

Town of Palmyra - Minutes

1978



January 12, 1978

The Public Hearing scheduled for 7:30 P.M., Thursday, January 12, 1978 in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of hearing the application of Max Albertson for Special Authorization to use property located on Harris Road as an airport and to present the determination of the Department of Transportation was opened by Supervisor Aplin at 7:30 P.M.. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman and Nelson Cook, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Town Councilman David Lyon joined the hearing at 7:40 P.M.. Town Councilman Edwin Wheeler was absent from this meeting due to illness. Interested persons attending were: Paul Burkhardt, Steve Jackson, Fred Dowaliby, Fred Krein, Max Albertson, Lyle Caward, David & Sharon Hand, Jack Haight, Derwant Jackson, Ruth Moderacki, Shirley & Richard Finley. The Proof of Publication was read by the Clerk. Supervisor Aplin asked if there was anyone present who wished to speak in support of this request. Richard Finley of North Creek Road and Derwant Jackson of Harris Road both spoke in favor of granting this request. They didn't feel noise or traffic would cause problems - no more than cars or snowmobiles. Mr. Aplin then asked if there was anyone who wished to speak against this application. David Hand, Harris Road stated he was not pro or con at this time, just wanted a point clarified. He understood that approval had been granted after the last hearing and was questioning the reason for this hearing. Mr. Aplin referred this question to David Lyon who explained the various procedures necessary to granting this Special Authorization. Fred Dowaliby and Fred Krein, new residents on Harris Road, questioned the Board on the following points - what criteria would be used in making the decision, will approval of this request change the Zoning in that area, will it open ways for Zoning Variances in the future, is a precedent being set, has this sort of Variance been sought before now. Bruce Wideman replied to these questions. Mr. Aplin explained the background of this application for Special Authorization for the benefit of the new people. A lengthy discussion followed involving Fred Dowaliby, Supervisor Aplin, Town Councilman Bruce Wideman and Lyle Caward. Mr. Dowaliby felt that the Town should have informed him of the availability of the file and information contained in it - Mr. Caward felt that the Board should have presented all pertinent information at the beginning of the hearing. Councilman Nelson Cook at this time read the conditions imposed on the Approval granted to Mr. Albertson on July 14, 1977 and August 25, 1977. This answered a number of points in question. The hearing continued with a discussion involving Supervisor Aplin, Mr. Albertson and Mr. Dowaliby mainly in regard to the number of planes at this time as well as in the future and a question on what information was or was not in the file. Mr. Caward questioned what would constitute violation of this approval and on what the violation would be based. David Lyon explained the procedures involved in Violations of the Zoning Ordinance. David Hand spoke in regard to the fact that those who had done most of the questioning during this hearing were originally from out of the area, had moved or built homes to get away from commercialism and were nervous about the possibility of a commercial situation developing in the neighborhood. Discussion continued covering questions in regard to expansion, lighted runways, definition of a commercial airport. Mr. Dowaliby again referred to the letters sent out by the Town Office and asked why he wasn't informed where the information was available. He also asked if there might be a possibility of delaying a decision on this matter until the file could be studied. Supervisor Aplin

PUBLIC
HEARING
RE: ALBERTSON
AIR-
PORT
OPENED

PUBLIC
HEARING
CONT'D

referred to the Freedom of Information Law - public records are available for viewing. Councilman Nelson Cook responded to Mr. Dowaliby stating that inasmuch as the letters in question were sent out on Town of Palmyra letterheads showing where the Town Office is located, there should have been no problem locating the file on this application. Mrs. Richard Finley, North Creek Road, posed the question - "Who makes the decision on this application?" Supervisor Aplin replied that the Town Board does. Mrs. Finley stated that she felt she could pick who would vote yes and who would vote no and she wondered what effect their presence and opinions had on the final decision. She was advised that the public hearing gave them the opportunity to speak and state their views and the Board would then render a decision taking into consideration all points presented. Mrs. Finley then stated that she had resided for 10 years in Rochester, near the Monroe County Airport and did not find the noise annoying. She now lives on North Creek Road near the Railroad, has a dog kennel across the road, listens to motorcycles in the summer and snowmobiles in the winter. She doubts noise from a small restricted airport could compare to the noise already there. Supervisor Aplin asked if anyone else wished to speak on this matter. The Determination of the Department of Transportation was read by the Clerk and becomes a part of the file on this application. A letter from Clifford Smock expressing his approval of this request was also read. Lyle Caward asked if an Environmental Impact Study was necessary on this Special Authorization and Bruce Wideman responded that it was not under present regulations and explained why. Supervisor Aplin again asked if everyone who wished to speak, had spoken concerning this application for Special Authorization. The hearing was declared closed at 8:45 P.M..

HEARING
CLOSED

REGULAR
MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 8:55 P.M., Thursday, January 12, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag.

MOTION TO
APPROVE
MINUTES 12/8
MTG.

A motion to dispense with the reading of and to approve the minutes as submitted of the December 8th Board meeting was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos.

Communications -

COMMUNICATIONS

The following communications were presented to the Board by the Clerk -

- (1) Notice of 1978 Annual Meeting of the Association of Towns, February 20 - 22nd and Proposed Position Statements for 1978 Legislative Programs
- (2) Information from Voting Machine Service Center (Dale Marshall) in regard to new items, Voting Machine Covers and Steel turn tables for Voter Registration Books
- (3) A letter from Mayor Davin, Village of Palmyra concerning the Water Contract
- (4) Notice from the V.F.W. Post in regard to no Bingo game on Tuesday 1/10 because of inclement weather
- (5) A letter from Lincoln First Bank requesting consideration as the Official Depository for the Town of Palmyra for the year 1978.

COMMITTEES

Committees -

DISCUSSION
RE: BREEMES
BLDG. PERMIT

Zoning & Assessment - Zoning Officer Francis Toole came before the Board to request some direction in regard to an expired building permit issued to S. Breemes in May of 1973. Extensions were granted in 1974 and 1975 and work has not continued and the residence is not completed. Following some discussion, the Board requested the Town Attorney to send a letter to Mr. Breemes asking his intentions concerning this unfinished residence and reminding him of the requirements under the Zoning Ordinance.

Mr. Toole reported that he had contacted a home owner on Foster Street and

informed him of the Zoning Regulations in regard to the keeping of a horse. The resident expects to get rid of the horse.

The Town Attorney reminded the Board that Zoning Officer Toole will be on vacation in March and advised the Board to appoint a substitute or a temporary replacement for Mr. Toole. The Zoning Officer recommended Bruce Wideman as his replacement but Mr. Wideman felt he was too deeply involved to take on another responsibility. Mr. Wideman suggested Supervisor Aplin but Mr. Aplin stated he was too busy with too many other commitments and couldn't accept this assignment. A motion was made by David Lyon to table this appointment. Motion was seconded by Bruce Wideman and passed with 4 ayes and no nos.

ZONING
OFFICER
ON VACA-
TION
APPT. OF
SUB.
MOTION
TO TABL
APPT.

Supervisor Aplin inquired what action the Board wished to take on the Max Albertson request for Special Authorization, subject of the Public Hearing earlier in the evening. Councilman Nelson Cook offered the motion to approve this request of Mr. Albertson for Special Authorization to open an airport on Harris Road, approval subject to the same restrictions as stated in August 1977. Motion was seconded by David Lyon. Under discussion, Supervisor Aplin repeated his opinion that he felt this Special Authorization would lead to a commercial use. Mr. Cook stated that he felt it should be granted; but, if Mr. Albertson tried to make a commercial use of this Authorization, he would be the first to issue a denial of use. Councilman Lyon stated that while he was not entirely in favor of supporting the airport, he didn't feel the Board should restrict Mr. Albertson in the use of his land. Mr. Wideman questioned if an Environmental Impact Study was necessary. Following discussion, the motion to table the decision until January 26th was made by David Lyon, seconded by Bruce Wideman and passed with 4 ayes and no nos.

DISC. RE
ALBERT-
SON
APPLIC.
MOTION
TO APPR

Under Assessment, Bruce Wideman reminded the Board that a decision had to be made concerning Robert Kirchhoff's request to attend the Association of Towns Meeting in New York City in February. The Board unanimously agreed that Roger Schwing should be encouraged to attend but there is some doubt if he will be able to do so. Nelson Cook made the motion that Mr. Kirchhoff's request be denied but Assist. Real Property Tax Service Aide Roger Schwing should go if possible. Motion was seconded by Bruce Wideman and passed with 4 ayes and no nos.

DISC. RE
KIRCHHOFF
REQ. N.Y.C.
MOTION TO
DENY REQ.

Councilman Wideman spoke to the Board concerning the Department of Transportation's proposed dredging of the Canal in the spring. Fifty per cent of this proposed area for dumping is in the Town of Palmyra. Mr. Wideman asked the Town Board to go along with a request to have the Supervisor write a letter stating the opinion of the Town Board - that the dumping of materials will be detrimental to the area, that the Town Board will stand behind efforts to preserve the Wetlands situated in the Town of Palmyra, that there is already one dumping area in the Town as well as one in the Village and asking the Department of Transportation to advise of their intentions. Discussion followed in regard to these dumping areas destroying the environment, the use of the canal - referring to the amount of shipping done, the Village of Palmyra and organizations writing letters of support. A motion was offered by Bruce Wideman, seconded by Nelson Cook that the Supervisor write a letter to the Department of Transportation stating that the Town Board supports the efforts of concerned citizens that N.Y.S. Department of Transportation, Canal Section, utilize lands located in the Town of Palmyra already designated and used as a disposal site. Motion passed with 4 ayes and no nos.

DISC. RE
DREDGING
CANAL

MOTION
SUPER.
WRITE
LETTER
STATING
TOWN'S
POSITION

Highway - David Lyon reported on the meeting held Wednesday with the State & County representatives in regard to the Snow & Ice Control Audit Disallowance.

MEETING
RE: SNO &
ICE CON.

MTG. RE:
SNO&ICE CON.

Supervisor Aplin offered some comments and the Town Attorney also reported on this meeting. The subject of this Audit Disallowance was discussed at length.

WATER CONTR.

Water - Nelson Cook spoke to the Board in regard to the letter from the Village of Palmyra, read earlier in the meeting, concerning the Water Contract. He recommended that the Town Board accept this contract. Following discussion, Mr.

MOTION TO:
ACCEPT WATER
CONTRACT

Cook made the motion that the Town of Palmyra accept the Water Contract on a 2 year basis at a rate of \$1.05 per 100 cubic feet, Master Meters to be installed - South District by November 1978 and North District by November 1979. Motion was seconded by Bruce Wideman. Mr. Cook stated that he wanted it understood that he felt the Town of Palmyra is paying its' full share - plus. Motion passed with 4 ayes and no nos.

APPLICA. TO
DEC. - EAST
WATER DIST.

Town Engineer Tony Malone was present earlier in the evening but had another appointment. He requested the Town Attorney to present to the Board papers in regard to the East Water District, specifically, an application to the Department of Environmental Conservation, part of the necessary paper work

MOTION TO
SIGN APPLIC.
FOR EAST
WATER DIST.

required in the establishment of the East Water District. Nelson Cook moved that Supervisor Aplin be directed to sign this application to the Department of Environmental Conservation. Motion was seconded by David Lyon and passed with 3 ayes and 1 no - Roy Aplin voting no.

LETTER RE:
VIOL. AT
LDPL.

Landfill - The Town Attorney posed the question as to when specifications would be set up for the operation of the Sanitary Landfill. A letter from the Department of Environmental Conservation dated January 6, 1978 in regard to an inspection of the Landfill made on December 20, 1977 and stating 5 violations was read by the Clerk. The letter and the violations were discussed at length. Supervisor Aplin stated that he had contacted the operator, Walter Pulcini, concerning the violations. The result of further discussion was that the Landfill Committee will study the complete Landfill situation and report at the next meeting.

Joint Recreation Commission - Chairman Nelson Cook had nothing to report at this time.

CONSOLIDA-
TION &
INSURANCE

Committee for Consolidation of Town & Village - Supervisor Aplin reported that he had talked with Chairman Edwin Wheeler who wants to call a meeting of the Committee for Consolidation and would like to set up a meeting with the Village. Mr. Wheeler also stated that he expects to have an update on the Insurance Study and will report on that project.

LETTER TO
PAL. AIRPORT

Under unfinished business, the Clerk read a copy of a letter sent by the Supervisor to William Gill, Palmyra Airport, requesting the information in regard to a policy pertaining to Flight Patterns in takeoffs of aircraft.

The Banking Contract with Marine Midland Bank - Rochester was discussed.

MOTION RE:
EXP. FOR
N.Y.C. TRIP

Expenses of Town Officers who will attend the Association of Towns Meeting in New York City were discussed. A motion was made by Nelson Cook, seconded by Bruce Wideman that the Town of Palmyra advance \$200 for the following Town Officers if they attend the meeting: All Town Board members, 1 member of the Planning Board, 1 member of the Zoning Board of Appeals, 1 member of the Assessment Board of Review, Roger Schwing, Town Attorney, Town Clerk and the Town Justices. Motion passed with 3 ayes and no nos.

DISC. ON
BIDS FOR
HTG. OIL

Councilman Lyon inquired about the progress being made in regard to the specifications and bids for the Diesel and Heating Oil. Bruce Wideman reported on his findings and the Board discussed this matter at length. Considering that it has gotten too far into the heating season to put bids out, the Clerk was asked to mark the calendar for the first week in May to set up Specifications for Heating Oil.

TOWN OF PALMYRA SUPERVISOR'S REPORT AS OF DECEMBER 31, 1977

<u>FUNDS</u>	<u>BALANCE 1/1/77</u>	<u>RECEIPTS</u>	<u>PAYMENTS</u>	<u>BALANCE DECEMBER 31, 1977</u>
GENERAL				
TOWN WIDE	\$ 46974.49	\$660684.54	\$620867.89	\$ 86791.14
PART TOWN	28430.14	101399.57	87043.47	42786.24
HIGHWAY				
ITEM I & IA	18887.32	273475.08	254183.06	38179.34
HIGHWAY				
ITEM III				
MACHINERY	63630.36	203603.06	234836.61	32396.81
MACH. RESERVE	28597.19	11482.46	-	40079.65
TOTAL	92227.55	215085.52	234836.61	72476.46
HIGHWAY				
ITEM IV	53849.40	208858.99	209865.90	52842.49
<u>FIRE PROTECTION</u>				
PALMYRA	None	15000.00	15000.00	None
EAST PALMYRA	None	5000.00	5000.00	None
PORT GIBSON	None	1300.00	1300.00	None
<u>WATER DISTRICTS</u>				
SOUTH WATER DIST.	9743.78	16304.87	15479.82	10568.83
NORTH WATER DIST.	15319.32	29586.71	29083.61	15822.42
FEDERAL REVENUE SHARING FUND	70864.32	170536.06	174247.56	67152.82
ANTIRECESSION FUND FEDERAL		24975.99	16531.68	8444.31
ANTIRECESSION FUND STATE		5913.00		5913.00

Town Court

TOWN OF PALMYRA

Harry K. White
385 Birdsall Parkway
Palmyra, New York 14522
315-597-9132

James R. Alsdorf
125 West Jackson Street
Palmyra, New York 14522
315-597-4264

January 7, 1978

Members of the Town Board
Town of Palmyra, New York

Gentlemen:

I submit the following report of my activities as
Town Justice for the year of 1977.

VEHICLE AND TRAFFIC CASES

Number of cases disposed of:	3246
Amount of fines and forfeitures collected:	\$2,900.00
Number of cases pending:	66

CIVIL AND SMALL CLAIMS CASES

Number of cases disposed of:	27
Amount of fees collected:	\$ 74.00
Number of cases pending:	2

Criminal Cases

Number of cases disposed of:	9
Amount of Fines collected:	0
Number of cases pending:	21

CONSERVATION CASES

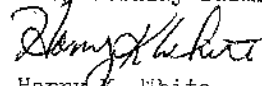
Number of cases disposed of:	6
Amount of fines and fees collected:	\$ 152.50

Matters transferred to other courts	4
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Number of marriages performed:	5
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Total Number of cases disposed of:	292
Total Amount of money collected:	\$3,126.50
Total number of cases pending:	89

Respectfully submitted,



Harry K. White
Town Justice

Town Court TOWN OF PALMYRA

Harry K. White
385 Birdsall Parkway
Palmyra, New York 14522
315-597-9132

James R. Alsdorf
125 West Jackson Street
Palmyra, New York 14522
315-597-4264

January 9, 1978

Members of the Town Board
Town of Palmyra
Palmyra, New York 14522

Gentlemen:

Following is a report of my services as Town Justice during 1977:

VEHICLE & TRAFFIC CASES	
Number of cases disposed of	189
Amount of fines and forfeitures collected	\$2,140.00
Number of cases pending	34
CRIMINAL CASES	
Number of cases disposed of	20
Amount of fines collected	\$425.00
Cases pending	6
CIVIL & SMALL CLAIMS CASES	
Number of cases disposed of	19
Amount of fees collected	\$48.00
Cases pending	2
CONSERVATION LAW CASES	
Number of cases disposed of	1
Amount of fines collected	0
Cases pending	3
DOG LICENSE CASES	
Number of cases disposed of	31
Amount of fines and fees collected	\$167.60
SUMMARY	
Total number of cases disposed of	260
Total amount of fines, fees etc. collected	\$2,780.60
Total number of cases pending	45
Matters transferred to Family Court	4
Number of marriages performed	7

Respectfully submitted,

James R. Alsdorf
James R. Alsdorf, Town Justice

January 10, 1977

During the past year I have had the opportunity to write articles for the local paper. For the Canal Day issue I collected the information and wrote the articles on the houses visited on the Garden Club house tour. I also contacted people and collected the information on the history of Canal Days. It was amazing how difficult it was to remember the different events over the years.

In October Mr. Jackson, the editor of the paper, asked me to take over the column, "Looking Back". As I peruse the papers for the material, I am writing on cards the dates of the papers in which special articles have been published such as the history of the PTA and a story on Canal St.

I have been cutting out articles from the newspapers on Palmyra this year. I have found it is time consuming to find articles on a certain subject by going through old newspapers.

Being Town Historian I believe I should help any organization which is preserving local history. This year the library has been reorganizing the old book section. We haven't been able to accomplish too much at the present time, but it is hoped that the books on local history will soon be available to the public to use.

Also I have helped at the Alling Coverlet Museum, especially in the quilt section when many types of quilting are displayed. I have also spent considerable time in helping at the Palmyra Historical Museum. At this time the committee is marking all the articles for inventory and identification and for filing. In the near future the arrangement of exhibits will start so that this museum will open May 1st.

During the year I have had many requests from people whose ancestors have lived in Palmyra. At times it gets frustrating as there are so few records from which to find information. However, when one is able to find the information or put the person in touch with someone who can help them, it is worth the effort.

This coming year I hope to collect more information concerning the history of our town as I am finding an increasing interest in local history.

Respectively submitted,

Lorene D. Warner
Lorene Warner, Town Historian

TOWN CLERK'S ANNUAL REPORT FOR 1977

		<u>AMOUNT TO TOWN</u>
CONSERVATION LICENSES	1947 issued	\$ 460.50
DOG LICENSES	1338 issued	334.25
	Refund from County Treasurer for Delinquent Actions	24.60
MARRIAGE LICENSES		
	Licenses 86 @ \$2.50	215.00
	Certificates 86 @ \$2.00	172.00
BUILDING PERMITS	38	252.25
REGISTRAR FEES	15 Birth Transcripts	
	12 Marriage "	
	53 Death "	
	<u>80</u>	160.00
AUTO JUNKYARD LICENSE		25.00
VARIANCE FEES	6 Town Board Hearings	
	10 Planning Board Hearings	
	3 Zoning Board Hearings	325.00
BINGO FEES	1 Bingo License	250.00
	Bingo Fees (3%)	292.64
SANITARY LANDFILL TICKETS		12,706.00
SALE OF MAPS		11.80
FEES PAID TO STATE FOR BINGO LICENSES		375.00
FEES PAID TO SUPERVISOR		15,239.04
FEES PAID TO COUNTY CLERK (Conservation Licenses)		11,748.25
FEES PAID TO COUNTY TREASURER (Dog Licenses)		3,273.90
FEES PAID TO STATE HEALTH DEPARTMENT (Marriage Licenses)		43.00

Respectfully submitted,

Betty B. Stubbings
 Betty B. Stubbings, Town Clerk
 Town of Palmyra

January 10, 1978

TOWN OF PAIMYRA MONIES RECEIVED FROM WAYNE COUNTY TREASURER

FOR PERIOD - JANUARY 1, 1977 THROUGH DECEMBER 31, 1977

DOG FUND:

2/ 2/77	\$ 1,846.63	- Surplus ✓
* 2/18/77	9.60	- Clerk's Delinquent Bill
* 4/22/77	15.00	- Clerk's Bill for Bringing Action
	<u>\$ 1,871.23</u>	

MORTGAGE TAX:

4/27/77	\$ 3,504.00	✓
11/14/77	14,935.25	✓
	<u>\$18,439.25</u>	

SALES TAX REVENUE:

2/18/77	\$14,018.56	- Credit
5/17/77	16,339.00	- "
8/18/77	10,341.94	- "
8/18/77	3,673.51	- Check ✓
11/18/77	15,626.02	- " ✓
	<u>\$59,999.03</u>	

Payments made to the towns from County Road Funds:

STATE SNOW REMOVAL:

1/21/77	\$ 4,926.12	✓
3/16/77	6,154.36	✓
4/26/77	2,799.61	✓
5/23/77	1,549.78	✓
	<u>\$15,429.87</u>	

MATERIALS AND RENTAL OF EQUIPMENT:

COUNTY SNOW REMOVAL:

1/21/77	\$11,199.09	✓
3/16/77	16,405.24	✓
5/23/77	7,009.17	✓
5/23/77	3,305.59	✓
	<u>\$37,919.09</u>	

* Monies paid Town Clerk

All other monies paid to Town or Town Supervisor.

TOWN OF PAIMYRA MONIES RECEIVED FROM WAYNE COUNTY TREASURER
FOR PERIOD - JANUARY 1, 1977 THROUGH DECEMBER 31, 1977

CETA TITLE II:

1/24/77	\$ 957.37
3/ 2/77	538.52
3/30/77	89.75
4/21/77	307.73
5/27/77	581.26
8/ 2/77	555.62
8/ 2/77	833.43
9/ 1/77	555.62
10/ 4/77	555.62
10/27/77	618.34
11/16/77	618.34
	<u>\$ 6,211.60</u>

CETA TITLE VI:

3/24/77	\$ 508.61
4/21/77	209.43
8/ 2/77	961.65
8/ 2/77	480.83
9/ 2/77	408.71
9/27/77	448.77
10/14/77	256.44
11/23/77	641.10
	<u>\$ 3,915.54</u>

The Clerk spoke to the Board in regard to the lighting in the Town Office and the Town Attorney suggested that the Supervisor contact the New York State Electric & Gas Corporation who will do a survey and make recommendations.

A motion was made by David Lyon to approve the contracts with the Palmyra Emergency Volunteer Ambulance Service, Palmyra Kings Daughters Free Library and the Palmyra Community Center and authorize payment upon execution of properly signed vouchers. Motion was seconded by Bruce Wideman and passed with 4 ayes and no nos.

MOTION
TO APPROVE
CONTRACTS

Supervisor Aplin reported to the Board that there is a balance of \$204.03 in Federal Anti-Recession Funds which must be expended at this meeting. He has had a request from Dog Warden Harold Fisher for the Town to pay the annual fees to the Dog Warden Association. A motion was made by Roy Aplin, seconded by Bruce Wideman to authorize payment in the amount of \$25.00 from Anti-Recession Funds for dues to the Western New York State Dog Warden Association. Motion was passed with 4 ayes and no nos.

MOTION TO
PAY FEES
DOG WARD-
EN ASSOC

A motion made by Bruce Wideman, seconded by David Lyon authorized the expenditure of the balance in the Federal Anti-Recession Funds of \$179.03 towards the purchase of a typewriter for the Town Office. Motion passed with 4 ayes and no nos.

MOTION
TO EXPEND
BAL. IN
ANTI-REC-
FUNDS

The Annual Reports of the Wayne County Treasurer, Town Supervisor, Town Clerk and Town Historian were reviewed by the Board and a motion to accept these reports as submitted was offered by David Lyon, seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION TO
ACCEPT
ANN. REPORT

The Town Board audited the books of the Town Justices and reviewed the Annual Reports submitted by Town Justice Harry White and Town Justice James Alsdorf. The motion to approve the audit and accept the Annual reports as submitted was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos.

MOTION TO
APPR. AUDIT
& ANN. REPORT
OF TN. JUS-
TICES

An annual audit of the Financial records of the Town was done by the Town Board at this time. The motion to approve this audit was made by Nelson Cook, seconded by Bruce Wideman and passed with 4 ayes and no nos.

MOTION
TO APPROV.
AUDIT

The motion to pay the following bills was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos:

MOTION
TO PAY
BILLS

GENERAL FUND	VOUCHERS # 1 - 17	\$5300.00
PART TOWN FUND	" # 1 - 2	278.34
HIGHWAY ITEM III	" # 1 - 15	2759.25
HIGHWAY ITEM IV	" # 1 - 5	6838.33
FEDERAL REVENUE SHARING	" # 1	10.00
TOTAL		<u>\$15185.92</u>

The motion to close this meeting was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos.

MOTION
TO CLOSE

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

February 9, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:40 P.M., Thursday, February 9, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman and David Lyon, Town Attorney Paul Rubery, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending were: Steve Jackson, Paul Burkhardt, Harry White, Nancy Rubery and Shilagh Maxwell.

MOTION TO
APPROVE
MINUTES

A motion to dispense with the reading of and approve as submitted the minutes of December 22nd, December 29th, and January 5th was made by David Lyon, seconded by Bruce Wideman and passed with 3 ayes and no nos.

T.J. WHITE
REQUEST FOR
COURT
CLERK

Town Justice Harry White came before the Board to speak in regard to the position of a Court Clerk. He has had Rita Hildreth as his Court Clerk for the last six months and it has worked out very well. Mrs. Hildreth has given notice that she will no longer be able to continue after the end of the first quarter of 1978. Justice White would like to use Margaret Reithel, a CETA worker in the Town Office, in the position of Court Clerk and came before the Board to find out if this would be possible. After checking with the Town Attorney and after discussing this request, the Town Board decided if there are no conflicts, they have no objection to Mrs. Reithel working as Court Clerk. Supervisor Aplin will check with Vincent Fischette's office in Lyons, and the Town Attorney will check with the New York State Labor Department.

COMMUNICATIONS The following communications were presented to the Board by the Clerk:

- (1) A letter from the Department of Law concerning a Sugar Anti-trust Litigation
- (2) A letter from the Department of Health in regard to a Public Water Supply Conference
- (3) A letter from the Department of Health to Dr. Adams, Health Officer concerning a nuisance complaint on Route 31
- (4) A letter from the Department of Environmental Conservation to Bruce Wideman in regard to the Canal Disposal area and a letter from Supervisor Aplin also concerning the Disposal area. Bruce Wideman spoke to the Board on this matter
- (5) A notice from the Wayne Sounding Board
- (6) Information in regard to College courses offered by Finger Lakes Community College
- (7) From the Wayne County Board of Elections, a report concerning offices to be filled at General Election
- (8) A letter from the Village of Palmyra in regard to the Town's request for Water Service.

Councilman Nelson Cook joined the meeting at 7:55 P.M.

NEW CO. MAPS

A notice has been received in the Town Office concerning new County maps which are available. Supervisor Aplin will check into this matter.

COMMITTEESVANDERMOLEN
REQUEST

Zoning & Assessment - Zoning Officer Francis Toole reported that he had received a call from a Mr. Anderson, Canandaigua, New York concerning the addition of All Terrain vehicles to David VanderMolen's line of equipment at his place of business on Route 21. Mr. Toole checked and it was determined that it would be necessary for Mr. VanderMolen to make application to the Zoning Officer and follow procedures before other types of vehicles could be sold at his place of business. Mr. Toole also reported that Terence F. ter on Maple Ave. has complied with the Zoning Ordinance concerning unlicensed vehicles.

M. VANDE
CONFLICT
OF INTER-
EST

Councilman Bruce Wideman asked the Board to consider the possibility of conflicts of interest involving Mark Vande, a member of the Planning Board. Mr. Vande is employed by Harnish & Lookup, a business in Newark who does 90% of the plans

presented to the Planning Board of the Town of Palmyra. Following some discussion, a motion was made by Bruce Wideman that the Supervisor contact in writing, Mark Vande, a member of the Planning Board, stating that the Town Board feels in the interest of the decisions the Planning Board has to make and the number of plans put before the Planning Board from Harnish & Lookup, that Mr. Vande consider resigning from the Planning Board of the Town of Palmyra. Motion was seconded by David Lyon and passed with 4 ayes and no nos.

MOTION TO
REQUEST
M. VANDE
RESIGNATION

The Town Clerk reported that there will be 2 appointments to be made in May - 1 on the Planning Board and 1 on the Board of Assessment Review.

APPOINTMENTS
IN MAY

Zoning Officer Francis Toole and Town Attorney Paul Rubery spoke to the Board in regard to Marber Development Corporation, under new regulations of the Public Health Law and the Conservation Law, adding 2 more lots to the subdivision on Hogback Hill Road.

MARBER
SUB-DIV.

Bruce Wideman reported briefly on the progress at the Assessor's Office, 138 East Main Street, Palmyra, New York.

At this time, the Board turned their attention to Max Albertson's request to establish an airport on Harris Road. Bruce Wideman reported that it was his opinion that an Environmental Impact Study should have been made. Nelson Cook offered the motion that the Board grant approval of Mr. Albertson's request as stated January 12, 1978. David Lyon seconded the motion and the vote was as follows: David Lyon and Nelson Cook voted aye, Roy Aplin voted no and Bruce Wideman abstained. The motion was lost but there will be a re-vote when the full Board is present.

MOTION TO
APPROVE M.
ALBERTSON
REQUEST
FOR AIRPORT

MOTION
LOST

Councilman Bruce Wideman volunteered to take over the duties of the Zoning Officer while Mr. Toole is on vacation in March.

Highway - Chairman David Lyon spoke to the Board concerning the need for a new Station Wagon for the Highway Department. A motion was made by David Lyon, seconded by Nelson Cook authorizing the Specifications and the advertising for bids for a 1978 Station Wagon for the Highway Department of the Town of Palmyra - bids to be opened February 23, 1978 at 7:30 P.M. in the Town Office. Motion passed with 4 ayes and no nos.

MOTION
TO ADV.
FOR BIDS
(STA. WAG)

The Town Board discussed the Department of Transportation Railroad Grade Crossing Program. David Lyon will check on this matter and report back at the next meeting.

Supervisor Aplin stated that at the County some of the Supervisors questioned the Town of Palmyra's position on the Snow & Ice Control Disallowance Audit. Some of the Towns are considering the hiring of an attorney. The Highway committee has discussed this matter and it was suggested that the Supervisor find out what Towns are interested in possible legal action and report at the next meeting.

SNO & ICE
AUDIT

Water - Chairman Nelson Cook advised the Board that the Village of Palmyra has asked that Town Attorney Paul Rubery put together the Water Contract which the Town and Village has agreed upon.

WATER
CONTRACT

Material concerning the East Water District which is to go to Town Engineer Malone was discussed.

Landfill - Co-Chairman David Lyon reported to the Board in regard to his contacts with the operators at the Palmyra Landfill and Frank Clark of District 8, Department of Environmental Conservation. Mr. Clark explained the limitations of the present site and made suggestions for it's use and closing. The Department of Environmental Conservation has granted an extension of time on the present site because it is not possible to move to the future site on the other side of the road within the time limit set by the Department. The Town

USE & LIM-
ITATIONS
OF PRESENT
SITE AT
LANDFILL

LANDFILL

is expected to move to the future site and Mr. Lyon will contact the Town Engineer in regard to this matter. The Department of Environmental Conservation will not approve the present site for further fill but Mr. Lyon was able to report that he did clarify the point concerning the old Landfill - that part which is covered and seeded is satisfactory.

CONSOL. OF
VLL. & TN.
MTG.

Consolidation of Town & Village - In the absence of Chairman Edwin Wheeler, David Lyon reported that Mr. Wheeler has attempted to arrange a meeting with a committee from the Village of Palmyra but there is no definite date as yet.

JOINT REC.

Joint Recreation Commission - Chairman Nelson Cook stated that Gary LaBerge has been elected the new President of the Board of Directors - Palmyra Community Center. The Board of Directors is concentrating on the proposed Community Center and the Fund Campaign which is continuing.

CETA HELP

Councilman Bruce Wideman offered the reminder that the Town of Palmyra has made application for a grant of \$30,000 for CETA help in the restoration of the old Erie Canal. He expects to have an answer in March. Mr. Aplin reported on the CETA Program from the County level. Nelson Cook stated that last year the Town of Palmyra missed out on some funding and asked if there might be something available this year. There is a new book on the availability of funds.

COMMUNITY
DEVELOPMENT
PROGRAM

Community Development Funds (HUD) - Cliff Williams, a representative from the Wayne County Planner's Office came before the Board to speak in regard to a County wide application for Community Development Funds from a U.S. Housing & Urban Development Program. Mr. Williams explained that funds are used on the basis that 50% will go for Housing Rehabilitation, 25% Community Need and 25% for specific projects, for instance, Parks. At this point, Mrs. Nancy Rubery and Mrs. Shilagh Maxwell, representatives from Palmyra Kings Daughters Free Library, questioned the Board and Mr. Williams on the availability of some of these funds for the Library. Mr. Williams explained the program in detail and answered questions posed by the Board, such as, How would such a grant benefit the Town of Palmyra, Who administers this program, Is there a set amount of time for funds to be expended, What is the salary limits for eligibility. On a County-wide application, there is a good chance the Town of Palmyra would get a grant. The deadline for applications is April 1, 1978. Following considerable discussion, Bruce Wideman moved that the Town of Palmyra consider making an application for a grant in the amount of \$50,000 as authorized under the Community Development Act of 1977, that the Town of Palmyra advertise and hold the necessary hearings at 4:00 P.M. and 8:00 P.M. on March 9, 1978 in the Town Office. Motion was seconded by Nelson Cook. Mr. Williams stated that the Town should try it for a period of 1 year. In that time the Town could gauge the benefits of the program. Mr. Lyon questioned how the amount of \$50,000 was arrived at- it was a suggestion of Mr. Williams. Motion passed with 4 ayes and no nos. The Clerk is to advise Mr. Williams of the date for the hearings.

Unfinished business - The Board turned their attention to the Flood Insurance Program and discussed this at length. The committee recommended adopting Local Law #1 of 1978. A motion was made by Bruce Wideman, seconded by Nelson Cook to post the legal notice for a Public Hearing to be held Thursday, February 23, 1978 at 8:00 P.M. to consider Local Law #1 of 1978 providing for Flood Damage Prevention in the Town of Palmyra. Motion passed with 4 ayes and no nos.

MOTION TO
MAKE APPLIC.
W/ COUNTY
COMM. DEV. ACTMOTION TO
POST HRG. RE:
L.L. #1GAMES OF
CHANCE ORD.

The next item of business was the Games of Chance Ordinance. It is necessary to appoint a Licensing Officer and a Chief Enforcement Officer. The Town Attorney advised the Board in regard to what the legal requirements are concerning these appointments. A motion was offered by Nelson Cook, seconded

by Bruce Wideman that the Town Clerk be appointed as Licensing Officer and the Wayne County Sheriff be appointed as Chief Enforcement Officer for the Conduct of Games of Chance in the Town of Palmyra - duration of appointment to January 1, 1979. Motion passed with 4 ayes and no nos.

MOTION TO
APPT. OFFICER
GAMES OF
CHANCE

The Board next discussed the Equipment Maintenance Agreement for the Pitney Bowes Copier and decided to table the decision until some checking can be done in regard to the agreement and supplies for the Copier.

COPEER
AGREE-
MENT

Supervisor Aplin reported to the Board on the survey of the office lighting done by New York State Electric & Gas Corporation. It was suggested that some estimates be requested before a decision is made.

OFFICE
LGT.

The Board turned their attention to the Tax Exemption for Senior Citizens. Following some discussion, a motion was made by Roy Aplin, seconded by David Lyon that the Town of Palmyra post a public hearing for Thursday, March 9, 1978 at 7:30 P.M. in the Town Office to consider raising the tax exemption for over 65 year olds who qualify from \$5,000 limit of income to \$6,000 limit of income. Motion passed with 4 ayes and no nos.

MOTION
TO POST
PUB. HRG.
SR. CIT. EX.

Town Attorney Paul Rubery spoke to the Board concerning the new regulations for the Freedom of Information Law. The Clerk will have to prepare a list of records and material (by category) to be available for the public. Bruce Wideman offered to take care of the public notification.

FREEDOM
OF INFO.
LAW REG.

The Clerk presented the list of the Delinquent Dog Owners in the Town of Palmyra to the Board. This list will be sent out to Albany on Monday.

DELINQUENT
DOG OWNERS

A letter from the Palmyra Airpark in reply to the request of the Town Board for a policy on Flight Patterns was read by the Clerk.

A motion made by Bruce Wideman, seconded by Nelson Cook, approved payment of the balance due in the amount of \$117.97 on the Smith-Corona typewriter - this amount to be paid from State Anti-Recession Funds. Motion passed with 4 ayes and no nos.

MOTION TO
PAY BAL. DUE
ON TYPEWR.

Chairman Nelson Cook offered the suggestion that a receiving date be marked on correspondence as it is received in the office and that office personnell should make note if there is an unusual discrepancy between the mailing date and receiving date.

DISCUSSION
RE: INCOMING
MAIL

The motion to pay the following bills was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos:

MOTION
TO PAY BILLS

GENERAL FUND	VOUCHERS # 26 - 49	\$ 3,696.83
PART TOWN FUND	" " 3 - 11	36,534.82
HIGHWAY ITEM III	" " 16 - 44	4,047.18
HIGHWAY ITEM IV	" " 8 - 13	6,874.65
NORTH WATER DISTRICT	" " 1	3,551.09
SOUTH WATER DISTRICT	" " 1 - 3	2,143.09
TOTAL		\$56,847.66

The motion to adjourn was offered by Nelson Cook, seconded by Bruce Wideman and passed with 4 ayes and no nos.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

February 23, 1978

OPENING OF
BIDS FOR
SEA. WAGON

At 7:40 P.M., the Proof of Publication of Legal Notice requesting sealed bids for the furnishing, according to specifications, of a new 1978 full size model Station Wagon for use of the Highway Department of the Town of Palmyra was read by the Clerk. The following bids were opened and read:

BUCKNAM PONTIAC, PALMYRA, NEW YORK	\$5,450.00
U.W. SHERBURNE, PALMYRA, NEW YORK	\$5,198.00

HRC. CLOSED

The bids were referred to the Highway Committee for study and the hearing was closed at 7:45 P.M.

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:50 P.M. Thursday, February 23, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman, Edwin Wheeler, Nelson Cook and David Lyon, Town Highway Superintendent James DeBrine, Zoning Officer Francis Toole, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Interested persons attending were: Paul Burkhardt, Ruth Benedict and Robert Jagger.

MOTION TO
APPROVE
MINUTES

The motion to dispense with the reading of and approve as submitted the minutes of January 12th was made by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

COMMUNICATIONS

The following communications were read by the Clerk: (1) a letter from the VFW Post #6778 in regard to no Bingo on February 7th (2) a letter from the Village of Palmyra concerning the use of the Voting Machines for the Village Election. A motion made by David Lyon, seconded by Bruce Wideman approved the request of the Village of Palmyra for use of 2 Voting Machines for the Village Election to be held March 21st. Motion passed with 5 ayes and no nos.

MOTION TO
APPROVE USE
OF VOT. MACH.
(VILLAGE)

COMMITTEES

ZONING

Zoning - Zoning Officer Francis Toole reported that Stephen Breemes, Route 21 expects to finish the house this summer. Town Attorney Rubery was requested to send a letter to ask Mr. Breemes to advise the Board concerning his plans for the house and a proposed completion date.

Mr. Toole leaves March 6th for a vacation - Town Councilman Bruce Wideman will take over the Zoning Officer's duties while he is away.

Town Councilman Edwin Wheeler questioned if the Bingo Inspection could be included in Mr. Toole's job description. Discussion followed.

A letter from the Planning Board in regard to Marber Development Corporation's proposal for 2 additional lots on Hogback Hill Road was read by the Clerk.

PUBLIC HEARING

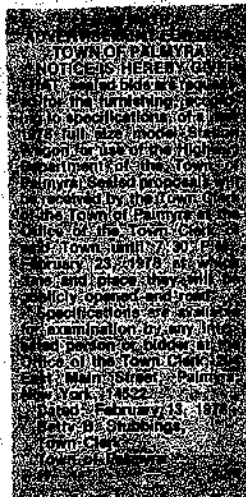
RE: LOCAL
LAW #1 - 1978

The Public Hearing scheduled for 8:00 P.M., Thursday February 23, 1978 in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of hearing interested persons speak concerning Local Law #1 of 1978 was opened by Supervisor Aplin. Local Law #1 of 1978 provides for Flood Damage Protection in the Town of Palmyra to minimize the risk of Flood Damage for the citizens of the Town of Palmyra and alert the public to the risk of floods. Mr. Robert Jagger of Hogback Hill Road appeared before the Board to question what area is covered under this program and how was the area determined. Maps were reviewed. Supervisor Aplin, Bruce Wideman and Town Attorney Paul Rubery responded to Mr. Jagger's questions. There being no one else to speak concerning this Local Law, Supervisor Aplin closed the hearing 8:15 P.M. A motion made by Bruce Wideman seconded by Edwin Wheeler approved the adoption of Local Law #1 of 1978, (this Local Law as adopted is attached to these minutes). Motion passed with 5 ayes and no nos.

MOTION TO
ADOPT LOCAL
LAW # 1

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne, }



Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

February 17, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 17 day of FEB 1978

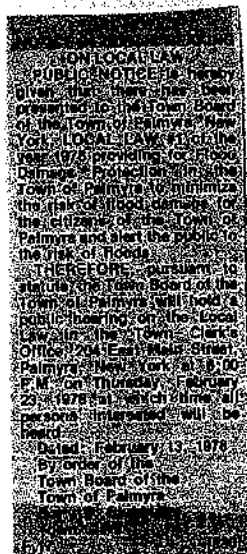
Michael J. Dannon
Notary Public

Fee: \$ 9.12

MICHAEL J. DANNON
WAYNE COUNTY CLERK
1/10/78

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne, }



Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

February 17, 1978

Elizabeth M. Main
Foreman of the Publisher

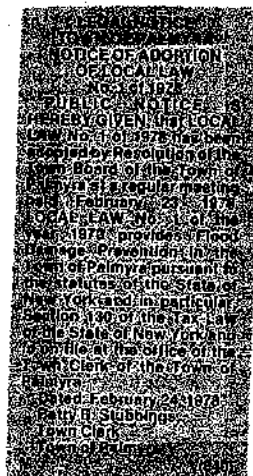
Subscribed and sworn to before me

this 17 day of FEB 1978.
Michael M. Danov
Notary Public

Fee: \$ 9.97 MICHAEL M. DANOV
WAYNE COUNTY, NEW YORK JUNE 1978

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, }
County of Wayne, } ss:



Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

March 3, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of March, 1978

Michael J. Davis
Notary Public

Fee: \$ 9.12
MICHAEL J. DAVIS
WAYNE COUNTY CLERK 1978
210122

Local Law No. 1 (1978)

Town of Palmyra-County of Wayne-State of New York

A Local Law Providing for Flood Damage Prevention in
the Town of Palmyra

Be it enacted by the Town of Palmyra, County of Wayne, State of New York as follows:

Section 1. Pursuant to the Statutes of the State of New York and in particular, Section 130 of the Tax Law of the State of New York, the Town Board of the Town of Palmyra has the responsibility to protect the public health, safety and welfare of its citizens, and the Federal Government has adopted a Flood Control Program and provided insurance and now has provided maps for implementing its flood control and insurance program for the benefit of the residents of the Town of Palmyra.

It is the intention of this Local Law to minimize the risk of flood damage for the citizens of the Town of Palmyra and alert the public to the risk of floods. Such risk shall be minimized by restricting the use of identified flood areas and insure that facilities that must be built in flood areas are constructed so as to minimize the risk to the structure and not impede the natural flow of the area.

Section 2. Definitions: Except as specified below the words or phrases used in this Local Law shall be interpreted so as to give the words the meaning that they have in common usage.

- A. "Appeal" means a request for a review of the Zoning Enforcement Office's interpretation of any provision of this ordinance or a request for a variance.
- B. "Area of shallow flooding" means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one of to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.
- C. "Area of special flood hazard" is the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.
- D. "Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year.
- E. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.
- F. "Existing mobile home park" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent for which the construction of facilities for serving the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this Local Law.
- G. "Expansion to an existing mobile home park or mobile home subdivision" means the preparation of additional sites by the

construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

- H. "Flood or Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:
- (1) The overflow of inland or tidal waters
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- I. "Flood Insurance Rate Map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- J. "Flood Insurance Study" means the official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Hazard Boundary-Floodway Map and the water surface elevation of the base flood.
- K. "Flood Plain or Flood Prone Areas" means a land area adjoining a river, stream, watercourse, ocean, bay or lake, which is likely to be flooded.
- L. "Flood Plain Area Having Special Flood Hazards" means that maximum area of the flood plain that, on the average, is likely to be flooded once every 100 years (i.e., that has a 1 percent chance of being flooded each year).
- M. "Flood Plain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and land use and control measures.
- N. "Floodproofing" means any combination of structural and non-structural additions, changes, or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures, and contents of buildings.
- O. "Flood Protection Elevation" means the 100-year flood elevation.
- P. "100-Year Flood" means the highest level of flood that, on the average, is likely to occur once every 100 years (i.e., that has a 1 percent chance of occurring each year).
- Q. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- R. "Habitable floor" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor".
- S. "Mobile home" means a structure, transportable in one or more

sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

- T. "New construction" means structures for which the "start of construction" commenced on or after the effective date of this Local Law.
- U. "New mobile home park" means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this Local Law.
- V. "Start of construction" means the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.
- W. "Structure" means a walled and roofed building that is principally above ground, as well as a mobile home.
- X. "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:
- (1) before the improvement or repair is started, or
 - (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:
 - (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are

solely necessary to assure safe living conditions, or

(2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

- Y. "Variance" means a grant of relief to a person from the requirements of this Local Law which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Section 3. General Provisions:

- A. LANDS TO WHICH THIS LOCAL LAW APPLIES: This Local Law shall apply to all areas of special flood hazards within the jurisdiction of the Town of Palmyra.
- B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD: The areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for the Town of Palmyra," dated _____, 1977, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps are hereby adopted by reference and declared to be a part of this Local Law.
- C. COMPLIANCE: No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this Local Law and other applicable regulations.
- D. ABROGATION AND GREATER RESTRICTIONS: This Local Law is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Local Law and another ordinance, Local Law, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- E. INTERPRETATION: In the interpretation and application of this Local Law, all provisions shall be:
- (1) Considered as minimum requirements.
 - (2) Liberally construed in favor of the governing body.
 - (3) Deemed neither to limit nor repeal any other powers granted under state statutes.
- F. WARNING AND DISCLAIMER OF LIABILITY: The degree of flood protection required by this Local Law is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Local Law does not imply land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Local Law shall not create liability on the part of the Town of Palmyra or by any officer or employee thereof for any flood damages that result from reliance on this Local Law or any administrative decision lawfully made thereunder.

Section 4. Administration:

- A. **ESTABLISHMENT OF DEVELOPMENT PERMIT:** A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.B. Application for a Development Permit shall be made to the Enforcement Office on forms furnished by him and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill storage of materials; drainage facilities, and the location of the foregoing. Specifically, the following information is required:
- (1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.
 - (2) Elevation in relation to mean sea level to which any non-residential structure has been floodproofed.
 - (3) Plans showing how any nonresidential floodproofed structure will meet the floodproofing criteria of Section 5.H and after the structure is built, a certification by a registered professional engineer or architect that the structure as built meets the criteria of Section 5.H.
 - (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- B. **DESIGNATION OF ZONING ENFORCEMENT OFFICE:** The Zoning Enforcement Office is hereby appointed to administer and implement this Local Law by granting or denying development permit applications in accordance with its provisions.
- C. **DUTIES AND RESPONSIBILITIES OF THE ZONING ENFORCEMENT OFFICE:** Duties of the Zoning Enforcement Office shall include, but not be limited to:
- (1) The issuance of the permits hereunder.
 - (2) The review of the plans.
 - (3) The inspection of the facilities before, during, and after construction and
 - (4) Enforcement of this Local Law.
- D. **PERMIT REVIEW:**
- (1) Review all development permits to determine that the permit requirements of this Local Law have been satisfied.
 - (2) Review all development permits to require that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.
 - (3) Review all development permits to determine if such proposed development is located within the floodway. If the proposed development is to be

located in the floodway a certification shall be obtained in accordance with Section 5. J.(1)

E. USE OF OTHER BASE FLOOD DATA: When base flood elevation data has not been provided in accordance with Section 3. B, Basis for Establishing the Areas of Special Flood Hazard, then the Zoning Enforcement Office shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer Section 5.F., Specific Standards.

F. INFORMATION TO BE OBTAINED AND MAINTAINED:

- (1) Verify and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including easement) of all new or substantially improved structures.
- (2) For all new or substantially improved floodproofed structures:
 - (1) verify and record the actual elevation (in relation to mean sea level), and
 - (2) maintain the floodproofing certifications required in Section 4.A (3).
- (3) Maintain for public inspection all records pertaining to the provisions of this Local Law.

G. ALTERATION OF WATERCOURSES:

- (1) Notify adjacent communities and the Department of Environmental Conservation prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

H. INTERPRETATION OF FIRM BOUNDARIES: Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

I. VARIANCE PROCEDURE: (APPEAL BOARD)

- (1) The Zoning Board of Appeal as established by the Town of Palmyra shall hear and decide appeals and requests for variances from the requirements of this Local Law.
- (2) The Zoning Board of Appeal shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Zoning Enforcement Officer in the enforcement or administration of this Local Law.

- (3) Any person aggrieved by the decision of the Zoning Board of Appeal or any taxpayer may appeal such decision to the Superintendent of the State of New York as provided in Civil Practice and Rules of the State of New York.
- (4) In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Local Law, and:
 - (1) the danger that materials may be swept onto other lands to the injury of others;
 - (2) the danger to life and property due to flooding or erosion damage;
 - (3) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) the importance of the services provided by the proposed facility to the community;
 - (5) the necessity to the facility of a waterfront location, where applicable;
 - (6) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (7) the compatibility of the proposed use with existing and anticipated development;
 - (8) the relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
 - (9) the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (10) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - (11) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
 - (12) generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed

below the base flood level, providing items(11) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

- (5) Upon consideration of the factors listed above and the purposes of this Local Law, the Zoning Board of Appeal may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Local Law.
- (6) The Zoning Enforcement Office shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

J. CONDITIONS FOR VARIANCES:

- (1) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
- (2) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (4) Variances shall only be issued upon:
 - (1) a showing of good and sufficient cause,
 - (2) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and
 - (3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 4. I(4), Appeal Board, or conflict with existing local laws or ordinances.
- (5) Any applicant to whom a variance is granted shall be given written notice indicating the elevation below the base flood level (in feet) to which the lowest floor of the structure will be built, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Section 5. PROVISIONS FOR FLOOD HAZARD REDUCTION

A. GENERAL STANDARDS: In all areas of special flood hazards the following provisions are required:

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

- (2) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
 - (1) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side;
 - (2) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side;
 - (3) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and,
 - (4) additions to the mobile home be similarly anchored.

R. CONSTRUCTION MATERIALS AND METHODS:

- (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

C. UTILITIES:

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters; and,
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. SUBDIVISION PROPOSALS:

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of 50 lots or 5 acres.

- E. **SPECIFIC STANDARDS:** In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3. B Basis for Establishing the Areas of Special Flood Hazard or Section 4. E Use of Other Base Flood Data, the following provisions are required:
- F. **RESIDENTIAL CONSTRUCTION:** New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.
- G. **NONRESIDENTIAL CONSTRUCTION:** New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 4.F (2).
- H. **MOBILE HOMES:**
- (1) Mobile homes shall be anchored in accordance with Section 5. A (2).
 - (2) For new mobile home parks, for expansions to existing mobile home parks, for existing mobile home parks where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park:
 - (1) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;
 - (2) adequate surface drainage and access for a hauler are provided; and,
 - (3) in the instance of elevation on pilings, that:
 - a. lots are large enough to permit steps.
 - b. piling foundations are placed in stable soil no more than 10 feet apart, and;
 - c. reinforcement is provided for pilings more than 6 feet above the ground level.
 - (4) No mobile home shall be placed in a floodway, except in an existing mobile park.

I. FLOODWAYS: Located within areas of special flood hazard established in Section 3. B are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification by a professional registered engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) If Section 5. I (1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5., Provisions for Flood Hazard Reduction.
- (3) Prohibit the placement of any mobile homes, except in an existing mobile home park.

##

Zoning (Cont'd) - The Board returned to the request of the Planning Board concerning Marber Development Corporation's 2 lot sub-division on Hogback Hill Road. Town Councilman Bruce Wideman reported that he had spent the afternoon researching the request of Marber Development, had talked with neighbors in the area and stated that this was not the time of year to secure the services of a professional engineer, the necessary work can't be done in an intelligent manner before March 14th, the date suggested by the Planning Board and it is not an opportune time for a professional engineer to work out in the field. Mr. Wideman went over the background on this request - 2 former applications were submitted by Marber Development, the original 4 lot sub-division in 1974 and a re-sub-division for 3 lots in 1975. The maps of this sub-division were also reviewed by the Board. Following considerable discussion, David Lyon made the motion that the Town Board will not consider requesting the Town Engineer to review these plans until Spring when the weather and soil conditions are favorable for the Town Engineer to survey this area for contamination to the water and sewage run-off and that the Town Clerk is to so notify the Planning Board. Motion was seconded by Bruce Wideman and passed with 5 ayes and no nos.

MARBER
DEV.
SUB-DIV

MOTION
TO DE-
LAY RE-
QUEST OF
PL. BD.

Mr. Wideman said he also wanted to bring before the Board the possibility of asking the Planning Board to come up with new Land Sub-division regulations, the present ones were adopted in 1962 and are now outdated, 3/4 of the regulations are no longer applicable to the Town of Palmyra and the regulations for septic systems need updating. Mr. Wideman made the motion that the Town Board request the Planning Board to update the regulations of Land Sub-divisions for the Town of Palmyra. Motion was seconded by Edwin Wheeler and passed with 5 ayes and no nos.

REQUEST
FOR NEW
LAND SUB-
DIV. REG.
(MOTION)

Continuing under Zoning, Councilman Wideman questioned the status of the Town Board's request concerning Mark Vande's resignation from the Planning Board. The Town Attorney reported that he tried to get an answer concerning this matter from the Department of Audit & Control while he was in New York City at the Association of Towns meeting but was told to write a letter to the Department in Albany for an answer to this request. The Board discussed this possible conflict of interest and decided no action can be taken until an answer is received concerning cause for resignation. It was also reported that no answer has been received from Mark Vande in response to Supervisor Aplin's letter.

DISC. RE
M. VANDE
RESIGN.

The Board at this time turned their attention to Max Albertson's request for Special Authorization to establish and operate an airport on Harris Road. A motion made by Edwin Wheeler, seconded by Nelson Cook granted approval to this request for Special Authorization with the same restrictions placed on the Conditional Approval granted August 25, 1977. Motion passed with the following vote: Edwin Wheeler, David Lyon and Nelson Cook voting aye - Roy Aplin voting no and Bruce Wideman abstaining.

MOTION TO
APPROVE
M. ALBERT-
SON'S RE-
QUEST FOR
AIRPORT

Councilman Edwin Wheeler reported to the Board that while attending the Association of Towns meeting in New York City he checked in regard to a possibility of a conflict of interest on his part as landlord for the property rented by the Town for the Assessor's Office. He was advised that he should abstain on the voting on that voucher, should not initial or sign the voucher submitted for payment of rent. The Town Attorney spoke on information he acquired in New York concerning the Town's liability in regard to Town Highways. Mr. Rubery also reported that he had attended a session in New York City on Zoning, stressing the possibility of County, State or Regional Zoning. Supervisor Aplin read an article from "Spotlight" concerning Regionalism.

REPORTS
ON INFO.
FROM NYC.

Highway - Town Highway Superintendent James DeBrine reported to the Board that the Department of Transportation is questioning why the Town of Palmyra didn't pass the Resolution in regard to the Department of Transportation Railroad & Highway Grade Crossing Program, and stated that apparently the Town's original concept of the program was wrong. Mr. DeBrine suggested that the Town adopt the Resolution with the reservation that the State, Federal and County governments get involved and have the Department of Transportation set the guidelines in setting up a meeting. Town Councilman Wideman reported that he had talked with the DOT Office in Syracuse on this matter. Considerable discussion followed. A motion was made by Bruce Wideman, seconded by Nelson Cook that the Town Board of the Town of Palmyra support the Department of Transportation Railroad & Highway Grade Crossing Program and a letter be sent to the Department of Transportation in Syracuse so informing them of this action. Again, considerable discussion followed with Edwin Wheeler making the motion, seconded by Bruce Wideman to move the question. Before a vote was taken, Mr. Wheeler and Mr. Wideman withdrew the motion and the second and the original motion was passed

DOT RR &
HWY GRADE
CROSSING PRO-
GRAM
DISC.

MOTION
TO SUPP-
ORT PROG.

with 5 ayes and no nos. The letter is to state that the Town of Palmyra is anxious to cooperate and will await notification of modifications in the Program.

Town Councilman Edwin Wheeler reported on his day spent with the Town Highway crew during a storm recently.

MOTION
TO PUR-
CHASE
TIRES

A motion offered by Edwin Wheeler, seconded by Nelson Cook authorized Mr. DeBrine to purchase tires for the Highway Department. Motion passed with 5 ayes and no nos.

Mr. DeBrine also requested permission to purchase a complete set of legal road closing signs. He will check on the cost before the Board makes a decision.

MOTION
TO AC-
CEPT LOW
BID-STA
WAGON

The Board returned to the bids opened earlier in the evening and discussed the 2 bids received - 4 were sent out but only Bucknam Pontiac and U. W. Sherburne responded. Town Councilmen Wheeler and Cook reported on information they recieved in New York City in regard to bids and warranties. A motion was made by David Lyon, seconded by Edwin Wheeler to accept the low bid of \$5198.00 offered by U. W. Sherburne, Palmyra, New York. Motion passed with 5 ayes and no nos.

WATER

MOTION
TO SUB
MIT CONT
TO VIL.

Nelson Cook questioned Mr. DeBrine concerning how the money in Item IV - Snow was holding out considering the kind of winter we've had. This led to a question concerning the Snow & Ice Control Audit Disallowance and Supervisor Aplin reported that no monies can be withheld unless approved by the County Board of Supervisors. Water - The Water Contract between the Village and Town was discussed as presented by the Town Attorney. Several suggestions for changes were offered and discussed. A motion was made by Edwin Wheeler that the Contract be submitted to the Village for approval with the corrections as specified to the Town Attorney by Town Board Members. Motion was seconded by Nelson Cook and passed with 5 ayes and no nos.

E.PAL.
STUDY

Nelson Cook reported that the paper work for establishing the East Water District is continuing. He will check with Town Engineer Tony Malone in regard to the East Palmyra area water study.

LANDFILL

Landfill - David Lyon reported that the "monthly" letter from the Department of Environmental Conservation had been received citing 1 violation - refuse protruding. Mr. Lyon has been in contact with Mr. Malone and has received a copy of the report sent to the Department of Environmental Conservation for approval to open the other side of the road. The Town Board should start planning on opening by April 1st. Discussion followed.

CONSOL.

Consolidation of Village & Town - Mr. Wheeler is in the process of organizing a Committee to start working on Consolidation, but will wait until after the Village Election to proceed with this project. General discussion on consolidation followed.

INSUR-
ANCE

Insurance - Councilman Wheeler reported that he has received a letter from Van Parys Associates but is still waiting to hear from Knapp's Agency. Insurance of the Town was discussed. Mr. Wheeler suggested that the Board consider putting the insurance out for bid. The Town Attorney suggested getting a copy of the Insurance Study made by the County. Mr. Wheeler will check and contact someone to come to speak to the Board on this matter.

JT.REC.

Joint Recreation Commission - Chairman Nelson Cook had nothing to report. Mr. Wideman reported that he had recieved word from the CETA Manpower Program that funds for Fiscal year 1977-78 are committed but they would file an application for the 1978-79 year.

Supervisor Aplin reported that the County Board of Supervisors passed a Resolution authorizing a \$6,000 income limit for Senior Citizens to be eligible for a 50% Tax Exemption.

The motion to pay the following bills was made by Nelson Cook, seconded by Bruce Wideman and passed with 5 ayes and no nos:

MOTION
TO PAY
BILLS

GENERAL FUND	VOUCHERS # 50 - 74	\$6518.16
HWY. ITEM III	" # 45 - 53	825.69
HWY. ITEM IV	" # 14 - 20	9531.65
SO. WATER DISTRICT	" # 4	42.87
NO. WATER DISTRICT	" # 2	79.63
TOTAL		\$16998.00

Supervisor Aplin reported on an estimate from Paul Johnson for new lights in the Town Office. Town Councilman Wheeler suggested the landlord be contacted concerning these lights. After some discussion, Mr. Wheeler offered to contact Anson Johnson on this matter.

MOTION
TO ADJ.

The motion to adjourn this meeting was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stuckings

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

February 24, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of March 1978

Michael M. Donovan
Notary Public

Fee: \$ 0.00

(corrected legal previously charged - 2/17/78)

CORRECTED LEGAL NOTICE
Notice is hereby given that the Town of Palmyra is considering making an application to the U.S. Department of Housing and Urban Development for a Grant authorized by Title 23 of the Housing and Community Development Act of 1974 (PL 93-126). Grant monies must be used to promote decent housing and a suitable living environment and to expand economic opportunities for persons of low and moderate means.
The Town will conduct two public hearings where the application process, eligibility criteria and the requirements for a Housing Assistance Plan will be discussed. The hearings, which will be held at the Town Hall, 100 East Main Street, Palmyra, New York 14522, are scheduled as follows:
4:00 PM - March 9, 1978 and
8:00 PM - March 9, 1978
Any person desiring more information or who would like to make suggestions as to how the funds should be spent is invited to attend the hearings.
Betty Subbinga
Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

February 24, 1978

March 3, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of March 1978

Michael J. Denora
Notary Public

Fee: \$ 23.02

TOWN OF PALMYRA
PUBLIC HEARING
PLEASE TAKE NOTICE
That the Town Board of the Town of Palmyra will hold a Public Hearing at 7:30 P.M. on the 31st day of March 1978 at the Town Clerk's Office, 204 East Main Street, Palmyra, New York for the purpose of hearing and interested persons concerning the adoption of a Resolution granting an exemption equal to 50% per cent of the assessed valuation of their property to qualified property owners over 65 years of age whose income does not exceed \$6,000.00 provided they qualify pursuant to Section 487 of the Property Tax Law as in effect June 25, 1977.
The resolution is to be effective immediately upon adoption and applicable to the next tax to be levied by the Town of Palmyra as is permitted by statute.
The rules governing said exemptions and the applicable law are on file and may be examined at the Town Clerk's Office during regular business hours.
Dated: February 16, 1978
By order of the Town of Palmyra:
Betsy B. Stubbings
Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

February 24, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 24 day of Feb 1978

Michael M. Brown
Notary Public

Fee: \$ 13.39

PUBLIC HEARING
TOWN OF PALMYRA
PLEASE TAKE NOTICE
that the Town Board of the Town of Palmyra, New York, will hold a Public Hearing at 8:00 P.M. on the 24th day of February, 1978, at the Town Clerk's Office, 205 East Main Street, Palmyra, New York, for the purpose of hearing interested persons concerning the adoption of a Resolution granting an exemption equal to 50 per cent of the assessed valuation of their property to qualified property owners over 65 years of age whose income does not exceed \$6,000.00 provided they qualify pursuant to Section 467 of the Property Tax Law as in effect June 25, 1971.
The resolution is to be effective immediately upon adoption and applicable to the next tax to be levied by the Town of Palmyra as is permitted by statute.
The rules governing said exemptions and the applicable law are on file and may be examined at the Town Clerk's Office during regular business hours.
Dated: February 16, 1978
By order of the
Town Board of the
Town of Palmyra,
Jeffrey B. Subbing
TOWN CLERK

Wrong time

March 9, 1978

The Proof of Publication of Legal Notice for a Public Hearing to consider an application to the U.S. Department of Housing & Urban Development for a grant as authorized by Title I of the Housing & Community Development Act of 1977 was read by the Clerk at 4:00 P.M. to open the hearing for interested persons to offer suggestions for the use of these funds. Grant monies must be used to promote decent housing and a suitable living environment and to expand economic opportunities for persons of low and moderate income. Those attending were: Wayne County Planner Bob Peterson, Supervisor Roy Aplin, Virginia Wilson and Betty Stubbings. No one appeared to speak in favor of or against the Town making this application and the hearing was closed.

PUBLIC
HEARING RE
COMM. DEV.
FUNDS

At 7:30 P.M., Thursday, March 9th in the Town Office, 204 East Main Street, Palmyra, New York, the Proof of Publication of Legal Notice for a Public Hearing for the purpose of hearing interested persons concerning the adoption of a Resolution granting an exemption equal to 50% of assessed valuation of their property to qualified property owners over 65 years of age whose income does not exceed \$6,000 providing they qualify pursuant to Section 467 of the Property Tax Law as in effect June 25, 1971 was read by the Clerk. No one appeared to speak in favor of or against this Proposed Resolution and Supervisor Aplin declared the hearing closed at 7:35 P.M..

PUBLIC
HEARING
RE: TAX
EXEMPTION
SR. CIT.

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:40 P.M. Thursday, March 9, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook, Town Highway Superintendent James DeBrine, Town Attorney Paul Rubery, Wayne County Planner Bob Peterson and Town Clerk Betty Stubbings. Interested persons attending were Paul Burkhardt, Steve Jackson and Gerald Griffin.

MEETING
OPENED

A motion was made by Nelson Cook to dispense with the reading of and approve as submitted the minutes of the February 9th Town Board meeting. Motion was seconded by Edwin Wheeler and passed with 4 ayes and no nos.

MOTION TO
APPROVE
MINUTES

Before reviewing the communications, the Board asked Town Highway Superintendent James DeBrine to present his items of business, the first item being a request to declare an old V Plow as surplus. A motion was made by Edwin Wheeler seconded by Bruce Wideman to declare the (old-V) Plow as surplus. Motion passed with 4 ayes and no nos.

MOTION TO
DECL. PLOW
SURPLUS

A motion was made by Nelson Cook, seconded by Edwin Wheeler to approve the Transfer of Funds from Item I & IA Acct. #DE5150.4 DOT#45434 (O'Meal Rd) to Item III Acct. # DM2300. Motion passed with 4 ayes and no nos.

MOTION TO
APPROVE
TRANS. FUND

Mr. DeBrine reported that he had attended a meeting of Disaster Flood Control on Wednesday, March 8th in Lyons.

A letter to Supervisor Aplin from R. Novak for J. Powers of Region 3 Dept. of Transportation in regard to modifications of the DOT Rail Highway Grade Crossing Program was discussed.

COMMUNICATIONS - The following communications were presented to the Board: (1) News-letter from General Code Publishers (2) Letters from the New York State Racing & Wagering Board in regard to Bingo and Games of Chance (3) Notification of County wide quarantine on dogs until April 15th (4) Letter from Dr. Adams, Health Officer concerning a health complaint and the action taken (5) Letter from Town Attorney Paul Rubery in regard to a service being offered by Municipal Consultants & Publishers, Inc. to Towns to draft local laws and ordinances.

PUBLIC
HEARING
RE: COMM
DEV. FUNDS

At 8:00 P.M., the Proof of Publication of Legal Notice for a Public Hearing to consider an application to the U. S. Dept. of Housing & Urban Development for a grant as authorized by Title I of the Housing & Community Development Act of 1977 was read by the Clerk. Those attending were: Bob Peterson of Wayne County Planning, Steve Jackson, of the Courier-Journal, Gerald Griffin - Storeowner in Palmyra, Paul Burkhardt of the Newark Courier-Gazette, Town Board members Edwin Wheeler, Bruce Wideman, Nelson Cook and Supervisor Roy Aplin, and Town Clerk Betty Stubbings. Wayne County Planner Bob Peterson was available to explain procedures and discuss the possibilities for use of these funds, if granted. Interested persons are to offer suggestions for projects to be funded. Mr. Peterson stated that the Federal Government is allocating 11.6 million dollars for all of New York State. It is expected there will be thousands of applications. In the past, single applications have been submitted but it was decided that a County-wide application be made, with the most recent suggestion from the Buffalo office of HUD being that applications from Towns and Villages be grouped so that several applications are submitted instead of 1 for the whole County. Mr. Peterson explained the percentages in allocating these funds. Town of Palmyra's share for neighborhood improvement - housing rehabilitation would be \$54,000, 75% has to be direct aid for low and moderate income families for housing rehabilitation, the other 25% would be used for Community needs, such as, parks, sidewalks, curbs, storm drains, water line extensions or Community Centers. He recommended that Palmyra apply, although he feels that Palmyra's chance for funding is remote. Mr. Gerald Griffin, an interested resident, posed several questions, such as, could any funds go towards improvement of trailers, business improvements or industrial parks. Mr. Peterson responded to Mr. Griffin's questions. Supervisor Aplin questioned the income limits but Mr. Peterson stated that those guidelines are set by the Federal Government. Mr. Griffin questioned if the Grant money goes direct to people and if it has to be paid back. Mr. Peterson stated that there is usually a 3 way contract, local government, the applicant and the contractor, with the governing body paying the contractor. The money does not have to be re-paid. In some cases, the owner would be allowed to do the work. Town Attorney Paul Rubery questioned the use of these funds for removing architectural barriers and Mr. Peterson replied that for public buildings - no, possibly for community buildings. Mr. Rubery also questioned the use of these funds for extending water services to certain areas and Mr. Peterson answered that this has been done in other areas. The possibility of extending water service on Division Street was discussed. Following more general discussion and Mr. Peterson stating he would proceed with the application if the Town Board wished him to do so, Supervisor Aplin declared the hearing closed at 8:45 P.M.

MOTION The Board continued to discuss the use of these funds. A motion was made by Edwin
TO SUB-
NIT AP-
PLUG FOR
FUNDS for Community Development Funds for approval by the Town Board, funds to be used for the extension of water service on Division Street and Housing rehabilitation. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

Nelson Cook, Chairman of the Recreation Committee, asked Mr. Peterson if any BOR funds are available for the Community Center project. Mr. Peterson suggested that the Town submit an application again this year.

DISC. W/
M. VANDE

Mark Vande, Walker Road had requested time to speak to the Town Board concerning the Board's request that he resign from the Town of Palmyra Planning Board because of a possible conflict of interest and he came before the Board at this time. Mr. Vande stated that he wanted to clarify his feelings and wanted to be sure he understood what the Board's feelings were. He explained his position at Harnish &

Lookup, Newark, New York and stated that in his opinion, a conflict of interest would exist only if he or Harnish & Lookup made monetary gain. He also stated that he was surprised at receiving a letter asking for his resignation, that the letter was discussed at the Planning Board meeting and none of the Planning Board felt the request to resign was justified, that there was no conflict of interest. Councilman Bruce Wideman asked to clarify a point, that the question was more of ethics than conflict of interest. Town Attorney Paul Rubery reported that he has not as yet received an answer from the Department of Audit & Control concerning this situation. A motion was made by Edwin Wheeler, seconded by Nelson Cook that this question concerning Mark Vande be tabled until an answer is received from the Department of Audit & Control. The vote was as follows: Edwin Wheeler and Roy Aplin voting aye - Bruce Wideman and Nelson Cook voting no. Motion was lost. Discussion continued with Bruce Wideman reading from the Code of Ethics of the Town of Palmyra and other members of the Board speaking in regard to this subject. A motion was offered by Bruce Wideman that the Town Supervisor address a letter to Mr. Vande notifying him that he is no longer a member of the Planning Board and that his term on the Planning Board has been terminated by action of the Town Board. Motion was seconded by Nelson Cook and was passed with 3 ayes, Bruce Wideman, Nelson Cook and Roy Aplin voting aye with Edwin Wheeler abstaining. Mr. Wideman also moved that a Board of Ethics, as authorized under the Town of Palmyra Code of Ethics, adopted December 10, 1970, be appointed, consisting of a Chairman, Ellsworth Bedette, former Supervisor of the Town of Palmyra; 1 member from the Town Board, Councilman David Lyon and 1 member from the Town of Palmyra, Connie Lawson. This Board is to file with the Town Board of the Town of Palmyra within 15 days, an opinion in writing as to the action of the Town Board in regard to the dismissal of Mark Vande as a member of the Planning Board. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos. The following letter was sent to Ellsworth Bedette, Chairman of the Board of Ethics:

DISC. CONC.
M. VANDE
CONT'D

MOTION TO
TABLE (LOST)

MOTION TO
NOTIFY M.
VANDE OF
DISMISSAL

MOTION TO
AUTHORIZE
BD. OF ETHICS

March 13, 1978

Ellsworth H. Bedette
1177 Vienna Road
Palmyra, New York 14522

LETTER
SENT TO
CH. OF BD. OF
ETHICS

Dear Sir:

At an official meeting of the Town Board of the Town of Palmyra held on March 9, 1978, a Board of Ethics was formed and you were appointed Chairman, Board of Ethics, Town of Palmyra. Other members are David Lyon and Connie Lawson.

It is respectfully requested that the Board of Ethics study the actions of the Town Board in the dismissal of Mark Vande from the Planning Board.

The Town Board felt that this action was necessary because there are rules of ethical conduct for members of administration boards which must be observed if "public confidence is to be maintained in our unit of local government".

Your board might also consider any further additional amendments of this code.

Please advise the Town Board, if possible, by March 23rd.

Attached is the Code of Ethics of the Town of Palmyra C.C. to David Lyon, Connie Lawson, Nelson Cook, Edwin Wheeler

Attachments

Very truly yours,
Betty B. Stubbings, Town Clerk

The Board returned the reports of Committees:

Zoning - the unfinished new residence of Mr. Breemes, Route 21N was discussed. Town Attorney Paul Rubery reported that he has been in contact with Mr. Breemes and expected that he was going to attend this Board meeting.

ASSESSMENT - Chairman Bruce Wideman reported that Roger Schwing is in need of a 4 drawer regular sized file cabinet from the Old age exemption papers. This request led to a discussion concerning Federal & State Anti-Recession Funds. Funds allocated

for the Palmyra Community Center will have to be expended by April 12th. There are other funds which will have to be expended by April 26th.

MOTION TO
APPR. PURCH.
OF FILE CAB.

A motion was made by Bruce Wideman, seconded by Nelson Cook to authorize the purchase of a 4 drawer file cabinet for the Assessor's Office, payment in the amount of \$120.00 to be made from Federal Anti-Recession Funds. Motion passed with 4 ayes and no nos.

MOTION TO
APPR. PURCH.
OF ADLER
TYPEWRITER

The Town Clerk again brought to the Board's attention, the need of a typewriter for the office to replace the Smith Corona office machine purchased in March of 1965. The Board reviewed information concerning various typewriters and prices and the Clerk reported on a machine, an Adler, ball-type, ordinarily only used in schools, available from John Denniskof Bi-Centennial Business Machines. Following some discussion, including the suggestion that bids be put out or more comparisons be checked out, Councilman Edwin Wheeler made the motion to authorize the purchase of the Adler SE1000S from BiCentennial Business Machines, payment in the amount of \$550 to be made from Federal Anti-Recession Funds. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

OFFICE -
Lts. & Lease

Edwin Wheeler reported that he had talked with Anson Johnson, Jr. in regard to the additional lights in the office. Mr. Johnson expects to contact the Town concerning the lights and the lease before the next meeting.

MAPS REC'D

Supervisor Aplin presented the Board with a set of the new maps which have been received and stated that more can be ordered if necessary.

DISC. RE:
SNO & ICE
CONTROL

Mr. Aplin also reported that the check for Snow & Ice Control for November and December 1977 has been received from the County in the amount of \$11,147.14, payment was to have been \$11,655.75 but a State Disallowance in the amount of \$508.61 was deducted. It had been the understanding of the Board that no deduction would be made unless authorized by the County Board of Supervisors. This matter was discussed at length, reviewing the past reports. Supervisor Aplin stated there was to be a meeting at the County level on Friday, March 10th and at that time he might get some new information. A motion was made by Edwin Wheeler, seconded by Nelson Cook to return the check and request the full amount due, \$11,655.75. Motion passed with 4 ayes and no nos. It was the general opinion of the Board that in the future, payments should be made within a reasonable time after billing, not several months later and should be accompanied by a voucher.

MOTION TO
RETURN
CHECK

WATER - The Clerk read a copy of a letter sent by Hershey Malone Associates to the Department of Environmental Conservation in Albany in regard to the Proposed Route 31 East Water District.

E. WATER DIST

WATER CONTR.

There has been no answer from the Village of Palmyra in regard to the Water Contract.

LANDFILL - Nothing to report at this time.

Committee for the Consolidation of Village & Town - Nothing to report at this time.

REQUEST FOR
INFO. (INSUR)

INSURANCE - Chairman Edwin Wheeler would like the Bookkeeper to compile some information, such as, amounts paid for insurance in 1976 and 1977, type of policies and policy number, if possible. General discussion followed.

JOINT RECREATION COMMISSION - Chairman Nelson Cook stated there is to be a meeting of the Palmyra Community Center Board next Monday and he will report at the next meeting.

SR. CITIZENS
EXEMPT.

The Board returned to the subject of the first Public Hearing held earlier in the evening - the 50% Tax exemption for Senior Citizens. The following Resolution was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos:

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, }
County of Wayne, } ss:

PUBLIC NOTICE IS
HEREBY GIVEN that a
Resolution granting an
exemption to property
owners over 65 years of age
was adopted by the Town
Board of the Town of
Palmyra at a regular meeting
held March 9, 1978. This
Resolution grants an
exemption equal to 50
percent of the assessed
valuation of their property to
qualified property owners
over 65 years of age whose
income does not exceed
\$6,000.00, provided they
qualify pursuant to Section
497 of the Property Tax Law
as in effect June 25, 1977.
The resolution is to be ef-
fective immediately upon
adoption and is available to
the public to be read by
the Town of Palmyra as is
permitted by statute.
Dated March 28, 1978
Benny C. Stubbings
Town Clerk

Elizabeth M. Main, being duly sworn,
deposes and says that he is the foreman of
the Timesaver Advertising Inc., publisher of
the COURIER-JOURNAL, a public news-
paper published weekly at Palmyra, N.Y., in
the County of Wayne, and that the notice of
which the annexed is a true copy, clipped
from said newspaper, was regularly
published in said Courier-Journal on the
following dates:

March 31, 1978

Elizabeth M. Main

Foreman of the Publisher

Subscribed and sworn to before me

this 4 day of April 1978

Michael Mancora
Notary Public

Fee: \$ 9.97

RECEIVED BY MAIL
WAYNE COUNTY COM. & CHIEF CLERK
\$4.100

WHEREAS, under Section 467 of the Real Property Tax Law of New York State, the Town of Palmyra may grant an exemption equal to 50% of the assessed valuation of property to qualified property owners over 65 years of age, AND WHEREAS, a public hearing was held on March 9, 1978, AND WHEREAS, there was no opposition, NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra hereby grants an exemption equal to 50% of their assessed valuation of their property to qualified property owners over 65 years of age whose income does not exceed \$6,000 providing they qualify pursuant to Section 467 of the Real Property Tax Law as in effect June 25, 1971.

RESOLUTION
RE: SR.CI
TAX EXEMP

The motion to Transfer funds in the amount of \$19.59 from General Fund A522 A1220.4 to the Payroll Account was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos.

MOTION
TO TRANS
FUNDS

Nelson Cook presented a list of items he voted on in New York City as delegate to the Association of Towns meeting. Various sessions and conferences attended by members who want to New York were discussed.

The motion to pay the following bills was made by Bruce Wideman, seconded by Nelson Cook and passed with 4 ayes and no nos; Edwin Wheeler abstained on Voucher #75 for the Palmyra Florist:

MOTION TO
PAY BILLS

GENERAL FUND	VOUCHERS #75 - 99	\$5462.08
PART TOWN FUND	" #12 9-13	25.47
HIGHWAY ITEM I & IA	" #1	1922.05
HIGHWAY ITEM III	" #34 - 65	2028.17
HIGHWAY ITEM IV	" #21 - 27	5939.97
TOTAL		<u>\$15377.74</u>

The motion to adjourn was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

March 23, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened Thursday, March 23, 1978 at 7:30 P.M. in the Town Office, 204 East Main St., Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook, and Town Clerk Betty Stubbings. Interested persons attending were Paul Burkhardt of the Courier-Gazette, Newark, N.Y. and William Hood.

MOTION TO
APPROVE 2/23
MINUTES

A motion to dispense with the reading of and approve the minutes of February 23, 1978 as submitted was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos.

COMMUNICA--
TIONS

The following communications were presented: (1) a notice for the Wayne County Office for the Aging in regard to a Workshop on State Municipal Funds (2) a notice from the Department of Audit & Control - the acknowledgement of receipt of Local Law #1 for 1978 (3) Information from Municipal Consultant & Publishing Company in regard to Ordinances and Local Laws.

Town Councilman David Lyon joined the meeting at this time.

COMMITTEESZONINGAUTO JUNK-
YARD
(TROLLEY RD)

Zoning - William Hood, operator of the Auto Junkyard on Trolley Road, came before the Town Board in regard to an Auto Junkyard Renewal Application which was to have been transferred from Bernard Pulcini to Mr. Hood. Mr. Hood explained that it was necessary to have the license to operate the yard in his name in order to apply for a State Dismantling License. The Clerk advised the Board that Bernard Pulcini had submitted the application for the renewal of the license and had paid the required fees. Following discussion, Bruce Wideman made the motion that the Town Board approve the license in Mr. Hood's name, subject to a letter from Bernard Pulcini. The motion was seconded by Nelson Cook. More discussion followed with the motion and the second being withdrawn and action on this request being deferred until the Town Attorney could advise the Board.

VANPARYS
INSURANCE
PROPOSAL

At 8:00 P.M., at the request of Town Councilman Edwin Wheeler, Chairman of the Insurance Committee, Mr. Louis VanParys of VanParys Associates, Palmyra, New York spoke to the Town Board concerning Insurance coverage for the Town of Palmyra. Mr. VanParys submitted and explained a Proposal for complete Insurance coverage for the Town of Palmyra.

REPORT OF
TOWN ENGI-
NEER RE: E.
PAL. WATER
STUDY

At 8:45 P.M., Town Engineer Tony Malone and Joe Pullen of Hershey, Malone Associates, Rochester, New York came before the Board to report on the East Palmyra area water study. Mr. Malone reported in summary form in regard to the study and explained the 5 alternatives and the sources. He advised the Board on the best of the 5 possibilities and what the approximate cost of the project would be. Fort Gibson is the logical supply at an estimated cost of \$765,000. There are 82 residences and 1 commercial property with an assessed valuation of \$2.7 million dollars. Working with an average assessment of \$30,000, figuring 30 years at 6%, the approximate cost would be \$24 per thousand of assessed valuation or about \$729 annually, not including the installation to residences and the cost of water. Mr. Malone and the Town Board discussed this matter at length and decided that this venture did not appear to be economically feasible at this time. The Town Engineer offered to compose an informational letter and questionnaire to be sent to the interested parties in this area, informing them of the possibilities and costs, asking them to complete the questionnaire, return it to the Town Office and the Board will act accordingly. Discussion followed on water supplies in Wayne County. Mr. Malone also

advised the Board in regard to the installation of the Master Meter on Canandaigua Road for the South Water District, a project to be done this year.

At this time, with the Town Attorney in attendance, the Board returned to the question of the Junkyard application for William Hood. Mr. Rubery advised that Mr. Hood should make application for a Junkyard License. Zoning Enforcement Officer F. Toole should inspect the yard and report to the Board at the next meeting in order for the Board to act on the application as soon as possible. Mr. Pulcini's Renewal Application will have to be denied because he is no longer owner of the property. The motion to deny the Renewal Application of Bernard Pulcini was made by Nelson Cook, seconded by Bruce Wideman and passed with 5 ayes and no nos.

ASSESSMENT - Bruce Wideman reported that Roger Schwing has completed Phase I of his Certification for the New York State Board of Equalization & Assessment and will be completing Phase II. At present, Mr. Schwing holds a Temporary Certification. Copies of expenditures in the Assessor's Office were given to the Board members and discussed. Part of the discussion involved State Anti-Recession Funds and whether these funds could be used to help defray the expenses of the Assessor's Office. A motion to pay the 1st quarter salaries of the Assessor's Office (Roger Schwing and Robert Kirchhoff) and the vouchers for the expendable supplies for the Assessor's Office from State Anti-Recession Funds was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

Councilman Wideman reported that the Board of Ethics responded to the request of the Town Board concerning the dismissal of Mark Vande from the Town of Palmyra Planning Board. The following letter was received by the Town Board from the Board of Ethics:

March 23, 1978

Town Board
Town of Palmyra
Palmyra, New York

Dear Sir:

Pursuant to your letter dated March 13, 1978, the Town of Palmyra Board of Ethics met to study action taken by the Palmyra Town Board regarding its dismissal of Mr. Mark Vande from the Palmyra Planning Board.

Town Law Article 16, Section 271, Par. 1 states the Town Board shall have authority to remove any member of such Planning Board for cause and after Public Hearing, the Board of Ethics is of the opinion that the proper procedure would have been to advertise for a Public Hearing with input from the Board of Ethics prior to dismissing this Board member.

During interview with Mr. Vande, it was also discovered that a copy of the Palmyra Code of Ethics had not been furnished him prior to his appointment to the Planning Board, as required by Section 5 of the Code, therefore he could not have been aware of its provisions.

Nevertheless, Mr. Vande is presently employed by the engineering firm which prepares many plot plans for review by the Palmyra Planning Board. It is the opinion of this Board of Ethics that his duties on the Planning Board are impaired to the extent that he cannot engage in decision making when plot plans are prepared by his employer. This opinion is based on Section 3, Par. (g) of the Palmyra Code of Ethics.

Sincerely yours,

Ellsworth H. Bedette, Chairman

Mr. Wideman, Mr. Rubery and Supervisor Aplin all spoke in regard to this matter. Councilman Lyon, a member of the Board of Ethics, stated that a suggestion of this Board, after going over the Code of Ethics, was to request the Town Clerk to send a copy of the Code to all Town Officers, elected and appointed, members of the Planning Board, Zoning Board of Appeals and Board of Assessment Review, and employees of the Highway Department.

JUNKYARD
LIC. APPLIC.

MOTION TO
DENY PUL-
CINI'S RE-
NEWAL APP.

ASSESSOR'S
CERT. &
EXPENDITURE

MOTION TO
USE ANTI-
REC. FUNDS

REPORT
OF BD. OF
ETHICS RE:
M. VANDE

MOTION TO
ADOPT DOT
R.R. & GR. XING
RESOLUTION

HIGHWAY - Chairman David Lyon reported to the Board in regard to the Department of Transportation Railroad and Grade Crossing Program. The Town Board of the Town of Palmyra has not as yet adopted the Resolution as requested. This Program was again discussed by the Board. David Lyon moved that the Town of Palmyra adopt the Department of Transportation Resolution for the Railroad and Grade Crossing Program. Motion was seconded by Bruce Wideman and passed with 5 ayes and no nos.

MOTION TO
PURCHASE
FUEL TANK

Mr. Lyon brought to the Board's attention, the need for a new fuel tank for the Highway Department and this request was discussed. Edwin Wheeler made the motion to approve the purchase of a 6,000 fuel tank at a cost of \$1450.00. Motion was seconded by Nelson Cook and passed with 5 ayes and no nos.

DISC. RE:
SNO & ICE
AUDIT

Supervisor Aplin reported on the Snow & Ice Control Audit Disallowance. The letter sent by Mr. Aplin to Philip Rice was brought to the Board's attention. This item of business was discussed at the County Board of Supervisors meeting and Mr. Aplin reported that the County has agreed not to ask the Towns for re-payment but the Towns will have to reimburse the State. Discussion followed with Mr. Lyon suggesting that the Board take no action at this time but wait to see what further decisions are made at the County level.

WATER CONTR.
W/ VILLAGE

WATER - Chairman Nelson Cook reported on the status of the Water Contract with the Village of Palmyra. The Village has sent a revised contract which the Town Attorney will review and report on at the next meeting.

E. PAL. WATER
STUDY

Mr. Cook spoke in regard to the report given earlier in the meeting by Tony Malone concerning the East Palmyra water study. The Clerk was requested to send a copy of the informational letter and questionnaire to each of the residents who signed the petition for water in the East Palmyra area.

DISC. RE:
ANTI-REC.
FUNDS - PAL.
COMM. CTR.

LANDFILL - Supervisor Aplin reported on the notification from the County in regard to the correction made concerning the property owned by the Town on Garnsey Road. The property was listed as being owned by the Village of Palmyra. Mr. Aplin also reported on information and notice of hearings on Solid Waste Disposal to be held by the Department of Environmental Conservation.

JOINT RECREATION COMMISSION - The Board discussed the unofficial designation of Federal Anti-Recession Funds to the Palmyra Community Center to match the Bureau of Outdoor Recreation Funds which the Palmyra Community Center Board applied for. Mr. Cook reported that the Community Center was not successful in obtaining the BOR Funds. Possible ways of using these funds for the Palmyra Community Center were discussed.

MOTION TO
DESIGNATE
ANTI-REC.
FUNDS TO
INSUR.

The Board reviewed other ways of using these Federal Anti-Recession Funds. A motion was made by Edwin Wheeler that the Federal Anti-Recession Funds in the amount of \$6059 plus interest be designated to the Insurance Account. Motion was seconded by Bruce Wideman and passed with 5 ayes and no nos.

MOTION TO
PAY SERV. AGR.
FOR COPIER
(ANTI-REC.)

Insurance coverage in general was discussed by the Board members.

A motion was made by Bruce Wideman to pay \$138.00 from State Anti-Recession Funds for the Service Maintenance Agreement of 1 year on the Pitney Bowes Copier. Motion was seconded by Nelson Cook and passed with 4 ayes - David Lyon abstained.

MOTION TO
PAY BILLS

The motion to pay the following bills was offered by Nelson Cook, seconded by Bruce Wideman and passed with 5 ayes and no nos:

GENERAL FUND	Vouchers #	1 - 133	\$55393.81
PART TOWN FUND	"	#1 - 18	760.50
HIGHWAY ITEM I & IA	"	#2	100000.00
HIGHWAY ITEM II	"	#1	1400.00
HIGHWAY ITEM III	"	#66 - 75	1144.54

HIGHWAY ITEM IV	Vouchers #28 - 34	\$37651.03
FEDERAL REVENUE SHARING	" #2	15000.00
NORRISWATER DISTRICT	" #3 - 4	3004.82
SOUTH WATER DISTRICT	" #5 - 6	2002.59

TOTAL		\$216357.29
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The motion to adjourn this meeting was made by Bruce Wideman, seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

April 13, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:40 P.M. Thursday, April 13, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Nelson Cook and Edwin Wheeler, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine, Town Attorney Paul Rumbery and Town Clerk Betty Stubbings. Interested persons attending were: Paul Burkhardt, Steve Jackson, James Smith, William Hood and Bernard Pulcini.

MOTION TO
APPROVE
MINUTES

The motion to dispense with the reading of and approve as submitted, the minutes of the March 9th and March 23rd Town Board meetings was made by Edwin Wheeler, seconded by Nelson Cook and passed with 3 ayes and no nos.

Town Councilman David Lyon joined the meeting at this time.

COMMUNICATIONS

The following communications were reviewed by the Board: (1) Public Notice from the Dept. of Army - Corps of Engineers in regard to an application for Permission for Dredging in the Canal (2) Notice from the Wayne County Board of Elections in regard to a change in the 1978 Election Law concerning the appointment of Election Inspectors (3) Thank you from the Wheeler family (4) Letter from the Senior Citizens Club of Palmyra requesting the amount budgeted for them for 1978.

COMMITTEESZONINGMOTION TO
APPROVE J.
SMITH'S RE-
QUEST TO RE-
PLACE TRAILER

Zoning - Zoning Officer Francis Toole spoke to the Board in regard to a request from James Smith for permission to remove an existing trailer and replace it with a larger trailer. The Clerk read a letter containing the recommendations from the Planning Board in regard to this matter. Following some discussion, a motion was made by Edwin Wheeler, seconded by Nelson Cook, that the Town Board accept the recommendations of the Planning Board and approve James Smith's request to replace the trailer on his property on Route 31. Motion passed with 4 ayes and no nos.

The Town Clerk read a copy of a letter to Frank Koeberle, Chairman of the Planning Board, from Mark Vande.

APPTS. TO
PL. BD. &
BD. OF ASSESS-
MENT REVIEW

The Clerk reminded the Board members of appointments to be made to the Planning Board and the Board of Assessment Review. It was decided to make these appointments at the next meeting.

DISC. ON
JUNKYARD

The Zoning Officer reported to the Board in regard to the Junkyard on Trolley Road. Mr. Toole was requested to inspect the yard following the application of William Hood for a license to operate this junkyard (formerly, Bernard Pulcini's). Mr. Toole stated he had checked the yard and made the recommendation that the fence should be repaired or replaced. There is no fence on the East side but Mr. Hood is not being asked to erect a fence until it is determined if he will be the owner of the property on that side. The Board members questioned both Mr. Hood and Mr. Pulcini and several points were discussed. The motion to approve the application of William Hood for a license to operate an Auto Junkyard on Trolley Road for a period of 1 year (April 1, 1978 to April 1, 1979) was made by David Lyon, seconded by Nelson Cook and passed with 4 ayes and no nos. The Clerk will see that Mr. Hood receives copies of the regulations for the operation of a Junkyard and the Junkyard Ordinance for the Town of Palmyra..

MOTION TO
APPROVE
LICENSE FOR
W. HOODENG. REPORT
RE: 2 lot
SUBDIV. ON
HOGBACK

At the February 23rd meeting of the Town Board, a request from the Planning Board concerning the application of the Marber Development Corporation for a 2 lot sub-division on Hogback Hill Road was discussed and the Board's decision at that time was to delay the request to have the Town Engineer do the necessary study until weather conditions were favorable for field work.

At this time, the Clerk read the report from David Matthews of Hershey, Malone Associates, which report is on file in the Town Clerk's Office. This report stated opinions and/or observations concerning this matter, as well as several recommendations for conditions to be followed if approval is granted by the Planning Board for this additional development by Marber Development Corporation. Town Councilman Wideman also reported to the Board on this matter. Following discussion, a motion was made by David Lyon, seconded by Nelson Cook to return the file and all information on the 2 lot sub-division of Marber Development Corporation, as well as the report from Hershey, Malone Associates, to the Planning Board so they can make their decision on this request. Motion passed with 4 ayes and no nos.

MOTION
TO RETURN
FILE TO
PL. BD.

Mr. Toole also reported to the Board in regard to Alan Herman, Route 31 who is in violation of the Zoning Ordinance because of an excessive number of uncensed cars. A 10 day notice will be issued.

10 DAY
NOTICE
TO A. HERMAN

Highway - Town Highway Superintendent James DeBrine came before the Board to express a concern in regard to the amount of residential building taking place on Hazen Lane. His concern is in the area of the Town's position in regard to (1) Road right of way (2) access from the Newark-Marion Road (3) possible requests for improvements in the future (4) problems because of cemeteries on each side of the road. These points were discussed by the Board, Mr. DeBrine and the Town Attorney as well as possibilities of a study to re-locate the road or widen the present one. Following the discussion, a motion was offered by Edwin Wheeler, seconded by David Lyon to authorize the Town Attorney to call for a search of the County Clerk's records (an abstract) of the property involved with Hazen Lane to aid in the decision of how to cope with this concern. Motion passed with 4 ayes and no nos.

CONCERN
REY HAZEN
LANE

MOTION TO
CALL FOR
ABSTRACT

Supervisor Aplin spoke with Mr. DeBrine in regard to a discrepancy in the correspondence of the DOT Highway Improvement Program. The Town Highway Superintendent reported that he was aware of the discrepancy and has checked on it but he will check again and report back.

Mr. DeBrine also reported that the Wayne County Highway Department is doing preliminary work (surveys and right of ways) in the North Creek Road-Harris Road area. The Town of Palmyra has acquired the necessary right of ways and is waiting for the County before doing road work in that area.

CO. WORK ON
N. CRK &
HARRIS RD.

Town Councilman Nelson Cook questioned Mr. DeBrine in regard to the drainage problem on Hammond Road and Mr. DeBrine reported that the County has worked in that area and the drainage problem is corrected.

DRAINAGE
PROBLEM ON
HAMMOND RD.

David Lyon, Co-Chairman of the Landfill Committee, spoke with Mr. DeBrine in regard to fill which will be needed this summer when the present site of the Landfill will be closed. Resident Engineer Jon Edinger of the DOT has been contacted concerning this matter and Mr. DeBrine will contact the County Highway Department.

Mr. DeBrine reported that the Town crew has been busy cleaning the right of ways on the Town Roads of the debris accumulated over the winter months (beer cans, garbage, etc.). The State crews are also out doing the same work and Mr. DeBrine will check to see if the County Highway Department will work on the County Roads.

Rd. Rgt. of
ways
cleared of
debris

Supervisor Aplin reported on the status of the Snow & Ice Control Audit Disallowance. The check for November and December, returned with a request to send the full amount - no deductions, has been returned in the same amount and 2 more checks have been received (January & February) also with the deductions made. This matter was discussed by the Board. A motion was made by Edwin Wheeler, seconded by David Lyon that the Fiscal Officer cash these checks and deposit in an interest bearing account but it will go on record that the Town Board of the Town of Palmyra opposes and protests the way in which the Snow & Ice Control Audit is being handled.

SNO & ICE
AUDIT

MOTION TO
ACCEPT CHECKS
UNDER PROTEST

Supervisor Aplin will write a letter stating the Town's position. Motion passed with 4 ayes and no nos.

WATER
CONTRACT

Water - The Village of Palmyra had submitted a re-vised Water Contract just prior to the March 23rd Town Board meeting. Town Attorney Paul Rubery compared the re-vised contract with the previous one and found a couple of changes. This will be covered at the next Board meeting.

EAST PALMYRA
WATER STUDY

Chairman Nelson Cook reported on the latest developments concerning the water study of the East Palmyra area. Following the Town Engineer's report to the Board at the last meeting, an informational letter and questionnaire was sent to each of the residents who signed the petition - approximately 25. So far, 5 of the questionnaires have been returned.

LANDFILL
NOTICE OF
VIOLATIONS

Landfill - A letter of March 30th from the New York State Department of Environmental Conservation citing violations found during an inspection on March 22nd was read by the Clerk.

DEED FOR LDFL
PROP. REC'D

The Clerk reported that the recorded deed on property at the Landfill site from the County of Wayne to the Town of Palmyra has been received from the Town Attorney's Office.

DISC. RE:
NEW SITE AT
LANDFILL

Co-Chairmen David Lyon and Nelson Cook reported in regard to the several meetings which have been held to discuss plans for the Landfill. The Committee also met with David Matthews of Hershey Malone Associates on this matter. Present plans indicate that the new, approved site on the South side of Garnsey Road will open June 1st. The closing of the present site (North side) was previously scheduled for February 1, 1978, but the Town of Palmyra was granted an extension to June 1, 1978. Several alternatives were checked out and discussed but none were feasible. Plans to cover and do the final seeding on the North side are underway. The decision facing the Town Board at this time is whether to buy equipment and hire 1 full time employee, hopefully, giving the residents better service or to contract out as the Town is now doing. Mr. Cook made the recommendation that the Town of Palmyra try, for one year, buying a piece of equipment and hiring 1 person to operate the Landfill. Mr. Lyon stated that the immediate need is the money to get the preliminary work done, specifically renting or leasing equipment or hiring a contractor to dig a test pit on the South side. Following considerable discussion, a motion was made by Edwin Wheeler to authorize the expenditure of funds to rent equipment to dig a test pit at the new Landfill site. The motion was seconded by Nelson Cook and passed with 4 ayes and no nos. David Lyon reported that he had been contacted by Jon Edinger of the N.Y.S. DOT to request permission of the Town to put debris picked up on the right of ways of State roads within the Town of Palmyra on the Landfill. Mr. Lyon gave Mr. Edinger permission to do so. General discussion followed on condition of the right of ways in regard to the amount of debris which accumulated over the winter.

MOTION TO EX-
PEND FUNDS
FOR TEST PIT

JT. REC. COMM Joint Recreation Commission - No report at this time.

CONSOL.OF
TN.&VILL.

Consolidation of Town & Village - Chairman Edwin Wheeler reported that he will be meeting with Village Trustee David Williamson, Chairman of Consolidation for the Village of Palmyra, in the near future.

INSURANCE

Insurance - Chairman Edwin Wheeler reported that he had received more information from Van Parys, as requested by the Board. Supervisor Aplin stated he had been in touch with Knapp's Agency but had not received a proposal from them. Mr. Wheeler asked if the Town Office would see that Knapp's received a copy of the Insurance report done in the Town Office. Mr. Wheeler will present a summary at the next meeting, no action can be taken at this time.

Cemeteries - No report at this time.

At this time, the following items were covered under unfinished business: UNFIN. BUS.

- (1) Edwin Wheeler reported that he had talked with Congressman Horton concerning BOR funds for Palmyra, at the time of the Congressman's visit to Palmyra in February. Mr. Wheeler has received some material on BOR Funds which he referred to Nelson Cook, Chairman of the Recreation Committee. MATERIAL ON BOR FUNDS
- (2) Supervisor Aplin approached the Board in regard to a new Voting Machine - money for which was allowed in the Budget. A motion was made by Edwin Wheeler, seconded by Nelson Cook to approve the purchase of 1 Voting Machine. Motion passed with 4 ayes and no nos. MOTION TO PURCHASE VOT. MACH.
- (3) The balance of \$1204.67 in State Anti-Recession Funds to be expended by April 26th was allocated towards the monthly salaries by motion of Edwin Wheeler. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos. MOTION TO ALLOCATE ANTI- REC. TO MO. SALARIES
- Mr. Aplin reported that the most recent amount received for Federal Anti-Recession Funds is \$1674.
- (4) Supervisor Aplin stated that the landlord, Anson Johnson, Jr., notified him that he couldn't afford to install the new lights in the office at this time, considering the rent he is receiving. A motion was made by Edwin Wheeler, seconded by Nelson Cook to authorize the Supervisor to purchase and have installed the new lights for the Town Office. Motion passed with 4 ayes and no nos. MOTION TO PURCH. & INSTALL LGTS.
- (5) A motion to expend up to \$100 for the purchase of a new cleaner for the Town Office was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos. MOTION TO PURCHASE CLEANER
- (6) The Board discussed the status of the lease for the rental of the office. Anson Johnson, Jr. and his Attorney, Gary Morell have discussed this lease and have stated that the rent will go to \$150. The Town Attorney will contact Mr. Morell on this matter. LEASE FOR OFFICE
- (7) A motion was offered by David Lyon, seconded by Edwin Wheeler authorizing payment of the funds allotted for the Senior Citizens in the amount of \$600. Motion passed with 4 ayes and no nos. MOTION TO PAY SR. CIT.
- (8) The Town Attorney spoke to the Board in regard to a Proposed Resolution recommended by the State Association of Towns on the Freedom of Information Law. This Resolution will bring the Town in compliance with the most recent regulations. The Clerk will get copies of this Resolution to the Board members and action will be taken at the next meeting. PROP. RES. FREEDOM OF INFO. LAW
- (9) The Clerk and the Town Attorney spoke to the Board in regard to a Proposed Local Law changing the term of office of the Town Clerk from 2 years to 4 years. The Town Attorney will draft the Proposed Local Law and the Clerk will get copies out to the Board members. PROP. LOCAL LAW
- (10) A motion was made by Edwin Wheeler, seconded by Nelson Cook that the Town of Palmyra renew the Maintenance Agreement in the amount of \$47.25 with Lanier Business Products, Inc. for Prepaid maintenance and inspection service on the Lanier Edisette Dictator for the period ending April 30, 1979. MOTION TO PAY SER CONTR. W/ LANIER
- (11) A motion authorizing the Transfer of Funds in the amount of \$1450 from Garage Contractual Expense Account No. A5132.4 to Garage Equipment Account No. A5132.2 was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos. MOTION TO TRANS. FUNDS

The motion to pay the following bills was made by Nelson Cook, seconded by David Lyon and passed with 4 ayes and no nos, Edwin Wheeler abstaining on Voucher #135 for rent of the Town Office. MOTION TO PAY BILL

GENERAL FUND	Vouchers #134 - 176	\$9472.43
PART TOWN FUND	" #19 - 23	265.89

HIGHWAY ITEM I & IA	Vouchers # 2 - 7	\$4122.76
HIGHWAY ITEM III	" # 76 - 95	2379.42
HIGHWAY ITEM IV	" # 35 - 39A	4510.87
NORTH WATER DISTRICT	" # 5	36.76
TOTAL		<u>\$20788.13</u>

MOTION TO
ADJOURN

The motion to adjourn was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

April 27, 1978

179

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, April 27, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler and Bruce Wideman, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending were: Paul Burkhardt, Herta Rich, Brad Freling and Frank Barbera.

COMMUNICATIONS

The following communications were reviewed by the Board:

- (1) A letter from J. P. McGovern, Palmyra-Macedon Central School, requesting the use of 2 Voting Machines for the School Budget Vote and Election on June 14th. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to approve the request from the Palmyra-Macedon Central School for the use of 2 Voting Machines. Motion passed with 3 ayes and no nos.

MOTION TO
APPROVE
USE OF VOT
MACH. --
(SCHOOL)

Town Councilman Nelson Cook joined the meeting at this time.

- (2) A letter from the Village of Palmyra in regard to the Water Contract. The Contract will be discussed later in the meeting.
(3) A letter from Jan Kem, P.E., Newark, New York in regard to a public meeting scheduled for May 2nd on Wastewater Treatment Systems Planning.
(4) A letter from Town Attorney Paul Rubery in regard to the title search on the 2 cemeteries and the DeNering and Brockhuizen properties in the Hazen Lane area.

COMMITTEES

COMMITTEES-

Zoning - Zoning Officer Francis Toole came before the Board with the following items:

- (1) An application submitted by Herta Rich requesting permission to replace an existing trailer with a larger trailer on property located on Canandaigua Rd.

Town Councilman David Lyon joined the meeting at this time (7:45P.M.).

The request for replacing the trailer was discussed at length. A motion was made by Bruce Wideman that the request of Herta Rich to replace the trailer on property on Canandaigua Road be approved. Motion was seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION TO
APPROVE
RICH'S REQ.
TO REPL. TR.

- (2) An application submitted by Frank Barbera seeking permission to replace an existing house on Route 31 just West of Waterways Trailer Park with a new house. This request was discussed by the Board. A motion was made by Bruce Wideman that this request did not require any action by the Town Board but should be referred to the Zoning Board of Appeals to determine if a variance is required. Motion was seconded by Edwin Wheeler, passed with 5 ayes and no nos.

MOTION TO
REFER REQ.
TO ZON. BD.

(3) Mr. Toole reported that Alan Kerman, Route 31, who was issued a 10 day Notice of Violation because of unlicensed cars is in the process of complying. A question was raised concerning the extent of the 10 day Notice, if Mr. Kerman is in violation in the future

HERMAN -
10 DAY
NOTICE

Town Attorney Paul Rubery arrived at this time.

The Town Board turned their attention to some appointments. A motion was made by Bruce Wideman, seconded by David Lyon to appoint James Mylacraine, Hogback Hill Road to the unexpired term of Mark Vande on the Planning Board, term will expire in May 1980. Motion passed with 5 ayes and no nos.

APPOINTMENTS
MOTION TO
APPOINT JIM
MYLACRAINE TO
PLAN. BD.

Bruce Wideman will contact George Tilburg in regard to his re-appointment to the Planning Board.

Town Councilman Bruce Wideman made the motion to appoint Roger Schwing as Assessor of the Town of Palmyra, term effective from April 1, 1978 to September 30, 1983. Motion was seconded by Nelson Cook. Mr. Wideman stated that Roger Schwing has spent considerable time and effort in setting up the Assessor's Office. It is

MOTION TO
APPOINT R.
SCHWING AS
ASSESS.

his opinion that the Town of Palmyra is fortunate in having someone with such capabilities and dedication. Motion passed with 5 ayes and no nos.

MOTION TO The motion to appoint Gary LaBerge to a 5 year term on the Board of Assess-
APPT. G.
LABERGE ment Review - term to end May 1983, was offered by Bruce Wideman, seconded by
BD OF Nelson Cook and passed with 5 ayes and no nos.

ASSESS. REV. Highway - Town Highway Superintendent James DeBrine did not attend the meeting
this evening and Chairman David Lyon had nothing to report at this time. Super-
visor Aplin reported that he has tried for some time to get information in re-
HARRIS RD.
& NO. CRK. gard to the renovation project on Harris Road and North Creek Road from County
RD. PROJ. Highway Superintendent Rice with no success. At the County Board meeting, Mr. Crane
made a statement that he understood the project was being held up because Palmyra
did not have the right of ways acquired in that area. Chairman of the Board George
Arney was asked to have Chairman Crane request Mr. Rice to appear before the Pal-
myra Town Board at their next meeting. Mr. Aplin stated that he would contact Mr.
Rice in regard to this matter. Mr. Aplin also reported that he had contacted Mr.
Rice in regard to the bridge on Hogback Hill Road and after checking today, he re-
ported that there seems to be some activity at that site.

MOTION TO Water - The letter from the Village of Palmyra concerning the Water Contract and
APPROVE
WATER the Contract itself were discussed by the Board and the Town Attorney. A motion
CONTRACT was made by Edwin Wheeler, seconded by Bruce Wideman to approve the Water Contract
with the Village of Palmyra. Motion passed with 5 ayes and no nos. The Contract
was signed by the Board members and the Town Attorney was requested to compose a
letter to the Village Board to accompany the Contract. Nelson Cook offered to de-
liver the Contract to the Village at their regular meeting on May 1st.

E. PAL. WATER The number of questionnaires received from residents in the East Palmyra area
STUDY -
LETTERS in regard to the Water Study was discussed. A letter will be sent out to those who
TO BE indicated they would like more information and Supervisor Aplin offered to take
SENT care of this matter.

The Public Meeting concerning Wastewater Treatment Systems Planning was dis-
cussed and Mr. Cook stated he will try to attend, representing the Town of Palmyra.

REPORT ON Landfill - Co-Chairmen Nelson Cook and David Lyon first reported in regard to the
TEST WORK work accomplished on Saturday, April 22nd, at the Landfill site - South side when
AT LDFL. the test pits were dug with a rented Dozer (D5). Site work was started and some of
the area was dressed up. The Landfill Committee then met and made several proposals
and/or recommendations.

The Committee had to decide whether the Town should continue to contract the
operation of the Landfill or have the Town operate the Landfill themselves. The
Committee recommended that the Town take over the operation of the Landfill - it
is felt that the residents can be better served and a closer watch can be kept on

MOTION TO the Landfill. A motion was made by Edwin Wheeler, seconded by Bruce Wideman that
OPERATE
LDFL. the Town Board take the Landfill Committee's recommendations to have the Town op-
erate the Landfill. The Committee will work up some rough cost figures to present
at the next Town Board meeting. Motion passed with 5 ayes and no nos.

The Committee requested authorization to rent equipment to do more site work,
level the site, set some permanent stakes, make cuts for the pit areas, also, to

MOTION TO hire Hershey Malone Associates to complete the lay-out of the site. A motion was
AUTHOR.
COMM. TO made by Bruce Wideman, seconded by Edwin Wheeler that the Town Board grant the author-
RENT EQU. ization to the Landfill Committee to rent equipment for the site work and to hire
& HIRE H.M. ASSOC
Hershey Malone Associates to do the lay . Motion passed with 5 ayes and no nos.

MOTION TO A motion to advertise for a qualified equipment operator to operate the Land-
ADV. FOR
EQUIP. OP. fill for the Town of Palmyra was made by Edwin Wheeler, seconded by Bruce Wideman
and passed with 5 ayes and no nos.

Types of equipment which could be used in the operation of the Landfill were discussed. The Committee proposed renting a Dozer for a month instead of purchasing at this time. Determination of type of machine can't be made until the Landfill is in operation. The question of the possibility of finding used equipment was raised. It may also be necessary to rent equipment to dig the first section of the pit.

The Committee expects to have a more detailed report at the next meeting.

Joint Recreation Commission - Nelson Cook reported that he and MaryLou Wilson, Village Trustee, along with the Palmyra Community Center Board met on Wednesday, April 26th with a representative from Farm & Home Administration of Lyons. Within 2 weeks the Palmyra Community Center Board will be submitting an application to FHA for the remainder of funds to build the Proposed Community Center. If the application is approved, it's possible that the project will get underway in 2 months. Mr. Cook stated that the application submitted by the Town for BOR funds was a great help in making out this application for funds.

Consolidation of Village & Town - Chairman Edwin Wheeler reported that he and David Williamson, Village Trustee will meet within a week.

Insurance - Chairman Edwin Wheeler spoke to the Board concerning his contact with Knapp Agency in regard to an Insurance proposal similar to what VanParys Associates presented at a recent Town Board meeting. Knapp Agency informed Mr. Wheeler that they could not at this time make a proposal. Mr. Wheeler then recommended to the Board that the Town accept the proposal from VanParys Associates including the umbrella. A motion was made by Nelson Cook, seconded by David Lyon that the Town of Palmyra accept the Committee's recommendation to adopt the proposal presented by VanParys Associates for Insurance coverage at a cost not to exceed \$16,000. Motion passed with 4 ayes and 2 no - Roy Aplin voting no. Mr. Aplin stated he could support the main proposal but would vote no because he couldn't support the umbrella portion.

Cemeteries - Supervisor Aplin reported that the Cemeteries are being cleaned up at this time.

Unfinished business - The following items were reviewed by the Board:

- (1) Supervisor Aplin reported that the County Board of Supervisors voted to authorize the County to apply for block grants under Community Development Funds. Wayne County Planning Office will process the necessary applications required in the program.
- (2) Supervisor Aplin has received the Contracts for a new Voting Machine - the Town Attorney will study the Contracts and report back. The Board approved a request from Voting Machine Custodian Wm. Deys to have the service man do some repair work on the Machine used in District VI.
- (3) Lease for the Office - Town Attorney Paul Rubery reported that he prepared the Lease and sent it to Mr. Morell's office but has had no response at this time.
- (4) Supervisor Aplin reported that he purchased a cleaner for office use from Mr. R. Hargrave at a cost of \$89 and needed approval for a Transfer of Funds to pay for it. A motion was made by Edwin Wheeler to authorize a Transfer of Funds from Acct. #A1620.4 - Building Contractual Expense to Acct. #A1620.2 - Building Equipment in the amount of \$89. Motion was seconded by Bruce Wideman and passed with 5 ayes and no nos.
- (5) Proposed Resolution on Freedom of Information Law - Following some discussion on this Resolution, Edwin Wheeler moved that the Town Board adopt the following Resolution on the Freedom of Information Law. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

DISCUSSION
ON LDPL.

SEEKING
FHA LOAN

INSURANCE

MOTION TO
ACCEPT
INSUR. PROP.
VANPARYS

UNFINISHED BUS.

COMM. DEV.
FUNDS

CONTR.
VOT. MACH.

OFFICE
LEASE

MOTION FOR
TRANS. FUNDS

MOTION TO
ADOPT RESOL.
FR. OF INFO.
LAW

RESOLUTION - FREEDOM OF INFORMATION LAW

RESOLUTION
FREEDOM OF
INFORMATION
LAW

A resolution Regulating Inspection and Copying of Records of the Town of Palmyra, Wayne County.

Whereas, this Town Board is desirous of complying with these requirements; NOW THEREFORE, BE IT RESOLVED, that rules and regulations are hereby adopted as follows:

1. As used in this resolution (a) the term "agency" means (1) the Town of Palmyra and its department, divisions, offices, bureaus, and boards of commissions created or appointed by the Town Board, and (2) any special or improvement district of the Town, other than a library district, a fire district, a district corporation or district having a separately elected governing body. (b) the term "record" shall have the same meaning as set forth in subdivision 4 of section 86 of the Public Officers Law.

2. The following persons are hereby designated as Records Access Officers for the Agency: (a) The Town Supervisor, Town Clerk's Office, Palmyra, New York 14522, (b) The Town Clerk, Town Clerk's Office, East Main Street, Palmyra, New York, 14522.

3. The Records Access Officers shall be responsible for assuring that Agency personnel (a) comply with the requirements and provisions of the Freedom of Information Law, the rules and regulations of COPAR and with this resolution in providing access to Agency records; (b) maintain an up-to-date subject matter list of records; update it twice a year and make it available for public inspection and copying; (c) explain in writing reasons for denial of access and advise requestor of right to appeal, setting forth name, title, business address and telephone of persons to whom appeal may be taken. (d) upon request, calculate in advance the total cost of copies; (e) permit requester to make his or her own copy, without damaging the record and without relinquishing custody of the same.

4. (a) Records of the Agency are located at the Town Clerk's Office, East Main Street, Palmyra, New York.

(b) All requests for public access to records shall be accepted and records produced during all hours that the Town Clerk's Office is regularly open for business.

5. A request to inspect or for a copy of a record shall reasonably describe the same, and shall be in writing.

6. The Town Supervisor shall respond to requests for a record of the name, title, salary and public office address of every officer and employee of the Agency.

7. The Town Board is hereby designated to hear and determine appeals from a denial of access to Agency records, in accordance with the Freedom of Information Law, rules and regulations of COPAR and this resolution.

8. Unless another fee is prescribed by state law the fee for (a) photocopying a record not exceeding 9 by 14 inches shall be 25 cents per page, (b) other records, shall be the actual cost of reproduction excluding fixed costs such as salary of employee, and (c) a typed or handwritten transcript shall consist of the actual clerical time involved in making the transcript.

9. A copy of this resolution shall be posted by the Town Clerk on the sign board maintained pursuant to subdivision 6 of section 30 of the Town Law, and a copy thereof shall also be mailed or delivered to the news media for public information purposes.

10. This resolution shall take effect immediately.

MOTION

TO ADV.

L.L. #2

& #3

(6) The Board discussed Proposed Local Law #2 extending the Town Clerk's term of office from 2 to 4 years and Proposed Local Law #3 extending the Town Highway Superintendent's term of office from 2 to 4 years. A motion was made by Nelson Cook, seconded by Edwin Wheeler to advertise for a Public Hearing for Local Law #2 & #3. Motion passed with 5 ayes and no nos.

The Board discussed a request from Sally Lynch, Tax Collector, to have the Town pay for the service of her typewriter and adding machine. Bruce Wideman offered to research this request.

MOTION TO
ATTEND
CONFER.
(REGIS)

The Town Clerk spoke to the Board in regard to a Conference for Registrars of Vital Statistics to be held May 25th in Canandaigua. A motion was made by Edwin Wheeler, seconded by David Lyon to approve the request of the Registrar and Deputy Registrar to attend this Conference. Motion passed with 5 ayes and no nos.

MOTION TO
PAY BILLS

The motion to pay the following bills was offered by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos: General Fund - Vouchers 177-192, \$29501.99 Pmt Town Fund - Voucher #24, \$9 Highway Item I - Vouchers #7-8, \$3514.96 Highway Item III - Vouchers #96-97, \$89.65.

MOTION

TO ADJ.

The motion to adjourn this meeting was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 5 ayes and no nos.

Respectfully submitted,

Edwin Wheeler
Town Clerk - Town of Palmyra

May 11, 1978

183

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, May 11, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler and Bruce Wideman, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine and Town Clerk Betty Stubbings. Interested persons attending were Steve Jackson and Paul Burkhardt.

MEETING
OPENED

A motion to dispense with the reading of and approve as submitted the minutes of April 13th and April 27th was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 3 ayes and no nos.

MOTION
TO APPROVE
MINUTES

Wayne County Planner Robert Peterson came before the Board to report concerning the Community Development Funds. Cliff Williams of the Wayne County Planning Office had appeared at a Town Board meeting on February 9th to explain the project and at that time the Board moved to consider making application for funds and to advertise for a Public Hearing to be held on March 9th. Following the Public Hearing, the Town Board authorized Mr. Peterson to prepare the application for Community Development Funds for approval by the Board. At this time, Mr. Peterson presented the application for the Town Board's approval and the Supervisor's signature. The Town Board members reviewed the application along with Mr. Peterson. Questions were asked and considerable discussion followed.

COMM. DEV.
FUNDS

At 7:40 P.M., David Lyon joined the meeting.

The following Resolution was offered by Edwin Wheeler, seconded by David Lyon and passed with 3 ayes and 1 no - Roy Aplin voting no:

WHEREAS, the Town of Palmyra agreed to participate in the Wayne Home Improvement Program, and WHEREAS, the Town of Palmyra agreed to make application along with the Town of Macedon and the Town of Marion for Community Development Funds, AND WHEREAS, a Public Hearing was duly held on March 9, 1978 to consider the use of the funds, NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra be and is hereby authorized to execute and submit application for Community Development Funds to be used in the Town of Palmyra for Housing Site Improvement (\$10,000) and a Water Line Extension (\$22,500).

RESOLUTION
TO SUBMIT
APPLICATION
FOR FUNDS

Town Attorney Paul Rubery joined the meeting at this time.

Mr. Peterson advised the Town Board that it is possible to re-apply for BOR Funds to be used for the Palmyra Community Center (Park). The following Resolution was passed by the Town Board with a vote of 4 ayes and no nos:

WHEREAS, the Town of Palmyra previously submitted application for BOR Funds, AND WHEREAS, the funds were not granted, NOW THEREFORE BE IT RESOLVED, upon the motion by Edwin Wheeler, seconded by Bruce Wideman the the Town Board of the Town of Palmyra is hereby authorized to re-submit the application for BOR Funds on behalf of the Palmyra Community Center (Park) for the next Federal Grant year.

RESOLUTION
TO RE-SUB-
MIT APPLIC-
FOR BOR
FUNDS

The following communications were presented to the Board - (1) Letter from the Department of Audit & Control to Town Attorney Rubery in regard to Conflict of Interest (Vande) (2) Information concerning classes at CCFL (3) Letter to Supervisor Aplin from Philip Rice in regard to Snow & Ice Control Audit (4) Letter to Philip Rice from Supervisor Aplin concerning the Harris Road-North Creek Road Project (5) Letter from the Wayne County Youth Bureau in regard to a meeting with the Town Board - the Supervisor will contact Mr. Oaks, Director (6) Letter from Paul Rubery in regard to the Bukolt request to acquire abandoned property on Cole Road (7) Letter from George Tilburg concerning his re-appointment to the Planning Board.

COMMUNICA-
TIONS

COMMITTEES

Zoning - Zoning Officer Francis Toole came before the Board with a question in regard to issuing a Building Permit to Frank Paro for a new residence on 1½ lots in

ZONING

REQUEST FOR 1 1/2 LOTS IN KLINZING SUB-DIV the Klinzing Sub-division. Mr. Cotter, a home owner on the adjacent 1 1/2 lots, was present at the Planning Board meeting on May 9th to discuss this matter. The Town Attorney advised that a new sub-division map of those 3 lots be presented to the Planning Board. Following considerable discussion, Bruce Wideman moved that the Building Permit be approved and issued on the condition that Harnish & Lookup provide to the Building Inspector for the Town of Palmyra, a statement or certification to the effect that all construction for the leach field and lines follow the requirements of the New York State regulations. Motion was seconded by David Lyon and passed with 4 ayes and no nos.

MARBEE REQUEST HOGBACK HILL RD. The request of Marbee Development Corporation for 2 additional lots on Hogback Hill Road was again discussed. David Matthews of Hershey Malone Associates and Harnish & Lookup will be furnishing additional information on this matter.

Mr. Toole reported that he is still talking to Walter Pulcini about fencing the in-ground swimming pool on his property on Route 31.

MOTION TO RE-APPT. G. TILBURG LOST A motion was made by Bruce Wideman, seconded by Edwin Wheeler to re-appoint George Tilburg to a 5 year term on the Planning Board. Supervisor Aplin questioned Mr. Wideman in regard to making contact with Roger Cabic, a candidate last year for a place on the Planning Board. Mr. Aplin submitted the name of Roger Cabic as a candidate. The motion was lost with the following vote: Edwin Wheeler and David Lyon - aye, Roy Aplin - a vote for Roger Cabic, and Bruce Wideman abstained. Mr. Wideman stated that he would contact Roger Cabic before the next meeting.

HIGHWAY BUKOLT REQUEST RE: PROP GOLF RD. Highway - Town Highway Superintendent James DeBrine and the Town Board discussed Mrs. Bukolt's request to use that portion of the former Cole Road which exists in her front yard which occurred by virtue of the widening of Cole Road. It was determined that the best way to handle this matter is to have the Town Highway Superintendent contact both Mrs. Bukolt and her neighbors, the DeVries. If a mutual agreement can be reached, the Town Attorney advised this matter can be resolved by the Town delivering to the abutting owners, quit claim deeds to the abandoned land.

HARRIS - N. CRK RD PROJECT The Board also discussed the Harris Road-North Creek Road project. The Town Clerk read a letter from County Highway Superintendent Philip Rice to Supervisor Aplin which stated that the County Highway Department is planning and scheduling this project for 1979. The Town of Palmyra did not include any provisions for this project in the 1978 Budget but should consider it in next year's budget.

DISC. RE: CTR. LIN- ING RDS. A call to a Councilman in regard to a visual problem when driving on LeRoy Road, particularly, when the sun is shining, resulted in a discussion on the advantages and disadvantages of center-lining the roads. No action was taken at this time.

BRIDGE RE-PAIR ON HOGBACK HILL RD. Supervisor Aplin reported that he has received many complaints from residents in regard to the bridge repair on Hogback Hill Road. The County Highway Department has started work on the repair of the bridge, but there doesn't seem to be much activity at this time. The people in the area have decided to submit a petition requesting the bridge work to be completed.

Water - No report at this time.

LANDFILL REPORT RE: OPEN- ING SO. SIDE 6/1 Landfill - Co-Chairman David Lyon stated that he and Nelson Cook are progressing with plans towards the opening of the South side of the Landfill on June 1st. They have advertised in the Newark and Palmyra papers for a Landfill Operator - May 22nd is the cut-off date for submitting resumes to the Town Clerk. The Landfill Committee will meet Monday, May 15th in the Park & Club Rooms at 7:30 P.M. with the Commercial Haulers and at 8:30 P.M. with Hershey Malone Associates and the Department of Environmental Conservation. A D-6 will be rented for Saturday, May 13th to prepare the Landfill site. Mr. DeBrine's Town Crew installed a new culvert for the driveway. The Committee expects to rent equipment to dig the first pit. Mr. Lyon re-

ported that the Committee had checked with Hoff Brothers in regard to setting up a Transfer Station and this possibility was discussed. The Committee also looked into ways of acquiring equipment, such as, rental, lease, purchase and options. Cost of equipment was reported as \$75,000 for a D 5 and \$95,000 for a D 6. A D-5 should be suitable for the Town of Palmyra Landfill Operation. Mr. Lyon stated that he and Mr. Cook had found that rental is not practical - too expensive. An alternative is a Total Cost Bid Lease which is State approved. Bruce Wideman suggested that Wheel-type equipment might be a better solution than Track-type, he personally felt the Wheel-type would be more versatile and Supervisor Aplin agreed. Mr. Lyon explained the type of operation which will be used at the Landfill, then stated that the Committee recommended that the Board use the Lease Plan for a D 5 or equivalent to operate the Landfill. Considerable discussion followed. Edwin Wheeler moved that the Town Board instruct the Committee to pursue competitive leasing and to obtain the best lease or plan possible to acquire equipment for the Landfill and come back to the Board for approval. The motion was seconded by Bruce Wideman and passed with 4 ayes and no nos.

MOTION TO
INSTRUCT
COMM. RE:
ACQ. EQUIP.

A complaint concerning rubbish being thrown over the fence at the Landfill was discussed by the Board.

Joint Recreation Commission - The following Resolution was offered by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes and no nos:

RESOLUTION
RE: YOUTH
CONTRACT

WHEREAS, the Town of Palmyra participates with the Village of Palmyra in a Youth Program, AND WHEREAS, the Town of Palmyra as a participant is entitled to certain re-imbursement from the State, NOW THEREFORE BE IT RESOLVED, that the Town of Palmyra shall enter into a contract with the Division of Youth, State of New York, AND BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute the Contract and to do any and all other acts necessary to implement said contract on behalf of the Town of Palmyra.

Insurance - No report at this time.

Consolidation of Village and Town - No meeting with the Village is scheduled as yet.

New Business - The motion to approve a Transfer of Funds in the amount of \$6059.00 plus interest \$170.00, a total of \$6229.00 from Anti-Recession Federal Acct. No. A-2-1910.4 to General Fund Insurance Acct. No. A 1910.4 and a Transfer of Funds in the amount of \$548.16 from Anti-Recession Federal Acct. No. A-2-1355.4 to General Fund Assessor's Contractual Expenses Acct. No. A 1355.4 was made by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes and no nos.

MOTION TO
APPR. TR.
OF FUNDS

Supervisor Aplin reported that members of the Town Board have been invited to participate in the Memorial Day Parade on Monday, May 29th. Participants are asked to be at the Canandaigua Street Elementary School at 9:00 A.M.. Cars will be provided.

INVIT. TO
MEM. PARADE

The motion to pay the following bills was offered by David Lyon, seconded by Bruce Wideman and passed with 4 ayes and no nos - Edwin Wheeler abstained on Voucher # 198 - Palmyra Florist:

MOTION TO
PAY BILL

GENERAL FUND	VOUCHERS #193 - 217	\$ 18,078.38
PART TOWN FUND	" # 25 - 28	271.99
HIGHWAY ITEM I	" # 9 - 13	3,991.92
HIGHWAY ITEM III	" # 98 - 106	6,103.57
NORTH WATER DISTRICT	" # 6	3,280.33
SOUTH WATER DISTRICT	" # 7	1,788.13
TOTAL		\$33,514.32

The Town had a request from the East Palmyra Fire Department for a Town Map showing the County Grid numbers. Supervisor Aplin will check on this.

The motion to adjourn this meeting was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 4 ayes and no nos.

ADJ.

Respectfully submitted,

Betty E. Stubbings
Betty E. Stubbings, Town Clerk

May 25, 1978

PUB. HRG. ON The Public Hearing, scheduled for Thursday, May 25, 1978 in the Town Office, 204 East Main Street, Palmyra, New York for the purpose of considering Proposed Local Law #2 extending the term of office of the Town Clerk from 2 years to 4 years and Proposed Local Law #3 extending the term of office of the Town Highway Superintendent from 2 years to 4 years was opened at 7:30 P.M. by Supervisor Aplin. The Proof of Publication was read by the Clerk. Town Highway Superintendent James DeBrine and Town Clerk Betty Stubbings both spoke in favor of the Proposed Local Laws. No interested townspeople appeared to speak in favor of or opposed to these Proposed Local Laws. The hearing was declared closed by motion of Edwin Wheeler. Motion was seconded by Bruce Wideman and passed with 3 ayes and no nos.

MOTION TO CLOSE HRG.

REG. MTG. OPENED The regular meeting of the Town Board of the Town of Palmyra was opened at 7:40 P.M., Thursday, May 25, 1978 by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon, Town Highway Superintendent James DeBrine, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending were: Steve Jackson, Paul Burkhardt, Glenn Davis and William Baker.

COMMUNICATIONS The following communications were reviewed by the Town Board: (1) a copy of a letter, May 11, 1978 from Hershey Malone Associates to the Town of Palmyra, Planning Board in regard to Marber Development Corporation's request - Hogback Hill Road (2) Notice from the Town of Manchester concerning Cable TV (3) a notice of violations from the Department of Environmental Conservation, May 16, 1978 (4) from Henry Nesbitt's office, copy of notice in the Courier-Journal for T. Costich (5) a letter from the Village of Palmyra in regard to Proposed Fire Contract for 1979 (6) from Assembly, State of New York dated May 17, 1978 - Election Districts (7) Public Hearing Notice from NYS Real Property Tax Office (8) a letter from Town Attorney Paul Rubery with Lease for the Town Office attached (9) a letter and attachments from Hershey Malone Associates in regard to Water Supply Application for Route 31 East Water District (10) a letter from the Village of Palmyra concerning the Route 31 East Water District - line extension (11) from the Wayne County Soil & Water Conservation District in regard to Drainage culvert survey - refer to Highway Department (12) NYS Dept. of Commerce - Promoting New York State (13) List of the membership of the East Palmyra Fire Department.

COMMITTEES

ZONING INSP. OF PULGINI TRAIL PK. Zoning - Zoning Enforcement Officer Francis Toole reported that he had received a copy of the Inspection Report of Pulcinella's Trailer Park done by the Department of Health. There were some deficiencies but most are corrected at this time. Mr. Toole will check the Park again.

UNLIC. VEH. The Town Office received a call in regard to unlicensed vehicles in the vicinity of Marquart's Trailer Park, the Zoning Officer will check on this matter.

Town Councilman Nelson Cook inquired about the removal of gravel from property on Route 22N - North of the Costich gravel pit. It was determined that this was the former Breemes junk yard and gravel pit (pre-existing).

The Board again discussed Tax Collector Sally Lynch's request to have the Town include the servicing of her typewriter and adding machine along with the Town's machines. The Board was advised that this is not legally possible but the Board will consider an increase in the Tax Collector's salary to cover this expense.

APPT. TO PL. BD. Town Councilman Bruce Wideman reported that he had talked with Roger Cabic in regard to the appointment to the Planning Board and Mr. Cabic is still interested in a position on that Board. Mr. Wideman spoke concerning the past practice of the Town Board in re-appointing members of the Planning Board on their past service as their terms expire. He stated it was his opinion that it would be wise to put new

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, ss:
County of Wayne,

NOTICE OF
PUBLIC HEARING
ON LOCAL LAWS
PUBLIC NOTICE is hereby
given that there has been
presented to the Town Board
of the Town of Palmyra, New
York, proposed Local Law
No. 1 of 1978 extending the term
of the Town Clerk from 2
years to 4 years, and
proposed Local Law No. 2 of
1978 extending the term of
the Town Engineer from 2
years to 4 years. If approved, said
Local Laws will become
effective until approved by
the voters of the Town of
Palmyra.
THEREFORE, PURSUANT
TO STATUTE, the Town
Board of the Town of
Palmyra will hold a Public
Hearing on the proposed
Local Laws in the Town
Clerk's Office, 204 East Main
Street, Palmyra, New York
on Friday, May 25, 1978 at
10:00 A.M. at which time all
persons interested will be
heard.
Dated: May 11, 1978
By order of the
Town Board
of the Town of Palmyra
Darryl B. Stubbings
Town Clerk

Elizabeth M. Main, being duly sworn,
deposes and says that he is the foreman of
the Timesaver Advertising Inc., publisher of
the COURIER-JOURNAL, a public news-
paper published weekly at Palmyra, N.Y., in
the County of Wayne, and that the notice of
which the annexed is a true copy, clipped
from said newspaper, was regularly
published in said Courier-Journal on the
following dates:

May 5, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 9 day of May 1978

Michael J. [Signature]
Notary Public

Fee: \$ 12.25

WAYNE COUNTY CLERK'S OFFICE
RECORDED
86

187
blood with new ideas and a fresh approach on the various Boards. Mr. Aplin spoke in agreement with Councilman Wideman, specifically, in regard to Mr. Cabcio applying last fall for the position open at that time on the Planning Board. Supervisor Aplin made the motion to appoint Roger Cabcio to a 5 year term on the Planning Board of the Town of Palmyra. Motion was seconded by Bruce Wideman. Under discussion, Councilman David Lyon stated that in his opinion some important factors in determining a person's qualifications were the area in which the person lives and the person being knowledgeable in that area as well as the person's occupation. He likes to keep a cross section of the Town and people with expertise in various areas on the Boards. Mr. Lyon noted that Mr. Cabcio is almost a neighbor of Mr. Mylacrairie, the most recent appointment to the Planning Board and both of these gentlemen work out of Town. The motion was lost with the following vote: Bruce Wideman and Roy Aplin - aye, Nelson Cook, David Lyon and Edwin Wheeler - no. A motion was offered by Nelson Cook, to appoint George Tilburg to a 5 year term on the Planning Board - term to expire in May 1983. Motion was seconded by David Lyon and passed with 4 ayes and 1 no - Roy Aplin voting no.

APPT. TO
PL. BD.
CONT'D

DISCUSSION

MOTION
TO APPT.
G. TILBURG
TO PL. BD.

Assessment - The Clerk reported that Grievance Day will be the 3rd Tuesday in June, the 20th.

At 8:30 P.M., Mr. Robert Oaks, Director of the Wayne County Youth Bureau, came before the Board. He had requested time to meet with the Board, become acquainted with the members and make them aware of how the Youth Bureau works and how the Bureau can aid the Town and Village of Palmyra. Mr. Oaks presented the background on the formation of the Youth Bureau and spoke to the Board concerning the Wayne County Youth Board, consisting of 24 members, a very diverse group. The Wayne County Youth Bureau and the Youth Board will work to avoid duplication of services, to show local groups how best to utilize the monies and to help set up programs. The Bureau hopes to have a program for troubled youths. Councilman David Lyon asked if the Bureau worked in conjunction with Guidance Counselors at the schools and Mr. Oaks responded that they don't at this time. They do have a representative from School administration but welcomed the suggestion Mr. Lyon made.

R. OAKS
DIR. -
WAYNE CO.
YOUTH
BUREAU

At this time, Glenn Davis of LeRoy Road came before the Board to request permission to cut a new driveway. The present drive creates a bad condition in winter. Town Highway Superintendent DeBrine spoke on behalf of the Town Highway Department stating that as long as the change didn't create drainage problems for the highway he had no objection to the change. The Board discussed this request at length. A motion was made by Bruce Wideman, seconded by Edwin Wheeler to grant approval to Mr. Davis' request to change his driveway as proposed. Motion passed with 4 ayes - David Lyon abstaining.

G. DAVIS
REQUEST
TO CHANGE
DRIVE

HIGHWAY - A motion made by Edwin Wheeler approved Mr. DeBrine's request to attend the Association of Towns' Conference at Cornell on June 5, 6 & 7. Motion was seconded by Bruce Wideman and passed with 5 ayes and no nos.

MOTION TO
APPROVE
REQ. TO
CHANGE
DRIVE

A motion made by Edwin Wheeler approved the purchase of tires for the Highway Department. Motion was seconded by Bruce Wideman and passed with 5 ayes and no nos.

MOTION TO
PUR. TIRE

Town Attorney Paul Rubery and Mr. DeBrine are checking and working on Mrs. Bukolt's request to acquire abandoned property on Cole Road.

BUKOLT
REQUEST

Mr. DeBrine reported that he has been in contact with Wayne County Highway Superintendent Philip Rice in regard to the Harris Road-North Creek Road Project and they have discussed and looked at the options for this project.

HARRIS-
NO. CRK RD
PROJECT

The Town Attorney joined the meeting at 9:20 P.M..

Supervisor Aplin reported that the bridge on Hogback Hill Road is repaired and has been back in service for a week.

The Town Crew has been assisting the Landfill Committee with the work preparing the new Landfill site.

PROPOSED
LL#2&3

The Board returned to the business of the Proposed Local Laws, subject of the Public Hearing earlier in the meeting. A motion was made by Edwin Wheeler to approve the adoption of Local Law #3 extending the term of office of the Town Highway Superintendent from a 2 year term to a 4 year term subject to a referendum by the voters at the next General Election. Motion was seconded by Bruce Wideman and passed with

MOTION TO
APPR. LL#2

5 ayes and no nos. A motion was made by Bruce Wideman to approve the adoption of Local Law #2 extending the term of office of the Town Clerk from a 2 year term to a 4 year term subject to a referendum by the voters at the next General Election. Motion was seconded by Nelson Cook and passed with 5 ayes and no nos.

WATER - The Water Committee will contact the Village of Palmyra in regard to the communication concerning the Route 31 East Water line extension.

MOTION TO
CERTIFY
MEMBERS
E. PAL.
FIRE DEPT

The revised list of members of the East Palmyra Fire Department was presented to the Town Board. A motion was made by Edwin Wheeler, seconded by Bruce Wideman certifying the current list of members of the East Palmyra Fire Department and recertifying those members who were previously certified by the Town Board. Motion passed with 5 ayes and no nos.

MOTION TO
SIGN OFF
LEASE

The motion to authorize the Supervisor to sign the Lease for the Office was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 5 ayes and no nos.

Bruce Wideman spoke to the Board in regard to the Canal Restoration Project. He reported that there is a good chance that there will be a grant of \$23,000 under the GETA Program for this project.

REPORT OF
LDPL COMM

LANDFILL - Co-Chairman Nelson Cook reported on the progress of the preparations for opening the South side at the Landfill. He answered questions posed at the last Board meeting - one was in regard to the rental of equipment and he stated that the cost would range from \$3,000 to \$4,000 per month. Mr. Cook stated that the Landfill site is leveled, sub-graded, pit areas are staked out and the test work was discussed. The Committee has received quotes on equipment from 4 dealers and these proposals were presented to the Board by Councilman Cook. Ways to acquire equipment were outlined. The Committee also reported on the meeting held in the Park & Club Rooms on May 15th. The plans and requirements for operating the Landfill at the new site, including hours to be open and equipment to be used, were discussed with the local Disposal Companies, the Village of Palmyra and Garlock, Inc.. The Committee asked for suggestions from the haulers. Some proposals for establishing a Transfer Station in the Palmyra area were also discussed. Councilmen Cook and Lyon reported that they reviewed 12 resumes of applicants for Landfill Operator and have narrowed the number down to 5 persons who meet all the requirements in regard to qualifications, training and experience. There was discussion on all the points presented by the Committee. A motion was offered by Edwin Wheeler that the Committee (1) contact the Department of Environmental Conservation at Avon for an extension of 30 days to operate the Landfill at the present site (2) advertise for Bids on the Purchase of a D506 or equivalent and (3) ascertain that the applicant for Operator will be available at same rate of pay as the Highway Crew. The Town Attorney questioned the building to house equipment at the Landfill, a trailer to haul the equipment and service depots. The Committee felt the building at the present site could be utilized, the Town's equipment hauler could possibly be used and there are service depots close by. Motion was seconded by Bruce Wideman - further discussion followed. The motion passed with a vote of 4 ayes and 1 no - Roy Aplin voting no. The Committee will set up the Specifications for Bids and will prepare a list of Rules and Regulations to be issued to the Disposal Haulers.

MOTION:
GET EXT.
ADV. BIDS
ASCR.
RATE

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne.

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

June 9, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 15 day of June 1978

Michael J. Benson
Notary Public

Fee: \$ 19.38

NOTICE OF ADOPTION
Local Law No. 2, 1978
Local Law No. 3, 1978
NOTICE is hereby given that Local Law No. 2, 1978 entitled "A local law to make the term of office of the town clerk four (4) years" was adopted by the Town Board of the Town of Palmyra on May 25, 1978 and said Local Law is as follows:
Be it enacted that the term of office of the town clerk of the Town of Palmyra be four (4) years commencing with the term of the town clerk elected at the next biennial town election held after the effective date of this Local Law.
That this Local Law will be effective immediately after it has been approved by a vote of the eligible voters held in the Town of Palmyra and after the proper filing and publication of the said Local Law as provided by section twenty-seven of the Municipal Home Rule Law.
NOTICE is further given that Local Law No. 3, 1978 entitled "A local law to make the term of office of the highway superintendent four (4) years" was also adopted by the Town Board of the Town of Palmyra on May 25, 1978 and said Local Law is as follows:
Be it enacted that the term of office of the town highway superintendent of the Town of Palmyra be four (4) years commencing with the term of the town highway superintendent elected at the next biennial town election held after the effective date of this Local Law.
That this Local Law will be effective immediately after it has been approved by a vote of the eligible voters held in the Town of Palmyra and after the proper filing and publication of the said Local Law as provided by section twenty-seven of the Municipal Home Rule Law.
Dated June 9, 1978
Betty S. [illegible]
Town Clerk

JOINT RECREATION COMMITTEE - Chairman Nelson Cook reported that the Palmyra Community Center Board intends to proceed with the new building. The total cost is estimated at \$250 to \$300 thousand dollars.

The following Resolution was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos:

WHEREAS, there was an amount of \$5100 allowed in the 1978 Budget - Federal Revenue Sharing for a Station Wagon for the Highway Department, AND WHEREAS, \$5100 was paid from Highway Item III Machinery Equipment DM5130.2 for the purchase of a 1978 Ford LTD Station Wagon, NOW THEREFORE BE IT RESOLVED, that the amount of \$5100 be transferred from Federal Revenue Sharing Fund A1-DM5130.2 to Highway Item III Machinery Equipment Acct. No. DM5130.2.

RESOLUTION
RE: TRANS
OF FUNDS

The motion to pay the following bills was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 5 ayes and no nos:

MOTION TO
PAY BILLS

GENERAL FUND	VOUCHERS #218 - 235	\$13,687.43
PART TOWN FUND	" #29	339.03
HIGHWAY ITEM I	" #14 - 20	14,369.74
HIGHWAY ITEM III	" #107- 111	372.50
HIGHWAY ITEM IV	" # 40 - 41	6,756.48
NORTH WATER DISTRICT	" #7	79.63
SOUTH WATER DISTRICT	" #8	42.87
TOTAL		\$35,647.68

The motion to adjourn the meeting was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

June 8, 1978

Before the transaction of any business, Supervisor Aplin asked for a moment of silent prayer and the Pledge of Allegiance to the Flag.

BIDS - BULL-
DOZER - LDPL
OPENED

Sealed bids for the furnishing, according to specifications, of a new current production model 1978 Straight Blade Bulldozer for use by the Town of Palmyra Landfill, scheduled for Thursday, June 8th were declared opened at 7:30 P.M. by Supervisor Aplin. The Clerk read the Proof of Publication and the following bids were opened and read:

(1) Syracuse Supply Company	Alternate Bid #1	\$58,503.00
	Alternate Bid #2	\$72,639.00
(2) Ridings Equipment Company		\$56,927.00
(3) Dow & Company, Inc.		\$83,142.00
(4) Monroe Tractor & Implement Co. Inc.		
	Alternate Bid	\$52,080.76
	Case 1450	\$64,020.75

BIDS CLOSED

All bids were referred to the Landfill Committee for study and the bids were declared closed at 7:40 P.M..

MEETING
OPENED

The regular meeting to the Town Board of the Town of Palmyra was opened immediately following the closing of the bids. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine and Town Clerk Betty Stubbings. Interested persons attending were: Steve Jackson and Paul Burkhardt.

MOTION TO
APPROVE
MINUTES

A motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of May 11th. Motion passed with 4 ayes and no nos.

COMMUNICA-
TIONS

The following communications were presented to the Town Board: (1) Letter from Paul Rubery in regard to Route 31 East Water District (2) Letter from New York State Legislative Institute concerning 1980 Census (3) Letter from New York State Department of Environmental Conservation in regard to violations at the Palmyra Landfill (4) Wayne County Planning Board - Notice of meeting (5) Information from Wayne County Cablevision, Inc. (6) Information concerning Parking Permits for Handicapped persons.

MOTION TO APPT.
TY. CLK. AS
ISSUING AGT.
PERMITS FOR
HANDIC. PER.

The Board discussed the information in regard to the Parking Permits for Handicapped persons. A motion was made by Edwin Wheeler, seconded by Nelson Cook to appoint the Town Clerk as Issuing Agent for the Permits for Handicapped persons. Motion passed with 4 ayes and no nos.

COMMITTEES

COMMITTEES

ZONING

Zoning - Zoning Officer Toole stated he had nothing to report at this time. The Board discussed the advantages and disadvantages of receiving copies of the Electrical Inspections done by the Board of Fire Underwriters. Bruce Wideman stated that as long as the Town of Palmyra had not adopted the New York State Building Code, the copies would be of no use legally to the Town. Considerable discussion followed on this subject and it was decided that the Town would request copies of the final notices. Mr. Wideman offered to research the New York State Building Code and report to the Board.

Town Attorney Paul Rubery joined the meeting at this time, 8:00 P.M..

ZONING
ORDINANCES

Continuing under Zoning, Bruce Wideman questioned the Town Attorney on presenting the Mobil Home Park Ordinance and the Zoning Ordinance to the public at a hearing. These Ordinances were discussed and it was determined that they should be ready for a Public Hearing within a month. Mr. Wideman will review the Ordinances and report at the next meeting.

Highway - Town Highway Superintendent James DeBrine reported that the Committee is working on the County Culvert Drain Survey.

Supervisor Aplin requested Mr. DeBrine to explain the way in which the funds

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

ADVERTISEMENT FOR BIDS
Notice is hereby given that sealed bids are requested for the furnishing, according to specifications of a new current production model 1978 Straight Blade Bulldozer for use by the Town of Palmyra Landfill. Sealed proposals will be received by the Town Clerk of the Town of Palmyra or the office of the Town Clerk of said town until 7:00 P.M. June 16, 1978 at which time and place will be publicly opened and read. Specifications are available for any interested persons or bidders at the office of the Town Clerk of the Town of Palmyra, 204 East Main St. Palmyra, N.Y. Signed By order of the Town Board
Palmyra, New York
Barry Stubbings
Town Clerk

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

June 2, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 9 day of June 1978

Michael M. M...
Notary Public

NOTARIAL CERTIFICATE
Fee: \$ 8.83 WAYNE TOWN CLERK RECEIVED 6/13/78
JRM/CM

for the Federal Highway Safety Act should be designated. After some discussion the following Resolution was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nays:

RESOLUTION
DESIGNATING
FUNDS FOR FEM
HWY. SAFETY AC

WHEREAS, the Town of Palmyra entered into a Contract under the Federal Highway Safety Act Signing Program for the replacing of signs in the Town of Palmyra, AND WHEREAS, the work has been completed, AND WHEREAS, the Town of Palmyra received funds in the amount of \$9261.96 for this Program, NOW THEREFORE BE IT RESOLVED, that the following Revenues and Appropriations are increased in the Budget for 1978 in the amount of \$9261.96 - Estimated Revenue Account #A510 Subsidiary Account #A4510, Highway Safety-Federal Aid Appropriations Account #A960 Subsidiary Account #A3310.4 Traffic Control Contractual Expense.

Town Councilman David Lyon joined the meeting at 8:30 P.M..

Water - Chairman Nelson Cook reported on the latest developments in regard to the Route 31 East Water District. Mr. Cook talked with the Town Engineer Tony Malone and was advised that Mr. Malone will contact Harold Kruger, Water Superintendent for the Village of Palmyra, concerning the Water Line Extension for the new Water District. The Town Attorney has contacted the Department of Audit & Control and Hershey Malone Associates are proceeding with specifications and drawing up plans to continue with the establishing of the East Water District. Mr. Cook will be meeting with Bernard Donovan of Victor on Wednesday, June 14th in regard to financing for the Water District. Once the financing is approved by the Department of Audit & Control, bids can go out in 30 days. It is hoped that the target date of January 1, 1979 can be met.

EAST WATER
DISTRICT

Mr. Cook also reported that he attended the meeting concerning Waste Water Study held in Newark.

Landfill - The Committee stated that the bids, opened earlier in the evening, will be studied and they asked the Board to consider holding a Special Meeting. A motion was made by Edwin Wheeler, seconded by Nelson Cook to hold a Special Meeting of the Town Board of the Town of Palmyra at 6:00 P.M., Thursday, June 15th. Motion was passed with 5 ayes and no nos.

MOTION TO
HOLD SPEC. MTC.
(LANDFILL)

Nelson Cook reported that a pit is opened and the road is in at the new Landfill site.

The Committee has interviewed applicants for an operator at the Landfill and they are ready to make a determination on who is best qualified for the position.

A motion was made by Nelson Cook, seconded by David Lyon to hold an Executive session. Motion was carried with 5 ayes and no nos.

MOTION TO
HOLD EXEC.
SESSION

The meeting was re-opened at 10:20 P.M..

The motion to cancel the Special meeting called for 6:00 P.M. June 15th was made by Bruce Wideman, seconded by David Lyon and passed with 5 ayes and no nos. JOINT RECREATION COMMISSION- Nelson Cook reported that at this time the Palmyra Community Center has received \$120,000 from the Fund Drive. The Palmyra Community Center Board has checked and found that funding from the Farm Home Administration would be impossible because the Community Center is a non-profit, independent organization. If the application was presented by a municipality, the Town, Village or a combination of the two, there would be a good chance of acquiring the necessary funding. Nelson Cook proposed that the Town adopt a Local Law creating a Bureau of Recreation & Parks with a Commissioner of Recreation. He suggested that the Local Law follow the guide lines of the Town of Perinton. The Board members posed questions on this subject and considerable discussion followed. It was suggested that the Village be contacted and Edwin Wheeler will contact Village Trustee David West to discuss the possibility of a joint venture concerning the Community Center.

MOTION TO
CANCEL
SPEC. MTC.

DISC. RE:
FUNDS FOR
COMM. CTR.

Bruce Wideman reported concerning the application for CETA VI funding for the Canal Restoration Project. The Preliminary Application has been approved but

Canal PROJ.
CETA

CANAL
RESTOR.
PROJECT
(CETA)

the final State approval has not been received, although it is expected to go thru with no problem. Mr. Wideman is receiving applications for employees. The Village supported the beginning of this project and the continuation will be a Town Supported project. Virginia Wilson will do the necessary book work-payroll, etc. and she will be re-imursed by the CETA Program. There will be 9 employees - one as a foreman and wages will compare with a laborer on the Town crew. Supervisor Aplin questioned why this project couldn't be incorporated with the County projects and the administration of same be handled at the County level. Discussion followed with Mr. Aplin offering to check with Mr. Peterson at the Wayne County Planning Office.

USE OF
VILLAGE
HALL

Consolidation of Town & Village - Chairman Edwin Wheeler, in checking with the Village, has been informed that it is expected the Fire Department will be out of the Village Hall by October. Village Trustee Lloyd Greene will be meeting with a planner to do a study on the use of the Village Hall, possibly for commercial use, municipal offices and Court rooms.

MOTION TO
PAY ASSESS.
BILLS FROM
FED. ANTI-
REC. FUNDS

The Board discussed balances in the Anti-Recession Funds. The Assessor's Account has no funds left and it will be necessary to transfer funds to pay the current bills. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to pay the bills for the Assessor's Office in the amount of \$807.62 from the Federal Anti-Recession Funds. Motion was carried with 5 ayes and no nos.

The up-date on the property assessments was discussed by the Board.

MOTION TO
PAY BILLS

The motion to pay the following bills was offered by Bruce Wideman, seconded by Nelson Cook (Edwin Wheeler abstained on Voucher # 237-Gen.Fund and David Lyon abstained on Voucher #113-ItemIII). Motion passed with 5 ayes and no nos.

GENERAL FUND	VOUCHERS #236-264	\$13,081.06
HIGHWAY ITEM I	" 21-25	3,579.82
HIGHWAY ITEM III	" 112-126	2,310.69
HIGHWAY ITEM IV	" 42	250.00
NORTH WATER DISTRICT	" 8	71.50
SOUTH WATER DISTRICT	" 9	38.50
TOTAL		\$19,331.57

MOTION TO
ADJOURN

The motion to adjourn this meeting was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

June 22, 1978

193

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:40 P.M. Thursday, June 22, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen, Bruce Wideman, Edwin Wheeler and Nelson Cook, Town Attorney Paul Rubery, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. An interested person attending was Steve Jackson of the Courier-Journal.

MEETING
OPENED

A motion was made by Edwin Wheeler, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of the May 25th Board meeting. Motion was passed with 4 ayes and no nos.

MOTION
TO APPROVE
MIN. 5/25

The following communications were presented to the Board for their review:
(1) Letter from the Planning Board concerning the "Open-house perk test" - Marber Development Corporation on Hogback Hill Road. Bruce Wideman reported that he has been checking on the recommendations made by Hershey-Malone Associates and that he is satisfied that everything is taken care of except the perk test which is to be done with representatives of the Town Board. A motion was made by Edwin Wheeler seconded by Nelson Cook to accept the Planning Board recommendations in regard to the perk test. The Supervisor will set up a date and Town Councilman Bruce Wideman, Zoning Officer Francis Toole along with Supervisor Aplin will represent the Town Board. Motion was passed with 4 ayes and no nos.

COMMUNI-
CATIONS

(2) A letter from Arnold Pechler, Shilling Road requesting permission to hold the Annual All Terrain Vehicle Race, Sunday July 9, 1978. The request was discussed by the Board and Zoning Officer Toole was questioned in regard to compliance with regulations set by the Board in the past. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to allow Mr. Pechler to hold the ATV Race on July 9, 1978 providing he complies with previous regulations set by the Town Board. Motion was carried with 4 ayes and no nos.

MOTION TO
ACCEPT PL.
BD. REC.
RE: MARB-
ER DEVEL.

(3) The Clerk spoke briefly to the Board concerning information on new Dog Legislation. Copies of this information will be sent to members of the Board.

MOTION TO
APPR. ATV
RACE 7/9

COMMITTEES

Zoning - Zoning Officer Francis Toole reported that he has cleared up some routine problems - he checks with the Town Attorney on those in question. A horse owner in East Palmyra is seeking a variance because he doesn't own enough land to comply with the Zoning regulations. Mr. Toole checked out a complaint concerning junk cars at Marquart's Mobile Manor and has also checked Pulcini's Trailer Park in regard to violations. The Board discussed the Trailer Parks having a section of the Park for the parking and/or storing of camping vehicles.

Town Councilman David Lyon arrived at 7:55 P.M..

The question of Alan Herman selling cars at his residence on Route 31 was discussed by the Board.

Assessment - Supervisor Aplin spoke to the Board in regard to a salary for the Board of Assessment Review. Last year each Board member was given a sum of \$200 for their services. It was decided to table this decision until the next meeting when it might be known how many times the Board met to review complaints.

SALARY
FOR BD. OF
ASSESS. REV

The Supervisor reported to the Board that there is a balance of \$3979.60 in Federal Anti-Recession Funds to be allocated by July 13th. It was noted that the Contractual Expense Account for the Asses is depleted. The Board again deferred action until the next meeting.

FED. ANTI
REC.
FUNDS

Zoning - Chairman Bruce Wideman reported to the Board on his research of the New York State Building Code and how the adoption of this Code would benefit the Town of Palmyra. Mr. Wideman will have copies of this Code for the Board members in the near future. General discussion followed in regard to the New York State Building

DISCUSSION
RE: NYS BLDG
CODE, ZON. ORD
& MOBILE
HOME PARK
ORD

PL. BD. TO
REVIEW ZON.
MAP

Code, Zoning Ordinance and Mobile Home Park Ordinance. The Town Attorney explained the procedures involved in adopting Local Laws or Ordinances. Edwin Wheeler questioned the possibility of setting target dates for the adoption of these Ordinances. The discussion continued with Bruce Wideman suggesting to the Town Board that the Planning Board be asked to review the Zoning Map with long range planning in mind and to come up with a new map or a revised map. The Town Attorney advised that a new Zoning Map is essential in the adoption of the Zoning Ordinance. The Supervisor will contact Bob Peterson of the Wayne County Planning Office in regard to some help with the Zoning Map. Mr. Aplin will then get back to Mr. Wideman who will in turn contact the Planning Board. Mr. Wideman suggested that in the meantime the Planning Board work with the maps available in the Town Office. The Mobile Home Park Ordinance was again discussed.

REQUEST FROM
R. GRIER -
CRESTWOOD
DRIVE
(EASEMENT)

Zoning Officer Francis Toole presented to the Board for their consideration, a request from Robert Grier, Crestwood Drive - Rolland sub-division to change the Town's easement on his property. He wants to put an addition on his house and the easement, as it is now, prevents him from doing so. It was suggested the request be held until the Town Highway Superintendent arrives later in the meeting.

There was further discussion on the New York State Building Code or alternatives, such as an Electrical Code.

Water - Nothing to report at this time.

LANDFILL

Landfill - Town Councilman Bruce Wideman reported that he had visited 4 Landfills. The Committee reported that they had reviewed all the bids and noted that all bids had followed the specifications. Chairman Cook covered what the Companies offered in the bids. The Committee feels the heavier machine is best and Mr. Cook recommended, backed by his own experience with heavy equipment, that the Town of Palmyra purchase the D6-D Alternate Bid #2 by Syracuse Supply Company for \$72,639. Mr. Cook also reported to the Board that at the time he met with Mr. Bernard Donegan on June 14th in regard to financing for the new Water District, Mr. Donegan offered some proposals on the financing of the equipment for the Landfill. An outline done by Mr. Donegan was presented to the Board. Chairman Cook then reviewed the total anticipated expense to operate the Landfill.

MOTION TO
BURCH. D6
& OPERATE
LANDFILL

Edwin Wheeler made the motion to accept the Committee's recommendation to purchase the D6 Doser as outlined by Mr. Cook and to proceed to operate the Landfill as the Committee has proposed for the next 5 years, subject to semi-annual review as to compliance of operation with State and Federal requirements and as to relative economics in relation to other alternate methods of the disposal of refuse of the residents of the Village and Town of Palmyra. Motion was seconded by Nelson Cook. Discussion followed including alternatives.

MOTION TO
VOTE ON
QUESTION
DEFEATED

Edwin Wheeler made the motion to vote on the question. Motion was seconded by Nelson Cook. Motion was defeated with the following vote: Edwin Wheeler and Nelson Cook voting aye - Bruce Wideman, David Lyon and Roy Aplin voting no.

MOTION TO VOTE
ON QUEST. A -
GAIN DEFEATED

The Board again held further discussion. Edwin Wheeler again made the motion to vote on the question and Bruce Wideman seconded the motion. The motion was defeated with the following vote: aye - Edwin Wheeler and Nelson Cook, no - Bruce Wideman, David Lyon and Roy Aplin. At this time, Edwin Wheeler withdrew

MOTION
WITHDRAWN

N. COOK SUBM.

his motion and Nelson Cook withdrew his second. Discussion followed on holding a meeting. Nelson Cook submitted his resignation as Chairman of the Landfill Committee. Discussion continued and Edwin Wheeler re-submitted the original motion but there was no second, therefore, the motion was lost. The Board again discussed calling another meeting and bringing new proposals or alternatives.

A 5 minute recess was called.

Highway - Town Highway Superintendent James DeBrine spoke to the Board in regard to an appropriation put in his Highway Budget for 1978 for a used roller. He has a machine on a trial basis and asked the Board to consider putting out a bid on it. A motion to authorize the advertisement of bids for a used Roller for Thursday, July 13, 1978 at 7:30 P.M. was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos.

Joint Recreation Commission - Chairman Nelson Cook reported that he had attended a meeting Monday with the Village concerning the Palmyra Community Center. It is out of the question at this time to try a joint venture of the Town and Village on this project. The Palmyra Community Center Board has decided to start the building and do as much as the money they now have will allow. Edwin Wheeler reported the Village Board and the Town Board will meet July 17th to discuss the offer of the Carlock Rod & Gun Club by Carlock, Inc.-Colt, Ind. at no cost to the people of the Town and Village of Palmyra.

Unfinished business - Bruce Wideman reported on the Canal Restoration Project. Under a CETA VI Program, 7 persons started on June 22nd. The question of using Town Highway equipment - shovels, rakes, etc. was discussed and it was suggested that Mr. Wideman check with the Town Highway Superintendent.

The Board returned to the business of the Landfill. Mr. Wideman suggested that the Clerk keep a count of the number of people inquiring about the Landfill and requesting more hours to dispose of refuse. Mr. Wideman also suggested that a questionnaire be put in the paper and/or the Timesaver concerning the Landfill to find out how the people feel. A motion was made by Bruce Wideman to advertise questions concerning the Landfill in the Timesaver. Motion was seconded by Roy Aplin. Discussion followed. Edwin Wheeler made the motion to vote on the question. Motion was seconded by Bruce Wideman and passed with 5 ayes and no nos. The motion to advertise in the Timesaver was defeated with the following vote: aye - Bruce Wideman and Roy Aplin, No - Nelson Cook and Edwin Wheeler, David Lyon abstained. David Lyon moved to advertise for an Informational meeting on the Landfill, Discussion followed. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to defer further discussion on the Landfill to the next meeting. Motion passed with 5 ayes and no nos.

The Clerk reported briefly on the Local Laws recently adopted by the Town Board. The Town Office had been notified by the Wayne County Board of Elections that it would require a Special Election for the referendum to the voters. The Board of Elections has now informed the Clerk that, after checking with Albany, the Special Election can be held at the same time as the General Election in November. A resolution will have to be re-submitted to the Town Board and the Board of Elections.

New business - A motion was made by Edwin Wheeler, seconded by Bruce Wideman to grant approval for closing the Town Office Monday, July 3rd. Motion passed with 5 ayes and no nos.

The Clerk requested the Board's approval to have a separate phone installed for the Supervisor. The Board asked that the New York Telephone Company be contacted for costs involved.

The motion to pay the following bills was offered by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos:

GENERAL FUND - Vouchers	#265-299	\$11369.72
PART TOWN FUND - "	#30 - 31	873.42
HIGHWAY ITEM I - "	#26 - 32	8041.98
HIGHWAY ITEM III - "	#127-137	865.93
HIGHWAY ITEM IV - "	#43 - 46	874.99
NORTH WATER DISTRICT	# 9	4.82
SOUTH WATER DISTRICT	# 10	2.59
TOTAL		\$21993.45

195
MOTION TO
ADV. FOR
BIDS ON
USED ROLLER

REPORT ON
MTG. W/
VILLAGE RE
PAL. COMM.
CTR.

MTG. W/
VILL. 7/17

CANAL REST
PROJECT

MOTION TO
ADV. RE:
LDPL.
MOTION TO
VOTE QUEST.

MOTION
DEFEATED

MOTION TO
ADV. INFO
MTG.

MOTION TO
DEFER TO
NEXT MTG.

REPORT ON
L.L.2&3

MOTION TO
CLOSE OFF
7/3

REQUEST
FOR SUPER.
PHONE

MOTION TO
PAY BILLS

196

The motion to adjourn this meeting was offered by Edwin Wheeler, second-
ed by Bruce Wideman and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk
Town of Palmyra

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne, }

NOTICE OF BIDS
FOR BIDS
Notice is hereby given that sealed bids are requested for the furnishing according to specifications of a used 1988 Model 350 Hyatt 8-12 Top Steel Wheel Tandem Roller for use by the Town of Palmyra Highway Department.
Sealed bids will be received by the Town Board of the Town of Palmyra at the Office of the Town Clerk of the Town of Palmyra 204 East Main Street, Palmyra, N.Y. until 3:30 P.M. July 19, 1978. All bids will be publicly opened and read at that time.
Specifications are available to any interested person or bidder at the Office of the Town Clerk of the Town of Palmyra.
Dated: June 19, 1978
Signed: By Order of the Town Board of the Town of Palmyra
Palmyra, New York
Betty G. Stubbings
Town Clerk

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

July 7, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 10 day of July 1978

Notary Public

Fee: \$ 10.54

July 13, 1978

197

The regular meeting of the Town Board of the Town of Palmyra was opened on Thursday, July 13, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler and Bruce Wideman, Zoning Officer Francis Toole, Town Highway Superintendent James DeBrine and Town Clerk Betty Stubbings. Interested persons attending were: Steve Jackson of the Courier-Journal, Mr. & Mrs. Orville Marquart, Wilson VanHanehan, Walter Pulcini, Mr. & Mrs. Stanley Newfang, T.J. Cunningham and Bill Abbott.

MEETING
OPENED

The first item of business was the opening of sealed bids, advertised to be opened at 7:30 P.M., for the furnishing, according to specifications, of a used 1969, Model 350 Hyster 8-12 ton Steel Wheel Tandem Roller for use by the Town of Palmyra Highway Department. The Proof of Publication was read by the Clerk and the following bid was opened and read: Wasik Sales, Inc., Lockport, New York for \$7,550.00. The bids were closed. A motion was made by Bruce Wideman, seconded by Edwin Wheeler to purchase the used Roller from Wasik Sales, Inc.. Motion passed with 3 ayes and no nos.

BIDS
OPENED
(ROLLER)

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to dispense with the reading of and approve as submitted the minutes of June 8th. Motion passed with 3 ayes and no nos.

BID
AWARDED TO
WASIK, SALE

MOTION TO
APPROVE MIN.

Communications - The following communications were presented to the Board for their review: #1 - A letter from the Palmyra-Macedon Central School advising the Town Board of the following School Board members - Barbara Forshay, Nancy Ingram, Mark Palmer, James Campbell, James Denniston, James DePoint, Robert Gross, Anna Shearer, Carol Stone #2 - A notice from the New York State Racing & Wagering Board in regard to Games of Chance, #3 - Proposed Local Law concerning Swimming Pools, #4 - A notice in regard to Palmyra Canal Town Days, #5 - A letter from Paul Rubery concerning the condemnation of property on Quaker Road, #6 - A notice from the New York State Department of Health in regard to Public Water Inspection, #7 - A notice from the Wayne County Board of Elections advising of the dates for Registration, Primary Day and Election, #8 - A letter from the Voting Machine Service Center.

SCHOOL
ED. MEMBERS

PROP. LOCAL
LAW (SW. POOL)

R.R. PROP.
QUAKER RD.

WATER INSP.

REGIS. & EL.
DATES

Committees

Zoning - Zoning Officer Francis Toole reported in regard to a complaint received from a resident on Trolley Road concerning the burning of material at the Junk Yard. Both Mr. Toole and Supervisor Aplin checked on this complaint. After considerable discussion, Councilman Edwin Wheeler offered to check with the Department of Environmental Conservation at Avon concerning the regulations for burning.

COMMITTEES
ZONING
COMPLT. AT
JUNKYARD

Town Councilman Nelson Cook joined the meeting at this time, 7:55 P.M..

The Board questioned Zoning Officer Francis Toole on the possible auto sales at Herman's on Route 31. The Town Attorney will be contacted in regard to this matter.

At 8:00 P.M., Mr. & Mrs. Stanley Newfang, Bonnie Land came before the Board to submit a petition signed by residents in the North Water District and to ask permission to hook up to water for a lot on Meadow Drive. They have owned the lot for 11 years and now want to build a new home on that property. Discussion on this request included the number of vacant lots left on Meadow Drive, the amount of water pressure for resident use and specifically, the amount of water pressure in case of fire. It was indicated to the Newfangs that the petition will be considered. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to refer the petition to the Water Committee and the Town Engineer. Motion was passed with 3 ayes and no nos.

REQUEST
FOR WATER
MEADOW DR.
(NEWFANG)

Town Attorney Paul Rubery joined the meeting at this time.

DISC. ON
MOBILE HOME
ORDINANCE

Zoning -- Town Councilman Bruce Wideman reported on his research of the Mobile Home Ordinance. This was discussed by the Board along with Park Owners Orville Marquart, Wilsor VanHaneghan, Walter Fulcini and their lawyer, Mr. Stanton. The Board will continue preparing the Ordinance for a Public Hearing.

REPORT OF
B. DONEGAN
FIN. CONSULT.

At 8:40 P.M., Mr. Bernard Donegan of Victor, N.Y., a Financial Consultant for Municipalities, came before the Board at Nelson Cook's request to present some facts and figures in regard to the financing for the Proposed East Water District. Mr. Donegan spoke concerning what he could do and what his services would be and explained the process of applying for funds. He will submit a proposal in letter form for the Town's consideration.

RESOLUTION
TRANS. FUNDS
FED. ANTI-REC
TO ASSESS.
CONTR. EXP.

Assessment - Supervisor Aplin stated that it would be necessary to transfer funds from Federal Anti-Recession Funds to cover Contractual Expenses for the Assessor's Office. The following Resolution was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos:

WHEREAS, the funds in the Assessor's Account - Contractual Expenses are depleted and there are bills in the amount of \$1262.09 (Courier-Journal - \$27.44, Roger Schwing, Mileage - \$109.65 and Roger Schwing, Salary - \$1125.00), AND WHEREAS, there are funds in the amount of \$3961.00 in the Federal Anti-Recession Fund Account, NOW THEREFORE BE IT RESOLVED, that funds in the amount of \$1262.09 be transferred from Federal Anti-Recession Funds to Assessor's Contractual Expense Account No. A1355.4.

There will be a balance of \$2698.91 in Federal Anti-Recession Funds to be allocated at this meeting.

MOTION TO PAY
BD. ASSESS. REV
& MASONIC
LODGE

A motion was made by Bruce Wideman, seconded by Nelson Cook that in consideration of the vast amount of work necessary on the revaluation and this year on the number of grievances to be resolved, each member of the Board of Assessment Review be paid \$200.00 for only the year 1978 and to pay the Masonic Lodge \$50 for rent of rooms. Motion was passed with 4 ayes and no nos.

RESOLUTION
TRANS. FUNDS
FED. ANTI REC.
TO ASSESS.
CONTR. EXP.

The following Resolution was offered by Bruce Wideman, seconded by Nelson Cook and passed with 3 ayes - Edwin Wheeler abstained:

WHEREAS, there are funds remaining in Federal Anti-Recession Funds in the amount of \$2698.91 to be allocated by July 13th, AND WHEREAS, the funds in the Assessor's Contractual Expense Account #A1355.4 are depleted NOW THEREFORE BE IT RESOLVED, that Federal Anti-Recession Funds in the amount of \$2698.91 be transferred to the Assessor's Contractual Expense Account #A1355.4 to be used for Assessor's Office rent, rent for the Masonic Lodge, supplies, payment to the Board of Assessment Review and Assessor's salary.

The question of how the Village is participating in the expense of the Assessor's Office was discussed.

MOTION TO
DECL. FUEL
TANK SURPLUS

Highway - Supervisor Aplin informed the Board that G. Hermanet of Marion Road is interested in the old fuel tank at the Town Barns. A motion was made by Edwin Wheeler, seconded by Bruce Wideman that the fuel tank be declared surplus. Motion passed with 4 ayes and no nos. A motion was made by Edwin Wheeler,

MOTION TO
SELL TANK

seconded by Bruce Wideman that the tank would be sold as surplus with the following conditions - (1) price of \$25.00, (2) the tank will be removed in a reasonable length of time and (3) the buyer will assume all responsibility for liability in moving the tank. Motion passed with 4 ayes and no nos.

Water - The Town Attorney reminded the Board members that the bids for the Master Meters should be advertised soon. The Board discussed the assessing of residents in the Water District to build up the Capital Reserve Fund. At Budget time last year, the Board determined that an amount per thousand of assessed value would help to cover part of the cost but the residents were not assessed at the time the taxes were sent out. There are funds in the Capital Reserve

Fund for the Water District which can be used for the purchase and installation of the Master Meters. It will be necessary to have the specifications from the Town Engineer before advertising for bids. A motion to authorize the specifications for bids from Hershey Malone Associates was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos.

Zoning - Bruce Wideman reported to the Board in regard to the "Public Perk Test" done at the site of Marber Development Corporation's 2 additional lots in the Driscoll Sub-division on Hogback Hill Road. Mr. Wideman and Supervisor Aplin witnessed the test and Chairman Frank Koeberle of the Planning Board was informed that it was done properly. The Planning Board can now make their decision on this application.

Landfill - Bruce Wideman reported to the Board in regard to his research on the merit of a full time operation at the Landfill on Garnsey Road. He stated that in his opinion it is not necessary to operate on a full time basis. He spoke to the Board at length concerning the operation of the Landfill on the South side as it is presently being operated on the North side - with a private contractor, hiring a private contractor to dig the cells, using a GETA person to check the Landfill. He figured a total cost figure for the operation of the Landfill, including dozer and operator at \$17,000 to \$18,000 a year.

At this time (10:25 P.M.), a motion was made by Bruce Wideman, seconded by Roy Aplin to hold an Executive session. Motion was passed with 3 ayes - Bruce Wideman, Roy Aplin and Edwin Wheeler voting aye, Nelson Cook abstained.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

The following minutes were written from notes taken by a Councilman when the Board returned to regular session.

The Board returned to a regular session at 10:55 P.M..

The Board was reminded of the Joint meeting with the Village Board of Trustees to be held at the Village Hall on July 17, 1978 at 7:30 P.M. for their consideration in regard to the Garlock Rod & Gun Club.

Under unfinished business, the Board discussed the progress of the condemnation of the West Shore R.R. property along Quaker Road. A motion to postpone any discussion until a future date was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos.

Supervisor Aplin appointed David Lyon, Nelson Cook and Edwin Wheeler as a Committee to investigate the Fire Contract with the Village of Palmyra for budget purposes.

The decision concerning the phone installation for the Supervisor was deferred until the next meeting - July 27th.

A motion to pay the following bills was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos:

GENERAL FUND	VOUCHERS #300 - 322	4125.69
PART TOWN FUND	" # 38 @ 40	245.69
HIGHWAY ITEM I	" # 33 @ 36	3882.65
HIGHWAY ITEM III	" #138 - 150	823.88
HIGHWAY ITEM IV	" # " "	221.25
FEDERAL REVENUE	" " - 5	2570.00
TOTAL		\$11868.74

At 11:07 P.M. Bruce Wideman moved to adjourn. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

199

MASTER
METERS
CONT'D

MOTION FOR
SPECS-HM

MARBER DEV
HOGBACK
HILL RD

DISCUSSION
ON LDFL

MOTION TO
HOLD EXEC
SESSION

CONDEMNATION R.R.
PROPERTY

MOTION TO
POSTPONE DIS

COMM. TO
CHECK ON
FIRE CONTR

MOTION TO
PAY BILLS

MOTION TO
ADJOURN

July 27, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M., Thursday, July 27, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook, and Town Clerk Betty Stubbings. Interested persons attending were: Steve Jackson of the Courier-Journal and Mr. & Mrs. Stanley Newfang.

MOTION TO
APPROVE
MINUTES

A motion was made by Nelson Cook, seconded by Edwin Wheeler to dispense with the reading of and approve as submitted the minutes of June 22, 1978. Motion passed with 4 ayes and no nos.

COMMUNICATIONSCOMMUNICATIONS

The following communications were reviewed by the Board: (1) a letter from the American City & County Municipal Index (2) Permit Actions for June Buffalo District Corps of Engineers (3) a letter from the Department of Audit & Control in regard to the East Water District (4) a letter from the Department of Transportation on Town Highway Improvement (5) a letter from Pitney Bowes in regard to the Maintenance Service Agreement on the Copier. A motion

MOTION TO
REFER PITNEY
BOWES LETTER
TO TN. ATTOR.

was made by Edwin Wheeler, seconded by Nelson Cook to refer the letter from Pitney Bowes in regard to the Service Agreement to the Town Attorney for advisement before the Board makes a decision. Motion passed with 4 ayes and no nos. (Councilman David Lyon joined the meeting at this time (7:45P.M.)) (6) a copy of a letter to Dr. Adams, Health Officer, concerning a health complaint on Route 31. Supervisor Aplin reported on this complaint and it was referred to the Town Attorney. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to authorize the Supervisor, upon the advise of the Town Attorney and the recommendations of the Health Officer, to start the necessary action on this complaint as outlined in the letter from the District Health Office in Geneva. Motion passed with 5 ayes and no nos.

MOTION TO
GIVE SUPER.
AUTHOR. TO
ACT RE:
HEALTH COMPL.COMMITTEESWATERNEWFANG REQ.

Water - Chairman Nelson Cook contacted Town Engineer Tony Malone concerning the request for a water hook-up on Meadow Drive. He reported to the Board that the Town Engineer advised him that the line would sustain the number of lots left on Meadow Drive as far as household use was concerned - the pressure for Fire Protection is not sufficient now and more homes would not change that. The Department of Audit & Control might require information as to what the Town is doing to improve the pressure for Fire Protection. Mr. Cook also reported that he had talked with the Town Attorney and, if the Board grants this request, the Town might have a possible law suit because of past denials. There would have to be a change in Board policy. Following discussion on this request, a motion was made by Edwin Wheeler, seconded by Bruce Wideman that the Board request written advisement on this matter from both the Town Attorney and the Town Engineer before making a decision. Motion was passed with 5 ayes and no nos.

MOTION TO
REQUEST
ADVICE FROM
TN. ATTOR. &
TN. ENG.DISC. RE:
MASTER METER
INSTALL.

Chairman Cook reported that he has been in contact with Town Engineer Tony Malone and Water District Superintendent Harold Kruger concerning the installation of the Master Meter for the South Water District. Mr. Cook also contacted the Town Engineer in regard to the specifications for the Master Meters which will be needed in order to advertise for bids on the meter.

UPDATE RE:
BOR FUNDS

Joint Recreation Commission - Supervisor Aplin advised the Board that he had received an update on the application of BOR Funds for a Palmyra Community Park from the Finger Lakes State Park & Recreation Commission. This was referred to Nelson Cook.

Edwin Wheeler reported on the combined meeting of the Town and Village Boards held on July 17th to discuss Garlock's offer of the Rod & Gun Club. There will be another meeting of the combined boards to be held August 28th. Mayor Davin has asked for suggestions on this offer and stated that a citizens' committee will be formed to work on this matter.

Consolidation of Town & Village - At the same meeting held on July 17th, Mr. Wheeler reported that the subject of combined quarters for the Town and Village Offices was again discussed. The following letter was read by Councilman Wheeler:

Palmyra Town Board
c/o Mr. Ed Wheeler - Consolidation
Main Street
Palmyra, New York 14522

Dear Town Board Members:

For some time we have discussed renovating the present Village Hall building and making it a joint government facility.

Since the new fire hall will be completed at the end of this summer we will have the room to have a more adequate board meeting room, a larger and more appropriate court room as well as offices for the Clerks and other necessary facilities.

We have begun some initial planning and now feel we would want a commitment from the Town indicating their desire to move into this proposed governmental complex with its obvious advantages of being housed together.

We would also like some input as to the Town's needs in this building.

I also think that perhaps the Town could consider purchasing some of the equipment for the building.

I feel this is an area where all of Palmyra can benefit both in convenience to the people as well as saving taxpayers money over the long run.

Dave Williamson is our Trustee in charge of Buildings, so may I ask you to contact him or myself as soon as possible.

Sincerely,
M. Katherine Davin
Mayor

Based on the above letter, Mr. Wheeler suggested that the Fiscal Officer of the Town of Palmyra and the Town Clerk prepare a report on current office usage and cost of operation of the present Town Office, submit a long range plan of what space is lacking to adequately operate the affairs of the Town of Palmyra and be able to report back before August 28th, the date of the next combined meeting of the Town and Village Boards. The long range plans should include space for the Assessor's Office and Tax Collector's Office. A motion was made by Bruce Wideman, seconded by David Lyon that the Town Board indicate to the Village Board a desire, upon completion of necessary planning, engineering and financing, to have a combined governmental complex in the present Village Hall. Motion passed with 5 ayes and no nos. Councilman Bruce Wideman offered to work with Mr. Wheeler on this project.

Zoning - Zoning Officer Francis Toole reported that he had received calls from Marber Development Corporation inquiring about available building lots in the Town of Palmyra. Mr. Toole questioned the availability of water for the 1 remaining lot in the Rolland Sub-division on Crestwood Drive and lots in the Bear Hill Drive and Rolfe Street area..

A question was asked concerning the activity at the site of the Costich gravel pit. The Clerk reported that Mr. Costich's attorney had contacted the Town Office and stated that the necessary papers would be filed in the Town Office as soon as all the required paper work is completed. The Clerk stated she had seen the State Permit issued to Mr. Costich. Mr. Toole reported that he had checked the area and had talked with neighbors.

The Zoning Officer reported that the Zoning Board of Appeals had granted a Variance to Mr. A. Davis, Tellier Road to harbor a pony on property containing less than 3 acres.

Edwin Wheeler reported that he had called the District #8 Office of the Department of Environmental Conservation at Avon concerning burning of material in Junkyards and he had received an immediate answer that no burning is allowed in

201
COMB. MTG.
TN. & VILL.
RE: ROD &
GUN CLUB

LETTER
& DISC.
RE: COMB.
QTRS. FOR
TN. & VILL.
OFFICES

REPORT RE:
OFFICE US-
AGE & COST
FOR MTG.
8/28

MOTION TO
ADV. VILL.
TN. IS
INTERESTED
IN GOV.
COMPLEX

DISC. RE:
BLDG. LOTS
& WATER

DISC. RE:
COSTICH
GRAVEL PIT

Junkyards.

The Board discussed the sale of used cars at Herman's on Route 31 and Mr. Toole stated that Mr. Herman seems to be in compliance at this time.

PROP. L.L.
RE: SW. POOLS

Bruce Wideman reported on the research he has done on the Proposed Local Law on Swimming pools for the Town of Palmyra. He questioned the need of this Proposed Local Law in the Town of Palmyra. The Board discussed this matter with the Board agreeing that inground pools should be fenced and this raised the question concerning farm ponds and how they should be classified. Further study will be done on this Proposed Local Law.

MOBILE HOME
PARK ORDIN.

At this time, the Board turned their attention to the Mobile Home Park Ordinance. Bruce Wideman suggested that the Board consider the elimination of the fee or a smaller fee for existing parks. Mr. Wideman visited 5 Parks and found a considerable number of vacancies. The \$10 fee per unit might be a hardship. The Board discussed changing the fee to a smaller amount or setting an annual fee for a Trailer Park Permit. A motion was made by Edwin Wheeler, seconded by David Lyon to prepare the Mobile Home Park Ordinance of the Town of Palmyra for public hearing with the change in Section 504 to be \$25 per park per annum and to advertise for public hearing on September 14th at 7:30 P.M. Motion passed with 5 ayes and no nos.

NOTION TO
PREP. & SUBM.
M.H. ORD. FOR
PUB. HRC.

LETTER OF
RESIGN. FR.
R. SCHWING

Assessment - Chairman Bruce Wideman reported he had received the following letter from Roger Schwing, Assessor, advising the Town Board of his resignation:
July 24, 1978
Palmyra Town Board
204 East Main Street
Palmyra, New York 14522

Gentlemen;

Please accept my resignation as Assessor for the Town of Palmyra effective September 30, 1978.

As a retiree I looked forward a challenging job with enough flexibility to allow some time for my family and an opportunity to do some of the things expected of semi-retirement. The Assessor's job does not allow for such luxury.

Since starting last fall, I have as you know, found it necessary to spend seven day weeks and often fourteen hour days to organize the system in Palmyra, recover from the years of neglect, and prepare for Re-Valuation this spring.

As I look ahead I see nothing but fourteen hour days and seven day weeks to bring Palmyra along to gain optimum benefit from the system.

This system is a good system, an Assessor's Tool which will feed him the information necessary to keep the Assessment Roll fair, equitable and in balance with full market values as the law requires. To do so however requires constant attention.

When considering next years budget you should be thinking in the area of \$6.00 per parcel for the Assessor's salary and I also feel you must consider a full time person for the Assessor's Office to perform Secretarial and other Clerical duties. This is imperative to free the Assessor to perform his function in the field. There is no way in which he can do both.

I recognize that two months is a rather short time to locate a qualified person for this position however after my term expires in September I will continue to process Splits, Mergers, and Property Transfers until January at my current salary, if you so desire. I am sure you would in no way like to see a new man with things in the kind of disarray they were last fall.

Respectfully,

Roger Schwing, Assessor

This letter and Mr. Schwing's resignation was discussed at length with Board members asking if Mr. Schwing couldn't be persuaded to stay on. Mr. Wideman stated that he had tried to do so and was not successful. He felt the Town Board should start immediately to advertise for an Assessor. A motion was made by David Lyon, seconded by Nelson Cook that the Town of Palmyra advertise for a full time Assessor. Motion passed 5 ayes and no nos. Mr. Wideman also stated that the Town Board and the Town of Palmyra was very fortunate to have Roger Schwing for the short period of time he worked as Assessor, a tremendous job was done and he felt a letter of appreciation from the Supervisor should go out to Mr. Schwing.

MOTION TO
ADV. FOR
F.T. ASSESS.

LETTER OF
APPRECIATION
TO BE
SENT

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

NOTICE
ASSESSOR'S NOTICE
NOTICE OF PENDING
COMPLETED
ASSESSMENT/ROLL
Pursuant to Section 516 of
the Real Property Tax Law,
NOTICE IS HEREBY
GIVEN THAT THE ASSESSMENT
ROLL for the Town of Palmyra
in the County of Wayne for
the year 1978 has been
finally completed by the
Undersigned Assessor, and
a certified copy thereof was
filed in the office of the
Town Clerk on the last day
of August 1978, where the
same will remain open to
public inspection until October 1,
1978.
Dated this first day
of August 1978.
Robert Schwing
Assessor

Elizabeth M. Main, being duly sworn,
deposes and says that he is the foreman of
the Timesaver Advertising Inc., publisher of
the COURIER-JOURNAL, a public news-
paper published weekly at Palmyra, N.Y., in
the County of Wayne, and that the notice of
which the annexed is a true copy, clipped
from said newspaper, was regularly
published in said Courier-Journal on the
following dates:

July 28, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 31 day of July 1978

Michael M. Main
Notary Public

Fee: \$ 8.84

RECEIVED
WAYNE COUNTY
CLERK'S OFFICE
AUG 1 1978

Highway - Town Highway Superintendent DeBrine was not present but had left the specifications for the cement floor in the new Highway Building for the Board's review. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to refer these specifications to the Highway Committee for study and recommendations. Motion passed with 5 ayes and no nos.

MOTION TO
REFER SPEC
RE: FLOOR
TO COMM.

Landfill - The Clerk was requested to read a letter from the New York State Department of Environmental Conservation dated July 24, 1978 in regard to the Town of Palmyra Refuse Disposal Area Inspection on July 20, 1978, citing 6 violations. The letter stressed the importance of transferring the Landfill operation to the new site on the South side of Carnsey Road.

LETTER
FROM DEC
HEAD

Supervisor Aplin asked the status of the landfill. David Lyon reported that he had been contacted by Walter Pulcini, present operator of the landfill, as to where he should put the refuse - the North side is filled beyond capacity.

REPORTS &
DISC. ON
ADFL.

Councilman Bruce Wideman reported on the response to his questionnaire in the Timesaver and his conversations with various residents. In his opinion, the people do not want a full time operation of the landfill.

The following motion was offered by Bruce Wideman, seconded by Roy Aplin - The Town of Palmyra should operate the landfill under the present part-time operation, should engage a private contractor to maintain the landfill in a fashion satisfactory to the Town Board and no purchase of a major piece of equipment will be necessary. Considerable discussion followed. Mr. Wideman stated that the Board had talked landfill for so long, they should make the decision to solve the matter tonight, that the taxpayers have indicated they don't want a full time operation and that it is mandatory that the motion be passed in order for work to be started at the new site next week. Edwin Wheeler asked that the motion include the approval to advertise for bids for a private contractor to operate the landfill. Further discussion followed. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to vote on the question. Motion passed with 5 ayes and no nos. The motion offered by Bruce Wideman was defeated with the following vote: Bruce Wideman and Roy Aplin voting aye, Edwin Wheeler, Nelson Cook and David Lyon voting no.

MOTION TO
OPERATE
ADFL ON
PART TIME
BASIS

A motion was made by Councilman Wheeler, seconded by Bruce Wideman that the Town of Palmyra advertise for bids, to be opened August 24th at 7:30 P.M., for a private contractor to operate the landfill on a part time basis for 1 year from date of contract as specified by the recent study by the Town Engineer and by the codes of the New York State Department of Environmental Conservation. Motion passed with the following vote: Edwin Wheeler, David Lyon and Bruce Wideman voting aye - Nelson Cook and Roy Aplin voting no. The Board continued to discuss the landfill in regard to setting up the Specifications, when to advertise bids, closing the present site and the Landfill Committee. At this time, the Committee is without a Chairman but it was decided the committee would select a chairman.

MOTION
PASSED TO
VOTE ON
QUESTION

MOTION
DEFEATED

The Supervisor brought to the Board's attention a letter from the Newark-Sodus Employment Office concerning a Young Adult Conservation Corps Program asking that eligible young people be referred to them and a memo in regard to the State Environmental Quality Review Act.

MOTION TO
ADV. BIDS
FOR OPER. OF
ADFL.

MOTION
PASSED

The motion to pay the following bills was offered by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos, David Lyon abstaining on V#156:

GENERAL FUND	VOUCHERS #323-356	\$ 7,101.53
PART TOWN FUND	" #41	1.19
HIGHWAY ITEM I	" #37 - 40	13,520.20
HIGHWAY ITEM III	" #151-157	699.21
HIGHWAY ITEM IV	" #48	288.75
FEDERAL REVENUE SHARING FUND	" #6	7,550.00
TOTAL		\$29,160.88

LETTER REY
CONS. CORPS

MEMO RE:
SEQRA

The motion to adjourn was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stuchinski

MOTION TO
ADJOURN

August 10, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:45 P.M. on Thursday, August 10, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were Supervisor Roy Aplin, Town Councilmen Bruce Wideman and Nelson Cook, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: Mr. & Mrs. Newfang, Robert Kirchhoff, Tony Malone, Town Engineer and David Matthews of Hershey, Malone Associates.

MOTION TO
APPROVE MIN.
OF 7/13 &
7/27

A motion was made by Bruce Wideman, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of July 13th and 27th. Motion passed with 3 ayes and no nos.

Communications - The following communications were presented to the Board: (1) Notice of a Seminar on Records Retention and Files Management, 9/11 at the Holiday Inn, Rochester, N.Y. (2) Local Government Institute 1978 Fall Catalog.

Councilman David Lyon joined the meeting at 7:50 P.M.

ZONINGCommittees

Zoning - Zoning Officer Francis Toole had nothing to report at this time.

COPIES OF
NYS BLDG. CODE
AVAILABLE

Chairman Bruce Wideman reported that there are copies of the New York State Building Code available for the Board members to review. Mr. Wideman also reported that he is working on the Zoning Ordinance and expects to report on it at the next meeting.

Assessment - Mr. Wideman stated ads have been placed for the position of Town Assessor.

Highway - Town Highway Superintendent James DeBrine was not in attendance at the meeting but Chairman David Lyon reported that the Specifications for the cement floor in the new Highway Building should be ready soon.

WATER
NEWFANG RE--
QUEST DISC.

Water - The Board turned their attention to the request of Mr. & Mrs. Newfang for a water hook-up to a new residence on Meadow Drive. This request made necessary some research and advice from both the Town Engineer and the Town Attorney. Town Engineer Malone spoke to the Board and stated that his advice would be the same as he gave to the Board in 1972 - that the remaining lots could be developed without any great change in water pressure for the District as to residential use - pressure for Fire Protection has not been good enough for quite some time. Therefore, Mr. Malone was of the opinion that, if there were no objections from the Department of Health, the Department of Audit & Control and the Department of Environmental Conservation, the remaining lots could be provided with water. The Clerk read a letter from the Town Attorney in regard to the Town's position on the Newfang request, considering that on 2 occasions permission to hook-up to water in this area has been denied. Mr. Rubery advised that the Board should set a policy and perhaps proceed to set up an Extension to the North Water District. It was determined there are 11 lots outside the Maple Ave. section of the North Water District. The Board along with the Town Attorney and the Town Engineer discussed at length this request for a water hook-up and the possibility of establishing an Extension District. The first step will be to apply to the Village of Palmyra for the water.

MOTION TO
PROCEED W/
NEG. ACTION
TO SET UP
EXT. TO NO.
WATER DIST.

A motion was made by Nelson Cook to follow the course of action suggested by the Town Engineer and the Town Attorney - to request the Village of Palmyra to provide the water and ask the Town Engineer to prepare a legal description of a Water Extension District to the North Water District. Motion was seconded by Bruce Wideman and passed with 4 ayes and no nos. Further discussion followed in

relation to possible problems with Fire Protection. The Supervisor suggested a letter be sent to the Palmyra Fire Department seeking their opinion. The Town Engineer stated that he would compose a letter to be sent to the Village in regard to this matter with a copy going to the Fire Department.

Mr. Malone also spoke to the Board in regard to the Meter Vault Installation on Canandaigua Road, South Water District, and reported on the status of this project.

MASTER
METER
INSTALL.

Another item under the Water Committee was a Petition received in the Town Office and presented to the Town Board at this time requesting water on Canandaigua Road outside of the South Water District. While the Town Engineer was present, this request was discussed at length. Mr. Malone indicated he could prepare a map, meet with the Assessor and make recommendations to the Town Board. A motion was made by Bruce Wideman, that the Town Engineer prepare a map of the District involved, check with the Town Assessor on the property in this area and report to the Town Board - at a cost not to exceed \$400. Motion was seconded by Nelson Cook and passed with 4 ayes and no nos.

PETITION
RE: WATER
REQUEST
CAN. RD.

MOTION
AUTHOR. ENG.
TO EXP.
\$400 FOR
REPORT

A motion was offered by Nelson Cook, seconded by David Lyon to instruct the Town Engineer to provide information for the installation of a Master Meter and Vault in the South Water District. Motion passed with 4 ayes and no nos.

MOTION--
RE: INSTAL.
OF MASTER M.

The Board questioned Mr. Malone on the status of the Proposed East Water District and he stated that everything was ready for the bids to go out. A motion was made by David Lyon granting authorization to bid for the construction of the East Water District Improvement, to be advertised August 24th - bids to be received up to September 13th at 10:00 A. M. Motion was seconded by Bruce Wideman and passed with 4 ayes and no nos.

MOTION
TO AUTHOR.
BIDS FOR
CONTR. EAST
WATER DIST.

Landfill -

David Matthews of Hershey Malone Associates came before the Board at this time to report in regard to the meeting of the Landfill Committee and himself on Monday night. The Specifications for the bids for the operation of the Sanitary Landfill were reviewed by Mr. Matthews for the Board's information. Considerable discussion followed.

LDPL. SPECS
PRES. TO BD

A motion was made by Bruce Wideman that the Town Board hire Art Graf by the hour to dig a cell in preparation of the utilization of the Town Landfill on the South side of Garnsey Road at an estimated cost of \$1000 to \$1200. Motion was seconded by Roy Aplin and was defeated with the following vote: Bruce Wideman and Roy Aplin voting aye - David Lyon and Nelson Cook voting no.

MOTION
TO DIG
CELL
(DEFEATED)

The Board turned their attention to the proposal from Bernard Donegan concerning the financing for the Proposed East Water District. The following Resolution was offered by Bruce Wideman, seconded by Nelson Cook and passed with 4 ayes and no nos:

RESOLUTION
RE: FINAN
CING PROP.
EAST WATER
DIST.

WHEREAS, the Town of Palmyra is in need of financing for the construction of the Proposed East Water District, AND WHEREAS, Mr. Bernard Donegan has submitted a Proposal to the Town of Palmyra in connection with the temporary and permanent financing of the Town's \$94,000 Proposed East Water District, NOW THEREFORE BE IT RESOLVED, that the Town of Palmyra accept Mr. Bernard Donegan's Proposal and grant authorization to the Supervisor to sign said Proposal on behalf of the Town of Palmyra.

The Committee appointed to check with the Village in regard to the new Fire Contract with the Village of Palmyra had nothing to report at this time. A date has to be set for a meeting.

Joint Recreation Commission - Chairman Nelson Cook reported that the Palmyra Community Center Board expects to put the construction of the building out for bid.

Councilman Bruce Wideman reported that the Canal Restoration project is moving along nicely.

PROJECT RE:
MUNICIPAL
OFFICES

Consolidation of Town & Village - Chairman Edwin Wheeler had not arrived at the meeting at this time. Mr. Wideman spoke to the Board in regard to the information and scale maps he is working on concerning space needed for the Town Offices if the Village Hall is used for Municipal Offices. This project was discussed by the Board.

Unfinished business -

The Town Attorney reported that he had sent a letter to Pitney Bowes in regard to the Service Maintenance Agreement.

RESOLUTION
RE: LL #2
& LL #3

The Clerk advised the Board that it would be necessary to re-submit the Resolution concerning Proposed Local Law #2 and Proposed Local Law #3 changing the term of office for the Town Clerk and the Town Highway Superintendent respectively. It will be necessary to call a Special Election for these Local Laws, but it can be held at the same time as the General Election. The following Resolution was offered by David Lyon, seconded by Bruce Wideman and passed with 4 ayes and no nos:

BE IT RESOLVED by the Town Board of the Town of Palmyra, Wayne County, New York, as follows:

That Proposed Local Law #2 for the year 1978 changing the term of the elective office of Town Clerk from two(2) to four(4) years and Proposed Local Law #3 for the year 1978 changing the term of the elective office of the Town Highway Superintendent from two(2) to four(4) years adopted on May 25, 1978 shall not become operative or effective unless and until it shall have been submitted at a special election to be held on November 7, 1978 and approved by the electors of the Town of Palmyra voting on a proposition thereon, which proposition shall state:

"Shall the Local Law adopted by the Town Board of the Town of Palmyra on the 25th day of May, 1978 which changes the term of the elective office of the Town Clerk from a two(2) year term to a four (4) year term be approved?"

"Shall the Local Law adopted by the Town Board of the Town of Palmyra on the 25th day of May, 1978 which changes the term of the elective office of the Town Highway Superintendent from a two(2) year term to a four (4) year term be approved?"

MOTION AUTHOR
SUPER. TO
ATTEND CONF. Supervisor Aplin stated there will be a Conference at the Concord September 17th - 20th which he would like to attend. A motion was made by Bruce Wideman, seconded by David Lyon granting approval to Mr. Aplin's request to attend the Conference at the Concord. Motion passed with 4 ayes and no nos.

Councilman Edwin Wheeler joined the meeting at 10:00 P.M.

The subject of a separate telephone for the Supervisor was discussed but no decision was made.

MOTION TO
PAY BILLS

The motion to pay the following bills was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos:

GENERAL FUND	VOUCHERS #357 - 382	2,991.83
PART TOWN FUND	" # 42 - 44	225.91
HIGHWAY ITEM I	" # 41 - 45	9,740.65
HIGHWAY ITEM II	" #1A - 2A,B	1,498.33
HIGHWAY ITEM III	" #158-165	818.17
HIGHWAY ITEM IV	" #49	262.50
FEDERAL REVENUE SHARING	" # 7	2,250.00
NORTH WATER DISTRICT	" #10 - 11	4,074.74
SOUTH WATER DISTRICT	" #11 - 12	1,594.21
TOTAL		\$23,456.34

MOTION TO
ADJOURN

The motion to adjourn this meeting was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk
Town of Palmyra

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne.

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

August 11, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 15 day of August 1978

Michael J. [Signature]
Notary Public

Fee: \$ 24.80

RESOLUTION OF
TOWN BOARD OF
PALMYRA
CONTRACT FOR
OPERATION OF
SANITARY LANDFILL
NOTICE TO BIDDERS
NOTICE IS HEREBY
GIVEN pursuant to the
requirements of Section 103
of the General Municipal
Law that sealed proposals
will be received at the Town
Clerk's Office, 204 East
Main Street, Palmyra, New
York 14522 by the Town of
Palmyra, until the 24th of
August, 1978 at 7:30 P.M.
EDST for furnishing one
year's operation of a
sanitary landfill according
to plans and specifications
prepared by the Town
Board.
Copies of the Contract
Documents may be
examined at the office of
the Town Clerk, 204 East
Main Street, Palmyra, New
York 14522. Copies of said
documents may be ob-
tained from the Town Clerk
upon payment of \$4.00. No
refunds will be made.
No bidder may withdraw
his bid within forty days
after the date set for the
opening thereof, and may
not withdraw it any time
prior to the opening of bids
except in accordance with
the information for Bid-
ders.
The enclosure containing
the proposal shall have
endorsed on the outside
thereof the name of the
bidder, the business ad-
dress to which com-
munications may be sent,
and the name of the
bidder.
All bidders are required
to include a non-collusive
bidding certification pur-
suant to the requirements
of Section 103-d of the
General Municipal Law of
the State of New York.
All bids submitted must
include a certification
stating that the bidder will
comply with terms of the
Section 103-d of the General
Municipal Law of the State
of New York.
The Town Board reserves
the right to waive any in-
formality in, or to reject any
and all bids.
Bids will be opened to the
Town Board meeting on
August 24, 1978 at 7:30 P.M.
EDST at the Town Clerk's
Office, 204 East Main Street,
Palmyra, New York 14522.
August 12, 1978, minutes of the
Town Board of the Town of
Palmyra.
- Betty B. Stubbings
Town Clerk
A-11 (067)

CJ7-012-DLQ

August 24, 1978

207

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:50 P.M., Thursday, August 24, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook, and Town Clerk Betty Stubbings. Interested persons attending were Mr. & Mrs. Newfang.

MEETING
OPENED

The Proof of Publication for the Bids for the operation of the Sanitary Landfill scheduled to be opened at 7:30 P.M. in the Town Office was read at this time by the Clerk. No bids were received.

PROOF OF
PUB. - BIDS
FOR LDFL.

Communications - The following communications were reviewed by the Board:

(1) Letter from Lawyers Cooperative Publishing Co. in regard to a change in territories and a new representative for this territory - Mr. F. Bell, (2) Letter from Paul Rubery in regard to a Proposed Local Law (Dogs), (3) Information concerning a Fire Dept. Youth Program, (4) Letter from Jim Allis in regard to a Group Therapy String Band, (5) Letter from the Village of Palmyra concerning an increase in pay for the Water Cashier - referred to Chairman of the Water Committee, (6) Letters - one from Pitney Bowes, 8/15 and a copy of a letter from the Town Attorney to Pitney Bowes 8/22 concerning the Service Maintenance Agreement - these were discussed by the Board, (7) Letter from General Code Publishing Corporation in regard to the codification of Ordinances, Bruce Wideman requested that this communication be filed and he commented on this service and thought the Town at some point in the future may want to use this service.

Committees -

Zoning - the Clerk advised the Board that although the Board had directed by motion that a Public Hearing for the Mobile Home Park Ordinance be advertised, the information for the paper had not been received in the office and the advertising wasn't done. Copies of the Ordinance are not available as yet and these should be in the office at publication time.

Bruce Wideman reported that the Town is still advertising for a new Assessor. He has received 2 applications so far but is hopeful more will come in.

Mr. Wideman stated that further discussion on the Proposed Local Law on Swimming Pools should wait until a full Board is present.

The Clerk reported to the Board that a request had come thru the Secretary of the Zoning Board from Betty Briggs asking that Mrs. Briggs be given approval to attend the Zoning Institute this fall. A motion was made by Nelson Cook, seconded by Edwin Wheeler granting approval to Mrs. Brigg's request to attend the Zoning Institute at Town's expense. Motion was passed with 4 ayes and no nos.

MOTION TO
APPR. BETTY
ATTEND CON
(BRIGGS)

The Clerk read a letter from Frank Koeberle, representing both the Planning Board and the Zoning Board of Appeals, requesting the Town Board to retain Margaret Reithel as Secretary to the Planning Board and the Zoning Board of Appeals. A motion was made by Bruce Wideman, seconded by Edwin Wheeler to appoint Margaret Reithel Secretary for the Planning Board and the Zoning Board of Appeals for the remainder of 1978. Motion passed with 4 ayes and no nos.

MOTION
TO APPT.
SEC. TO
ZON. BDS.

The Clerk reported that the complete file on the Costich gravel pit has been received in the Town Office.

COSTICH
FILE

The Clerk also reported that an application for Special Authorization has been received in the office from Arnold Pechler, Tilling Road requesting a permit to operate a clubhouse on their property in conjunction with their operation of Ski trails and the sale of Snowmobiles and skis. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to refer this application to the Planning Board for recommendations. Motion passed with 4 ayes and no nos.

PECHLER
REQUEST

MOTION TO
REFER TO
PL. BD.

DISC. RE:
FIRE AT
JUNKYARD

Supervisor Aplin reported on the most recent fire at the Junkyard on Trolley Road. This matter was discussed at length, one suggestion was to let the State Ordinance on burning take care of this problem - another suggestion was to tighten up the regulation on burning in the Town of Palmyra Junkyard Ordinance. Bruce Wideman offered to review the Junkyard Ordinance with the Zoning Officer, Francis Toole and to report back at the next meeting. Nelson Cook suggested that in the meantime a stern letter from Supervisor Aplin to Wm. Hood, operator of the Junkyard, might alleviate the immediate problem.

MOTION TO
SEND LETTER
TO W. HOOD

A motion was made by Edwin Wheeler, seconded by Bruce Wideman that the Supervisor send a letter to Mr. Hood. Motion passed with 4 ayes and no nos.

Highway - The Clerk advised the Board of a Notice from the State Department of Transportation in regard to a No Parking Anytime Restriction on a section of Route 31 - east of Palmyra.

WORK ON
GALLOWAY'S
BRIDGE

Supervisor Aplin reported to the Board concerning the work done by the Town Crew on Galloway's Bridge and also stated that he had asked the County Committee Chairman to check in regard to repair on the under structure. The Clerk also reported that Mr. DeBrine had sent papers concerning this bridge to the New York Central Transportation Co. in Syracuse.

PROP. WATER
EXT. DIST.
NO. WATER
DIST.

Water - A letter from the Village of Palmyra in regard to the water supply for a Water Extension District to the North Water District was read by the Clerk. This Proposed Water Extension District and the request for a Water Extension District on Canandaigua Road were discussed by the Board. The Board is waiting to hear from Tony Malone, Town Engineer. Mr. & Mrs. Newfang were present to inquire concerning the status of the Extension District for the North Water District. Nelson Cook stated he would contact the Town Engineer and report to the Newfangs.

DISC. ON
LANDFILL

MOTION TO
TABLE DISC.
DEFEATED

Landfill - The Clerk reported that Addendum #1 had been received in the office to be added to the Specifications. The Town Office received no bids for the operation of the Sanitary Landfill. A motion was offered by Edwin Wheeler, seconded by Nelson Cook to table any decision on the Landfill until the next meeting when there would be a full Board. The motion was defeated with the following vote: Edwin Wheeler and Nelson Cook voting aye - Roy Aplin and Bruce Wideman voting no.

INFO. RES
LDL. OPER.
PRES. BY
B. WIDEMAN

Bruce Wideman presented information from Art Graf concerning the digging of a cell and stated he had permission from Siegel Gilfus to indicate to the Board that Mr. Gilfus was willing to take care of the Landfill operation for \$1000 per month, including compaction and covering and he will sign a contract. The Landfill operation in general was discussed by the Board and Mr. Wideman responded to several questions concerning the Landfill posed by Councilmen Wheeler and Cook.

MOTION TO
START OPER.
OF LDL. 9/1
& CONDITIONS

A motion was offered by Bruce Wideman that the Town employ Art Graf, Inc., of Newark to dig a trench at the approximate cost of \$1200, selection of the cell to be decided by the Town Engineer and the Department of Environmental Conservation, that Mr. S. Gilfus be hired under a monthly contract as of September 1, 1978 to temporarily operate the South Landfill at a cost of \$1000 per month, that the contract be written to include the supervision of dumping and accepting of materials, daily burial and cover of refuse with on sight soils, routine inspection of the site for fire and rodent hazards, preparation of the site at the end of each day to receive next day's refuse, the compliance with any special requests of the Town Board, the contractor will further be required to be in attendance at the landfill site Wednesdays 12:00 P.M. to 4:00 P.M. and Saturdays 8:00 A.M. to 4:00 P.M., and otherwise be obliged to fulfill any and all

requirements, rules and regulations of the Town of Palmyra Sanitary Landfill Ordinance. Motion was seconded by Roy Aplin. Under discussion, Edwin Wheeler stated that the motion should be tabled until the next meeting in order to have a full Board and specifically, the other member of the Landfill Committee. Bruce Wideman stated that it was urgent the Board move now, not wait another 3 weeks. Edwin Wheeler made the motion to move the question. Motion was seconded by Bruce Wideman and passed with 4 ayes and no nos. The Board proceeded to pass the motion with the following vote: Edwin Wheeler, Bruce Wideman and Roy Aplin voting aye, Nelson Cook voting no. The Landfill Committee will proceed to follow conditions set down in the motion.

MOTION
CONT'D

MOTION TO
MOVE THE
QUESTION

MOTION
PASSED

Joint Recreation Commission - Nelson Cook reported that the bids for the construction of the building for the Palmyra Community Center have been opened - no decision has been made as yet.

Consolidation of Town & Village - Edwin Wheeler reported that the meeting set for August 28th has been deferred.

There has been no response at this time from Trustee Mary Lou Wilson in regard to information on the Fire Contract with the Village of Palmyra.

The Board discussed the needs of the Town in regard to space at the Village Hall. Bruce Wideman and Supervisor Aplin have been working on this project. Mr. Aplin reported that he had sent a letter to the Village indicating an interest in combining municipal offices.

The following Resolution was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos:

RESOLUTION
TRANS. OF
FUNDS

BE IT RESOLVED, that \$162.00 be transferred from the Contingent Account No. B 1990.4 to Planning Board Contractual Expenses Account No. B 8020.4 for Engineering Services rendered in connection with the Driscoll Sub-division Voucher No. 45 payable to Hershey Malone Associates.

The following Resolution was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos:

RESOLUTION
TRANS. OF
FUNDS

BE IT RESOLVED, that \$40.10 be transferred from DE5150.4 (Cont. Exp) to DE5150.1 (Pers. Serv.) Cambier Road and that \$8.70 be transferred from DE5152.4 (Cont. Exp) to DE5152.1 (Pers. Serv.) Cole Road.

A motion to pay the following bills was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes and no nos:

MOTION TO
PAY BILLS

GENERAL FUND	Vouchers #383 - 422	10,266.80
PART TOWN FUND	" # 45 - 47	286.14
HIGHWAY ITEM I	" # 46 - 47	3,472.02
HIGHWAY ITEM IV	" # 50	264.38
FEDERAL REVENUE SHARING	" # 8	5.50
NORTH WATER DISTRICT	" # 12	79.63
WSOUTH WATER DISTRICT	" # 13	42.87
TOTAL		\$14,417.34

The motion to adjourn this meeting was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk
Town of Palmyra

September 14, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:35 P.M. Thursday, September 14, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilman Bruce Wideman, Edwin Wheeler and Nelson Cook, Zoning Officer Francis Toole, Town Highway Superintendent James DeGrine, Town Engineer Tony Malone and Town Clerk Betty Stubbings. Interested persons attending or those having business to come before the Board were: Mr. & Mrs. Newfang, Representatives from the Palmyra King's Daughters Free Library-K. Vande, P. Schade, S. Maxwell, D. Collie and A. McKeown, and Edward Fox.

MOTION TO
APPROVE
MINUTES
8/10 & 8/24

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to dispense with the reading of and approve as submitted the minutes of the Town Board meetings held on August 10th and August 24th. Motion passed with 4 ayes and no nos.

David Lyon joined the meeting at this time.

COMMUNICATIONS

The following communications were reviewed by the Board: (1) An invitation to the Opening of Palmyra Historical Museum, (2) Letter from Pitney Bowes concerning the use of a Postage Meter, (3) Information in regard to the Dog Enumeration which will be done in October, (4) Copy of a letter from Hershey Malone to the N.Y.S. Department of Transportation concerning the Proposed East Water District, (5) Proposed Local Law on Trimming or Removal of Trees, (6) Letter from Paul Rubery in regard to New York Telephone Complaint, (7) Letter from Paul Rubery in regard to Edward Fox appearing before the Board, (8) Invitation to Dedication Ceremony at Wayne County Health Related Facility, (9) Information from Burroughs Corporation concerning a conference on Accounting Systems.

COMMITTEESCommitteesASSESSMENT

Assessment - Chairman Bruce Wideman reported that 5 applications for the position of Assessor for the Town of Palmyra have been received. The Committee will meet Wednesday, September 20th at 7 P.M. to interview the applicants.

ZONINGMOTION TO
ADV. PUBLIC
HRG. (PECHLER)

Zoning - The application of Arnold Pechler for a change of use was reviewed by the Planning Board on September 12th and is ready for Public Hearing. A motion to advertise for a Public Hearing on September 28th at 8:00 P.M. was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos.

The Mobile Home Park Ordinance was discussed briefly but no decision was made at this time concerning a date for a Public Hearing.

TERM EXP. ON
ZON. BD. OF
APPEALS

The Clerk advised the Board that George Contant's term of Office as a member of the ~~PLANNING~~ ^{ZONING} Board will expire in October.

DISC. ON
SPERRICK
APPLIG.

The Town Board along with the Zoning Officer and the Town Attorney discussed the application of Sperrick Canandaigua Road for a Permit to build an addition on their house making it a 2 family dwelling.

E. FOX -
TN. LEGAL
ADV. RE:
N.Y. TEL
SUITMOTION TO
HOLD EXEC.
SESSION

Mr. Edward Fox, representing the Town of Palmyra in the law suit being brought against the Town by the New York Telephone Co. in regard to their Assessment, came before the Board at this time (8:12 P.M.) to discuss this case. A motion was made by Bruce Wideman, seconded by Edwin Wheeler, to hold an Executive session. Motion was passed with 5 ayes and no nos.

REG. MTG.
RE-OPENED

The regular meeting re-opened at 8:45 P.M. and the Board listened to a request by Mrs. Vande for \$2000 of Federal Revenue Sharing Funds to assist the Palmyra King's Daughters Free Library with their day - to - day expenses to finish out the year. Treasurer D. Collie also spoke to the Board in regard to the Library's financial situation and stated that the Library would be very

LIBRARY
REQUEST

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

PLEASE TAKE NOTICE that pursuant to Highway Law Section 205, the Town Board of the Town of Palmyra, at its regular meeting held on Thursday, September 14, 1978, declared by Resolution that East Town Line Road in the town of Palmyra be designated as a seasonal limited use highway. Said highway will not be maintained and will be closed from December 1, 1978 to April 1, 1979.
Dated September 16, 1978.
By order of the Town Board of the Town of Palmyra
Rory B. Stubbings,
Town Clerk

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

September 22, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this *27* day of *Sept* 19*78*
Michael J. [Signature]
Notary Public

Fee: \$ 7.98 WATER COUNTY AND FINANCIAL 80

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

September 1, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 1 day of Sept 1978

Michael J. [Signature]
Notary Public

Fee: \$ 28.79

CJ-012-DLQ

NOTICE TO BIDDERS
NOTICE IS HEREBY GIVEN THAT SEALED BIDS ARE SOUGHT AND REQUESTED BY THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK, FOR THE CONSTRUCTION OF A WATER MAIN AND APPURTENANCES, AND ONE (1) MILE OF WATER MAIN. Drawings and specifications may be examined at the Engineering Office, 2480 Broadway, New York, and at the Town Clerk's Office, 204 East Main Street, Palmyra, New York, until 10:00 a.m. on the day when they will be opened and read. Bids received after this time will not be accepted. Copies of these contract documents may be obtained only at the Engineering Office, 2480 Broadway, New York, upon payment of \$25 per set. A non-refundable charge of \$5 per set will be charged for documents mailed to prospective bidders. Any bidders wishing to bid on this work must deposit with the Town of Palmyra, Wayne County, New York, a certified check or cash in the amount of \$5,000, or the total contract price, as outlined in the information for bidders. Attention of the bidders is particularly called to the following:
Conditions of employment to be observed and minimum wage rates to be paid under the contract.
Bidders on this work are required to certify that bid prices have been arrived at without collusion as required by Section 138-a of the Finance Law of the State of New York.
Notwithstanding the above, the actual date of opening thereof, but may withdraw the bid at any time prior to closing time for the receipt of bids.
The owner reserves the right to waive any informalities or to reject any or all bids. Award of the project will be made to the lowest responsible bidder.
TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK
Mrs. Betty Stuppig, Town Clerk
(337)

appreciative of any assistance the Town could give them.

Highway - Town Highway Superintendent James DeBrine asked the Board for a Resolution to declare East TownLine Road as a seasonal highway. The following Resolution was offered by David Lyon, seconded by Edwin Wheeler, and passed with 5 ayes and no nos:

BE IT RESOLVED, that pursuant to Highway Law 205 -A-1, East TownLine Road in the Town of Palmyra be declared a seasonal - limited use Highway. Said Highway will not be maintained and will be closed from December 1, 1978 to April 1, 1979.

David Lyon and Mr. DeBrine spoke to the Board on the County Culvert Survey - a part of the Water Management Program funded by the County. Palmyra and Williamson are the only Towns in the County not yet a part of the Survey. Both Mr. Lyon and Mr. DeBrine stated that this would be a long range investment, most beneficial at the present time to the Planning Board. Following considerable discussion, a motion was made by Edwin Wheeler, seconded by Nelson Cook to proceed with the Culvert Survey in the Town of Palmyra at an approximate cost of \$3300 for the 49+ miles of Town Highway. Motion passed with 4 ayes and 1 no - Roy Aplin voting no.

Another item of business under the Highway Department discussed by the Board was a floor for the new Highway building. The Highway Committee advised the Board that rather than go to the expense of a cement floor at this time, they would try using hot mix and the Town crew could do the work involved.

Water - Town Engineer Tony Malone was present at this meeting to report to the Board on several projects, the first being the Extension to the North (Maple Ave) Water District. Mr. Malone, according to instructions of the Town Board, prepared a map and a description of the Extension. At this time, he reviewed this information with the Board and explained the necessary procedures for creating the Extension. It was noted that there are 23 lots affected, 7 without water. The first step in creating this Extension is to hold a Public Hearing. A motion was made by Nelson Cook, seconded by Edwin Wheeler to advertise for a Public Hearing for Proposed Extension #1 to the North (Maple Ave.) Water District on October 12, 1978 at 7:30 P.M. Motion passed with 5 ayes and no nos. It was suggested that the Town Clerk advise those residents in the Permissive Area and the owners of the vacant lots of the date and time of the hearing.

The Board discussed with the Newfanges the issuing of a Building Permit for the construction of a new house.

Mr. Malone next reported to the Board on the status of the installation of a Master Meter Vault on Canandaigua Road in the South Water District. He stated that he met with the Committee on September 7th at which time he presented the necessary information to start this project. The Town Engineer will submit the application to the Department of Environmental Conservation, Harold Kruger, Water Superintendent for the Village and Town will order the materials, coordinate the manpower and equipment, and the installation of the Master Meter will get started as soon as it is determined where it will be located and as soon as the materials arrive.

The Proposed East Water District was discussed next. Mr. Malone stated that a formal report would be submitted to the Town Office, but he would report to the Board informally concerning the bids received for the construction of this proposed district. Eight (8) bids were opened at the Town Office on September 13th. Over & Under Piping, Inc. were the low bidders - all bids were over the estimated cost of \$94,000. The Town Engineer spoke to the Board in regard to what steps could be taken to continue with this project. A motion to refer to the Water Committee the results of the bids and the information from Hershey Malone concerning this project for their study and recommendations to the Town Board was made by Bruce Wideman

HIGHWAY
RESOLUTION
E.TN.LINE
SEAS.HWY.

CULVERT
SURVEY

MOTION TO
PROCEED
W/ CUL.
SURVEY IN
TN. OF
PALMYRA

FLOOR IN
NEW BLDG.

WATER
EXT. TO
NO. WATER
DIST.

MOTION TO
ADV. FOR
PUB.HRG.
EXT. #1

MASTER
METER &
VAULT

PROPOSED
EAST WATER
DIST.

MOTION TO
REFER
INFO. TO
COMM.

seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO
ADV. PUB. HRG.
MOBILE H. PK
ORDINANCE

The Board returned to the discussion of the Proposed Mobile Home Park Ordinance. A motion was made by Bruce Wideman, seconded by David Lyon to advertise for a Public Hearing on this Ordinance for Thursday, October 26, 1978 at 8:00 P.M. Motion passed with 5 ayes and no nos.

LANDFILL

DISCUSSION
& DECISION
TO OPEN SO.
SIDE 10/1

Landfill - Supervisor Aplin read the motion concerning the opening of the Landfill from the minutes of the August 24th Town Board meeting, then asked if the Landfill Committee intended to go ahead. Nelson Cook stated that altho he had resigned as Chairman of the Landfill Committee, he had made contact thru David Lyon with Art Graf to dig the cell. The question of the legality of hiring a private contractor without bidding was raised and discussed. Supervisor Aplin refused to accept Mr. Cook's resignation and the Board proceeded to discuss the Landfill operation and what has to be done to open on the South side by October 1st. The Highway Department will be used to move the shed across the road, Bruce Wideman offered to contact Art Graf,

MOTION TO
REJECT ALL
BIDS FOR
DOZER

the Supervisor will write a letter to Walter Pulcini notifying him of the termination of his services and Bruce Wideman will contact S. Gilfus in regard to starting on October 1st as operator of the Landfill. A motion was offered by Nelson Cook, seconded by David Lyon to reject all bids submitted for a Dozer. Motion passed with 5 ayes and no nos.

JT. REC. COMM.

Joint Recreation Commission - Nothing to report at this time.

CONSOLIDATION

GARLOCK
OFFER
REFUSED

Consolidation of Town & Village - Chairman Edwin Wheeler reported concerning the offer of the Rod & Gun Club to the Town & Village by Garlock, Inc. A Special Study Committee was appointed but the meeting was deferred and there was no knowledge that a decision would be made to refuse the offer without a report of the Consolidation Committee.

RESOLUTION
AUTHOR. TN.
ATT. TO
DEFEND TN.

Unfinished business - The Board returned briefly, at the request of the Town Attorney, to the matter of the law suits pending against the Town - New York Telephone and Wilson VanHaneghan are seeking to have their assessments reduced. The following Resolution was offered by David Lyon, seconded by Bruce Wideman and passed with 5 ayes and no nos:

BE IT RESOLVED, that the Town Attorney is authorized to interpose answers in the law suits with Wilson VanHaneghan and New York Telephone and defend the Town.

MOTION TO
APPT. P. WILSON
DOG ENUM.

The Clerk read the one application received in the Town Office for the position of Dog Enumerator. A motion was made by David Lyon, seconded by Bruce Wideman to appoint Mrs. Patricia Wilson as Dog Enumerator for the Town of Palmyra for 1978. Motion passed with 5 ayes and no nos.

REPORT RE:
FIRE CONTR.

David Lyon reported briefly on the negotiations with the Village in regard to the Fire Contract. The Committee has met and the Village has presented a 2 year Contract asking \$19,500 for 1979 and \$21,000 for 1980. Any further discussion and report was tabled until next meeting.

MOTION TO
SET SALARY
SEC. TO ZON
BDS.

At the time the Board appointed Margaret Reithel as Secretary to the Zoning Boards, no salary was set. A motion was made by Bruce Wideman, seconded by Roy Aplin to set the rate per hour at \$3.00 for Margaret Reithel in the position of Secretary to the Planning Board and the Zoning Board of Appeals. Motion passed with 5 ayes and no nos.

MOTION TO
PAY BILLS

The motion to pay the following bills was offered by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no nos:

GENERAL FUND	Vouchers #	- 461	\$ 6968.70
PART TOWN FUND	"	# 48 - 49	247.17
HIGHWAY ITEM I	"	# 48 - 55	30331.59

HIGHWAY ITEM II	Vouchers # 3	\$ 114.58
HIGHWAY ITEM III	" #166-179	1314.16
HIGHWAY ITEM IV	" # 51- 52	998.28
FEDERAL REVENUE SHARING	" # 9	2250.00

TOTAL		\$42224.48
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The motion to adjourn this meeting was made by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

September 28, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened on Thursday, September 28, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman and Nelson Cook, Town Highway Superintendent James DeBrine, Zoning Officer Francis Toole and Town Clerk Betty Stubbings.

Interested persons attending or those having business to come before the Board were: Steve Jackson of the Courier-Journal, Richard & Patsy Pratt, Kathleen Vande, Arnold, Thelma and Carol Pechler, Suzanne & Richard Smith, Larry Mooney, John Morrell, Cindy Jameson, Leonard Cornelius, Roger East, Sr., Donald Byrnes, A.O. Goedde, Michael & Cris Goodness and Arnold Pechler, Jr.

PUBLIC HEARING
GEN. REV. SHAR
FUNDS

The hearing scheduled for 7:30 P.M., September 28, 1978 on the Proposed General Revenue Sharing Funds was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. Supervisor Aplin asked if there was anyone who wished to be heard in regard to the use of the anticipated Federal Revenue Sharing Funds. There being no one who wished to speak concerning these Funds, the Supervisor declared the hearing closed at 7:35 P.M. and the regular meeting continued.

MRG. CLOSEDLIBRARY
1979 BUDGET
& REQUEST
FOR FUNDS

Kathleen Vande, Library representative, presented the Library's 1979 Budget with a cover letter and again requested \$2,000 of Federal Revenue Sharing Funds to help the Library with their day to day expenses for the remainder of the year.

COMMUNICA-
TIONS

Communications - The following communications were presented to the Board by the Clerk for their consideration: (1) Letter from the Wayne County Board of Elections in regard to Voting Machines (2) Letter from the Town Highway Crew concerning a pay increase for 1979 (3) Mr. DeBrine's Annual Inventory of Highway Machines (4) Copy of a letter to Dr. Adams in regard to the Health Complaint on Route 31 (5) Letter from Mrs. Elmer Bauer, W. Foster St. requesting the formation of a Sewer District for 3 homes on the Southside of West Foster St. (6) Copy of a letter from Hershey Malone to New York State Department of Health in regard to paperwork for the Proposed East Water Dist..

COMMITTEESCommittees -ZONING
MOTION TO
APPT. G.
CONTANT TO
ZON. BD. APPEALS

Zoning - Chairman of the Zoning Committee, Bruce Wideman, made the motion to appoint George Contant to a 5 year term on the Zoning Board of Appeals - term will expire October 1983. Motion was seconded by Edwin Wheeler and passed with 4 ayes and no nos.

REPORT RE:
ELEC. CODE

Mr. Wideman reported concerning the adoption of an Electrical Code for the Town of Palmyra. He has received information in regard to this matter which indicates a code can be adopted without having to adopt the New York State Electrical Code and he will present more information at the next meeting.

REPORT OF
ZON. OFF.

Zoning Officer Francis Toole reported to the Board that at present there are just routine Zoning matters to take care of. He stated that there will be a hearing before the Zoning Board of Appeals in October concerning the application of Leonard Bukolt, Cole Road which requests the extension of a non-conforming use.

REPORT OF
COMM. RE:
ASSESSOR
APPT.

Assessment - Bruce Wideman reported at the Committee to interview candidates for the position of Assessor met Wednesday, September 20th and agreed on a candidate to be appointed by the Town Board. Their decision will be announced at the first meeting in October.

AFFIDAVIT

WAYNE

STATE OF NEW YORK
STEEBEN COUNTY

ss.

Dorothy L. Jacob

being duly sworn, deposes and says that she resides in the Town of Arcadia, County of Wayne,

and State of New York, that he is the clerk of the Newark Courier-Gazette, a public newspaper, published and printed weekly in the Village of Newark, by the Greenhow Newspapers, Inc., and that a notice, of which the annexed is a printed copy, was published in said newspaper one time

said publication therein being on the following dates:

September 21, 1978

Dorothy L. Jacob

Subscribed and sworn to before me this 21 day of September, 1978

C. Elizabeth Gerber
Notary Public

C. ELIZABETH GERBER
Notary Public in the State of New York
WAYNE COUNTY, N. Y.
My Commission Expires March 30, 1980

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

NOTICE OF PUBLIC HEARING
ON GENERAL REVENUE
SHARING FUNDS
PUBLIC NOTICE IS
HEREBY GIVEN that the
Town Board of the Town of
Palmyra will hold a Public
Hearing on the proposed
General Revenue Sharing
Funds estimated to be
\$42,880 for the year 1979
with planned use of \$25,000
for Environmental Protection
and \$17,880 for Capital
Expenditures in the Town
Clerk's Office 204 E. Main
Street, Palmyra, New York
at 7:30 P.M. on Thursday
September 28, 1978 at
which time all persons in-
terested will be heard.
Dated: 1st Palmyra
N.Y. September 15, 1978
Betty B. Stubbins
Town Clerk
Town of Palmyra
S-2

Elizabeth M. Main, being duly sworn,
deposes and says that he is the foreman of
the Timesaver Advertising Inc., publisher of
the COURIER-JOURNAL, a public news-
paper published weekly at Palmyra, N.Y., in
the County of Wayne, and that the notice of
which the annexed is a true copy, clipped
from said newspaper, was regularly
published in said Courier-Journal on the
following dates:

September 22, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 29 day of Sept 1978

Michael J. Robinson
Notary Public

Fee: \$ 9.69

WAYNE COUNTY, N.Y.

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne, }

Elizabeth M. Main, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

September 22, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 29 day of Sept 1978

Michael J. Benson
Notary Public

Fee: \$ 20.52

80

TOWN OF PALMYRA
PUBLIC HEARING
TOWN OF PALMYRA
On the 28th day of September, 1978, at the Town Office, 204 East Main Street, Palmyra, New York, for the purpose of hearing the application of Arnold Becker, of Shilling Road, Palmyra, for a Special Authorization to use property located on Shilling Road, Town of Palmyra, County of Wayne, to alter, present, demolish, or house with fast food, meat and snack bar. These premises are located in an Agricultural Zone and are bounded on the East by Shilling Road, on the North by lands of one Donald J. Manton, on the West by Palmyra-Menton Road (Route 21), and on the South by lands of one L. J. Corneille.
Under the Town of Palmyra Zoning Ordinance, Article III, Section 2.2, Paragraph B, Agricultural Zone relates use of land other than for farm purposes requires Special Authorizations from the Town Board and in Agricultural Districts no building shall be erected, altered or extended except for uses permitted under Article III, Paragraph A.1, other uses, such as, auto homes for sale, etc. require Special Authorizations. Special Authorizations are not subject to Article VII, Section 7.1 of the Zoning Ordinance.
The said Town Board will at said time and place hear all persons in support of said application or any objections thereto. Persons may appear in person or by attorney or agent.
Dated September 16, 1978.
By order of the Town Board of the Town of Palmyra
Sally B. Stubbins

Supervisor Aplin spoke to the Board in regard to complaints from taxpayers concerning some appraisal work being done by representatives from the New York State Division of Equalization & Assessment. The Supervisor read a letter received by a taxpayer and stated he would write a letter to the Division of Equalization & Assessment.

Highway - Town Highway Superintendent James DeBrine reported that he needed a Resolution from the Board to indicate what roads will be considered for 1979 under the Town Highway Improvement Program. The following Resolution was offered by Nelson Cook, seconded by Edwin Wheeler and carried with a vote of 4 ayes and no nos.: RESOLVED, that the plan for 1979 (DOT#53230-Hanagan Rd. .97Mi. \$6984 St. Aid, DOT# Harris-N.Creek Rd. .20mi. \$1440 St.Aid and DOT#224575F LeRoy Rd. 1.27 mi. \$2286 St.Aid) prepared at the request of this Board for the improvement of town highways and covering all projects contemplated by it, pursuant to Article 8-A Highway Law, as filed in the office of the Town Clerk of the Town of Palmyra, County of Wayne be and the same is hereby adopted; and be it further Resolved, that copies of such plan be filed in the appropriate State and County offices in accordance with the provisions of Section 220, Article 8-A Highway Law.

Consolidation of Town & Village - Chairman Edwin Wheeler reported that he has heard nothing from the Village of Palmyra or the Committee in regard to space at the Village Hall for Town Offices.

Joint Recreation Commission - Chairman Nelson Cook reported that the bid for the construction of the new Palmyra Community Center has been let - work should start by the middle or latter part of October.

Bruce Wideman Spoke to the Board and those people attending the Board meeting in regard to the hearing being held Tuesday, 7:30 P.M. at the High School concerning the request for a permit by the New York State Department of Transportation, Canal Maintenance Division, to dump material from the Canal on land adjacent to the Canal in Palmyra. This material would kill trees, flowers and animals. Mr. Wideman encouraged persons present to attend the hearing.

The Public Hearing scheduled for 8:00 P.M. in the Town Office for the purpose of hearing the application of Arnold Pechler for Special Authorization was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. Mr. Pechler's application for Special Authorization requests approval from the Town Board to establish Ski trails for cross country skiing and to alter a present barn to a Club House with rest room and snack bar facilities. Sales and rentals of ski equipment, as well as instruction, will be a part of the operation. Lawrence Mooney, Attorney for Mr. Pechler, presented the information on this request. The present use of the property is for the sale, repair and use of Snowmobiles and All Terrain Vehicles. Mr. Pechler owns in excess of 400 acres between Shilling Road and Route 21 and a series of trails are established. ATV races have been held with approval of the Town Board. The proposed operation or establishment of a ski area will be devoted to ski-touring or cross country skiing only with the use of existing trails for this purpose. Subsidiary services will consist of sanitary facilities, food facilities, rental and sale of equipment and storage of same, and a Kiddie Corner with attendants. Supervisor Aplin asked if anyone present wished to speak concerning this request and at this time, Leonard Cornelius and Roger East, Sr. came before the Board to speak concerning the present use of the Pechler property and to state their opposition to the noise of snowmobiles and problems related to the ATVs. They also stated their opposition to the proposed use until Mr. Mooney explained more fully what the proposed operation would be. Mr. Cornelius' only request was that no alcoholic beverages be sold. At this time, Mr. Mooney went into more detail on the proposed activities and with the use of a map he explained the area where the trails would be,

215

COMPLAINT
RE: APPRAISAL
AL WORK

HIGHWAY
RESOLUTION
RE: TN.
HWY. IMP.
PROGRAM

HRG. RE:
DOT REQ.
FOR PERM.

PECHLER
PUBLIC
HEARING
OPENED

PECHLER
HEARING
CONT'D

the parking area, the location and use of buildings and the improvements to be made. Bruce Wideman spoke briefly on the report from the Planning Board. Supervisor Aplin and Francis Toole, Zoning Officer, also entered into the discussion. Nelson Cook questioned the authorization for the use of snowmobiles and questioned Mr. Mooney in regard to a license for alcoholic beverages and was informed that this might be considered in the future. Mr. Wideman stated that this proposed use was an improvement over the use of snowmobiles. Don Byrnes, a resident on Shilling Road, spoke in favor of this request stating that he endured snowmobile problems not caused by Pechlers' and he felt the ski idea was good but questioned the parking area - he doesn't want vehicles parked along the road. John Morrell also spoke in favor of Mr. Pechler's request and stated that there is good terrain for cross country skiing and this type of operation does not induce noise, many participants are seeking quiet. Richard Pratt who lives on Lusk Road stated he would approve the skiing as compared to the snowmobiling. Nelson Cook questioned Mr. Pechler in regard to the continuance of the summer ATV Races and Mr. Pechler replied that he would abide by the Town Board's wishes. Cindy Jameson, a Village resident, was present to support the idea but questioned the food service. Andy Goedde, a neighbor and consultant of Mr. Pechler, replied to the question and explained that at present it would be a snack bar type operation. Michael Goodness also spoke in favor of this request and stated that it would most likely draw skiers from out of the County and therefore might bring more business into this area. There being no others who wished to speak, Supervisor Aplin requested the Clerk to read the recommendations from the Planning Board. The hearing was closed at 8:40 P.M..

HEARING
CLOSED

Mr. & Mrs. Orville Marquart and Walter Pulcini appeared briefly at the meeting, thinking there was a hearing scheduled for the Mobile Home Park Ordinance.

MEETING
RESUMED
WATER

EAST WATER
DISTRICT

The regular meeting was resumed and reports of Committees continued. Water - Chairman Nelson Cook reported that he had received the formal report and recommendations from Town Malone concerning the bids for the construction of the East Water District. Mr. Malone offered 5 alternatives and these were discussed by the Board with the suggestion that Mr. Cook check with the Village concerning Alternate #2 and the Town Attorney on Alternate #3.

REPORT ON
COMM. DEV.
FUNDS

Supervisor Aplin reported that he had received 32 letters concerning the Community Development Block Grant which the Town applied for along with other Towns and Villages in the County. The Supervisor has been advised that Palmyra's application was refused.

EXTENSION
TO NO. WATER
DIST.

The Clerk reported that the hearing for the Extension to the North Water District has been posted for October 12th and letters are ready to go out to the 4 residents in the Permissive Area and to those who own vacant lots. Supervisor Aplin will post some notices out in the area to inform the residents in the Water District that the hearing is being held.

MASTER METER

The Clerk also reported that the Town Office is working with Harold Kruger, Water Superintendent, on the paper work for the Master Meter Vault Installation.

SEMINAR ON
SEQRA
MOTION TO
APPR. ATTEND-
ANCE AT SEM.

The Supervisor reported that he received a letter notifying Local Government of a Seminar on SEQRA to be held Wednesday, October 18th, 9-4:30 at Logan's Party House in Rochester. Town Councilman Wideman indicated he would be interested in attending on behalf of the Town of Palmyra. A motion was made by Edwin Wheeler, seconded by Nelson Cook to approve the attendance of Bruce Wideman at the Seminar in Rochester October 18th at Town's expense. Motion passed with 3 ayes - Bruce Wideman abstained.

Landfill - Nelson Cook reported that the shed has been moved to the new site and asked if the pit had been dug. Bruce Wideman reported that Mr. Graf hadn't been able to get the pit done but there is a pit which can be used temporarily. Everything seems to be all set for opening on the South side by October 1st. Supervisor Aplin stated he had received a notice of violations from the Department of Environmental Conservation following an inspection of the Landfill on September 13th at 2:15 P.M.

217
LANDFILL
REPORT ON
NEW SITE

The Board turned their attention to the request from the Library for funds to aid them with expenses for the remainder of this year. A motion was made by Edwin Wheeler, seconded by Bruce Wideman to designate \$2000 of Federal Anti-Recession Funds to the Palmyra Kings Daughters Free Library, \$1674 plus accrued interest which must be allocated before October 11, 1978 with the balance to come from Federal Anti-Recession Funds which must be allocated by January 12, 1979. Motion passed with 4 ayes and no nos.

MOTION TO
ALLOCATE
\$2000 to
LIBRARY

The request read earlier in the meeting for the formation of a sewer district was referred to the Town Attorney.

REQUEST
FOR SEWER
REF. TN. AT

The decision was made to present the Tentative Budget to the Town Board on Tuesday, October 3, 1978 at 8:30 A.M.

7 The Board returned to Arnold Pechler's request, subject of the Public Hearing earlier in the meeting. Following considerable discussion, the following motion was offered by Bruce Wideman, seconded by Edwin Wheeler and passed with 4 ayes and no nos: The Town Board approves the application of Arnold Pechler for a Special Authorization to use property located on Shilling Road in the Town of Palmyra for Ski trails and sales and to alter a present barn to a Club House with rest room area and snack bar with the following conditions:

PECHLER
REQUEST

MOTION TO
APPROVE
REQUEST
W/CONDITION

- (1) That the facilities will be used for Ski-touring (Cross Country Skiing) only
- (2) That the facilities meet the Health codes of the State of New York
- (3) That any plans for off-season use be submitted to the Town Board for their approval
- (4) That a road sign on the property be allowed under the present Zoning Ordinance standards to inform the public of their arrival at the site
- (5) That proper and sufficient insurance will be secured to free the Town of any liability incurred
- (6) That sufficient parking area will be provided so that there will be no parking along Shilling Road at any time
- (7) That upon completion of plans as submitted by Attorney Lawrence Mooney, the developer's Engineer will provide a letter of notification addressed to the Town Board indicating that all plans and septic systems are completed as specified
- (8) That no alcoholic beverages will be sold on the premises
- (9) That this Special Authorization will adhere to all rules and regulations as set forth in the Zoning Ordinance of the Town of Palmyra

The motion to pay the following bills was made by Edwin Wheeler, seconded by Bruce Wideman and passed with 4 ayes and no nos:

MOTION TO
PAY BILLS

GENERAL FUND	Vouchers #462 - 497	\$15138.47
PART TOWN FUND	" # 50 - 54	625.60
HIGHWAY ITEM I & IA	" # 56 - 64	9562.99
HIGHWAY ITEM III	" #180 - 186	717.73
HIGHWAY ITEM IV	" # 53 - 54	10012.31
FEDERAL REVENUE SHARING	" # 10 - 11	350.99
NORTH WATER DISTRICT	" # 13 - 14	41.06
SOUTH WATER DISTRICT	" # 14	2.59
TOTAL		\$27451.74

The motion to adjourn this meeting to Tuesday, October 3, 1978 at 8:30 A.M. was offered by Edwin Wheeler, seconded Nelson Cook and passed with 4 ayes and no nos.

MOTION TO
ADJOURN

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

Tuesday, October 3, 1978

MEETING
OPENED

The adjourned meeting of the Town Board of the Town of Palmyra was opened at 8:30 A.M. on Tuesday, October 3, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Applin with the following Town Officers present: Supervisor Roy Applin, Town Councilmen Bruce Wideman and David Lyon, Town Clerk Betty Stubbings. The Tentative Budget for 1979 was presented to the Town Board by the Clerk.

BUDGET
PRESENTED
TO TOWN BD.

A Budget work session was set for October 17, 1978 at 7:30 P.M. in the Town Office.

MEETING
CLOSED

At 8:45 A.M. a motion to close this meeting was made by Bruce Wideman, seconded by David Lyon and passed with 3 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK,
County of Wayne

NOTICE OF
PUBLIC HEARING
PLEASE TAKE NOTICE
that the Town of Palmyra
will hold a Public Hearing
on Thursday, October 12,
1978 at 7:30 P.M. EDT at
the Town Office, 204 East
Main Street, Palmyra, N.Y.
for the establishment of Ex-
tension No. 1 to the North
(Maple Ave.) Water District.
The Proposed Extension is
described as follows:
Beginning at the
southeast corner of land
owned or formerly owned by
Albert & Audrey DeGierck
identified by the tax map
No. 32112-19, coordinate
No. 50252, thence
1. Westerly along the
southern property line 54
feet to the point of intersec-
tion with said southern prop-
erty line and a line 500 feet
easterly from and parallel
with the centerline of Maple
Avenue thence
2. Northerly along said
parallel line to Maple
Avenue a distance of
3410 feet to the intersec-
tion with the northerly prop-
erty line of land of Donald
& Wilfred McCormick iden-
tified by the tax map No.
32112-15, coordinate No.
51538, thence
3. Easterly along the nor-
therly property line of land
of McCormick 100 feet
then southerly along the
easterly property line 212
feet to the intersection with
the southerly property line
of land of DeRue thence
4. Southerly along the
easterly right-of-way of
Meadow Lane 100 feet then
westerly 60 feet to the in-
tersection with the easterly
property line of land of
Thomas & Catherine DeRue
tax map No. 32112-15, coor-
dinate No. 51538, thence
5. Southerly along said
easterly property line of
land of DeRue 725 feet to
the southeast corner of said
property thence
6. Westerly along a
straight line 54.06 feet to
the northeasterly corner of
land of Eugene Clamons tax
map No. 32112-15, coordi-
nate No. 51032, thence
7. Southerly along a
straight line 205.13 feet to
the northeasterly corner of
land of Donald & Marjorie
Hollingshead tax map No.
32112-15, coordinate No.
52273, thence

8. Southerly then south-
easterly along the
easterly property line of
land of Hollingshead to the
northern corner of land of
Thomas & Gladys DeGierck
tax map No. 32112-15, co-
ordinate No. 53825, thence
9. Southeasterly along
the northeasterly property
line of land of DeGierck
87.25 feet to the northern
corner of land of Herbert &
Mary Vaughn tax map No.
32112-15, coordinate No.
54625, thence
10. Southeasterly then
easterly along the north-
easterly property line of
land of Vaughn 118.53 feet
to the northwesterly corner
of land of Thomas & Bar-
bara Ray tax map No.
32112-15, coordinate No.
55251, thence
11. Easterly and then
southerly along the north-
easterly property line of
land of Ray 130.25 feet to
the northeast corner of land
of David Frank tax map No.
32112-19, coordinate No.
55243, thence
12. Southerly along a
straight line 1314.32 feet to
the southern corner of land
of Isaac Bushart tax map
No. 32112-19, coordinate
No. 54715, thence
13. Southerly 17.18 feet
then westerly 164 feet along
the southerly property line
of land of Donald & Rena
Campbell tax map No.
32112-19, coordinate No.
58138, thence southerly
corner of land of Donald &
Elizabeth Campbell tax map
No. 32112-19, coordinate No.
58138, thence southerly
along the southerly prop-
erty line of land of Campbell
100 feet to the point of in-
tersection with the southerly
property line of land of
Donald & Rena Campbell
Among other questions
to be resolved will be the
question of a transmission
charge, if any, to the
residents of the district.
Said Extension is being
created pursuant to Article
12-A of the Town Law.
The Town Board of the
Town of Palmyra will at said
time and place hear all per-
sons in support of said Ex-
tension or any objections
thereto. Persons may ap-
pear in person or by at-
torney or agent.
Dated: Sept. 28, 1978
By order of
the Town Board
of the Town of Palmyra
Bobby B. Stubbings
Town Clerk

Elizabeth M. Main, being duly sworn,
deposes and says that he is the foreman of
the Timesaver Advertising Inc., publisher of
the COURIER-JOURNAL, a public news-
paper published weekly at Palmyra, N.Y., in
the County of Wayne, and that the notice of
which the annexed is a true copy, clipped
from said newspaper, was regularly
published in said Courier-Journal on the
following dates:

September 29, 1978

Elizabeth M. Main
Foreman of the Publisher

Subscribed and sworn to before me

this 29 day of Sept 1978

Michael J. Derr
Notary Public

Fee: \$ 45.38

80

October 12, 1978

219

Before the opening of the hearing scheduled for 7:30 P.M., the regular meeting of the Town Board of the Town of Palmyra was opened on Thursday, October 12, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Bruce Wideman, Edwin Wheeler and Nelson Cook, Town Highway Superintendent James DeBrine, Town Engineer Tony Malone, Town Attorney Paul Rubery, Zoning Officer Francis Toole and Town Clerk Betty Stubbings. Town Councilman David Lyon joined the meeting at 7:45 P.M.. Interested persons attending or those having business to come before the Board were: Steve Jackson of the Courier-Journal, Mr. & Mrs. Stanley Newfang and Mrs. Helen Bryant.

MEETING
OPENED

The Public Hearing scheduled for 7:30 P.M. in the Town Office for the establishment of Extension No. 1 to the North Water District was opened by Supervisor Aplin. The Proof of Publication was read by the Clerk. Stanley Newfang, petitioner for water for a new home on Meadow Drive, spoke in favor of the Proposed Extension stating that while this will solve the problem of water for his home, it will also clean up a problem area as far as a water supply is concerned. Mrs. Helen Bryant, a resident of Meadow Drive, also spoke in favor of the Extension, stating that she owns a lot, as well as her home, in the Proposed Extension and she might want to build in the future. She also stated that the well water is unusable. Supervisor Aplin requested Town Engineer Tony Malone to describe the area covered by the Extension and to explain what steps are necessary to complete the formation of this Extension. Mr. Malone reported that there is a formal report and a petition to be submitted to the Department of Environmental Conservation for approval and the Board would have to pass a Resolution authorizing the Supervisor to sign papers and necessary documents for submission to the Department of Environmental Conservation and the Department of Health. In answering the question concerning payment of costs for establishing this Extension, Mr. Malone stated that as long as there was no construction of a water main involved for the property to be served, on Meadow Drive, there would be no capital cost involved in setting up the Extension, other than advertising and engineering costs and these could be shared by residents in the Extension. Mrs. Bryant questioned the Fire protection and Mr. Malone replied that it would be different from now, weak at best, but the protection won't change until there is reinforcement of the distribution network from the North or the Town of Palmyra builds a storage tank in that area. There being no others who wished to speak for or against this Proposed Extension, the hearing was closed at 7:50 P.M. and the regular meeting resumed.

PUBLIC
HEARING
FOR THE
ESTABLISH-
MENT OF
EXT. NO.1
TO THE NORT
WATER DIST.
OPENED BY
SUPER. APLIN

During the discussion which followed the hearing, Mr. Malone stated that it would most likely take about a month to get the related documents together, if the Board approved the establishment of the Proposed Extension. The Town Engineer was also asked to advise the Board concerning a transmission charge for the residents in this Proposed Extension. Mr. Malone was of the opinion that the Town should not go through the legalities of a transmission charge but should add the Real Property value to the original Water District and incorporate annual charges and cost of water the same as the North Water District.

HEARING
CLOSED

RESOLUTION
EST. EXT.
TO N. W. DIS

RESOLUTION OF TOWN BOARD ESTABLISHING A DISTRICT

In the Matter of the Establishment of an Extension to the North (Maple Avenue) Water District in the Town of Palmyra, County of Wayne, State of New York, pursuant to Article 12-A of the Town Law.

WHEREAS, a map, plan, and report relating to the establishment of the proposed Extension to the North (Maple Avenue) Water District, prepared by

RESOLUTION
CONTINUED

Hershey Malone Associates, Anthony Malone, a competent engineer, licensed by the State of New York, in manner and detail as determined by the Town Board of Palmyra, has been filed with the Town Clerk of Palmyra, in accordance with the requirements of Article 12-A of the Town Law, and

WHEREAS, an order was adopted by the Town Board of the Town of Palmyra on September 14, 1978, reciting the filing of the map, plan, and report, the boundaries of the proposed district, the improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan, and report are on file in the Town Clerk's Office for public inspection, and all other matters required by law to be stated, and

WHEREAS, the order set October 12, 1978, 7:30 P.M. in the Town Offices, Town of Palmyra, as the date, time, and place of the public meeting to consider the map, plan, and report, and to hear all persons interested in the subject, and to take action as is required and authorized by law, and

WHEREAS, that such order was published and posted as required by law, and

WHEREAS, a hearing on the matter was held by the Town Board on this October 12, 1978, beginning at 7:30 P.M., at the Town Office in the Town, and the matter being fully discussed and all interested persons being heard,

Now, upon the evidence given at the hearing, and upon motion of David Lyon, seconded by Edwin Wheeler, it is

RESOLVED AND DETERMINED:

(a) That the notice of hearing was published and posted as required by law, and is otherwise sufficient.

(b) That all property and property owners within the proposed district, are benefited thereby.

(c) That all the property and property owners benefited are included within the limits of the proposed district.

(d) That it is in the public interest to establish the water district.

(e) That there will be no construction cost since the district may use the existing lines.

(f) That the extension shall pay the same water rate for consumption as the North (Maple Avenue) Water District.

(g) That other than the initial cost which shall be paid by the Extension to the North (Maple Avenue) Water District, it shall pay the same ad valorem rate as the North (Maple Avenue) Water District.

FURTHER RESOLVED AND DETERMINED that the establishment of a water district, as set forth in the map, plan, and report, be approved; that the requested improvement be constructed if any, and the necessary easements and lands if any, be acquired, upon the required funds being made available and provided for; and such district shall be known and designated as the Extension No. 1 to the North (Maple Avenue) Water District in the Town of Palmyra, and shall be bounded and described as follows: (See attachment)

FURTHER RESOLVED that the proposed improvement, including construction costs, cost of acquisition of lands and easements, legal and engineering fees, and all other expenses, be financed by the issuance of serial bonds of the town to mature in such number one annual installments not exceeding \$1,400.00 as may hereafter be determined by the town board of palmyra, the cost of constructing the water system to be assessed by the town board in proportion, as nearly as may be, to the benefit to which each lot or parcel will derive therefrom; and it is

FURTHER RESOLVED that that this resolution is subject to a permissive referendum as provided in section 209-e of the town law. foregoing resolution was adopted by the following vote, Roy Aplin, supervisor, voting aye; Edwin Wheeler, councilman, voting aye; Nelson Cook, councilman, voting aye; David Lyon, councilman, voting aye; Bruce Wideman, councilman, voting aye; the resolution was thereupon adopted.

RESOLUTION
DIRECTING
SUPPL. TO
MAKE APPLIC.

The following resolution directing the town supervisor to seek the state comptroller's approval was offered by Nelson Cook, seconded by Edwin Wheeler and was approved by 5 ayes and no nos.

WHEREAS the town board of palmyra has this day adopted an order pursuant to section 209-e of the town law approving the establishment of extension no. 1 to the north (Maple Avenue) water district, it is

RESOLVED that the supervisor be authorized and directed to make application to the department of audit and control, pursuant to section 209-f of the town law, for permission to create the water district. this resolution shall take effect immediately.

The resolution was duly adopted.

DISCUSSION RE:
PAST WATER
DISTRICT

While town engineer, Tony Malone, was in attendance at the meeting, the board turned their attention to the disposition of the proposed past water district. Mr. Malone spoke to the board concerning some decisions the village board had made which would help in continuing with this project. The village is willing to defer the installation of the water line on East Main Street and will allow the

connection at the Vienna Street line. The Village will also defer the installation of the Master Meter Vault. By doing so, this would remove enough from the capital cost to permit the project to be done at the estimated cost of \$94,000. The Town Board along with the Town Engineer and the Town Attorney discussed this project at length. Mr. Malone reviewed the cost figures and Nelson Cook stated there may be Grant funds available. Mr. Malone reported that it would be necessary to get a time extension from the contractor and approval of the modification of plans from the Department of Health. If that can be done, the Town Engineer advised the Board to proceed with the District. He thought he should have the answers within 2 weeks. A motion was made by Edwin Wheeler to pursue the plan as submitted by the Town Engineer. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

DISCUSSION
RE: PROP.
EAST WATER
DISTRICT
CONT'D

MOTION TO
PURSUE TN.
ENG. S.
PLAN

The Town Board returned briefly to the business of Extension No. 1 to the North(Maple Ave.) Water District. A motion was made by Nelson Cook, seconded by Edwin Wheeler authorizing the Supervisor to sign the necessary papers to be submitted to the Department of Environmental Conservation. Motion was passed with a vote of 5 ayes and no nos.

E. WATER DIST
MOTION
AUTHORIZING
SUPER. TO
SIGN NEG.
PAPERS

Mr. Malone also reported on the progress of the installation of the Master Meter and Vault for the South Water District.

The Board discussed briefly the water testing which is required by the State Health Department.

The request for a Sewer District which was referred to the Town Attorney was discussed by the Town Board. The Board was advised that they could recommend to the Village to contract directly with the people requesting this service. A motion was made by Edwin Wheeler that the Town Attorney compose a letter to be sent to the Village in regard to this request for a Sewer District. Motion was seconded by Nelson Cook and passed with 5 ayes and no nos.

REQUEST
FOR SEWER
DIST.
MOTION TO
SEND LETTER
TO VILLAGE

A motion to dispense with the reading of and approve as submitted the minutes of September 14th was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos.

MOTION TO
APPROVE
MINUTES OF
-9/14-

The following communications were reviewed by the Board: (1) A letter from The Palmyra Community Center requesting an increase in the amount budgeted for 1979 (2) Cover letter with a set of indices of the local laws filed with the Department of State for 1974, 1975 and 1976 (3) A letter to Supervisor Aplin from Newark Developmental Center concerning Community residences (4) A letter from the Department of Health, Office of Public Health, in regard to the Proposed Route 31 East Water District (5) A letter from the Department of Health concerning the monthly testing of water for the Water Districts.

COMMITTEES
ZONING

COMMITTEES

Zoning - Zoning Officer Francis Toole reported that a complaint in regard to junk and junk cars had been received concerning Countryman's in East Palmyra. Mr. Countryman has been given a Notice of Violation in the past. Mr. Aplin sent a letter requesting Mr. Countryman to clean up his property or be subject to a court action.

COMPLAIN
RE: COUNTR
MAN-E. PAL

The Zoning Violation at Herman's on Route 31 was discussed briefly.

Mr. Toole reported that he has received a request concerning an addition to the Coffee Break Restaurant on Route 31.

The Clerk advised the Board that the necessary information to post the hearing for the Mobile Home Park Ordinance had not been received in the office at this time. It was determined that there was not sufficient time to post the hearing for October 26th. Following considerable discussion, Bruce Wideman made the motion to move the Public Hearing for the Mobile Home Park Ordinance to Thursday, November 9th at 7:45 P.M. and to advertise the same. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

MOBILE
HOME PK
ORDIN.
MOTION TO
ADV. PUB.
HRG. FOR
11/9 AT
7:45 P.M.

222
ZON. OFFICER'S
DUTIES DISC.

The Board discussed briefly the possibility of adding the position of Zoning Enforcement Officer to the duties of the Assessor. Our present Zoning Officer is considering retirement in the near future.

Budget items and the notice of public hearing on the Budget were also discussed.

Mr. Wideman stated he wanted to report on the Assessor later in the meeting.

HIGHWAY

REQUEST
FROM WAYNE
CO. CABLE-
VISION

Highway - Town Highway Superintendent James DeBrine presented to the Board an application for a Work Permit from Wayne County Cablevision of Newark requesting permission to bury a cable in the Town right of way on Trolley Road from Hammond Road down Trolley Road to Pulcinella's Trailer Park. The Board discussed this request at length. The Town Attorney advised that the Town should request a copy of the Liability Binder and a bond or deposit for surface restoration. During the discussion, it was brought out that the Company has never applied for a franchise with the Town. A motion was made by Edwin Wheeler, seconded by David Lyon to send a reply to Wayne County Cablevision to come thru normal procedures for a franchise before any response will be made to the application for the Work Permit. Motion was passed with 5 ayes and no nos.

INSTALLATION
OF TEL. CABLE
ON CHURCH ST.

The Supervisor brought to the Board's attention that a telephone cable has been installed underground on Church Street. The Town of Palmyra was not contacted prior to the installation and it may involve some Town property. The Town Attorney will file letters with the New York Telephone Company and the Village of Palmyra in regard to this installation.

QUESTION RE:
AVAILABLE
SPACE AT
TN. BARN

Nelson Cook questioned Mr. DeBrine on the amount of available space at the Town Barns because he has heard indirectly from the Village that there is a desire to move Village equipment and crew to the Town Barns. Mr. DeBrine stated there is no space available at the Town Barns but he reminded the Board that at one time there was property all marked out for the Village but no action was taken. The Board indicated that they are available to discuss this matter with the Village.

FIRE CONTR.
W/VILLAGE

Fire Contract - At this time, the Board turned their attention to the Fire Contract between the Town of Palmyra and the Village of Palmyra, amount of payment to the Village at this time is set at \$19,500 for 1979 and \$21,000 for

MOTION TO ADV
FOR PUB. HRG.
ON FIRE CONTR.
PRELIM. BUD.
& GEN. REV.
SHAR.

1980. Following considerable discussion, a motion was made to advertise for the Public Hearing on the Fire Contract to be held Thursday, November 9, 1978 at 7:30 P.M.. The motion also included the Public Hearing on the Preliminary Budget for 1979 to be advertised for Thursday, November 9, 1978 at 8:30 P.M. with the Public Hearing for General Revenue Sharing to be held November 9, 1978 at 9:00 P.M.. Motion passed with 5 ayes and no nos.

LANDFILL

Landfill - Supervisor Aplin reported that it would be necessary to have a new cell dug. The temporary cell will be filled in another week to 10 days. Mr. Wideman stated that he has made contact with Art Graf to dig the cell. Nelson Cook reported that he had checked the Landfill on Saturday and had some questions on the operation. The Landfill in general was discussed and the decision was made to put up signs and fences. Mr. Aplin will have the CETA worker start on this project.

RESOLUTION FOR
TRANS. OF
FUNDS FROM
A1355.1 to
A1355.4

The following resolution was offered by Bruce Wideman, seconded by David Lyon and passed with 4 ayes - Edwin Wheeler abstained:
WHEREAS, the Assessor's Contract Account has insufficient funds, NOW
BE IT RESOLVED, that \$153.74 be transferred from Personal Services A1355.1 to Contractual Expenses A 1355.4 for payment of Rent - \$125.00 and Phone - \$28.74.

The motion to pay the following bills was made by Bruce Wideman, seconded

by David Lyon and passed with 5 ayes and no nos:

GENERAL FUND	VOUCHERS #498-524	\$ 4426.98
PART TOWN FUND	" # 55- 58	2251.00
HIGHWAY ITEM I	" # 65- 66	5462.54
HIGHWAY ITEM III	" #187-195	1320.42
HIGHWAY ITEM IV	" # 55-56	1212.20
FEDERAL REVENUE SHARING	" # 12- 13	2259.69
SOUTH WATER DISTRICT	" # 21	20.00

TOTAL

\$16952.83

The motion to hold an Executive session was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no nos.

The motion to re-open the regular meeting of the Town Board was offered by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos.

The motion to appoint Judson Roney as Assistant Real Property Tax Service Aide, effective November 1, 1978 was made by Bruce Wideman. The rate of salary was set at \$11,000 per year for 1978 and \$12,000 for 1979. Motion was seconded by David Lyon and passed with a vote of 4 ayes - Edwin Wheeler abstained.

The motion to adjourn this meeting was made by Nelson Cook, seconded by Bruce Wideman and passed with 5 ayes and no nos.

MOTION TO
PAY BILLS

MOTION TO
HOLD EXEC.
SESSION

MOTION TO
RE-OPEN
MTG.

MOTION TO
APPT. J.
RONNEY AS
R. PROP. TAX
SER. AIDE

MOTION TO
ADJ. MTG.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk
Town of Palmyra

October 26, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened at 7:30 P.M. on Thursday, October 26, 1978 in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon, Zoning Officer Francis Toole, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Steve Jackson of the Courier-Journal also attended the meeting.

MOTION TO
APPROVE MIN.
OF 9/28

A motion was made by Edwin Wheeler, seconded by David Lyon to dispense with the reading of and approve the minutes as submitted of the September 28th Board meeting. Motion passed with 5 ayes and no nos.

COMMUNICATIONS

The following communications were reviewed by the Board: (1) A letter from the Town of Walworth concerning the Games of Chance legislation (2) A notice from the Wayne County Board of Supervisors in regard to the 1979 Budget (3) A letter from attorneys on the lawsuit concerning the estate of Rosemary Downey (4) A proposed Local Law on Appearance tickets (5) A letter from the Wayne County Office for the Aging in regard to a workshop on State Municipal Funding for Recreation Programs for the elderly (6) A letter from Paul Rubery concerning SEQR (7) A letter from Hershey Malone Associates in regard to the Route

GRAN. CLAUSE
RE: SEQR

31 East Water District. Town Attorney Paul Rubery explained the communication he sent in regard to SEQR and a list to be considered under the grandfather clause will be compiled by Mr. Rubery and Town Councilman Bruce Wideman. The letter from Hershey Malone Associates outlined how the plan for the Proposed East Water District can be modified to come within the estimated figure of \$94,000. Following considerable discussion on this information from the Town Engineer, a motion was made by Edwin Wheeler, seconded by Nelson Cook that the Town of Palmyra make a formal award of the Contract for the construction of the water line for the East Water District to the Over & Under Pipeline Company, contingent upon the receipt of a formal approval from the Department of Health of the modifications and the Supervisor be authorized to execute the Contract documents on behalf of the Town of Palmyra, upon receipt of a formal agreement from the Village of Palmyra. Motion passed with 5 ayes and no nos.

MOTION TO
AWARD CONTR.
& AUTHORIZE
SUPER. TO
SIGN NEC.
PAPERS

Supervisor Aplin presented to the Board, a petition from the Village of Palmyra in regard to Highway Item III and IV of the 1979 Budget.

PETITION RE:
ITEM 3 & 4COMMITTEES
ZONING

COMMITTEES
Zoning - Zoning Officer Francis Toole reported that there had been just routine matters except for a complaint concerning an unusual number of bags of garbage in a front yard of a residence on Walker Road.

Mr. Toole reported that he has checked on Mr. Countryman in East Palmyra. He has cleared up some of the junk but not enough to comply with the Ordinance. The Board asked the Zoning Officer and Town Attorney to pursue this violation.

The Board discussed in general, new building, house numbers and assessment of swimming pools.

The Town Board advised the Clerk to charge \$3.00 for a copy of the Proposed Mobile Home Park Ordinance.

Supervisor Aplin reported on the status of the GETA Program. It has been temporarily halted until funds come thru.

HIGHWAY

Highway - The Board was advised that resolution to abandon the old rights of way on Cole Rd. was needed before the transaction with the Bukolts can be completed. The following Resolution was offered by David Lyon, seconded by Bruce Wideman and passed with 5 ayes and no nos:

R E S O L U T I O N

WHEREAS, a petition for the creation of a water district to be known as the "East Water District" in the Town of Palmyra, Wayne County, New York, said petition being dated the 12th day of March, 1977, was duly presented to this Town Board together with the necessary map and plan attached hereto and,

WHEREAS, an order was duly adopted by the Town Board on the *27th* day of *October*, 19 *77*, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed district and the estimated expenses thereof and specifying *December 8*, 1977 at *7:30* o'clock as the time and the Town Clerk's Office in the said Town of Palmyra as the place where said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same, and

WHEREAS, such order was duly posted and published as required by law, and

WHEREAS, a hearing in the matter was duly held by the Board on the *8th* day of *December*, 1977, commencing at *7:30* *P.M.* at the Town Clerk's Office in the said town and considerable discussion upon the matter having been had and all persons desiring to be heard having been duly heard including many of the petitioners in person and various other persons speaking in favor of the establishment of the proposed district;

NOW, upon the evidence given upon such hearing and upon motion of Edwin Wheeler, Councilman, seconded by Nelson Cook, Councilman, and was passed on a vote of three "ayes", Edwin Wheeler, Nelson Cook and David Lyon, to one no, LeRoy Aplin, and one abstained, Bruce Wideman.

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies

with the requirements of Section 191 of the Town Law as to sufficiency of signers and it is otherwise sufficient; (b) all the property and property owners within the proposed district are benefited thereby; (c) all the property and property owners benefited are included within the limits of the proposed district; and (d) it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the establishment of a water district as proposed in said petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such district shall be designated and known as the "East Water District" and shall be bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Palmyra, County of Wayne and State of New York, bounded and described as follows: Commencing at a point where the southerly line of the Village of Palmyra (as annexed in 1973-74) intersects with the centerline of Howell Street extended to the south; thence (1) southerly along the centerline of Howell Street as extended to the south til it intersects with the northerly boundary of lands now or formerly of Cleason Equipment Inc.; thence (2) continuing southerly along the lands of Cleason Equipment Inc. a distance of 1,619+ feet along the easterly boundary of lands now or formerly of one Clark to a point; thence (3) easterly 700+ feet along the northerly boundary now or formerly of one Sampson and the southerly boundary of Cleason Equipment Inc.; thence (4) northerly along the lands now or formerly of Sampson 973+ feet to an angle in the line of said Sampson; thence (5) easterly along the north boundary of said Sampson 442+ feet to an angle in the line of said Sampson; thence (6) northerly 386+ feet to an angle in the said Cleason Equipment Inc. easterly line as shown in Liber 430 page 273; thence (7) easterly 1,310+ feet along the north line formerly of Sampson to a point; thence (8) southerly along the east line formerly of one Sampson 170+ feet to an angle; thence (9) southerly 224+ feet to an angle in the east line formerly of Sampson; thence (10) southerly 1,378+ feet along the former east line of Sampson to an angle; thence (11) easterly 502+ feet to a point in the land now of one Adams; thence (12) northerly along the lands of one Adams and one Bedette 1,753+ feet to an angle; thence (13) northerly 270+ feet along lands of said Bedette to an angle; thence (14) easterly along the lands of said Bedette 1,560+ feet to the centerline of Vienna Road; thence (15) northerly along the centerline of Vienna Road to its intersection with the centerline of Trolley Road, so called; thence (16) easterly along the centerline of Trolley Road to the southeasterly corner of a parcel of land approximately 30 acres formerly owned by one Cook

now believed to be owned by the Assembly of God; thence (17) northerly on the east line of lands formerly of Cook to a point 300 feet south of the southerly right of way line of New York State Highway Route 31; thence (18) easterly to a point due south of the east line of one P. Johnson as extended southerly; thence (19) northerly and across Route 31 along the easterly line of Johnson to the Barge Canal lands of the State of New York; thence (20) easterly along the southerly boundary of the Barge Canal lands of the State of New York to a point of intersection with the easterly line of the Village of Palmyra; thence (21) southerly along the easterly line of the Village of Palmyra and westerly along the southerly line of the Village of Palmyra to the point and place of beginning.

RESOLVED, that the proposed improvement, including costs of rights of way, construction costs, legal fees and all other expenses shall be financed as follows: by a bond issue extending over a thirty year life period, and it is further

RESOLVED, that the Town Clerk of this Town shall within ten days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York, together with an application by this Board in duplicate for permission to create such district as provided for by the Town Law, Section 194; and that such application shall be executed by and in behalf of the Town Board by the supervisor of the Town.

- 4 -

STATE OF NEW YORK)
COUNTY OF WAYNE) SS:
TOWN OF PALMYRA)

I, BETTY STUBBINGS, Town Clerk of the Town of Palmyra, Wayne County, New York, DO HEREBY CERTIFY that I have compared the preceding resolution attached hereto with the original thereof filed in my office at Palmyra, Wayne County, New York on the 22nd day of December, 1977 and that the same is a true and correct copy of said original and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Palmyra this 27th day of December, 1977.

Betty B. Stubbings
Betty Stubbings
Town Clerk of the Town of Palmyra
Wayne County, New York

At a meeting of the Town Board of the Town of Palmyra, Wayne County, New York, held at the Town Office in Palmyra, New York, in said Town, on the 26th day of OCTOBER, 1978, at 7:30 o'clock P.M., Eastern Time.

The meeting was called to order by Supervisor Aplin, and upon roll being called, there were

PRESENT: LeRoy Aplin, Supervisor

Oliver Wheeler, Councilman
Bruce Friedman, Councilman
Robert Cook, Councilman
David Lynn, Councilman

ABSENT:

The following resolution was offered by EDWIN WHEELER, who moved its adoption, seconded by NELSON COOK, to-wit:

BOND RESOLUTION DATED OCTOBER 26, 1978

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A WATER DISTRIBUTION SYSTEM TO SERVE PALMYRA EAST WATER DISTRICT IN THE TOWN OF PALMYRA, WAYNE COUNTY, NEW YORK, AND AUTHORIZING THE ISSUANCE OF \$94,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 12 of the Town Law, the Town Board of the Town of Palmyra, Wayne County, New York, has duly established Palmyra East Water District in said Town; and

WHEREAS, it is now desired to authorize the construction of the improvements proposed for said Water District and provide for the financing thereof in accordance with said proceedings; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Palmyra, Wayne County, New York, as follows:

Section 1. The construction of the improvements proposed for Palmyra East Water District in the Town of Palmyra, Wayne County, New York, consisting of a water distribution system, including water

mains, distributing pipes and hydrants, with appurtenant facilities, substantially in accordance with the map and plan accompanying the petition for said District, is hereby authorized at a maximum estimated cost of \$94,000. Exhibit 1

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$94,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Palmyra, Wayne County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same become due and payable. There shall annually be assessed upon all the taxable real property in said Palmyra East Water District at the same time and in the same manner as other Town charges an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds may be contested only if:

- 1) Such bonds are authorized for an object for purpose for which said Town is not authorized to expend money, or
 - 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such bonds are authorized in violation of the provisions of the Constitution.

Section 7. This resolution, which takes effect immediately, shall be published in full in Palmyra Courier-Journal, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

SUPERVISOR - ROY APLIN	VOTING	AYE
COUNCILMAN - EDWIN WHEELER	VOTING	AYE
COUNCILMAN - NELSON COOK	VOTING	AYE
COUNCILMAN - DAVID LYON	VOTING	AYE
COUNCILMAN - BRUCE WIDEMAN	VOTING	AYE

The resolution was thereupon declared duly adopted.

COUNTY OF WAYNE :
: ss:
TOWN OF PALMYRA :

I, the undersigned Clerk of the Town of Palmyra, Wayne County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the

meeting of the Town Board of said Town, including the resolution contained therein, held on the 26th day of OCTOBER, 1978, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 27th day of OCTOBER, 1978.

Betty E. Stubbins
Town Clerk

(SEAL)

WHEREAS, the Town of Palmyra has widened, straightened and otherwise improved Cole Road in the Town of Palmyra, County of Wayne and State of New York, and

WHEREAS, certain additional lands were acquired for that purpose, and WHEREAS, certain sections of the old road that existed before said improvement are of no further use for the highway purposes of said Town, and WHEREAS, the Town of Palmyra has received the recommendation of the Superintendent of Highways of the Town of Palmyra and the consent of the County Superintendent of Highways to abandon to the abutting owner or owners sections or parts of the former Cole Road as it existed before said improvement which are of no further use for highway purposes, provided, however, that the road which has been improved and shall remain in the Town shall be not less than three rods in width, all as shown on Maps of the Improvement of Cole Road in the Town of Palmyra.

NOW, THEREFORE, upon receipt of the above recommendations and consents, the Town of Palmyra does hereby abandon to the abutting owner or owners those sections of Cole Road which are no longer needed for the operation in Cole Road in such a manner that the width of Cole Road as presently constituted shall not be less than three rods in width, and the Supervisor of the Town of Palmyra is hereby authorized to execute and acknowledge in the name of the Town and affix the seal of the Town to a quit claim deed or deeds of the land so abandoned and to deliver the same to the abutting owners, all pursuant to Section 212-a of the Highway Law of the State of New York.

Dated: October 26, 1978

The Town of Palmyra, By _____

RESOLUTION
TO ABANDON
OLD RCTS. OF
WAY ON COLE
ROAD

Chairman David Lyon reported to the Board concerning the Proposed Local Law on Trimming or Removal of Trees and stated that he would not recommend the Town adopt this Proposed Local Law.

Water - The Town Board discussed in general the projects underway concerning water - Proposed East Water District, Extension to the North Water District and the installation of the Master Meter in the South Water District and reviewed the necessary paper work.

WATER

The request of Mrs. Bauer, West Foster Street, for a sewer district was again discussed and Supervisor Aplin read a letter Mrs. Bauer received from the Village of Palmyra. The Town Attorney advised that a copy of the Town's letter to the Village be sent to Mrs. Bauer.

REQUEST
FOR
SEWER DIST.

The attached Resolution approving the Establishment of the East Water District was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos. (See attached Resolution)

RESOLUTION
ESTAB. EAST
WATER DIST.

The attached Bond Resolution for the East Water District was offered by Edwin Wheeler, seconded by Nelson Cook and passed with 5 ayes and no nos. (See attached Resolution).

BOND RES.
EAST WATER
DIST.

Landfill - Nelson Cook stated that he had nothing to report but he thought perhaps Supervisor Aplin or Bruce Wideman did. Supervisor Aplin reported that Art Graf is digging the second cell at the new site. He also stated that "No Trespassing" and "No Dumping" signs have been put up at the old site, the old entrance has been sealed off and trees have been cut down. The Landfill Committee now has to consider setting up the old site - getting it ready to grade and seed. This will require fill to be moved to the old site. Posted signs will also be put up. There was considerable discussion on the closing of the old site. The Town Attorney was requested to send a letter to Walter Pulcini, former operator of the Landfill, concerning the retainage fee and questioning whether or not Mr. Pulcini intends to do the work necessary to close the old site. The Board also discussed the question of requiring the Commercial Haulers to furnish the Town with the number of customers.

LANDFILL
GEN. DISC.

Joint Recreation Commission - Nelson Cook reported that the new Community Center is under construction - walls are going up and water & sewer lines are going in.

JT. REC. COM.

Consolidation of Town & Village -- Edwin Wheeler reported that he had contacted Village Trustee David Williamson concerning the plans for the renovation of the Village Hall. At this time he has heard nothing and has not received any plans.

CONSOLID. OF
TN. & VILL.

RESOLUTION
TRANS. OF
FUNDS FROM
A1355.1 to
A1355.4

The following Resolution for Transfer of Funds was offered by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no nos:

WHEREAS, the Assessor's Contractual Expense Account has insufficient funds, NOW BE IT RESOLVED, that \$75.30 be transferred from the Assessor's Personal Service Account #A1355.1 to the Assessor's Contractual Expense Account #A1355.4.

RESOLUTION
TRANS. OF
FUNDS FROM
A1990.4 to
A1410.2

The following Resolution for Transfer of Funds was offered by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos:

WHEREAS, the Deputy Town Clerk Account has insufficient funds, NOW BE IT RESOLVED, that \$16.55 be transferred from the Contingency Account #A1990.4 to the Deputy Town Clerk Account #A1410.2.

MOTION TO
SEND LETTER
TO PAL. TIMES
SAVER RE:
ARTICLE ON
TN. OFFICE

Town Councilman Edwin Wheeler commented on the excellent article in the Monday Section of the Palmyra Timesaver concerning the Town Office, Town Clerk, and Deputy Town Clerk - Bookkeeper. A motion was made by Edwin Wheeler, seconded by David Lyon that the Supervisor send a letter to the Timesaver indicating the Board's appreciation for the article. Motion passed with 5 ayes and no nos.

MOTION TO
PAY BILLS

The motion to pay the following bills was made by Bruce Wideman, seconded by Edwin Wheeler and passed with 5 ayes and no nos:

GENERAL FUND	Voucher #525 - 557	\$ 5627.88
PART TOWN FUND	" # 59 - 61	248.12
HIGHWAY ITEM I	" # 67	86.93
HIGHWAY ITEM III	" #196 - 205	1063.65
HIGHWAY ITEM IV	" # 57 - 58	3471.96
FEDERAL REVENUE SHARING	" # 14 - 15	1005.50
NORTH WATER DISTRICT	" # 15	8.27
SOUTH WATER DISTRICT	" # 16	2121.49
TOTAL		\$13633.80

MOTION TO
ADJOURN

The motion to adjourn this meeting was offered by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk
Town of Palmyra

The Village of Palmyra

TRUSTEES

LLOYD A. GREEN
DAVID WILLIAMSON
DAVID WEST
MARY LOU WILSON

CHIEFS

DONALD B. HENRY, POLICE
HARRY WHITE, FIRE

(INCORPORATED 1828)

M. KATHERINE DAVIN, MAYOR

PALMYRA, NEW YORK 14522

TEL. 315-597-4849

DEPARTMENTS

THERESA P. OTTE, CLERK-TREASURER
RAYMOND SMITH, PUBLIC WORKS
HAROLD KRUGER, SEWER & WATER
LAURA JANE POYZER, ATTORNEY
WILLIAM ABBOTT, POLICE JUSTICE
WILLIAM KAVENY, CEMETERY
BRUCE WIDEMAN, ZONING

State of New York
Village of Palmyra
Town of Palmyra

In the Matter of the Petition of the Mayor,
Board of Trustees and property owners of the
Village of Palmyra requesting the Town Board of
the Town of Palmyra to exempt all property in the
Village of Palmyra from the levy and collection of
taxes for items #3 and #4 of the Town Highway
Budget as authorized by Section 277 of the
Highway Law

PETITION

TO THE HONORABLE SUPERVISOR AND MEMBERS OF THE TOWN BOARD OF
THE TOWN OF PALMYRA.

The petition of the Mayor, Board of Trustees of the Village
of Palmyra and the undersigned property owners and residents of
the Village of Palmyra respectfully shows and states:

1. That the Village of Palmyra is within the Town of Palmyra.
2. That the Town of Palmyra annually levies and collects
taxes against real property within the Village of Palmyra to pay
for items provided for by subdivisions #3 and #4 of Section 141 of
the Highway Law.
3. That taxes levied and collected against real property
within the Village of Palmyra for subdivision #3 of Section 141 of
the Highway Law are used for the purchase, repair and custody of
highway machinery, tools and implements used on town highways,
which highways are located outside the village limits.
4. That taxes levied and collected against real property
within the Village of Palmyra for subdivision #4 of Section 141 of
the Highway Law are used for the removal of snow, the cutting of
brush and for other miscellaneous items relating to town highways
outside of the village limits.

5. That the Village Law provides that the Village of Palmyra shall be responsible for the maintenance of village streets, for the purchase of machinery and equipment to be used on village streets and for the removal of snow and the cutting of brush and other miscellaneous items relating to village streets.

6. That the Legislature of the State of New York has provided by law a procedure whereby a Town Board may exempt real property owners in villages from taxes levied by towns for items #3 and #4 of the Town Highway Budget.

7. That such authority to exempt real property owners in villages from such town highway taxes was granted to town boards by the State Legislature in recognition of the unjust double burden of taxation paid by village real property owners for the maintenance of highways.

8. That, on information and belief, none of the money levied for the removal of snow from town highways by the town government has been used for the removal of snow from village streets.

9. That, on information and belief, none of the highway machinery and equipment purchased and maintained by the town from taxes levied pursuant to the provisions of the Highway Law have been used for work on village streets but such machinery and equipment is used exclusively on town streets outside of the village.

10. That, by reason of the premises herein set forth and alleged, taxes are twice levied and collected against property in the Village of Palmyra for highway machinery and equipment, for snow removal and for brush removal and the village real property owners receive only benefits for those taxes levied and collected by the Village of Palmyra and receive no benefits from taxes levied and collected by the Town of Palmyra.

WHEREFORE, the petitioners pray that, pursuant to the provisions of Section 277 of the Highway Law, the Town Board of the Town of Palmyra exempt all property within the Village of Palmyra from the levy and collection of taxes levied in such town provided for by subdivisions #3 and #4 of Section 141 of the Highway Law beginning with the Fiscal Year commencing January 1, 1979.

MAYOR AND BOARD OF TRUSTEES,
VILLAGE OF PALMYRA

M. Katherine Darni, Mayor
David C. West
Edmund A. Green
Mary Lou Wilson, Trustee
C. J. Williamson, Trustee

-3-

VILLAGE RESIDENTS AND/OR PROPERTY OWNERS

Name

Phyllis E. Dickinson

Address

373 Birdsell Pkwy.

The Village of Palmyra

TRUSTEES
LLOYD A. GREEN
DAVID WILLIAMSON
DAVID WEST
MARY LOU WILSON
CHIEFS
DONALD B. HENRY, POLICE
HARRY WHITE, FIRE

(INCORPORATED 1828)
M. KATHERINE DAVIN, MAYOR
PALMYRA, NEW YORK 14522
TEL. 315-597-4849

DEPARTMENTS
THERESA P. OTTE, CLERK-TREASURER
RAYMOND SMITH, PUBLIC WORKS
HAROLD KRUGER, SEWER & WATER
LAURA JANE POYZER, ATTORNEY
WILLIAM ABBOTT, POLICE JUSTICE
WILLIAM KAVENY, CEMETERY
BRUCE WIDEMAN, ZONING

State of New York
Village of Palmyra
Town of Palmyra

In the Matter of the Petition of the Mayor,
Board of Trustees and property owners of the
Village of Palmyra requesting the Town Board of
the Town of Palmyra to exempt all property in the
Village of Palmyra from the levy and collection of
taxes for items #3 and #4 of the Town Highway
Budget as authorized by Section 277 of the
Highway Law

PETITION

TO THE HONORABLE SUPERVISOR AND MEMBERS OF THE TOWN BOARD OF
THE TOWN OF PALMYRA.

The petition of the Mayor, Board of Trustees of the Village
of Palmyra and the undersigned property owners and residents of
the Village of Palmyra respectfully shows and states:

1. That the Village of Palmyra is within the Town of Palmyra.
2. That the Town of Palmyra annually levies and collects
taxes against real property within the Village of Palmyra to pay
for items provided for by subdivisions #3 and #4 of Section 141 of
the Highway Law.
3. That taxes levied and collected against real property
within the Village of Palmyra for subdivision #3 of Section 141 of
the Highway Law are used for the purchase, repair and custody of
highway machinery, tools and implements used on town highways,
which highways are located outside the village limits.
4. That taxes levied and collected against real property
within the Village of Palmyra for subdivision #4 of Section 141 of
the Highway Law are used for the removal of snow, the cutting of
brush and for other miscellaneous items relating to town highways
outside of the village limits.

5. That the Village Law provides that the Village of Palmyra shall be responsible for the maintenance of village streets, for the purchase of machinery and equipment to be used on village streets and for the removal of snow and the cutting of brush and other miscellaneous items relating to village streets.

6. That the Legislature of the State of New York has provided by law a procedure whereby a Town Board may exempt real property owners in villages from taxes levied by towns for items #3 and #4 of the Town Highway Budget.

7. That such authority to exempt real property owners in villages from such town highway taxes was granted to town boards by the State Legislature in recognition of the unjust double burden of taxation paid by village real property owners for the maintenance of highways.

8. That, on information and belief, none of the money levied for the removal of snow from town highways by the town government has been used for the removal of snow from village streets.

9. That, on information and belief, none of the highway machinery and equipment purchased and maintained by the town from taxes levied pursuant to the provisions of the Highway Law have been used for work on village streets but such machinery and equipment is used exclusively on town streets outside of the village.

10. That, by reason of the premises herein set forth and alleged, taxes are twice levied and collected against property in the Village of Palmyra for highway machinery and equipment, for snow removal and for brush removal and the village real property owners receive only benefits for those taxes levied and collected by the Village of Palmyra and receive no benefits from taxes levied and collected by the Town of Palmyra.

WHEREFORE, the petitioners pray that, pursuant to the provisions of Section 277 of the Highway Law, the Town Board of the Town of Palmyra exempt all property within the Village of Palmyra from the levy and collection of taxes levied in such town provided for by subdivisions #3 and #4 of Section 141 of the Highway Law beginning with the Fiscal Year commencing January 1, 1979.

MAYOR AND BOARD OF TRUSTEES,
VILLAGE OF PALMYRA

M. Katherine Quinn

VILLAGE RESIDENTS AND/OR PROPERTY OWNERS

Name	Address
Kenneth H. Kuhn	141 Gates St. Palmyra N.Y.
Arthur B. Johnson	116 W. Main Palmyra N.Y.
Orlando P. Smith	154 Cuyler St.
Sandra J. Butler	134 W. Charlotte Ave. Palmyra
Henry B. Benhart	301 Canonsburg St.
Vivian Boyer	140 Cuyler St.
Wm. Boyer	140 Cuyler St.
Marjorie Rome	237 W. Jackson St.
Lois B. Bowers	200 Fayette St. Palmyra
George W. Cantant	202 Cuyler St. Palmyra
Carl Legger	155 Cuyler St. Palmyra
Walter L. Lott	155 Cuyler St. Palmyra
J. Boraby	146 Cuyler St. Palmyra
Madeline Toole	218 E. Jackson St.
Dorothy Baker	218 E. Jackson St.
Harold Baker Jr.	228 E. Jackson St.
Helen D. Cantant	202 Cuyler, Palmyra N.Y.
Frederic C. Cook	204 " " "
Helma Schudt	226 " " "
Genevieve Cook	204 " " "
Regel C. Beadle	151 Tremont Palmyra

VILLAGE RESIDENTS AND/OR PROPERTY OWNERS

<u>Name</u>	<u>Address</u>
<u>Florence Abbott</u>	<u>156 Fayette St. Palmyra, N.Y.</u>
<u>Dewey Cotton</u>	<u>138 Fayette St. Palmyra, N.Y.</u>
<u>John De Wandel</u>	<u>130 Fayette St. Palmyra</u>
<u>Ernest De Wandel</u>	<u>130 Fayette St. Palmyra</u>
<u>Myrtle Wiegman</u>	<u>116 Fayette St.</u>
<u>Ray H. Wilson</u>	<u>112 Fayette St. Palmyra</u>

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne, }

Rosalie J. Mouton, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

October 27, 1978

LEGAL NOTICE
NOTICE OF
PUBLIC HEARING
ON GENERAL REVENUE
SHARING FUNDS
PUBLIC NOTICE IS
HEREBY GIVEN that the
Town Board of Palmyra will
hold a Public Hearing on the
considered expenditures of
General Revenue Sharing
Funds, estimated to be
\$43,660 for the year 1979
with budgeted use of
\$25,000 for Environment
Protection and \$18,660 for
Public Safety. Hearing will
be held in the Town Clerk's
Office, 2204 East Main
Street, Palmyra, New York
at 9:00 P.M. on Thursday
November 29, 1978 at which
time all persons interested
will be heard.
Dated at
Palmyra, New York
October 23, 1978
By order of the
Town Board of the
Town of Palmyra
Betty B. Scrubbings
Town Clerk
027 (035)

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of July 1978
Michael J. [Signature]
Notary Public

Fee: \$10.83 WAYNE COUNTY CLERK'S OFFICE 1000
VILLAGE

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, ss:
County of Wayne,

Rosalie J. Mouton, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

October 27, 1978

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of Nov 1978

Michael J. Mouton
Notary Public

Fee: \$ 16.53

NOTICE OF
PUBLIC HEARING
PRELIMINARY BUDGET
TOWN OF PALMYRA
NOTICE IS HEREBY
GIVEN THAT THE
Preliminary Budget for the
Town of Palmyra for the
Fiscal Year beginning
January 1, 1979 has been
prepared and is available
for inspection by any
interested person at all
reasonable hours.
Further notice is hereby
given that the Town Board
of the Town of Palmyra will
meet and review said
preliminary budget and hold
a public hearing thereon at
the Town Office at 8:30 p.m.
on the 9th day of November,
1978, and that at such
hearing any person may be
heard in favor of or against
the preliminary budget as
compiled for or against
any item or items therein
contained.
Pursuant to Section 100
of the Town Law, the
proposed rates for the
following Town Officers are
hereby specified: Town
Supervisor \$6,000; Town
Justices each \$300; Town
Councilmen each \$200;
Town Clerk \$300;
Superintendent of Highways
\$150;
Collector \$150;
Assessor \$12,000.
Dated October 2, 1978.
By order of the Town
Board
of the Town of Palmyra
Rosalie J. Mouton

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne.

and I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the Mobile Home Ordinance of the Town of Palmyra, New York, as adopted by the Town Board of the Town of Palmyra, New York, on the 10th day of November, 1978, at 7:45 p.m. in the matter of the adoption of a proposed Mobile Home Ordinance for the Town of Palmyra, as recommended by the Planning Board of the Town of Palmyra.

The ordinance is entitled "Mobile Home Ordinance of the Town of Palmyra" and will recodify and update the existing mobile home ordinance adopted March 22, 1960.

The proposed Mobile Home Ordinance will require greater detail and more planning for the development of mobile home parks. It will require that certain regulations apply to proposed mobile home parks. Ordinance will apply to existing mobile home parks and other regulations may be waived by an application. The existing parks must furnish a map and detail of the way the park existed at the time the proposed ordinance is enacted to obtain the waivers.

All units must be placed in a mobile home park except those determined as pre-existing.

The proposed ordinance contains specifications for laying down mobile homes and preparing sites.

Penalties are provided in said ordinance, \$500 per week and a \$25 annual fee to be charged for a mobile home park license.

This summary is published in lieu of the complete text pursuant to Local Law duly adopted by the Town of Palmyra. A full text of the proposed Mobile Home Ordinance is on file at the Town Clerk's Office at East Main Street, Palmyra, New York.

All interested persons will be heard by the Town Board at the public hearing.

Dated: October 16, 1978
Betty B. Shuppings
Town Clerk

Rosalie J. Mouton, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

October 20, 1978

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 24 day of Oct 1978

Michael P. Morgan
Notary Public

Fee: \$ 20.52

WATKINS COUNTY, N.Y.

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, }
County of Wayne, } ss:

Rosalie J. Mouton, being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

October 27, 1978

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 3 day of Nov 1978

Michael J. Mouton
Notary Public

Fee: \$ 17.96

WATSON COUNTY CLERK'S OFFICE
11/28/78

NOTICE OF PUBLIC HEARING ON NEW FIRE PROTECTION CONTRACT TO BE ENTERED INTO BY THE TOWN BOARD OF THE TOWN OF PALMYRA WITH THE VILLAGE OF PALMYRA FOR THE PALMYRA FIRE PROTECTION DISTRICT. NOTICE IS HEREBY GIVEN THAT a public hearing will be held by the Town Board of the Town of Palmyra, Wayne County, New York, at the Office of the Town Clerk, 204 East Main Street, Palmyra, New York, on Thursday, November 9, 1978 at 7:30 p.m. for the purpose of considering entering into a new contract for fire protection in the Palmyra Fire Protection District. Such contract shall provide for the payment for the Village of Palmyra of the sum of \$10,500 for the year of 1979 and the sum of \$21,000 for the year 1980 from the funds of such fire protection district the said payment to be made during January, 1979 and January 1980 for the duration of such contract. Both parties to the contract shall contain the same general provisions as the existing contract. All persons interested in the matter will be heard at such time and place. Dated October 24, 1978 By order of the Town Board of the Town of Palmyra, Ben J. Stubbings, Town Clerk.

November 9, 1978

227

The regular meeting of the Town Board of the Town of Palmyra was opened on Thursday, November 9, 1978 at 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon, Zoning Officer Francis Toole, Town Attorney Paul Rubery and Town Clerk Betty Stubbings. Interested persons attending were: Wilson VanHaneghan, Mary Lou Wilson, Steve Jackson, Orville Marquart, Robert Stanton, Kenneth & Mairie Years and Phyllis Dickinson.

MEETING
OPENED

The Public Hearing scheduled for November 9, 1978 at 7:30 P.M. for the purpose of considering entering into a new contract between the Town of Palmyra and the Village of Palmyra for Fire Protection in the Palmyra Fire Protection District was opened by Supervisor Aplin at 7:30 P.M.. The Proof of Publication was read by the Clerk. The contract being considered provides for the payment to the Village of Palmyra of the sum of \$19,500 for the year 1979 and the sum of \$21,000 for the year 1980 from the funds of such Fire Protection District. Village Trustee Mary Lou Wilson, representing the Village of Palmyra, was present to answer any questions involving the proposed contract. No one spoke in favor of or in opposition to the contract and there were no questions posed by those in attendance. Supervisor Aplin declared the hearing closed at 7:40 P.M..

PUBLIC
HEARING
RE: FIRE
CONTRACT

The Public Hearing scheduled for November 9, 1978 at 7:45 P.M. in the matter of the adoption of a Proposed Mobile Home Ordinance for the Town of Palmyra as recommended by the Planning Board of the Town of Palmyra was opened at 7:45 P.M. by Supervisor Aplin. The Proof of Publication was read by the Clerk. Complete recorded minutes of this hearing are on file with the Mobile Home Park Ordinance. The hearing was closed at 8:55 P.M..

PUBLIC
HEARING
RE: MOBILE
HOME PARK
ORDINANCE

The Public Hearing scheduled for November 9, 1978 at 8:30 P.M. for the purpose of reviewing the Preliminary Budget of the Town of Palmyra for 1979 was opened at 9:00 P.M. by Supervisor Aplin. The Proof of Publication was read by the Clerk. Supervisor Aplin asked if there was anyone present who wished to speak, make comments or present statements regarding this Preliminary Budget. Mary Lou Wilson, representing the Village of Palmyra, presented the attached Petition for the Mayor and the Board of Trustees of the Village of Palmyra. Trustee Wilson spoke in regard to the petition and stated that, on behalf of the Village Taxpayers, the fact that the Town has exempted the Village from Item III of the Highway Budget is appreciated but hoped that starting with 1979 the Town would also exempt the Village from Item IV of the Highway Budget. The Supervisor and the Councilmen responded in regard to the further exemption requested stating that the Village tax rate has been reduced twice as much as the rate for the Town residents. Reciprocal arrangements between the Village and the Town were discussed. Town Attorney Paul Rubery questioned if an amount had been specified in the Contingency Account of the Budget for future office space. Mary Lou Wilson asked if the Town of Palmyra had ever received an answer concerning their request for BOR Funds to be used for establishing a Community Park in conjunction with the new Palmyra Community Center. Nelson Cook replied that the Town has not had a reply on these funds as yet. Further general discussion on the Budget followed. The hearing was closed at 9:30 P.M..

PUBLIC
HEARING
RE: 1979
BUDGET

The Board immediately turned their attention to the Public Hearing on the considered expenditures of General Federal Revenue Sharing Funds scheduled for 9:00 P.M.. The hearing was opened at 9:30 P.M. by Supervisor Aplin. The Proof of Publication was read by the Clerk. The funds are estimated to be \$43,660 for the year 1979 with budgeted use of \$25,000 for Environmental Protection and \$18,660 for Pub-

PUBLIC
HEARING
RE: FED.
REV. SHAR
FUNDS

MEETING
RE-OPENED

lic Safety. The hearing was closed at 9:35 P.M..

The regular meeting of the Town Board of the Town of Palmyra was re-opened at 9:40 P.M..

MOTION TO
APPROVE MIN.
OF 10/12

A motion was made by David Lyon, seconded by Nelson Cook to dispense with the reading of and approve as submitted the minutes of the October 12th meeting. Motion passed with 4 ayes and no nos.

COMMUNICA-
TIONS

The following communications were reviewed by the Board: (1) Notice of Public Hearing re: a Local Law to adopt Chapter 30 entitled "Zoning" of the Town of Walworth Municipal Code (2) Letter from New York State Department of Health-Office of Public Health re: Proposed Route 31 East Water District (3) Two letters from the Department of Environmental Conservation re: Violations at the Sanitary Landfill - old site and new site. (4) Information from Value Management Consultants, Inc. of Buffalo, New York.

COMMITTEESZONING
COUNTRYMAN

Zoning - Zoning Officer Francis Toole reported that Mr. Countryman in East Palmyra has cleared up some of the junk in violation and he presented a picture of the area. The papers for this Violation are in process.

JUNKYARD ON
TROLLEY RD.

Mr. Toole also reported in regard to violations at the Junkyard on Trolley Road. He also had pictures of this area in violation. He has talked with the operator and feels this matter will be cleared up.

W. WILLIAMSON

Wayne Williamson of Pal-Oil Company will be submitting an application for a building permit for a storage barn. This request will require Special Authorization of the Town Board and will require a hearing before the Zoning Board of Appeals.

FINNERTY

Another application which will require hearings before the Town Board and the Zoning Board of Appeals is the request of John Finnerty for additions and alterations to his place of business - Peg & Johnnie's Roadside Inn.

A building has been started on property on North Creek Road with no Building Permit - Mr. Toole will check on this matter.

MOTION TO
HOLD T.W. BD.
MEETING ON
11/30

At this time, the Board discussed a time to hold the next Town Board meeting as the next regularly scheduled meeting will fall on Thanksgiving Day. A motion was made by Bruce Wideman, seconded by Edwin Wheeler to hold the next Town Board meeting on Thursday, November 30, 1978 at 7:30 P.M., in lieu of the meeting scheduled for November 23, 1978. Motion passed with 5 ayes and no nos.

MOTION TO
ADV. FOR
PUBL. HRG.
(FINNERTY)

A motion was made by Bruce Wideman, seconded by Edwin Wheeler to schedule the Public Hearing for John Finnerty for 8:00 P.M., November 30, 1978 and to advertise the same. Motion passed with 5 ayes and no nos.

MOBILE PK.
ORD.MOTION TO
SEND ORD. TO
PL. BD. FOR
STUDY & REC.

Under Zoning, Bruce Wideman spoke briefly concerning the status of the Mobile Home Park Ordinance and following considerable discussion by the Board on this Proposed Ordinance, Mr. Wideman stated that because there are significant areas of concern for the present Mobile Home Park owners, he would suggest and so move that the Proposed Mobile Home Park Ordinance, along with the suggestions of the Park owners' attorney, Mr. Stanton, be sent to the Planning Board for further study and recommendations to the Town Board. Motion was seconded by Edwin Wheeler and passed with 5 ayes and no nos.

ASSESSMENT

Assessment - Mr. Wideman reported that the transfer at the Assessor's Office seems to be progressing smoothly. The Town Attorney questioned the schooling for Mr. Roney and Mr. Wideman replied that arrangements are being made thru the Wayne County Planning Office.

HIGHWAY

Highway - In the absence of Town Highway Superintendent James DeBrine, the Town Attorney reported that the Town Highway crew, while doing site work on Harris Road, uncovered what may have been an old burial ground. In checking on this matter, it is believed that remains from this burial ground were moved to the

East Palmyra Cemetery.

The Town Board has received a bill and voucher from Don Swartz who is doing the Culvert survey work and the Clerk was advised to call Mr. Swartz and ask for a progress report and maps showing the completed work before payment is made.

BILL FOR
CULVERT
WORK

Water - Chairman Nelson Cook reported that he has received a copy of the modified plans for the Proposed East Water District from Town Engineer Tony Malone.

WATER

Mr. Cook also reported that he has received a letter from Mrs. Theresa Otte informing the Town of Palmyra of her resignation as Collector of Water bills. A problem has developed concerning the billing and collecting of water bills for the Town's water Districts. Supervisor Aplin read a copy of the letter sent to the Village by Town Attorney Paul Rubery. There seems to be a difference in interpretation of the Water Contract in regard to the meter reading, billing and collecting. Considerable discussion followed with the Town Board deciding to send a letter to the Village of Palmyra advising that the Town will make an appointment for Water Cashier from their recommendations. Mr. Cook will also contact Village Trustee David Williamson to seek a solution to this problem.

LETTER RE:
T. OTTE RESI
AS WATER
CASHIER

Mr. Cook reported that he has received a letter from David Williamson in regard to the connection at Vienna Street for the East Water District. There seems to be a question concerning the installation of the Master Meter for the East Water District and Mr. Cook will also clarify this point with Mr. Williamson.

The Town Attorney reported that he has been contacted by the Newfang's attorney in regard to the possibility of a water-hookup prior to receipt of approval by the Department of Health. Mr. Rubery advised that he will draw up an agreement between the Town of Palmyra and the Newfangs in case the Department of Health's approval of the Extension #1 to the North Water District does not come thru - copy of the agreement will be a part of the file on Extension #1 to North Water District.

AGREEMENT
W/NEWFANGS
RE: WATER
HOOK-UP

The Board discussed briefly a proposed letter to be sent to residents of the Town's Water Districts concerning an extra charge on the January taxes to cover the expense of installing the Master Meters and Vaults.

The motion to adopt the Contract between the Village of Palmyra and the Town of Palmyra for Fire Protection was made by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos.

MOTION TO
ADOPT FIRE
CONTRACT

Landfill - Bruce Wideman reported that the new cell has been dug - the old cell is now full. Nelson Cook reported that the old site is fenced off, signs are up indicating where the new site is located. The Board discussed in general the closing of the old site. David Lyon will check with Mr. DeBrine concerning the moving of dirt needed to finish the old site and Bruce Wideman will contact Nevelezer concerning a dozer to work the old site.

LANDFILL

Bruce Wideman suggested that the Board look at the Landfill regulations in regard to old tires, Hot water heaters, refrigerators, old snowmobiles etc. These items fill the cells too quickly and some thought should be given to the disposal of these items. Mr. Wideman questioned the letter from the Department of Environmental Conservation concerning the violations at the new site. He also asked that the Board check with Mr. DeBrine in regard to using the old roller from the Highway Department to help compact the refuse at the Landfill.

The Town Board turned their attention to the Preliminary Budget for 1979, subject of a Public Hearing earlier in the meeting. A motion was made by Bruce Wideman to adopt the Preliminary Budget as presented at the hearing, excluding the Village of Palmyra from Item III. The motion was seconded by David Lyon and passed with 3 ayes, Bruce Wideman, Nelson Cook and David Lyon voting aye and 2 nos, Edwin Wheeler and Roy Aplin voting no.

MOTION TO
ADOPT
BUDGET

CONSOLIDATION
CANAL PROJECT

Consolidation of Town & Village. Bruce Wideman reported that the Canal Restoration project was going nicely but he stated that the project could make use of the Town's dozer for one day and the old front-end loader could be used - call it the Town's contribution to the project. The Board suggested he contact the Town Highway Superintendent in regard to this matter.

SWIFT'S CEMETERY
DAMAGE TO STEPS

David Lyon reported that he had met and talked with a representative from the New York Telephone Company and the Contractor on the job concerning damage done to the Swift's Cemetery steps during installation of a telephone cable on Church Street. Letters were sent to the Village of Palmyra and the New York Telephone Company. Mr. Lyon stated that the Town should be receiving a letter from the contractor indicating the construction company will take care of any damage.

MEETING ON CONSOL. OF OFFICES

Chairman Edwin Wheeler reported that there will be a meeting in regard to the consolidation of Town and Village offices on Saturday, November 18, 1978 at 1:00 P.M.

MOTION TO PAY BILLS

The motion to pay the following bills was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 5 ayes and no nos:

GENERAL FUND	Vouchers #558-611	\$ 5,997.65
PART TOWN FUND	" # 62- 63	251.11
HIGHWAY ITEM I	" # 68- 69	282.43
HIGHWAY ITEM II	" # 4	15.56
HIGHWAY ITEM III	" #200-222	6,851.37
HIGHWAY ITEM IV	" # 59-63	7,177.09
FEDERAL REVENUE SHARING	" # 16- 17	14.75
NORTH WATER DISTRICT	" # 16	4,872.34
SOUTH WATER DISTRICT	" # 17- 19	4,444.15
TOTAL		\$29,906.45

MOTION TO ADJOURN

The motion to adjourn this meeting to Thursday, November 30, 1978 was made by David Lyon, seconded by Nelson Cook and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

Following is a copy of the summary of the Annual Budget for the Town of Palmyra for the year 1979:

1.

<u>FUND</u>	<u>APPROPRI- ATIONS</u>	<u>LESS EST. REV.</u>	<u>LESS UNEXPENDED BALANCE</u>	<u>AMOUNT TO BE RAISED BY TAX</u>
General	\$204340.00	\$122400.00	\$ 35000.00	\$ 46940.00
General Outside Village	26200.00	3975.00	20000.00	2225.00
Highway: Repairs & Improve.	90240.00	27468.00	20000.00	42772.00
Bridges	650.00	0	650.00	0
Machinery	58929.00	41000.00	15000.00	2929.00
Snow & Misc.	101634.00	21000.00	30000.00	50634.00
Improvement Program	40731.00	3400.00	0	37331.00
<u>SPECIAL DISTRICTS</u>				
<u>WATER DISTRICTS:</u>				
North	25523.40	20750.40	0	4773.00
South	12229.74	9841.74	0	2388.00
<u>FIRE DISTRICTS:</u>				
Palmyra-Rural	19500.00	None	None	19500.00
East Palmyra	5000.00	None	None	5000.00
Port Gibson	1300.00	None	None	1300.00
TOTALS	\$586277.14	\$249835.14	\$120650.00	\$215792.00

<u>ACCOUNTS</u>	<u>ACTUAL 1978</u>	<u>TENTATIVE BUDGET 1979</u>	<u>PRELIMINARY BUDGET 1979</u>	<u>ADOPTED 1979</u>
<u>TOWN BOARD</u>				
Councilman				
Personal Services	\$ 4800.00	\$ 4800.00	\$ 4800.00	\$ 4800.00
Cont. Exp.	1800.00	2000.00	2000.00	2000.00
Total	6600.00	6800.00	6800.00	6800.00
<u>JUSTICES</u>				
Personal Services	7200.00	8100.00	7700.00	7700.00
Cont. Exp. (incl clerk)	1800.00	2100.00	1800.00	1800.00
Total	9000.00	10200.00	9500.00	9500.00
<u>SUPERVISOR</u>				
Personal Services	6000.00	6000.00	6000.00	6000.00
Bookkeeper	2700.00	4500.00	4500.00	4500.00
Cont. Exp.	900.00	900.00	900.00	900.00
Total	9600.00	11400.00	11400.00	11400.00
<u>TAX COLLECTION</u>				
Personal Services	1800.00	1875.00	1875.00	1875.00
Cont. Exp.	700.00	725.00	725.00	725.00
Total	2500.00	2600.00	2600.00	2600.00
<u>ASSESSORS</u>				
Personal Services	9500.00	22880.00	14000.00	14000.00
Equipment	1050.00	300.00	300.00	300.00
Cont. Exp.	1650.00	6150.00	4150.00	4150.00
Total	12200.00	29330.00	18450.00	18450.00
<u>TOWN CLERK</u>				
Personal Services	6500.00	6750.00	6750.00	6750.00
Dep. Town Clerk	900.00	1200.00	1200.00	1200.00
Cont. Exp.	600.00	600.00	600.00	600.00
Total	8000.00	8550.00	8550.00	8550.00
<u>ATTORNEY</u>				
Personal Services	3800.00	4000.00	4000.00	4000.00
Cont. Exp.	2000.00	2000.00	2000.00	2000.00
Total	5800.00	6000.00	6000.00	6000.00

2.

<u>ENGINEER</u>				
Cont. Exp.	5000.00	5000.00	5000.00	5000.00
Total	5000.00	5000.00	5000.00	5000.00
<u>ELECTIONS</u>				
Personal Services	3200.00	3200.00	3200.00	3200.00
Equipment	2500.00	2500.00	2500.00	2500.00
Cont. Exp.	800.00	800.00	800.00	800.00
Total	6500.00	6500.00	6500.00	6500.00
<u>BUILDINGS</u>				
Cont. Exp.	3900.00	4900.00	4900.00	4900.00
Total	3900.00	4900.00	4900.00	4900.00
<u>SPECIAL ITEMS</u>				
Unallocated Ins.	15000.00	16000.00	16000.00	16000.00
Municipal Assn. Dues	275.00	325.00	325.00	325.00
Contingent Account	6500.00	6500.00	6500.00	6500.00
Total	21775.00	22825.00	22825.00	22825.00

TOTAL GENERAL				
GOVT. SUPPORT	\$ 90875.00	\$114105.00	\$102525.00	\$102525.00

PUBLIC SAFETYCONTROL OF ANIMALS

Dog Warden & Enumerator				
Cont. Exp.	950.00	1250.00	1250.00	1250.00
Total	950.00	1250.00	1250.00	1250.00

TRAFFIC CONTROL

Cont. Exp.	0	500.00	500.00	500.00
Total	0	500.00	500.00	500.00

TOTAL PUBLIC SAFETY	950.00	1750.00	1750.00	1750.00
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HEALTHAMBULANCE

Cont. Exp.	4500.00	4500.00	4500.00	4500.00
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TOTAL HEALTH	4500.00	4500.00	4500.00	4500.00
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TRANSPORTATIONSUPT. OF HIGHWAYS

Personal Services	15561.37	16339.43	16340.00	16340.00
Cont. Exp.	250.00	250.00	250.00	250.00
Total	15811.37	16589.43	16590.00	16590.00

GARAGE

Equipment	100.00	100.00	100.00	100.00
Cont. Exp.	6400.00	6900.00	6900.00	6900.00
Total	6500.00	7000.00	7000.00	7000.00

HIGHWAY SIGNS

Cont. Exp.	1000.00	0	0	0
Total	1000.00	0	0	0

TOTAL TRANSPORTATION	23311.37	23589.43	23590.00	23590.00
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ECONOMIC ASSISTANCE AND OPPORTUNITYCETA II - PUBLIC EMPLOYMENT PROGRAM

Personal Services	7800.00	7800.00	7800.00	7800.00
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CETA VI - PUBLIC EMPLOYMENT PROGRAM

Personal Services	7800.00	7800.00	7800.00	7800.00
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VETERANS SERVICES

Cont. Exp.	400.00	400.00	400.00	400.00
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PROGRAMS FOR AGING

Cont. Exp.	0	600.00	600.00	600.00
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TOTAL ECONOMIC ASSISTANCE AND OPPORTUNITY	16000.00	16600.00	16600.00	16600.00
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CULTURE-RECREATIONHISTORIAN

Personal Services	125.00	125.00	125.00	125.00
Cont. Exp.	125.00	125.00	125.00	125.00
Total	250.00	250.00	250.00	250.00

CELEBRATIONS

Cont. Exp.	75.00	75.00	75.00	75.00
Total	75.00	75.00	75.00	75.00

PROGRAMS FOR AGING

Cont. Exp.	600.00	0	0	0
Total	600.00	0	0	0

TOTAL CULTURE-RECREATION 925.00 325.00 325.00 325.00

HOME AND COMMUNITY SERVICES

REFUSE AND GARBAGE

Cont. Exp.	30000.00	30000.00	30000.00	30000.00
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CEMETERIES

Cont. Exp.	500.00	500.00	500.00	500.00
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TOTAL HOME & COMMUNITY 30500.00 30500.00 30500.00 30500.00

UNDISTRIBUTED EMPLOYEE BENEFITS

State Retirement	10000.00	10000.00	10000.00	10000.00
Social Security	4500.00	5000.00	5000.00	5000.00
Unemployment Ins.	4000.00	4000.00	4000.00	4000.00
Disability Ins.	50.00	50.00	50.00	50.00
Hosp & Med. Ins.	5500.00	5500.00	5500.00	5500.00
Total	24050.00	24550.00	24550.00	24550.00

TOTAL GENERAL FUND APPROPRIATION

191111.37 215919.43 204340.00 204340.00

GENERAL FUND ESTIMATED REVENUES

OTHER TAX ITEMS

Interest & Penalties on Real Property taxes	500.00	600.00	600.00	600.00
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DEPT. INCOME

Clerk Fees	1000.00	1100.00	1100.00	1100.00
Garbage Removal & Disposal Charges	11000.00	12000.00	12000.00	12000.00
CETA Program	15600.00	15600.00	15600.00	15600.00
Fed. Rev. Off.	25000.00	25000.00	25000.00	25000.00

USE OF MONEY AND PROPERTY

Int. & Earnings	2500.00	5000.00	5000.00	5000.00
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LICENSES & PERMITS

Bingo License	500.00	200.00	200.00	200.00
Dog Lic. Apport.	1700.00	1900.00	1900.00	1900.00

FINES & FORFEITURES

Forfeited Bail & Fines	3000.00	3000.00	3000.00	3000.00
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TOTAL ESTIMATED REVENUES

FROM LOCAL SOURCES 60800.00 64400.00 64400.00 64400.00

STATE AID

Per Capita	48000.00	49000.00	49000.00	49000.00
Mortgage Tax	7000.00	9000.00	9000.00	9000.00

TOTAL ESTIMATED REVENUES

FROM STATE AID 55000.00 58000.00 58000.00 58000.00

TOTAL ESTIMATED REVENUES - GENERAL FUND

115800.00 122400.00 122400.00 122400.00

ESTIMATED UNEXPENDED BALANCE

25000.00 35000.00 35000.00 35000.00

GENERAL FUND APPROPRIATIONS - TOWN OUTSIDE VILLAGE

GENERAL GOVERNMENT SUPPORT

SPECIAL ITEMS

Cont. Acct.	1000.00	1000.00	1000.00	1000.00
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STREET LIGHTING

Cont. Acct.	2600.00	2700.00	2700.00	2700.00
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HEALTH

BOARD OF HEALTH

Personal Services	600.00	600.00	600.00	600.00
Cont. Exp.	50.00	50.00	50.00	50.00

Total 650.00 650.00 650.00 650.00

EX 4.

CULTURE-RECREATION

<u>YOUTH PROGRAMS</u>				
Cont. Exp.	8000.00	8000.00	8000.00	8000.00
<u>LIBRARY</u>				
Cont. Exp.	4000.00	7000.00	6000.00	6000.00

HOME & COMMUNITY SERVICES

<u>ZONING</u>				
Personal Services	2300.00	2850.00	2850.00	2850.00
Cont. Exp.	2950.00	3450.00	3450.00	3450.00
<u>PLANNING</u>				
Personal Services	250.00	300.00	300.00	300.00
Cont. Exp.	250.00	300.00	300.00	300.00

UNDISTRIBUTED EMPLOYEE BENEFITS

State Retirement	500.00	500.00	500.00	500.00
Social Security	175.00	200.00	200.00	200.00
Unemployment Ins.	250.00	250.00	250.00	250.00
Total	925.00	950.00	950.00	950.00

<u>TOTAL GENERAL FUND - TOWN OUTSIDE VILLAGE - APPROPRIATIONS</u>				
	22925.00	27200.00	26200.00	26200.00

GENERAL FUND ESTIMATED REVENUES - TOWN OUTSIDE VILLAGE

<u>LOCAL SOURCES</u>				
Registrar	75.00	0	0	0
Zoning Fees	200.00	250.00	250.00	250.00
Planning Board Fees	100.00	100.00	100.00	100.00
Int. & Earnings	900.00	1800.00	1800.00	1800.00
Auto/Junk Licenses	50.00	25.00	25.00	25.00
Total	1325.00	2175.00	2175.00	2175.00

<u>STATE AID</u>				
Youth Programs	1800.00	1800.00	1800.00	1800.00

<u>TOTAL ESTIMATED REVENUES - GENERAL FUND - TOWN OUTSIDE VILLAGE</u>				
	3125.00	3975.00	3975.00	3975.00

<u>ESTIMATED UNEXPENDED BALANCE</u>				
	15000.00	20000.00	20000.00	20000.00

HIGHWAY FUND APPROPRIATIONS - REPAIRS AND IMPROVEMENTS - ITEM I

<u>GENERAL REPAIRS</u>				
Personal Services	37248.48	30756.78	29961.00	29961.00
Cont. Exp.	39867.28	54434.70	47903.00	47903.00
Total	77115.76	85191.48	77864.00	77864.00
<u>IMPROVEMENTS</u>				
Personal Services	0	6834.84	0	0
Cont. Exp.	0	6888.23	0	0
Total	0	13723.07	0	0

<u>UNDISTRIBUTED EMPLOYEE BENEFITS</u>				
State Retirement	7000.00	7500.00	7500.00	7500.00
Social Security	3100.00	3100.00	3100.00	3100.00
Disability Ins.	150.00	170.00	170.00	170.00
Hosp. & Med. Ins.	2709.50	2408.47	1606.00	1606.00
TOTAL EMPL. BENEFITS	12959.50	13178.47	12376.00	12376.00

<u>TOTAL HIGHWAY APPROPRIATIONS</u>				
ITEM I	90075.26	112093.02	90240.00	90240.00

HIGHWAY FUND APPROPRIATIONS - BRIDGES - ITEM II

<u>BRIDGES</u>				
Cont. Exp.	3100.00	0	0	0
<u>TOTAL HIGHWAY APPROPRIATIONS</u>				
ITEM II	3100.00	0	0	0

HIGHWAY FUND APPROPRIATIONS - MACHINERY - ITEM III

<u>MACHINERY</u>				
Personal Services	3107.04	3417.42	3329.00	3329.00
Equipment	25550.00	3000.00	27000.00	27000.00
Cont. Exp.	28000.00	300.00	28600.00	28600.00
TOTAL MACHINERY	56657.04	66417.42	58929.00	58929.00

HIGHWAY FUND APPROPRIATIONS - SNOW AND MISC. - ITEM IV

<u>MISCELLANEOUS (BRUSH & WEEDS)</u>				
Personal Services	6107.04	6417.32	6329.00	6329.00
Cont. Exp.	800.00	600.00	600.00	600.00
Total	6907.04	7017.32	6929.00	6929.00
<u>SNOW REMOVAL (TOWN HIGHWAYS)</u>				
Personal Services	41395.12	44433.56	40125.00	40125.00
Cont. Exp.	21200.00	20010.00	20010.00	20010.00
Total	62595.12	64443.56	60135.00	60135.00
<u>SERVICES FOR OTHER GOVTS</u>				
Personal Services	4550.00	5000.00	5000.00	5000.00
Cont. Exp.	14000.00	14000.00	14000.00	14000.00
Total	18550.00	19000.00	19000.00	19000.00
<u>UNDISTRIBUTED EMPLOYEE BENEFITS</u>				
State Retirement	9500.00	9500.00	9500.00	9500.00
Social Security	3200.00	3400.00	3400.00	3400.00
Disability Ins.	150.00	170.00	170.00	170.00
Hosp. & Med Ins.	2800.00	2800.00	2500.00	2500.00
TOTAL	15650.00	15870.00	15570.00	15570.00
TOTAL SNOW & MISC.	103702.16	106330.88	101634.00	101634.00

HIGHWAY FUND APPROPRIATIONS - IMPROVEMENT PROGRAM

<u>IMPROVEMENT PROGRAM</u>				
<u>PROJECT (HANAGAN RD) (CAMBER RD)</u>				
Personal Services	1513.45	6834.84	6658.00	6658.00
Cont. Exp.	16343.16	18724.05	18724.00	18724.00
Int. on Notes			401.00	401.00
Total	17856.61	25558.89	25783.00	25783.00
<u>PROJECT (HARRIS-N. CREEK) (GARNEY RD)</u>				
Personal Services	926.91		6658.00	6658.00
Cont. Exp.	10954.32		7889.00	7889.00
Int. on Notes			401.00	401.00
Total	11881.23		14948.00	14948.00
<u>Project (Cole Rd)</u>				
Personal Services	617.94			
Cont. Exp.	3901.20			
Total	4519.14			
TOTAL HIGHWAY APPROPRIATIONS - IMPROVEMENT PROGRAM	34256.98	25558.89	40731.00	40731.00

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BALANCE

<u>REPAIRS & IMPROVEMENTS (ITEM I)</u>				
<u>LOCAL SOURCES</u>				
Int. & Earnings	1500.00	1800.00	1800.00	1800.00
<u>STATE AID</u>				
Per Capita	20000.00	22000.00	22000.00	22000.00
Valuation Aid	3690.00	3667.50	3668.00	3668.00
TOTAL ESTIMATED REVENUES	25190.00	27467.50	27468.00	27468.00
TOTAL ESTIMATED UNEXPENDED BALANCE	20000.00	20000.00	20000.00	20000.00
<u>BRIDGES (ITEM II)</u>				
TOTAL ESTIMATED UNEXPENDED BALANCE	1720.06	650.00	650.00	650.00
<u>MACHINERY (ITEM 3)</u>				
<u>LOCAL SOURCES</u>				
Int & Earnings	1200.00	1000.00	1000.00	1000.00
Rental Equip.	8000.00	8000.00	8000.00	8000.00
Transfers from Highway Fund	3535.00	5000.00	5000.00	5000.00
Fed Revenue	25000.00	27000.00	27000.00	27000.00
TOTAL ESTIMATED REVENUES	37735.00	41000.00	41000.00	41000.00

<u>TOTAL ESTIMATED UNEXPENDED</u>				
<u>BALANCE</u>	15000.00	15000.00	15000.00	15000.00

SNOW & MISCELLANEOUS (ITEM4)LOCAL SOURCES

Services for other Govt	18550.00	19000.00	19000.00	19000.00
Int. & Earnings	1200.00	2000.00	2000.00	2000.00
<u>TOTAL ESTIMATED</u>				
<u>REVENUES</u>	19750.00	21000.00	21000.00	21000.00

<u>TOTAL ESTIMATED UNEXPENDED</u>				
<u>BALANCE</u>	25000.00	30000.00	30000.00	30000.00

HIGHWAY FUNDS - ESTIMATED REVENUES AND ESTIMATED UNEXPENDED BAL.HIGHWAY IMPROVEMENT PROGRAM

<u>LOCAL SOURCES</u>	Cambier Rd. Garnsey Rd. Cole Rd.	Hanagan Rd.	Hanagan Rd. Harris- N. Creek	Hanagan Rd. Harris- N. Creek
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STATE AID

Hwy Imp.	5627.00	1984.00	3400.00	3400.00
<u>TOTAL ESTIMATED</u>				
<u>REVENUES</u>	5627.00	1984.00	3400.00	3400.00

FEDERAL REVENUE SHARING FUND - APPROPRIATIONS

A8190.4				
Cont. Exp.	25000.00	25000.00	25000.00	25000.00
DW5130.2				
Equipment	25000.00	27000.00	27000.00	27000.00
<u>TOTAL</u>				
<u>APPROPRIATIONS</u>	50000.00	52000.00	52000.00	52000.00

WATER DISTRICTSAPPROPRIATIONSNORTH:

Personal Services	312.00			
Cont. Exp.	20418.40		20750.40	20750.40
Social Security	20.00			
Interfund Trans. to Capital Project Fund			4773.00	4773.00
<u>TOTAL</u>	20750.40		25523.40	25523.40

SOUTH:

Personal Services	168.00			
Cont. Exp.	9661.74		9841.74	9841.74
Social Security	12.00			
Interfund Trans. to Capital Project Fund			2388.00	2388.00
<u>TOTAL</u>	9841.74		12229.74	12229.74

ESTIMATED REVENUESNORTH:

Metered Sales	20312.01		20250.40	20250.40
Interest	438.39		500.00	500.00
<u>TOTAL</u>	20750.40		20750.40	20750.40

SOUTH:

Metered Sales	9594.71		9541.74	9541.74
Interest	247.03		300.00	300.00
<u>TOTAL</u>	9841.74		9841.74	9841.74

PALMYRA - RURAL FIRE PROTECTION - APPROPRIATIONS

Cont. Exp.	18000.00	19500.00	19500.00	19500.00
TOTAL	18000.00	19500.00	19500.00	19500.00

<u>ESTIMATED REVENUES</u>	NONE	NONE	NONE	NONE
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EAST PALMYRA FIRE PROTECTION DISTRICT - APPROPRIATIONS

Cont. Exp.	5000.00	5000.00	5000.00	5000.00
TOTAL	5000.00	5000.00	5000.00	5000.00

<u>ESTIMATED REVENUES</u>	NONE	NONE	NONE	NONE
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PORT GIBSON FIRE PROTECTION DISTRICT - APPROPRIATIONS

Cont. Exp.	1300.00	1300.00	1300.00	1300.00
TOTAL	1300.00	1300.00	1300.00	1300.00

<u>ESTIMATED REVENUES</u>	NONE	NONE	NONE	NONE
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SCHEDULE OF SALARIES OF ELECTED TOWN OFFICERS

Supervisor	\$ 6000.00
Councilman (4)	4800.00
Justices (2)	7700.00
Tax Collector	1875.00
Assessor	12000.00
Town Clerk	6750.00
Highway Supt.	16340.00

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne, }

PUBLIC HEARING
TOWN OF PALMYRA
NOTICE IS HEREBY
GIVEN THAT A PUBLIC HEARING
WILL BE HELD BY THE TOWN
BOARD OF THE TOWN OF
PALMYRA, COUNTY OF WAYNE,
NEW YORK, ON THE 12TH DAY
OF NOVEMBER 1978, AT 8:00
A.M. AT THE TOWN OFFICE, 204
EAST MAIN STREET, PALMYRA,
NEW YORK, TO CONSIDER THE
APPLICATION OF J. J. Manton,
Foreman of the Publisher of
the Timesaver Advertising Inc.,
for a Special Authorization to
use a portion of the Town of
Palmyra, New York, for
Special Advertising Use, to
publish a non-conforming use
of a portion of the Town of
Palmyra, New York, for
Special Advertising Use, and
to consider the same and
to make a determination thereon.
The hearing will be held at
the Town Office, 204 East Main
Street, Palmyra, New York,
on the 12th day of November
1978, at 8:00 A.M. and the
Town Board of the Town of
Palmyra, New York, will be
in session at that time.
Special Authorization for
the use of a portion of the
Town of Palmyra, New York,
for Special Advertising Use,
is hereby authorized by the
Town Board of the Town of
Palmyra, New York, on the
12th day of November 1978.
The above application is
open for inspection at the
Town Office, 204 East Main
Street, Palmyra, New York,
from 8:00 A.M. to 5:00 P.M.
on any day of the week.
Persons wishing to appear at
such hearing may do so in
person or by agent, attorney
or other representative, and
communications in connection
therewith may be filed
with the Board prior to or at
such hearing.
Dated November 12, 1978
By order of the
Town Board of the
Town of Palmyra,
Betsy B. Stubbings
Town Clerk

Rosalie J. Manton....., being duly sworn,
deposes and says that he is the foreman of
the Timesaver Advertising Inc., publisher of
the COURIER-JOURNAL, a public news-
paper published weekly at Palmyra, N.Y., in
the County of Wayne, and that the notice of
which the annexed is a true copy, clipped
from said newspaper, was regularly
published in said Courier-Journal on the
following dates:

.....
.....
.....
.....
.....

Rosalie J. Manton
Foreman of the Publisher

Subscribed and sworn to before me

this *17* day of *Nov* 1978

Michael J. Manton
Notary Public

Fee : \$ 17.38

November 30, 1978

231

The regular meeting of the Town Board of the Town of Palmyra was opened at MEETING
7:30 P.M. on Thursday, November 30, 1978 in the Town Office, 204 East Main Street OPENED
Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge
of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town
Councilmen Nelson Cook, Bruce Wideman, and Edwin Wheeler, Zoning Officer Francis
Toole, Town Attorney Paul Rubery, Town Highway Superintendent James DeBrine and
Town Clerk Betty Stubbings. Interested persons attending were: John Finnerty,
Larry Beyley, Betty Buck and Sheila Root.

A motion was made by Edwin Wheeler, seconded by Bruce Wideman to dispense with NOTION TO
the reading of and approve as submitted the minutes of the October 26th meeting. APPROVE
The motion was passed with 4 ayes and no nos. MIN. 10/26

The Board reviewed the following communications: (1) A letter from E.E. Root COMMUNICA
in regard to the steps at Swift's Cemetery. (New York Telephone Co. cable installa-
tion (2) Questionnaire from Wayne County Board of Elections (3) Letter to Voting
Machine Custodian William Deys concerning the Voting Machines (4) Letter of resig-
nation from Town Justice James Alsdorf. COMMITTEES

COMMITTEES

Zoning - Zoning Officer Francis Toole reported that Mr. Countryman of East Palmyra ZONING
will appear before Judge Harry White on Monday, December 4th. COUNTRYMAN

Mr. Toole also reported that he has received the Wayne Williamson application WILLIAM-
for additional storage at Pal-Oil Co. This application will go to the Planning SON APPLIC
Board for recommendations before the hearings are held - Before the Zoning Board
of Appeals for set-back on December 18th and before the Town Board on December
28th for storage of motor oil.

The Clerk reported that a call had come from Mario Morganti's attorney in re- MORGANTI
gard to an application for Special Authorization for extension of a non-conform- REQUEST
ing use. The Board advised the Zoning Officer to check and verify that the origi-
nal conditions set down for Mr. Morganti were followed.

Town Councilman David Lyon joined the meeting at 7:45 P.M..

The Clerk advised the Board that for some time the publication fees for hear-
ings before the Planning Board on 1 lot sub-divisions were not covering the cost
of advertising. The fee at this time is \$10 for a 1 lot sub-division. Following
discussion on this point, a motion was made by Bruce Wideman, seconded by Edwin
Wheeler that the fees for hearings before the Planning Board on 1 lot sub-divi-
sions be increased to \$20. Motion passed with 5 ayes and no nos. NOTION TO
INC. FEES
1 LOT SUB-
DIV. HRC.

A letter from Town Engineer Tony Malone in regard to the New York State En- SEQR
vironmental Quality Review Law (S.E.Q.R.) prompted a brief discussion by the Board.

Consolidation of Town & Village - Chairman Edwin Wheeler understands that there
are 3 preliminary plans for renovation of the Village Hall which have been sub-
mitted and he expects to look at these plans prior to the Village Board meeting
on Monday, December 4th.

PUBLIC HEARING - The hearing scheduled for 8:00 P.M. on November 30, 1978 in the FINNERTY
Town Office, 204 East Main Street, Palmyra, New York to consider the application HEARING
of John Finnerty, Marion Road, Palmyra for Special Authorization to extend a non- OPENED
conforming use was opened by Supervisor Aplin at 8:00 P.M.. The Proof of Publica-
tion was read by the Clerk. Sheila Root, a neighbor of Mr. Finnerty, questioned
the need or reasons for 2 hearings. It was necessary for Mr. Finnerty to have a
hearing before the Zoning Board of Appeals on November 20th to request a variance
in regard to a line set-back and Mrs. Root was also at that hearing. John Finnerty
explained his reasons for seeking the Special Authorization. The clerk read the
recommendations of the Planning Board and Bruce Wideman reported that the Zoning

HEARING
CLOSEDWATERREQUEST FOR
NEWFANG
C. OF O.AGREEMENT
W/ NEWFANGSMOTION TO
ISSUE TEMP.
C. OF O.ZONINGMOTION TO
APPROVE
FINNERTY
SPEC. AUTHORASSESSMENTHIGHWAYMOTION TO
ADV. FOR BIDS
FOR LDR.MOTION TO
APPR. & SIGN
ANN. AGR. TO
SPEND HWY.
FUNDSWATER
M. METER &
VAULTPROP. EXT. TO
SO. WATER
DISTR.PROP. EAST
WATER DISTR.MOTION TO
PROCEED W/
PROP. DIST.

Board of Appeals had granted the variance requested by Mr. Finnerty. The hearing was closed at 8:08 P.M..

Water - Town Attorney Paul Rubery reported to the Board that he had received a request from the Newfangs' attorney in regard to a Certificate of Occupancy from our Zoning Officer. The approval for the Extension to the North Water District has not arrived from the Department of Health. However, Mr. Rubery advised that an agreement could be drawn up between the Town of Palmyra and Mr. & Mrs. Newfang and a temporary Certificate of Occupancy could be issued with Board approval. The Board instructed Mr. Rubery to proceed with the agreement and a motion was made by Nelson Cook that the Zoning Officer issue a temporary Certificate of Occupancy to the Newfangs subject to the availability of water. Motion was seconded by Edwin Wheeler and passed with 5 ayes and no nos. The Clerk questioned the Board in regard to billing the owners of the other 8 lots in the Extension for their share of the Engineering costs to set up this Extension. Final approval from the Department of Health must be received before that billing can be done.

Zoning - The Board returned to Zoning in order to discuss and act on Mr. Finnerty's request. A motion was made by Bruce Wideman that the Special Authorization be granted to Mr. Finnerty. Motion was seconded by David Lyon and passed with 5 ayes and no nos.

Assessment - Chairman Bruce Wideman reported that he has talked with both Roger Schwing and Judson Roney and stated that the transition at the Assessor's Office is going smoothly. There are no apparent problems.

The Town Attorney explained the present status of the proceeding in regard to Assessment between the New York Telephone Company and the Town of Palmyra.

Highway - Town Highway Superintendent James DeBrine came before the Board with a request to trade the '67 Rubber-tired loader and to advertise for a new loader - bids to be received the 1st regular meeting in 1979 (1-11-79). Following considerable discussion on this request, a motion was made by Edwin Wheeler, seconded by Nelson Cook to advertise for bids for a new loader as recommended by the Town Highway Superintendent, bids to be opened 1/11/79. Motion passed with 5 ayes and no nos.

A motion to approve and sign the annual Agreement to Spend Highway Funds, pursuant to the provisions of Section 284 of the Highway Law, was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 5 ayes and no nos.

Water - Chairman Nelson Cook reported on the installation of the Master Meter and Vault for the South Water District on Canandaigua Road. The meter and vault are installed but the hook-up will be done in the Spring, due to the late arrival of the vault.

Mr. Cook also reported that he had checked with Tony Malone in regard to the Proposed Extension to the South Water District. Mr. Malone will attend the next Board meeting to report on this project.

Town Attorney Paul Rubery spoke to the Board concerning a conversation he had with Tony Malone in regard to the latest developments with the Proposed East Water District. He also stated that he had talked with Bernard Donegan on the financing. The Board discussed the project and its financing at length.

A motion was offered by Edwin Wheeler seconded by Nelson Cook, to proceed with the Proposed East Water District ... outlined by the Town Attorney and enter into a contract for the construction of the water line at an absolute \$80,000. The Board requested Mr. Rubery to advise the Town Engineer of this decision. Then the Board entered into further discussion on this project and

decided to meet with Tony Malone and Bernard Donegan before proceeding with the program. Edwin Wheeler withdrew his motion, Bruce Wideman withdrew his second to the motion and the Board agreed to hold the next Town Board meeting on December 7th to meet with Mr. Malone and Mr. Donegan. The meeting on December 7th will be in lieu of the regularly scheduled Board meeting on December 14th, in order to act on the contract before the expiration date.

MOTION &
2nd WITH-
DRAWN
CHANGE I
MTC.

The problem of the billing for the Town's Water Districts has not been resolved and was again discussed at length. The correspondence was reviewed and the Town Attorney advised that a representative from the Town of Palmyra should attend a Village Board meeting to seek a solution.

WATER
BILLING

Landfill - The Board discussed at length the Landfill and related problems, such as, the work being done to close the old site, the increase in the amount of material being disposed of at the Landfill, the need for a new cell, who should be hired to dig the new cell, the operation of the Landfill (compaction & covering), the quality of work and time involved when the present cell was dug and payment of the bill.

LANDFILL
GEN. DISC.

David Lyon reported that he had been contacted by a Marion Board member inquiring if there was any interest on the part of the Town of Palmyra in a joint transfer station with Marion and would the Board be interested in pursuing this possibility. Mr. Lyon will contact Marion for more information.

Supervisor Aplin brought to the Board's attention the new rules and regulations from the Department of Environmental Conservation and an application for an Operation Permit. Mr. Rubery advised that these papers be sent to Town Engineer Tony Malone.

Joint Recreation Commission - Chairman Nelson Cook reported that the new building is progressing. He also reported that he had talked with Mr. Lehman about possibly donating to the Town some property adjacent to the property where the Palmyra Community Center is being built. Mr. Lehman in turn asked about the possibility of a culvert being placed under the road in return for the property. Mr. Cook asked permission to pursue this request as a ^(joint) venture with the Village of Palmyra. It will be necessary to get cost figures and decide if the project is feasible.

JT. REC.
COMM.

David Lyon questioned the availability of monies for the Youth Program.

Bruce Wideman spoke to the Board in regard to some outstanding bills for the Canal Restoration Project. There are some bills the CETA Program will not pay and Mr. Wideman asked the Board to consider paying these as a contribution from the Town for this project.

CANAL
RESTOR.
PROJECT

The following Resolution was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 5 ayes and no nos:

RESOL. TO
TRANS.
FUNDS
(DEP. TN. CL.)

WHEREAS, there are insufficient funds in the Deputy Town Clerk's Account, NOW THEREFORE BE IT RESOLVED THAT, funds in the amount of \$45.50 be transferred from the Contingency Account #A1990.4 to the Deputy Town Clerk's Account A 1410.2

The following Resolution was made by David Lyon, seconded by Edwin Wheeler and passed with 5 ayes and no nos:

RESOL. TO
TRANS. FUNDS
(HWY.)

BE IT RESOLVED THAT, funds in the amount of \$5403.90 be transferred from Highway Item IA to Highway Item I (Road Improvement Program).

The following Resolution was made by David Lyon, seconded Bruce Wideman and passed with 5 ayes and no nos:

RESOL. TO
TRANS. FUNDS
(HWY.)

BE IT RESOLVED THAT, funds in the amount of \$3758.10 be transferred from Highway Item IA (Road Improvement Progr to Machinery Fund Highway Item III.

The following Resolution was offered by Bruce Wideman, seconded by David Lyon and passed with 5 ayes and no nos:

RESOL. TO
TRANS. FUNDS
ASSESSOR

WHEREAS, there are insufficient funds in the Assessor's Contractual Account, NOW THEREFORE BE IT RESOLVED, that funds in the amount of \$218.68 be trans-

ferred from the Assessor's Personal Service Account #A1355.1 to the Assessor's Contractual Account #A1355.4.

VOUCHER FROM
D. SWARTZ

The Board discussed the bill and voucher from Don Swartz for the work done on the culvert survey. It was decided to defer this to the December 7th meeting, but it was tentatively agreed to use the balance of the Anti-Recession Funds to pay this claim.

MOTION TO
APPROVE
VFW BINGO
LICENSE

The motion to approve the application of the Palmyra Memorial VFW Post #6778 for the Bingo License for 1979 was made by David Lyon, seconded by Nelson Cook and passed with 5 ayes and nonnos.

MOTION TO
APPT. DEP.
TN. CLK.

The motion to approve the appointment of Judy McIntyre as a Deputy Town Clerk at the rate of \$3.00 per hour was made by Nelson Cook, seconded by David Lyon and passed with 5 ayes and no nos.

RESOLUTION
TRANS OF
FUNDS-DEP. TN
CLK. ACCT.

The following Resolution was offered by Edwin Wheeler, seconded by Bruce Wideman and passed with 5 ayes and no nos:

WHEREAS, there are insufficient funds in the Deputy Town Clerk Account, NOW THEREFORE BE IT RESOLVED, that funds in the amount of \$79.50 be transferred from the Town Clerk Contractual Account #A1410.4 to the Deputy Town Clerk Account #A1410.2.

MOTION TO
APPROVE
PEVAS CONTR.

The annual contract for 1979 between the Town of Palmyra and the Palmyra Emergency Volunteer Ambulance Service was approved by a motion offered by Edwin Wheeler, seconded by Nelson Cook. Motion passed with 5 ayes and no nos.

MOTION TO
PAY BILLS

The motion to pay the following bills was made by Bruce Wideman seconded by Nelson Cook and passed with 4 ayes and 1 no - Edwin Wheeler voting no:

GENERAL FUND	Vouchers #612-651	\$ 6555.14
PART TOWN FUND	" #64 - 67	124.54
HIGHWAY ITEM I & IA	" #70	3758.10
HIGHWAY ITEM III	" #223-234	2095.25
HIGHWAY ITEM IV	" #64 - 67	4877.86
FEDERAL REVENUE SHARING	" #18 - 22	3118.55
SOUTH WATER DISTRICT	" #20 - 22	1759.29
TOTAL		\$22288.73

MOTION TO
ADJ. TO
12/7

The motion to adjourn this meeting to Thursday, December 7, 1978 at 7:30 P.M. in lieu of the regularly scheduled Town Board meeting for December 14th was made by Bruce Wideman, seconded by Nelson Cook and passed with 5 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

December 7, 1978

235

The first regular meeting of December 1978 of the Town Board of the Town of Palmyra was opened at 6:40 P.M. on Thursday, December 7th (in lieu of December 14th) in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag. Town Officers present were: Supervisor Roy Aplin, Town Councilmen Edwin Wheeler, Bruce Wideman, Nelson Cook and David Lyon, Town Attorney Paul Rubery, Town Engineer Tony Malone and Town Clerk Betty Stubbings. Bernard Donegan, Financial Consultant and Steve Jackson of the Courier-Journal were also present.

MEETING
OPENED

Town Engineer Tony Malone and Mr. Donegan were present to speak to the Board concerning the Proposed East Water District and the financing involved. Mr. Donegan explained in detail, using the original \$94,000 figure and \$104,000, the financing for the Proposed District. Mr. Malone went over the project in the modified version. The Board, along with Mr. Malone, Mr. Donegan and Town Attorney Paul Rubery, discussed this project at length. Town Engineer Malone recommended that the Town wait until Spring to put out bids for the redesigned and modified plan. Mr. Donegan suggested a meeting in downtown Rochester with representatives of the agencies involved to discuss the possibility of loans and/or grant monies for this project. Councilman Edwin Wheeler offered to attend as the representative from the Town of Palmyra as it is more convenient for him than others on the Board.

T. MALONE
& B. DONEGAN
SPOKE TO
BD RE: E.
WATER DIST.

A motion was made by Edwin Wheeler, seconded by David Lyon to reject all bids on the Proposed East Water District, upon recommendation of the Town Engineer. Motion passed with 5 ayes and no nos.

MOTION TO
REJECT ALL
BIDS - EAST
WATER DIST.

Mr. Donegan will set up a meeting and will notify Mr. Wheeler of time and place.

Town Engineer Malone reported to the Board on the study done to determine the feasibility of an Extension to the South Water District. He estimated a total project cost at \$62,500 - \$100,000 with a booster pump. With a \$489,000 assessment, Mr. Malone advised that this project would be excessive in cost and impractical. He will send out copies of his report.

REPORT ON
EXT. TO
SO. WATER
DIST.

Chairman Nelson Cook questioned Mr. Malone on the possibility and feasibility of a Town wide water system. The Town Engineer stated that a study had been done a few years ago and it might be possible to upgrade that study to determine if a Town wide water system is feasible at this time. A motion was made by Nelson Cook, seconded by Edwin Wheeler to authorize the Town Engineer to upgrade a plan for a Town wide water system for submittal - proposal to receive grant monies from State and Federal Funds. Mr. Malone suggested that the Board wait until he can look over the old study and advise a cost involved. Mr. Cook and Mr. Wheeler withdrew the motion and second.

DISC. ON
TN. WIDE
WATER SYS.

Town Councilman Edwin Wheeler left the meeting at this time.

Zoning Officer Francis Toole joined the meeting at 7:30 P.M..

Supervisor Aplin reported to the Board on the latest developments involving the water billing for the Town's Water Districts. Bruce Wideman made the motion that the Town recommend Darlene Matteson as the Town's candidate for Water Cashier and that the Town Attorney and Village Attorney along with the Water committees should consult and arrive at an interpretation of the Water Contract and advise the municipalities. Motion was seconded by David Lyon and passed with 4 ayes and no nos.

MOTION TO
APPT. D. MATT-
ESON - W. CASH-
& W. COMM.
CONSULT
RE: CONTR.

Town Councilman David Lyon left the meeting at 7:55 P.M..

The following Resolution was made by Bruce Wideman, seconded by Nelson Cook and passed with 3 ayes and no nos: WHEREAS, Donald Schwartz, surveyor engaged to do the culvert survey, has submitted a voucher for services, AND WHEREAS, results

RESOLUTION
PAY SCHWAR-
(C. SURVEY)

236
RESOLUTION
CONT'D.

MOTION TO
USE ANTI-REC
FUNDS FOR
CULV. SURV.
& TRANS. BAL.
TO ENG. ACCT.

of the survey are not yet available. NOW THEREFORE BE IT RESOLVED, that payment be made to Donald Schwartz in the amount of \$2289.60 prior to receipt of the completed survey.

A motion was made by Nelson Cook, seconded by Bruce Wideman to use the balance in the Anti-Recession Funds-Federal in the amount of \$2012.69 and transfer said balance to General Fund-Engineer-Contractual Expense Account #A1440.4. The above amount plus \$276.91 from General Fund-Engineer-Contractual Expense Account #A1440.4 to be used to pay Voucher #669 - Donald Schwartz. Motion passed with 3 ayes and no nos.

RESOLUTION RE:
USING SURPLUS
FUNDS IN SO.W.
DIST. FOR M.
METER EXP.

The following Resolution was offered by Bruce Wideman, seconded by Nelson Cook and passed with 3 ayes and no nos:

WHEREAS, the Town of Palmyra has accumulated expenses relative to the installation of a Master Meter in the South Water District, NOW THEREFORE BE IT RESOLVED, to pay these expenses from the surplus funds in the South Water District.

ZONING

ZONING - Zoning Officer Francis Toole reported that he had received a call from Donald Schwartz in regard to observing perk tests on property located at the corner of Faas Road and South Town Line Road in the Town of Palmyra.

W. WILLIAMSON
APPLICATION
MOTION TO
ADV. PUB. HRG.

The Board discussed the application of Wayne Williamson for Special Authorization to build additional storage area for motor oil at Pal-Oil Co. A motion was made by Bruce Wideman, seconded by Nelson Cook to advertise for a Public Hearing on Thursday, December 28, 1978 at 7:30 P.M. to consider Mr. Williamson's application. Motion passed with 3 ayes and no nos.

MORGANTI
APPLIC.
MOTION TO
ADV. PUB. HRG.

The Clerk reported that Mario Morganti's attorney has requested a public hearing before the Town Board to consider an application for Special Authorization to extend a non-conforming use at Morganti's Car Sales. A motion was made by Bruce Wideman, seconded by Nelson Cook to advertise for a Public Hearing on Thursday, January 11, 1979 at 8:00 P.M. to consider Mr. Morganti's application. Motion passed with 3 ayes and no nos.

Mr. Toole advised the Board that the Court case of Mr. Countryman - East Palmyra area, has been adjourned to December 18, 1978.

ASSESSMENT
REQUEST FOR
CLERK IN
ASSESS. OFFICE

Under Assessment, Chairman Bruce Wideman requested the Board to consider the need for a clerk in the Assessor's Office after the first of the year. He advised the Board that he has received a letter from Margaret Reithel indicating she would be interested in that position.

LANDFILL
DISC. RE:
TRANSFER
SYSTEM

LANDFILL - Supervisor Aplin reported that he has received a letter from Douglas Orbaker, Town of Marion, concerning a Transfer system for this area. The Supervisor will ask David Lyon to contact Mr. Orbaker on this matter. The Board discussed digging new cells at the Landfill site for use during the winter.

CONSOLID.
TN. & VILL.

CONSOLIDATION OF TOWN & VILLAGE - Bruce Wideman reported that he and Edwin Wheeler have met with the Village Committee. They will study plans and report back.

JOINT REC. COMM.
NEW COMM. CTR.
BLDG.

JOINT RECREATION COMMISSION - Chairman Nelson Cook reported that the new Community Center building is still in progress. Mr. Cook questioned if the Town Board would consider paying for the cost of renting a machine to dig the ditch for installing the sewer line for the new building. No action was taken at this time.

Bruce Wideman spoke of the standing bills for the Canal Restoration Project - a CETA Program.

MOTION TO
PAY BILLS

The motion to pay the following bills was made by Bruce Wideman, seconded by Nelson Cook and passed with 3 ayes and no nos!

GENERAL FUND	VOUCHERS #652 - 669	\$5782.95
HIGHWAY ITEM III	" #235 - 240	397.80
HIGHWAY ITEM IV	" # 68 - 69	880.33
TOTAL		<u>\$7061.08</u>

237

The motion to adjourn to Thursday, December 28, 1978 was made by Nelson Cook, seconded by Bruce Wideman and passed with 3 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk

December 28, 1978

MEETING
OPENED

The regular meeting of the Town Board of the Town of Palmyra was opened on Thursday, December 28, 1978 at 7:30 P.M. in the Town Office, 204 East Main Street, Palmyra, New York by Supervisor Aplin with a moment of silent prayer and the Pledge of Allegiance to the Flag.

Town Officers present were: Supervisor Roy Aplin, Town Councilman Bruce Wideman, Zoning Officer Francis Toole, Judson Roney of the Assessor's Office and Town Clerk Betty Stubbings. Interested persons attending were: Steve Jackson of the Courier-Journal, Wayne Williamson, Dale Powell, and James Campbell, Community Center Director.

PUB. HRC.
WILLIAMSON
SPEC. AUTHOR.

The Public Hearing scheduled for 7:30 P.M., December 28, 1978 in the Town Office, to consider the application of Wayne Williamson for Special Authorization to build additional storage area for motor oil at Pal-Oil Co. was opened at 7:30 P.M. by Supervisor Aplin. The Proof of Publication was read by the Clerk. Mr. Williamson explained the reasons for his request for more storage area. Dale Powell, a neighbor living west of the Pal-Oil Co., raised a question concerning fire protection and was answered satisfactorily by Mr. Williamson. A public hearing was held before the Zoning Board of Appeals on this application and, at this time, Councilman Wideman requested the Clerk to read the decision of that Board as well as the recommendations from the Town of Palmyra Planning Board. Supervisor Aplin declared the hearing closed at 7:45 P.M..

HRC. CLOSED

The regular Town Board meeting resumed at this time.

REQUEST FROM
J. CAMPBELL
FUNDS FOR
YOUTH PROG.

James Campbell, Director of the Palmyra Community Center, requested time to speak to the Board concerning additional monies which are available to the Town for use in Youth Programs. The Town is eligible for \$413 to be used for new programs or for the expansion of present programs. If he receives the funds, he will expect to use them to expand one program, probably Junior Basketball, and to set up a new program, a Basketball Tournament, plus 4 field trips. A Resolution is needed from the Town Board to apply for these funds.

COMMUNICATIONS

The following communications were reviewed by the Board (1) A letter in regard to the Wayne County Soil Survey and a copy of the report (2) a Thank you from the Kruger family (3) Supervisor Aplin presented a letter from State of New York Dept. of Correctional Services advising of products (signs, etc.) and services available. The Clerk was advised to check with the Town Highway Superintendent.

ASSESSMENT
CLERICAL
HELP NEEDED

ASSESSMENT - Chairman Bruce Wideman reminded the Board of a need in the Assessor's Office for some part-time clerical help. Judson Roney from the Assessor's Office spoke to the Board in regard to the type of work to be done. He stated that half of the work in the office is clerical, keeping records updated, addresses corrected, filing, answering the phone.

Town Councilman David Lyon arrived at 8:00 P.M..

Supervisor Aplin reported that he is expecting to receive applications thru the CETA Program and will try to hire someone capable of helping in the Assessor's Office. David Lyon questioned the minimum number of hours a week required to take care of the clerical work. Mr. Roney thought 24 - 28 hours a week would suffice. The question was asked if all the Town records from former Assessor Robert Kirchhoff were now in the Assessor's Office. This matter was discussed and Bruce Wideman offered to check this out and will report at the next meeting.

ZONING

ZONING - Zoning Officer Francis Toole reported that Mr. Countryman did not appear in Court as ordered and has not cleaned up the junk on his property. Mr. Toole has not as yet been advised what action Judge White will take.

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, } ss:
County of Wayne,

Rosalie...Moulton..., being duly sworn, deposes and says that he is the foreman of the Timesaver Advertising Inc., publisher of the COURIER-JOURNAL, a public newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

December 15, 1978

Rosalie Moulton
Foreman of the Publisher

Subscribed and sworn to before me

this 15 day of Dec 1978
Michael J. Donnan
Notary Public

Fee: \$ 18.24

NOTICE OF PUBLIC HEARING
TOWN OF PALMYRA
PLEASE TAKE NOTICE
THAT the Town Board of
the Town of Palmyra will
hold a Public Hearing on
Thursday, December 28,
1978, at 7:30 P.M. Eastern
Standard Time in the Town
Office, 208 E. Main
Street, Palmyra, New York
to consider the application
of Wayne R. Williamson,
1428 Hammond Road,
Palmyra, New York, for
additional storage for new
tanks of motor oil at the
Pal Oil Company, Inc., No.
3843 Route 31 in the Town
of Palmyra, County of
Wayne, State of New York.
The property is located in a
C-2 Shopping Center,
Commercial District and is
bounded on the East by
lands of one Paul Johnson,
on the North by lands of the
New York State Department
of Transportation, Canal
Division, on the West by
lands of the Newcomb
Frammer Company, Pitts-
ford, New York and on the
South by the Highway
Route 31.
The Zoning Ordinance
Article III, Section 3.4.2,
Paragraph c, states that
storage of motor oil due to
hazardous fire and ex-
plosion requires Special
Authorization of the Town
Board. Pursuant to Article
Section 3.4.2.
The said Town Board will
at said time and place hear
all persons in support of
said application or any
objections thereto. Persons
may appear in person or by
attorney or agent.
Dated December 6, 1978
By order of the
Town Board of the
Town of Palmyra,
Cathy B. Stubbings,
Town Clerk
D-16

Mr. Toole also reported that after January 1st, the Building Inspector will be responsible for the inspection of water supplies and septic systems.

ZONING CONT'D

Under Zoning, Chairman Wideman reported to the Board that at this time no report has been received from the Planning Board concerning the Proposed Mobile Home Park Ordinance and Proposed Land Sub-Division Rules and Regulations. Mr. Wideman feels that the Town Board should plan on working on the Revised Zoning Ordinance in 1979.

Continuing under Zoning, Mr. Wideman spoke in regard to Wayne Williamson's application, public hearing for same was held on this request earlier in the meeting, and stated that he felt the hearings before the Zoning Board of Appeals and the Town Board showed that the additional storage area requested by Mr. Williamson will not create any fire hazards. The Planning Board and Zoning Board of Appeals both approved this application. A motion to approve Mr. Williamson's application as submitted was made by Bruce Wideman, seconded by Roy Aplin and passed with 3 ayes and no nos.

WILLIAMSON
APPLIC.

MOTION TO
APPROVE
WILLIAMSON
REQUEST

Supervisor Aplin reminded the Board of further action which will be necessary in regard to the State Environmental Quality Review Act. Copies of a Proposed Local Law have been given out to the Town Board members. Further discussion will be held after the Town Attorney joins the meeting.

S.E.Q.R.
PROP.L.L.

The Clerk reported to the Board that the Annual Permits for the Mobile Home Parks have been approved by the Health Officer and now need approval by the Town Board. A motion was made by David Lyon, seconded by Bruce Wideman to approve the Annual Permits for the seven (?) Mobile Home Parks in the Town of Palmyra. Motion passed with 3 ayes and no nos.

MOTION TO
APPROVE
ANN. PERMIT
MOB. HOME
PARKS

The Wayne County Soil Survey was discussed briefly and it was decided that this report would best serve the Planning Board and the Highway Department.

WAYNE CO.
SOIL SURVEY

WATER - Several pieces of correspondence were reviewed and discussed by the Board - (1) A communication concerning Public Water Supply - Cross Connection Control will be deferred until the Town Attorney arrives. (2) Correspondence in regard to the Extension to the North Water District. (3) Correspondence concerning the Proposed East Water District. (4) A report from Town Engineer Tony Malone on a Town Wide Water System - this study will be deferred until next meeting.

WATER

CORRESPOND

In the absence of Nelson Cook, Chairman of the Water Committee, David Lyon reported on the meeting Mr. Cook had with representatives of the Village of Palmyra in regard to the Water Billing for the Town's Water Districts. After meeting with the Village, Mr. Cook advised, subject to Board approval, that the Town pay the \$60.00 to a Water Cashier at the Village in order for the bills to go out without any more delay. A motion was made by Bruce Wideman, seconded by David Lyon to pay the Village Water Cashier \$60 to get the water billing done. Supervisor Aplin suggested that the decision be delayed until a full Board is in attendance, he felt that the Town should sue the Village for Breach of Contract. Mr. Wideman felt that the Town's people are being subject to an unnecessary delay and Mr. Lyon stated that the point was made at the meeting that the Master Meter had not been installed according to the Contract. Following some discussion, Mr. Wideman withdrew the motion and Mr. Lyon withdrew the second. A decision will be put off until the Town Attorney arrives.

WATER
BILLING

MOTION TO
PAY CASH-
IER
(WITHDRAWN)

LANDFILL - Supervisor Aplin reported that he has relieved Nelson Cook as Chairman of the Landfill Committee. Mr. Aplin is now Chairman of this Committee and reported that things are progressing well and the problems are solved. A letter has been received from the Department of Environmental Conservation in regard to an inspection of the Landfill on December 12, 1978 citing no violations and commenting that Palmyra has a good operation.

LANDFILL
SUPER. APLIN
IS CHAIRMAN

REPORT ON
DEC INSP.

LANDFILL A
COMMON
PROBLEM

David Lyon spoke to the Board concerning a communication from D. Orbaker, Town of Marion in regard to Landfill problems. Palmyra is not the only Town with this problem, neighboring towns also share this common problem. The Town of Marion has a Landfill Committee made up of Board members and interested Town's people. Mr. Lyon accompanied this group when they visited the Lyons-Galen Landfill - this landfill is looking for refuse. They also visited Phelps Transfer Station and Canandaigua Transfer Station. They found that Transfer stations are clean - some have re-cycling stations as a part of the operations. Mr. Lyon stated that many questions have to be resolved and asked that as many as possible attend a meeting to be held at the Marion Town Hall on January 3, 1979 at 7:30 P.M..

MEETING ON
LANDFILL
PROBLEMS
MARION -
1-3-79

JT. RECREA.
COMMISSION

JOINT RECREATION COMMISSION - Bruce Wideman reported that the Canal Restoration Project (CETA Program) has been shut down. However, he advised the Board that he would be requesting the Town's support on another CETA project after the first of the year.

REPORT ON
CETA PROJ.

RESOLUTION
RE: MONIES
FOR YOUTH
PROGRAM

The Board returned briefly to James Campbell's request for additional monies for the Youth Program and the following Resolution was offered by David Lyon, seconded by Bruce Wideman and passed with 3 ayes and no nos:

WHEREAS, there are additional funds available to the Town for use in the Youth Program, AND WHEREAS, James Campbell, Director of the Palmyra Community Center, appeared before the Town Board to explain the use of these monies for expansion of one program and to set up a new program, NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra authorize the signing of the necessary papers for these additional monies by the Supervisor and the Town Clerk.

MOTION TO
APPROVE
MINUTES OF
11/9 & 11/30

A motion was made by Bruce Wideman, seconded by David Lyon to dispense with the reading of and approve the minutes as submitted for November 9th and November 30th. Motion passed with 3 ayes and no nos.

JUSTICE APPT

The Board at this time discussed the appointment of a Town Justice to replace James Alsdorf. Three (3) applications have been received at this time.

INTERVIEWS
1-4-79

The Supervisor will contact the applicants and set up 1/2 hour interviews starting at 7:30 P.M., January 4, 1979 with the Organizational meeting to start at 9:00 P.M..

CONSOLIDATION
REPORT ON
RENOVATION

Under Consolidation in regard to the renovation of the Village Hall, Bruce Wideman reported that he, Edwin Wheeler and David Williamson toured the Village Hall to determine the feasibility of proceeding with this work from the reports submitted. The decision to be made at this point is whether or not \$2200-\$2500 should be spent for an in-depth study on this project.

Town Attorney Paul Rubery joined the meeting at this time (9:30 P.M.).

ENCUMBRANCES
& TRANSFERS

The Board turned their attention to the following transfers and encumbrances:

TRANSFER
PT PER CAP.
TO HWY. I

(1) The following Resolution was offered by Bruce Wideman, seconded by David Lyon and passed with 3 ayes and no nos: BE IT RESOLVED, that funds in the amount of \$27,818.00 be transferred from Part Town Per Capita to Highway I Improvement and Repairs.

ENCUMBRANCE
HWY. III

(2) The following Resolution was offered by David Lyon, seconded by Bruce Wideman and passed with 3 ayes and no nos: BE IT RESOLVED, that funds in the amount of \$2367.21 be encumbered in Highway Item III.

ENCUMBRANCE
ITEM IV

(3) The following Resolution was offered by David Lyon, seconded by Bruce Wideman and passed with 3 ayes and no nos: BE IT RESOLVED, that funds in the amount of \$3347.16 be encumbered in Highway Item IV.

Town Councilman Edwin Wheeler joined the meeting at 9:35 P.M..

RESOLUTION
ESTABLISH
SPEC. RESERVE
FUND-UNEMP. INS.

(4) The following Resolution was offered by Bruce Wideman, seconded by David Lyon and passed with 4 ayes and no nos: WHEREAS, there are funds in the amount of \$4000 in the General Fund - Unemployment Insurance Acct. #A9050.8 and funds in the amount of \$250.00 in Part Town Unemployment Insurance Acct. #B9050.8, AND WHEREAS, it is desirable to establish a Special Reserve Fund for Unemployment Insurance, NOW THEREFORE BE IT RESOLVED, that a Special Reserve Fund be established for Unemployment Insurance and the amount of \$4000 in A9050.8 and the amount of \$250.00 in B9050.8 be transferred to said Special Reserve Fund.

STATE OF NEW YORK, } ss.
County of Wayne, }

.....January 19, 1979.....

A A A A A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

.....

[illegible]

this 19th day of January 1979.

ALSO SEE: 100-100000
For The State of California
Qualified to Verify County
by Commission Expires March 28, 1980

The following Resolution was offered by David Lyon, seconded by Bruce Wide-
man and passed with 4 ayes and no nos:

WHEREAS, certain accounts have insufficient funds, NOW THEREFORE BE IT RESOLVED,
that the following transfers be approved:
(1) From Contingency Acct. #A1990.4 to Supervisor (Bookkeeper) Acct. #A1220.2
in the amount of \$300.50
(2) From Assessor's Personal Services Acct. #A1355.1 to Assessor's Contractual
Expense Acct. #A1355.4 in the amount of \$324.39 (Edwin Wheeler abstained)
(3) From Contingency Acct. #A1990.4 to Tax Collector Contractual Expense Acct.
#A1330.4 in the amount of \$49.08
(4) From Town Clerk Contractual Expense Acct. #A1410.4 to Town Clerk Deputy
Acct. #A1410.2 in the amount of \$150.00
(5) From Contingency Acct. #A1990.4 to Town Clerk Deputy Acct. #A1410.2 in the
amount of \$45.50
(6) From Contingency Acct. #A1990.4 to Buildings Contractual Acct. #A162014
in the amount of \$36.30
(7) From Contingency Acct. #A1990.4 to Special Items-Municipal Assn. Dues
Acct. #A1920.4 in the amount of \$20.00
(8) From Contingency Acct. #A1990.4 to Engineer-Contractual Expense Acct.
#A1440.4 in the amount of \$3809.72

RESOLUTION
TRANSFERS
OF FUNDS

The following Resolution was offered by Edwin Wheeler, seconded by David
Lyon and passed with 4 ayes and no nos: BE IT RESOLVED, that funds in the amount
of \$2900 be encumbered in Highway Item IV for the final Pay-roll in December.

RESOLUTION
ENCUM. FOR
HWY. PAYROLL

The Board returned to the subject of the State Environmental Quality Review
Act, discussed briefly earlier in the meeting. Upon advice from the Town Attor-
ney, a motion was made by Edwin Wheeler, seconded by David Lyon to advertise for
a Public Hearing on Proposed Local law # 1 of 1979 to be held Thursday, Febru-
ary 8, 1979 at 7:30 P.M.. Motion passed with with 4 ayes and no nos.

MOTION TO
ADV. - PUB.
HRC. PROP.
LL#1 SEQR

The Town Attorney reported to the Board on the meeting with Mayor Davin,
David Williamson, Laura Poyzer, representatives of the Village of Palmyra and Nel-
son Cook and himself, representing the Town of Palmyra, in regard to resolving
the problem of the water-billing. Mr. Rubery also put before the Board, as Mr.
Lyon had done, Nelson Cook's recommendation that the Town of Palmyra pay the
\$60 a quarter to a Water Cashier at the Village Office. Considerable discussion
followed. A motion was offered by Bruce Wideman, seconded by David Lyon to appoint
Darlene Matteson as Water Cashier for the Town of Palmyra at the rate of \$60 per
quarter. Further discussion was held. The motion was lost with the following vote,
Bruce Wideman and David Lyon voting aye - Edwin Wheeler and Roy Apdin voting no.

REPORT ON
WATER -
BILLING

N. COOK'S
REC. TO PAY
W. CASHIER
AT VILLAGE

MOTION TO
APPT. D.
MATESON
MOTION LOST

The Town Attorney advised the Board to instruct Harold Kruger, Water Dis-
trict Superintendent, to transfer all the Town's Water Records from the Village
Office to the Town Office and the water billing can be done thru the Town Office.

WATER REC
TO BE TRANS
TO TN. OFF.

The Board also discussed at length the status of the consolidation of the
Town and Village in regard to office space. Chairman Edwin Wheeler advised wait-
ing until more information is available from the Village before a decision is made.

Mr. Wheeler reported on a meeting held today in Rochester with Bernard Don-
egan and Mr. Howard on the possibilities of financing for the Proposed East Water
District.

The motion to pay the following bills was made by Bruce Wideman, seconded by
Edwin Wheeler and passed with 4 ayes and no nos - David Lyon abstaining on V #248:

MOTION TO
PAY BILLS

GENERAL FUND	VOUCHERS #670 - 728	26,218.24
PART TOWN FUND	" # 68 - 80	1,788.79
FEDERAL REVENUE SHARING	" # 23 - 29	4,835.57
HIGHWAY ITEM I	" # 71 - 72	388.46
HIGHWAY ITEM III	" #241 - 254	3,467.81
HIGHWAY ITEM IV	" # 70 - 76	10,829.51
NORTH WATER DISTRICT	" # 17 - 23	788.43
SOUTH WATER DISTRICT	" " 23 - 26	45.95
TOTAL		\$48,362.76

242

MOTION TO
ADJOURN

The motion to adjourn this meeting to January 4, 1979 at 9:00 P.M. for the Organizational Meeting was made by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes and no nos.

Respectfully submitted,

Betty B. Stubbings
Betty B. Stubbings, Town Clerk