

**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

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**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No bid received may be withdrawn by any bidder for a period of thirty (30) days from the date of the bid opening.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. Calusha*  
FRANK R. CALUSHA, Notary Public, Wayne County.

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



**Surplus  
Fire  
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:



**Resol.:** WHEREAS, the Village of Palmyra adopted an ordinance in 1967 which stressed the removal of all overhanging signs within five years after its adoption, and,  
 WHEREAS, the Jaycees, an organization devoted to assisting for the betterment of any municipality, offered its services in helping any merchants who wished to have their signs removed,  
**BE IT RESOLVED THAT**, this Board go on record as voicing its appreciation and thanks to the local Jaycees for their assistance in removing the overhanging signs in the business district.

**Ice Skating Rink:** Ice Skating Rink in the village park needs attention. Slopes to one side. Vandalism, in the past, has been a problem, as it has not been possible to gradually get thickness of ice on the area before it will be gouged with rough spots. Trustee Brown advised that he would see if something could be done soon.

**Vil.&Tn. Need Cooper.:** Nelson Cook, President of the Jaycees, and a resident in the Town of Palmyra, Maple Avenue, commented that he had heard that there was a lack of cooperation between the village and town. Trustee Alderman replied that this was true to the extent that the village owns all the services, such as water, dump, fire department, and sewers in the village, and the town residents seem to feel that even though they do not pay village taxes, they should be entitled to them at village rates.

**State Permit: Request** On motion by Trustee Brown, 2nd by Trustee Alderman and carried, the board requested Mayor Nussbaumer to sign a request for a permit to allow the Village of Palmyra to place the rubble from the demolition of buildings in the urban renewal area on this site on the corner of Division Street and Canal Street, northeast of the village barns, to be later transformed into a parking and beautification area.

**Tel. Credit Cards:** On motion by Trustee Alderman, 2nd by Trustee Brown, and carried, clerk asked to contact the New York Telephone Co. to request a telephone credit card for Trustee Brown for use when he is out of town.

**Sign Ord.:** General discussion of a new sign ordinance. It was noted that at the time many of the signs were being taken down, merchants had been asked to contact the village board and the Planning Board to outline their views on the matter of new signs for village merchants. The Planning Board has been working on the matter and will be talking with the village board soon.

**Fire Trk. Bids:** On motion by Trustee Brown, 2nd by Trustee Green and carried, the fire truck bids were to be sold to the following:

Palmyra Agricultural Society, 1941 Tanker for \$151.00

Robert Hinkley, 1949 Maxim Ladder for \$289.50.

Bidders to be so notified.

**Rev. Shar.:** A letter was received from the Village of Kenmore requesting that the Village Board and village residents write to the Governor and the State Legislators requesting a revision in the State Revenue Sharing, making this the #1 goal of the 1973 Legislature. On motion by Trustee Alderman, 2nd by Trustee Brown and carried, clerk was instructed to so write in behalf of the Village of Palmyra.

**Resol.:** WHEREAS, a Per Capita Aid Committee has been established by the New York State Conference of Mayors and other Municipal Officials for the purpose of directing an all out, state-wide effort to bring about revisions of the State Revenue Sharing Formula to remove the inequities to the Villages and Towns of this State,  
**NOW, THEREFORE, BE IT RESOLVED THAT**, the Village of Palmyra does hereby confirm its full support of the Per Capita Aid Committee's efforts to secure Revenue Sharing Equity and against cutbacks in any state aid to local governments, and,  
**BE IT FURTHER RESOLVED THAT**, the Village of Palmyra regards such revisions as the Number One Legislative Priority for 1973, and, that coupled with that as a top priority is to have the percentage of state income tax devoted to revenue sharing returned from 18% to its original 21%, and,



**Resol.:** BE IT FURTHER RESOLVED THAT, the clerk forward copies of this action to Governor Nelson A. Rockefeller, State Assemblyman George T. Farrell, Chairman, Joint Legislative Committee on Laws Affecting Local Government, our local State Senator Frederick Warder and Assemblyman James Hurley.

**Adjourn:** Meeting was adjourned by Mayor Nussbaumer at 9:35 P.M.

Theresa P. Otte, Clerk Treasurer

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**Discussion Meeting** **January 8, 1973** **7:00 P.M.**  
**Board of Trustees**

**Present:** Trustees David McGuire and Robert Brown. Absent, Village Mayor David M. Nussbaumer, and Trustees Frederick Alderman, Lloyd A. Green. Village Attorney, Henry B. Nesbitt, Hiram VanEtten, Operator of the Village of Palmyra Water Plant. Wayne P. Ackart, Lozier Engineers, Inc., Rochester, New York. Garlock Representatives - G. Parry Wiess, Vice President, Mechanical Products Group, Richard G. Yard, Vice President, Engineering & Rubber Manufacturing, and Arthur Dadetta, Plant Engineer.

**Subject:** Preliminary suggestions prior to expiration of Water Contract with Garlock, Inc. as of 9/1/1975.

**Background Info.:** Wayne Ackart, Lozier's, reviewed the installation of a pump on Canandaigua Lake in 1964, following an application of the Village of Palmyra in 1958 to be allowed 3,000,000 gals. per day and approved from Canandaigua Lake. Since the installation of the pump several attempts have been made to get the pump to operate for a peak flow, but each time with the pump in operation very little more water was pumped thru the line. As a result, it was assumed that there could be a hidden leak or leaks in the main transmission.

**Search for Leak:** As a result, following results of various tests made by Pitometer, Associates, the line was traced foot by foot, by Mr. VanEtten and Mr. Ackart, who eventually found a major leak adjacent to the radio station in Canandaigua. Repair was made after which a quick test of turning on the pump was tried which seemed to indicate that the village was receiving 20 gallons more per minute. An extended test will be made at a later date. 900 gallons per minute is the most the village can receive at the present time. It is to be noted that Garlock, Inc., always gets additional amount as the pressure goes up. Garlock use varies greatly with the minimum at 400 gallons per minute. With a rate controller installed at Garlock, Inc., the wasting of water could be controlled.

**Rate Controller:**

Mr. Yard commented that Canandaigua Lake is 250 feet higher than Garlock. What shape is the pipe line in, was asked of Mr. VanEtten.

**PipeLine Good:**

H. VanEtten replied that whenever it has been necessary to repair any visible leaks, the transmission line appears to be in good shape despite the fact that it was installed nearly 40 years ago (1935). W. Ackart contributed the information that it is a steel main with no galvanic protection. At the present time a valve at Garlock's is set to waste above 30# pressure.

A. Dadetta commented that in his opinion if the valve were set at 50# pressure, no harm would be done. W. Ackart replied that if they (Garlock) could get a constant rate of 450 gallons per minute by a rate controller, this would be of tremendous help to the village.

At the present time all water is metered, but there is no way of knowing what amount is wasted. It is to be noted that the maximum amount that the village gets a day is 1,300,000 gallons. When the holding tank gets down to one-half (1/2) full, the village loses pressure.

Garlock officials commented that they would confer relative to the matters discussed and plan for a later date meeting.



January 8, 1973

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Adjourn: Meeting was adjourned at 7:50 P.M.

Theresa P. Otte, Clerk Treas.

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January 15, 1973

Regular Board Meeting

Board of Trustees

7:00 P.M.

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

**Vouchers:** On motion by Trustee Green, 2nd by Trustee Brown and carried, approval for payment of the vouchers in the amount of \$123,014.17.

**Minutes:** On motion by Trustee McGuire, 2nd by Trustee Green and carried, minutes of the previous meeting were approved.

**Dr. V. Smith Request:** A letter was received addressed to the Village Board from Dr. Vincent Smith, who has a medical practice on West Main Street. He indicated that he had made a purchase offer on property at the intersection of Howell Street and East Foster Street, the Jehovah Witness Bldg., located in the Town of Palmyra. Because the water is not potable, he requested that the village extend the water line so that he might obtain fresh water.

**Cost of Line:** Trustee Alderman commented that he had learned of Dr. Smith's intent and had obtained information relative to the cost of extending such a line in the amount of \$4,000.00 to \$5,000.00. After a brief discussion, it was the consensus of the board that Dr. Smith should contact the Town of Palmyra to request that they form a water district in this area. Clerk instructed to so inform Dr. Smith.

**St. Anne's Boy Scouts:** Richard Humphrey, Scoutmaster for the St. Anne's Boy Scouts, requested the use of the Village Park on February 9th and 10th, at which time the boys would be camping outside and having a few outdoor demonstrations. Request unanimously granted by board.

**Sign Ord.:** Bruce Wideman, Zoning Officer, informed the board that he had 2 suggestions relative to signs in the business area: - (1) Arrange for a joint meeting of the Zoning, Planning & Village Boards to discuss the matter, and 2ndly, increase the sign area from 1 Foot high to the length of the building. In addition, the sign should be flat against the building. Previous signs could remain as non-conforming, but if the building were renovated, a new sign ordinance would be applicable. (He referred to Sec. D-4 of the Zoning Ordinance).

**D. Wallace:** Donald Wallace, owner of the Paint Store at 235 East Main Street, interjected that he feels the ordinance should be changed inasmuch as he revealed that many people can't seem to find his store without a hanging sign over the sidewalk.

**Leash Law:** D. Wallace continued that he wished to comment on both the proposed Leash Law and Snowmobiles. He remarked that he did not feel that a dog leash law would be the answer. In regard to Snowmobiles, he was of the opinion that they should not be allowed on village streets. Chester Wilson, West Jackson Street, confirmed Mr. Wallace's opinion relative to snowmobiles, as he did not want to see West Jackson Street become a thoroughfare for the "nose-maker".

**W. Ackart, Loziers:** H. B. Nesbitt, Village Attorney, reviewed the proceedings prior to the request by the Village of Palmyra for 3,000,000 gals./day from Canandaigua Lake in 1958. With the construction of the sewerage system, the Village requested an extension of time in which to make the necessary arrangements for the construction of a pumping station adjacent to Canandaigua Lake. In 1964 the pump station at Canandaigua Lake was completed and inspected as well as approved by the State Water Control Commission. At this point, Attorney Nesbitt continued, it was his impression that we had been allotted the 3,000,000 gallons per day, but according to recent correspondence that Mr. Nesbitt has had with the State Water Control Commission, it has been pointed out that this is not the case.



- W. Ackart, Loziers:** Wayne Ackart, Lozier Engineers, revealed that the State Water Control Commission has allowed us only 1,300,000 but the official decision grants us 1,500,000. Mr. Ackart feels that we should try to avoid a public hearing relative to an additional application and would, therefore, suggest that it might be advisable to have Attorney Nesbitt go to Albany to discuss the matter with Edwin L. Vopelak.
- Confer. with State Wat. Control:** The board unanimously agreed that it would be advantageous if Attorney Nesbitt, Wayne Ackart, Loziers, Mayor Nussbaumer and Hiram VanEtten, arrange to confer with Mr. Vopelak at as early a date as possible, with expenses for the trip to be paid by the village.
- Garlock Inc.:** W. Ackart advised that he will confer with Garlock, Inc. engineers regarding work that must be done by them before further negotiations relative to a contract can be resumed. Mr. Ackart added the comment that if it may be possible to convince Albany that a dry summer may be in the offing, and it is, therefore, imperative that filters be in place for operation before that time, we might avert a curtailment of water usage.
- Urb. Ren.:** The following motion was made by Trustee Green, 2nd by Trustee Alderman and carried:  
**WHEREAS**, it has been pointed out that it would be advantageous for the Village of Palmyra to appoint engineers for the planning of the water, sewers, streets, grass areas in the Urban Renewal project which are not a part of the overall Urban Renewal function,
- Lozier Appoint.:** **BE IT RESOLVED THAT**, the firm of Lozier Engineers, 10 Gibbs Street, Rochester, New York, be so appointed to supervise this detail of the appointed work allocated to the Village of Palmyra.
- Snowmobile:** Rhett Butler and George Tilburg, representatives of the Snowmobile Club, inquired of any laws that would be applicable to village liability. Tilburg commented that a snowmobile now may have a liability limit of \$25,000. However, insurance is not compulsory. There are many, it was pointed out, that do not carry any insurance. Both of these men seemed to feel that they would prefer that the village did not open up any streets for snowmobiles. Those who do belong to the club, will abide by the rules, but those who do not invariably break all rules and as a result blame is laid to all snowmobile club members as well.
- Rogers Mem. Chapel:** A letter was received from Sheldon Knapp which indicated that a complete list of the items removed from the Rogers Memorial Chapel and where they are stored would be forthcoming in the near future.
- Tree Removals:** The firm of D. Bartucci have quoted a price of \$1,500.00 to remove 30 Trees and Stumps from the village owned property on various streets, between the sidewalk & curb.
- Village Barn:** Trustee Alderman commented that Harry White and Andy Baran, Town Councilmen, have been contacted to discuss possible use of land by the Village owned by the Town on Kent Street where the Town Barns are located. Hopefully, some arrangements may be made to locate the village barns in this area.
- Street Paving:** Trustee Alderman commented that to do a good job of paving village streets, it would cost approximately \$20,000.00 per mile.
- Brush Chipper:** Trustee Alderman continued that the Town of Palmyra is interested in the possible purchase of a chipper, with the village sharing half of the cost. Discussion on this will be held at a later date.



January 15, 1973

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**Asst. Pol. Just.:** Trustee Alderman informed the board that James DePointe, newly appointed Asst. Police Justice, had informed him that he wished to resign inasmuch as he finds that, he, personally, cannot counsel certain clients that might desire his services.

**Fire Dept. Members:** On the recommendation of the Board of Fire Commissioners, the following names were presented to the Village Board for their approval as trainees in the department: Ivan R. Beach, Jr., 126 Washington Street; Thomas R. Stubbings, 338 Railroad Avenue; Robert D. Francis, 116 Marion Road. On motion by Trustee Green, 2nd by Trustee McGuire and carried, the above are approved for membership.

**Police Dept.:** On motion by Trustee Green, 2nd by Trustee McGuire and carried, Charles J. Young, is appointed as a probationary patrolman at a salary of \$126.00 per week, with service to begin 1/29/73.

**Narcotic Council:** It was noted that the name of Robert Disney might be removed from the Narcotic Council and the name of Mrs. Sheila Maxwell replace him. Clerk advised to send letters to both of these people.

**Harry Truman Passes:** The following resolution was made by Trustee Green, 2nd by Trustee McGuire and carried:  
**WHEREAS**, Harry Truman, former President of the United States, passed away December 26, 1972 at the age of 88 after serving his country in the highest office,  
**BE IT RESOLVED THAT**, the Village of Palmyra express its sympathy for the loss of husband and father to the surviving widow and daughter of Harry Truman by sending a copy of this resolution to the family of Harry S. Truman.

**Water Meeting:** On motion by Trustee McGuire, 2nd by Trustee Brown and carried, Hiram VanEtten, operator of the Water plant, may attend the Finger Lakes Water Works Conference on 2/1/73 at the Farm Rest.

**Village Historian** The following motion was made by Trustee Alderman, 2nd by Trustee Brown and carried:  
**WHEREAS**, the Village Historian, Mrs. Dorothy Herendeen is deceased, and,  
**WHEREAS**, the State Education Department has requested that a person be appointed as Village Historian,  
**BE IT RESOLVED THAT**, Miss Lorene Warner, West Jackson Street, be named to replace Mrs. Herendeen.

**W.Kaveny Sew.Com-plaint:** A letter was received from William Kaveny, owner of the Bowling Alley on Cuyler Street, which he recently purchased which revealed that he had not been properly connected to the village sewer line, in that the sewerage was going through the septic tank and into the sewer system, but was constantly plugged up. He indicated that he felt the village was negligent in the inspection of the connections and attached bills in the amount of \$293.18 which he had had to pay. Board discussed the matter but agreed that this was on private property and was his responsibility. Clerk was asked to have Attorney Nesbitt review the matter and write a letter to Mr. Kaveny explaining the village's position in the matter.

**Fed.Sew. Funds Recd.:** Clerk Treasurer informed the board that federal funds on the Project Sewer CG36052 (Renovation of the Sewage Disposal Plant, to include chlorination) were received, Payment #3 in the amount of \$48,100.00 making a total of \$168,200.00 received of \$209,330.00 allocated.

**Adjourn:** Mayor Nussbaumer adjourned the meeting at 9:25 P.M.

Theresa P. Otte, Clerk Treas.

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January 23, 1973

Discussion Meeting

8:10 P.M.

**Present:** Mayor David Nussbaumer, and Trustees Robert Brown, Frederick Alderman. Absent, Trustees David McGuire and Lloyd Green. Zoning Board Chairman, Luther Sheldon, N. Ingram. Absent, Richard McGuire, William Abbott, and Harold Gilman. Planning Board Chairman, J. Wiley, Anita Austin, Robert Jones, Gary O'Dea. Absent, Blake Duffy. Zoning Officer, Bruce Wideman.



January 23, 1973

**Zon.Ofc.:** Bruce Wideman, Zoning Officer, commented on some changes:  
 Page 5 - Cust. Home Occup. to now add office of architect, doctor, lawyer, dentist. Delete hatmaker.  
 Page 8 - Definition of Junk Yard - 6' Screen from Public view scrap."

**J.Wiley:** Sec. 401.4 - Increase to 9,600 sq.ft. from 7,200 sq.ft.  
 Discussion indicates to leave at 7,200.  
 Sec. 401.7 - Yard Requirements: -- Min. 20' Side yard and 10' one side Frontage 80'  
 Sec. 411.1 - Part B - place in 411.3.  
 Sec. 411.4 - Lot Requirement increase.  
 Sec. 506.3 - Fences - and all lie within property line.  
 Gutters & Curbs.

**Signs:** 503.1 -- B-2 Page 32 - Heighth and length of building.  
 1.5' for every linear ft.

**Adjourn:** Mayor Nussbaumer adjourned the meeting at 9:30 P.M.

Theresa P. Otte, Clerk Treasurer

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January 29, 1973

Regular Board Meeting

Board of Trustees

7:00P.M.

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

**Vouchers:** On motion by Trustee Green, 2nd by Trustee McGuire and carried, approval for the payment of vouchers in the amount of \$8,509.13 was authorized.

**Minutes:** Approval of minutes for the previous meeting was tabled until 2/12/73.

**Fair Assoc.:** Frank DeRight, in behalf of the Palmyra Union Agricultural Society Fair Association discussed with the board his request for permits to construct a new horse barn and the installation of toilet facilities in the area of the southwest entrance off Stafford and Clairmount Park. According to Mr. DeRight, it would not be feasible to run a sewer line from Clairmount Park into the fairgrounds inasmuch as the ground slopes to the east and a pumping station in the fairgrounds would be required to pump the sewerage west into the main trunk line of Clairmount Park. A holding tank, which would have to be emptied frequently, would be permissable for the toilet facilities, as opposed to a septic tank, which is not allowed under the village sewer ordinance.

**Trailers:** Discussion centered on trailers of the "Carney People", who last year took the liberty of digging holes to empty the facilities of their trailers. As a result, a very unsanitary condition developed. Mr. DeRight was asked if he would be able to "police" the trailers to certify that they were not having a repeat performance of last year but would periodically dispose of the sewerage in the holding tank provided by the fair association. Zoning Officer, Bruce Wideman, commented that the trailers should be inspected when they enter the fairgrounds to make certain that they each have a holding tank, which would be emptied into the larger one provided by the fair association.

**Can.Lake Pump:** Water Plant Operator H. VanEtten, informed the board that the pumps at Canandaigua Lake Pumping Station were in operation for about 3 hours on 1/23/73. Inasmuch as the transmission line leaks have been detected and repaired, especially the one which was in the vicinity of the Canandaigua Radio Station, the pumps seem to be performing with a greater velocity of water in the transmission lines.



**Filter  
Plant  
Pumps:**

Water Plant Operator VanEtten advised that the bearings on the pump at the Filter Plant needs repairing. In the past, when he has called Garlock, Inc., someone has come over to repair the bearings.

The following motion was made by Trustee Alderman, 2nd by Trustee McGuire.

**WHEREAS**, the pumps at the filter plant are the property of the Village of Palmyra,

**BE IT RESOLVED THAT**, the Village of Palmyra assume the responsibility of repairing the bearings, etc., in the future, rather than asking the services of Garlock, Inc. to assist in this matter.

Motion approved by Trustee Alderman, Trustee Brown, Trustee McGuire, with Trustee Green abstaining from voting.

**Sump  
Pump  
Inspec.:**

Sewer Plant Operator VanEtten informed the board that it would appear from the recent inspections of cellars for illegal connections of sump pumps, that the daily flows have been averaging between 230,000 to 280,000 gallons daily. He commented that there are 35 to 40 definite violations which will have to be cited, if they do not make voluntary adjustments. In addition, other means will have to be used to actually determine if eve troughs of many homes are illegally connected to the sanitary sewer. Cards have been so marked for inspection by "smoke bombs" or some other means.

**Library  
Request:**

Mrs. Jane Nesbitt, Mrs. Betty Alderman and Mrs. Becky Kommer, representatives of the Palmyra Free Library Assoc. read a communication which they have received regarding municipal allocations of Revenue Sharing monies. Mrs. Nesbitt gave a resume of the history of the library, informing the board that it is a satellite of the Palmyra Kings Daughters.

However, she commented, it is a misconception that the library is endowed with funds from the recent Congdon bequest. The library has a limited income as shown by the budget figures given to each board member.

The following motion was made by Trustee Alderman, 2nd by Trustee Green and unanimously carried.

**WHEREAS**, the Palmyra Kings Daughters Free Library Association has indicated a need for additional funds to supplement their current working budget,

**BE IT RESOLVED THAT**, the Board of Trustees of the Village of Palmyra share \$1,000.00 of the Federal Revenue Sharing Funds received by the Village of Palmyra with the Library to aid in their financial endeavors, as soon as possible.

**Chamber  
of Comm.  
letter:**

A letter received from the local Chamber of Commerce indicated that signs on buildings should be increased in width to 12" or 18" by the length of the store frontage.

**Signs &  
Lights:**

In addition the merchants indicate that since the store front signs which were lighted, have been removed, the business area does not have adequate light. In talking with the Gas & Electric, they have suggested high-pressure sodium lamps which could about double the volume of light.

Clerk instructed to contact the Gas & Electric for their views on the matter.

**M. Collie  
Presents  
Petition:**

Martin & Charles Collie, owners of "Collie's Mens Store" conferred with the board relative to the removal of all the signs in the downtown business area. A petition contains signatures of approximately 48 business men who seemed to feel that they should have the right to choose their own method of advertising, whether the sign be small or large, lighted or not. Board advised that a study is being made by the Planning Board and the Zoning Officer and following their recommendations, a public hearing will be held relative to a proposed ordinance.

**Roche-  
Kimberly:**

A letter received by Village Attorney, Henry B. Nesbitt, from Wiser, Shaw, Freeman, Van Graafeiland, Harter & Secrest, advised that Justice Schnepf denied the motion to restore the matter of the filing of a claim by Roche-Kimberly vs. Luther Sheldon, Chairman of the Zoning Board of Appeals. In view of this, it appears that the case has been definitely closed, and dismissed.



- M.Hunt:** Melvin Hunt, 349 E. Foster Street, informed the board that there is a dead elm tree at the bottom of Prospect Hill which is adjacent to the rear of his property. Many limbs have fallen causing no damage, but since many children play in this area, he feels that the tree should be completely cut down. Board informed him that they would have Ray Smith investigate and remove.
- Zon.Ord.:** Zoning Officer, Bruce Wideman and Robert Joyce, a member of the Planning Board, reviewed some of their suggestions for changes in the zoning ordinance and sub-division regulations. Board suggested that they condense and firm up their recommendations so that the board might review and later set a public hearing date before adoption.
- Dog Ord.:** Trustee Alderman reported to the board that Attorney Nesbitt had drawn a proposed amendment to the Control of Dogs & Other Animals Ordinance in Section 8 which would state:
- "It shall be unlawful for any owner of or any person harboring any dog in the Village of Palmyra to permit or allow such dog to run at large unless accompanied by its owner or a responsible person able to control the animal.
- "Section 12 shall be repealed."
- Pub.Hear. Set:** The public hearing for the proposed amendment was set for February 26, 1973 at 7:30 P.M.
- Asst. Pol. Just. Resigns:** A letter was received from James DePoint informing the board that due to conflicting commitments, he would like to tender his resignation as Asst. Police Justice for the Village of Palmyra. Motion by Trustee Green, 2nd by Trustee Brown and carried to accept the resignation. Board agreed that no Asst. Police Justice would be appointed at this time.
- Vil.of Manches. Wat.Cont:** A letter was received from John Tyo, Attorney, for the Village of Manchester which indicated that they would like to discuss the matter of the water contract which they have with the Village of Palmyra. Trustee Alderman volunteered to contact the village board and arrange a suitable time to discuss the matter.
- Vil.Barn Tn.Land:** Trustee Alderman informed the board that he had talked with Harry White and Andrew Baran, members of the Town Board, relative to the possibility of the village using a small area of land adjacent to the Town Barns for the erection of a Village Barn. He will have further information at the next board meeting.
- Mayor's Comm:** Mayor Nussbaumer informed the board that he wished to appoint men from both the village and town who would form a study committee for the promulgation of better relations between the village and the town. At present, he advised, he had contacted the following: Edward Dickinson, Birdsall Pkwy.; Geo. Contant, Cuyler Street; Frederick Alderman, Canandaigua Street; Roy Aplin, Bear Hill Drive; Nelson Cook, Maple Avenue; and another whom he would definitely appoint at the next board meeting.
- D.Pope Release from Pol. Comm.** Mayor Nussbaumer advised that he felt that Daniel Pope, Canandaigua Street, who had been retained as a liaison between the Village Board and the discharged Police Study Committee, could now be officially discharged from his duties also. Clerk was instructed to so inform him.
- Lyndon Johnson Passes:** The following motion was made by Trustee McGuire, 2nd by Trustee Green and carried:
- WHEREAS**, Lyndon B. Johnson, former President of the United States, passed away on January 22, 1973 after serving his country in the highest office,  
**BE IT RESOLVED THAT**, the Village of Palmyra express its sympathy for the loss of husband and father to the surviving widow and daughters of Lyndon B. Johnson by sending a copy of this resolution to the family of Lyndon B. Johnson.



- Land Use Permit:** Trustee Brown advised that a letter had been written to the State Dept. of Transportation, % E. Gdula, requesting a permit to use the old Erie Canal Bank area north of the village barns for beautification. In replying to Mr. Brown, Mr. Gdula informed him that the bank must be sloped to conform to the surrounding area. The land must be kept free and clear of debris and conform to the general atmosphere of a park area. The permit would be forthcoming.
- Urban Renewal:** Attorney Paul Rubery, in behalf of the Urban Renewal Agency, advised the Village Board that for ease of operation, it would be apropos if the village were to proceed with condemnation of the Lazerson property on Canal Street. This would be permissable under Section 555 of the General Municipal Law. A municipality would be empowered to do this under a "Quit Take" and could be accomplished within 20 days.
- G. Ver Sluis: Request Sew. Lower:** G. VerSluis, owner of property at 114 East Jackson Street, wrote a letter requesting that the sewer rent be lowered temporarily from 3 units to 2 units as they were doing some remodeling to the one apartment. Board instructed clerk to so advise him that under the present ordinance a return to 3 apartments in the R-1 Zone would not be permissable. Perhaps he would wish to reconsider.
- Roch. Gas & Elec.:** On motion by Trustee Green, 2nd by Trustee Brown and carried, clerk was instructed to send a check to the Lincoln Rochester First Bank to purchase another share of R.G.&E. stock. Check to be for \$4.05 as specified on the brochure.
- Potter Sign:** The attached motion was made by Trustee Green, 2nd by Trustee Brown in connection with the clerk informing Mr. Laurence Potter that the overhanging sign on William Street denoting his laundromat must be removed within ten days or the village attorney would take appropriate action.
- Voice vote:
- |                  |      |
|------------------|------|
| Trustee Alderman | Naye |
| Trustee Brown    | Aye  |
| Trustee Green    | Aye  |
| Trustee McGuire  | Naye |
| Mayor Nussbaumer | Aye  |
- Motion carried.
- Resol.:** **WHEREAS**, it appears that Mr. Laurence Potter is the owner of premises located at No. 124 William Street, in the Village of Palmyra, Wayne County, New York, and,  
**WHEREAS**, it further appears that the said Laurence Potter has placed and now maintains a sign located over and above the public street known as William Street in said Village, and that said sign is an encroachment of lands owned by the Village of Palmyra,  
**NOW, THEREFORE, BE IT RESOLVED**, that the Clerk of the Village of Palmyra is hereby authorized and directed to inform Mr. Laurence Potter that said encroachment consisting of a sign be removed from the public property of the Village of Palmyra forthwith and, in the event said encroachment is not removed in accord with the request, the attorney for the Village of Palmyra is authorized and directed to take whatever legal proceedings are necessary to effect the removal of said encroachment.
- Laur. Pathway:** A letter addressed to Attorney Nesbitt from John Blyth, attorney for John Martin, developer of the Salzburg Village area, revealed that Mr. Martin does not wish to dedicate this area to the Village of Palmyra at this time. Therefore, he, continued, Mr. Martin will assume responsibility for the sewer and snowplowing of the area.
- Adjourn:** Mayor Nussbaumer adjourned the meeting at 10:15 P.M.

Theresa P. Otte, Clerk Treasurer

\* \* \* \* \*



Resol.  
Re: App.  
for Urb.  
Rn. Agcy.  
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Section 8. There is a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe and sanitary dwellings, which are or will be provided in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public or commercial facilities, at rents or prices within the financial means of such families or individuals and reasonably accessible to their places of employment.

And it is further RESOLVED:

Section 9. The Municipality hereby expresses its intent and recognizes its responsibility to do whatever is necessary and appropriate to carry out the project.

Section 10. The Board of Trustees of the Village of Palmyra represents that it has delegated to the Agency through resolution *1/12/1965*, the powers, as provided for in section 503-a of Article 15 of the General Municipal Law, necessary, desirable and appropriate to effectuate the project and that it has designated the Agency in accordance with section 502 (5) of Article 15 of the General Municipal Law and that it has consented to the use of agents, employees and facilities of the Municipality pursuant to and in accordance with section 554 (8) of Article 15-A of the General Municipal Law.

Section 11. The filing of an application by the Palmyra Urban Renewal Agency for the State grant of funds to assist in carrying out the project in an amount not to exceed approximately the sum of \$130,000.00, is hereby approved.

*Confirmation of exact figure of 137,433<sup>00</sup> recd.  
3/14/73. (RCC, clerk) from Urban Renewal Agency.*



Section 8. There is a feasible method for the relocation of

families and individuals displaced from the urban renewal area into decent, safe and sanitary dwellings, which are or will be provided in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public or commercial facilities, at rents or prices within the financial means of such families or individuals and reasonably accessible to their places of employment.

And it is further RESOLVED:

Section 9. The Municipality hereby expresses its intent and

recognizes its responsibility to do whatever is necessary and appropriate to carry out the project.

Section 10. The Board of Trustees of the Village of Palmyra

represents that it has delegated to the Agency through resolution 11/1/52, the powers, as provided for in section 503-a of

Article 15 of the General Municipal Law, necessary, desirable and

appropriate to effectuate the project and that it has designated the

Agency in accordance with section 503 (2) of Article 15 of the

General Municipal Law and that it has consented to the use of agency

employees and facilities of the Municipality pursuant to and in

accordance with section 504 (2) of Article 15-A of the General

Municipal Law.

Section 11. The filing of an application by the Palmyra Urban

Renewal Agency for the State grant of funds to assist in carrying out

the project in an amount not to exceed approximately the sum of

\$130,000.00, is hereby approved.



RESOLVED: The Board of Trustees of the Village of Palmyra hereby finds:

Section 1. The area in the Village of Palmyra (hereinafter referred to as "Municipality"), a description of which is annexed hereto marked "Exhibit A", is substandard, insanitary, and has been duly designated as appropriate for urban renewal within the intent of the Urban Renewal Law of the State of New York.

Section 2. The existence of said area is impairing and arresting the sound growth and development of the Municipality and is inimical to the public health, safety, morals and welfare of the inhabitants hereof and of the State.

Section 3. The Palmyra Urban Renewal Agency (hereinafter referred to as "Agency"), is undertaking an urban renewal project in said area, (hereinafter called the "project") under and pursuant to the Housing Act of 1949 as amended and supplemented.

Section 4. The development of the project is essential to the sound growth and development of the Municipality and to the welfare of the inhabitants thereof.

Section 5. The financial aid to be provided to the Agency is necessary to enable the project to be undertaken in accordance with the urban renewal plan (hereinafter referred to as "Plan").

Section 6. The Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the Municipality, as a whole, for the undertaking of the urban renewal program.

Section 7. The Plan conforms to the comprehensive community plan for the development of the Municipality as a whole.



finds:

RESOLVED: The Board of Trustees of the Village of Palmyra hereby

Section 1. The area in the Village of Palmyra (hereinafter referred to as "Municipality"), a description of which is annexed hereto marked "Exhibit A", is substandard, insanitary, and has been duly designated as appropriate for urban renewal within the intent of the Urban Renewal Law of the State of New York.

Section 2. The existence of said area is impairing and arresting the sound growth and development of the Municipality and is detrimental to the public health, safety, morals and welfare of the inhabitants thereof and of the State.

Section 3. The Palmyra Urban Renewal Agency (hereinafter referred to as "Agency"), is undertaking an urban renewal project in said area, (hereinafter called the "project") under and pursuant to the Housing Act of 1949 as amended and supplemented.

Section 4. The development of the project is essential to the sound growth and development of the Municipality and to the welfare of the inhabitants thereof.

Section 5. The financial aid to be provided to the Agency is necessary to enable the project to be undertaken in accordance with the urban renewal plan (hereinafter referred to as "Plan").

Section 6. The Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the Municipality, as a whole, for the undertaking of the urban renewal program.

Section 7. The Plan conforms to the comprehensive community plan for the development of the Municipality as a whole.



Exhibit A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town and Village of Palmyra, County of Wayne and State of New York bounded and described as follows: Commencing at a point in the intersection of the westerly line of William Street and the southerly line of Canal Street in said Village; thence (1) north  $75^{\circ} 46'$  west 63.13 feet along the southerly boundary of Canal Street; thence (2) north  $13^{\circ} 20' 40''$  east crossing Canal Street 232.36 feet to a point in the southerly line of lands formerly of the Erie Canal; thence (3) south  $76^{\circ} 47'$  east 50 feet; thence (4) south  $13^{\circ} 20' 40''$  west 12.14 feet; thence (5) south  $75^{\circ} 27' 10''$  east 393.10 feet to a point in the westerly boundary of Division Street; thence (6) south  $42^{\circ} 26' 54.35''$  <sup>east</sup> crossing Division Street to a point in the easterly boundary of Division Street; thence (7) south  $15^{\circ} 35' 10''$  west 141.98 feet along the easterly boundary line of Division Street; thence (8) south  $54^{\circ} 26' 20''$  east 56.03 feet along the southerly boundary of Canal Street; thence (9) south  $10^{\circ} 09' 30''$  west 371.14 feet to a point; thence (10) north  $81^{\circ} 25' 30''$  west 125.69 feet to a point; thence (11) south  $08^{\circ} 34' 30''$  west 6 feet; thence (12) north  $81^{\circ} 25' 30''$  west 101.95 feet; thence (13) north  $09^{\circ} 29' 30''$  east 125.62 feet; thence north  $81^{\circ} 58' 30''$  west 20 feet; thence/north  $08^{\circ} 30'$  <sup>(14)</sup> east 43.34 feet; thence (15) north  $82^{\circ} 13' 20''$  west 214.37 feet crossing William Street to a point in the westerly point of William Street; thence (16) north  $08^{\circ} 22'$  east 231.03 feet to the point and place of beginning.