

October 26, 1970

Regular Board Meeting

Board of Trustees

7:00 P.M.

Present: Mayor David Nussbaumer, and Board of Trustees Paul Mierke, Donald Leysath, Donald Sinclair, David McGuire.

Vouchers: On motion by Trustee McGuire, 2nd by Trustee Leysath, and carried, approval for the payment of vouchers in the amount of \$5,241.59 was made.

**Removals:
Stumps-
Park** Quotations had been requested for the removal of 16 stumps and one tree with its stump in the Village Park on East Main Street caused by the tornado winds the end of August. The following quotations were received:

Hall Tree Company, Newark, New York	\$512.00
Reasonable Tree Service Walworth, New York	\$416.00
Empire Tree Surgeons Newark, New York	\$415.00
Monroe Tree Service Canandaigua, New York	\$525.00

On motion by Trustee Sinclair, 2nd by Trustee McGuire and carried, the quotation of Empire Tree Surgeons was accepted. Clerk was instructed to advise the firm to commence work for the removal of the stumps and tree.

**Bids for
Repairs to
Roof Sludge
Dry.Beds:** Legal Proof of Publication requesting bids for the replacement of the roof of the sludge drying beds which was torn off by the tornado winds the end of August, were received and opened at 7:30 P.M. The following were received:

Quotation from W.F.Decker, Inc., 3259 Winton Rd. South, Rochester, N.Y. 14623 in the amount of \$4,630.00, did not qualify inasmuch as there was no bid security and no non-collusive certificate attached.

Bid Roche-Kimberly Construction, Inc. 138 East Main Street, Palmyra, N.Y. in the amount of \$4,850.00 along with the proper bid security and non-collusive certificate.

It would appear that the bid may be awarded to Roche-Kimberly, pending confirmation from the insurance company of the amount that would be paid by them on such a claim. Attorney H.B. Nesbitt, commented that the Village Board has 45 days in which to accept the bid.

**Tn.Mace-
don Wat.
Line:** Mayor Nussbaumer suggested to the board that it might be advantageous for the Village of Palmyra to request that the Town of Macedon reverse the meter which is so connected to the Town of Macedon on West Main Street, approximately Burnham Heights street, for the purpose of an emergency supply for the Village of Palmyra. (Town of Macedon no longer supplies water to the Creek Road District from the Village of Palmyra source.) Attorney H.B. Nesbitt suggested that the meter should be checked to ascertain if it is in operable condition.

**E.Dickinson
& A.Johnson
Re:Snowmobiles** Edward Dickinson, Birdsall Parkway and Anson Johnson, Jr. West Main Street, talked with the Village Board in behalf of the newly organized "Sno-mobile Club", citing various recommendations that the club would like the village board to consider. The general discussion indicated that snowmobiles do not require insurance including liability. Members would like to be allowed use of the village streets in the winter, rather than having to place their snowmobile

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on a trailer to go to the fairground area. Attorney Nesbitt commented that perhaps a public hearing would be in order so that everyone would have an opportunity to express his views on the matter.

R. Brown: Robert Brown, Vienna Street, and employee of the State of New York at the Canal Locks just outside the Village of Palmyra limits on the west, asked if it would be possible for the State to receive potable drinking water from the Village of Palmyra lines. Mayor Nussbaumer commented that since the locks are actually in the Town of Macedon, it would be the recommendation of the Village Board that water be obtained from the Town of Macedon.

K. Allen: Kenneth Allen, Macedon, N.Y., at the request of Mayor Nussbaumer conferred with the village board relative to the possibility of hiring a licensed engineer full-time for the Village of Palmyra. It was his feeling that a figure of \$13,900.00 would be required to entice a man for such a position. He further commented that in his opinion, the Village of Palmyra did not appear to be large enough to warrant the need for such an individual but might rather have a co-ordinator of all departments. The board thanked him for his comments which they would place under advisement.

Unsafe Bldgs: Bruce Wideman, Zoning Officer, talked with the board relative to the buildings on which he had placed notices as being unsafe. Actually, Attorney Nesbitt reiterated, that there were no funds placed in the village budget for 6/1/70 - 5/31/71 for the demolition of buildings by the village. Consequently, it was his opinion that unless there were funds available for the village to hire this type of work to be done, as village crews are not equipped to demolish, it would be unadvisable for the board to contact a firm to demolish and remove the buildings.

Auxil. Police: Police Chief Henry and Acting Sgt. Stirpes discussed with the board the matter of an Auxiliary Police force. Mayor Nussbaumer commented that he had discussed with Williamson this type of enforcement. Their, Town of Williamson, problem seems to stem from the fact that here is no head nor one in charge, inasmuch as there is no village. Chief Henry interjected that in the Village of Newark, the applicants for the position are screened by the Police Chief. Following this, they are then trained. Their primary function has been to "police school dances", a detail which has worked out very well. The first step to investigate such a detail would be to contact Edw. A. Swartle, Lyons, N.Y., Director of Civil Defense. The board instructed Chief Henry and Sgt. Stirpes to arrange for Mr. Swartle to be present on November 9, 1970, the next regular board meeting.

Contact Civil Def.

R. Kirchoff, Assessor: Robert Kirchoff, Assessor for the Village of Palmyra, spoke briefly relative to the possible adoption of the Town of Palmyra tax roll of that part which pertains to the Village of Palmyra. Attorney Nesbitt had written a letter to the Village Board which he read. In essence, it revealed that a village board may adopt the figures of the town assessment. However, this does not bind the assessor to use this roll. Attorney Nesbitt further commented that should the board decide to adopt the town roll as it pertains to village property, notices would need to be sent to all people whose property tax was raised. The matter will be held in abeyance temporarily pending further discussion.

Amend to Zoning Local Law #4, 1970 Nurse.Hme. The following resolution was offered by Trustee Leysath, 2nd by Trustee Sinclair and unanimously carried:

RESOLVED: Whereas the Board of Trustees of the Village of Palmyra has reviewed the zoning phraseology in relation to hospital and institutional homes as defined in the Zoning Code, Local Law #3, 1967, and,

"WHEREAS: The Board of Trustees held a public hearing October 12, 1970 at 7:00 P. M., E.D.S.T., in the Park & Club Bldg. at 149 East Main Street, Palmyra, New York.

"BE IT RESOLVED THAT: The Board of Trustees of the Village of Palmyra amend Section 202, Definitions, subdivision H-03 as follows:

"H-03 Hospital: Unless otherwise specified, the term 'hospital' shall be deemed to include sanitarium, sanitorium, preventorium for the diagnosis, treatment or other care of human ailments.

and by

Amending Section 202, Definitions, Subdivision I-01 as follows:

"I-01 Institutional Home: A building used for the full time home of three or more babies, or children or aged persons, rest home, nursing home, related health facility, clinic and convalescent home except correctional institutions or hospitals."

BE IT FURTHER RESOLVED THAT: The establishment of such shall be erected in accordance with the specifications as set forth by the State Department of Health of the State of New York and compliance with same shall be mandatory."

Pending filing of the above with the Comptroller of the State of New York and the Election and Law Bureau of the State of New York, the above amendment will become a part of Local Law #3, 1967 known as the Zoning Code of the Village of Palmyra.

Park Trees: Trustee Mierke informed the board that he had been to Lima, NY to view the assortment of trees offered by Moses Nursery for replacement in the village park. In his opinion, the trees appeared to be sturdy and healthy. Clerk informed the board that there had been no response from any of the organizations who had verbally indicated that they would be interested in assisting in any way possible for the replacement of the trees. Trustee Mierke volunteered to check with other nurseries for any better prices or trees.

Pay-loader:

Trustee Mierke informed the board that it is doubtful if the present payloader can withstand the onslaught of the first snowfall. A new one would cost approximately \$29,000. with an approximate trade-in of \$6,000. leaving a balance of \$23,000. to be assumed either through a capital note for a one or two year period or anticipate hiring or renting some piece of equipment for the removal of the snow during the winter months.

Leaf Pickup:

The board agreed that fall leaf pick-up by the village crews would be Friday afternoons, October 30, November 6, and November 13th, and Saturday mornings, October 31, November 7, and November 14th.

**W. Bradish:
10¢ / hr.
Raise**

Trustee Mierke informed the Village Board that Raymond Smith, Highway formen, had asked that William Bradish, one of his better workers, be increased 10¢/hr. as of 10/26/70 from \$2.80 to \$2.90/hr. Motion was made by Trustee McGuire, 2nd by Trustee Mierke and carried that this increase be made as of 10/26/70.

**M. Colacino,
Water Line**

Michael Colacino, 336 East Main Street, had previously discussed with H. Van Etten and Ray Smith, the need for added pressure in his water line. He inquired if it would be possible for him to connect his line to the line which belongs to the Garlock Office

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east of his property and which has a curb box connection on the north side of Main Street. The Village Board agreed that this would be no solution to his problem. The best method would be to drive a line underneath Main Street by hiring Floyd Pulcini to do the work.

Sewer Debt Exclusion:

Clerk informed the board that the sewer debt exclusion which has to be filed annually with the Comptroller of the State of New York in the amount of \$900,000.00 was done as of 10/19/70 and proof of publication of same so noted.

Adjourn:

Mayor Nussbaumer adjourned the meeting at 11:10 P. M.

Theresa P. Otte, Clerk Treasurer

NOTICE OF FILING OF APPLICATION ON BEHALF OF THE VILLAGE OF PALMYRA, WAYNE COUNTY, NEW YORK, WITH THE COMPTROLLER OF THE STATE OF NEW YORK FOR A DEBT EXCLUSION.

PLEASE TAKE NOTICE, that an application on behalf of the Village of Palmyra, Wayne County, New York, has been filed with the Comptroller of the State of New York, on October 19, 1970 for an exclusion in the amount of \$900,000.00 of a bond issue for the construction of the plant for the treatment of sewage, laterals, and trunk lines for the intercepting of sewage to such sewage treatment plant, and the acquisition and installation of original furnishings, equipment, machinery, or apparatus suitable for the operation of such sewers, pumping stations, and plant, and the acquisition of any land or rights in land required therefore, for the Village of Palmyra, New York.

Dated: October 19, 1970
 Theresa P. Otte,
 Treasurer of the
 Village of Palmyra
 Chief Fiscal Officer

STATE OF NEW YORK,
COUNTY OF WAYNE

} ss:

Audrey Grayn

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 ~~in~~ once each week for one successive weeks, beginning 10-22-70

and ending 10-22-70

Audrey Grayn

Sworn before me this 22 day of Oct 1970

HARRY K. WHITE, Notary Public
State of New York, County of Monroe
Qualified in Wayne County
My Commission Expires March 30, 1971

Harry K. White
Notary Public, Wayne County.

November 9, 1970

Regular Meeting

Board of Trustees

7:00 P. M.

Present:

Mayor David Nussbaumer, and Trustees Paul Mierke, David McGuire, Donald Leysath and Donald Sinclair.

Vouchers:

Motion by Trustee McGuire, 2nd by Trustee Leysath to approve payment of the vouchers numbered 319-356 in the amount of \$8,221.43. Carried.

Rpt. on Dogs:

Mayor Nussbaumer attended the Town Board meeting on November 5, 1970 at which time he emphasized the need for control of dogs not only in the village but in the town. The Town Board informed him that they did have the matter under advisement. The mayor expects to attend the next Town Board meeting at which time he will reiterate the consensus of opinion of the village board that if necessary a leash law may be the answer. He further commented that it would behoove all who are interested, both town and village, in effecting a strong dog control ordinance, make their thoughts and opinions known to the town board.

Police Report:

On motion by Trustee McGuire, 2nd by Trustee Leysath and carried the police report for the month of October, 1970 was accepted. Highlights of the report revealed fines and bail forfeitures for motor vehicle and criminal offenses amounted to \$250.00 while parking meter fines netted the department only \$2.50. Speeders, 24, headed the list of motor vehicle arrests. The department investigated 147 complaints and 9 accidents were investigated. Complete report is on file.

**Appoint.
F. Trow-
bridge:**

Police Chief D. Henry informed the board that Frederick Trowbridge, Vienna Street, had been placed on the Civil Service list as possible applicant for the position of Patrolman. Mr. Trowbridge came in to the meeting to talk with the board, indicating that he would be able to make arrangements to work the proper shifts and still continue to go to Finger Lakes Community College.

**Provision
Patrolman:**

Motion by Trustee McGuire, 2nd by Trustee Leysath and carried to approve appointment of Frederick Trowbridge as a provisional patrolman at a salary of \$115.00 per week beginning 11/9/70.

Aux. Pol.:

Edward Swartele, Wayne County Civil Defense, along with Police Chief D. Henry and Sgt. P. Stirpe, informed the board that an auxiliary police force would be covered by compensation insurance by the Wayne County Board of Supervisors. Such a group would not have police powers, such as power of arrest. A force would fall under the direction as employees or employed by the Wayne County Civil Defense, but receive direction from the village. The Civil Defense Unit would purchase badges while the participants would be required to purchase their own uniform. A group of 20 to start a class would be ideal. Out of this it can be assumed that only 10-12 would qualify. A minimum of 22 hours training in the course is mandatory with the further stipulation that missing of more than one class, automatically disqualifies the man.

**Resol. for:
Aux. Pol.**

The following motion was made by Trustee Leysath, 2nd by Trustee Sinclair to wit:-

RESOLVED: That the Board of Trustees of the Village of Palmyra having investigated the desirability of an Auxiliary Police Force in the Village of Palmyra hereby initiate the following:

WHEREAS: It will be to the best interest of the Village of Palmyra to establish an Auxiliary Police Force, and

WHEREAS: Such Auxiliary Police Force would be under the auspices of the Wayne County Civil Defense, Lyons, New York, and,

WHEREAS: Such Auxiliary Police Force would work with the Palmyra Police Department in conjunction with the Sheriff's Department,

BE IT RESOLVED: Such Auxiliary Police Force is hereby established to continue as long as such board or boards of the Village of Palmyra find a need for such an auxiliary.

VOICE VOTE:

Trustee Sinclair - - -Aye

Trustee Mierke - - Aye

Trustee Leysath - - -Aye

Trustee McGuire - Aye

Unanimously carried.

**Narcotic
Council:**

Chairman Ronald Valentine of the Narcotic Council and Robert Disney, finance chairman of the council informed the board that up to \$2,000.00 would be refunded by the State of New York providing that the funds were applied for by March 31, 1971. The following resolution was proposed by Trustee Sinclair, 2nd by Trustee Leysath and carried:

Resolved: Whereas it is deemed extremely urgent to form a Narcotic Council, and,

Whereas: No provision had been made in the current budget for the fiscal year 6/1/70 - 5/31/71 for such a fund,

Be it resolved: That the Board of Trustees of the Village of Palmyra insert in the current budget Account A4210.0, as directed by the State Department of Audit & Control for Narcotic Council, and

**\$1,000.00
for fund:**

Be it resolved: That the sum of \$1,000.00 be transferred from the Contingency Fund, Acct. #A199.4, to Acct. #A4210.0 for use in the Narcotic Council Fund.

**Laurentian
Drive:**

Senator Ted Day, New York State Senate, Gene DeMarie, New York State Department of Health and Eric Seefer, of the New York State Environmental Department of Conservation, along with Mr. and Mrs. Harold Boland, and Mrs. Robert Vosburgh, West Foster Street, as well as John Martin, Webster, N. Y. and Town Supervisor E. Bedette discussed with the board the installation of a sewer line on Laurentian Drive. Laurentian Drive, so-called, has never been dedicated to the Village as a street. Therefore, when sewerage was installed, this area was not included in the plan, according to Mayor Nussbaumer

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who introduced the group and commented briefly.

**J. Martin
comments:**

John Martin, owner of the land in question, informed the board that he had obtained the services of a man to stake and install the line. After this the village would be given a right-of-way for access to the sewer. He ascertained that it would be about 325' up to E. Lawrence's most southernly house.

**Sewer
Comments:**

A general discussion evolved relative to whether an unsanitary health problem of this nature, no sewerage accessible to home owner even though property is annexed to a village or town which has sewerage, due to the fact that the road-way was not properly dedicated, should become a state mandate, regardless of whether the street was dedicated or is it better that such a matter be resolved by the village. Senator Day questioned if this should be made a bill from the State Level. (An interesting point was interjected, - - Wayne County does not have a Health Department.) Senator Day informed the group that many counties in the state do have such, but that the decision of the forming of such a group rests with the Board of Supervisors.

**Fal. Fire.:
Assoc.
V. Craft &
R. Henning**

Vincent Craft and Robert Henning, representatives of the Palmyra Firemen's Association, informed the board that the fund raising campaign was very successful. Consequently, the association feels financially able to consummate a trade of the present oxygen wagon for a new piece of equipment, 1971 Sentinel, powered by Chevrolet. V. Craft informed the board that this vehicle would be more stable in relation to holding to the road and for a more comfortable ride for any patient. The present vehicle is unstable, especially so if there is even a slight amount of wind. Prior to giving the "go-ahead" for the trade-in, the board feels it would be apropos to discuss the matter with Attorney H. B. Nesbitt. The majority of the board felt that a trade-in would be agreeable, but felt the matter should first be cleared with the village attorney. (At present the Oxygen Squad is not legally able to carry patients, other than emergencies from a fire.)

**Brockway:
Truck**

Trustee Mierke advised that Working formen Ray Smith commented that the 1953 Brockway truck was beyond repair. William Baker had offered \$175.00 for the vehicle, as is. Motion was made by Trustee McGuire, 2nd by Trustee Leysath and carried to sell the vehicle to William Baker for \$175.00, as is.

**Salt Box:
Chassis**

Trustee Mierke commented that the Town of Palmyra is selling on a trade their salt-box chassis, which Sherburne in turn would sell to the village for \$300.00. Trustee Mierke felt that this would up-date our present snow-removal equipment if the board would sanction the expenditure. Motion by Trustee Leysath, 2nd by Trustee Mierke and carried to grant this expenditure.

**Veterans'
Day:**

Mayor Nussbaumer invited the Village Board to be present at the Veterans' Day services to be scheduled in the Village Park to begin at 10:50, with scheduled services in the Community Center in case of inclement weather, November 11, 1970.

G.Kingsley:

Gerald Kingsley, owner of the property at the corner of West Foster and Laurentian Drive wanted a new water line installed to connect from West Foster rather than from the so-called Laurentian Drive. It was his opinion that a new line would give him better water pressure. The cost for this will be \$150.00.

**R. Smith:
Raise**

Trustee Mierke commented to the Village Board that he felt that Working Forman Raymond Smith of the Highway Department was deserving of a \$5.00/wk. raise. The following motion was made by Trustee McGuire, 2nd by Trustee Mierke and carried:
Resolved: Whereas it is apparent that Raymond Smith, Working Public Works Forman is deserving of a \$5.00/wk. raise,
Be it Resolved That: A transfer in the amount of \$145.00 be made from Acct. #5110.1 Street Maintenance to Acct. #5010.1, Street Administration to cover this increased expenditure in wage.

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Code of Ethics Enacted: The following resolution was made by Trustee Sinclair, 2nd by Trustee Mierke and Carried: **RESOLVED:** Whereas the Village of Palmyra held a Public Hearing October 19, 1970 at 7:00 P.M. in the Park & Club Bldg., relative to the adoption of a "Code of Ethics" for the Village of Palmyra, with the proper Proof of Notice so given, **Be it Resolved That:** The Code of Ethics be adopted by the Village of Palmyra and shall become Local Law #5, 1970 and so filed with the State Comptroller and Bureau & Election Law of the State of New York.

Cemetery Trees: Caretaker W. Kaveny of the cemetery informed the clerk that there were about 25 trees with broken overhanging branches along with about 9 stumps to be removed in the cemetery. A quotation from Empire Tree Service indicated that they would remove the overhanging branches for \$12.00/tree and the stumps for \$9.00 each. Motion was made by Trustee Sinclair, 2nd by Trustee McGuire to approve of this expenditure. Motion carried.

Conference With Auditor: Clerk informed the board that the New York State Department of Audit & Control, represented by Mr. David Sours, would like to confer with the village board the early part of the following week. Consensus of time seemed to favor November 17, 1970 at 12:30 P.M. Clerk suggested meeting at noon for a light lunch in the village offices.

O.&M.: Inspect. Sew.Plant: A letter from the New York State Department of Environmental Conservation advised that there will be an inspection of the sewage treatment plant on Monday, November 23, 1970 at 9:00 A.M. Any board members who can arrange to be present to view the tests are welcome.

Present.: Flag: A parchment certificate from Representative Frank Horton, U.S. Congressman, 36th District New York, indicated that the flag presented by him to the Village of Palmyra and so flown on the steel flag pole was flown over the nation's capitol on October 12, 1970.

Purchase Payloader: Trustee Mierke informed the village board that the present payloader is practically worthless, in need of extensive repairs, which would not then make the mechanism reliable for the snow removal job which the village faces each winter. The following motion was made by Trustee Mierke, 2nd by Trustee McGuire and carried. **RESOLVED:** That the Village of Palmyra make the necessary arrangements for the advertising of, financing of, and purchasing of a new payloader.

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

Theresa P. Otte, Clerk Treasurer

Present: Mayor David Nussbaumer and Trustees Donald Sinclair, Paul Mierke, Norma Kruger, Deputy Clerk, and Phyllis Dickinson, clerk-typist, David Sours, New York State Department of Audit & Control, who had been assigned to audit the Village of Palmyra records from June 1, 1976 through May 31, 1970.

**Mr. Sours
Comments:**

He commented that Eugene Bassage, a member of the Urban Renewal Agency had not been sworn in although he has been a member for some time. (At this writing, Mr. Bassage has been sworn in, following the request of Mr. Sours.)

Mr. Sours continued with the following which will be drawn up in report form by the State Department:

1. Exempt property on the tax roll for 1967, 68, 69 & 70 were not listed.
2. Claims for State Aid for the Sewer Plant. Costs included for the Pump Stations are not eligible.
3. Clerk-Treasurer should not sign the Abstract of Vouchers for payment. Should be signed by the mayor in that the clerk is the one and same person as treasurer.
4. Certification of part-time employees such as seasonal help in cemetery, should be sent to Civil Service.
5. No bids were found for salt, gravel, gasoline, culvert pipe, cement, which amounted to more than \$1,000.00 per year.
6. A contract should be drawn between the Fire Company and the Village for the lump sum payments quarterly.
7. Overdrawal of several accounts was noted in the general fund, although there were sufficient funds in other accounts which should have been transferred to cover the short funds.
8. Fire Truck: It was his belief that there should have been another permissive referendum at the time the fire truck was purchased even though there was sufficient funds in the reserve fund to cover the cost of the truck.
9. Sewer Funds: Must use money in reserve fund for payment on bonds. Permissive Referendum should be followed.
10. Capital Fund: Treasurer put funds aside from general fund which would not be included in the carry over for use this year. Not legal.
11. Reserve Funds: To use, a Permissive Referendum is in order.
12. Receipts: Not deposited promptly.
13. Macedon Water Contract - Commented on surcharge which had never been imposed. (Note: H.B. Nesbitt had previously commented to him that the 20% surcharge was to be added if hydrants were flushed or there had been a fire in the Creek Road District.)
14. Minutes not properly bound. Bills must be so noted in minutes of board meetings as to total amount approved for payment.
15. Cemetery billings should be numbered.
16. Deficit balances. Clerk-treasurer should not allow over-expenditure of a fund.
17. Cemetery Lot Care. No record of lot assessment in past minutes.
18. Bond needed on Acting Police Justice (Jack Lynn).

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19. Bank should have securities for our Certificates of Deposit as well as our time deposit trust funds, such securities should be given to the Village to be held in our care.

Adjourn: The meeting adjourned at 1:50 P.M.

Theresa P. Otte, Clerk Treas.

November 17, 1970

Public Information Meeting Park & Club Bldg. 7:00 P.M.

Present: Mayor David Nussbaumer, and Board of Trustees, David McGuire, Donald Sinclair, and Paul Mierke.

Citizens: Approximately 60-70 interested citizens.

Subject: Snowmobiles in the Village

E. Dickinson: Edward Dickinson, Birdsall Parkway, spokesman for the newly formed Snowmobile Club stated that recent laws had changed the registration of plates on the snowmobile from the Motor Vehicle Bureau to the New York State Department of Conservation. The Snowmobile Club would like to ask permission of the village to be allowed to use the village streets, excluding East and West Main Street and Canandaigua Streets, which are State Routes #31 and #21. He commented further that a curfew might be the answer to curtailing the use of the snowmobile after and before certain hours.

David Andrew: David Andrew, a Snowmobile member, felt that members of the club could more or less police their own members as to a speed limit within the village streets.

D. Nussbaumer: Mayor Nussbaumer queried whether or not the Conservation Department might revoke a snowmobile owner's permit if a village regulation were violated. This would come about if the village had adopted an ordinance regulating the use of the snowmobile.

D. Sinclair: Trustee Sinclair mentioned that if an ordinance were adopted, would the Snowmobile Club publicize the rules.

P. Mierke: Trustee Mierke commented that he had no objection to allowing access on the streets if discretion was used on the part of the snowmobile owner.

Adjourn: The meeting adjourned at 8:40 P.M.

Phyllis Dickinson, Pro Tem

Theresa P. Otte, Clerk Treas.

- Present: Mayor David Nussbaumer and Board of Trustees Paul Mierke, David McGuire, Donald Leysath, and Donald Sinclair. Village Attorney, Henry B. Nesbitt.
- Vouchers: Motion was made by Trustee McGuire, 2nd by Trustee Sinclair and carried to approve payment of the vouchers in the amount of \$3,762.70.
- C.A.T.V.: Motion was made by Trustee McGuire, 2nd by Trustee Leysath and carried to allow the clerk to sign and affix the village seal to a consent to assignment of the C.A.T.V. Franchise to the Lincoln Rochester Trust Company as collateral for a loan. Consent and certification as a part of these minutes is attached herewith:

STATE OF NEW YORK)
 COUNTY OF WAYNE) SS:
 VILLAGE OF PALMYRA)

I, the undersigned Clerk of the Village of Palmyra, Wayne County, New York, DO HEREBY CERTIFY:

That I have compared the annexed resolution with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to, the said resolution having been adopted by a majority of the Trustees of the Village of Palmyra at a regular meeting held on the *23rd* day of *November*, 1970, a quorum being present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village this *23rd* day of *November*, 1970.

(Village Seal)

Heresa D. Otte
 Clerk

BY ORDER OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PALMYRA.

(Village Seal)

Heresa D. Otte
 Clerk

VILLAGE OF PALMYRA

CONSENT TO ASSIGNMENT

November 13, , 1970

This Consent is pursuant to Section 15 of Franchise Agreement and Resolutions dated August 31, 1970 between the Village of Palmyra, County of Wayne, State of New York, and Information Transfer, Inc. (the "Franchise"):

BE IT RESOLVED, as follows:

The Village of Palmyra hereby consents to the assignment of the Franchise to Lincoln Rochester Trust Company as collateral security for a loan, the proceeds of which shall be used for the construction of the CATV System described in the Franchise. The Village of Palmyra further consents to the assignment by Lincoln Rochester Trust Company to any other person in the event that said Trust Company realizes upon this Franchise to satisfy the debt of Information Transfer, Inc.

BY ORDER OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PALMYRA.

(Village Seal)

Theresa P. Otte
Clerk

P.D.Serv.: A representative of the P.D. Service, Pavilion, N.Y., who had
 Repres. : picked up the specs desired for the purchase of a new pay-
 loader for the highway department, which specs are to be bid
 on and opened as of 11/25/70 at 5:00 P.M., commented to the
 board that the specs on the piece of machinery appears to be
 written for one particular machine. He further commented
 that the village had purchased machinery from them in the
 past and wondered if they had been displeased or found the
 machinery inefficient, or if anyone in the company had not
 been cooperative. He noted that the type of equipment
 desired had an articulated machine in contrast to drive-
 axles, and straight frame. He reiterated that they could
 provide a machine that will or would meet the intent of the
 specs. Mayor Nussbaumer advised them to send in their bid
 as of 11/25/70 at 5:00 P.M. and it would be considered along
 with any others.

Wm.Roche: At the request of the Village Board, Mr. Roche commented
 Urb.Ren. briefly relative to the progress of the Urban Renewal plan.
 Director He commented that in order to assist our local agency and
 other surrounding cities and villages, an office has been
 set up in Buffalo to expedite and correlate plans. Mr.
 Roche advised the board that the village will get a formal
 certification soon. The primary facts seem to be con-
 centrated in the following:

1. Acquisition of area on Canal Street along with
the historical area.
2. 2 Sets of Funds are involved.
 - a. Funds which are available immediately.
 - b. Those funds set aside for the "Neighborhood
Development Plan", which plan was "scraped"
by the Federal Government, but a percentage
of these funds will be available to those who
had so chosen to take this route.
3. \$891,000.00 available on the 6 acre plot plan.
(Note: 6 acres on historical area will have to be
certified.)
4. \$1,000,000.00 Plus will be reserved as this has
already been allocated.

J. Finley: In summation, he commented that the housing authority can
to be proceed and Assemblyman J. Finley may be contacted by
notified Village Attorney, H. B. Nesbitt.

Comm. Ctr. James Cunningham, a member of the Community Center Board in-
Report: formed the Village Board that he along with the other board
members feel that they will have approximately \$4,500.00 with
which to repay the Village of Palmyra for expenses over and
above the amount budgeted by the village and town for
Community Center. He also informed the board that he had
received the two Certificates of Deposit, one in the amount
of \$5,000.00 and the other in the amount of \$4,000.00, from
the Village Clerk and they had invested this money in a more
profitable interest bearing fund. If need be, he commented,
they could always use some of this excess money to repay
the village as of 5/31/71.

Accept.of: An offer to dedicate a street to be known as "Aldrich Drive"
ALDRICH which is located between Stafford Street and Hyde Park running
DRIVE south on a right angle from West Jackson Street to a
cul-de-sac approximately 624' from West Jackson Street was
proposed by Martnor Development Corporation, Webster, New
York.

Resol. to Motion was made by Trustee Sinclair, 2nd by Trustee Mierke
Accept.: and carried to accept this street. Formal resolution is a
part of these minutes as follows:

Resol. to
Accept.:

OFFER TO DEDICATE A STREET

TO THE BOARD OF TRUSTEES OF THE VILLAGE OF PALMYRA:

In pursuance of Section 144 of the Village Law, I hereby offer to dedicate to the Village of Palmyra, for a public street forever, the land hereinafter described, situate in such Village and upon acceptance of this offer, I will execute and deliver to the village a proper conveyance of the title in fee to the said land. Such land so offered is bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Palmyra, County of Wayne, State of New York, bounded and described as follows:

COMMENCING at a point on the northerly side of Lot 30 of Stafford Heights Subdivision, also being the southerly side of Jackson Street, said point of beginning being S 82° 12' E a distance of 0.68 feet and thence further S 82° 27' E, a distance of 83.95 feet, a total distance of 84.63 feet along the street line of Jackson Street from the northwest corner of Lot 30, all as shown on a Plan of Stafford Heights To Be Developed by Martnor Development Corporation in the Village of Palmyra, Wayne County, New York, prepared by Harnish & Lookup, Associates, dated November 1, 1968 and bearing their Job No. 68-12850-1 which was filed in the Wayne County Clerk's Office on June 23, 1969 in Pigeonhole D-30 of Maps, running thence (1) from said point of beginning southeasterly on a curve to the right a distance of 47.50 feet, said curve having a delta angle of 90° 43' and a radius of 30.00 feet; thence (2) S 8° 16' W a distance of 623.00 feet along the westerly line of Aldrich Drive to a point; thence (3) southerly, easterly and northerly around a cul-de-sac at the southerly end of Aldrich Drive as herein dedicated on a curve to the left a distance of 377.81 feet to a point on the easterly line of Aldrich Drive, said cul-de-sac having a radius of 70.00 feet; thence (4) N 8° 16' E a distance of 624.49 feet along the easterly line of Aldrich Drive; thence (5) northeasterly on a curve to the right a distance of 46.75 feet, said curve having a delta angle of 89° 17' and a radius of 30.00 feet; thence (6) N 82° 27' W a distance of 120.01 feet along the southerly line of Jackson Street as previously dedicated to the point and place of beginning.

The foregoing described street is shown on the aforesaid filed map.

Being and hereby intending to convey a part of the same premises conveyed to the said Martnor Development Corporation by Michael A. Colacino and Theresa M. Colacino, his wife, by deed dated May 2, 1969 and recorded in the Wayne County Clerk's Office on May 5, 1969 in Liber 613 of Deeds at Page 559.

MARTNOR DEVELOPMENT CORPORATION

By John E. Blyth
Vice President

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easterly on a curve to the right a distance of 47.50 feet, said curve having a delta angle of 90° 43' and a radius of 30.00 feet;

107HV

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WHEREAS, MARTNOR DEVELOPMENT CORPORATION, a corporation organized under the laws of New York, with its principal place of business located at 799 Holt Road, Webster, New York, has offered to dedicate a certain parcel of land situate on the west side of Stafford Street in the Village of Palmyra for a public street, and

WHEREAS, the Board of Trustees of the Village of Palmyra has examined the said offer and the survey map of the said parcel prepared by Harnish and Lookup Associates dated November 1, 1968, entitled "Plan of Stafford Heights to be developed by Martnor Development Corporation in the Village of Palmyra, Wayne County, New York", and

WHEREAS, it appears that a portion of the parcel so offered for dedication would be of benefit to the Village of Palmyra in that the Village government would be then empowered to maintain said parcel as a street for the benefit of adjoining property owners and others,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Palmyra accept in part the offer of Martnor Development Corporation to dedicate a parcel of land on the west side of Stafford Street in said Village, the acceptance to apply to the hereinafter described parcel, and no other, said parcel being described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Palmyra, County of Wayne, State of New York, bounded and described as follows:

COMMENCING at a point on the northerly side of Lot 30 of Stafford Heights Subdivision, also being the southerly side of Jackson Street, said point of beginning being S 82° 12' E a distance of 0.68 feet and thence further S 82° 27' E, a distance of 83.95 feet, a total distance of 84.63 feet along the street line of Jackson Street from the northwest corner of Lot 30, all as shown on a Plan of Stafford Heights To Be Developed by Martnor Development Corporation in the Village of Palmyra, Wayne County, New York, prepared by Harnish & Lookup, Associates, dated November 1, 1968 and bearing their Job No. 68-12850-1 which was filed in the Wayne County Clerk's Office on June 23, 1969 in Pigeonhole D-30 of Maps, running thence (1) from said point of beginning southeasterly on a curve to the right a distance of 47.50 feet, said curve having a delta angle of 90° 43' and a radius of 30.00 feet;

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thence (2) S 8° 16' W a distance of 623.00 feet along the westerly line of Aldrich Drive to a point; thence (3) southerly, easterly and northerly around a cul-de-sac at the southerly end of Aldrich Drive as herein dedicated on a curve to the left a distance of 377.81 feet to a point on the easterly line of Aldrich Drive, said cul-de-sac having a radius of 70.00 feet; thence (4) N 8° 16' E a distance of 624.49 feet along the easterly line of Aldrich Drive; thence (5) northeasterly on a curve to the right a distance of 46.75 feet, said curve having a delta angle of 89° 17' and a radius of 30.00 feet; thence (6) N 82° 27' W a distance of 120.01 feet along the southerly line of Jackson Street as previously dedicated to the point and place of beginning.

The foregoing described street is shown on the aforesaid filed map.

Being and hereby intending to convey a part of the same premises conveyed to the said Martnor Development Corporation by Michael A. Colacino and Theresa M. Colacino, his wife, by deed dated May 2, 1969 and recorded in the Wayne County Clerk's Office on May 5, 1969 in Liber 613 of Deeds at Page 559.

AND BE IT FURTHER RESOLVED that said parcel shall be named and hereafter known as "Aldrich Drive".

Jaycees: Rodney Jeffery and Chuck Richardson, Palmyra Jaycees, have spearheaded a group or committee to initiate the building of a new Community Center in Palmyra. C. Richardson, spokesman, advised that they have a 12 man committee, a list of which is attached. He commented that it is not only Jaycees who are involved but other citizens within the town or village have been asked to participate. Richardson commented that it would be the hope that by drawing the village government into the picture, they might be able to avail themselves of some federal funds. H. B. Nesbitt, Village Attorney, commented that where village taxpayers money is involved, a board does not have the prerogative to commit future desires. However, if each board member individually, wishes to speak for himself, this may be his desire.

Ski-Mobile Hearing: A Public Hearing has been set by the Board for December 14, 1970 at 7:00 P.M. in the Park & Club Bldg., 149 E. Main Street, relative to a proposed Ordinance to Regulate the Use of a Snowmobile within the Village Limits.

Park Signs Hearing: A Public Hearing has been set by the Board for December 14, 1970 at 8:00 P.M. in the Park & Club Bldg., 149 E. Main Street, relative to a proposed Ordinance in relation to stop signs to be placed on village streets.

Opinion : of Compt. Re. Ambul. Serv. A letter dated 8/19/70 from Attorney H. B. Nesbitt to Mayor Nussbaumer recites an opinion as to statutory authority for a village to operate an ambulance service, Section 209-b(2) of the General Municipal Law as follows:

"a. The governing board of any city, town which has a fire department, village or fire district which has in its fire department an emergency rescue and first aid squad composed mainly of volunteer firemen, by resolution, may authorize any such squad to furnish general ambulance service for the purpose of (1) transporting any sick, injured or disabled person found within the city, town, village or fire district to a hospital, clinic, sanitorium or other place for treatment and care and returning any such person therefrom if still sick, injured or disabled and (2) returning any sick, injured or disabled resident of the city, town, village or fire district from a hospital, clinic, sanitorium or other place where such person has received treatment and care."

In conclusion the letter states:

"It would appear, then, that an ambulance service can be operated by the Village Department only after a duly authorized resolution by the Board of Trustees."

Frame for Nixon picture: At the time of the flag raising ceremony at the Steel Pole, it was suggested to Representative Frank Horton that the Village of Palmyra would like a picture of President Nixon to grace the wall of the board room. A picture has been received, and a letter of thanks written to both Representative Horton and William Timmons, Asst. to the President, for their efforts. Motion by Trustee Sinclair 2nd by Trustee Mierke and carried to instruct the clerk to have the picture framed.

Fire Inspect. Pre-School Flynn Nursery: A report was received from Fire Chief O'Brien relative to an inspection that he had made of the Nursery School at 430 E. Foster St., Palmyra, N.Y., operated by Mrs. Wm. Flynn which indicated that there were 2 minor violations which should be taken care of: 1. Rear door upstairs sticks, and 2. Hand railing to downstairs needed to be more secure.

Cemetery Clos.: Motion was made by Trustee Sinclair, 2nd by Trustee McGuire and carried as follows:
The Village of Palmyra Cemetery shall be closed for burials on December 15, 1970. Prior to that time, cemetery laborers will be on call for digging of graves. After December 15, 1970, all bodies will be placed in the public vault.

Lower Sewer W.Dennie Est.: The following motion was made by Trustee Mierke, 2nd by Trustee Leysath and carried:

Resolved: Whereas, Albert C. Dennie, 145 Market Street advised by letter dated November 15, 1970 that the house was no longer a 2 family house and that the sewer rent should be lowered from \$25.92 to \$17.28,
Be it Resolved: that the sewer rent will be lowered to \$17.28 as of December 1, 1970.

Parking Meters:

Clerk informed the board that Koonz Equip., dealer for the Duncan Parking Meter, advised that new meters on the basis of 25 meters would be \$65.50 ea. with a trade-in of \$5.00 ea. of 25 meters regardless of condition. Board agreed to table the matter for the present.

Voice of Democracy Proc.: The following Proclamation to designate the week of December 1-15 as Voice of Democracy Week signed by Mayor Nussbaumer is a part of the minutes 11/23/70.

P R O C L A M A T I O N

WHEREAS, One of the basic aims of the Veterans of Foreign Wars as set forth in its Congressional Charter is "to foster true patriotism," and

WHEREAS, The Voice of Democracy Scholarship Program sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary, has proven to be an effective instrument for putting these words into action, and

WHEREAS, the Voice of Democracy Scholarship Program, now in its 24th year, provides an opportunity for high school students to think, write and speak up for freedom and democracy, and

WHEREAS, This year's theme, "Freedom - Our Heritage," reminds us that for nearly two centuries the strength, unity and spirit of our great nation has endured despite many challenges, and

WHEREAS, An active, dedicated and resourceful citizenry is vital to preserving our Freedom Heritage in these times when, almost daily, new pressures are being exerted from many sides to weaken, divide and demoralize our nation,

NOW, HEREOF, I David M. Nussbaumer, Mayor of Palmyra Village do hereby proclaim December 1-15, 1970, as Voice of Democracy Week in Palmyra, and

IN OBSERVANCE THEREOF, I do hereby commend the Veterans of Foreign Wars and its Ladies Auxiliary for their sponsorship of the Voice of Democracy Program and I call upon all 10th, 11th and 12th grade students in our schools to speak up for "Freedom - Our Heritage."

David M. Nussbaumer
(Signature)

Mayor, City of Palmyra
Village

Letter Re: Aux. Police

A letter directed to Mayor Nussbaumer from James F. Hurley, Sheriff of the Wayne County Sheriff's Office, informed the board that he felt an Auxiliary Police force could be of boundless aid and assistance to the local force if properly organized followed by proper supervision. He strongly urged the inauguration of such a plan.

Adjourn:

Mayor Nussbaumer adjourned the meeting at 10:20 P.M.

Theresa P. Otte, Clerk Treas.