

Special Board Meeting

Board of Trustees

2:00 P.M.

Present: Mayor David Nussbaumer and Trustees Paul Mierke Village Attorney, Henry B. Nesbitt Representative of K.G.Woodward Associates, Consulting Engineers, Webster, New York - -- Russell Harding.

Bid Open: Advertisement for Bids for a Sanitary Sewer and Water Main Extensions as published in the Palmyra Courier Journal on June 25, 1970 and July 2, 1970 was read by Mayor Nussbaumer. Proof of Publication was so noted.

The following bids were received:

	<u>Base Bid</u>	<u>Alternate Bid</u>
C.N.Flagg & Co., Inc. P.O.Box #566 Auburn, N.Y. 13021	\$35,647.00	\$32,940.00
	TOTAL - -	\$35,987.00
Meaott Const.Co.Corp. 2852 Chili Ave. Rochester, N.Y. 14624	\$47,500.00	\$600.00
	Total - -	\$48,025.00
Alvin Blair Co., Inc. 244 Paul Road Rochester, N.Y. 14624	\$51,672.00	\$2,500.00
	TOTAL - -	\$52,212.00
Bill Auble Const. Corp. 167 Swamp College Road Trumansburg, N.Y. 14886	\$57,550.00	\$2,200.00
	TOTAL - -	\$58,060.00
A.Plotzker Co., Inc. 79 Woodstock Road Rochester, N.Y. 14609	\$66,504.50	\$61,004.50
	TOTAL - -	\$67,054.50

There being no further bids, those received were turned over to K.G.Woodward, Associates for review and clarification before the award would be made.

Adjourn: Mayor Nussbaumer adjourned the meeting at 2:25 P.M.

Theresa P. Otte, Clerk Treasurer

**ADVERTISEMENT FOR BIDS
SANITARY SEWER AND WATER
MAIN EXTENSIONS**

June 25, 1970

Scaled bids will be received by the Village of Palmyra, New York for construction of approximately 350 lineal feet of 8 inch sanitary sewer, and 2,200 lineal feet of 12 inch water main and appurtenances.

Bids will be received at the office of the Village Clerk, 144 East Main Street, Palmyra, New York 14522, until 2:00 P.M. on Thursday, July 9, 1970, at which time and place all bids will be publicly opened and all bid prices read aloud.

The Contract Documents including drawings and specifications may be examined or obtained at the office of Woodward Associates, Consulting Engineers, 13 East Main Street, Webster, New York 14580, or at the office of the Village Clerk. Deposit, in the form of a check or money order, payable to the Village Clerk is required in the amount of Ten Dollars (\$10) for each set of Contract Documents obtained.

Full refund will be made to actual bidders for the return of one set in good condition within thirty days of the receipt of bids. Refund for the return of other sets in good condition within thirty days of the receipt of bids will be fifty per cent of the deposit.

Bids must be accompanied by a check or money order for the amount of ten dollars, payable to the Village Clerk. Section 100-10 of the Palmyra Code is applicable to all bids.

STATE OF NEW YORK,
COUNTY OF WAYNE

ss:

Audrey M. Freyn

being duly sworn, says that she is the *office - secretary*
of the Palmyra Courier-Journal, a public newspaper, printed and published weekly at Palmyra, Wayne County, N. Y., and that a

of which the annexed printed slip is a true copy, was duly published therein once in each week for 2 successive weeks, beginning 6-25-70 and ending 7-2-70

Audrey M. Freyn

Sworn before me this 2nd day of July 1970

Betty Lou Skeels

BETTY LOU SKEELS

Notary Public in the State of New York
Commission Expires March 30, 1971

Notary Public, Wayne County.

July 13, 1970

Special Board Meeting

Board of Trustees

5:00 P.M.

317AR

Present: Mayor David M. Nussbaumer, and Trustees David McGuire and Paul Mierke.

Resolut: The following resolution was offered by Trustee McGuire,
Award 2nd by Trustee Mierke and on voice vote was unanimously
Wat.& carried:-
Sew. **RESOLVED:** Whereas the Village of Palmyra had called for
Line bids on July 9, 1970 at 2:00 P.M. for the construction of
Cont. a water and sewer line on East Main Street, South Side,
between Throop Street and Kent Street, and:-

Whereas there were five bids ranging in bid price from \$35,987.00 to \$67,054.50, be it hereby resolved that the Village of Palmyra accept the low bid of \$35,987.00 by the C.N.Flagg & Company, Inc., P.O. Box #566, Auburn, New York, 13021, on the recommendation of K.G.Woodward & Associates, Webster, New York, Consulting Engineers for the Village of Palmyra.

Funds for Be it Further Resolved that funds for the construction
Constr.: of these lines be obtained from the Capital Reserve Fund Water and the Capital Reserve Fund Sewer and the clerk be so delegated to reserve the funds so needed.

Voice Note:	Trustee Mc Guire	Aye
	Trustee Mierke	Aye
	Mayor Nussbaumer	Aye

Adjourn: Mayor Nussbaumer adjourned the meeting at 5:25 P.M.

Theresa P. Otte, Clerk Treasurer

WOODWARD ASSOCIATES**Consulting Engineers**

13 EAST MAIN STREET

• WEBSTER, NEW YORK 14580 •

Telephone (716) 872-2900

July 10, 1970

**VILLAGE OF PALMYRA, NEW YORK
EAST MAIN STREET
SANITARY SEWER AND WATER MAIN EXTENSIONS****TABULATION OF BIDS RECEIVED JULY 9, 1970**

Name and Address	Base Bid	Alternate Bid	Unit Price Bids			Total Bid	Bid Security
			Quan (CY)	Price	Amount		
C. N. Flagg and Company, Inc. P. O. Box 566 Auburn, New York 13021	\$35,647.00	\$32,940.00	5	\$20.00	\$100.00		10% Bond
			10	6.00	60.00		
			20	3.00	60.00		
			5	24.00	120.00		
						\$35,987.00	
Meaott Construction Corporation 2852 Chili Avenue Rochester, New York 14624	\$47,500.00	\$ 600.00	5	\$40.00	\$200.00		5% Bond
			10	10.00	100.00		
			20	5.00	100.00		
			5	25.00	125.00		
						\$48,025.00	
Alvin Blair Co., Inc. 244 Paul Road Rochester, New York 14624	\$51,672.00	\$ 2,500.00	5	\$40.00	\$200.00		10% Bond
			10	7.00	70.00		
			20	6.00	120.00		
			5	30.00	150.00		
						\$52,212.00	
Bill Auble Construction Corp. 167 Swamp College Road Trumansburg, New York 14886	\$57,550.00	\$ 2,200.00	5	\$30.00	\$150.00		10% Bond
			10	6.00	60.00		
			20	5.00	100.00		
			5	40.00	200.00		
						\$58,060.00	
A. Plotzker Co. Inc. 79 Woodstock Road Rochester, New York 14609	\$66,504.50	\$61,004.50	5	\$30.00	\$150.00		10% Bond
			10	12.00	120.00		
			20	6.00	120.00		
			5	32.00	160.00		
						\$67,054.50	

THIS IS TO CERTIFY that the above is a
correct and true tabulation of the bids
received July 9, 1970.

Horace F. Denton

WOODWARD ASSOCIATES

Regular Board Meeting

Board of Trustees

7:00 P.M.

Present: Mayor David Nussbaumer, and Trustees David McGuire, Paul Mierke, Donald Sinclair. Absent, Trustee Danald Leysath.

Vouchers: Motion by Trustee McGuire, 2nd by Trustee Mierke and carried to approve payment of the current vouchers as presented.

Urban Ren: A letter received from William Roche, Urban Renewal Director, requested financial assistance in the amount of \$2,000.00 from the Village of Palmyra until funds would be available from the Federal Government. Funds, Mr. Roche advised, were needed to pay the clerk-typist salary, director salary, telephone, light, etc for the next 60 days. The following resolution was made by Trustee McGuire, 2nd by Trustee Mierke and carried:

\$2000.00 Loan **RESOLVED:** Whereas Urban Renewal Director, William Roche, requested a loan of \$2000.00 for immediate needs of the Urban Renewal Office until Federal Funds are received, **Be it Resolved That:** The Village of Palmyra loan the sum of \$2,000.00 to the Urban Renewal Agency until such time as anticipated funds will be reimbursed to the agency from the federal government.

Voice	Trustee Mierke	Aye	Trustee McGuire	Aye
Vote:	Trustee Sinclair	Aye	Trustee Leysath	Absent

Thanks: A letter signed by Alice Cowell and Harriett Mahoney, expressed their appreciation to the Village Board for the increase of \$2.00 per week, making a total of \$37.00 per week received for their unfailing responsibility as guardians of the school children at the busy intersection of Main and Canandaigua and Jackson & Canandaigua during the school year.

Fair Parade: An invitation was received by the Village Board to participate in the Firemen's night at the Wayne County Fair. Board members were invited to ride in a car to be arranged to be a part of the parade, which is scheduled for August 29, 1970 at 6:30 P.M.

R.Brown Resig. Plan.Brd. A letter from Robert Brown, 102 Vienna Street, revealed his resignation as a member of the Planning Board. Village Board accepted resignation.

Zon.Brd. Appoint: The following motion was made by Trustee McGuire, 2nd by Trustee Mierke and carried:

R.Brown **RESOLVED:** Whereas Robert Brown, 102 Vienna Street, has resigned from the Planning Board and has indicated that he would be interested in becoming a member of the Zoning Board of Appeals, be it resolved that he be so notified.

Resign. E.Manske Zon.Brod: A letter received from Ernest Manske who has been a member of the Zoning Board of Appeals for the last decade indicated that he wished to resign. Clerk was asked to write a letter to him thanking him for his long service.

Zon.Brd. Appoint: The name of William Abbott, 150 Fayette Street, was proposed for the Zoning Board to replace Ernest Manske. The following motion was made by Trustee McGuire, 2nd by Trustee Mierke and carried:

W.Abbott **RESOLVED:** Whereas William Abbott, 150 Fayette Street, has indicated an interest in community affairs and village undertakings, be it resolved that he be appointed a member of the Zoning Board of Appeals and be so notified.

Morman Pageant: An invitation addressed to the Mayor and the Village Board from the Church of Jesus Christ of Latter Day Saints, indicated that reserved places would be held, if the board would so indicate the night desired to view the pageant. The date decided was Wednesday, July 29th, at which time 14 would plan to attend.

July 20, 1970

3172AR

Flag Pole Ded. to Village :Letter together with a Bill of Sale from Henry B. Nesbitt, Attorney at Law in behalf of the Republican Committee of the Town and Village of Palmyra, transferred the title of the Steel Flag Pole to the Village of Palmyra to be maintained by the Village of Palmyra for the use and benefit of the public as a flag pole.

RESOLVED: That the Village Board of the Village of Palmyra accept the Steel Flag Pole erected by the Republican Party in 1892 at the corner of Fayette Street and East Main Street for the use of and benefit of the public as a flag pole.

Motion was made by Trustee Sinclair, 2nd by Trustee Mierke, and on vote cast indicated:

Trustee Sinclair	Aye
Trustee Mierke	Aye
Trustee McGuire	Naye

Code of Ethics: Henry B. Nesbitt, Village Attorney, advised the Village Board that a Code of Ethics must be adopted and filed with the State Dept. of Audit & Control by 12/31/70. There are two plans that may be followed: (1) Adopt the Code of Ethics as drawn by the State of New York; or, (2) Board may study a plan and draw its own Code. Mayor Nussbaumer suggested that Trustee Sinclair review the book and discuss with Trustee Mierke, followed by a conference with Attorney Nesbitt. A plan of action may then be undertaken. Attorney Nesbitt commented that he would like to know more about the company, Information Transfer, Inc., P.O.Box #222, Webster, New York, 14580, who have asked for an exclusive franchise for Cable T.V. in the Village of Palmyra. General discussion seemed to indicate that this area has good reception. Why, then, should the village involve itself? Attorney Nesbitt advised that he would be glad to contact Wiser, Shaw, attorneys in Rochester to discuss the matter with them.

C.A.T.V.

Comm.: Ctr. Trustee Sinclair reported that he had attended a meeting of the Community Center Board at which Harvey Robinson, representative of the New York State Youth Program, conferred with the group. Trustee Sinclair advised that the Village of Palmyra is the sponsoring agent of the employees of the Community Center and as such are covered by the compensation of the Village.

W.Roche: Re:Spec. Permit A letter from Roche-Kimberly Construction, Inc. informed the Village Board that it would be their suggestion that the zoning ordinance pertaining to the wording of hospital and institutional home as defined be more clearly defined. They further stated that it would be their intention to apply for a building permit to construct a nursing home in a residential area but would be reluctant to have to do so under the present ordinance which would have to be denied by the zoning officer and would entail a hearing before the Zoning Board of Appeals. Motion was made by Trustee Sinclair, 2nd by Trustee McGuire and carried to have prepared a preliminary change to incorporate the above suggestions.

Profess.: Bldg. Roche-Kimberly, Inc., contractors and builders of the Professional Bldg. on East Main Street had previously discussed with the Village Board the installation of a water and sewer line in front of their premises and East Main Street or Route #31. Clerk advised that a letter had been sent to Roche Kimberly suggesting that they make application for a water and sewer permit in the amount of \$150.00 for water and \$100.00 for sewer. It was the consensus of the board that a previous discussion with the contractors seemed to indicate that they might be willing to pay \$1,950.00 for the sewer line. This would be 1/2 of the cost involved as estimated by K.G.Woodward Assoc. Motion was made by Trustee Sinclair, 2nd by Trustee McGuire and carried to charge Roche-Kimberly \$1,950.00 for 1/2 of the cost of the installation of the sewer line pending a review by Attorney Nesbitt as to the legality of this procedure. (It would be to Roche-Kimberly advantage to have

the sewer line extended from the Blankenberg property line on the west across their property to the east or the west property line of Herman, in that once a good black top entrance is built, it would not be necessary to tear up should the village so desire to extend the sewer line.)

Narcotic Council:

The following attached resolution was made by Trustee McGuire, 2nd by Trustee Sinclair and carried for the formation of a Narcotic Council: Members so appointed: Dr. William Braell, Rev. Earle Eastman, Ronald Valentine, Mrs. Marilyn Green, Blake Duffy.

WHEREAS, the Board of Trustees of the Village of Palmyra recognizes the need for guidance in relation to the use of narcotics, and

WHEREAS, the Board of Trustees, after due deliberation and consideration, is of the opinion that it make immediately available to the community basic knowledge of drug use, particularly to the youth, and

WHEREAS, the Board of Trustees desires to take advantage of the provisions of Section 239-u of the General Municipal Law authorizing local governments to create narcotics guidance councils by resolution,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Palmyra, pursuant the provisions of Section 239-u of the General Municipal Law of the State of New York, does hereby establish and create a council to be known as the Palmyra Narcotics Guidance Council, and

BE IT FURTHER RESOLVED, that the said Council shall consist of five (5) members, the terms of which shall be three (3) years, and

BE IT FURTHER RESOLVED, that the members of said Council shall be

	<u>Name</u>	<u>Address</u>	<u>Profession</u>
1.	Dr. William Braell	216 East Charlotte	Doctor
2.	Rev. Earle Eastman	123 Canandaigua	Minister
3.	Ronald Valentine	135 Tremont	Lawyer
4.	Mrs. Marilyn Green	130 Washington	Registered Pharmacist & Housewife
5.	Blake Duffy	160 Cuyler	Citizen

and

BE IT FURTHER RESOLVED, that members shall serve without compensation, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and the appointment of the aforesaid members shall take effect immediately.

July 20, 1970

Theresa J. Olte
Clerk Treasurer

July 20, 1970

3M2AR

- Water Line Exten? to Tn?** A brief discussion evolved relative to the possibility of extending the water line on Stafford Street at the expense of the Town of Palmyra. The Town would then transfer this line to the Village of Palmyra in exchange for the Maple Avenue Water District, which is in the town. Trustee Mierke advised that he would soon confer with the Town Board relative to phases of future water needs.
- B.Wide-man, Re: Weykman Bldg?** Bruce Wideman, Zoning Officer, advised the Village Board that on inspection of the Weykman Bldg. at 305 East Main Street, he found the building unsafe and recommended that proceedings be undertaken as ruled by the Unsafe Bldg. Ordinance. Clerk Was instructed to so follow the procedure.
- B.B.Guns:** Mayor Nussbaumer advised that he had received calls relative to Air guns, B.B. guns in the village. Clerk was asked to publish notice of the ordinance in the village paper relative to the non-use of these in the village.
- Cable T.V.:** Mr. Hatton and Mr. Bowen, representatives of the Cable T.V. informed the board that they are seeking an exclusive franchise primarily in that a village this size could not support more than one. 3% utility tax would be available or granted. They told the board that the Village of Newark is 99% sure or signing. They also advised that their company is allowed only 5 installations in the State of New York. The main cable would be installed in Newark with telephone lines strung from Newark to Palmyra. Matter was turned over to Attorney Nesbitt for review.
- Allowed 5 Instal. In N.Y.S.** of Newark is 99% sure or signing. They also advised that their company is allowed only 5 installations in the State of New York. The main cable would be installed in Newark with telephone lines strung from Newark to Palmyra. Matter was turned over to Attorney Nesbitt for review.
- Contract for Youth:** The New York State Division for Youth Contract between the Village of Palmyra and the State of New York Youth Commission, on motion by Trustee Sinclair, 2nd by Trustee McGuire was unanimously approved for continuance for the ensuing year and is so noted.
- Trans. Jack for Hwy:** Trustee Mierke informed the board that the highway department has a need of a transmission jack which would cost about \$400.00. This would enable the crews to do more of the repair work on the trucks, rather than sending to a garage. Motion was made by Trustee Mierke, 2nd by Trustee Sinclair and carried to allow Working Forman Ray Smith to purchase such a piece of equipment.
- Cemetery Mower:** Trustee Sinclair advised that the large mower in the cemetery needs replacing despite the fact that it was just repaired. He commented that the pieces of equipment are used eight hours a day, five days a week in comparison to the homeowner who uses his mower weekly for possibly three or four hours. It would be his suggestion that Cemetery Forman Kaveny check with John Blazey for a possible replacement.
- Sew.Treat. Plant Inspec:** The report of the inspection of the sewage treatment plant as of 4/30/70 by the New York State Department of Health indicated that as a whole the treatment of the affluent and overall condition was good.
- Resig. : Regis. Vital Statis.** A letter received from Mrs. Helen Jeffery, Town Clerk, as registrar of Vital Statistics for the Village of Palmyra was noted. Mrs. Jeffery informed the board that she was planning to retire as of the first of August, 1970 and wished to tender her resignation. It is to be noted that the Village Board of the Village of Palmyra wishes to extend to Mrs. Helen Jeffery best wishes for a happy and long retirement. Mrs. Jeffery has been a person who was respected for her devotion to protocol and integrity. Perhaps lines from Wordsworth's "Solitary Reaper" exemplifies her best:

Theresa P. Otto, Clerk & Treasurer

State
Aid, Sew.
Treat.
Plant,
Operat.
& Maint.
for Yr.
1969 -
1970

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
VILLAGE OF PALMYRA THAT: -


The Village of Palmyra make application to the State
of New York for State Aid for the direct costs for operation
and maintenance of the sewage treatment works under the pro-
visions of Section 1263-c of the Public Health Law and that
the application be in the form and content as annexed hereto,
and

BE IT FURTHER RESOLVED

That the Mayor of the Village of Palmyra be author-
ized to execute the necessary application.

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

Theresa P. Otte, does certify that she is the Clerk
Treasurer of the Village of Palmyra and that on July 20, 1970
the foregoing resolution was adopted by the Board of Trustees
of the Village of Palmyra and that resolution has not been
rescinded.



Theresa P. Otte, Clerk.Treas.

Motion by D. Sinclair, and 2nd by P. Mierke that resolution
be adopted, and carried.

(SEAL)

July 27, 1970

Special Meeting

Board of Trustees

7:00 P.M.

INZAR

Present: Mayor David M. Nussbaumer, and Trustees Paul Mierke, David McGuire, Donald Sinclair, and Donald Leysath.
Town of Palmyra Officials - Supervisor Ellsworth Bedette, Andrew Baran and Harry White.
Village Attorney, Henry B. Nesbitt.

Dump: Trustee Sinclair recommended that a letter be directed to the Town of Palmyra which would so state that responsibility for the dump should be a part of the town affairs, rather than the village.

Cable TV: A discussion of the proposed contract for cable T.V. with I.T.I. was instigated by Attorney Nesbitt who informed the board that the main interest of the village is a uniform contract with the three communities of Lyons, Newark and Palmyra. Attorney Nesbitt had conferred with the attorneys of these villages to try to get some uniformity of operation. The following motion was made by Trustee Sinclair, 2nd by Trustee Leysath and carried:-
RESOLVED: That Attorney Henry B. Nesbitt be instructed to prepare the proper legal papers with I.T.I. to grant an exclusive franchise for Cable T.V., which would be in agreement with the Villages of Lyons and Newark.

Dump: Trustee Sinclair delved further into the situation at the Village Dump. At his suggestion, he asked who on the Town Board was in charge of the Dump. Apparently, there was no dump committee as such. It was then Trustee Sinclair's suggestion that Andrew Baron and Raymond LeRoy be appointed to investigate the situation and report back to the Village Board. Trustee Sinclair further commented that it might be feasible to hire an outside outfit to bulldoze the area of the dump to try to form it into shape to meet the specifications of the state.

D.Dagel Trustee McGuire ; informed the Village Board that Police
Vacation: Officer Delbert Dagel expects to be married shortly. Officer Dagel has not been an employee long enough to qualify for a vacation. It was Trustee McGuire's suggestion that the board grant him a week's vacation when he is married. The following motion was made by Trustee McGuire, 2nd by Trustee Sinclair and carried:-
RESOLVED: Whereas Officer Delbert Dagel has shown intent to be married in the near future, be it resolved that he be allowed one week vacation following the date of his marriage.

H.Smith Trustee Mierke advised the board that Helen Smith, 202
Complaint: Canandaigua Street was disturbed by the amount of the repair bill which she had received from Walt Pulcini to repair a leak which proved to be on village property rather than on her own. Trustee Mierke advised that he would check with W. Pulcini to investigate the circumstances involved.

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

Phyllis Dickinson, Protem

Theresa P. Otte, Clerk Treas.

July 29, 1970

Public Hearing

Park & Club Bldg.

7:00 P.M.

Present: Mayor David M. Nussbaumer, and Trustees David McGuire, Paul Mierke. Absent, Trustees Donald Leysath, and Donald Sinclair.
 Village Attorney, Henry B. Nesbitt
 Robert Fanning, Mgr. New York State Electric & Gas
 Allen D. Horning, Mgr. New York Telephone Co.
 Approximately 3 citizens.

Purpose of Hearing: Mayor Nussbaumer read the Notice of Public Hearing relative to the imposing of a utility tax on both the New York State Electric and Gas and the New York Telephone Company. Proof of Publication is attached hereto having been in the Palmyra Courier Journal July 23, 1970. Complete transcript of the public hearing is filed with the Utility Tax - - Local Law #3, 1970.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that pursuant the provisions of Section 20, Subdivision 5, of the Municipal Home Rule Law of the State of New York, a public hearing will be held by the Board of Trustees of the Village of Palmyra on July 29, 1970, at the Park and Club Building, No. 149 East Main Street, in the Village of Palmyra, Wayne County, New York, at 7:00 P.M., Eastern Daylight Saving Time, on the question of the enactment by the Village Board of the Village of Palmyra of a Local Law imposing a tax on the gross income or gross operating income of corporations and persons furnishing utility services in the Village of Palmyra, as authorized by section 6-640 of the Village Law of the State of New York.

A copy of said proposed Local Law is on file in the office of the Clerk of the Village of Palmyra and may be examined by any interested party from 9:00 A.M. to 5:00 P.M. prior to the date of said hearing, excluding Saturdays, Sundays, and Holidays.

Dated: July 20, 1970

BY ORDER OF THE
VILLAGE BOARD OF
THE VILLAGE OF PAL-
MYRA

Theresa P. Otte
Clerk-Treasurer

STATE OF NEW YORK, }
COUNTY OF WAYNE } ss:

Marilyn Culver

being duly sworn, says that she is the bookkeeper
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 July 23, 1970

and ending July 23, 1970

Marilyn Culver, Bookkeeper

Sworn before me this 23rd

day of July 1970

BETTY LOU SKEELS
Notary Public in the State of New York
Commission Expires March 30, 1971

Betty Lou Skeels

Notary Public, Wayne County.

Hearing Closed: There being no further questions, the hearing was closed at 7:15 P.M.E.D.S.T.

Phyllis Dickinson, Protem

Theresa P. Otte, Clerk Treas.

August 3, 1970

3M7AR

Regular Board Meeting

Board of Trustees

7:00 P.M.

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

Vouchers: Motion by Trustee Leysath, 2nd by Trustee McGuire and carried to approve payment of the vouchers as presented.

Dr. Bramer: Dr. James D. Bramer, Health Officer of the Village of Palmyra, discussed with the Village Board the problem of Laurentian Drive. Dr. Bramer advised that the only way that it can be proved that an unsanitary condition exists on Laurentian Drive is to get actual effluent samples. Dr. Bramer suggested that it might be well to write to Ernest Lawrence, rather than contacting by phone, to ask him to write and give a description of the actual leach beds on his property.

Police Dept: Police Chief Donald Henry along with Acting Sgt. Stirpe and Patrolman James Smith discussed with the board an incident on Sunday evening 8/2/70 relative to contacting the police department via the police phone via the sheriff's department.

Gripe Session: Mayor Nussbaumer advised that he was the only board member to be present for the "Gripe Session" scheduled on August 1st. However, he reported that only one person, Gerald Storr, 344 Spring Street, appeared during the 2 hour period. Mr. Storr asked if it would be possible to place lights on Spring Street. He was informed that it is anticipated that within the next year or 18 mos. the balance of the streets in the village which need new lights will be so replaced.

Village Park: The fence back of the Village Park and rear of the Park & Club Bldg. is in need of repair. Committee in charge of Park to investigate and make suggestions to repair.

Route #31: Trustee Mierke reported that he attended a meeting relative to the re-routing of Route #31. Further meetings and information will be available in the near future.

Patrol. Stipre Appoint. Sgt.: For the purpose of the village records the following resolution was made by Trustee McGuire, 2nd by Trustee Leysath and carried:
(Unoffic.) RESOLVED: Whereas Patrolman Stirpe has had previous experience in other communities in police work for approximately 10 years, be it know in this department of the Palmyra Police Force, that he have the unofficial title of Sergeant.

Fire Trk: A tentative time was set for the group to meet with James O'Brien and William Boys on August 15th at 9:00 A.M. to discuss getting an estimate to rennovate the tanker.

DePauw Tree: Clerk advised that letters had gone to Victor J. DePauw, Jr. to request removal of a tree at 111 East Charlotte, property owned by him, for reason of a dead, hazardous tree, all in accordance with the Tree Ordinance. The following motion was made by Trustee Sinclair, 2nd by Trustee Leysath and carried:-
Resolved: If Mr. DePauw does not comply with the instructions in the letter to remove the tree by the time allowed, the clerk is to contact the Empire Tree Surgeons, Newark, New York to order them to remove the tree, billing the Village of Palmyra for removal, followed by a statement to Mr. DePauw for the removal of the tree, to repay the village.

Village Tree: A large dead elm tree at the approximate corner of East Charlotte, but on the corner of Canandaigua Street, approximately 75' from the corner of East Charlotte and Canandaigua Street, and approximately 15' from the south lot line of S.A. Smyth at 248 Canandaigua Street, on village property should be removed. Motion by Trustee Leysath, 2nd by Trustee Sinclair, and carried to have the clerk so inform the Empire Tree Surgeons, Newark, New York, to remove the tree.

**Quinn
Tree:**

Clerk advised that in accordance with the Tree Ordinance a letter requesting the removal of a dead elm tree on the property of D.G. Quinn at 204 West Jackson Street had been sent. The following motion was made by Trustee Sinclair, 2nd by Trustee Leysath and carried:-

Resolved: In accordance with the Tree Ordinance, if D.G. Quinn does not remove the dead elm tree on his property, the clerk is asked to contact the Empire Tree Surgeons, Newark, New York for removal of the tree, billing the Village of Palmyra for removal, followed by a statement to Mr. Quinn for the removal of the tree, to repay the village.

Dump:

Trustee Sinclair informed the Village Board that the Village of Palmyra Dump on Garnsey Road is improving. Norm Everdyke of Macedon, has worked with a D-8 Bulldozer at \$30.00 per hour to push the debris over the bank, levelling to form a sloped plateau. Following this, it would be his suggestion that deep trenches, one at a time be dug with fence so placed to encourage the user to dump only in the "pocket" provided. Fill could then be placed over the daily accumulation to completely cover the area. Trustee Sinclair further suggested that a letter be sent to the Town of Palmyra so informing them that it would be apropos for them to pay 1/2 of the expense of the bulldozer equipment needed at this time. A further comment by Trustee Sinclair indicated that it is hoped that an exit may be made available at the lower end of the dump.

**Utility
Tax:**

A public hearing was held on July 27, 1970 at 7:00 P.M. in the Park & Club Rooms for the purpose of informing the public of a proposed Utility Tax. The following motion was made by Trustee McGuire, 2nd by Trustee Sinclair and carried:

RESOLVED: Whereas the Village of Palmyra held a public hearing relative to a Utility Tax, and in that the proper time has now expired for any rebuttal of same, be it resolved that the Village Board of Trustees instruct the Village Attorney, Henry B. Nesbitt, to prepare the necessary legal papers to file with the State of New York to make a Utility Tax a Local Law in the Village of Palmyra.

**Roche-Kim-
berly
Letter:**

A discussion of a letter received from Roche-Kimberly relative to their suggestion and opinion of changing the village zoning ordinance which relates to Nursing Homes was voiced by all board members. Attorney Nesbitt commented that; in his opinion, the board, by changing the ordinance or zoning, could reasonably change the look of an R--1 District by allowing a nursing home anyplace here rather than by requesting a Special Permit. (His reference was the possibility of someone buying two or three homes, demolishing, and then building a nursing home on the land.)

**Plan.Brd.
Member
J.Wiley:**

The following motion was made by Trustee Sinclair, 2nd by Trustee Leysath and carried:

Resolved: Whereas there is a vacancy on the Planning Board, and whereas Jay Wiley, Tremont Street has indicated that he would be interested in serving on this board, be it resolved that he be so appointed.

**Village
Hall Flag:**

The following motion was made by Trustee Sinclair, 2nd by Trustee Mierke and carried:

Resolved: That the clerk contact the Geneva Tent and Awning Company, Geneva, N.Y. to inquire about a new flag for the Village Hall pole, and so purchase one at this time.

**Asst.Pol.
Justice:**

The following motion was made by Trustee McGuire, 2nd by Trustee Leysath and carried:-

RESOLVED: Whereas there is a vacancy in the position of Assistant Police Justice due to the resignation of W.R. Converse, be it resolved that John D. Lynn, Cuyler Street, be so appointed to fill the vacancy until April 1, 1971.

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- Community Comments:** Mayor Nussbaumer mentioned to the board that a new publication known as "Community Comments" for the price of \$5.00/yr. might be informational to the Village. Motion by Trustee Sinclair, 2nd by Trustee McGuire and carried to instruct the clerk to so subscribe to this publication.
- Wayne Co. Workshop:** Mayor Nussbaumer informed the board that there will be a workshop for mayors and trustees in the county on September 22, 1970 at 2:00 P.M. (Place to be announced and further details later.)
- Study of Wages:** Mayor Nussbaumer mentioned that he would like each board member to study the wage scale of all of his departments so that before budget time, he would be able to have definite figures to recommend for the budget.
- Streets:** Mayor Nussbaumer asked each board member to study his map of the streets in the village so that soon they would be able to make recommendations to Attorney Nesbitt for Stop Signs, Yield Signs, etc.
- General Code:** Mayor Nussbaumer suggested that it would be well for the village to consider either up-dating the current Code of the Village of Palmyra, or hiring another firm to do the work of coding. A Code of the City of Canandaigua, left with the clerk, was handed to Trustee Leysath for review.
- H. Smith Charges Resolved:** Trustee Mierke reviewed the situation of the bill of \$95.11 sent to Miss Helen Smith, 202 Canandaigua Street, from Walt Pulcini, which indicated that the problem was on village land and should have been repaired by the village.
- Brd. Authoriz. Payment:** The following motion was made by Trustee McGuire, 2nd by Trustee Mierke and carried:-
RESOLVED: Whereas the damage at the property adjacent to Helen Smith, 202 Canandaigua Street, was on village land, be it resolved that the Village of Palmyra assume payment of the bill in the amount of \$95.11.
- Cancer Carnival:** A letter received from Dora Newcombe, 235 Fayette, indicated that a group of youth wished to raise funds for the cancer society on August 21, 1970 from 10:00 A.M. until later in the afternoon in the Village Park. Motion by Trustee McGuire, 2nd by Trustee Leysath, and carried, to grant their request for the use of the park.
- Police Report:** On motion by Trustee McGuire, 2nd by Trustee Leysath, and carried, the Police Report for the month of July, 1970 was accepted. Highlights of the report indicated of the 12 Criminal Matters handled by the department, 3 were cited for loitering, 1 for Grand Larceny, 2 for Petit Larceny, 2 each for burglary 3rd degree and assault 3rd degree, and one each sexual abuse and unlawful dealing with a child. Of the 22 Motor Vehicle arrests, 7 were for speeding, with other infractions listed as unsafe tires, unlicensed operators, no inspection stickers, illegal parking, driving while intoxicated, no insurance. Fines and bail forfeitures amounted to \$112.00 and parking meter fines \$37.00.
- Adjourn:** Mayor Nussbaumer adjourned the meeting at 9:55 P.M.

Theresa P. Otte, Clerk Treasurer