

PROCEEDINGS

OF

THE COMMON COUNCIL,

OF THE

CITY OF ROCHESTER,

FOR 1860--61.

ROCHESTER:

STEAM PRESS OF A. STRONG & CO., DEMOCRAT AND AMERICAN OFFICE.

1860.

the department upon a sum any less than \$15,000 per year. Upon that amount they are of opinion that the department can be maintained upon its present footing.

Dec. 28, 1860.

B. BUTLER,
O. L. ANGEVINE, } Committee.
W. HOLLISTER,

By Ald Masou from the Police committee, favorably on bills of J. Strecker, and of Policemen's wages for December. Finance Committee.

By Ald. Hollister, from the Street Committee, favorably on bill of T. Culhane. Finance Committee.

By Ald Brackett, from the Wood Building Com., favorably on petitions of Mrs. Kinner, M. Dwyre, P. McLaughlin. Table.

By Ald. Shelton, from the Sewer Com., favorably on bill of H. Young, and on estimate of Wm. Clark. Finance Com. Also, that bill of T. Culhane be referred to Cont. Expense Com.

PETITION TO CANAL BOARD.

By Ald. Hebard, from the Improvement Com., the following report:

Hon. The Canal Board:

The Mayor and Common Council of the city of Rochester, respectfully call your attention to the following improvements which in their opinion it is the duty of the State to complete in whole or in part.

A new double track bridge across the Valley canal, on Plymouth avenue.

Iron railing upon the approaches to Lyell street bridge.

Widening the foot-way upon the east side of St. Paul street bridge.

Restoring the improvement on Plymouth avenue between Buffalo and Spring streets, which was removed at the reconstruction and raising of the bridge across the canal.

Constructing a retaining wall on the west side of south St. Paul street between the east end of the aqueduct and Court street bridge, with a suitable protection railing.

Constructing Griffith street upon a proper grade its full width, and restoring the side walks which were covered up or destroyed, in connection with the rebuilding and raising the bridge on St. Paul street.

Building a retaining wall on the west line of south St. Paul street and south of the Erie canal and placing thereon a protection rail.

A bridge across the Erie canal at Smith street, and a new double track bridge on Allen street.

They also call your attention to an act passed July 10, 1851, authorizing the Canal Board to award the city of Rochester an amount equal to one-half the cost of Platt street sewer.

Also, the building of a sewer from Canal to Platt street sewer on Allen street, for the purpose of conveying leakage from the canal away from private property.

Also, the adoption of the following resolution: Resolved, That a committee of be appointed to proceed to Albany and urge upon the Canal Board at its next session, the duty and propriety of the State constructing the above mentioned improvements.

HENRY S. HEBARD, } Committee.
W. T. CUSHING,
JOHN LUTES,
P. BARRY.

Ald. Hollister moved the adoption of the above report. Agreed to.

TITLE TO LAND ON SOUTH SIDE OF MAIN STREET BRIDGE.

By Ald. Angevine, from the Select Com., on the question of legal title to land on the south side of Main street bridge, the following report:

To the Honorable the Mayor and Common Council:

Your Committee to whom was referred the matter concerning the title of land proposed to be taken for the widening of Main street on the south side thereof,

Would report that they have examined the subject with some care, and find that, in the year 1804, the Legislature of the State of New York, appointed Commissioners to lay out a road from Salina, Onondaga county, to the Genesee River, four rods wide. And that in the year 1806, by the same authority, Commissioners were appointed to lay out a road from the Genesee River to Lewiston six rods in width, and such were so laid out and opened, thus leaving a difference in the width of said road of two rods. The two roads then composed what is now called Main and Buffalo streets. They also find that in the year 1833, the Trustees of the village of Rochester took legal proceedings to widen and unite Main street with Buffalo street, and such street was widened on both sides thereof, and in so widening, Commissioners were appointed to award damages for land taken for widening said street, and such award was confirmed and paid to the persons claiming to own said land. And such proceedings show that land was taken on the south side of said street lying between where Mr. Starr now claims to own and the original line of said street previous to the widening. They also find that Mr. Starr holds by deed from Phelps & Gorham the land now claimed to be owned by him. Said deed bearing date January, 1842, and recorded in liber 60, page 90 of deeds. And that in the year 185-, said Starr purchased all the right, title and interest of the late Jonathan Child, Nathaniel Rochester, and T. B. Husband to said land, and the deeds are recorded in liber 136, pages 239, 240, 241.

Your committee are of the opinion that in case said land is taken for the widening of said street, that no award should be paid over to Mr. Starr until he had given the city a good and sufficient title to the land.

Dec. 28, 1860.

O. L. ANGEVINE, } Committee.
H. S. HEBARD,
W. T. CUSHING,
JAMES BRACKETT,
W. F. HOLMES,
ISAAC S. WARING.

WATER WORKS.

By Ald. Shelton, from the Water Works Committee, the following report:

To the Hon. the Common Council of the City of Rochester:

The Joint Select Committee on the subject of Water Works, respectfully report:

That on the 20th of October last, they advertised in the daily papers of this city, for sealed proposals for supplying the city with water for public uses, from Hemlock Lake, according to plans Nos. 4 or 5 of the Report of Daniel Marsh. That on the 4th of December the proposals were opened and examined.

The Committee regarded the proposals as in some respects imperfect, and requiring explanations, and directed the Chairman of the Commit-

tee to address certain questions to the parties making the proposals, asking explanations.

This was immediately done, and answers were received which were full and satisfactory.

The Committee again met to consider the proposals, with the explanations, at the Common Council Chamber, on Wednesday evening, Dec. 26th, when the proposals and all explanatory papers were laid before the Committee and fully considered.

The meeting was a public one, and all citizens feeling an interest in the question were invited to attend.

The proposals received were, first one from J. D. Hunt & Co., of New York City, to construct works with iron pipe, taking the water from the outlet of Hemlock lake, and supplying the city, according to the requirements of the advertisement, for a term of ten years or more, at the sum of \$25,000 a year. This proposal is annexed and marked No. 1.

The second proposal was from the same parties, in the same paper, offering to construct works with iron pipe, and supply the city for the public fountains, the City Hall, and 400 hydrants for the extinguishment of fires, at the sum of \$18,000, taking the water from the outlet, within the county of Monroe, north of the county line below Smithtown, and below the outcrop of the limestone rock. This proposal is No. 2. And it was not in accordance with the advertisement, and required the city to furnish the hydrants and service pipe and keep them in repair, was unanimously rejected.

The third proposal was from The Rochester Water Works Company, by C. J. Hayden, its President, proposing to construct works, and supply the city for all public uses, pursuant to the requirements of the advertisement of the committee, for a period of at least ten years, at the sum of \$20,000 per year. This proposal is annexed and marked No. 3, and with the explanations submitted to the committee, was found, after full examination, in entire conformity with the advertisement, in all material respects, and the committee after a full discussion of its merits, decided with unanimity to recommend it for acceptance.

It proposes to furnish the waters of Hemlock Lake, taken from the outlet at some point above Smithtown, to be determined by the Engineer as most suitable, and above any limestone, where by the chemical analysis it is shown to be much purer than the water supplied to Boston, New York, Philadelphia, Paris, or London, and having only three and thirty six one hundred grains of solid matter against ninety six and one hundred of pure water, in one hundred, and to conduct and deliver the water, in banded wood and cement pipe, distributing it over fifty-four miles of street mains within the city, with a head of about one hundred feet above the central level of the city, with four hundred city Fire Hydrants, with service pipe complete, to be kept in repair and maintained by the Water Works Company, with a Distributing Reservoir east of Mount Hope, of sufficient capacity to hold in reserve 30,000,000 (thirty millions) gallons of water, and a delivery of 2,000,000 gallons daily in the city.

This quantity the committee consider ample for all present emergencies. It is forty gallons a day for each inhabitant, assuming the entire population at fifty thousand; and it is now but forty eight thousand three hundred. The reserve water in the Reservoir would be equal to three weeks'

consumption, or sufficient to supply all the wants of the city for fires, fountains, and ordinary consumption by workshops, stables, hotels, and families, for that period of time, to offset against any lack of water in the outlet in a dry season, or any break or interruption in the supply mains, above the Reservoir. But, an additional supply, beyond all this, would be secured by the construction at the foot of Hemlock and probably Canadice Lakes, of embankments and gates, weirs, &c., to make these Lakes storing Reservoirs, and retain in them a large supply of water, to be let out in a dry time, and so arranged by deepening the outlets as to enable the company to draw down the water in the Lakes to any extent necessary to supply the city, should the population, within the next forty years, reach 100,000 inhabitants or more, as the supply, with that arrangement, is inexhaustible.

The letter of the chairman to J. D. Hunt & Co., is annexed, and marked No. 4. The answer to that letter is annexed and marked No. 5. An explanatory letter of J. D. Hunt & Co., dated Dec. 26, 1860, is annexed and marked No. 6.

The letter of the chairman directed to C. J. Hayden, for the Water Works Company, is annexed and marked No. 7. The answer to that letter from C. J. Hayden, for the Water Works Company, is annexed and marked No. 8.

A paper from Daniel Marsh, Engineer, giving the Committee a comparative statement of the analyses of water from various sources, including the outlet a short distance above Smithtown, showing it to be obtainable there in a very pure state, and superior to any other water used as a supply for Water Works, and far superior to the water of the wells and cisterns in use in the city of Rochester, is annexed and marked No. 9.

A paper forwarded by the Elmira Water Works Company, at Elmira, to the Common Council, showing the results of the use of the banded and cement pipe in their Water Works, recently completed, to be perfectly satisfactory, is annexed and marked No. 10.

With these documents before the Committee, and the assurance of the Engineer that the supply from the outlet is sufficient and fully adequate for all the wants of the city with its present and prospective population, and superior to the water supplied by the works in any other city; the committee unanimously came to the conclusion to recommend the passage of the annexed resolution by the Common Council, providing for a contract with the Rochester Water Works Company for a period of ten years, with the right of renewing it, if desired by the city, for a further similar period, at \$20,000 per year. It is designed by the committee, and assented to by the Company, that the contract shall provide for the completion of the works so as to supply the city with this water within, at the most, three years, but it is probable it can be supplied somewhat sooner. Security is to be given for the fulfillment of the contract.

The compensation to be paid by the city is not to commence until the supply begins, and is to be suspended during any interruption of supply, should any such occur, so that the city will not pay unless they get the water.

The Company are to be responsible for any defects in the pipes or reservoirs, and for all failures in works or the supply, and to keep the works, service pipes, and hydrants, in repair and working order.

The computed saving on insurance premiums to the citizens, is estimated at \$19,000 a year; the saving in the expenses of the Fire Department, immediate and consequent, at from \$5,000 to \$10,000 a year; and the saving of the property from loss or destruction by fire, at from \$100,000 to possibly \$300,000 per annum.

The sanitary benefits, in respect to health, comfort and cleanliness, will be immense, and such as to be incapable of an estimate.

The committee have desired to arrive at a result which would actually promote the best interest of the city, and be entirely satisfactory to their fellow citizens.

In the present state of the money market, and its prospective condition for some time to come, the Company will need all the encouragement the Common Council can reasonably afford, acting in behalf of the city, to enable them to induce capitalists to invest their money in the capital to be used for the construction of the works. This sum, pursuant to the limits of their charter, is \$500,000; which is supposed to be fully adequate; and the sum to be paid by the city, will operate as a public guarantee by the city of four per cent interest, per annum, to the stock holders, on their investment; that is, on the capital stock of the Company.

For any additional income expected, they must take their risk of realising it from the water rates, or income upon the ordinary consumption for mechanical uses, hotels, and private establishments, dwellings, &c., to which may be added, the county buildings, the House of Refuge, and the Railroads. It is hoped that a sufficient sum may be realized from these various sources, with the sum paid by the city, to induce our own wealthy citizens and other capitalists to subscribe the stock and complete the Works. The Committee confidently hope for this result, and consider the sum proposed to be paid by the city, both requisite, and sufficiently liberal and remunerative to contribute decidedly to the accomplishment of the enterprise. A fair and liberal payment by the city, for water for public uses, is best calculated, in the judgment of the Committee, both to secure the speedy completion of the Works, and furnish the citizens with the water for private uses for satisfactory water rates.

In view of the foregoing facts, the Committee passed the following resolution:

Resolved, That the Committee recommend that the Common Council enter into a contract with the Rochester Water Works Company for furnishing this city with water, within three years from January 1, 1860, from the outlet of Hemlock Lake; that the contract be for the term of ten years from the completion of said works or the time when the supply is ready for delivery, at a cost to the city not to exceed twenty thousand dollars per year, with the right of renewing it on the part of the city for any additional term not to exceed ten years thereafter, on the same terms.

GEO. SHELTON, B. BUTLER, JOHN LUTES, P. BARRY, W. T. CUSHING, N. C. BRADSTREET, O. L. ANGEVINE, J. W. SEWARD, W. F. HOLMES, GEO. B. HARRIS, CHARLES R. BABBITT, Committee.

By Ald. Cushing, from the Law Com., that a box sewer be constructed to drain the premises of Peter Y. Burke, corner of Allen and Warehouse streets. Table.

ASSESSMENTS.

On motion of Ald. Hebard, Tuesday evening, March 5th, was fixed as the time when the Com-

mon Council will hear appeals upon the following named assessment rolls, the same having been returned by the Assessors and filed in the Clerk's office:

Laying plank walk on each side of White street, from State street to Frank's rear.

Laying flag walk on Allen street.

Laying plank walk on Mt Hope avenue, from South avenue to West Alexander street.

Laying plank walk on Alexander street, from East avenue to Gardiner Park.

Plank walk on Perkins street.

Plank walk on Platt street.

On motion of Ald. Shelton, Tuesday evening January 22d, was fixed as the time when the Common Council would hear appeals upon the assessment roll for the deficiency in the construction of Front street sewer.

On motion of Ald. Hebard, Tuesday evening, January 22d, was fixed as the time when appeals from the assessment roll for the improvement of Front street, from Buffalo to Mumford street, will be heard, the same having been considered and laid on the table Feb 28th, 1860.

On motion of Ald. Angevine, Tuesday evening Jan. 22d, was fixed as the time when the Common Council will hear appeals upon the assessment roll for the continuation of Reynolds street.

ACTION UPON ORDINANCES.

Ald. Shelton presented the final ordinance for the construction of a sewer in Sellinger and St. Joseph streets, and allegations having been heard, Ald. Shelton moved that action thereon be postponed till the next regular meeting. Agreed to.

Ald. Hollister presented the final ordinance for the bridging of Brown's raceway, and allegations having been heard.

Ald. Butler moved that the said ordinance be postponed till the next regular meeting.

Ald. Lutes moved that the ordinance be indefinitely postponed. Agreed to, as follows:

Yeas—Ald. Holmes, Brackett, Butler, Waring, Longmuir, Stearns, Seward, Moore, Lutes, Angevine, and Cushing—11.

Nays—Ald. Hollister, Hebard, Bradstreet, Goetzman, Stone, Shelton, Vose, Mason, Schafer, Barry—10.

WIDENING OF MAIN STREET.

Ald. Angevine presented the final ordinance for the widening of Main street, on the south side of Main street bridge.

Ald. Brackett moved to amend the description of territory to be assessed as follows: Adding "one tier of lots on each side of Buffalo street, from Exchange and Street streets to the Erie Canal; also, one tier of lots on each side of Main street, from Water street to Clinton street."

Ald. Bradstreet moved to substitute for the ordinance under consideration, the ordinance adopted Oct. 16, 1860. Lost—Yeas, Ald. Bradstreet, Stone, and Mason. Nays 18.

Ald. Brackett's amendment was adopted, as follows:

Yeas—Ald. Holmes, Brackett, Hollister, Hebard, Waring, Longmuir, Stearns, Moore, Stone, Lutes, Angevine, Mason, Cushing—13.

Nays—Ald. Butler, Bradstreet, Goetzman, Seward, Shelton, Vose, Schafer, Barry—8.

The ordinance was then laid on the table and the clerk was directed to give notice that allegations of persons interested will be heard at the next regular meeting.