

PROCEEDINGS

OF

THE COMMON COUNCIL

OF THE

CITY OF ROCHESTER,

FOR

1872-3.

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ROCHESTER, N. Y.:

PRESS OF CURTIS, MOREY & CO, UNION AND ADVERTISER OFFICE.

1872.

One tier of lots on each side of Julia street, as widened from West avenue to Troup street.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement are required to attend the Common Council on Tuesday evening, May the 28th, 1872, at 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald Croft presented a remonstrance signed by Chas. A. Bowen and others, against the passage of the ordinance, and moved the indefinite postponement of the ordinance. Carried.

**OPENING A STREET FROM NORTH ST. PAUL STREET TO THE EAST HIGH BANK OF THE GENESSEE RIVER.**

By Ald. Rogers—Resolved, That the City Surveyor ascertain and report to this Board the expense of opening a street from North St. Paul street to the east high bank of the Genessee river. Adopted.

The Surveyor submitted as such estimate \$3,500. By Ald. Rogers—Resolved, That the following improvement is expedient, viz:

The opening of a street from North St. Paul street to the east high bank of the Genessee river, for the purpose of connecting Vincent Place bridge with North St. Paul street, and the following described territory is necessary to be taken for said improvement, to wit:

Beginning at the northeast corner of the lands owned by Henry Bartholomay, and running thence westerly in a direct line across said Bartholomay's land and land owned by S. D. Porter, to a point in the east high bank of the Genessee river, which point shall be 60 feet distant northerly from the north line of said Bartholomay's land, where it intersects with the said east high bank; thence southerly along the east high bank of the Genessee river to the north line of said Bartholomay's land; thence easterly on a line parallel with and 60 feet distant southerly from the first described line to the west line of North St. Paul street; thence northerly along the west line of North St. Paul street to the place of beginning.

And whereas, the City Surveyor under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$3,500, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

All the houses and lands, within the following described territory.

Beginning at the intersection of Martin street with Gorham street; running thence westerly along Gorham street and the course of said street to the east high bank of the Genessee river, including one tier of lots on the south side of Gorham street from Martin street to St. Paul street; thence northerly along the east high bank of the Genessee river to Love street; thence easterly along Love street, including one tier of lots on the north side thereof, to Martin street; thence southerly along Martin street, including one tier of lots on the east side thereof, to the place of beginning.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 28th, 1872, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Gerling moved to table the ordinance. Lost. The ordinance was then adopted by the following vote:

**Ayes**—Ald. Aldridge, Gould, Howard, Pond, Rogers, Gorton, Caring, Connolly, McConnell, Meyer, Craig, Croft, Selye, Kelly, Stape, Nellis, Mitchell, Stade, Mauder, Aikenhead, Farber—21.  
**Nays**—Ald. Cowles, Gerling—2.

**CLEANING OUT TROWBRIDGE STREET SEWER.**

By Ald. Caring, Resolved, That the City Surveyor ascertain and report to this Board the expense of cleaning out Trowbridge street sewer, from West avenue to the culvert under the canal. Adopted.

The Surveyor submitted as such estimate, \$350. By Ald. Caring, Resolved, That the following improvement is expedient, viz:

The clearing out of the Trowbridge street sewer, from West avenue to the culvert under the canal.

And whereas, the City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$350 which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Trowbridge street, from the canal to West avenue.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said

improvement, are required to attend the Common Council, on Tuesday evening, May the 28th, 1872, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote:

**Ayes**—Ald. Aldridge, Cowles, Gould, Howard, Pond, Rogers, Gorton, Caring, Connolly, McConnell, Meyer, Craig, Croft, Selye, Kelly, Stape, Nellis, Gerling, Mitchell, Stade, Aikenhead, Farber—22.  
**Nays**—Ald. Mauder—1.

*Report of the Commissioners in the matter of opening Penn street:*

Ald. Rogers moved that the next regular meeting be fixed, to hear allegations against the report of the Commissioners in the matter of opening Penn street.—Carried.

Ald. Rogers moved that the Assessors be and are hereby directed to negotiate with persons owning land to be taken for the opening of the street from North St. Paul street to the east high bank of the Genessee river—for the purchase of the same, and to report to this Board.—Carried.

On motion of Ald. Nellis, adjourned.

WILLIAM F. MORRISON,  
City Clerk.

### In Common Council, May 28th, 1872. Regular Meeting.

President Ald. G. W. Aldridge, presiding.  
Present—Ald. Aldridge, Cowles, Gould, Howard, Pond, Rogers, Heavy, Gorton, Caring, Fee, Stern, Connolly, McConnell, Meyer, Craig, Croft, Selye, Kelly, Stape, Nellis, Gerling, Mitchell, Whitmore, Griffin, Stade, Mauder, Aikenhead, Farber—28.

#### APPROVAL OF MINUTES.

The minutes of the previous meetings, May 14th, 16th and 21st, were approved, as published in Book of Proceedings.

#### PRESENTATION AND REFERENCE OF PETITIONS, CLAIMS, &c.

By Ald. Cowles—Bills of Geo. W. Connolly, Thomas Brooks, Vacuum Oil Co., Highway Department and B. F. Blackhall, Fire Department Committee.

By Ald. Rogers—Remonstrance of P. H. Sullivan, and others, against the passage of an ordinance for the extension of Waverly Place. Table.

Ald. Rogers presented the following:

#### MEMORIAL.

*To the Honorable the Mayor and Common Council of the City of Rochester, N. Y.*

The memorial of THOMAS B. RAND, of the city of New York, and his associates, respectfully sheweth:

That your memorialists have become the holders and owners of the lands, property, estate, reservoirs, pipes, rights of land and water, water works, fixtures and appurtenances, and the rights, franchises and privileges of the Rochester water works company, a corporation heretofore created for the purpose of supplying water to the city of Rochester: That their title thereto has become perfect, and that they are now ready to proceed with the construction and completion of said water-works, and the furnishing of water to the said city and its inhabitants: That they have become satisfied that the main wooden conduit pipe laid by the said company, from the Honeyoe Outlet at Smithtown to the

city of Rochester, is not sufficient for the purposes for which the same was constructed, and needs to be relaid in iron:

That your Memorialists believe they can, and hereby offer to, relay the said line of pipe with iron, and to bring the water from the said outlet near Smithtown, to the said city of Rochester, during the present year, 1872. They also offer to construct a line of metallic, brick or other proper conduit, from Smithtown, aforesaid, to Hemlock Lake, or that vicinity, and to complete the same during the year 1873.

They also offer and propose to lay down such an amount of pipe in the streets of said city during the year 1872, as shall, with the pipe now laid in the city, and possessed by your memorialists, amount to at least thirty miles of pipe, and to extend the same to at least forty miles of pipe during the year 1873. They also offer to furnish and set hydrants, of the most approved pattern, upon the line of streets in which the said pipes shall be laid, and to attach the same to the pipes, to the number required for the use of water for public purposes in said city, and which they are informed and believe are in other cities set at the rate of about one to every four hundred feet, lineal measure, of the pipes laid. They also offer, and propose to furnish, through said mains and pipes, a copious and ample supply of pure and wholesome water from Hemlock Lake, for the following public uses and purposes, viz.: The supply of the fire hydrants so to be set as aforesaid; ten fountains for public parks, squares and places; for the City Hall, Public Schools, fire engine houses, orphan asylums, hospitals, and all other public buildings that are now in said city or that may be constructed or owned by the city therein during the continuance of the contract to be made with your memorialists, whenever the mains are laid in the streets upon which said buildings are or may be situated, to points opposite to the same.

Being aware of the necessities of the city, and believing it is of very great importance to every interest, public and private, to secure a supply of water at the earliest period, they propose and undertake to furnish water from Smithtown during this year, and from Hemlock Lake during the year 1873. Although the water taken from the Honeye outlet may not be such as the inhabitants of the city would be satisfied with permanently, yet if a supply can be obtained before another winter, for the protection of the city against fire and other purposes, it is submitted that another year is but a reasonable period for carrying the works to Hemlock Lake.

For the laying of such pipe, the furnishing and setting of such hydrants and the furnishing of such supply of water, your memorialists ask a rate of compensation which shall be just and fair to both parties to the arrangement, considering the benefits to be obtained by the city and its inhabitants therefrom.

They offer to give such security as your honorable body shall deem reasonable and proper, that the terms of this proposition shall be complied with, and water introduced into the city during the present year, and

they invite such action upon the part of your honorable body as shall enable them, in case this proposition is accepted, to commence immediately the construction of said works: as it must be obvious to all that in case water is to be supplied to the city during the present year, as little time as possible should be consumed in the steps preliminary to the commencement of the work.

Should the substance of the foregoing proposition need to be changed in any respect to provide for the rights, interests and welfare of the city, your memorialists are willing to consent to such modification as may be just and proper.

THOMAS B. RAND, for himself and his associates.

By LUCIEN BIRDSEYE, their Attorney.

Ordered received, filed and published.

By Ald. Rogers—Resolved, That the communication of Thomas B. Rand and others, be referred to a special committee, consisting of three members of this Board, to be designated by ballot, and that they be requested to procure and present a draft of the most favorable contract that could be made with the parties, and report the same for the consideration of this Board.

Ald. Selye moved to amend by striking out the words, "a special committee of this Board, to be designated by ballot," and substitute therefor the words, "the present Water Works Committee." Lost by the following vote:

Ayes—Ald. Aldridge, Cowles, Gould, Howard, McConnell, Craig, Selye—7.

Nays—Ald. Pond, Rogers, Heavey, Gorton, Caring, Fee, Stern, Connolly, Croft, Kelly, Stape, Nellis, Gerling, Whitmore, Griffin, Stade, Mauder, Aikenhead, Farber.—19.

The original resolution of Ald. Rogers was then declared adopted by the following vote:

Ayes—Ald. Aldridge, Gould, Pond, Rogers, Heavey, Gorton, Caring, Fee, Stern, Connolly, Craig, Croft, Kelly, Stape, Nellis, Gerling, Whitmore, Griffin, Stade, Mauder, Aikenhead, Farber.—22.

Nays—Ald. Cowles, Howard, McConnell, Selye—4.

#### FIRST BALLOT.

Geo. W. Connolly received	19 votes.
Charles F. Pond	19 vote.
John Gorton, jr.	18 "
James O. Howard	7 "
John Cowles	4 "
Edward H. C. Griffen	3 "
Lewis Selye	3 "
Scattering	5 "

George W. Connolly, Charles F. Pond and John Gorton, jr., having received the requisite number of votes, were declared appointed such Committee.

By Ald. Pond—Petition of William G. Bell, for permission to erect a wood building on his lot, No. 53, situate on Glasgow street. Referred to the Wood Building Committee with power to act.

Petition of Frank Van Doorn and others, for the protection of shade trees on the north side of Adams street, and for permission to allow said trees to be undisturbed during the improvement of Adams street. Referred to the Improvement Committee.

Remonstrance of John Dickson and others