

**NOTICE OF COLLECTION OF TAXES**

**PLEASE TAKE NOTICE:** that I the undersigned Clerk-Treasurer of the Village of Palmyra, New York have received the tax roll and warrant for the collection of taxes for the fiscal year June 1, 1971 to May 31, 1972 and that I will attend at the Village Hall, Palmyra, New York from June 1, 1971 from 9:00 A.M. until 12:00 Noon and from 1:00 P.M. in the afternoon through 5:00 P.M. E.D.S.T. except SATURDAYS, SUNDAYS AND HOLIDAYS, for the purpose of receiving such taxes, during which period taxes may be paid to me without additional charge.

**TAKE FURTHER NOTICE:** that on all such taxes remaining unpaid after July 1, 1971, that five percentum will be added for the first month, with an additional one-half percentum for each month or fraction thereof thereafter until paid.  
May 17, 1971

Theresa P. Otte  
Clerk-Treasurer of the Village of Palmyra, N. Y.

STATE OF NEW YORK,  
COUNTY OF WAYNE

ss:

Marilyn Culver

being duly sworn, says that she is the backkeeper 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 two successive weeks, beginning May 13, 1971 and ending May 30, 1971

Marilyn Culver

Sworn before me this 24 day of May 1971

HARRY K. WHITE, Notary Public  
State of New York, County of Monroe  
Qualified in Wayne County, N.Y.  
My Commission Expires, March 30, 1973

Harry K. White  
Notary Public, Wayne County.

Regular Board Meeting June 7, 1971 Board of Trustees 7:00 P.M.

**Present:** Mayor David Nussbaumer, and Trustees Donald Sinclair, Donald Leysath, Lloyd Green, and Frederick Alderman.

**Vouchers:** Motion by Trustee Sinclair, 2nd by Trustee Leysath to approve payment of the vouchers in the amount of \$13,822.15. Motion carried.

**Dump:** Albert Exton, Commercial Dump Hauler, had previously discussed with Trustee Leysath that his largest pick-up of refuse was on Saturday, primarily the local grocery stores who clean out for the weekend. The new rules stipulated that commercial haulers could not dispose of refuse on Saturdays. Motion was made by Trustee Leysath, 2nd by Trustee Sinclair and carried to amend the hours on Saturday for commercial haulers to grant them access to the village dump on Garnsey Road from 8:00 A.M. until 1:00 P.M. Motion carried.  
**Comm. Hauler Sat. Hrs.:**  
**Rate** Motion was made by Trustee Leysath, 2nd by Trustee Alderman to amend the rate schedule for Commercial Haulers to \$35.00 per month or \$420.00 per annum to be effective as of June 1, 1971 and expire May 31, 1972. Motion carried.

**Adjourn:** Motion was made by Mayor Nussbaumer to adjourn the meeting at 7:29 P.M. to reconvene at a later hour.

Theresa P. Otte, Clerk Treas.

\*\*\*\*\*

Public Hearing June 7, 1971 Board of Trustees 7:30 P.M.

**Present:** Mayor David M. Nussbaumer and Trustees Donald Leysath, Donald Sinclair, Lloyd Green and Frederick Alderman. Village Attorney, Henry B. Nesbitt. Citizens, approximately 10 or 12.

**Proof of Publicat.:** Mayor Nussbaumer read the proof of publication and of posting for the public hearing relative to a proposed "One Way Street on Fayette Street" from East Foster Street to East Jackson Street north only.

Proof of  
Publicat.:

**NOTICE OF PUBLIC HEARING**  
 NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Trustees of the Village of Palmyra at the Village Hall in such Village on the 7th day of June, 1971, at 7:30 o'clock, Eastern Daylight Saving Time, upon the question of the repeal of that portion of Section 2, Stop Streets, of "An Ordinance Designating Stop Intersections" adopted by the Board of Trustees of the Village of Palmyra on the 16th day of May, 1971, designating as a stop intersection Foster Street and Fayette Street, entering Foster Street from the north, and ordering the erection of a stop sign at said entrance.

Dated: May 25, 1971  
 Theresa P. Otte,  
 Village Clerk

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 May 26, 1971  
 and ending May 26, 1971

Marilyn Culver  
 Sworn before me this 3  
 day of June 1971

HARRY K. WHITE  
 Notary Public, Wayne County

Fees \_\_\_\_\_  
 HARRY K. WHITE, Notary Public  
 State of New York, County of Monroe  
 Qualified in Wayne County  
 My Commission Expires, March 30, 1972

Comments:

The consensus of opinion of those interested citizens seemed to feel that it would be difficult to get onto Fayette Street. The only two approaches would be from East Foster Street and Walker Street, which would mean traffic using Cuyler Street to Walker or Cuyler Street, to East Charlotte, to Hathaway, to East Foster and thence to Fayette Street. One comment revealed that already Walker Street is a treacherous approach to Fayette as the peak of the hill on Fayette is barely 150' from Walker. Cars appear on the brow of the hill suddenly to drop practically into the path of a car exiting from Walker Street, even though there is a "Stop Sign" on the approach from Walker to Fayette. One affirmative comment seemed to indicate that it would be well to make Fayette Street "One-Way" in its entirety. It was further emphasized by the interested group that the major problem was parking on Fayette Street in that the street is so narrow, there is not sufficient room for parked cars and traffic, too.

Closed:

Mayor Nussbaumer closed the public hearing at 7:50 P.M. after thanking those interested citizens for expressing their views.

Theresa P. Otte, Clerk Treas.

\*\*\*\*\*

June 7, 1971

Re-Convence of Regular Board Meeting Board of Trustees 7:55 P.M.

Present:

Mayor David M. Nussbaumer, and Trustees Donald Sinclair, Donald Leysath, Lloyd Green and Frederick Alderman. Village Attorney, Henry B. Nesbitt.

Remodel.:  
Vil. Hall

Mrs. Betty Alderman, Canandaigua Street, asked the board if they had a sketch of the proposed entrance to the Village Hall. She commented that she felt that the architecture of the building would not lend easily to a modern front, nor should the front be designed to depict an early colonial atmosphere. She, along with several others, felt the remodeling and renovation an excellent project to preserve the building, but were concerned as to any proposed changes that might be in the offing for the changing of the "face" of the building. The board advised her that a sketch of the proposed front would be obtained for her to view.

AFFIDAVIT OF POSTING

State of New York

as :

County of Wayne

Whereas P. Otte, being duly sworn, deposes and says, that she is over twenty-one years of age; that she resides in the Village of Palmyra, New York, that on the day of May, 1971, she posted copies of the proposed repeal of Stop Sign (Wayette and Foster), in four (4) public places within the Village of Palmyra, New York, which are respectively described as follows:

1. Village Hall Bulletin Board
2. Town of Palmyra Bulletin Board
3. Breen's Market Bulletin Board
4. Marine Midland Bank Bulletin Board

That the above four (4) public places are the most conspicuous spots in the said Village of Palmyra, Wayne County, New York.

*[Signature]*

Clerk Treasurer

Sworn to before me this

day of June 1971

*[Signature]*

KEITH A. BARNHART

Notary Public in the State of New York  
WAYNE COUNTY, N. Y.  
Commission Expires March 30, 1972

... that you of town ...  
... this ...  
... were ...  
... to ...  
... and/or ...  
... Workshop ...  
... IF YOU look ...  
... you may have ...  
... the ...  
... Church ...  
... have ...  
... way!  
... POOL ...  
... that ...  
... new ...  
... and ...  
... that ...  
... quite ...  
... hand ...  
... Sunda ...  
... been ...

AFFIDAVIT OF POSTING

State of New York :  
: SS  
County of Wayne :

Theresa P. Otte, being duly sworn, deposes and says, that she is over twenty-one years of age; that she resides in the Village of Palmyra, New York, that on the 27<sup>th</sup> day of May, 1971, she posted copies of the proposed Repeal of Stop Sign (Fayette and Foster), in four (4) public places within the Village of Palmyra, New York, which are respectively described as follows:

- 1. Village Hall Bulletin Board
- 2. Town of Palmyra Bulletin Board
- 3. Breen's Market Bulletin Board
- 4. Marine Midland Bank Bulletin Board

That the above four (4) public places are the most conspicuous spots in the said Village of Palmyra, Wayne County, New York.

Theresa P. Otte

Clerk Treasurer

Sworn to before me this 25<sup>th</sup> day of June 1971

Ruth A. Bankert

**ROTH A. BANKERT**  
Notary Public in the State of New York  
WAYNE COUNTY, N. Y.  
Commission Expires March 30, 1973

**NOTICE OF PUBLIC HEARING**  
NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Trustees of the Village of Palmyra at the Village Hall in such Village on the 7th day of June, 1971, at 7:30 o'clock, Eastern Daylight Saving Time, upon the question of the repeal of that portion of Section 2, Stop Streets, of "An Ordinance Designating Stop Intersections" adopted by the Board of Trustees of the Village of Palmyra on the 16th day of May, 1971, designating as a stop intersection Foster Street and Fayette Street, entering Foster Street from the north, and ordering the erection of a stop sign at said entrance.  
Dated: May 25, 1971  
Theresa P. Otte,  
Village Clerk

**NOTICE OF PUBLIC HEARING**  
 NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Trustees of the Village of Palmyra at the Village Hall in such Village on the 7th day of June 1971, at 7:30 o'clock, Eastern Daylight Saving Time, upon the question of the enactment of the following ordinance in the matter of the government of the said Village, to wit:

**AN ORDINANCE DESIGNATING A ONE-WAY ROADWAY**

**Section 1. DEFINITIONS.**

The words and phrases used in this ordinance, unless otherwise expressly stated, or unless the context or subject matter otherwise requires, shall have the same meaning as defined in the Vehicle and Traffic Law.

**Section 2. ONE-WAY ROADWAY**

Fayette Street, from the south bounds of East Jackson Street to the north bounds of East Foster Street, is hereby designated for one-way traffic in a northerly direction.

**Section 3. REPEAL OF PRIOR ORDINANCE.**

All other ordinances or parts of ordinances of the Village

of Palmyra inconsistent with the provisions of this Ordinance are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be in addition to the other ordinances regulating and governing the subject matter covered by this Ordinance.

**Section 4. VALIDITY.**

If any of the provisions in the foregoing Ordinance be decided by any court having jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of the foregoing Ordinance as a whole, or any part thereof, other than the part so decided to be unconstitutional or invalid.

**Section 5. EFFECTIVE DATE.**

(a) This Ordinance shall take effect from and after the 17th day of June, 1971, except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law and Section 46 of the Highway Law of the State of New York.

(b) Any part or parts of this Ordinance which are subject to approval under Section 1604 of the Vehicle and Traffic Law and Sec-

tion 46 of this Highway Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Department of Transportation.

Dated: May 25th, 1971

Theresa P. Otte,  
 Village Clerk

page 17

*uluur*

she is the bookkeeper  
 ...nal, a public newspaper, printed and published weekly :

Y., and that a copy  
 ed slip is a true copy, was duly published therein once  
 successive weeks, beginning May 27, 1971

Marilyn Culver

23

reminiscent of World War II's Victory Gardens . . . many are planting every "nook and cranny" with growing things. Not to mention the several hundred trees planted by Scouts over the weekend as part of their "Conservation" requirements . . . which was climaxed by hot logs 'n trimmin's at Bob Clifton's.

"YOU PAYS your nickel and you takes your choice" . . . dieting was the subject of conversation on Sunday night at the Laundromat

Holiday. Towpather will be collecting interesting items for next week . . . drive carefully and don't become a statistic in our next week's issue.

THE C. A. PALMER Fife and Drum Corps is off and running" . . . they came in second place during Williamson's Apple Blossom Festival Parade last Saturday. And they're just beginning their season. . . .

IF YOU'RE interested in Peace — and who isn't — read on the inside pages about "Another Mother for Peace" informational meeting to be held at the Baptist Church.

GARLOCKER John Pierce, who up until a few months ago was assigned marketing responsibilities with the Palmyra Division, died unexpectedly last Thursday night in his home in the greater Detroit area.

**NOTICE TO BIDDERS**

Notice is hereby given that sealed bids are sought and requested for the following service:

1. Resurfacing of all streets in the Village of Macedon.

Bid sheets and specifications are available for examination to any interested person or bidder at the office of the Village of Macedon, N. Y. Sealed bids will be received by the Village Board of the Village of Macedon at the Village Office, 95 Main St., Macedon until 7:30 P.M. on June 2, 1971, and will be publicly opened by the Village Board of Macedon at the Village office at 7:30 P.M. June 2, 1971.

Bids shall be in writing and received upon the following conditions:

1. That the Village Board reserves the right to reject any or all bids submitted to it.
2. All bidders must file, with their bids, a certificate of non-collusion in accordance with Section 103-d of the General Municipal Law.

Dated May 25, 1971  
 at Macedon, N. Y.

BY ORDER OF THE VILLAGE BOARD OF THE OF MACEDON  
 Catherine L. Crowley  
 Village Clerk

Several hundred trees planted by courts over the weekend as part of their "Conservation" requirements which was climaxed by hot dogs 'n trimmin's at Bob Clifton's.

"YOU PAYS your nickel and you takes your choice" . . . dictating as the subject of conversation on

issue.

**THE C. A. PALMER Five and Drum Corps is off and running . . . they came in second place during Williamson's Apple Blossom Festival Parade last Saturday. And they're just beginning their season.**

**IF YOU'RE interested in Peace - and who isn't - read on the inside pages about "Another Mother for Peace" informational meeting to be held at the Baptist Church.**

**CARLOCKER John Pierce, who means up until a few months ago was assigned marketing responsibilities with the Palmyra Division, died unexpectedly last Thursday night in his home in the greater Detroit area.**

measures  
said  
AN O  
Section  
used in  
wise lea  
context  
wise re  
meanin  
and in  
Section  
south  
to the  
er Stre  
one-way  
lion  
Section  
parts

STATE OF NEW YORK,  
COUNTY OF WAYNE

ss:

Marilynn 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 ~~each~~ week for one successive weeks, beginning May 27, 1971 and ending May 27, 1971

Sworn before me this 3

day of June 1971

Harry K. White  
Notary Public,  
Wayne County

HARRY K. WHITE, Notary Public  
State of New York, County of Monroe  
Qualified in Wayne County  
My Commission Expires, March 30, 1973

page 50 1/2 B

AFFIDAVIT OF POSTING

State of New York

as

County of Wayne

Thereas P. Otte, being duly sworn, deposes and says, that she is over twenty-one years of age; that she resides in the Village of Palmyra, New York that on the 24th day of May, 1971, she posted copies of the proposed Notice of Public Hearing for Fayette Street, One-way, in four (4) public places within the Village of Palmyra, New York, which are respectively described as follows:

1. Village Hall Bulletin Board
2. Town of Palmyra Bulletin Board
3. Breen's Market Bulletin Board
4. Marine Midland Bank Bulletin Board

That the above four (4) public places are the most conspicuous spots in the said Village of Palmyra,

Wayne County, New York.

[Signature]  
 Clerk Treasurer

Sworn to before me this

24th day of May, 1971

[Signature]

AFFIDAVIT OF POSTING

State of New York :  
: ss  
County of Wayne :

Theresa P. Otte, being duly sworn, deposes and says, that she is over twenty-one years of age; that she resides in the Village of Palmyra, New York that on the 27<sup>th</sup> day of May, 1971, she posted copies of the proposed Notice of Public Hearing for Fayette Street, One-Way, in four (4) public places within the Village of Palmyra, New York, which are respectively described as follows:

1. Village Hall Bulletin Board
2. Town of Palmyra Bulletin Board
3. Breen's Market Bulletin Board
4. Marine Midland Bank Bulletin Board

That the above four (4) public places are the most conspicuous spots in the said Village of Palmyra, Wayne County, New York.

Theresa P. Otte  
Clerk Treasurer

Sworn to before me this  
2<sup>nd</sup> day of June, 1971

Ruth A. Bamber



**Police  
Report:**

Motion by Trustee Green, 2nd by Trustee Sinclair and carried to accept the Police Report for the month of May, 1971. Highlights of the report indicated that there were 141 complaints investigated during the month along with 16 criminal matters, 4 of which were drug connected, 3 for public intoxication. Of the 45 motor vehicle arrests, 20 were for illegal parking and 11 were for speeding. Total fines and bail forfeitures collected during the month amounted to \$146.00.

**Tn. of  
Macedon :**

The Village Board had invited Supervisor Augustine Marvin, E. Bastian and Carl Jeerings of the Town of Macedon to discuss the possibility of turning the meter around which connects to the residents on the West Side of Burnham Heights, in the Town of Macedon, so that should an emergency arise in the Village of Palmyra, it would be possible to draw water from the Town of Macedon water supply at approximately the corner of West Main Street and Burnham Heights. Supervisor Marvin commented that undoubtedly this would be possible. However, before any definite arrangements could be consummated, it would be apropos to confer with the Monroe County Water Authority for their approval, in that the Town of Macedon receives water from them. There is at the present time an 8" water line extending down the South Creek Road.

**Vil.  
requests  
Wat. from  
Tn. Maced.****Burn.Hts. :  
Sewer:**

Supervisor Marvin commented that when the Village of Palmyra Sewer line was constructed on Burnham Heights, a few residents in the Town of Macedon, connected. Since then, other Village Boards have not allowed connection. He wished to go on record as requesting connection for those residents. Mayor Nussbaumer remarked that it was his understanding that if these people sought annexation to the Village of Palmyra, the sewers would be immediately available. Attorney Nesbitt confirmed his statement as an opinion of previous boards.

**Burn.Hts.  
Roadbed:**

Supervisor Marvin also wished to request that the Village of Palmyra repair Burnham Heights. Clerk obtained the contract between the Village of Palmyra and the Town of Macedon relative to the maintenance of the highway which indicated that the Village of Palmyra would maintain the street and would bill the Town of Macedon annually for its share of the charges.

**Woodward  
Assoc. :**

Olgerts Sniedze, Woodward Associates, consulting engineers for the Village of Palmyra relative to the installation of the sewer line and for the last ten years consultants for the water lines, was introduced by Trustee Alderman. Mr. Sniedze, gave a resume of the existing transmission lines prior to the installation of the pumping station on Canandaigua Lake. Ultimately, the pumping station was installed to provide 1,800,000 gallons of water per day and increase to 50 psi. (Pounds per Square Inch). Eventually it is to be assumed that a new line should be installed which would run parallel to the present line. At its completion, the old line could then be cleaned, re-cemented and repaired which would then give 2 parallel lines of water.

**Pump Sta.:**

In 1964 a pump station was built at Canandaigua Lake, but would not function properly. The pump itself was removed, taken to Gould Pumps, tested, and found to be in proper working condition. The next step was priming of the pump to start in operation for a 24 hour period, but even so there was no difference in the flow of water. Mr. Sniedze, along with the Woodward Consultants, feel that the water line must be traced out to determine if there are any leaks in the line. They feel that there could be a series of breaks or leaks caused by damage from channel work during the last few years.

Wayne Co.  
Compre.  
Report:

Mr. Sniedze commented on a letter addressed to Mayor Nussbaumer the contents of which informed the Village Board that the Wayne County Report on Comprehensive Public Water Supply Study indicated that in the future the Village of Palmyra would have to acquiesce to receive its water supply from Lake Ontario, supporting and financing the transmission mains and treatment plant to be built in Williamson. It was his request that the Village of Palmyra write the Planning Board to vehemently oppose such an entanglement in that the Village of Palmyra has its own lines from Canandaigua Lake. In addition, he pointed out, that should this study be adopted, the Village of Palmyra would not be eligible for any Federal aid on construction of a new line.

Chg. Ord.:  
#1  
E. Main  
Wat. & Sew.

Woodward Associates asked that a change order be signed by the mayor to allow for the additional payment of \$175.00 to Flagg, Inc., East Main Street. Due to the fact that the Professional Bldg. installed their black top prior to the installation of the water line, it was necessary to repave. Trustee Sinclair commented that he would talk to Roche-Kimberly, owners of the Professional Bldg. to ask re-imburement of the \$175.00. Motion by Trustee Sinclair, 2nd by Trustee Alderman and carried to allow Mayor Nussbaumer to sign the change order.

Dog War-  
den:

Alfred Campbell, dog warden for the Town of Palmyra, and recently appointed as such for the Village of Palmyra discussed with the board the appointment of his wife, Amelia Campbell, as his assistant when he is not home. Motion by Trustee Leysath, 2nd by Trustee Sinclair, and carried to appoint Mrs. Campbell, assistant dog warden.

Asst. Dog  
Warden:Fire  
Dept.  
Members:

On the recommendation of the Board of Commissioners of the Fire Department the following are suggested: David McGuire, 110 West Main Street and William R. Quick, 215 W. Jackson St. Motion by Trustee Alderman, 2nd by Trustee Green and carried.

## Reject.:

On the recommendation of the Board of Fire Commissioners the name of George A. Prindle was rejected for membership as twice he had been in the department and failed to comply with training. Motion by Trustee Green, 2nd by Trustee Alderman and carried, to comply with the suggestion of the Fire Commissioners to reject his acceptance in the company.

Cleason  
Grave  
Marker:

Trustee Sinclair informed the Village Board that inadvertently a grave marker for a baby on Lot #65 A Section B, who was buried in 1960, was never set on a foundation. At the time of the excavation of a grave nearby, it is to be assumed that the marker was covered with earth and then picked up erroneously in the dirt. Motion by Trustee Sinclair, 2nd by Trustee Green to authorize the purchase of a new marker at the expense of the village.

Demolit.  
Weykman  
Bldg.:

Due to the deterioration of the Weykman Bldg. at 302 East Main Street, it is apparent that something will have to be done to demolish or shore up. Trustee Green and Trustee Sinclair agreed to study the matter for a further report.

One-Way  
Fayette  
Street:

On motion by Trustee Green, 2nd by Trustee Sinclair and carried, it was moved to table the matter of making Fayette Street one-way from East Foster north to East Jackson.

Marina  
Mowing:

Iverson Moore, Park Drive, for the last few years had taken care of the marina park on Park Drive. Since he had done several mowings this year, he wondered if the village would like him to continue to keep the area cleaned up. Last year the village paid him \$80.00 for the season. He mentioned that it probably would be slightly more this year.

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 provisions 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 authorized to execute the necessary application.

\*\*\*\*\*

State of New York :  
County of Wayne : ss.

Theresa P. Otte, does certify that she is the Clerk Treasurer of the Village of Palmyra and that on June 7, 1971 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

Motion by Trustee Donald Sinclair, 2nd by Trustee Donald Leggett that resolution be adopted, and carried.

(SEAL)

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 provisions 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 authorized to execute the necessary application.

\*\*\*\*\*

State of New York

as.

County of Wayne

Theresa P. Otte, does certify that she is the Clerk Treasurer of the Village of Palmyra and that on June 1, 1971 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*

Motion by Trustee *[Signature]* and by Trustee *[Signature]* that resolution be adopted, and carried.

(SEAL)

June 21, 1971

- Plan. Brd. Resig.:** Robert Nolan advised the Village of Palmyra by letter that he wished to resign as a member of the Planning Board effective immediately. Motion by Trustee Green, 2nd by Trustee Sinclair and carried to accept the resignation.
- Zoning Change:** Board members asked if the recommendation of the Zoning Board relative to multiple housing in an R-1 zone had been submitted to the Village Attorney. Clerk informed the board that he had been so notified.
- Gift of Bldg.:** Attorney Nesbitt advised Mayor Nussbaumer by letter along with an enclosure of a deed for the property at 114 Market Street, owned by Frances P. Rose, that Mrs. Rose wished to deed over the former "Freezer Locker" to the Village of Palmyra.
- Accept. of Bldg.:** Motion was made by Trustee Sinclair, 2nd by Trustee Leysath and carried to accept the former "Freezer Locker" at 114 Market Street in behalf of the Village of Palmyra, to be used by the Village of Palmyra as they see fit.
- Prospect Hill:** A proposed Ordinance relative to the prohibition of mini-bikes and motorcycles on Prospect Hill was reviewed by the Board. A tentative date of July 12th was set for a Public Hearing along with a hearing on limiting parking in village parking lots.
- Aux. Pol.:** William Abbott and D. Hitt, new members of the Auxiliary Police, asked the Village Board if funds would be available for uniforms. They commented that they had received \$175.00 for uniforms from the Jaycees but that it costs about \$80.00 per man to outfit. The board mentioned that when the group was organized, it was voiced that each would wear regular clothes with the possibility of hats, arm band or some other type of distinctive mark. However, they commented that they would delve into the matter to see if any monies might be available.
- H. VanEtten Advises Clean Digester:** H. VanEtten, Operator of the Sewer Plant, advised the board that about 2 years ago the digester on the top was cleaned. To properly clean this tank, it would be necessary to have a large truck on which to put the residue for transporting to the village dump. Trustee Alderman advised that he would advise the highway department that a truck would be needed for about a week, June 28th. H. VanEtten commented that dissolving material was tried last year at no cost to the village in the hope that a yearly cleaning of the digester might be eliminated but the fluid used did not do the required job.
- Monroe Wat. Author.:** Trustee Leysath advised the board that 2 gentlemen from the Monroe Water County Authority will view the pump station at Canandaigua Lake and the transmission line within the next two weeks. The gentlemen have asked, however, that any information or opinions that they might give are to be held in strict confidence as they have had and will have in the future affiliations with both Woodward Associates and Lozier Associates, both of whom have rendered opinions relative to the water line and its flow to the Village of Palmyra. Trustee Leysath advised that he felt it advisable for as many of the board along with both H. VanEtten and Ray Smith be in attendance at that time if possible.
- Security Trust:** Representatives of the Security Trust Co. of Rochester, Terry Finegen and Ed Mooney, at the invitation of Trustee Alderman, discussed with the board their suggestions in relation to the investments of both the Cemetery Trust and the Sexton Trust Funds. They informed the board that prior to the time that the Security Trust incorporated all phases of the banking world, they were solely a trust company, investing money for people, advising them when to buy and sell. Consequently, their background for this particular phase of banking is highly qualified. It was their opinion that some stocks should be sold, in both of these funds. Their fee, they commented for a \$200,000.00 account would be \$625.00.

**Marina Mowing:** Trustee Sinclair suggested that he would talk to W. Kaveny to ascertain if it would be possible for his crew to take care of this area. For the balance of the year, the board felt that Mr. Moore could take care of the marina.

**O.&M. App. State Aid:** In order to apply for Operation & Maintenance State Aid for the Sewage Disposal plant a resolution must be made annually. On motion by Trustee Sinclair, 2nd by Trustee Green and carried the clerk treasurer was instructed to make application.

**Trowbridge F. L.:** Patrolman Frederick L. Trowbridge attended the Basic Police Training School. Report of his examination was 84%. The Director commented that it was his opinion that he did need further gun practice.

**Renovat. Vil. Hall:** On motion by Trustee Sinclair, 2nd by Trustee Green and carried the following resolution was made:  
**RESOLVED:** That the Board of Trustees of the Village of Palmyra contract with Roche Kimberly Construction Co., the lone bidder for the renovation of the Village Hall in the amount of \$24,453.00.

**Dump Burn:** Through the cooperation of the New York State Department of Conservation via a permit to allow burning at the Village Dump on Garnsey Road, the Village of Palmyra was able to burn off the excess wood and debris. At this time it was necessary to have in attendance fire departments from Port Gibson, Palmyra and East Palmyra. Clerk was asked to write letters to each of these departments thanking them for their assistance.

**Bucket:** Trustee Alderman informed the board that it will be necessary to repair the bucket on a piece of the highway equipment. Trustee Alderman given permission by the board to authorize repair of the equipment to keep it in working order.

**D. F. Schulters Wat. Appoint.:** On motion by Trustee Green, 2nd by Trustee Sinclair and carried to place David F. Schulters on a probationary appointment in the Water & Sewer Department for the next 6 months.

**Lower Sewer:** Mrs. Roger R. McGee, 310 Fayette Street, informed the village board by letter that their home is no longer a two family residence and would like to have the sewer rate reduced to \$17.28 rather than 2 units. Motion by Trustee Sinclair, 2nd by Trustee Green and carried to approve lowering of the rate as of the June 1, 1971 billing.

**Adjourn:** Mayor Nussbaumer adjourned the meeting at 11:20 P.M.

Theresa P. Otte, Clerk Treas.

\*\*\*\*\*

June 21, 1971

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

**Present:** Mayor David M. Nussbaumer and Trustees Donald Leysath, Lloyd A. Green, Frederick Alderman and Donald Sinclair.

**Vouchers:** Motion by Trustee Sinclair, 2nd by Trustee Leysath and carried to approve payment of the vouchers in the amount of \$14,857.76.

**Amend. to Min. 6/8/71:** Relative to the rules and regulations for operation of the Village Dump, an amendment to the rules which will stipulate the cancellation of the rules to expire as of 12/31/71, rather than 5/31/72. Motion was made by Mayor Nussbaumer, 2nd by Trustee Leysath and carried.

**Dump Stickers:** Motion was made by Trustee Sinclair, 2nd by Trustee Leysath to allow the Town Clerk, Dorothy Colacino, to be allowed to sell dump stickers for the village and the town. Inasmuch as she is Registrar of Vital Statistics for the Village of Palmyra, it is to be assumed that she might serve as a collection for dump sticker funds.

*Erie Canal Land*

WHEREAS, the Village of Palmyra is presently the owner of real property located on and being a part of the abandoned Erie Canal Land, in the Village of Palmyra, Wayne County, New York, having taken title thereto by Letters Patent of the State of New York dated August 5, 1926, and recorded in the Wayne County Clerk's Office in Liber 284 of Deeds at page 110, and

WHEREAS, a portion of said real estate was formerly land of the old Erie Canal which has been abandoned for many years and is not in use and no use is contemplated therefore and has not been dedicated for public use nor used by the public and it is not contemplated that it will be used by the public in the future, and

WHEREAS, Edward W. Fisher and Sidonia E. Fisher, his wife, of Palmyra, New York, have offered to purchase a portion of said premises for the sum of \$100.00 cash on the closing, and

WHEREAS, it is the considered opinion of this Board of Trustees that said sum represents the fair market value of the portion of said premises which the said Edward W. Fisher and Sidonia E. Fisher, his wife, propose to purchase,

NOW, THEREFORE, BE IT RESOLVED, That

1. The parcel of land described as follows:

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

Commencing at an iron pipe at the northwest corner of premises owned and occupied by the grantees herein, Edward W. Fisher and Sidonia E. Fisher, (Liber 347 of Deeds, page 42); thence N 0° 08' 00" W a distance of 116.50 feet to an iron pipe; thence N 78° 56' 00" E a distance of 81.12 feet to an iron pipe; thence S 0° 08' 00" E a distance of 116.32 feet to an iron pipe; thence S 78° 50' 10" W a distance of 81.15 feet to the point and place of beginning, said premises being designated as Parcel No. 2 on a map made by E. L. Trowbridge dated April 17, 1971.

EXCEPTING AND RESERVING THE FOLLOWING EASEMENT:

EDWARD & SIDONIA FISHER

WHEREAS, the Village of Palmyra is presently the owner of real property located in and being a part of the abandoned Erie Canal Land, in the Village of Palmyra, Wayne County, New York, having taken title thereto by Letters Patent of the State of New York dated August 5, 1926, and recorded in the Wayne County Clerk's

Office in Liber 384 of Deeds at page 110, and WHEREAS, a portion of said real estate was formerly land of the old Erie Canal which has been abandoned for many years and is not in use and no use is contemplated therefore and has not been dedicated for public use nor used by the public and it is not contemplated that it will be used by the public in the future, and

WHEREAS, Edward W. Fisher and Sidonia E. Fisher, his wife, of Palmyra, New York, have offered to purchase a portion of said premises for the sum of \$100.00 cash on the closing, and

WHEREAS, it is the considered opinion of this Board of Trustees that said sum represents the fair market value of the portion of said premises which the said Edward W. Fisher and Sidonia E. Fisher, his wife, propose to purchase,

NOW, THEREFORE, BE IT RESOLVED, That

1. The parcel of land described as follows:

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

Commencing at an iron pipe at the northwest corner of premises owned and occupied by the grantees herein, Edward W. Fisher and Sidonia E. Fisher, (Liber 347 of Deeds, page 42); thence N 0° 06' 00" W a distance of 116.30 feet to an iron pipe; thence N 78° 56' 00" E a distance of 81.12 feet to an iron pipe; thence S 0° 08' 00" E a distance of 116.32 feet to an iron pipe; thence S 78° 50' 10" W a distance of 81.15 feet to the point and place of beginning, said premises being designated as Parcel No. 2 on a map made by E. L. Frowbridge dated April 17, 1917.

EXCEPTING AND RESERVING THE FOLLOWING EASEMENT:



An easement to enter upon the lands hereinafter described for the purpose of constructing, installing, a telephone cable and the perpetual right to maintain said cable on the lands, and to re-enter for the purpose of said maintenance, repair and replacement.

The lands and premises upon and through which the above rights to enter, maintain, and re-enter is described as follows:

An easement 15 feet in width, the centerline of which is the centerline of the telephone cable now located on said premises hereby conveyed and enters said premises at the easterly boundary thereof and continues westerly approximately in the middle of said premises and across thereof to the westerly boundary thereof.

Said EASEMENT being in accord with the plan of a survey of E. L. Trowbridge referred to hereinabove, is of no use to the Village and is not in present use by the Village of Palmyra and there is contemplated no future use by the Village of Palmyra.

2. That the offer to purchase said parcel of land for the sum of \$100.00 is a reasonable and advantageous offer.
3. That the Board of Trustees of the Village of Palmyra hereby accepts said offer.
4. That the Mayor of the Village of Palmyra be and he hereby is authorized to execute the quitclaim deed to said parcel of land with the above description and the Clerk of the Village of Palmyra be and she hereby is authorized and directed to attest thereto and place the seal of the Village thereon.
5. That the Clerk of the Village of Palmyra be and she hereby is further authorized and directed to deliver said deed, properly executed and acknowledged to Edward W. Fisher and Sidonia E. Fisher, his wife, upon payment to the Treasurer of the Village of Palmyra the sum of \$100.00 and the said sum shall be deposited to the credit of the General Funds of the Village of Palmyra.

An easement to enter upon the lands hereinafter described for the purpose of constructing, installing, a telephone cable and the perpetual right to maintain said cable on the lands, and to re-enter for the purpose of said maintenance, repair and replacement.

The lands and premises upon and through which the above rights to enter, maintain, and re-enter is described as follows:

An easement 15 feet in width, the centerline of which is the centerline of the telephone cable now located on said premises hereby conveyed and enters said premises at the easterly boundary thereof and continues westerly approximately in the middle of said premises and across thereof to the westerly boundary thereof.

Said EASEMENT being in accord with the plan of a survey of E. J. Trowbridge referred to hereinabove.

is of no use to the Village and is not in present use by the Village of Palmyra and there is contemplated no future use by the Village of Palmyra.

2. That the offer to purchase said parcel of land for the sum of \$100.00 is a reasonable and advantageous offer.

3. That the Board of Trustees of the Village of Palmyra hereby accepts said offer.

4. That the Mayor of the Village of Palmyra be and he here- by is authorized to execute the purchase deed to said parcel of land with the above description and the Clerk of the Village of Palmyra be and she hereby is authorized and directed to attest thereto and place the seal of the Village thereon.

5. That the Clerk of the Village of Palmyra be and she hereby is further authorized and directed to deliver said deed, properly executed and acknowledged to Edward W. Fisher and Edna E. Fisher, his wife, upon payment to the Treasurer of the Village of Palmyra the sum of \$100.00 and the said sum shall be deposited to the credit of the General Funds of the Village of Palmyra.

WHEREAS, the Village of Palmyra is presently the owner of real property located on and being a part of the abandoned Erie Canal Land, in the Village of Palmyra, Wayne County, New York, having taken title thereto by Letters Patent of the State of New York dated August 5, 1926, and recorded in the Wayne County Clerk's Office in Liber 284 of Deeds at page 110, and

WHEREAS, a portion of said real estate was formerly land of the old Erie Canal which has been abandoned for many years and is not in use and no use is contemplated therefore and has not been dedicated for public use nor used by the public and it is not contemplated that it will be used by the public in the future, and

WHEREAS, Anna V. Goossen, of Palmyra, New York, has offered to purchase a portion of said premises for the sum of \$150.00 cash on the closing, and

WHEREAS, it is the considered opinion of this Board of Trustees that said sum represents the fair market value of the portion of said premises which the said Anna V. Goossen, proposes to purchase,

NOW, THEREFORE, BE IT RESOLVED, That

1. The parcel of land described as follows:

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

Commencing at an iron pipe set at the northwest corner of premises owned and occupied by the grantee herein, Anna V. Goossen, (Liber 503 of Deeds, page 385); thence N 0° 08' 00" W a distance of 130.80 feet to an iron pipe; thence N 79° 27' 00" <sup>E</sup> a distance of 51.89 feet to an iron pipe; thence S 89° 39' 00" <sup>E</sup> a distance of 67.14 feet to an iron pipe; thence N 78° 56' 00" E a distance of 11.19 feet to an iron pipe; thence S 0° 08' 00" E a distance of 116.50 feet to an iron pipe; thence S 78° 50' 10" W a distance of 131.86 feet to the point and place of beginning, said premises being designated as Parcel No. 1 on a map made by E. L. Trowbridge dated April 17, 1971.

EXCEPTING AND RESERVING THE FOLLOWING EASEMENT:

WHEREAS, the Village of Palmyra is presently the owner of real property located on and being a part of the abandoned Erie Canal land, in the Village of Palmyra, Wayne County, New York, having taken title thereto by Letters Patent of the State of New York dated August 5, 1926, and recorded in the Wayne County Clerk's Office in Liber 284 of Deeds at page 110, and

WHEREAS, a portion of said real estate was formerly land of the old Erie Canal which has been abandoned for many years and is not in use and no use is contemplated therefor and has not been dedicated for public use nor used by the public and it is not contemplated that it will be used by the public in the future, and

WHEREAS, Anna V. Goossen, of Palmyra, New York, has offered to purchase a portion of said premises for the sum of \$150.00 cash on the closing, and

WHEREAS, it is the considered opinion of this Board of Trustees that said sum represents the fair market value of the portion of said premises which the said Anna V. Goossen proposes to purchase,

NOW, THEREFORE, BE IT RESOLVED, that

1. The parcel of land described as follows:

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

Commencing at an iron pipe set at the northwest corner of premises owned and occupied by the grantee herein, Anna V. Goossen (Liber 203 of Deeds, page 282); thence N 0° 08' 00" W a distance of 130.80 feet to an iron pipe; thence N 72° 27' 00" E a distance of 51.89 feet to an iron pipe; thence S 82° 32' 00" E a distance of 67.14 feet to an iron pipe; thence N 78° 35' 00" E a distance of 11.19 feet to an iron pipe; thence S 0° 08' 00" W a distance of 116.50 feet to an iron pipe; thence S 78° 30' 10" W a distance of 131.86 feet to the point and place of beginning, said premises being designated as Parcel No. 1 on a map made by E. L. Townbridge dated April 17, 1971.

EXCEPTING AND RESERVING THE FOLLOWING EASEMENTS:

BY  
AW  
TOWN

An easement to enter upon the lands hereinafter described for the purpose of constructing, installing, a telephone cable and the perpetual right to maintain said cable on the lands, and to re-enter for the purpose of said maintenance, repair and replacement.

The lands and premises upon and through which the above rights to enter, maintain, and re-enter is described as follows:

An easement 15 feet in width, the centerline of which is the centerline of the telephone cable now located on said premises hereby conveyed and enters said premises at the easterly boundary thereof and continues westerly approximately in the middle of said premises and across thereof to the westerly boundary thereof.

Said EASEMENT being in accord with the plan of a survey of E. L. Trowbridge referred to hereinabove,

is of no use to the Village and is not in present use by the Village of Palmyra and there is contemplated no future use by the Village of Palmyra.

2. That the offer to purchase said parcel of land for the sum of \$150.00 is a reasonable and advantageous offer.

3. That the Board of Trustees of the Village of Palmyra hereby accepts said offer.

4. That the Mayor of the Village of Palmyra be and he hereby is authorized to execute the quitclaim deed to said parcel of land with the above description and the Clerk of the Village of Palmyra be and she hereby is authorized and directed to attest thereto and place the seal of the Village thereon.

5. That the Clerk of the Village of Palmyra be and she hereby is further authorized and directed to deliver said deed, properly executed and acknowledged, to Anna V. Goossen, upon payment to the Treasurer of the Village of Palmyra the sum of \$150.00 and the said sum shall be deposited to the credit of the General Funds of the Village of Palmyra.

An easement to enter upon the lands hereinafter described for the purpose of constructing, installing, a telephone cable and the perpetual right to maintain said cable on the lands, and to re-enter for the purpose of said maintenance, repair and replacement.

The lands and premises upon and through which the above rights to enter, maintain, and re-enter is described as follows:

An easement 15 feet in width, the centerline of which is the centerline of the telephone cable now located on said premises hereby conveyed and enters said premises at the easterly boundary thereof and continues westerly approximately in the middle of said premises and across thereof to the westerly boundary thereof.

Said EASEMENT being in accord with the plan of a survey of E. L. Trovbridge referred to hereinabove,

is of no use to the Village and is not in present use by the Village of Palmyra and there is contemplated no future use by the Village of Palmyra.

2. That the offer to purchase said parcel of land for the sum of \$150.00 is a reasonable and advantageous offer.  
3. That the Board of Trustees of the Village of Palmyra hereby accept said offer.

4. That the Mayor of the Village of Palmyra be and he here- by is authorized to execute the purchase deed to said parcel of land with the above description and the Clerk of the Village of Palmyra be and she hereby is authorized and directed to attest thereto and place the seal of the Village thereon.

5. That the Clerk of the Village of Palmyra be and she hereby is further authorized and directed to deliver said deed, properly executed and acknowledged, to Anna V. Goossen, upon payment to the Treasurer of the Village of Palmyra the sum of \$150.00 and the said sum shall be deposited to the credit of the General Funds of the Village of Palmyra.

- Cable TV:** David Bone, Information Transfer, conferred with the board informing them that they had obtained a franchise from Clyde, Newark, Lyons and the respective towns. However, they are looking for relief from the F.C.C. in order to be allowed to use the Syracuse stations. (Law edicts if a settlement is 35 miles from an independent such as Rochester, the cable T.V. cannot use or hook onto a Syracuse outlet.) He further commented that Governor Rockefeller has signed a bill banning the signing of any further franchises for a year. (This will be important to the Village of Palmyra in that the TOWN OF PALMYRA HAS NOT SIGNED AN AGREEMENT.)
- Micro-wave:** An alternate method would be microwave with a beam at Newark, for instance, and thence beam out to all surrounding villages. At present, he emphasized, the outlook does not appear to be too encouraging.
- Tn. of Palmyra:** Supervisor Bedette of the Town of Palmyra and Stewart Smith, Rolfe Street, in the Town of Palmyra, presented a petition which had been given to the Town of Palmyra Board requesting that it act as agent for the petitioners for a sewer district in the area of Bear Hill Drive, Rolfe Street and Canandaigua Road to include the property of Irving Hornsby. The Village Board felt that the Town Board should delve into the matter further to ascertain if the majority of the residents would be interested in forming a sewer district.
- Sale of Land :** The attached resolution granting the deed of land directly behind the property of Anna V. Goossen at 445 West Main, known as the former Erie Canal bed, for the sum of \$150.00 was approved by the Village Board.
- Sale of Land :** The attached resolution granting the deed of land directly behind the property of Edward & Sidonia Fisher at 439 West Main Street for the sum of \$100.00, which property was known as the former Erie Canal bed, was approved by the board.
- Roche-Kimberly Chg. Ord.:** A change order was instituted by Bruce Wideman for a stair fire wall which entailed an added cost of \$830.00. The following motion was made by Trustee Leysath, 2nd by Trustee Alderman and carried.  
**RESOLVED:** Whereas the Village of Palmyra has found it advantageous to remodel the present Village Hall for better use of the existing main floor, and,  
 Whereas: the Zoning Officer, Bruce Wideman, has advised the Village Board that in accordance with proper building and fire wall protection, additional doors and wall should be installed,  
 Be it Resolved: that the Board of Trustees approve the change order in the amount of \$830.00.
- Chf. Brown, Newark:** It has come to the attention of the Village Board that Police Chief Brown of the Newark Police Force will be retiring as of July 1st. As a neighboring community, it has been suggested that the mayor of the Village of Palmyra write a letter to Chief Brown to wish him a happy retirement.
- Equip-ment:** Trustee Alderman discussed with the board the necessity of planning in the next few years to replace the worn out equipment of the highway department. It would be his suggestion that funds be set aside so that each year a new piece of needed equipment might be purchased rather than waiting until it falls apart. He cited that new trucks, a chipper and general highway equipment will be needed.
- Cemetery Pillar Funds:** The following motion was made by Trustee Sinclair, 2nd by Trustee Green and carried:  
**RESOLVED:** Funds that have accumulated or been carried as a result of an accident to the cemetery pillar entrance in the amount of \$2,000.00 as an amount over and above the actual expense incurred shall be used as follows: \$1,300.00 for playground equipment for the Village Park and the newly developed cemetery entrance park, \$200.00 to the Auxiliary Police Fund and \$500.00 to help defray the expense of a C.B. Equipment for village vehicles.

June 21, 1971

**Gripe Session:** The next scheduled Gripe Session will be scheduled for July 10th at which time Trustees Leysath and Alderman will be present.

**Stop Signs:** Trustee Alderman commented that he would check on ordering the 4-Way Stop Signs.

**One Way Fayette:** The following motion was made by Trustee Leysath, 2nd by Trustee Sinclair and carried:  
**RESOLVED:** The One Way Fayette Street North Public hearing having been held in accordance with law and in accordance with the general feeling of disapproval at this time for such an enforcement, Be it resolved that the street as it now is both ways, shall remain a 2 way street.

**Sew. Plant Alteration:** A letter from Woodward Associates indicated that bids for the updating of the sewage treatment plant to include chlorination should be ready in a month to 6 weeks following the confirmation or approval of the plans from the U.S. Environmental Protection Agency. He advised that this is just a formality to allow for the joint authorization of State and Federal Funds for the project.

**Adopt Tn. Assess.:** Clerk informed the board that she had discussed with the county the cost of conforming to the method of record keeping and issuance of tax bills for the Village of Palmyra. The cost would be about \$300.00 which would include a field book for revising and making any changes, a completed tax roll, extension of the taxes and issuance of the bills for mailing. It was the feeling that the Town Assessment rolls should be adopted at this time.

**Adjourn:** Mayor Nussbaumer adjourned the meeting at 10:45 P.M.

Theresa P. Otte, Clerk Treas.

\*\*\*\*\*

June 28, 1971

**Public Hearing** Board of Trustees 7:00 P.M.

**Present:** Mayor David Nussbaumer, and Trustees Donald Leysath, Lloyd Green, and Donald Sinclair.

**Affidavit of Posting:** Ordinance regulating Dogs was read by Mayor Nussbaumer.

**Citizens:** (5) Elmer Mestler, L. Warner, Albert Lawrence. Mr. Mestler commented that he had called Mayor Nussbaumer several weeks ago. He stated that he would like to see a Leash Law in effect 24 hours a day. General discussion evolved re: appointment of a full time warden, which was the suggestion of Mr. Mestler. Trustee Leysath commented that now we are trying to have a fine on unlicensed dogs. Mayor Nussbaumer read or commented on ordinance (prop.) He advised that the Village of Palmyra has ordered equipment to catch dogs. Mr. Mestler was in favor of leash law (strict). He wanted one more stringent than the one proposed. A. Lawrence felt the board was moving in right direction. Board advised that this is a paid salary \$500.00/yr. for dog warden.

**Adjourn:** Mayor Nussbaumer adjourned the meeting at 7:45 P.M.

Theresa P. Otte, Clerk Treas.

The complete transcript for the above Public Hearing in the matter of an Ordinance for the control of Dogs and other animals can be found at the front of this bound copy. The transcript was reported by Mary DeVey, 505 Jefferson Ext., Newark, N.Y. 14513.



## AFFIDAVIT OF POSTING

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

Theresa P. Otte, being duly sworn, deposes and says, that she is over twenty-one years of age; that she resides in the Village of Palmyra, New York, that on the 11<sup>th</sup> day of June, 1971, she posted copies of the annexed Notice of Public Hearing relative to "An Ordinance for the Control of Dogs and Other Animals", in four (4) public places within the Village of Palmyra, New York, which are respectively described as follows:

1. Marine Midland Trust Co. Bulletin Board
2. Town of Palmyra Bulletin Board
3. Village Hall Bulletin Board
4. Breen/s Market Bulletin Board

That the above are four (4) of the most conspicuous public places in said Village of Palmyra, Wayne County, New York.

Theresa P. Otte

Clerk Treasurer

Sworn to before me this

11<sup>th</sup> day of June 1971

R. L. G. Bankert

**RUTH A. BARNHART**  
 Notary Public in the State of New York  
 Notary Public in the County of Wayne, New York  
 WAYNE COUNTY, N. Y. 73  
 Commission Expires March 30, 1974  
 Commission Expires March 30, 1974

State of New York

as :

County of Wayne

Theresa P. Otte, being duly sworn, deposes and says, that she is over twenty-one years of age; that she resides in the Village of Palmyra, New York, that on the day of June, 1971, she posted copies of the

annexed Notice of Public Hearing relative to "An Ordinance for the Control of Dogs and Other Animals", in four (4) public places within the Village of Palmyra, New York, which are respectively described as follows:

1. Marine Midland Trust Co. Bulletin Board
2. Town of Palmyra Bulletin Board
3. Village Hall Bulletin Board
4. Breen's Market Bulletin Board

That the above are four (4) of the most conspicuous public places in said Village of Palmyra, Wayne County, New York.

*[Handwritten Signature]*

Clerk Treasurer

sworn to before me this

day of June 1971

*[Handwritten Signature]*

Commission Expires March 30, 1972  
 Notary Public in the State of New York  
 RUTH A. BARRHART  
 Notary Public in the State of New York

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Trustees of the Village of Palmyra at the Park and Club Rooms, at 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 28th day of June, 1971, upon the question of the enactment of the following Ordinance entitled "An Ordinance for the Control of Dogs and Other Animals", to wit:

June 10, 1971

By Order of the Village Board  
of the Village of Palmyra

Theresa P. Otte, Clerk

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Trustees of the Village of Palmyra at the Park and Club Rooms, at No. 119 East Main Street, in the Village of Palmyra, Wayne County, New York, at 7:00 P.M., Eastern Daylight Saving Time, on the 28th day of June, 1971, upon the question of the enactment of the following Ordinance entitled "An Ordinance for the Control of Dogs and Other Animals", to wit:

June 10, 1971

By Order of the Village Board  
of the Village of Palmyra

Theresa P. Otte, Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Trustees of the Village of Palmyra at the Park and Club Rooms, at No. 149 East Main Street, in the Village of Palmyra, Wayne County, New York, at <sup>7:00</sup>~~7:30~~ P.M., Eastern Daylight Saving Time, on the 28th day of <sup>June</sup>~~May~~, 1971, upon the question of the enactment of the following Ordinance entitled "An Ordinance for the Control of Dogs and Other Animals", to wit:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held

by the Board of Trustees of the Village of Palmyra at the Park and

Club Rooms, at No. 148 East Main Street, in the Village of Palmyra,

Wayne County, New York, at <sup>7:00</sup> 9:00 A.M., Eastern Daylight Saving

Time, on the 28th day of May, 1971, upon the question of the

enactment of the following Ordinance entitled "An Ordinance for the

Control of Dogs and Other Animals", to wit:

June 28, 1971

57

Affidavit  
of Posting:



Proposed  
Ordinance:

City of  
Chicago



for not exceeding ten (10) days, or by both such fine and imprisonment. Each separate offense shall constitute a separate additional violation. The provisions herein are in addition to the regulations, restrictions, requirements and penalties contained in Article 7 of the Agricultural and Markets Law.

Section 21. Repeal of Prior Ordinance.

The following ordinance is hereby specifically repealed:  
An Ordinance entitled "Dog Ordinance of the Village of Palmyra, Wayne County, New York" enacted by the Board of Trustees of the Village of Palmyra on October 13, 1959.

Section 22. Effective Date.

This Ordinance shall take effect upon its publication and posting as provided by law.

with the authority vested in said respective boards by the provisions of the Agriculture and Markets Law of the State of New York, as amended, the said Dog Warden, or such other person or officer is authorized to take into his possession any dog, bitch, or pup found running at large.

(b) Notice of Impounding.

The keeper of the pound shall, upon receipt of such dog, bitch, or pup immediately notify the Village Clerk of the Village giving to such Village Clerk the tag number, if any, on the collar or otherwise attached to such dog, bitch or pup, and any other marks of identification. The Village Clerk shall immediately notify the owner or harbinger of any such dog, bitch or pup, if the owner or harbinger be known, or can with reasonable diligence be ascertained that such animal has been and is impounded.

Section 19. Dog Warden.

The Dog Warden, or Wardens, to be designated by the Village Board as provided by Section 119 of the Agriculture and Markets Law may enforce the provisions of this Ordinance and may also investigate and report to a Justice of the Village of Palmyra any dangerous dog as described in Section 116 of the Agriculture and Markets Law, and see that the order or orders of the Justice are carried out.

Section 20. Penalties.

The violation of this ordinance shall be deemed an offense against the within ordinance, and except as provided in Section 5, a violation of this ordinance shall be punishable by a fine not exceeding Fifty Dollars (\$50.00), or by imprisonment

ascertain the owner of the dog and shall give immediate notice by personally serving such owner, or an adult member of the family with a notice in writing stating that the dog has been seized and will be destroyed unless redeemed as herein provided. The owner of a tagged dog so seized may redeem the dog within five (5) days by paying the Village Clerk the sum of Five Dollars (\$5.00) as the cost of seizure, plus Five Dollars (\$5.00) for the cost of feeding and caring and housing for such dog.

The owner of an untagged dog so seized may redeem the dog within five (5) days, by paying to the Village Clerk the sum of Twenty Dollars (\$20.00) as the cost of the seizure, plus Ten Dollars (\$10.00) for the cost of feeding and caring for such dog.

If not redeemed, the owner shall forfeit all title to the dog, and the dog shall be sold or destroyed by the Dog Warden. In the case of sale, the purchaser must pay the purchase price to the Village Clerk, and obtain a license for such dog. The Dog Warden who destroys a dog shall immediately dispose of the carcass and make a written report of such destruction and disposition to the Clerk, who shall keep a record thereof.

Section 18. Enforcement of Provisions.

(a) It shall be the duty of the Dog Warden or any person or officer authorized under the provisions of Article VII of Section 119 of the Agriculture and Markets Law as amended, to enforce the provisions of such law, and the regulations of the Village of Palmyra wherein the same may be applicable to dogs running at large within the streets, highways, sidewalks or upon private or public property within the Village. In accordance

(d) Private agreements prohibited. No agreement, expressed or implied, between such owner, person possessing or person harboring such dog and any person bitten or his or her parent or guardian, purporting to waive the necessity for strict compliance with the provisions of this Section shall be a defense to prosecution hereunder, as hereinafter provided, except those agreements in writing duly filed with the Police Department of the Village of Palmyra.

Section 14. No person shall entice any dog out of any enclosure or house of the owner or release such dog to run at large.

Section 15. Prevention of nuisances.

No owner having the right and ability to prevent shall, knowingly or carelessly or negligently, permit any dog or other animal to urinate, defecate or commit any other nuisance upon private property; nor shall any such owner omit to do any reasonable and proper act, or take any reasonable and proper precaution, to prevent any such dog from committing such a nuisance.

Section 16. Seizure of untagged dogs.

Any peace officer or the dog warden of the Village shall seize any dog found at large whether or not wearing the license required by Article 7 of the Agriculture and Markets Law of the State of New York, in violation of Section 8 hereinabove.

Section 17. Care and Redemption of Impounded Dogs.

Every dog seized shall be properly fed and cared for at the expense of the Village of Palmyra until disposition thereof, as herein provided, and in accordance with the applicable provisions of the Agriculture and Markets Law of the State of New

Section 13. Handling dogs which have bitten a person.

(a) Quarantine, test required. If a dog of any age or sex shall bite any person in the Village, said person, his parents or legal guardian, shall forthwith notify the Village Clerk of said fact, together with all attendant circumstances, and the person owning, possessing or harboring said dog shall, within twenty-four (24) hours after such biting, deliver said dog to a licensed veterinarian located within twenty (20) miles of the Village, and also shall serve upon the Village Clerk a statement, in writing, giving the name of such owner or person possessing or harboring such dog, the date of the biting, the place where the same occurred, the name and address of the person bitten, the name and license number of the dog and the name and address of the licensed veterinarian to whom said dog was delivered and the date of such delivery. The said dog shall be held in quarantine by such veterinarian for a period of ten (10) days and given all proper tests for the purpose of determining the presence of rabies.

(b) Report of test given. At the end of said period of quarantine, or as soon as the existence of rabies may be determined by said veterinarian, the owner of person harboring such dog shall forthwith procure from said veterinarian and deliver to the Village Clerk a report certifying to the existence or nonexistence of rabies in said dog. The Village Clerk shall forthwith notify the person bitten, or his parents or guardian, of the contents of said report.

(c) Expense. The expense of such examination, tests, quarantine and report shall be borne entirely by such owner, per-

Upon the issuing of any permit in accord with the foregoing, the applicant shall pay to the Clerk of the Village of Palmyra the sum of Ten Dollars (\$10.00).

Section 7. Application.

Section 6 shall have no application to such public pound as may be established by the Village of Palmyra nor to any animal hospital for the treatment, care, observation or temporary boarding of dogs or cats if such hospital shall be operated by a person licensed to practice veterinary medicine under the provisions of the New York State Education Law.

Section 8. Running at Large.

An owner of a dog shall not permit said dog to run at large between one hour after sunset and one hour before sunrise within the corporate limits of the Village of Palmyra.

Section 9. No person who owns a dog shall permit or suffer such dog to damage or destroy property of any kind.

Section 10. No person shall keep, suffer or permit to be kept on the premises occupied by such person, any dog which by its barking, howling, whining or other frequent or long continued noises shall disturb the comfort or repose of any person.

Section 11. No person who owns a dog shall permit the premises, structures or enclosures in which such dog is kept to be unclean or insanitary.

Section 12. No person shall suffer or permit to run at large any dog which has been ordered to be confined, but any such order shall not be deemed violated while such dog is personally and effectively restrained by a leash not to exceed six (6) feet in length.

All stables, barns and other places wherein horses, cattle, or all other animals other than domesticated pets are kept shall be kept clean and sanitary. All accumulations of manure shall be stored in such places and be removed with such frequency and in such a manner as to prevent offensive or noxious odors. No piles of manure shall be allowed to accumulate in any position or manner whereby they shall become breeding places of flies or whereby any drainings therefrom may pass to any stream or water-course.

Section 5. Penalty for Violation.

Any person violating any provisions of Section 4 shall be liable to a penalty not exceeding Two Hundred Fifty Dollars (\$250.00) for each offense and for each continuance of or repetition of each offense, and the violation of this section, or any part thereof, shall constitute disorderly conduct and any person violating the same shall be a disorderly person.

Section 6. Permits.

No person shall hereafter operate a kennel of three or more dogs over six months old within the limits of the Village without a permit from the Board of Trustees. Such permit may be granted for a period of one year unless it shall appear from the complaints of neighbors, or otherwise, that the keeping of the animals in question is objectionable or offensive by reason of noise, smell or other cause. Such permit shall be revocable at any time by the Board of Trustees. Any use heretofore existing shall not extend beyond one year from the enactment of this ordinance unless a permit is granted pursuant to this section.

AN ORDINANCE FOR THE CONTROL OF DOGS AND OTHER ANIMALS.

Section 1. Title.

This ordinance shall be known as "An Ordinance for the Control of Dogs and other Animals".

Section 2. Purpose.

The purpose of this ordinance shall be to promote the health, safety, morals or general welfare of the Village of Palmyra including the protection and preservation of the property of the Village and it's inhabitants and of the peace and good order by adopting and enforcing certain regulations and restrictions on the activities of dogs and other animals that are consistent with the rights and privileges of the owners of dogs and other animals and the rights and privileges of the residents of the Village of Palmyra and by imposing restrictions upon the keeping and running at large of dogs and other animals within the Village of Palmyra.

Section 3. Definitions.

(a) Dogs shall mean both male and female.

(b) Owner shall include any person or group of persons residing in the same household as one family unit, or any firm, association, or corporation, owning, harboring, boarding or otherwise keeping or having in his or it's custody a dog, or dogs, horse or other domesticated animal or animals, within the corporate limits of the Village of Palmyra.

(c) At large shall mean off the premises of the owner and not under the control of the owner either by leash, cord, chain or otherwise, not over six feet in length.

Section 4. Regulation of Stables, Barns, Enclosures for Horses and Cattle and All other Animals other than Domesticated Pets.