see fit to hire someone on a full-time basis.
- No Dog Ord. in Tn. of Pal.:** The Town of Palmyra does not have a dog ordinance, such as the one adopted more than a year ago by the Village of Palmyra.
- Vil. Dog Warden:** Mayor Nussbaumer and Trustee McGuire commented that they had conferred with Harold Fisher, Dog Warden of the Village of Palmyra, who indicated that if the village were to increase the annual salary of a dog warden to approximately \$1,500.00/annum, he would extend his efforts to becoming more involved nights and weekends. This figure would also include the maintenance of any animals as well as use of his truck. Matter to be discussed further with thoughts of including in next year's budget.
- Revenue Sharing:** Clerk advised that there will be a seminar on 12/8/72 at the Sheraton Motel in Syracuse relative to the new federal revenue Sharing. Motion by Trustee McGuire, 2nd by Trustee Brown and carried to send Trustee Frederick Alderman and Clerk Treasurer, Theresa P. Otte, at village expense of \$10.00 per person for registration and lunch plus travel expense.

Vote of Appreciation:

The following motion was made by Trustee McGuire, 2nd by Trustee Brown and unanimously carried:

WHEREAS, it is to be noted that Patrolman Frederick Trowbridge happened to be present at the Sweet & Spice Shoppe, at the instance when Mrs. Myrtle Burcroff suddenly passed away while a waitress in the establishment, and,

WHEREAS, Patrolman Trowbridge assumed the dignified responsibility of quietly but effectively taking care of the situation,

BE IT RESOLVED THAT, the Village of Palmyra acknowledge his thoughtfulness and endeavors in behalf of all concerned by making this a part of the official minutes of November 20, 1972.

Smith Prop.:

The property at 115 Market Street owned by Helen V.P. Smith, appears to have a frontage of only 28' rather than 48' as originally supposed. Donald Sinclair, Relocation Director of the Urban Renewal Office advised that north of the house there is a drive on an alleyway to which there appears to be no ownership. It would seem logical that the Village of Palmyra might be able to obtain this "unknown area" by getting a title search. The driveway, he intimated could be condemned, inasmuch as it has never been blocked.

Resolution: The following resolution was made by Trustee Alderman, 2nd by Trustee McGuire and carried:

CERTIFIED COPY OF RESOLUTION

I, Theresa P. Otte, Clerk of the Board of Trustees of the Village of Palmyra, County of Wayne, State of New York, hereby certify that the following is an excerpt from the minutes of the regular board meeting of the village board held on November 20, 1972:

"The following motion was made by Trustee Alderman, 2nd by Trustee McGuire and carried:

WHEREAS, the Village of Palmyra has made a purchase offer for property owned by Helen VanPatten Smith, at 115 Market Street, Palmyra, New York, in the amount of \$7,500.00, and,

WHEREAS, it is noted that Henel VanPatten Smith, has initialed a difference in frontage to be 28 feet rather than 48 feet, and,

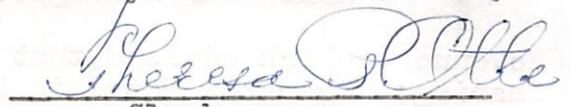
WHEREAS, the Mayor of the Village of Palmyra, David M. Nussbaumer, was authorized by the Board of Trustees of the Village of Palmyra to delete the word "reputedly", and has so initialed same,

BE IT RESOLVED THAT, the Village of Palmyra will purchase the Helen VaPatten Smith property at 115 Market Street, with the frontage of 28 feet, providing that the property in question is the south boundary of the Urban Renewal Area and the north boundary of the property in question, 115 Market Street, is adjacent to the former Roy and Leonard Johncox property at 137 Market Street for the sum of \$7,500.00."

Voice vote:

Trustee Frederick Alderman	Aye
Trustee Robert Brown	Aye
Trustee David McGuire	Aye
Trustee Lloyd A. Green	Absent

In Witness Whereof, I have subscribed my name this 27th day of November, 1972.


Clerk

Codes:

Attorney Paul Rubery commented to the board that there have been some amendments in many of the state Bldg. Codes, and it would behoove the village to adopt the updated codes.

Adjourn:

Mayor Nussbaumer adjourned the meeting at 10:15 P.M.

Theresa P. Otte, Clerk Treasurer.

STATE OF NEW YORK)
COUNTY OF ERIE) SS.
CITY OF BUFFALO)

Adele T. Root, being duly sworn, deposes and says:

I am an Administrative Assistant of the Municipal Consulting Service of Marine Midland Municipals Co.; that at the request of the Attorney for the Village of Palmyra, Wayne County, New York and on his behalf, I mailed on the 22nd day of November, 1972 one copy of the Notice of Sale for the \$400,000 Bond Anticipation Notes - 1972 (Renewal) of said Village to each of the banks at the addresses shown on the list of names and addresses attached hereto and made a part of this affidavit; that the said mailing was by insertion of one copy of said Notice of Sale in an envelope, duly addressed and with postage prepaid and I myself caused the said envelopes and enclosures to be placed in mail boxes of the United States at the Post Office of Buffalo, New York; that said copies of said Notice of Sale were true and complete copies of the Notice of Sale which is hereto attached.

Adele T. Root

Subscribed and sworn to before me

this 22nd day of November, 1972

G. Dwight Stewart
Notary Public

G. DWIGHT STEWART
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1974

NY Commission Expires March 30, 1934

Quarried in the County

Notary Public, State of New York

G. DWIGHT STEWART

Notary Public

[Signature]

the 22nd day of November, 1933

Subscribed and sworn to before me

[Signature]

those of said subject to persons appearing

and notice of said date were sent and complete copies of the no-

te the last office of said subject, New York, that said copies of

and envelopes to be placed in mail boxes of the United States

and after postage prepaid and I myself caused the said envelopes

and copy of said notice of date to be sent by registered mail

of said subject; that the said notice was by the direction of

that of notice and appearance appeared before me and made a full

attest to each of the parties at the addresses shown on the

known and authorized person - 1933 (New York) of said

of November, 1933 one copy of the notice of date for the

County, New York and on the subject, I myself on the 22nd day

referred of the Attorney for the State of New York, before

and said copies of notice and appearance appeared before me and

I am an Administrative Assistant of the Municipal Com-

mission of New York being duly sworn, before and says:

CLERK OF SUPREMACY)
COUNTY OF NEW YORK) ss.
CITY OF NEW YORK)

MONROE COUNTY

State Bank of Hilton
2 East Avenue
Hilton, New York 14468

State Bank of Honeoye Falls
1 North Main Street
Honeoye Falls, New York 14472

Bri
97
Cly
Lincoln Rochester Trust Company
Municipal Bond Dept. P.O. Box 820
Rochester, New York 14603

Th
Ly
The Community Savings Bank of Rochester
235 Main Street East
Rochester, New York 14604

Th
Ma
Central Trust Company Att: Mr. George F. Butterworth
44 Exchange Street
Rochester, New York 14614

St
On
Security Trust Company
One East Avenue
Rochester, New York 14604

Th
Re
The Monroe County Savings Bank
300 E. Main Street
Rochester, New York 14604

Co
W:
W:
Rochester Savings Bank
40 Franklin Street
Rochester, New York 14604

L
M
8
M
Bank of Caledonia
1 Rochester Street
Scottsville, New York 14546

M
F
F
Marine Midland Bank - Rochester Att: Mr. James Goodwin
1 Marine Midland Plaza Asst. Vice President
Rochester, New York 14604

First National Bank of Rochester
35 State Street
Rochester, New York 14614

Bankers Trust Co. of Rochester Att: Mr. W. Bruce Fairchild
25 East Main Street Vice President
Rochester, New York 14604

Sage, Ruddy & Co., Inc.
45 Exchange Street
Rochester, New York 14614

WAYNE COUNTY

Briggs Bank of Clyde
97 Glasgow
Clyde, New York 14433

The Lyons National Bank
Lyons, New York 14489

The First National Bank of Marion
Marion, New York 14505

State Bank of Ontario
Ontario, New York 14519

The Red Creek National Bank
Red Creek, New York 13143

The National Bank of Savannah
Savannah, New York 13146

Central Trust Co. Rochester, NY
Williamson Office
Williamson, New York 14589

Lincoln Rochester Trust Co.
Macedon Office
81 Main Street
Macedon, New York 14502

Marine Midland Bank - Rochester
Palmyra Office
Palmyra, New York 14522

Present: Attorney for the Village of Palmyra, Henry B. Nesbitt, Village Clerk, Theresa P. Otte, and representative from the Marine Midland Bank, Palmyra Branch, Gordon Morrison, and James Goodwin, and John DePaw, from the Macedon Branch of the Lincoln First Bank.

Proof of Mailing: Notice of Bid Opening and Proof of Mailing to various banks was read by the clerk for the Renewal of \$400,000.00 in Bond Anticipation Notes.

November 30, 1972

Bids
Recd:

The following bids were received:

Lincoln First Bank, Macedon Office

\$400,000 Bond Anticipation Notes 1972 (Renewal)
 Plus a premium of \$.00 with interest
 at the rate of 3.17%

Marine Midland Bank - Rochester

\$400,000 Bond Anticipation Notes 1972 (Renewal)
 Plus a premium of \$1.00 with interest
 at the rate of 3.23%

Bid

Accepted: The Village Attorney, Henry B. Nesbitt and Theresa P. Otte, Treasurer, conferred and it was their opinion that the low bid of the Lincoln First Bank should be accepted.

Adjourn: The bid opening was adjourned at 1:10 P.M.

Theresa P. Otte, Clerk Treasurer

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Regular Board Meeting

December 4, 1972
 Board of Trustees

7:00 P.M.

Present: Mayor David M. Nussbaumer, and Trustees David McGuire, Robert Brown, Frederick Alderman. Absent, Trustee Lloyd A. Green.

Vouchers: Motion by Trustee Brown, 2nd by Trustee Alderman and carried to approve payment of the vouchers in the amount of \$39,563.49.

Minutes: Motion by Trustee McGuire, 2nd by Trustee Alderman and carried to approve the minutes of the previous meeting.

Police Report: Motion by Trustee Alderman, 2nd by Trustee Brown and carried to accept the Police Report for the month of November, 1972. Highlights of the report were 194 complaints investigated by the department, along with 5 Burglary 3rd Degree, and 99 illegal parking. Total fines and bail forfeitures amounted to \$287.00.

Trawl Machine: Nelson Cook of Maple Avenue, informed the board that he would be interested in the Trowing machine, which was advertised for bid and no one offered a bid.

Operat. & Maint. Sew.Plant: A letter received from the N.Y.S. Dept. of Environmental Conservation advised that the Village of Palmyra would receive \$5,930.80 based on the fiscal year 6/1/71-5/31/72 operation and maintenance figures submitted to the state for expenditures at the Sewage Disposal Plant. Of the total allowable expenditures, one-third (1/3) is shared by the state, providing certain standards are met by the overall maintenance in the plant and village. It was noted that Mr. Diamond cautioned the village that corrections of the storm sewer water filtering into the sanitary sewer system must be met.

CATV: A memo dated 11/20/72 indicated that construction of CATV system for Palmyra & Lyons had begun.

Hsg. Author.: Clerk read letters which had been received from Senator-elect F. Warder, and Assemblyman J. Finley and Senator T. Day, indicating their cooperation in presenting a bill to the N.Y.S. Legislature to provide for a Housing Authority.

Sno-Mobiles: Rhett Butler and David Andrews informed the Mayor that they would prepare a list of owners of sno-mobiles which would be available within the Village of Palmyra in a snow emergency.

Fire Truck: Motion was made by Trustee Alderman, 2nd by Trustee Brown and carried as follows:

WHEREAS, the Village of Palmyra had advertised for bids for a new tanker truck on 7/17/72 not to exceed \$35,000.00, and

WHEREAS, the Young Fire Equipment Co. were the low bidders in the amount of \$34,490.00 and all specifications were met, and

WHEREAS, on the recommendation of the Palmyra Fire Department which has vouched that the delivered truck has been fully inspected and given a trial run,

BE IT RESOLVED THAT, payment in the amount of \$34,490.00 may be made to the Young Fire Equipment Co.

1966 Int. Truck: Trustee Alderman informed the board that the 1966 International Truck is in need of repair, again. It would appear that the same problem is prevalent. It has been taken to International Harvester as well as to Arthurton's. Both cannot understand why the mechanism does not operate correctly.

Vil. Barns: Trustee Alderman commented that the rear northeast wall of the village barns is gradually being swallowed into the ground. As a result, he commented, he had investigated the cost of replacement of a barn which would be \$40,000.00 for a frame building 40 x 120. However, if the village crews could construct the same building, the cost would be only \$17,000.00. Board should keep this under advisement.

Gas & Elec. New Svc.: The New York State Elec. & Gas Corp. advised that new services of street lighting had been completed for Vienna Street, Howell St., Foster St., Crescent Dr., Birdsall Pkwy, Brookside Terr., W. Charlotte Ave., and Sunset Drive. This is all in accordance with instructions by the Village Board.

Compliment Pol. Dept.: A letter from the President of the Pal-Mac School Board, Richard V. Kirchhoff, complimented the Palmyra Police Department for their cooperation and assistance at the time of the recent bomb threats at the various school buildings. Motion by Trustee McGuire, 2nd by Trustee Brown, and carried to make this a part of the minutes.

Pol. Dept.: Attorney Nesbitt commented that he had discussed with Trustee Alderman a situation in the Village of Trumansburg which apparently contracts with the Sheriff's Dept. to supply protection. In delving into the matter, Attorney Nesbitt informed the board that this could take place only in an EMERGENCY SITUATION. He cited Section 208 M. of the General Municipal Law.

New Fire Dept. Members: On the recommendation of the Palmyra Fire Department the following names were submitted to the Village Board for their approval for training in the department: Michael J. Day, #90 Marquart Park; Carl Suhr, Jr., Aldrich Drive; Thomas Nelson Reynolds, Jr., Market Street. Motion by Trustee Brown, 2nd by Trustee McGuire and carried to accept the men for training.

Storm Sew. Wat.: Hiram Van Etten, Operator of the Sewage Disposal Plant, advised that he had ordered 1300 cards which would be used to record inspections of all cellars to detect whether or not there might be any storm water being pumped into the sanitary sewer.

Sew. Plant Const.: H. Van Etten, advised the board that the additions and alterations in the Sewage Disposal Plant are 95% to 98% complete.

Rogers Memor. Chapel: Attorney Nesbitt commented that the furniture in the Rogers Memorial Chapel should be inventoried and the list given to the village board for filing so that should the occasion arise when the furniture might be needed, it would be known where it was stored. The Historical Society, under the direction of Sheldon Knapp, had removed the furniture prior to cold weather.

Adjourn: Motion was made by Mayor Nussbaumer that a short recess be in order at 8:00 P.M.

Theresa P. Otte, Clerk Treasurer

December 4, 1972

Reconvene: The Village Board re-convened at 8:27 P.M. with the following present:
Mayor David M. Nussbaumer and Trustees Robert Brown, David McGuire, Frederick Alderman. Absent, Trustee Lloyd Green.

D. Pope re: Pol. Sty. Comm.: Daniel Pope, Chairman of the Police Study Committee, submitted the report to the Village Board of their feelings.
(A complete copy is so attached in folder with Police Steer. Committee.

Dissolve Committee: The following motion was made by Trustee McGuire, 2nd by Trustee Brown and carried:
WHEREAS, the Police Study Committee of which Daniel Pope was Chairman and the following were members, Donald B. Henry, David J. Davin, Mrs. Lewis Watson, Donald F. Chase, C. Joseph Suhr, Louis A. VanParys, Cora G. Sampson, George W. Contant, and Village Board members David McGuire and Lloyd A. Green, and, **WHEREAS**, this committee has delved into many aspects of obtaining information relative to providing an effective police force for the Village of Palmyra,
BE IT RESOLVED THAT, this committee be dissolved with the thanks and appreciation of the Village Board of the Village of Palmyra for its efforts in behalf of the village, and
BE IT RESOLVED THAT, the Chairman, Daniel Pope, be retained as Chairman and Liaison for any future questions the board might wish to pose or be clarified from their report of findings.

Special Thanks: Trustee McGuire wished to make the following a matter of record relative to the police steering committee study:

- "1. That the recommendations so received be taken into consideration by the Village Board, and,
2. The Palmyra Police Study Committee having been appointed by Mayor Nussbaumer and having fulfilled the purpose for which they were appointed, be thanked for their valuable time and effort, each and everyone individually, and be so excused from further responsibility."

Adjourn: Mayor Nussbaumer adjourned the meeting at 8:35 P.M.

Theresa P. Otte, Clerk Treasurer

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December 18, 1972
Board of Trustees

Regular Board Meeting

7:00 P.M.

Present: Deputy Mayor Lloyd A. Green, and Trustees David McGuire, Robert Brown, Frederick Alderman. Absent, Mayor David M. Nussbaumer.

Vouchers: Motion by Trustee Alderman, 2nd by Trustee McGuire and carried to approve payment of the vouchers as presented in the amount of \$236,994.28.

Minutes: Motion by Trustee McGuire, 2nd by Trustee Alderman and carried to approve the minutes of the previous meeting.

H. Van Etten re: Wat. in San. Sew.: Hiram VanEtten, operator of the Sewer Plant, discussed the proposed program which he has instituted relative to inspection of any infractions by the homeowner of storm sewer water being pumped into the sanitary sewer. VanEtten commented that he had had cards printed and has run the cards through the addressing machine so that they have an accurate list of all property owners. The next step would be to have his assistants make a street by street check of each and every house or building which is connected to the sanitary sewer to ascertain if there is any storm water which is being diverted voluntarily or unknowingly into the sanitary sewer system. A record will be made on each card and all infractions will be separated. It would be his suggestion that the owner should be notified with a time limit of 6/1/73 allowed in which to correct any infractions.

House by House Check:

Crescent Dr. Storm Sew. : In the meantime, the village will proceed as weather will permit, to install a storm sewer line on Crescent Drive and all owners will be expected to connect.

Lastly, if between November 1, 1973 and the spring of 1974, there is no noticeable decrease in the flow at the disposal plant, dyes and finally photographs of the line should be instituted.

Non-Comply Arrest is Legal: Attorney Nesbitt commented that if property owners fail to comply, they can be arrested for violation of the sewer ordinance.

Propos. Program: Trustee Brown outlined in detail a proposed plan which will be submitted to the New York State Department of Environmental Conservation in relation to their vehement objection to the excessive flow into the system at various times. The State department emphasized that if the matter were not corrected, the village could lose the state aid which it receives annually as a one-third (1/3) of the operation and maintenance of the sewage disposal plant.

Resol.: The following motion was made by Trustee Brown, 2nd by Trustee Alderman and carried:

WHEREAS, Hiram VanEtten, operator of the Sewer Plant, had previously informed the Village Board that he felt there must be some illegal connections of storm water flowing into the sanitary sewer, and,

WHEREAS, On inspection of the Sanitary Sewer Disposal Plant by representatives of the New York State Department of Environmental Conservation along with Woodward Associates, Consulting Engineers for the Village of Palmyra, it appears that an excessive flow of water infiltrates the trunk lines causing abnormal flow into the Sewage Disposal Plant at various times, mainly during spring thaws or heavy downpour of rain.

BE IT RESOLVED THAT, the Village of Palmyra undertake an intensive house to house check of all connections to the sanitary sewer, keeping accurate records of all illegal connections, after which homeowners will be notified to correct same by June 1, 1973, and,

BE IT FURTHER RESOLVED THAT, if the above does not prove to be a decrease in the flow, further check of all eave troughs by smoke bombs will be instigated along with installation of storm sewers on streets where none are now available.

Clerk-Treasurer

Storm Drain Ease.: Village Attorney had prepared a proposed easement which would allow the Village of Palmyra to place a storm drain on the property of George Contant at 138 East Main Street in the alleyway between the Village Hall at 144 East Main Street so that storm water could be properly diverted into the storm sewer at the rear or southwest corner of the Village Hall premises. Board instructed Attorney Nesbitt to proceed with drawing the proper forms to be signed.

Laure Dr. (Pathway): Village Attorney Nesbitt inquired if Mr. VanEtten had been in communication with Simmons & Co., who had photographed the sewer line which had been installed by John Martin on Laurentian Drive. Mr. VanEtten replied that until the four breaks as shown on the films were repaired and new photographs were taken, he would not feel justified in accepting the sewer line as being in good conditions for acceptance by the village. Mr. VanEtten advised that he would contact the proper authorities to try to hasten the repair before the next board meeting.

- Appeal of Roche-Kimberly re: Proposed Tn. Houses** Attorney Nesbitt reviewed for the board the events of a public hearing in front of the Village of Palmyra Zoning Board of Appeals in September, 1969, at which time Roche-Kimberly were applying for a Special Permit to erect Town Houses on the property owned by Roche on south Canandaigua Street, east side which abuts onto property in the Town of Palmyra, that area adjacent to Bear Hill Drive and Rolfe Street, prime residential. The Zoning Board of Appeals denied the issuance of a Special Permit, after which Roche-Kimberly appealed to a higher court for a reversal of the local zoning board decision. After much discussion, conferences, etc., on both sides, quite suddenly, it appeared that Roche-Kimberly were dropping the proceedings. The Rochester attorneys, Wiser, Shaw, Freeman, VanGraafeiland Harter & Secrest, who were retained at the suggestion of Village Attorney H. B. Nesbitt, to plead our case, were informed that the matter apparently was closed and their fee was ultimately paid.
- Zon. Brd. K'O's :** It now appears that the case may be re-opened. According to the information at hand, it would appear that Roche-Kimberly in the past had abandoned the original project. It is on this premise that Attorney Nesbitt feels Zoning Board should make its stand. The Village Board agreed that Attorney Nesbitt should follow whatever lines he felt were applicable in this instance. Attorney Nesbitt commented that he had prepared an affidavit for the clerk to read and sign for presentation to the firm of Wiser, Shaw, etc.
- Project Abandoned:**
- Laundromat Sign: Illegal :** The board was informed that papers had been served by the Police Department for the Village of Palmyra Zoning Officer, Bruce Wideman, on the owners of the Palmyra Laundromat, Laurence Potter, for failure to remove the overhanging sign denoting his place of business.
- Rogers Chapel Furniture:** Attorney Nesbitt commented that he had learned that the chairs, organ, bible stand and bible had been removed from the Rogers Memorial Chapel in the cemetery, by the historical society. Inasmuch as the chapel and its furnishings were entrusted to the Village of Palmyra, Attorney Nesbitt suggested that it would be apropos that a list of the furnishings along with the spot where they have been stored for safe keeping should be on file with the village clerk. Trustee Brown advised that Sheldon Knapp would give him a list.
- Vil. Hall Front Door:** Clerk informed the board that the front door had been damaged by 4 youthful offenders who were using the door to hang and swing on until it was dislodged to the point that the casing was torn loose and the door itself was hanging at an angle. Therefore, it had been necessary to lock the door shut and use the rear entrance.
- Cost to Repair:** Roche-Kimberly had given a figure of \$375.00 as a cost to repair the door with a metal brace on the side of the casing to which screws would be attached to hold the door. VanDenBout Insurance advised that insurance would cover \$275.00 with the \$100.00 deductible to be paid by the Village. The Police Department has the names of the offenders, but Attorney Nesbitt commented that inasmuch as there is no ordinance which can demand payment from the parents of the children, it is now probable that restitution can be made.
- Village Barn:** Trustee Alderman commented that the village barn is gradually slipping deeper into the ground with crevices widening daily in the wall structure. A 40' x 120' Metal Frame Building would cost approximately \$13,000.00, assembly to be done by village help. This type of metal frame, Butler Bldg., could be easily disassembled. Trustee Alderman advised that he would try to get an estimate of the cost to repair the barn.
- Chipping Christmas Trees:** A letter was received from Mr. Diamond of the State Environmental Department relative to using a chipper to grind up used Christmas trees. He commented that Agway Inc. indicated that they might be desirous of obtaining Christmas Trees which they could grind and use the chips for re-sale. Trustee Brown volunteered to obtain further information.

D.Pope: A discussion evolved relative to discharging Daniel Pope from the Steering Committee of the Police Study. Inasmuch as there was not a full board present, the matter was tabled.

Next Brd. Meeting: The following motion was made by Trustee Brown, 2nd by Trustee Alderman and carried:

WHEREAS, the next regular board meeting of the Board of Trustees would fall on New Year's Day,
BE IT RESOLVED THAT, the meeting shall be held on January 2, 1973 at 7:00 P.M.

Adjourn: Deputy Mayor Green adjourned the meeting at 8:50 P.M.

Theresa P. Otte, Clerk Treasurer

Regular Board Meeting **January 2, 1973**
Board of Trustees **7:00 P.M.**

Present: Mayor David M. Nussbaumer, and Trustees Robert Brown, Frederick Alderman, Lloyd A. Green. Absent, Trustee David McGuire.

Vouchers: Motion by Trustee Brown, 2nd by Trustee Alderman for approval of payment of the vouchers in the amount of \$69,017.41.

Minutes: On motion by Trustee Alderman, 2nd by Trustee Brown, minutes of the previous meeting were approved.

Surplus Fire Equip.: Proof of Publication relative to requests for bids of no longer needed pieces of fire equipment owned by the Village of Palmyra was read by Mayor Nussbaumer at 7:00 P.M.

ADVERTISEMENT FOR BIDS

PLEASE TAKE NOTICE, that pursuant to a resolution of the Village Board of the Village of Palmyra, Wayne County, New York, the following surplus and used equipment will be sold to the highest bidder: one (1) 1949 Maximum Ladder Truck, one (1) 1941 Tanker.

Sealed bids from interested parties for the purchase thereof will be received at the office of the Clerk of the Village of Palmyra at the Village Hall on East Main St., in said village until 7:00 P.M. Eastern Standard Time, on Jan. 2, 1973, at which time they will be publicly opened and read aloud.

Separate bids will be submitted in sealed envelopes for each of the above items at the above address and shall bear on the face thereof the name and address of the bidder.

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

Interested parties seeking information may obtain specific itemized details of the items in question and may view same by calling at the Village Clerk's office between the hours of 9:00 A.M. to 5:00 P.M., Monday through Friday, except Christmas and New Years Day.

Dated December 11, 1972

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 copy of which the annexed printed slip is a true copy, was duly published therein once in each week for one ~~successive~~ weeks, beginning Dec. 13, 1972 and ending Dec. 13, 1972

Darlene E. Matteson

Sworn before me this 19TH
day of DEC 1972

Fees _____

Frank R. Galusha
FRANK R. GALUSHA, Notary Public
State of New York, Monroe County
Commission Expires March 30, 1973

BY ORDER OF
THE VILLAGE BOARD
OF THE VILLAGE OF
PALMYRA,
PALMYRA, NEW YORK
Theresa P. Otte,
Village Clerk

D13

(18)

Bids received were as follows:

Robert Hinkley, Newark, New York

1. 1941 Ford Tank \$127.50

2. 1949 Maxim Ladder \$289.50

Palmyra Agricultural Society

1. 1941 Tanker \$151.00

January 2, 1973

Surplus
Firs
Equip:

Bids were turned over to the committee for their perusal. Bidders advised they would be notified.

Cable TV:

An invitation to the board was received from Information Transfer, Mr. Hatton, inviting them to celebrate obtaining New York channels at Zappia's, Newark, N.Y. from 3:00 P.M. on 1/3/73.

San.Sew.:

Trustee Brown reported that H. VanEtten has completed a survey of about one-third of the village relative to inspections of improper connections of drains to the sanitary sewer. VanEtten commented that they have found some eve troughs which will have to have further tests before they are certain of illegal hook-ups.

Appoint.
Reg. Vit.
Statis.:

According to State of New York, Department of Health, a Registrar of Vital Statistics for the Village of Palmyra is appointed annually. On motion by Trustee Alderman, 2nd by Trustee Brown and carried, Mrs. Betty Stubbings, Town Clerk, of the Town of Palmyra, will be so appointed to record births and deaths in the Village of Palmyra for a period of one year to expire on 12/31/73.

C.Smith
Property:

Trustee Alderman showed pictures of the corners of the village barns on the corner of Canal and Division Street which indicated that the structure is slowly crumbling. The cost to rebuild would be \$45,000.00 to \$50,000.00 for a building lot 100' x 80'.

Police
Report:

On motion by Trustee Brown, 2nd by Trustee Alderman and carried, the police report for the month of December, 1972, was accepted. 202 Complaints were handled by the department along with 4 cases of Petit Larceny and 14 Illegal Parking Tickets. Only 2 were caught for speeding. Total fines and bail forfeitures for the month amounted to only \$26.00.

Dog Con-
trol Law:

Trustee Alderman recounted some more stringent rules relative to enforcement of a tighter dog ordinance. He read several passages from other leash and dog enforcement laws. Matter will be discussed further with Attorney Nesbitt.

Water
Pump:

Trustee Brown commented that the pump at Canandaigua Lake was turned on for only a few minutes today, inasmuch as the leak at the radio station had been repaired, which seemed to indicate that there was a substantial increase of water to the village with the pump in operation. However, he advised, a scheduled test will be made in the near future.

Snow
Mobiles:

Mayor Nussbaumer read portions of a letter received from Gary Morell regarding a 50% repayment from the state for signs for a Snowmobile Route. The route indicated might be Vienna Street, Prospect Drive, Jackson to Stafford, as well as Canal, Division and Church. Signs would be needed at intersections. Matter will be studied further.

Executive
Session:

On motion by Trustee Alderman, 2nd by Trustee Brown and carried, the meeting was adjourned to Executive Session at 8:25 P.M.

Theresa P. Otte, Clerk Treas.

Reconvene:

On motion by Trustee Brown, 2nd by Trustee Alderman and carried, the board reconvened to the regular board meeting at 8:35 P.M.

Present:

Mayor David M. Nussbaumer, and Trustees R. Brown, F. Alderman, L. Green. Absent, Trustee D. McGuire. Village Attorney, H. B. Nesbitt.

Jaycees:

Nelson Cook, President of the Jaycees, commented that the organization had helped to remove all the large overhanging signs along Main Street in the Business district. The following motion was proposed by Trustee Alderman, 2nd by Trustee Brown and unanimously carried: