

## Regular Board Meeting

## Board of Trustees

7:00 P.M.

**Present:** Mayor David M. Nussbaumer and Trustees David McGuire, Donald Sinclair, and Donald Leysath.

**Vouchers:** Motion by Trustee McGuire, 2nd by Trustee Leysath to approve payment of vouchers as presented except the voucher for the Empire Tree Surgeons in that Mr. Sinclair felt that they should replace the tree in front of 122 Cuyler Street that was sheared on the south side when a large elm tree across the street was topped, limbs of which fell on the tree at 122 Cuyler Street. It was agreed that a reduction of \$100.00 should be withheld from payment along with \$50.00 for a tree at the corner of West Main and Church Street, which could not be fully removed until the New York Telephone had an opportunity to remove the cable wires. Therefore, a voucher of \$1,600.00 was approved for payment to the Empire Tree Surgeons at this time.

**K.Woodward:** Kenneth G. Woodward, of Woodward Associates, Webster, New York, consulting engineer for the Village of Palmyra, in connection with the Sewer & Water Plants and Mains, discussed the next step for the up-dating of the sewer. Detailed plans and specifications will be ready by October 1st, followed by a review by the New York State Dept. of Health and approval by them by January 1, 1971. Following this, bids can be advertised. K.G.Woodward's fee would be based on the estimated cost of \$520,000.00 and not the \$634,400.00 or what the contractor might bid. This method of fee basis gives a "sure" figure on Woodward's actual cost of 5.4%. The only figure not shown on his contract, is the borings, which, according to Woodward, would be under \$500.00. (His fee would be 90% of 5.4% or \$25,000.00 at initial beginning of actual work and the balance of the fee of \$15,000.00 periodically.) In addition, Mr. Woodward advised that he would incorporate in the contract that Olgerts Sniedze (Oggie, who was the field man for K.G.Woodward at the time the Village of Palmyra sewer project in 1960 was in progress) that he would personally review the project site weekly. He (Oggie) would send a memo to our office relating details of conferences between the contractors and himself so that the village would be aware of any problems.

**Resol:** The following resolution was made by Trustee McGuire, 2nd  
**Fee:** by Trustee Leysath and carried: to wit -

**RESOLVED:** That the Village of Palmyra Board of Trustees contract with Woodward Associates, Webster, New York on a fee of 5.4% based on the estimated cost of \$520,000.00 for the up-dating of the sewer plant to include chlorination facilities.

**Spencer Knapp:Re:** Spencer Knapp, Washington Street, advised that he is trying to purchase the former Wardlaw house at 109 West Main Street, which house is or was willed to the Episcopal Church of Palmyra, N.Y., and is located between the Methodist Church and their church house at 113 West Main Street for the purpose of a private parking lot. Bruce Wideman informed him that an appeals hearing would be required to get a Special Permit as this parking lot would undoubtedly hold more than 5 cars in an R-2 Zone.

**B.Wide-** Bruce Wideman, Zoning Officer, informed the board that legal  
**man Sug-** action will be taken in conjunction with such places as Denosky  
**gests** Upholstery on West Main Street, Melvin Raymond on Vienna Street,  
**Legal** 3 junk cars on Market Street, all of which have failed to heed  
**Action:** his repeated requests for compliance. Legal action will grant 5 days after which arrest, or summons and fine may be imposed.

**Unpainted** B. Wideman advised that there are several houses in the village  
**Houses:** which are in dire need of paint, the owners of which, he is well aware, do not have the means to purchase paint or have work done. It is his ambition to try to obtain paint from some paint firm and enlist the cooperation of some civic minded group to do the work.



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- Litter:** It would be B. Wideman's suggestion that the village have a litter law, especially in the downtown area. To compound the litter problem, he found that garbage is being dumped behind the Palmyra Motors, West Main Street. (Wideman viewed same 4/11/70)
- Unsafe:** H.B. Nesbitt, Village Attorney, informed the board that it would be his suggestion that in order to properly pass the Unsafe Building Ordinance, new copies should be placed on the desks of the Board of Trustees, proper publication with proof in the local newspaper be arranged, followed by a public hearing after which it could then be sent to Albany, New York State Department of Audit & Control and Board of Elections for filing and become Local Law #1 of 1970.
- Bldg. Ord.**
- Brd. Fire Comm. Recommend:** The Board of Fire Commissioners of the Palmyra Fire Department by letter have recommended that the name of Charles Richardson, East Foster Street, be dropped from the roster of eligible firemen in that he failed to make any of the training periods so scheduled by the department during the last year.
- Zoning:** B. Wideman suggested that it might be well for him to confer with the Zoning Committee or the Planning Board to review the Zoning Code in that only by application of various regulations has he discovered that there are some "gray" areas and enforcement of the code is not practical or possible.
- Budget Adoption 1970-71:** The following motion was made by Trustee McGuire, 2nd by Trustee Sinclair and carried: to wit:-  
**RESOLVED:** The Budget as proposed for the ensuing year 6/1/70 - 5/31/71, in the amount of \$404,016.75, less revenue and carry-over, for a figure of \$193,259.01 to be raised by taxation on taxable property in the amount of \$12,883,934 would entail a tax rate of \$15.00/M.
- Police Car Wash:** It has been the suggestion of the board that the Police Car be washed more frequently. Chief Henry is to make arrangements to have a wash job on possibly Tuesday and Friday.
- Parking Meters:** It is to be noted that many of the parking meters in the downtown area are headless (not topless), some of which meters may or could be repaired. Trustee Sinclair advised that Chief Henry will make a list of all such meters and present to him.
- D. Leysath Urb. Ren. Member:** It is the prerogative of the Mayor to appoint a member of the Village Board to be a member of the Urban Renewal Agency Board. Mayor Nussbaumer appointed Trustee Donald Leysath.
- Planning Board:** **The resignation of Edward Dickinson as Chairman of the Planning Board was accepted.**  
 On motion by Trustee Leysath, 2nd by Trustee McGuire, and carried, the name of Mrs. Anita Austin, Liberty Street, was approved to replace Mr. Dickinson.
- Zoning Board:** A previous vacancy in the Zoning Board of Appeals with the resignation of Arthur Trautman, prompted the appointment of Richard McGuire, Hathaway Street. Motion was made by Trustee McGuire, 2nd by Trustee Sinclair and carried.
- Cemetery Foreman:** Motion was made by Trustee Leysath, 2nd by Trustee McGuire to appoint William Kaveny, Railroad Avenue as caretaker of the Village of Palmyra Cemetery beginning 4/14/70 at a salary of \$125.00/wk. until 12/15/70, with the stipulation that there may be an increase of \$10.00/wk. if the situation warrants. The cemetery caretaker position is a salary position, but in that the season is short, no vacation pay is allowed.
- Dump:** Discussion ensued relative to a possible citation from the State Department of Health relative to the closing of the Village Dump on Garnsey Road. Consensus seemed to be that it would be apropos to give the dump to the Town of Palmyra. The board feels that both the Village and Town should be prepared for such a notice of closing.



- Clean-up:** In the past the village crews have allocated specific Saturdays on which they would work exclusively in picking up debris, meaning leaves, small twigs, and rakings from yards, placed between the sidewalk and curb to assist the property owner in riding his property of the previous winter accumulation. It is to be noted that the board hereby stipulates that Saturday, May 9, and Saturday, May 23rd will be so designated.
- Laurentian Drive:** A copy of a letter addressed to Mrs. Marilyn Boland, 2 Laurentian Drive from H.J. Smith, District Sanitary Engineer, New York State Department of Health, Geneva, New York, relative to the sewage complaint of this area was read. Board commented that this is an unsatisfactory condition, but until proper dedication of the pathway as a street is promulgated, village crews have no authority to trespass on private property, even though it is in the village.
- Sewer: Plant Inspec. Set** A letter from the New York State Dept. of Health, Paul A. Sullivan, of Rochester, N.Y. advised that an evaluation of the sewage treatment plant would be scheduled for 4/30/70, all of which will reflect the basis for the yearly Operation & Maintenance Grant by this department.
- Police Report:** The Police Report for the month of March, 1970 indicated that fines and bail forfeitures collected for Motor Vehicle and Criminal matters amounted to \$133.00 and parking meter fines totaled \$30.00. The department took action on 121 complaints and assisted outside police ten times. Speeders topped the list of Motor vehicle arrests and five were illegally parked.
- Adjourn:** Mayor Nussbaumer adjourned the meeting at 10:45 P.M.

Theresa P. Otte, Clerk Treasurer

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Special Meeting

Board of Trustees

7:00 P.M.

April 20, 1970

- Present:** Mayor David M. Nussbaumer, and Trustees Donald Sinclair, David McGuire, absent Trustee Donald Leysath.
- P. Mierke: Appoint. Trustee** The following motion was made by Trustee Sinclair, 2nd by Trustee McGuire and carried:  
**RESOLVED:** Whereas Paul Mierke, 127 West Charlotte Avenue, a former trustee under the original Village Charter and the first official Mayor of the Village of Palmyra under State Village Law, and  
 Whereas, a vacancy exists in the Village Board,  
 Be it Resolved, that Paul Mierke be appointed Trustee to fill the unexpired term of David Nussbaumer, now Mayor of the Village of Palmyra, until 4/1/71.
- Sr. Cit. Month:** Governor Nelson A. Rockefeller addressed a letter to the Village of Palmyra requesting that the Mayor of the Village of Palmyra proclaim the month of May as Senior Citizens' Month in conjunction with a proclamation by the State of New York. Motion was made by Trustee McGuire and 2nd by Trustee Sinclair and carried to respect his request.
- Wayne Co. Conf. of Mayors:** Mayor Nussbaumer advised that he expected to go to the Wayne County Supervisors meeting to petition the Board of Supervisors along with other mayors in the county, for a portion of the excess of sales tax revenue garnered by the county. It is the thinking of the Wayne County Conference of Mayors that these funds could be distributed among the villages to help them keep their tax rates down and still provide the services expected by the public.



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- Fire Contracts:** Mayor Nussbaumer had received a list of fees paid by towns or districts to villages for fire protection. It would appear from the list that the Village of Palmyra is receiving a nominal amount from the Town of Palmyra in comparison to other villages of comparative size.
- Wm.Roche: Urban Renewal** William Roche, Urban Renewal Director, reviewed the status of the Village of Palmyra application as of three (3) years ago for the federal grant of approximately \$900,000.00 in connection with the renovation of the Main Street East Area between William Street and Market Street and on the Canal Street area between these two streets. Shortly after it was determined that this area might be slated for refurbishing, a group was formed to preserve various historical sites. At the time of actual survey, it was determined that approximately 31 families or 110-115 persons, would need to be re-located.
- N.D.P.Plan:** In August, 1969, the Neighborhood Development Plan was devised. This was a plan fashioned to refurbish a small area or a bite size of the original plan. Only 1 business and 5 families, under this plan, would have had to be re-located. A recent letter received by W. Roche informed him that the N.D.P. Plan was now defunct in that many more had applied for this type of renovation than had been expected and consequently, funds were exhausted.
- Plan now Defunct**
- Follow Original Plan ?** At this juncture, Roche continued, the original funds so allocated in the name of the Village of Palmyra, are still available. Therefore, the Village can, if it so chooses, continue with the original plans. The initial step would be to create housing on the north side of Canal Street, in the area where the Palmyra Building Supply is located. The people who are living on the south side of Canal and the lower end of Market and William Streets, nearest to Canal Street, would then have the option to move into the newly created housing. Should owners or tenants refuse to move, the Urban Renewal Agency has the right of condemnation. With housing provided for these people, it would then be possible to proceed to move up into the area closer to Main Street.
- Village: Respon-sibility** The survey and planning budget for the program is to be about \$150,000.00 of which the federal government picks up 3/4, the state picks up 1/8 and the village has to pay 1/8 (of the \$150,000.00 or \$18,750.00). William Roche, Agency Director, advised that he would draw up a summary of the progress to date.
- James Deagman: Rep.of Jaycees** James Deagman, as a representative of the Jaycees, spoke to the board relative to a combined spring clean-up of a number of civic minded groups in the village. He requested that the board proclaim the week of May 11-May 17th as an official time during which not only would home-owners and store-keepers be urged to clean-up and spruce-up, but the above mentioned groups were desirous of taking part in painting such as the fence in front of the village park, the gazebo in the park, weeding, cultivating of the soil around the trees in the downtown area and planting of flowers, sweeping and washing down of the sidewalks and gutters. Motion by Trustee McGuire, 2nd by Trustee Sinclair and unanimously carried the week of MAY 11 - MAY 17 will be so designated as CLEAN-UP WEEK.
- Drug Committee:** Henry B. Nesbitt, Village Attorney, advised the village board that a commission could be appointed to study drug addiction for which state or federal funds are available up to \$1,000.00. H.B.Nesbitt, further commented that he had contacted Richard Watson, Palmyra, N.Y., who is interested in this program and Henry J. Smith, of the New York State Department of Health, both of whom informed Mr. Nesbitt that they would check on the matter and so advise him.
- Unsafe Bldg. Ord.** H.B.Nesbitt, Village Attorney, had prepared a proposed Unsafe Building Ordinance for placing on the desks of each board member as of this date 4/20/70, with an appropriate notice of public hearing to be scheduled for May 11, 1970 at 7:30 P.M. E.D.S.T. in the Justice Rooms of the Village Hall.



# ACKNOWLEDGMENT

Acknowledgment by Principal, unless it be a corporation)

State of New York )  
 County of Monroe ) ss.:  
 On this 16th day of April 19 70 personally came Kenneth  
 G. Woodward to me known to be the person described in and who executed  
 the foregoing and he acknowledged that he executed the same.

HORACE F. DENTON, JR.  
 Notary Public, State of N. Y., Monroe County  
 My Commission Expires March 30, 1972

(Signature of Notary Public)

(Notary's seal to be attached)

# ACKNOWLEDGMENT

Acknowledgment by Principal, if a corporation)

State of New York )  
 County of ) ss.:  
 On this day of 19 before me personally came  
 to me known, who being by me duly sworn, did  
 depose and say that he resides at in  
 ; that he is the

of the  
 the corporation described in and which executed the foregoing instrument, that he  
 knew the seal of said corporation; that seal affixed to said instrument was said  
 corporate seal; that it was so affixed by order of the Board of Directors of said  
 corporation; and that he signed his name thereto by like order.  
 Sworn to before me this day of 19

(Signature of Notary Public)

(Notary's seal to be attached)

# ACKNOWLEDGMENT

(Acknowledgment by Municipal Corporation)

State of New York )  
 County of Wayne ) ss.:  
 On this 20th day of April 1970 before me personally came  
 David Nussbaumer to me known, who, being by me duly sworn, did  
 depose and say that he resides in the Village of Palmyra,  
 New York, that he is the Mayor of the Village of  
 Palmyra the municipal corporation described and which executed  
 the within instrument; that he knows the seal of said municipal corporation, that  
 the seal affixed to said instrument is such corporate seal; that it is so affixed by  
 order of the Board of Trustees of said municipal corporation  
 pursuant to a resolution which was duly adopted, and that he signed his name thereto  
 by like order.

(Signature of Notary Public)

(Notary's seal to be attached)

HENRY B. NESBITT  
 Notary Public in the State of New York  
 WAYNE COUNTY, N. Y.  
 Commission Expires March 30, 1973

HENRY B. NESBITT  
 Notary Public in the State of New York  
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 Commission Expires March 30, 1973

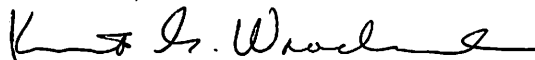
8. Furnishing certificate that all work has been completed in accordance with the approved plans and specifications.
9. Furnishing resident project representative and inspectors as necessary to maintain control of project. The engineer will recommend the use of Village personnel for inspection only when the engineer's responsibility for the project will not be changed.
10. Preparation of operation and maintenance manual for sewage treatment plant.
11. Providing initial operator training.
12. Review of operation of sewage treatment plant quarterly for a two year period following initial operation.
13. Assistance in litigation arising from development or construction of the project.

Fee:

Items 1 through 8	1.7 percent of construction cost due monthly during construction period based on percentage of construction completed.
Items 9 through 13	Payroll cost plus 85 percent plus direct expenses.

Respectfully submitted,

WOODWARD ASSOCIATES



Kenneth G. Woodward, P.E.

mgt

**BIDDING PHASE:**

**Services included:**

1. Distribution of plans and specifications to bidders.
2. Obtaining State and Federal wage rates.
3. Preparation of Advertisement for Bids.
4. Sending notices to bidders.
5. Distribution of addenda.
6. Checking and tabulating of bids.
7. Assistance in awarding contracts.
8. Furnishing additional copies of contract documents as required.

**Fee:**

- |                   |  |
|-------------------|--|
| Items 1 through 7 | 0.2 percent of construction cost based on contract awards due 30 days after bids are received. If contracts are not awarded fee to be based on low bids. |
| Item 8            | Payroll cost plus 85 percent plus direct expenses.   |

**CONSTRUCTION PHASE:**

**Services included:**

1. Periodic visits to site to review contractors' performance. These periodic visits will be made at least once each week while work is underway at the project site and will be made more often as necessitated by construction activity.
2. Consultation with resident project representative and inspectors.
3. Review of shop drawings.
4. Recommending payments to contractors.
5. Processing change orders.
6. Making final inspection.
7. Assistance with State and Federal grant procedures including checking contractor's payrolls.

13 EAST MAIN STREET • WEBSTER, NEW YORK 14580 • Telephone (716) 872-2900

Revised April 15, 1970  
March 19, 1970

**PROPOSAL TO FURNISH ENGINEERING SERVICES**

**TO:** Mayor and Board of Trustees, Village of Palmyra, New York

**PROJECT:** Additions and alterations to sewage treatment plant.

**PLAN PHASE:**

**Services included:**

1. Preparation of detailed contract drawings.
2. Preparation of specifications and other contract documents.
3. Preparation of final project cost estimates.
4. Submission to regulatory agencies.
5. Supervision of subsurface investigations.
6. Assistance in processing State and Federal grant applications and supporting data.
7. Furnishing twelve (12) copies of drawings, specifications, and other contract documents.
8. Topographic mapping including control, topographic field surveys and plotting thereof.

**Services not included:**

1. Subsurface investigations.

**Fee:**

5.4 percent of construction cost based on estimated construction cost of \$520,000.

90 percent due on completion and submission to New York State Department of Health. 10 percent due on technical acceptance by the Sewage Facility Section of the New York State Department of Health.



AGREEMENT TO ENGAGE WOODWARD FOR  
ENGINEERING AGREEMENT SERVICES TO UP DATE  
SEWER PLANT

THIS AGREEMENT made this 20th day of April 1970,  
by and between the VILLAGE OF PALMYRA, NEW YORK, acting herein by and through  
its Mayor who is duly authorized so to act for and in behalf of the Board of  
Trustees of the Village of Palmyra, and WOODWARD ASSOCIATES, Consulting Engineers,  
13 East Main Street, Webster, New York 14580, or successors, hereinafter called  
the ENGINEER:

WHEREAS, the Village of Palmyra needs additional engineering services in con-  
nection with the design and construction of the additions and alterations to  
the sewage treatment plant, and

WHEREAS, the Engineer has prepared a report entitled "Report on Secondary Treat-  
ment Facilities" dated January 1969, and

WHEREAS, the Engineer has submitted a Proposal to Furnish Engineering Services  
dated March 19, 1970, and revised April 15, 1970, terms and conditions of which  
proposal are satisfactory to the Village of Palmyra.

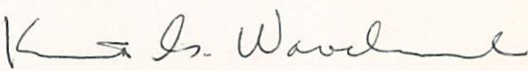
NOW, THEREFORE, THIS AGREEMENT WITNESSETH: that for and in consideration of the  
mutual covenants and promises between the parties hereto, it is hereby agreed  
that the Engineer will furnish engineering services and the Village of Palmyra  
shall make payment for the services in accordance with the terms and conditions  
set forth in said Proposal which is attached hereto and made a part hereof.

IN WITNESS WHEREOF the parties to these presents have hereunto caused these  
presents to be executed in quadruplicate the day and year first mentioned above.

VILLAGE OF PALMYRA, NEW YORK

  
\_\_\_\_\_  
Mayor

WOODWARD ASSOCIATES

  
\_\_\_\_\_  
Kenneth G. Woodward, P.E.

**Contract** The following motion was made by Trustee Sinclair, 2nd by  
**K.G.Wood-** Trustee McGuire and carried to allow the Mayor of the Village  
**ward, Ass.** of Palmyra, David M. Nussbaumer, to sign the contract in be-  
**Re:Updat.** half of the Village of Palmyra with K.G.Woodward Associates:  
**Sewer:** **RESOLVED:** That the Mayor of the Village of Palmyra, David M.  
 Nussbaumer, sign the contract in behalf of the Village of  
 Palmyra which specifies that the 5.4% based on the estimated  
 cost of \$520,000.00 for the updating of the sewer plant to  
 include chlorination facilities be granted to K.G.Woodward  
 Associates, Webster, New York, as compensation for the ser-  
 vices to be performed by the engineers in connection with  
 preparation of finalized plans, submission of same to State  
 Health Department, preparation of bids, and supervisory in-  
 spections periodically of contractors work.



**G.Kindsley,:** Gerald Kingsley, 234 West Foster Street, owner of this property, which is on the south side of West Foster and whose east property line would butt onto a so-called Laurentian Drive, if such were a dedicated street in the Village of Palmyra, discussed with the Village Board his complaints relative to the storm sewer and unsanitary conditions that spew onto his property. Many of his complaints had been reviewed by the board before and more recently reiterated in a letter directed to Mrs. M. Boland, 2 Laurentian Drive from Henry J. Smith, N.Y.S. Dept. of Health, which indicated that it would be initially the request of the property owners to get the pathway in such a condition that it would be acceptable to the Village of Palmyra as a street. The road cannot have more than a 7% grade which is standard within the village. The board informed him that they would confer with John Martin, who owns the property directly adjacent to and south of this "hodge-podge" area, to ascertain if he has any immediate plans for development.

7%  
Road  
Grade:

**United Fund Week:** A letter addressed to the Village Board from Rodney H. Jeffery, President of the Palmyra United Fund, requested that the week of April 26 through May 2, 1970 be designated as United Fund Week in Palmyra. On motion by Trustee Mc Guire, 2nd by Trustee Sinclair and carried, this week was so designated as United Fund Week.

**Adjourn:** Mayor Nussbaumer adjourned the meeting at 10:10P.M.  
Theresa P. Otte, Clerk Treas.

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April 27, 1970

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

- Present:** Mayor David M. Nussbaumer and Trustees David McGuire, Donald Sinclair, Donald Leysath and Paul Mierke.
- Vouchers:** Motion by Trustee McGuire, 2nd by Trustee Leysath and carried to approve payment of the vouchers as presented.
- Police Dept:** An application for a patrolman was received from Stephen Toole, Howell Street, who spoke briefly with the board. He was advised that the position open would be the 3:00 P.M.to 11:00 P.M. shift and would be a "walking patrolman shift". He was further advised that he would be contacted.
- H.Smith's Spring St. Warehouse:** Bruce Wideman, Zoning Officer, advised the board that the property of Howard Smith on Spring Street, which has been used in the past by him for a warehouse, is quite a fire trap. He advised that he would discuss the matter with Mr. Smith to request that it be demolished and if he does not comply, Wideman will send an "Notice and Order".
- Garlock, Inc. request use of garage:** Bruce Wideman advised that he had received an application from Garlock, Inc. which would allow them to again use the former O.J.Garlock garage which has an entrance-way on Fayette Street between the property of Paul Wizeman, 116 Fayette and H.O. Richards, 126 Fayette and exits through the garage to the private drive of Garlock, Inc. B. Wideman informed the board that before he would issue the permit, he would check to ascertain if the operation at this site would be a 24 hour work, including noise, or any obnoxious odors or highly combustible materials. It can be assumed that part of the building is in a C-2 area and part in an R-2 Area.
- Police Dept :** Trustee McGuire informed the board that Chief Henry had repaired as many parking meters as was possible with the limited parts and tools that he has. Mayor Nussbaumer



suggested that the Village of Newark be contacted to ascertain the name of someone who keeps the Village of Newark's meters in repair. Chief Henry would suggest that 6 new meters be ordered.

**Dog Leash Law?** : Trustee McGuire informed the board that Chief Henry has commented that the village might peruse the feasibility of a Dog Leash Law.

**Police Intercom:** Trustee McGuire advised that a new radio--walkie-talkie--type would be needed now that the transition had been made to use the facilities of the Sheriff's Department for relaying messages received by telephone to the Village of Palmyra Police Department. A price of \$800.00 for the equipment desired was noted on the brochure. Trustee McGuire suggested that he try to make a trade-in for the old equipment before placing an order for the new.

**Jaycees Clean-up:** A letter outlining the program for clean-up of the volunteer groups headed by the Jaycees and the Chamber of Commerce was approved for signature of the mayor in behalf of the Village Board.

**Narcotics Council:** A letter received from Henry B. Nesbitt, Village Attorney, informed the Village Board that a Mr. Holt in Rochester is in charge of the state office for narcotics. The information that he gave Mr. Nesbitt indicated that the village could set up a council of 5 members of which one must be a minister, one a lawyer, and one a physician. If more than 3, additional members might be from the school system. Under these learned people, committees may be set up to study various phases of the subject. Clerk was asked to advise H.B. Nesbitt, Village Attorney, that the board would like to confer with Mr. Holt either May 11th or May 25th, at a regular board meeting. (Note: H.B. Nesbitt advised by letter that Mr. Holt will attend the meeting on May 11th at 7:30 P.M.)

**Water & Sewer for Roche Prof. Bldg.:** Roche-Kimberly have formulated plans for the building of a Professional Building on East Main Street, east of the property of the Blue Ribbon Dairy and west of the property of William Herman with a frontage of 142' and depth of 120'. Water in the past has been made available to this area between Throop Street and Kent Street, south side of Main Street, from Vienna Street. Sewer lines are not at present extended in front of this property. H.B. Nesbitt, village attorney, advised the board in a letter, that the Village Board does have an obligation to supply water and sewer within the village limits. However, the cost of such installation could be charged entirely to the owner, part to the owner, or the village could assume the complete obligation. Clerk was asked to contact K.G. Woodward for his advise on the matter. (Note: Copy of a letter addressed to Roche-Kimberly suggested water service by constructing a 12 inch main along East Main Street to Throop or by grining service in from the present 6 inch main on Vienna Street. In regard to the sewer, K.G. Woodward further advised that Roche-Kimberly would need to convert the elevations given to the U.S.G.S. (United States Geological Survey) elevations, so that the elevations will be comparable. Connections to the sewer could then be made by extending the sewer from the end manhole.)

**Jas. Sapienza:** James L. Sapienza, Attorney at Law, appealed to the Village Board to consider a review and study of the current zoning code as was approved December 12, 1967 in that there appears to be various sections which are not clearly defined. He referred in particular to the C-3 Area in which in the fall of 1969 Breen's Market applied through the Zoning Board of Appeals for a Special Permit to allow for a gasoline island. However, the Zoning Board was not able to render an affirmative decision in that while this area specifically allows

cc:  
D.R.  
3/13/87



April 27, 1970

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**Recommend** for automobile repair, selling of cars, it does not spell  
**zon.code** out the words "gasoline stations". It was Mr. Sapienza's  
**change** suggestion that some thought be given to discussing some  
 board who might recommend some changes.

**Chamb.** Donald Chase and Dick Edwards, merchants in behalf of the  
**of Com.:** Chamber of Commerce, discussed with the board the possibil-  
**Lights** ity of up-dating the lighting on East Main Street, in par-  
**E.Main** ticular from Clinton Street west to William Street or Can-  
 andaigua Street. The board informed the gentlemen that  
 it had been the thinking of the board to place funds in the  
 budget for 1970-71 for the lighting of Stafford Heights area,  
 but in that all the houses are not complete at this time,  
 it may be that Mr. John Martin, the developer of the area,  
 could project a more realistic date to perhaps allow the  
 board to reallocate the light appropriation to the Main  
 Street area.

**Sidewalks:** In addition, Mr. Chase inquired if the board had a plan to  
 resurface the sidewalks on the north and south sides of  
 Main Street, to which Mayor Nussbaumer advised that at  
 the present time, plans for new sidewalks were not in the  
 budget.

**J.Martin** Mayor Nussbaumer advised that Mrs. Ralph Ingold, who lives  
**Fayette** adjacent to the property of J. Martin to be developed with  
**St.Dev:** 4 Chalet Type Townhouses with 8 apts. in each, at the foot  
 of Prospect Hill, with access between the property of Lucille  
 Clarke and William Reeves, suggested that when Mr. Martin  
 begins developing the area, she would, along with other mothers  
 in the neighborhood, appreciate it if a snow type fence could  
 be placed so as to keep small children out of the excavation  
 area. He, Mr. Martin, promised that he would cooperate.

**J.Martin** H.B.Nesbitt, Village Attorney, wrote last fall to the mayor  
**Laurent-** advising that it would cost about \$100.00 or more to get a  
**ian Hghts:** Title Search of Laurentian Drive or so-called. Before,  
 anything could be done, a necessary Abstract must be made.  
 Marc Johnson, of Harnish & Lookup, retained by J. Martin,  
 discussed with the board the property lines in this hodge-  
 podge area. First of all, the pathway must be surveyed for  
**Plan.Brd.** ownership. (The area as proposed to be developed should be  
 reviewed by the Planning Board.) Mr. Martin informed the  
 board that he would get the title search after which the street  
 could be dedicated. In so dedicating, he indicated that he  
**Turn-** would allow for a turn-around at the entrance to his eventual  
**Around** development. (He mentioned that he is anticipating a type of  
 closed circuit security with gates at the entrance to the dev-  
 elopment.)

**W.Roche** William Roche, Director Agency Urban Renewal, spoke to the  
**Re:Urb.** board briefly relative to the news release that he had pre-  
**Renewal:** pared for insertion in the weekly newspaper. In addition,  
 he asked that the board pass the resolution as quickly as  
 possible regarding the Village of Palmyra Certification for  
**Attorney** Survey & Planning. A special board meeting would have to be  
**Opinion** held following an opinion of the village attorney for the  
**Required** certification.

**Utility** Mayor Nussbaumer informed the board that at the workshop for  
**Tax:** new officials and review for seasoned village officials in  
 Syracuse the middle of April, that a village could obtain a  
1% Utility Tax from a public utility such as the Gas & El-  
 ectric. The board asked H.B.Nesbitt to check on this.

**WaterShed** Clerk informed the board that in the past the City of Canan-  
**Inspector:** daigua had provided a person to check the water shed in Can-  
 andaigua Lake apportioning the cost throughout the year to  
 all villages so obtaining water from the Canandaigua Lake  
 Supply. Henry J. Smith, Sanitary Health Department of the  
 State of New York, by letter had advised that Canandaigua



would no longer supply this service. Therefore, it would behoove each village to assume this responsibility. Clerk was advised to write or contact other villages for their solution to the matter.

- Village:** There was a brief discussion of the possibility of raising the fees for people as well as truckers and in addition charge so much per yard. Mayor Nussbaumer informed the board that the Town Board is cognizant of the situation and are giving some real thought to it. Clerk was advised to order dump stickers for the ensuing year until such time as there may be some radical changes.
- Dump**
- Little League:** Jim Cunningham had contacted Mayor Nussbaumer to inform him that he had cleared the necessary channels to allow village crews to work on the Little League field in preparing for the on-coming season.
- Deputy Mayor Appoint.:** In that it is the prerogative of the Mayor to appoint a Deputy Mayor, Mayor Nussbaumer hereby appointed Trustee Donald Sinclair to so assume this responsibility.
- Vil. Hall Roof:** A quotation in the amount of \$415.00 for the repair of the Village Hall Roof was received from Joseph L. Kenny, Port Byron, New York. The consensus of the board seemed to be that this project would not be undertaken this year.
- Wayne Co. Mayor Confer.** Mayor Nussbaumer informed the Village Board that the newly organized Wayne County Conference of Mayors would meet in the Park & Club Rooms on May 26, 1970 at 7:30 P.M. at which time the public will be invited to attend.
- Rpt. of Lockup:** Clerk advised that a report received from the State of New York State Commission of Correction indicated that the Village Lockup was inspected and found to be satisfactory for the limited time of incarceration.
- Roche- Kimberly :** A letter from H.B. Nesbitt, Village Attorney, informed the board that from communication from Wiser, Shaw, Freeman, Van Graafeiland, Harter & Secrest, Rochester, N.Y., there are no new developments or decisions in relation to the appeal of Roche-Kimberly vs. Zoning Board of Appeals of the Village of Palmyra relative to a negative decision of the zoning board for the construction of townhouse apartments on south Canandaigua Street, A R-1 Area.
- Adjourn:** Mayor Nussbaumer adjourned the meeting at 11:10 P.M.

Theresa P. Otte, Clerk Treas.

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April 30, 1970

Special Meeting

Board of Trustees

5:00 P.m.

- Present:** Mayor David M. Nussbaumer, and Trustees Donald Sinclair, and David McGuire. Absent Trustees Paul Mierke and Donald Leysath.
- Urban Renewal:** The following resolution was proposed by Trustee Sinclair, 2nd by Trustee McGuire and carried to proceed with the Urban Renewal Project as outlined.
- Adjourn:** Mayor Nussbaumer adjourned the meeting at 5:25 P.M.

Theresa P. Otte, Clerk Treas.

(Resolution attached to following page)



April 30, 1970

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Resolution  
Re: Urban  
Renewal :

## 1970-71 Renewal Plans Reviewed

PALMYRA

A little over three years ago a group of citizens realized the necessity and responsibility to the Village of updating and preserving the health and economy of our Village. There were several choices these people could make. One method would have been to increase local taxes, acquire sub-standard property and make the space available for either public or private redevelopment. In communities more affluent than ours with a broader population base, this method may have been acceptable. It would mean that communities would be responsible for the entire bill.

Another alternative would have been to simply let private business and individuals upgrade and maintain their own property. Experience has shown that where this method has been used incomplete progress resulted. There was no moving force to insure logical progression of renewal.

The third course open to those responsible for this decision was a Federal Urban Renewal Program supplemented by State funds in order to accomplish the desired result.

Many people have faulted urban renewal for its seeming inability to bring to successful conclusion restoration or replacement of all sub-standard buildings. It is interesting to note that the Federal Government has realized that a greater number of urban renewal agencies nationally are exceeding time limitations placed upon them at their conception. It admits to ever-growing problems in social redevelopment from the economic and practical standpoint. It realizes that time limits have no relation to actual processing at the Federal level. One must remember that Federal, as well as State assistance, is not without its disadvantages. The Palmyra Urban Renewal area is extremely small by geographic standards. Yet it is subject to the same requirements, laws and codes of a renewal project one hundred times its size. It must pass its program in review before dozens of State and Federal Departments —

(Continued on Page 16)

APRIL 30, 1970

DIAL LY 7-4111

will be owned and operated by the Agency until suitable facilities can be made available for the relocation of single families and businesses. It is not necessary for these families to avail themselves of the new facilities but they must be made available should the families so desire. Only then will existing taxpaying real estate be demolished. The policy is not one of "tear down and wait," but to build solid redevelopment capability before demolition.

The Neighborhood Development Program, given birth by the Johnson Administration, has proven to be sadly underfunded. Fortunately the Agency has at its disposal the original capital grant funds that may be used to affect in principal those objectives originally scheduled for the Neighborhood Development Program Application back to the original renewal plan as it affects the sub-standard buildings on Canal Street, William Street and Market Street. It will be limited to that area already taken into consideration by past public hearings with a proposal for a major plan change to restudy rehabilitation of the Main Street frontage.

The Palmyra Urban Renewal Agency has attempted to economize where possible in order to extend its operations without additional cost to the community as well as prepare the required planning and documentation in order to achieve an end result. The Agency must assume that the Federal Government will bear its share of the responsibility and together with the State, achieve this end. The Agency welcomes innovative thinking, imagination and personal involvement; these are the necessary ingredients for success. Community renewal is not the sole responsibility of one office but must be the sum of the total effort provided by Government and citizens alike.

It is not limited to one side of a street. It should be for the good of the total community. All businesses and individuals are welcome to share in the eventual progress of Palmyra.

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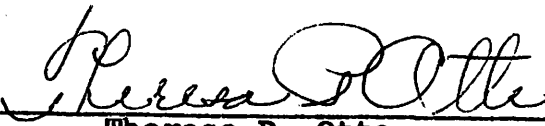
Trustees on April 30<sup>th</sup>,  
Special minutes of said ~~regular~~ meeting

Theresa P. Otte  
Theresa P. Otte

Village Clerk



The undersigned being the currently, legally appointed Clerk of the Village of Palmyra, Wayne County, New York, do hereby certify that the attached resolution referring to Title One of the Housing Act of 1949 as amended and being a resolution to apply for Federal assistance in the amount of Two-hundred and fifty-thousand dollars (\$250,000.00) of which \$150,771 has been paid, was duly adopted by the Village Board of Trustees on April 30<sup>th</sup>, 1970, and is a part of the official minutes of said ~~regular~~ <sup>Special</sup> meeting of the Board of Trustees of the Village of Palmyra, New York.

  
Theresa P. Otte

Village Clerk



COMMUNITY RENEWAL PLANS  
FOR 1970-71

Continued from Page 1

each having its own comments and revisions. The one true advantage of this program is its relentless ability to proceed from start-to-finish by virtue of its power and its interest. It must, however, have the cooperation of private business and individuals to succeed. Two hundred years of Palmyra's history have proved that a decline has been the result of our lack of effort in maintaining our community.

A common misconception is the cost to the taxpayer of an urban renewal program. One favorite political ploy is to decry the tremendous expenditure without evidence of progress. Reference is made to a Survey and Planning Budget of \$150,000 that the Village of Palmyra is paying. The facts are that the Village of Palmyra is responsible for one-eighth of the total cost of renewal and thereby one-eighth of the Survey and Planning Budget. The Federal Government funds three-fourths of the cost with the State of New York cooperating for one-eighth. The remaining one-eighth is contributed by the Village. The Village's share of this program is represented by non-cash grants-in-aid. These non-cash grants are in the form of improvements to streets and utilities and parking areas within the project area that are a regular, annual budget expense. It can then be determined that the actual out-of-pocket cost to the individual taxpayer is nil and that improvement can be made at the lowest possible cost.

The Urban Renewal Agency has current plans for the area immediately north and south of Canal Street. Acquisition of property to make way for new residential and commercial redevelopment is planned. Too often we hear the term "bulldozer urban renewal," whereby vast areas are swept clean and lay dormant, not contributing to the tax base for years. This is not the case with Palmyra. Properties to be acquired during the first year

will be owned and operated by the Agency until suitable facilities can be made available for the relocation of single families and businesses. It is not necessary for these families to avail themselves of the new facilities but they must be made available should the families so desire. Only then will existing taxpaying real estate be demolished. The policy is not one of "tear down and wait," but to build solid redevelopment capability before demolition.

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Resolution  
Re: Urban  
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Another alternative would have been to simply let private business and individuals upgrade and maintain their own property. Experience has shown that where this method has been used incomplete progress resulted. There was no moving force to insure logical progression of renewal.

The third course open to those responsible for this decision was a Federal Urban Renewal Program supplemented by State funds in order to accomplish the desired result.

Many people have faulted urban renewal for its seeming inability to bring to successful conclusion restoration or replacement of all sub-standard buildings. It is interesting to note that the Federal Government has realized that a greater number of urban renewal agencies nationally are exceeding time limitations placed upon them at their conception. It admits to ever-growing problems in social redevelopment from the economic and practical standpoint. It realizes that time limits have no relation to actual processing at the Federal level. One must remember that Federal, as well as State assistance, is not without its disadvantages. The Palmyra Urban Renewal area is extremely small by geographic standards. Yet it is subject to the same requirements, laws and codes of a renewal project one hundred times its size. It must pass its program in review before dozens of State and Federal Departments —

(Continued on Page 16)



WHEREAS, under Title I of the Housing Act of 1949, as amended (hereinafter referred to as "Title I"), the Housing and Home Finance Administration is authorized to extend financial assistance to local public agencies in the elimination and prevention of the spread of their slums and urban blight through the planning and undertaking of urban renewal projects;

and WHEREAS it is deemed to be in the public interest that the Palmyra Urban Renewal Agency estimate the cost of the project at approximately \$250,000.00, in order to undertake and carry out an urban renewal project of the character of the project contemplated by Section 110(c) of Title I, in that area proposed as a State of New York, which is described as follows:

The intersection of the southerly line of Main Street and the westerly line of Cuyler Street; thence north across Main Street to the southerly line of William Street; thence north along the southerly line of William Street to the southerly line of Canal Street; thence west along the southerly line of Canal Street approximately 65 feet to a point; thence north from said point a southerly line of the former Erie Canal right-of-way; thence east along the southerly line of the former Erie Canal right-of-way to a Division Street and continuing along the southerly line of said Division Street and continuing along a property line, said line located approximately 228 feet east of the easterly line of Division Street; thence south along said property line across Canal Street and continuing south along a property line to an east-west property line, said line being located approximately 264 feet south of the southerly line of Canal Street; thence west along said property line approximately 53 feet to a north-south property line; thence south along said property line, across Main Street to the southerly line of Main Street; thence east along the southerly line of Main Street to the westerly line of Cuyler Street which is the point of BEGINNING.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF PALMYRA:

1. That the proposed Urban Renewal Area described above is a slum, blighted, deteriorated, or deteriorating area, appropriate for an urban renewal project and that the continuing by the Palmyra Urban Renewal Agency of surveys and plans for an urban renewal project of the character contemplated by Section 110(c) of Title I in the proposed Urban Renewal Area is hereby approved.

2. That the financial assistance available under Title I is needed to enable the Palmyra Urban Renewal Agency to finance the planning and undertaking of the proposed project.



WHEREAS, under Title I of the Housing Act of 1949, as amended (Herein referred to as "Title I"), the Housing and Home Finance Administrator is authorized to extend financial assistance to local public agencies in the elimination and prevention of the spread of their slums and urban blight through the planning and undertaking of urban renewal projects; and

WHEREAS it is desirable and in the public interest that the Palmyra Urban Renewal Agency continue surveys and prepare plans, presently estimated to cost approximately two hundred and fifty thousand dollars (\$250,000.00), in order to undertake and carry out an urban renewal project of the character of an Urban Renewal Area, situated in the Village of Palmyra, area proposed as a State of New York, which is described as follows: County of Wayne,

BEGINNING at the intersection of the southerly line of Main Street and the westerly line of Cuyler Street; thence north across Main Street to the westerly line of William Street; thence north along the westerly line of William Street to the southerly line of Canal Street; thence west along the southerly line of Canal Street approximately 65 feet to a point; thence north from said point across Canal Street and continuing along a property line to the southerly line of the former Erie Canal right-of-way; thence east across the southerly line of the former Erie Canal right-of-way across Division Street and continuing along the southerly line of the former Erie Canal right-of-way to a property line, said line located approximately 228 feet east of the easterly line of Division Street; thence south along said property line across Canal Street and continuing south along a property line to an east-west property line, said line being located approximately 264 feet south of the southerly line of Canal Street; thence west along said property line approximately 53 feet to a north-south property line; thence south along said property line, across Main Street to the southerly line of Main Street; thence east along the southerly line of Main Street to the westerly line of Cuyler Street which is the point of BEGINNING.

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2. That the financial assistance available under Title I is needed to enable the Palmyra Urban Renewal Agency to finance the planning and undertaking of the proposed project.



3. That it is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those relating to (a) the relocation of site occupants, (b) the provision of local grants-in-aid, (c) the prohibition of discrimination because of race, color, creed, or national origin, and (d) the requirement that the locality present to the Housing and Home Finance Administrator, as a prerequisite to approval of the application described below, a workable program for community improvement, as set forth in Section 101(c) of Title I, for utilizing appropriate public and private resources to eliminate and prevent the development or spread of slums and urban blight.

4. That it is the sense of this body (a) that a feasible method for the relocation of individuals and families displaced from the Urban Renewal Area, in conformity with Title I, can be prepared, and (b) that the local grants-in-aid can and will be provided in an amount which will be not less than one-fourth of the Net Project Cost of the Project and which, together with the Federal Capital Grant, will be generally equal to the difference between Gross Project Cost and the proceeds or value of project land sold, leased, or retained for use in accordance with the urban renewal plan.

5. That the filing of an application by the Palmyra Urban Renewal Agency for an advance of funds from the United States of America to enable it to defray the cost of continuing surveys and plans for an urban renewal project in the proposed Urban Renewal Area described above is hereby approved.



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