

Town of Palmyra - Minutes

1984



January 3, 1984

ORGANIZATIONAL MEETING

The Organizational Meeting of the Town Board of the Town of Palmyra was called to order at 7:30 P.M. on Tuesday, January 3, 1984 in the Town Office, 201 East Main Street, Palmyra, New York by Supervisor Aplin.

MEETING
OPENED

Following a moment of silent prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

Upon Roll Call, the following Board members were present: Supervisor Leroy Aplin, Town Councilmen Nelson Cook and David Lyon.

Also attending this meeting was Town Justice Albert Hunt.

The following appointments were made by Supervisor Aplin:

APPTS. BY
SUPERVISOR

| | |
|----------------------|---------------------|
| Deputy Supervisor | James G. Elliott |
| Account Clerk | W. Virginia Willson |
| Deputy Account Clerk | Judith McIntyre |
| Town Historian | Marjorie Clark |
| Fire Wardens | Ronald Madsen |
| | Harlin Tyler Jr. |

Standing Committee Appointments:

COMMITTEE
APPOINTMENTS

| | | |
|---|---|---------------------------------|
| Highway Committee | - | David Lyon, Chairman |
| Water & Fire Committee | - | Edwin Wheeler, Chairman |
| Landfill Committee | - | Donald Sinclair, Chairman |
| | | David Lyon, Committee Member |
| | | Edwin Wheeler, Committee Member |
| Assessment, Planning & Zoning Committee | - | Nelson Cook, Chairman |
| Cemeteries Committee | - | Donald Sinclair, Chairman |
| Economic Development Comm. | - | Donald Sinclair, Chairman |
| Town Building Committee | - | David Lyon, Chairman |
| Consolidation of Town & Village Committee | - | Town Board will serve as Comm. |
| | | Edwin Wheeler, Chairman |

A motion was made by David Lyon to appoint Paul T. Rubery as Town Attorney for the year 1984. The motion was seconded by Nelson Cook and passed with 3 eyes.

MOTION TO
APPT. TN
ATTORNEY

A motion was made by David Lyon, seconded by Nelson Cook, to approve the following appointments and salaries retro-active to January 2, 1984:

MOTION TO
APPROVE
APPTS. &
SALARIES

| <u>POSITION</u> | <u>NAME</u> | <u>SALARY</u> |
|----------------------------|---------------------|---------------------|
| Deputy Supervisor | James G. Elliott | None |
| Town Attorney | Paul T. Rubery | \$8,000.00 annually |
| Town Historian | Marjorie C. Clark | \$ 125.00 annually |
| Town Constable | Francis Toole | Fee Re-imburement |
| Zoning Enforcement Officer | Judson Roney) | |
| Building Inspector | Judson Roney) | \$6,000.00 annually |
| Dog Control Officer | Harold Fisher | Fee Re-imburement |
| Water Dist. Superintendent | Harold Kruger | Per Contract |
| Water Dist. Cashier | Beverly E. Hickman | \$ 400.00 annually |
| Water Billing Clerk | Leona M. Busch | \$ 850.00 annually |
| Deputy Town Clerk | Betty B. Stubbings | \$ 5.00 per hour |
| Deputy Town Clerk | W. Virginia Wilson | \$ 4.75 per hour |
| Account Clerk | W. Virginia Wilson | \$7,200.00 annually |
| Deputy Account Clerk | Judith McIntyre | \$ 4.50 per hour |
| Registrar | Beverly E. Hickman | Fee Re-imburement |
| Deputy Highway Supt. | Lynan F. Kallar | None |
| Health Officer | Town Board | None |
| Voting Machine Custodians | Ellsworth Bedette | \$ 125.00 annually |
| | Fred Goulden | \$ 125.00 annually |
| | Helga H. Haak | \$2,100.00 annually |
| | Patricia L. Baynes | \$2,100.00 annually |
| Court Clerks | | |
| Election Inspectors | | |
| Secretary to Zoning Boards | Ann Luise Albertson | \$ 3.35 per hour |
| Fire Wardens | Ronald Madsen | \$ 4.25 per hour |
| | Harlin Tyler Jr. | None |
| | | None |

The motion passed with 3 eyes.

MOTION TO
APPROVE HRLY.
RATES FOR
TOWN CREW

A motion was made by Nelson Cook, seconded by David Lyon, to approve the hourly rates for the Town Highway Crew as follows:

| | |
|-------------------------------|--------|
| Deputy Highway Superintendent | \$8.30 |
| Senior Equipment Operator | \$7.96 |
| Other Crew Members | \$7.79 |

The motion passed with 3 ayes.

MOTION TO
SET RATE FOR
MILEAGE

A motion was made by David Lyon, seconded by Nelson Cook, that the rate for re-imbusement of mileage for Town Business be set at \$.22 per mile for the year 1984. The motion passed with 3 ayes.

MOTION FOR
OFFICIAL
NEWSPAPER

A motion was made by Nelson Cook, seconded by David Lyon, that the Palmyra Courier Journal be designated as the official newspaper for the Town of Palmyra for the year 1984. The motion passed with 3 ayes.

MOTION TO
SET REGULAR
MEETING
NIGHTS

A motion was made by Nelson Cook to hold the Regular Town Board Meetings the 2nd and 4th Thursday of each month as needed - the first meeting in April and October to be held in East Palmyra - the second meeting in November to be held the 29th - and all meetings to be held at 7:30 P.M. The motion was lost due to a lack of a second. David Lyon made a motion, seconded by Nelson Cook, to hold the first Regular Meeting of the Town Board on the 2nd Thursday of January 1984 at 7:30 P.M. and to table the motion for Designation of Regular Meeting nights until that meeting. The motion passed with 3 ayes.

MOTION FOR
DESIGNATION
OF OFFICIAL
DEPOSITORIES

A motion was made by Supervisor Aplin, seconded by David Lyon, to designate as Official Depositories for the Town of Palmyra for the year 1984, the following banks: Marine Midland, Lincoln Trust, Manufacturer's Hanover, Central Trust, Banker's Trust and Security Trust. The motion passed with 3 ayes.

MOTION TO
PAY ITEMS
PRIOR TO
AUDIT

A motion was made by Supervisor Aplin, seconded by Nelson Cook, that the vouchers for the following items be paid prior to audit: Utilities, Hospitalization, Postage, Disability Insurance, Social Security and Payrolls (all employees to be paid monthly except the Town Highway Crew, and they will be paid bi-weekly.) Motion passed with 3 ayes.

MOTION TO SET
PRICE FOR
GRAVEL

A motion was made by Nelson Cook, seconded by David Lyon, that the price for gravel (bank run) is not to exceed \$1.00 per cubic yard. The motion passed with 3 ayes.

MOTION RE:
SMOKING BAN

The motion that the smoking ban continue to be in effect at the Town Board Meetings and Public Hearings during the year 1984 was tabled by Supervisor Aplin until the first Regular Meeting in January of 1984.

MOTION TO APPT.
DEL. & ALT.
TO ASSOC. OF
TWNS. MEETING

A motion was made by Nelson Cook, seconded by David Lyon, to appoint Donald Sinclair as Delegate to the Association of Towns Meeting and to appoint Edwin Wheeler as Alternate, The motion passed with 3 ayes.

MOTION RE:
SIGN. DESIG.
FOR CHECKS

A motion was made by Nelson Cook, seconded by David Lyon, that the Town Board approve the designation of authorized signatures for the signing of checks for the Town of Palmyra as follows: Supervisor Leroy Aplin; in the absence or inability of the Supervisor - Deputy Supervisor James G. Elliott and Town Clerk Beverly E. Hickman; in the absence or inability of the Town Clerk - Deputy Town Clerk W. Virginia Wilson. The motion passed with 3 ayes.

MOTION TO
ADOPT RULES
OF PROCEDURE

The motion to adopt the resolution "Rules of Procedure" as presented and adopted by the Town Board at the Organizational Meeting on January 5, 1982 was tabled by Supervisor Aplin until the first Regular Meeting in January.

CERTIFIED COPY OF CORPORATE BANKING RESOLUTIONS

Town of Palmyra

(Name of corporation)

201 East Main Street, Palmyra, New York 14522

(Corporation address)

I hereby CERTIFY that the following is a true copy of resolutions duly adopted by the TOWN BOARD OF THE TOWN OF PALMYRA a corporation organized under the laws of the State of NEW YORK, at a meeting held on January 3, 1984...

RESOLVED:

Designation as Depository

1. That Marine Midland Bank, (herein called the "Bank") at such office or offices as may be designated by the President or Treasurer of this corporation be and hereby is designated a depository of this corporation...

Authorized Signature(s)

2. That TOWN CLERK OR DEPUTY TOWN CLERK (Indicate manner of signing, i.e. any one, any two, jointly, etc. Use titles where practicable; if persons without titles, insert names.) be and he (they) hereby is (are) authorized to make, sign, draw, accept, indorse, execute and deliver any and all checks, drafts, notes, acceptances, evidences of indebtedness, or orders for the payment of money of this corporation on deposit with the Bank...

Facsimile Signature(s)

3. That any check herein authorized to be drawn in the name of this corporation may be signed with the facsimile signature or signatures of any of the duly designated signatories of this corporation and the Bank shall be entitled to charge any such check to this corporation's account regardless of by whom or by what means the actual or purported facsimile signature or signatures thereon may have been affixed thereto...

Other Authority

4. That SUPERVISOR OR DEPUTY SUPERVISOR TOWN CLERK OR DEPUTY TOWN CLERK (Indicate manner of signing, i.e. any one, any two, jointly, etc. Use titles where practicable; if persons without titles, insert names.) be and he (they) hereby is (are) authorized on behalf of this corporation: To discount with and to sell to the Bank any and all notes, drafts, bills of exchange or other evidences of debt, or contracts or obligations for or rights to the payment of money, whether or not negotiable...

Certification of Signatures

5. That the Secretary or any Assistant Secretary of this corporation be and hereby is authorized and directed to certify to the Bank the names of all officers of this corporation and other persons authorized to sign for it as herein provided and the offices respectively held by them, if any, together with specimens of their signatures, whether facsimile or otherwise...

Reliance and Revocation

6. That all transactions heretofore had on behalf of this corporation with the Bank be and hereby are ratified, confirmed and approved and the Bank is hereby authorized to rely upon this resolution and the certificate of the secretary or assistant secretary of this corporation that the Certificate of Incorporation of this corporation and all amendments thereto do not contain any provisions requiring any vote or consent of the shareholders of this corporation to authorize any mortgage or pledge of or creation of a security interest in all or any part of this corporation's property...

I hereby CERTIFY that the names and signatures of the persons holding the titles, if any, referred to in the foregoing resolutions are as follows:

Table with 3 columns: NAME, TITLE OF OFFICER, SIGNATURE. Rows include Lercy R. Aplin (Supervisor), James G. Elliott (Deputy Supervisor), Beverly E. Hickman (Town Clerk), and W. Virginia Wilson (Deputy Town Clerk).

Witness my hand and the seal of the corporation this 5th day of January, 1984. Beverly E. Hickman, Town Clerk, Secretary

(SEAL)

**Certified Copy of Corporate
Banking Resolutions**

TO

Date

INSTRUCTIONS

This form provides a convenient means of passing resolutions by a corporation's Board of Directors for establishing and maintaining checking and borrowing accounts with us.

It is suggested that in designating authorized signatures, the authority to sign checks, drafts, notes, etc. be given to the designees as corporate officers and not to the named persons acting as such officers.

For example, such authority should be given to the President or Treasurer of the corporation rather than to John Smith, President, or Frank Brown, Treasurer. Of course, names must appear alone where the designated individuals have no official status (title).

Thereafter, if there is a change in incumbency involving no change in signing authority, delivery of a certificate of incumbency (notification to the bank of the names and signatures of the new officers, over the certificate of the Secretary, with the corporate seal impressed) is sufficient, together with signature cards.

It is advisable to avoid designations that are susceptible of varying interpretations—signing authority should be clearly stated. Some possible combinations for insertion in the blank spaces in paragraphs 2 and 4 are as follows:

- President, or Vice President or Treasurer
- President alone, or any Vice President when also signed by either the Treasurer or the Secretary
- Any one of the following—President, Vice President, Treasurer
- Any two of the following—President, Vice President, Treasurer, Secretary
- Any one of the following—President, Vice President, Treasurer, together with any one of the following—Secretary, or John Smith, or Wm. Brown.

It is emphasized that the above are merely illustrative examples. Naturally any designation to fit your needs is satisfactory to us provided it is clearly stated to avoid confusion.

It is also emphasized that designations may properly differ in paragraphs 2 and 4. For example, you may wish to authorize one signature only for checks drawn against your account, but require more than one signature for borrowing and other transactions.

This form may be used to designate authority to sign checks (paragraph 2) or to borrow or discount obligations or carry on other banking transactions (paragraph 4), or any one or more, depending upon your needs. In the interest of simplification of your files and ours, it is helpful to include all signing authorities in one set of resolutions.

The motion to adjourn was made by David Lyon, seconded by Nelson Cook and passed with 3 ayes.

MOTION TO
ADJOURN

Respectfully submitted,

Beverly E. Hickman

Beverly E. Hickman, Town Clerk

January 12, 1984

MEETING
OPENED

The Regular Meeting of the Town Board of the Town of Palmyra scheduled to be held on January 12, 1984 in the Town Office, 201 E. Main Street, Palmyra, New York, was called to order by Supervisor Aplin at 7:30 P.M.

Following a moment of silent prayer, Supervisor Aplin led those present in the Pledge of Allegiance.

ROLL CALL

Upon Roll Call, the following Board members were present: Supervisor Leroy Aplin, Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Donald Sinclair was absent. Others in attendance at this meeting were Paul Rubery, Judson Roney, James Elliott and Abe Forrest from WACK news.

MINS. APPROV.
Dec. 27, 1983
January 3, '84

Following a review of the minutes submitted for approval of December 27, 1983 and January 3, 1984, a motion by Nelson Cook, seconded by Edwin Wheeler, was made to accept the minutes of December 27, 1983 as submitted and to accept the minutes of January 3, 1984 with the following correction:

| <u>POSITION</u> | <u>NAME</u> | <u>SALARY</u> |
|-----------------|----------------|--------------------|
| Town Historian | Marjorie Clark | \$ 125.00 annually |

COMMUNICA-
TIONSCOMMUNICATIONS:

1. Letter from Clayton Lasser Aluminum Products, Inc. Re: Windows
2. Memo from Village Clerk Re: Use of voting machines March 20th. After a short discussion, it was unanimously decided to let the Village of Palmyra use the voting machines at no cost with the stipulation that the Town of Palmyra Road Crew will transport them, that our Voting Machine Custodians will set up the machines and that the Village of Palmyra will be responsible for paying the Voting Machine Custodians. Supervisor Aplin will notify the Village
3. Memo from Village Clerk Re: Invitation for film showing of "Main Street USA."

COMM. RPTSREPORTS OF STANDING COMMITTEESHWY. COMM.

Highway Committee - David Lyon, Chairman

1. Bridges across the canal.

Mr. Lyon reported to the Board that with the present weight limitations on the Church Street Bridge and the Division Street Bridge, none of the Town snow removal equipment and none of the local fire trucks may use the bridges. These limitations also effect the trucks to and from Garlock, Inc. and Santelli Lumber Co. David Lyon made a motion, seconded by Nelson Cook, to authorize our Town Attorney to send a letter to the Hon. Richard Simberg of the New York State Department of Transportation asking him to investigate this situation and also for Senator Kehoe and Assemblyman Frank Talonie to investigate the problem. The motion passed with 4 ayes.

WATER &
FIRE COMM.

Water and Fire Committee - Edwin Wheeler, Chairman

1. Contract with Village of Palmyra for Fire Protection
Set date for Public Hearing

After a short discussion, David Lyon made a motion, seconded by Edwin Wheeler, to advertise the Public Hearing for the 1st Regular Meeting of the Town Board, Town of Palmyra in February, 1984 at 7:30 P.M. and to have the Town Clerk get a confirmation on the amounts of \$23,000 in 1984, \$26,000 in 1985 and \$26,000 in 1986 from the Village of Palmyra. The motion passed with 4 ayes.

MOTION TO
SET PUBLIC
HEARING RE:
TOWN FIRE
PROTECTION

2. Water Service Contract with Village of Palmyra.

WATER SERV.
CONTRACT

Mr. Wheeler chose to hold discussion on the Water Service Contract with the Village of Palmyra until the Executive Session.

3. Water Contract with Village of Palmyra.

A meeting has been scheduled for Tuesday, January 17, 1984 for Edwin Wheeler and the Chairman of the Village Water Committee, Steve Hayes, to start discussion on the Water Contract. Mr. Wheeler also reported to the Board that he had received a phone call from the Water Superintendent, Harold Kruger, about the valve in front of Santelli's Lumber Co. needing normal maintenance.

WATER
CONTRACT

VALVE
MAINTAINENCE

Landfill Committee - Donald Sinclair, Chairman

No report.

LANDFILL
COMM.

Cemeteries Committee - Donald Sinclair, Chairman

No report.

CEMETERIES
COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESS., PLNG.
& ZNG. COMM.

1. Applications for Mobile Home Park Permits.

Mr. Cook reported to the Board that three parks were in compliance and hopefully the others would be by the next meeting. Saturday, January 4, 1984 at 8:00 A.M. was set for the Town Board to inspect those parks in compliance so that approval could be made at the next meeting.

MOBILE HOME
PK. INSPEC.

2. Application of Robert Magde - request to live in basement

APPLICATION

Nelson Cook made the following motion, which was seconded by Edwin Wheeler:

R. MAGDE RE:
REQUEST TO
LIVE IN BSMT

That Robert Magde be permitted to temporarily live in the basement of his proposed house on the East side of Lyon Road in the Town of Palmyra for a period not to exceed one year from the issuance of a building permit to erect the basement and/or basement and house upon the following terms and conditions;

1. The size of the lot submitted to the Planning Board as part of the application for a single lot subdivision be enlarged as required by the recommendations of the Planning Board.

2. That the basement to be erected shall be insulated.

3. That the ownership of the lot shown on the single-family subdivision application be transferred to Robert Magde before a building permit is issued.

4. That Robert Magde show the building inspector that he has the financial ability to complete the residence in 12 months. A mortgage commitment good for 12 months in an amount satisfactory to the building inspector would satisfy this condition.

5. That the septic system and water supply be installed according to the plot plan submitted and approved by the Planning Board.

6. That prior to occupancy of the basement, the septic system, toilet facilities, running water, bathing and cooking facilities be installed and operative.

7. That prior to occupancy, Robert Magde shall receive a temporary certificate of occupancy from the building inspector reflecting that the necessary work has been completed to permit a person to live in the basement.

8. That Robert Magde, and the owner if it be any other person than Robert Magde, at the time of issuance of a building permit execute an agreement agreeing

a. to comply with all the terms and conditions contained above;

b. to vacate the premise one year from the date the building permit is granted, if a full certificate of occupancy has not been granted on the basement and the house;

January 12, 1984 Continued

c. and further agreeing that the premises shall remain unoccupied and vacant from the date the premises are vacated under paragraph 8b above until full certificate of occupancy has been granted as in 8b above.

The motion was approved by 4 ayes. One member was absent.

HAMMOND
RD. COMPL.

3. Report Re: Hammond Rd. Complaint - A. Campbell

Mr. Cook reported that legal action has been started on this matter and since then the problem has been taken care of.

LABERGE
RESIGNATION

4. Reminder of Gary LaBerge's resignation from the Board of Assessment Review.

APPOINT. OF
E. CHRISWELL

Mr. Cook presented to the Board the name of William Chriswell who resides at 1865 Maple Avenue, for the remainder of Gary LaBerge's term which ends in May of 1988. This was seconded by Edwin Wheeler and passed with 4 ayes.

LEGL. ACTION
ADDED TO
AGENDA

5. Items added to Agenda.

Mr. Cook moved, seconded by Edward Wheeler, to have the following legal action items added to the Agenda:

- a. Shirley Johnson - noncompliance
- b. Leonard Quigley, James Vitalone & Leila Coppermoll-
Body Shop on 31 East - 60 day time limit expired

The motion passed with 4 ayes. Nelson Cook then made a motion, seconded by Edwin Wheeler, that the Town Board, Town of Palmyra, direct the Town Attorney to take the necessary steps to start legal action in the case of Shirley Johnson. The motion passed with 4 ayes.

AUTHORIZATN
TO START
LGL. ACTN
S. JOHNSON

Nelson Cook then made a motion, seconded by Edwin Wheeler, that the Town Board, Town of Palmyra, direct the Town Attorney to take the legal action necessary in the case against Leonard Quigley, James Vitalone and Leila Coppermoll. The motion passed with 4 ayes.

AUTHORIZATN
TO START LGL
ACTN QUIGLEY
VITALONE &
COPPERMOLL

Mr. Cook reported to the Board that the Village of Palmyra had adopted a percentage basis exemption for Senior Citizens. He gave the Board members information regarding this and said he will have a proposition ready for the next meeting so a decision can be made. Our ceiling is now at \$7200, the state is at \$10,000 and the county is at \$8000.

SR. CIT.
TAX EXMPT.

Mr. Cook then asked Judson Roney to report to the Board regarding new information he had received. Mr. Roney reported that he had obtained the State of New York Division of Equalization & Assessment proposed agricultural ceiling for 1984. The significant part to the Town of Palmyra is that this year's ceilings are below what he uses for his assessments of farmland. It is Mr. Roney's rough estimate that every farmer in the Town of Palmyra that goes to Alton to the Office of Soil Conservation and has the proper papers drawn up can get a reduction of assessed value of land of approximately 10% to 35%.

S OF N.Y.
PROPOSED
AGRICULT.
CEILING '84

Mr. Roney and the Board then had a short discussion on the ratio of the veterans assessment.

ECONOMIC DEV.
COMM.

Economic Development Committee - Donald Sinclair, Chairman

No report.

Town Building Committee - David Lyon, Chairman

TWN BLDG. COMM.

1. Renovation Project

WINDOW PRJT.

Mr. Lyon reported to the Board that he had heard nothing from David Matthews regarding the window project. Judson Roney told the Board that one window

in the courtroom is just as bad as before the new window was put in. David Lyon suggested that the subject be left until the next meeting.

Consolidation of Town & Village Committee - Edwin Wheeler,
Chairman

No report at this time.

CONSOLIDATION
TWN & VILL
COMM.

OTHER BUSINESS

OTHER BUS.

1. Items tabled at Organizational Meeting

Edwin Wheeler made a motion, seconded by David Lyon, to adopt the resolution "Rules of Procedure" as submitted on January 3, 1983. After a short discussion the motion passed with 3 ayes. Leroy Aplin voting naye.

MOTION TO
ADOPT RULES
OF PROCEDURE

Following a review of Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by David Lyon, to approve payment of Vouchers as shown on Abstract #12B - 1983 and Abstract #1 - 1984. The motion passed with 4 ayes. The Vouchers were listed by Funds as follows:

PAYMENT OF
CLAIMS &
VOUCHERS

ABSTRACT # 12B - 1983

ABSTRACT 12B

| | | |
|----------------------|---------------------|------------|
| GENERAL FUND | VOUCHER # 396 - 397 | \$ 549.85 |
| PART TOWN FUND | " # 112 - 114 | \$23560.59 |
| HIGHWAY IV | " # 40 | \$ 5108.80 |
| NORTH WATER DISTRICT | " # 44 | \$ 4.15 |
| SOUTH WATER DISTRICT | " # 49 | \$ 2.01 |
| EAST WATER DISTRICT | " # 58 | \$.54 |
| TOTAL | | \$29225.94 |

ABSTRACT # 1 - 1984

ABSTRACT #1

| | | |
|----------------------|------------------|------------|
| HIGHWAY IV | VOUCHER # 41 -43 | |
| | " # 1 - 4 | \$11178.89 |
| NORTH WATER DISTRICT | " # 1 | \$ 44.57 |
| EAST WATER DISTRICT | " # 1 | \$ 13.65 |
| TOTAL | | \$11237.11 |

A motion was then made to go into Executive Session by Edwin Wheeler, seconded by Nelson Cook. The motion passed with 4 ayes.

EXECUTIVE
SESSION

Edwin Wheeler moved to go out of Executive Session, Nelson Cook seconded the motion. The motion passed with 4 ayes.

DAVID
MATTHEWS
WINDOW
PROJECT

At this time David Matthews stopped in to check with the Board in regard to the status of the Window Project. After a brief inspection of the downstairs windows, it was decided by the Board that David Matthews should make a "daylight" inspection and then put together a letter listing the still existing problems with this job. Mr. Matthews will send a copy of this to the Town Attorney.

Edwin Wheeler then made a motion, seconded by Nelson Cook to adjourn this meeting of the Town Board. The motion passed with 4 ayes.

MOTION TO
ADJOURN

Respectfully submitted,

Beverly E. Hickman

Beverly E. Hickman
Town Clerk, Town of Palmyra

January 26, 1984

MEETING
OPENED
SILENT
PRAYER
PLEDGE OF
ALLEGIANCE

The Regular Meeting of the Town Board of the Town of Palmyra held on January 26, 1984, was called to order at 7:35 P.M. by Supervisor Aplin. Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call the following Board Members were present: Supervisor Leroy Aplin, Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Donald Sinclair was absent. Others in attendance at this meeting were Town Attorney, Paul T. Rubery, Highway Supervisor, James Debrine, Tom DeRue of Wayne County Soil & Water, Mark Vande, Mr. and Mrs. Allen Hitchcock and Stephen Porter.

APPROVAL OF
MINUTES

Following a review of the Minutes submitted for approval of January 12, 1984, a motion was made by Edwin Wheeler, seconded by Nelson Cook, to approve these Minutes as submitted. The motion passed with 4 ayes.

COMMUNICA-
TIONS

COMMUNICATIONS:

1. Wayne County Board of Supervisors - Re: Resolution #54 - Dog Quarantine

REPORTS OF STANDING COMMITTEES

REPTS. OF
STANDING
COMMITTEES

Highway Committee - David Lyon, Chairman

1. Walker Road Drainage Problem

HWY. COMM.

The business for this committee was deferred until later in the meeting.

Water and Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE
COMMITTEE

1. Discussion of Water Contract
2. Schedule a Public Hearing for the Water Contract
3. Water Service Contract

Mr. Wheeler deferred these matters to the Executive Session because they are contractual and negotiation matters.

LANDFILL. COMM.

Landfill Committee - Donald Sinclair, Chairman

No Report.

CEMETERIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

No Report

ASSESS., PLN.
& ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Mobile Home Park Permit Approval

MOTION TO
APV MORGANTI
MOBILE HOME
TEMP. PERMIT

Mr. Cook made a motion, seconded by Edwin Wheeler to approve the Morganti Mobile Home Park for a period of six(6) months or sale; whichever may come first. At such time the park will come into complete compliance. After a short discussion, Mr. Cook withdrew the above motion and Mr. Wheeler withdrew his second. At this time, Mr. Cook made a motion seconded by Edwin Wheeler, WHEREAS, the owner of Morganti Mobile Home Park is deceased; and WHEREAS, the Estate of Mario Morganti has legally been unable to correct certain deficiencies; now be it resolved that the Morganti Mobile Home Park shall be awarded a Temporary Operating Permit to operate said park for six (6) months to the 30th day of June 1984 or to the date of sale of the mobile home park whichever shall occur first. This Temporary Permit is conditioned upon the Estate correcting the outstanding deficiencies prior to the end of the six (6) month period or prior to the sale, or this Temporary Operating Permit shall not be renewed; there then will not be a Permit and all mobile homes must be removed. This motion passed with 4 ayes.

NEW MOTION
TO APPROVE
MORGANTI
MOBILE HOME
TEMP. PERMIT

Mr. Cook then made a motion to approve the permits for Waterways, Valley View and Willoughby's Mobile Home Parks for the year 1984. This motion was seconded by Edwin Wheeler and passed with 4 ayes.

MOTION TO
APP. M.H.P.
PERMITS FOR
VALLEY VIEW
WATERWAYS &
WILLOUGHBYS

2. Senior Citizens Real Property Tax Exemption

Mr. Cook made a motion to the Board that a public hearing be held February 9th, 1984 at 8:00 P.M. at the Palmyra Town Hall, 201 E. Main St, Palmyra for the purpose of considering a "Graduated Income Scale" for Eligibility for Senior Citizens Real Property Tax Exemption. The motion was seconded by Edwin Wheeler. After a lengthy discussion, Mr. Cook withdrew the motion and Mr. Wheeler withdrew his second. A committee meeting will be held to discuss the figures for this scale.

MOTION TO SET
PUB. HEARING
RE: SR. CIT.
REAL PROPTY.
TAX EXEMPTION

Economic Development Committee - Donald Sinclair, Chairman
No Report.

MOTION
WITHDRAWN

ECONOMIC
DEVELOP. COMM.

At this time David Lyon asked the Board if they could discuss his Highway Committee business. Permission was granted by Supervisor Aplin.

Highway Committee - David Lyon, Chairman

HIGHWAY COMM.

1. Walker Road Drainage Problem

Jim Debrine, Highway Superintendent, explained to the Board the drainage problem on Walker Road involving Mark Vande's property and Allen Hitchcock's property. Mr. Vande then told the Board, in some detail, how this drainage problem was affecting his property. Tom DeRue, of the Wayne County Soil & Water Dept., then described the lay-out of the land in that area. He suggested three (3) options to correct this problem. Option #1 - Crop rotation and/or strips. He considers this a last resort. Option #2 - Pipes - Nothing less than 30 inch pipes. This would only be a 10 - 15 year solution. Option #3 - Diversion on the west side and another diversion by the 2nd small basin. Allen Hitchcock then showed pictures of the damage this problem has caused to his field. He also showed a slide of a aerial shot of his property and Mr. Vande's property. David Lyon told the Board that there is a possibility of some action being taken against the Town of Palmyra if the Board does not take some action to resolve this problem. Mr. Hitchcock stated that he would be willing to pay \$500.00 for his share of the expense of correcting this problem. Mr. Vande said he was willing to pay his fair share and then some. Mr. Lyon suggested to the Board that each of the Board Members drive out by these properties and look things over if at all possible and it could be discussed further at another Board Meeting. Supervisor Aplin thanked everyone for coming and assured them that the Board would work on this matter.

WALKER RD.
DRAINAGE
PROBLEM

Town Building Committee - David Lyon, Chairman

TOWN BLDG.
COMMITTEE

1. Renovation Project

David Matthews reported to the Board that he and Judson Roney had inspected all of the windows on January 20, 1984. He said there are many, many problems. He has made a list of all these problems and is sending a copy to the contractor. After some discussion, the Board agreed to proceed under the terms of the contract.

RENOVATION:
WINDOW PRJCT.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman
No report at this time.

CONSOLIDATION
TWN. & VILL.

January 26, 1984 Cont.

OTHER BUSINESSOTHER BUSINESS

1. Federal Revenue Sharing Funds

Supervisor Aplin informed the Board of a new regulation that has been put forth in regards to the handicapped. The Town of Palmyra has to appoint someone to be their Handicapped Access Officer. This person would deal with any complaints from the handicapped and the problems of handicapped access to any places where public meetings occur. David Lyon made a motion to appoint Supervisor Aplin as the Handicapped Access Officer and to authorize publication of same. This motion was seconded by Nelson Cook and passed with 4 ayes.

APPOINTMENT:
HANDICAPPED
ACCESS OFFR.

2. Town Officer's Annual Reports

Supervisor Aplin reported to the Board that the Town Officer's Annual Reports have been completed and filed for the Supervisor, the Town Clerk, the Historian and the two (2) Town Justices.

TOWN
OFFICERS
ANNUAL RPTS

Following a review of Claims/Vouchers submitted for payment, a motion was made by David Lyon, seconded by Nelson Cook, to approve payment of Vouchers as shown on Abstract #1A. This motion passed with 4 ayes. The Vouchers were listed by Funds as follows:

ABSTRACT # 1A

| | | | |
|----------------------|-----------|---------|-------------|
| GENERAL FUND | VOUCHER # | 12 - 25 | \$ 3,577.95 |
| PART TOWN FUND | " # | 5 - 10 | \$ 7,467.42 |
| HIGHWAY III | " # | 16 - 27 | \$ 2,347.08 |
| HIGHWAY IV | " # | 5 - 8 | \$ 8,605.93 |
| NORTH WATER DISTRICT | " # | 2 | \$ 3,726.33 |
| SOUTH WATER DISTRICT | " # | 1 - 2 | \$ 1,915.61 |
| EAST WATER DISTRICT | " # | 2 | \$ 1,923.94 |
| TOTAL | | | \$29,464.26 |

GO INTO
EXEC. SESS.

A motion was then made by Edwin Wheeler to go into Executive Session. This was seconded by Nelson Cook and passed with 4 ayes.

GO OUT OF
EXEC. SESS.

Mr. Wheeler then made a motion to go out of Executive Session, which was seconded by Nelson Cook and passed with 4 ayes.

WATER CONTRACT
VILL. OF PAL.
APPROVED

At this time Edwin Wheeler moved to approve the proposed Water Contract with the Village of Palmyra at the rate of \$1.18 per 100 cubic feet and a bulk rate of \$.85 per 100 cubic feet; said contract beginning on March 1, 1984 and expiring on February 28, 1987. This was seconded by Nelson Cook and passed with 4 ayes.

MOTION TO
ADJOURN

Nelson Cook then made a motion to adjourn this meeting of the Town Board which was seconded by Edwin Wheeler and passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman
Town Clerk, Town of Palmyra

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
 OFFICE OF THE
 DISCRIMINATION ON THE
 BASIS OF HANDICAPPED
 STATUS
 These Open Office
 hours are for the
 purpose of providing
 assistance to persons
 who are handicapped
 or physically disabled
 in the exercise of
 their rights of
 employment, public
 accommodations, or
 other programs or
 activities. All
 persons are invited
 to call for assistance
 and information.
 Compliance with the
 non-discrimination
 requirements contained
 in Section 27.56 of the
 Regulations of the
 State of New York
 is hereby certified.
 Dated: Jan. 27, 1984
 Town of Palmyra
 Beverly Hickman
 Town Clerk
 (470)

.....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 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:

Feb. 1, 1984

Rosalie J. Mouton
 Foreman of the Publisher

Subscribed and sworn to before me

this 24th day of Feb., 1984

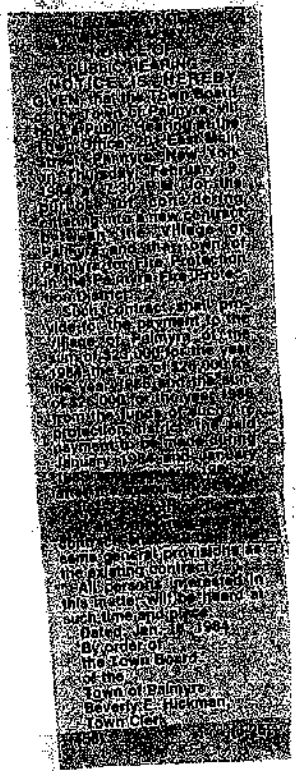
Judith A. MacDuff
 Notary Public

Fee: \$ 7.32

JUDITH A. MacDUFF
 Notary Public for the
 State of New York, County of Wayne
 4736126
 Expiration Date March 30, 1985

AFFIDAVIT OF PUBLICATION

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



Darlene Mahke....., 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:

Jan. 25, 1984
.....
.....
.....

Darlene Mahke
Foreman of the Publisher

Subscribed and sworn to before me
this 26th day of January, 1984
Judith A. MacDuff
Notary Public

Fee: \$ 14.34

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4730126
Expiration Date March 30, 1985

February 9, 1984

11

The Public Hearing scheduled to be held on February 9, 1984 at 7:30 P.M. in the Town Office, 201 East Main Street, Palmyra, N.Y. for the purpose of considering entering into a new contract between the Village of Palmyra and the Town of Palmyra for Fire Protection in the Palmyra Fire District, was opened by Supervisor Aplin at 7:30 P.M. Those present, other than the Board Members were: James Elliott, Mary Kay McGrath, Mayor Mary Lou Wilson, David Matthews, Len Ogden and Jeff Rosan. Supervisor Aplin asked for any comments, either for or against this matter, from those present regarding this Public Hearing. No comments were made. Supervisor Aplin declared the hearing closed at 7:34 P.M.

PUBLIC HEARING OPENED
RE: FIRE PROTECTION FOR TOWN OF PALMYRA

HEARING CLOSED

The Regular Meeting of the Town Board of the Town of Palmyra held on February 9, 1984 was called to order at 7:35 P.M. in the Town Office at 201 East Main Street, Palmyra by Supervisor Aplin. Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

MEETING OPENED
SILENT PRAYER
PLEDGE OF ALLEGIANCE

Upon Roll Call the following Board Members were present: Supervisor Aplin, Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Donald Sinclair was absent during the first part of the meeting, but arrived during Executive Session.

ROLL CALL

Following a review of the minutes submitted for approval of January 26, 1984, a motion was made by Edwin Wheeler, seconded by David Lyon, to accept these minutes as submitted. This motion passed with 4 ayes.

APPROVAL OF MINUTES

COMMUNICATIONS:

COMMUNICATIONS

1. Confirmation letter from E. Palmyra Fire Department -
Re: April 12, 1984 and October 11, 1984 Town Board Meetings to be held in E. Palmyra.
2. Cable Vision Industries - Re: Franchise Fee due to the Town of Palmyra for the period of July 1 - Dec. 31, 1983.

REPORTS OF STANDING COMMITTEES:

REPORTS OF STANDING COMM.

Highway Committee - David Lyon, Chairman
1. Bridge Problem - Mayor Wilson wants to address the Board Mayor Mary Lou Wilson and the Board discussed in great detail the problems generated to both the Village of Palmyra and the Town of Palmyra because of the 6 ton limit on the Maple Ave bridge and the 11 ton limit on the Division St. bridge. Mayor Wilson has requested Mr. Robert Purple, Acting Regional Director of Transportation, to have a survey done on the bridges in order to obtain a correct weight limit, and possibly an increase in the weight limit, at least on the Division Street bridge. Mr. Purple assured her that they would send someone here as soon as possible. Mayor Wilson suggested that Supervisor Aplin, being on the Wayne County Highway Committee, might use his influence at the County level to bring to the County's attention what a serious problem we have here. James Debrine, Town Highway Superintendent, was asked by Mayor Wilson to get together with Ray Smith, Village Highway Superintendent, to see what they could work out in regard to plowing and salting. Supervisor Aplin assured Mayor Wilson that the Town of Palmyra would do whatever it could to work together with the Village of Palmyra on this situation. Supervisor Aplin thanked Mayor Willson and Trustee McGrath for coming to our meeting and in turn, Mayor Wilson thanked the Board for allowing them the opportunity to address them.

HIGHWAY COMM.

BRIDGE PROBLEM

MAYOR WILSON ADDRESSED THE BOARD

Water & Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE COMMITTEE

1. Fire Protection Contract - Subject of Public Hearing

MOTION TO APPROVE FIRE PROTECTION CONTRACT

After a discussion about the bridge problem affecting fire protection in the Town, Edwin Wheeler made a motion to approve the Fire Protection Contract with the Village of Palmyra as covered in the Public Hearing. This was seconded by Nelson Cook and passed with 4 ayes.

2. Water Contract

WATER CONTRACT

A copy of the Water Contract had been delivered to Supervisor Aplin, but the Town Attorney, Paul Rubery, had to check the contract received from the Village to the draft he had made out. The water rate increase and the subject of a Public Hearing will be discussed during Executive Session.

3. Water Service Contract

WATER SERVICE CONTRACT

This contract will be discussed during the Executive Session also.

LANDFILL COMMITTEE

No Report.

CEMETERIES COMMITTEE

No Report.

Landfill Committee - Donald Sinclair, Chairman

Cemeteries Committee - Donald Sinclair, Chairman

ASSESS., PLAN. & ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Mobile Home Park Permits

MOBILE HOME PARK PERMITS

Mr. Cook told the Board that some of the parks still had some corrections to be made so they could not schedule a time for inspection. This matter was tabled by Mr. Cook until the next Board meeting.

2. Senior Citizens Real Property Tax Exemption

SR. CIT. REAL PROPERTY TAX EXEMPTN

Mr. Cook made the following motion, seconded by David Lyon:

MOTION TO SET PUBLIC HEAR. RE: SR. CIT. REAL PROPERTY TAX EXEMPTN

BE IT RESOLVED that the Town Board of the Town of Palmyra have a hearing on February 23, 2984 at 7:30 P.M. for the purpose of letting the public be heard on the subject of amending the plan for granting percentage exemptions from real estate taxes when property owners, aged 65 years of age or older, who otherwise conform to, and comply with, the requirements of Sections 467 and 467-d of the New York State Real Property Tax Law; and BE IT FURTHER RESOLVED, that the plan being considered shall be known as the "Graduated Income Level of Exemption Eligibility for Real Estate Taxes", and that such plan permit a percentage of the assessed property value to be exempt from real property taxation when qualified property owners have incomes that conform to the following schedule:

| MAXIMUM ANNUAL INCOME | PERCENTAGE OF ASSESSED VALUATION EXEMPT FROM TAXATION |
|----------------------------|---|
| \$ 7,200 or Less | 50 Percent |
| \$ 7,200.01 to \$ 7,699.99 | 45 Percent |
| \$ 7,700 to \$ 8,199.99 | 40 Percent |
| \$ 8,200 to \$ 8,699.99 | 35 Percent |
| \$ 8,700 to \$ 9,199.99 | 30 Percent |
| \$ 9,200 to \$ 9,699.99 | 25 Percent |
| \$ 9,700 to \$10,199.99 | 20 Percent |
| \$10,200 or More | No Exemption |

AND BE IT FURTHER RESOLVED, that the hearing be advertised in the newspaper.

After some discussion, the above motion passed with 4 ayes.

3. Job Opening - Secretary to Assessor

Mr. Roney informed the Board that he had received several applications in answer to his ad. Some of these applicants did not live in the Town of Palmyra however. Supervisor Aplin said he would much prefer that the job be given to someone that lives in the Town of Palmyra if at all possible.

JOB OPENING-
SECRETARY TO
ASSESSOR

Economic Development Committee - Donald Sinclair, Chairman

ECONOMIC
DEVL. COMM.

No Report.

Town Building Committee - David Lyon, Chairman

TWN BLDG
COMMITTEE

1. Renovation Project

David Matthews showed the Board copies of the letter he had written to the window contractor's bonding company and asked for their approval of said letter before it was sent out. Mr. Leonard Ogden was present to represent Clayton Lasser Aluminum Products Inc. Mr. Ogden said he had inspected the windows himself and he thinks we have a good job here, however, he will do whatever he has to do to make this job right. After a great deal of discussion about the windows, David Lyon made a motion to have our engineer review the list of discrepancies of his inspection of January 20, 1984 and to varify that these discrepancies have been corrected. If so, the committee be empowered to negotiate a settlement with the contractor and report back to the Board for approval and to take no action regarding Mr. Matthews' letter to the bonding company. This motion was seconded by Nelson Cook and passed with 4 ayes. Mr. Ogden was thanked by the Board for attending this meeting.

WINDOW
PROJECT

MOTION FOR
ENGINEER TO
GIVE FINAL
APPEVL. OF
WINDOWS &
FOR COMM. TO
NEGOTIATE
& RPT TO BD.

At this time the Town Attorney had had an opportunity to check the Water Contract between the Village of Palmyra and the Town of Palmyra and returned it to Mr. Wheeler. Mr. Wheeler then made a motion, seconded by David Lyon, to approve the Water Contract with the Village of Palmyra for water for the next 3 years to be supplied to the North, South and East Water Districts in the Town of Palmyra at a rate of \$1.18 per 100 cubic feet and a bulk rate of \$.85 per 100 cubic feet. This motion passed with 4 ayes.

MOTION TO
APPROVE THE
WATER CONTRACT
BETWEEN THE
VILL. OF PAL.
& TN OF PAL.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

CONSOLIDATION
OF VILL & TN
COMMITTEE

No Report at this time.

Following a review of Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Nelson Cook, to approve payment as submitted on Abstract #2A. This motion passed with 4 ayes.

PAYMENT OF
CLAIMS &
VOUCHERS

At this time Edwin Wheeler moved to go into Executive Session. This was seconded by Nelson Cook and passed with 4 ayes.

GO INTO
EXEC. SESS.

Edwin Wheeler then made a motion to go out of Executive Session. Nelson Cook seconded this motion and it passed with 5 ayes.

GO OUT OF
EXEC. SESS.

Mr. Wheeler then moved to schedule a Public Hearing on February 23, 1984 at 8:00 P.M. for the purpose of considering increases in water rates charged to the residents in each of the Water Districts in the Town of Palmyra. This was seconded by Donald Sinclair and passed with 5 ayes.

MOTION TO SET
PUB. HEARING
RE: INCREASE
IN WATER RATES

A motion to adjourn the meeting was made by Edwin Wheeler, seconded by David Lyon, and passed with 5 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman
Town Clerk, Town of Palmyra

February 23, 1984

PUB. HEARING
RE: AMENDING
SR. CITIZEN
REAL ESTATE
EXEMP. PROG

The Public Hearing scheduled to be held on February 23, 1984 at 7:30 P.M. in the Town Office, 201 East Main Street, Palmyra, for the purpose of amending the Senior Citizen real estate exemption program, was opened by Supervisor Aplin. Those present, other than the Board members, were: envelope Frontuto, James Elliott, Mark Vande and Tim Wilbur. After the Proof of Publication was read by the Town Clerk, Supervisor Aplin asked for any comments, either for or against this matter, from those present regarding this Public Hearing. No comments were made. Supervisor Aplin declared the hearing closed at 7:32 P.M.

MEETING
OPENED

The Regular Meeting of the Town Board of the Town of Palmyra held on February 23, 1984 was called to order at 7:35 P.M. in the Town Office, 201 East Main Street, Palmyra, by Supervisor Aplin. Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT
PRAYER
PLEDGE OF
ALLEGIANCE

The following Board Members were present upon roll call: Supervisor Aplin, Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Councilman Sinclair was absent.

ROLL CALL

COMMUNICA-
TIONS

COMMUNICATIONS:

1. Letter from James Elliott, Chairman, Palmyra Democratic Committee Re: Fred Goulden's resignation from being Voting Machine Custodian. The Board was advised by our Attorney, Paul Rubery, to have Mr. Goulden send a letter of resignation directly to the Town Board. Said letter would cover our "Oath of Office" book. James Elliott will get in touch with Mr. Goulden and advise him of same.

REPORTS OF
STANDING
COMMITTEES
HIGHWAY COMM

REPORTS OF STANDING COMMITTEES:

Highway Committee - David Lyon, Chairman

1. Walker Road Drainage Problem

WALKER ROAD
DRAINAGE
PROBLEM

Mr. Lyon told the Board he had a proposed solution to this problem and he had invited both of the parties involved in this matter to attend this meeting to make known their comments on this solution. The Committee recommends the following: A larger culvert be run under the Vande driveway. (A 21 inch to 24 inch culvert) Lowering this culvert to a depth below the existing one, extending it on the lower end and doing whatever is necessary to maintain the same ditch grade. Stoning the ditch in front of the Vande property and sodding along the front of the fence so it can be properly maintained with a hand mower. Mr. Lyon said nobody is entirely happy with this solution, but it does help everyone somewhat. Mr. Vande stated that by lowering the culvert it will put the main brunt of the water going through his property, under his driveway and he is very much against this new idea. Mr. Vande said it was his understanding that the temporary work that had been done by Mr. Debrine would be removed if any problems came up. Mr. Debrine, correcting Mr. Vande, said that he had said if the work was not acceptable to "himself" it would come out. Mr. Lyon explained to Mr. Vande that a 21 inch to 24 inch pipe will not take all of the water, only part of it. After much more discussion, Supervisor Aplin explained to Mr. Vande that the committee had done it's utmost to resolve this problem without spending a great deal of public money and that Hershey Malone had advised the Board that this was the best way to handle this matter.

DIVISION ST.
& MAPLE AVE.
BRIDGE PROB.

2. Division Street and Maple Avenue Bridge Problem

James Debrine, Highway Superintendent, told the Board that after the last

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:

..... Feb. 15, 1984

.....

.....

.....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 24th day of Feb, 1984

Judith A. MacDuff
Notary Public

Fee: \$11.89

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1985

LEGAL NOTICE
NOTICE OF
PUBLIC HEARING
TOWN OF PALMYRA
NOTICE IS HEREBY
GIVEN that the Town Board
of the Town of Palmyra will
hold a Public Hearing on
Thursday, February 23,
1984 at 1:30 P.M. in the
Town Office at 201 E. Main
Street, Palmyra to consider
the following increases in
water rates charged to
residents in each of the
Water Districts in the Town
of Palmyra:
\$1.96 per 100 cubic feet
for the first 1000 feet
\$1.37 per 100 cubic feet
for the next 1000 feet
\$1.28 per 100 cubic feet
for the next 1000 feet
\$1.25 per 100 cubic feet
thereafter.
Minimum Bill: \$7.30.
Said increases take effect
effective March 1, 1984.
All persons who wish to
speak in favor of or opposed
to the proposed increases in
water rates will be heard at
said time and place.
Dated: Feb. 13, 1984
By Order of the
Town Board of the
Town of Palmyra,
Deverie E. Hickman
Town Clerk
(48) (P-15)

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
 NOTICE IS HEREBY GIVEN that the Town Board of the
 Town of Palmyra will hold a public hearing at 7:30 P.M. in
 the Town Office at 201 E. Main St., Palmyra, on February
 23, 1984, to consider a proposal for amending the senior
 citizen real estate exemption program so as to conform
 to the following schedule:

| Maximum Annual Income | Percentage of Assessed Valuation to be Exempt From Taxation |
|-----------------------|---|
| \$7,200 or less | 50 Percent |
| \$7,201 thru \$7,800 | 45 Percent |
| \$7,801 thru \$8,400 | 40 Percent |
| \$8,401 thru \$9,000 | 35 Percent |
| \$9,001 thru \$9,600 | 30 Percent |
| \$9,601 thru \$10,200 | 25 Percent |
| \$10,200 and up | None |

All interested persons will be given the opportunity to be heard prior to the proposal.
 Dated at Palmyra, N.Y. on Feb. 15, 1984.
 Beverly E. Hickman
 Town Clerk
 Town of Palmyra
 (177) (F-15)

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:

Feb. 15, 1984

Rosalie J. Mouton
 Foreman of the Publisher

Subscribed and sworn to before me

this 24th day of Feb. 1984
Judith A. MacDuff
 Notary Public

Fee: \$ 20.02

JUDITH A. MacDUFF
 Notary Public for the
 State of New York, County of Wayne
 4756126
 Expiration Date March 30, 1985

Board Meeting he went to the Village and talked to Ray Smith, Village Highway Superintendent. He said there are no problems concerning cooperation between Ray and himself. The problem comes with the equipment they have at their disposal. Neither the Town or the Village have anything that weighs less than 10 ton even when it is empty.

At 8:10 P.M. the Public Hearing scheduled to be held on February 23, 1984 in the Town Office, 201 East Main Street, Palmyra, for the purpose of considering increases in water rates charged to residents in each of the Water Districts in the Town of Palmyra, was opened by Supervisor Aplin. After the Proof of Publication was read by the Town Clerk, Supervisor Aplin asked for any comments from those present, either for or against this matter. There being no comments, Supervisor Aplin declared the Hearing closed at 8:12 P.M.

PUBLIC HEARING
RE: WATER
RATE INCREASE

At this time Councilman Lyon asked for a 5 minute recess in order to confer with the Town Attorney. This was seconded by Nelson Cook and passed with 4 ayes.

FIVE MINUTE
RECESS

After the recess David Lyon reported to the Board that Mr. Debrine had found a 1-ton, 4-wheel drive 1978 truck. This truck could also be equipped with a plow and could be used on Maple Ave. where the big plows get in trouble. In good weather it could be used for hauling hot asphalt, picking up brush, etc. as well as solving our immediate problem with the bridges. Mr. Lyon suggested that the Supervisor could possibly write to the Village and ask them to buy a sander if we buy said truck. This truck is available from a salvage yard. Mr. Lyon said that there is a list of excess equipment at the barn that could be sold to this salvage yard to reduce the cost of this truck. Supervisor Aplin asked what the net figure would be. Mr. Debrine said the asking price on the truck is \$7,495.00. The salvage yard will give us \$3,800.00 on the excess equipment, leaving a net figure of \$3,695.00. Mr. Lyon told the Board if they were interested in this idea they would have to act on it tonight because the salvage yard has another buyer for this truck and they will only hold it until tomorrow. There is also the "emergency situation" with the bridges to consider. Edwin Wheeler made a motion to have the purchasing of equipment added to the agenda. This was seconded by David Lyon and passed with 4 ayes. David Lyon moved to purchase a 1978, 1-ton, 4-wheel drive truck for a cost not to exceed \$5,000.00. This was seconded by Edwin Wheeler and after a short discussion, was passed with 4 ayes.

MOTION TO
ADD PURCHASE
OF EQUIPMENT
ADDED TO
AGENDA

MOTION TO
PURCHASE A
1-TON TRUCK

Mr. Lyon then moved to authorize Superintendent Debrine to purchase a plow and light package for above truck, for a cost not to exceed \$2,500.00. Nelson Cook seconded this motion and it passed with 4 ayes.

MOTION TO
PURCHASE
PLOW & LIGHT

Mr. Lyon then moved to have the Board declare the following items surplus and to authorize Superintendent Debrine to dispose of by public or private sale:

MOTION TO
DECLARE SUR-
PLUS ITEMS &
TO SELL SAME

1971 Mack 38000# Tandem Assembly
1971 Mack 5 speed Maxi Transmission
Frink 8' Snow Plow
1974 Ford F250 Pickup truck
1962 I.H. 202A Chassis w/12' body
5 Wisconsin engines
10' Stone Box
Shop Compressor

This motion was seconded by Nelson Cook and passed with 4 ayes.

MOTION
AUTHORIZING
SUPER. APLIN
TO WRITE TO
VILL. OF PAL
RE: VILLAGE
PURCHASING A
SANDER

Mr. Lyon then moved to authorize Supervisor Aplin, on behalf of the Town Board, to write a letter to the Village of Palmyra requesting their assistance in furnishing a sander for said truck to be used on Village Streets as well as Town Roads. This motion was seconded by Edwin Wheeler and passed with 4 ayes.

MOTION RE:
MONIES FROM
SALE OF &
FOR PURCHASE
OF EQUIPMENT

A motion was then made by David Lyon that monies from surplus equipment go into the Machinery Reserve Account and that the purchase of above equipment come out of the Machinery Reserve Account and not out of the budget. This was seconded by Nelson Cook and passed with 4 ayes.

WATER & FIRE
COMMITTEE

Water and Fire Committee - Edwin Wheeler, Chairman

1. Water rate increase - Subject of Public Hearing

Mr. Wheeler moved to accept the following increases in water rates charged to residents in each of the Water Districts in the Town of Palmyra:

- \$1.46 per 100 cubic feet for the first 1000 feet
- \$1.37 per 100 cubic feet for the next 1000 feet
- \$1.28 per 100 cubic feet for the next 1000 feet
- \$1.25 per 100 cubic feet for the next 1000 feet
- Minimum Bill : \$7.30

Said increases to be effective March 1, 1984. This was seconded by David Lyon and passed with 4 ayes.

WATER SERVICE
CONTRACT

2. Water Service Contract

Mr. Wheeler told the Board he would like to discuss this contract during Executive Session.

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

No report.

CEMETERIES
COMMITTEE

Cemeteries Committee - Donald Sinclair, Chairman

No report.

ASSESSMENT,
PLNG. & ZONING
COMMITTEE

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Senior Citizen real estate exemption program

The following motion was made by Nelson Cook:

BE IT RESOLVED THAT, the basis for granting to property owners who are sixty-five (65) years of age or older, a partial exemption from the Town of Palmyra real estate taxes, be amended so as to incorporate therein the plan for "Graduated Income Levels of Exemption Eligibility" as authorized by Section 467-d of the New York State Real Property Law, which level of income as set forth in the following schedule:

| MAXIMUM ANNUAL INCOME | PERCENTAGE OF ASSESSED VALUATION EXEMPT FROM TAXATION |
|----------------------------|---|
| \$ 7,200 or Less | 50 Percent |
| \$ 7,200.01 to \$ 7,699.99 | 45 Percent |
| \$ 7,700 to \$ 8,199.99 | 40 Percent |
| \$ 8,200 to \$ 8,699.99 | 35 Percent |
| \$ 8,700 to \$ 9,199.99 | 30 Percent |
| \$ 9,200 to \$ 9,699.99 | 25 Percent |
| \$ 9,700 to \$ 10,199.99 | 20 Percent |
| \$ 10,200 or More | No Exemption |

AND BE IT FURTHER RESOLVED, that property owners must conform with all the other aspects of Sections 467 and 467-d of the Real Property Tax Law, and that this change shall become effective for the payment of taxes that shall become due for the year 1985 and there-after, and BE IT

Increase in water rates (8:00 P.M.)

LEGAL NOTICE
PUBLIC HEARING
TOWN OF PALMYRA
NOTICE IS HEREBY
GIVEN that the Town Board
of the Town of Palmyra, will
hold a Public Hearing on
Thursday, February 23,
1984, at 8:00 P.M. in the
Town Office at 201 E. Main
Street, Palmyra, to consider
the following increases in
water rates charged to
residents in each of the
water districts in the Town
of Palmyra:
\$1.44 per 100 cubic feet
for the first 1000 feet
\$1.37 per 100 cubic feet
for the next 1000 feet
\$1.28 per 100 cubic feet
for the next 1000 feet
\$1.25 per 100 cubic feet
thereafter.
Minimum Bill: \$7.30
Said increases to be ef-
fective March 1, 1984.
All persons who wish to
speak in favor of or opposed
to the proposed increases in
water rates will be heard at
said time and place.
Dated February 13, 1984.
By Order of the
Town Board of the
Town of Palmyra
Beverly E. Hickman
Town Clerk

FURTHER RESOLVED that this change in the income requirement for tax exemption of senior citizens be advertised in the Courier-Journal. The above was seconded by David Lyon and passed with 4 ayes.

2. Job Opening - Secretary to Assessor

JOB OPENING
SEC. TO THE
ASSESSOR

Judson Roney, Assessor, reported to the Board that he had received 20 applications for this part-time position. Nine (9) applicants were from the Town of Palmyra and eleven (11) were from outside the Town of Palmyra. Nelson Cook moved to accept Christine Vlaardingerbroek of 2053 East Palmyra-Port Gibson Road, East Palmyra, for this position with a starting rate of \$4.00 per hour. David Lyon seconded this motion and it passed with 4 ayes.

3. Mobile Home Park Permits

MOBILE
HOME PARK
PERMITS

Mr. Cook said there are still three (3) parks outstanding. He said he would give them until the second meeting in March.

4. Waste Disposal Permits

WASTE
DISPOSAL
PERMITS

Waste Disposal Permits have been received from Gerald East and from Donald East. Mr. Cook said the Board will be reviewing them in March.

Economic Development Committee - Donald Sinclair, Chairman

ECONOMIC
DEV. COMM.

No report.

Town Building Committee - David Lyon, Chairman

TOWN BLDG.
COMMITTEE
WINDOW PRJT.

1. Renovation Project - Windows

Mr. Lyon, by advice of the Town Attorney, said he would like to hold this matter until the Executive Session because it could possible involve litigation.

CONSOLIDATION
OF TN & VILL

Consolidation of Town and Village Committee - Edwin Wheeler, Chairman

No report.

OTHER BUSINESS:

OTHER
BUSINESS

The Board was advised by the Town Attorney, Paul Rubery, regarding voting machine custodians, that in the future only the salary should be stated at the Organizational Meeting and no appointments should be made by the Town. This has now become a Board of Elections appointment. Mr. Cook moved to strike from the Organizational Meeting the names of voting machine custodians. Edwin Wheeler seconded this and it passed with 4 ayes.

VOTING
MACHINE
CUSTODIANS

Edwin Wheeler moved to approve the minutes of the February 9, 1984 meeting as submitted, This motion was seconded by David Lyon and passed with 4 ayes.

MOTION TO
APPROVE THE
MIN. 2/9/84

After reviewing the Claims/Vouchers submitted to the Board on Abstract #2A, Edwin Wheeler made a motion to approve payment of same. This was seconded by Nelson Cook and passed with 4 ayes.

MOTION TO
APPROVE
PAYMENT OF
CLMS/VCHERS

Mr. Wheeler moved to go into Executive Session for reasons of personnel and litigation. Nelson Cook seconded this and it passed with 4 ayes.

MOTION TO GO
INTO EXEC SES

Nelson Cook made the motion to go out of Executive Session, Edwin Wheeler^{seconded} this and it passed with 4 ayes.

MOTION TO
COME OUT OF
EXEC. SESS.

Nelson Cook moved to accept the Committee's recommendation, which was a compromise of the claim reducing the amount due by \$1,600.00, leaving a final figure of \$9,835.00. A retainer of \$200.00 to be withheld until the outside painting can be done in better weather and that the one (1) year maintenance bond start when all work been completed. This was seconded by Edwin Wheeler and passed with 4 ayes.

MOTION TO
APPROVE
PYMT ON
WINDOW PRJT.

A motion to adjourn this meeting was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes.

Respectfully submitted,
Beverly E. Hickman
Beverly E. Hickman, Town Clerk

March 8, 1984

MEETING
OPENED

The Regular Meeting of the Town Board of the Town of Palmyra held on March 8, 1984 was called to order at 7:40 P.M. by Supervisor Aplin in the Town Office, 201 East Main Street. Following a moment of Silent Prayer,

SILENT PRAYER
PLEDGE OF
ALLEGIANCE

Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon Roll Call, the following Board Members were present: Supervisor Aplin, Town Councilmen Donald Sinclair, David Lyon and Nelson Cook. Edwin Wheeler was absent. Abe Forrest, from WACK radio, was the only other person in attendance.

COMMUNICA-
TIONSCOMMUNICATIONS:

1. Memo from the Village Clerk - Re: Voting Machines
2. Memo from the Board of Elections - Re: Democratic Primary to be held on April 3, 1984
3. Letter to Supervisor Aplin from Robert W. Purple, P.E., Acting Regional Director of Transportation - Re: Bridge Problem (Copy given to each Board Member)
4. Copy of letter to Mayor Wilson from Robert W. Purple, P.E., - Re: Bridge Problem (Copy given to each Board Member)
5. Copy of letter to Senator Kehoe from James L. Larocca, Commissioner - Re: Bridge Problem (Copy given to each Board Member)

STANDING
COMMITTEESREPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

HIGHWAY COMM

Mr. Lyon reported to the Board that the 1-ton, 4-wheel drive, 1978 truck we had purchased was in our possession. He inquired as to whether or not Supervisor Aplin had heard from the Village of Palmyra in regard to their purchasing a sander for said truck. Supervisor Aplin told the Board that he had received no reply in answer to the letter he had written to the Village of Palmyra requesting that they purchase a sander.

WATER & FIRE
COMM.

Water & Fire Committee - Edwin Wheeler, Chairman

No Report.

LANDFILL COMM

Landfill Committee - Donald Sinclair, Chairman

No report at this time.

CEMETERIES
COMM.

Cemeteries Committee - Donald Sinclair, Chairman

1. Swift's Cemetery Pathway

SWIFT'S CMTRY
PATHWAY

Plans have been drawn up for the construction of a pathway at Swift's Cemetery. Mr. Sinclair will check with James Debrine, The Highway Superintendent, to see if he has any of the materials needed already on hand.

ASSESSMENT,
FIN. & ZONING

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Job Opening - Secretary to Assessor

JOB OPENING
SEC. TO
ASSESSOR

At the Regular Town Board Meeting of February 23, 1984, Christine Vlaardingerbroek of 2053 E. Palmyra-Port Gibson Rd, East Palmyra, N.Y., was approved for this position as secretary to the Assessor. However, upon contactation Ms. Vlaardingerbroek, Mr. Roney was told that she had

MOTION TO
APPROVE KIM
LINDERMAN AS
SEC. TO ASSESSOR

accepted another position. At this time, Nelson Cook moved to approve Kim Linderman of Stafford St., Palmyra, N.Y., as secretary to the Assessor, retroactive to March 5, 1984, at a starting rate of \$4.00 per hour. This motion was seconded by Donald Sinclair and passed with 4 ayes.

MOBILE HOME
PARK PERMITS

2. Mobile Home Park Permits

Mr. Cook told the Board that at the next meeting they would take whatever action was necessary to take care of this matter.

WASTE DISPOSAL
PERMITS

3. Waste Disposal Permits

Waste Disposal Permits received from Donald East and from Gerald East will be reviewed at the next meeting.

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
The Town of Palmyra
files proposals for all types
of insurance coverage for
the town, equipment,
buildings and employees.
Proposals are open to
all and must specify the
services to be covered by the
21st of March, 1984.
Details of existing
coverage are available at the
Town Office, 201 East Main
Street. Buildings and equip-
ment may be inspected by
appointment.
By Order of the
Town Board
Beverly E. Hickman
Town Clerk
Town of Palmyra
(Mar 14)

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 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 14, 1984

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 19th day of March, 1984
Judith A. MacDuff
Notary Public

Fee: \$ 6.71

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1985

Economic Development Committee - Donald Sinclair, Chairman
No report at this time.

ECONOMIC
DEVELOPMENT COMM.

Town Building Committee - David Lyon, Chairman

TWN BLDG.
COMM.

1. Renovation Project

No report at this time, however, there will be a Committee Meeting immediately following this Town Board Meeting.

At this time, David Lyon moved to add to the agenda a voucher that was not received in time to be put on the abstract. Nelson Cook seconded this and it passed with 4 ayes. Mr. Lyon then moved to pay Clayton Laser Aluminum Products, Inc. the sum of \$9,635.00 for our windows. This was seconded by Donald Sinclair and passed with 4 ayes.

MOTION TO
ADD TO THE
AGENDA

MOTION TO
PAY FOR OUR
WINDOWS

Consolidation of Town and Village Committee - Edwin Wheeler, Chairman
No report.

CONSOLIDATION OF
TWN AND VILL.

OTHER BUSINESS:

OTHER BUSINESS

1. Request from the Town Clerk for a new tape recorder, a large planter and potting soil.

After some discussion, David Lyon moved to purchase a tape recorder, a large planter and potting soil. Donald Sinclair seconded this motion and it passed with 4 ayes.

MOTION TO
PURCHASE A
TAPE RECORDER
PLANTER ETC.

Supervisor Aplin brought up the subject of our insurance coverage that will expire April 1, 1984. A notice is to be put in the Courier-Journal inviting proposals for all types of insurance coverage for the Town equipment, buildings and employees.

INSURANCE
COVERAGE

After reviewing the Claims/Vouchers submitted to the Board on Abstract #3 and #2B, Nelson Cook moved to approve payment of same. Donald Sinclair seconded this motion and it passed with 4 ayes.

MOTION TO
APPROVE
PAYMENT OF
CLMS/VCHERS

Donald Sinclair moved to approve the minutes of the February 23, 1984 Town Board Meeting as submitted. David Lyon seconded this motion and it passed with 4 ayes.

MOTION TO
APPROVE MIN.
OF 2/23/84

The motion to adjourn this meeting of the Palmyra Town Board was made by David Lyon, seconded by Nelson Cook and passed with 4 ayes.

MOTION TO
ADJOURN

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk
Town of Palmyra

March 22, 1984

CALL TO ORDER

The Regular Meeting of the Town Board, Town of Palmyra, scheduled for March 22, 1984 was called to order at the Town Office, 201 E. Main Street, Palmyra, by Supervisor Aplin at 7:35 P.M. Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRAYERPLEDGE OF ALLEGIANCEROLL CALL

Upon Roll Call, the following Board members were present: Supervisor Aplin, Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Councilman Donald Sinclair was absent at this time but arrived very shortly thereafter. Others in attendance were the Town Attorney, Paul Rubery, the Town Assessor, Judson Roney, and Abe Forrest from WACK radio.

MOTION TO APPROVE MIN. OF 3-22-84

Following a review of the minutes submitted for approval of March 22, 1984, a motion was made by Edwin Wheeler, seconded by Nelson Cook, to accept these minutes as submitted. This motion passed with 4 ayes.

COMMUNICATIONS

COMMUNICATIONS:

1. Thank you card and note from Betty Stubbings
2. Thank you note from Cora Sampson
3. Letter from Rick Case re: Dog Enumeration

STANDING COMM. RPTS.

REPORTS OF STANDING COMMITTEES

HWY COMM.

Highway Committee - David Lyon, Chairman

No report at this time.

WATER & FIRE COMM.

Water & Fire Committee - Edwin Wheeler, Chairman

1. Water Service Contract

MOTION TO APPROVE WATER SVCS CONTRACT

Mr. Wheeler moved to approve the contract for Water Services between the Village of Palmyra and the Town of Palmyra. Nelson Cook seconded this motion and it passed with 4 ayes. Mr. Wheeler then moved to enter into a contract with the Village Superintendent of Water, Harold Kruger, for his services for the water system of the Town of Palmyra for a three (3) year period, calendar years 1984, 1985 & 1986, retro-active from January 1, 1984. Mr. Kruger is to be paid on a quarterly basis. This motion was seconded by Nelson Cook and passed with 5 ayes. (Mr. Sinclair had arrived.)

MOTION TO ENTER INTO CONTRACT WITH HAROLD KRUGERLANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

Mr. Sinclair told the Board that he had some communications going back and forth via Mr. Rubery, but he had nothing specific to report at this time.

CEMETERIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Proposed Public Hearing for Robert F. Noble re: request

MOTION TO PASS REQUEST TO PLNG. BD. & SCHEDULE A PUB. HEARING ROBERT F. NOBLE

to use residence to operate retail sales of antiques. Mr. Cook moved to pass on to the Planning Board a request to use residence to operate retail sales of antiques by Robert F. Noble of Route 31 East in the Town of Palmyra and that we have a Public Hearing on April 12, 1984 at 8:00 P.M. This was seconded by Edwin Wheeler and passed with 5 ayes.

2. Proposed Public Hearing for David P. Rice re: request

MOTION TO PASS REQUEST TO PLNG. BD. & SCHEDULE A PUB. HEARING DAVID. P. RICE

to operate a garbage disposal business in an Agricultural District. Mr. Cook moved to pass on to the Planning Board a request to operate a garbage disposal business in an Agricultural District by David P. Rice and that we have a Public Hearing April 12, 1984 at 7:30 P.M. David Lyon seconded this motion and it passed with 5 ayes.

Assessment, Planning & Zoning Committee (Continued)

3. Mobile Home Park Permits.

MOBILE HOME
PARK PERMITS

Mr. Cook informed the Board that there are some things that are not in compliance but are being worked on and a water check has to be done on one park.

4. Waste Disposal Permits from Gerald East and from

WASTE DISPOS-
AL PERMITS

Donald East. Mr. Cook said he had some questions on some of the conditions that the Board had set in the past and he wants to review them to make sure they are in order before the Board accepts these permits.

5. Junk yard permit from William Hood.

JUNK YARD
PERMIT

Mr. Hood has to come in compliance with a few items yet, so Mr. Cook will table this until the next meeting.

Economic Development Committee - Donald Sinclair, Chairman

ECONOMIC
DEV. COMM.

No report at this time.

Town Building Committee - David Lyon, Chairman

TOWN BLDG.
COMM.

No report at this time.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

CONSOLIDATION
OF VIL & TWN

No report at this time.

OTHER BUSINESS:

OTHER BUSINESS

1. Insurance Contracts

INSURANCE
CONTRACTS

Since the insurance proposals had only arrived today, Nelson Cook moved to have a 15 minute recess to allow Edwin Wheeler and Town Attorney, Paul T. Rubery, time to look over said proposals. David Lyon seconded this and it passed with 5 ayes. The motion to go back into session was made by Edwin Wheeler, seconded by David Lyon, and passed with 5 ayes. It was decided that the Town Attorney, Paul Rubery, would call both Chapman's Insurance Agency and Van Parys Associates with a question regarding each of their proposals.

Following a review of Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Nelson Cook, to approve payment of Vouchers as shown on Abstract #3A. The motion passed with 5 ayes. The Vouchers were listed by funds as follows:

MOTION TO
APPROVE PYMNT
OF CLMS/VCHRS

ABSTRACT # 3A

| | | |
|----------------------|-----------------|------------|
| GENERAL FUND | VOUCHER # 88-98 | \$ 1397.25 |
| PART TOWN FUND | " # 23-26A | \$ 6599.93 |
| HIGHWAY III | " # 63-79 | \$22649.63 |
| HIGHWAY VI | " # 27-30AB | \$7918.42 |
| TRUST & AGENCY FUND | " # 2-3 | \$ 7835.00 |
| SOUTH WATER DISTRICT | " # 8 | \$ 35.10 |

TOTAL \$46,435.33

After a request from the Town Clerk and the two Deputy Clerks, Edwin Wheeler moved to approve to send two (2) of the three (3) girls to the NYS Animal Control Association Spring Training Program on April 4, 1984 at Trinkaus Manor. This was seconded by Nelson Cook and passed with 5 ayes.

Edwin Wheeler moved to adjourn this meeting until Saturday, March 24, 1984 at 8:30 A.M. David Lyon seconded this and it passed with 5 ayes. Mr. Lyon will be responsible for taking the minutes of this Special Meeting.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman

Town Clerk, Town of Palmyra

March 24, 1984

Special Town Board Meeting

On Saturday, March 24, 1984 at 8:35 A.M. in the Town Office at 201 E. Main Street, Edwin Wheeler made a motion to reconvene the Thursday, March 22, 1984 Town Board meeting.

MOTION TO RECONVENEROLL CALL

Those present were Supervisor Leroy Aplin, Town Councilmen Edwin Wheeler and David Lyon and the Town Attorney, Paul T. Ribery.

MOTION TO ACCEPT PROPOSAL FROM VANPARYS FOR INSURANCE

A review of the insurance proposal from Van Parys Associates and J. D. Chapman Agency Inc. was made. Edwin Wheeler moved to accept the low proposal on SMP Contractors Floater, Contractors Liability, Auto, Umbrella and Public Officials Liability from Van Parys Associates. This was seconded by David Lyon and passed with 3 ayes.

MOTION TO CANCEL PUB. OFFICIALS LIABILITY

A motion was then made by Edwin Wheeler, seconded by David Lyon, to cancel the Public Officials Liability contract with Chapman Insurance Agency Inc., effective April 6, 1984. This motion passed with 3 ayes.

MOTION TO SEND TWO LETTERS TO VANPARYS

Mr. Wheeler moved to have a letter sent to Van Parys Associates making them the Town's carrier of record and another letter to request that they verify on a 30-day basis, the status of our vehicles, buildings and equipment; and that they keep the Town informed, on a semi-annual basis, the status of all claims and settlements they are handling. This was seconded by David Lyon and passed with 3 ayes.

MOTION MAKING E. SIDE OF MEADOW DR. ELIGIBLE FOR WTR HOOK-UP

A motion was then made by Edwin Wheeler that the lots on the east side of Meadow Drive are in the Maple Avenue Water District Extention and are eligible for water service and may be hooked-up upon approval of the Town Board. *

MOTION TO ADJOURN

A motion to adjourn this meeting was made by Edwin Wheeler, seconded by David Lyon, and passed with 3 ayes.

MINUTES TAKEN BY DAVID LYON

Minutes to this meeting were taken by Town Councilman, David Lyon and transcribed by the Town Clerk, Beverly E. Hickman.

Respectfully submitted,

Beverly E. Hickman

Beverly E. Hickman, Town Clerk
Town of Palmyra

- * Correction to the above minutes made at the April 12, 1984 meeting: Next to the last motion from this meeting states: A motion was then made by Edwin Wheeler that the lots on the east side of Meadow Drive are in the Maple Avenue Water District Extention and are eligible for water service and may be hooked-up upon approval of the Town Board. Correction to this is the addition of the following: This motion was seconded by David Lyon and passed with 3 ayes.

Correction made on April 23, 1984
by Beverly E. Hickman, Town Clerk

AFFIDAVIT OF PUBLICATION

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

NOTICE OF PUBLIC HEARING
 NOTICE IS HEREBY GIVEN that the Town Board of the Town of Palmyra will hold a public hearing on Thursday, April 2, 1984 at 7:00 P.M. at the Town of Palmyra, New York, to consider the application of David J. Rice, 5078 Brown Road, North Rose, New York for a variance to the Zoning Ordinance of the Town of Palmyra, County of Wayne, New York, to permit the construction, operation and dispatch center for his mortgage disposal business with parcels of land he believes to be used at least for the sale of used automobiles for disposal located on Route 28 in the town of Palmyra formerly known as Morgan's Car Park. The parcels are situated in Agricultural Zone and are located in the North by Palmyra, New York, Road and East by Main Road, on the West by the property owned by Albert and Gladys Rickboat on the East by Rickboat on the East by Hanley Road, and on the West by property owned by Albert and Gladys Rickboat. The application is in compliance with Article III, Section 2(b) which limits the use of agricultural land to those permitted under Section 317 paragraphs a through (b) of the Zoning Ordinance. The use of land for other than agricultural purposes is subject to Special Authorization from the Town Board. Such Special Authorization is 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: April 23, 1984. By Order of the Town Board of the Town of Palmyra, County of Wayne, New York. Town Clerk (510) (Mar 28)

..... 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:

..... March 28, 1984.....

Rosalie J. Mouton
 Foreman of the Publisher

Subscribed and sworn to before me
 this 30th day of March, 1984
Judith A. MacDuff
 Notary Public

Fee: \$21.35
 JUDITH A. MacDUFF
 Notary Public for the
 State of New York, County of Wayne
 4735126
 Expiration Date March 30, 1985

April 12, 1984

PUBLIC HEARING

PUBLIC HEARING
OPENED-RE:
DAVID P. RICE

PUBLIC HEARING
OPENED-RE:
DAVID P. RICE

The Public Hearing scheduled to be held at 7:30 PM on Thursday, April 12, 1984 at the East Palmyra Fire Hall, East Palmyra, New York to consider the application of David P. Rice, 5079 Brown Road, North Rose, New York, for a Variance to the Zoning Ordinance of the Town of Palmyra to operate a central office, vehicle repair, dumpster repair and dispatch center for his garbage disposal business, with part of the property to be leased to a used car dealer for the re-sale of used automobiles on property located on Route 31 in the Town of Palmyra formerly known as "Morganti Car Ranch, Inc." was opened by Supervisor Aplin. The Proof of Publication was read by the Town Clerk. Those in attendance, other than the Board Members were: Town Attorney, Paul T. Rubery, James Elliott, Fred Lawson, Lyman Kaller, Roger Cramer, Roy C. Wilck, Harry Wilkins, Florence Wilkins, David Beal, Doug Parkison, Lori Kuhlman, James Miller, Peter Burm, Rita Burm, James A. Milliman, Frank Gorall, Jerry Blanchard, Dick Bump and Kathy Adams with the Power of Attorney for Catherine Wescott.

PROOF OF PBLICATION
READ

Supervisor Aplin opened the floor for comments regarding this application. David Beal asked how much property was involved in this parcel? The Board thought approximately 2 1/2 acres. David Beal asked if Mr. Rice owned this property? Supervisor Aplin replied that Mr. Rice did not own this property at this time, but the decision of this Board was contingent upon the sale. Mr. Beal then asked if all of these businesses would be owned by one company? The Board thought the answer to that question was "no" because the application stated that the used car business would be rented out. Supervisor Aplin suggested waiting a few minutes for the arrival of David Rice, since he felt Mr. Rice should be answering these questions. While waiting Supervisor Aplin read Mr. Rice's application letter to those present. Pete Burm asked how many dumpsters would be stored on the premises at night? The application stated 15 - 20 containers. Mr. Burm wanted to know if these would be in use during the day, and if so, would they be sprayed each night so as to not create a possible health hazzard? Mr. Rice still had not arrived, therefore, there were no answers to these questions. The property lines on this particular parcel was then discussed and no one was sure just where the property lines were. After waiting several more minutes for Mr. Rice to arrive, David Beal stated that he would think Mr. Rice should have been here in time for this hearing and that on a 2 1/2 acre parcel if he is planning on storing 15-20 dumpsters, 6 garbage trucks and up to 40 used cars it is going to be very crowded. Mr. Beal went on to say that a couple of years ago when Mr. Morganti wanted to sell used cars on the corner of Hanley Road and Route 31 he had to come before this

Board also. This Board gave Mr. Morganti a lot of flack; saying that he could not have more than six (6) used cars at one time and that they had to be parked in certain places and in a certain direction. No parking was allowed for his gun shop on the east side of the building and his own (Mr. Beal's) business, Blondell Memorial's, was forced to leave that building. Mr. Beal wanted the above statements entered into the record for this hearing. Supervisor Aplin said that he remembered there was a problem with Mr. Morganti. The neighbors came to the Board to complain about cars parking alongside the road. David Beal then stated that with traffic entering and exiting on Rt. 31 from 7:00 AM thru 9:00 PM, there could very well be a traffic problem. Supervisor Aplin said there was a lot of information that we don't have because of Mr. Rice's absence. He said that Mr. Rice should have had his attorney or a representative here in his place. A unidentified woman asked if a variance was granted, could the Town Board keep control of the situation and could they also correct any problems that might arise? Supervisor Aplin explained to the woman that the Board can place any conditions and/or restrictions on their approval that they may deem necessary and they follow through to make sure these conditions and/or restrictions are upheld. David Beal said that at one point, the Board told Mr. Morganti that there were too many businesses at his site and yet it sounds to him like Mr. Rice may be planning on having up to four (4) businesses. Councilman Lyon said that, to set the record straight, we are talking about two different properties and the issue is becoming confused. One property is approximately 2 1/2 acres and the other property is approximately 1/2 acre. David Beal asked if zoning laws change according to different size properties. Councilman Lyon replied "no" they do not.

Supervisor Aplin read the recommendation from the Planning Board as part of the record of this Public Hearing. The matter was then referred to Committee and this Public Hearing was closed by Supervisor Aplin at 8:03 PM.

HEARING
CLOSED

PUBLIC HEARING

HEARING
OPENED
RE: ROBERT F.
NOBLE

The Public Hearing that was scheduled to be held at 8:00 PM on April 12, 1984 in the East Palmyra Fire Hall, East Palmyra, New York, to consider the application of Robert F. Noble, 4360 Route 31 East, in the Town of Palmyra for a Variance to the Zoning Ordinance of the Town of Palmyra to use his residence to operate retail sales of antiques was opened by Supervisor Aplin at 8:05 PM.

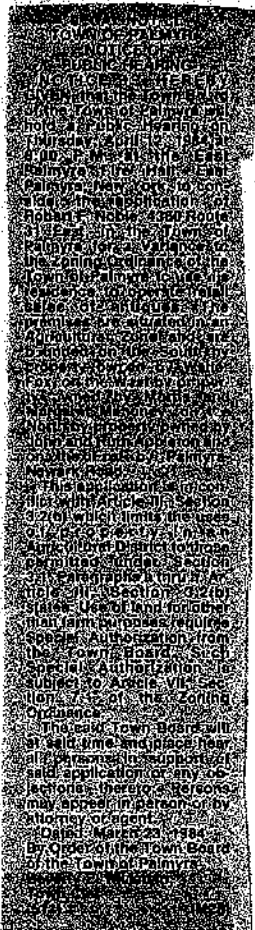
PROOF OF
PUBLICATION
READ

The Proof of Publication for this hearing was read by the Town Clerk.

Supervisor Aplin opened the floor to comments regarding this Public Hearing and asked if Mr. Noble was present. Mr. Noble was present and would answer any questions that people might have to the best of his ability. Councilman Sinclair asked Mr. Noble

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 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 28, 1984

Rosalie J. Mouton
 Foreman of the Publisher

Subscribed and sworn to before me

this *30th* day of *March* 19*84*

Judith A. MacDuff
 Notary Public

Fee: \$ 18.00

JUDITH A. MacDUFF
 Notary Public for the
 State of New York, County of Wayne
 4735126
 Expiration Date March 30, 1985

about his hours of operation. Mr. Noble said that he works mornings at another job so he would probably have the antique business open from about 2:00 PM thru evening. Councilman Sinclair asked if he was planning to have any displays of things for sale outside of his residence and how many cars could be parked in the driveway? Mr. Noble answered that he did not plan to have any outside displays and that at least six (6) cars could be parked in his driveway. Mr. Sinclair asked if Mr. Noble was planning on putting up a sign and Mr. Noble answered yes. Mr. Sinclair then asked the Town Attorney, Paul Rubery, if it could be written into the approval as to nothing for sale out in the yard and Mr. Rubery said that it could. Supervisor Aplin asked Mr. Noble just where on Route 31 his residence was located? Mr. Noble replied that he is the ninth place north of the Ford Tractor place on the west side and about 1/2 way up the straight-a-way. Councilman Sinclair asked Mr. Noble if he had talked to any of his neighbors about this new venture. Mr. Noble said he hadn't but he didn't anticipate any problem because most of his business is done through shows and by appointments.

The recommendation from the Planning Board (Town of Palmyra) was read by Supervisor Aplin to those present and stated the following: The Planning Board is recommending the use of Mr. Noble's residence for the use of retail sales of antiques with no restrictions.

PLANNING BOARD RECOMMENDATION

Supervisor Aplin referred the matter to the Committee and closed this Public Hearing at 8:15 PM.

HEARING CLOSED

The Regular Meeting of the Town Board of the Town of Palmyra was called to order at 8:20 PM on April 12, 1984 in the East Palmyra Fire Hall, East Palmyra, New York by Supervisor Aplin.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRYR PLEDGE OF ALLEGIANCE

Upon Roll Call, the following Board members were present: Supervisor Aplin, Town Councilmen Edwin Wheeler, Nelson Cook, Donald Sinclair and David Lyon.

ROLL CALL

After a review of the minutes from March 22, 1984 and March 24, 1984, Edwin Wheeler moved to approve these minutes as submitted. This was seconded by Donald Sinclair. Following a short discussion of a error in the March 24, 1984 minutes Mr. Wheeler withdrew his motion. Mr. Wheeler then moved to approve the minutes from the March 22, 1984 meeting as submitted. This motion was seconded by Donald Sinclair and passed with 5 ayes. David Lyon moved to approve the minutes of the March 24, 1984 meeting with a correction to the next to the last motion made. This motion reads as follows:

MOTION TO APPROVE MIN. OF 3/22/84 & 3/24/84 MOTION WITHDRAWN MOTN TO APPR. MIN 3/22/84 MOTION TO APPRV. MIN OF 3/24/84 WITH CORR.

A motion was then made by Edwin Wheeler that the lots on the east side of Meadow Drive are in the Maple Avenue Water District Extension and are eligible for water service and may be

hooked-up upon approval of the Town Board.
The correction to be made to this motion is the addition of the following:

This motion was seconded by David Lyon and passed with 3 ayes.

Councilman Cook seconded this motion with the correction included and it passed with 5 ayes.

COMMUNICATIONS:

There were no communications to be read.

REPORTS OF STANDING COMMITTEES:

COMMUNICATIONS

HIGHWAY COMM.

Highway Committee - David Lyon, Chairman
No report at this time.

WATER & FIRE COMM.

Water & Fire Committee - Edwin Wheeler, Chairman
No report at this time.

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman
No report at this time.

CEMETRIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman
No report at this time.

ASSESS., PLNN & ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

REQUEST FROM D. RICE-SUB. OF PUB. HEAR.

1. Request from David P. Rice to operate a central office, etc. for his garbage disposal business - Subject of Public Hearing.

Mr. Rice is now present. The Town Attorney, Paul Rubery, said that we have a problem because some of the people that had questions to be directed to Mr. Rice have left. David Lyon asked him what we could do. Mr. Rubery replied that to be fair to everyone concerned, the Board could re-schedule another Public Hearing. He explained that this matter also has to go to the Wayne County Planning Board on April 24, 1984 and that this Board cannot make a decision without the recommendation from them. Mr. Rice was told that a map should be filed at the Town Office before the next Public Hearing. The motion to schedule another Public Hearing for Mr. David P. Rice on April 26, 1984 at 7:30 PM in the Town Office, 201 E. Main Street, Palmyra, New York and that proper notification be made was made by Nelson Cook, seconded by Donald Sinclair, and passed with 5 ayes.

MOTION TO SCHEDULE A 2ND PUB HEAR.

REQUEST FROM R. NOBLE-SUB OF PUB. HEAR.

2. Request from Robert F. Noble to use residence to operate retail sales of antiques - Subject of Public Hearing.

MOTION TO APPROVE VAR. FOR R. NOBLE W/STIPULATIONS

Nelson Cook moved to approve a Variance to the Zoning Ordinance of the Town of Palmyra to allow Mr. Robert F. Noble to use his residence, located at 4360 Route 31, Palmyra, New York, to operate retail sales of antiques with the following stipulations:

1. There will be no outside sales or displays of any kind.

2. This approval is non-transferrable to any third party.

This motion was seconded by Donald Sinclair. Supervisor Aplin said he would like to have added to this motion that there be absolutely no parking on Rt. 31. Mr. Cook accepted this amendment and Donald Sinclair seconded it. Following a short discussion, the motion passed with 5 ayes.

AMMENDMENT
TO MOTION

3. Mobile Home Park Permits

Nelson Cook reported to the Board that most of the paper-work is finished but there are three (3) parks that have to be inspected by the Board. The Committee will get together and set up a time for this inspection.

MOBL HOME PK
PERMITS

4. Waste Handling Permits from Gerald East and Donald East

Mr. Cook asked the Town Attorney, Paul Rubery, to look at these applications to make sure they were in order. Mr. Rubery told the Board that the "attached conditions" are not attached and therefore, these applications are not satisfactory at at this time. Mr. Cook said he would postpone approval of these permits until the April 26, 1984 meeting.

WASTE HNDLNG
PERMITS

5. Junk Yard Permit from William Hood

Mr. Cook moved to approve the renewal of the Junk Yard Permit for William Hood, 3785 Trolley Road, Palmyra, New York, for one year, ending on April 1, 1985. Edwin Wheeler seconded this motion. Supervisor Aplin said that Mr. Hood is not in compliance most of the year and he feels that something should be done about it. Mr. Cook reported that Judson Roney had done an inspection and had sent Mr. Hood a letter stating the problems he found. Mr. Cook said these problems had been taken care of and that Mr. Hood is in complete compliance at this time. Mr. Cook's motion passed with 5 ayes.

JUNK YARD
PERMIT

MOTION TO
APPROVE JUNK
YARD PERMIT
FOR W. HOOD

6. Jerry Blanchard requested permission to address the Board

Nelson Cook reported to the Board that the Assessor, Judson Roney, had issued a summons to Mr. Blanchard for his TV Dish antenna. It is for this reason that Mr. Blanchard asked to address the Board. The floor was then turned over to Mr. Blanchard, who showed two (2) pictures to the Board and asked them which one was a picture of a structure and what the definition of a structure is according to the Zoning Ordinance of the Town of Palmyra. Mr. Blanchard feels that if a building permit is needed for his TV Dish, then one should also be needed for fences, flag poles, mailboxes, clot. poles, swing sets and any other thing that is cemented into the ground. This is not a permanent thing, Mr. Blanchard said, because if he

J. BLANCHARD
ADDRESSED
THE BOARD

April 12, 1984 Continued

should move, he is taking it with him. Supervisor Aplin thinks that a building permit is unreasonable for this type of thing. Nelson Cook asked Mr. Herman, of Herman Appliance & Furniture Inc., Marlon Road, Palmyra, about the manufacturer's recommendations. Mr. Herman, who sells these TV Dish's, said it depended on the size of the Dish. Roy Wilck asked if a motion could be made that Jerry Blanchard does not need a building permit. Edwin Wheeler explained that the Board could not move on this matter tonight. He suggested that the Zoning Board call the Association of Towns to inquire further about this situation.

DISTANT RIDERS
MOTORCYCLE CLUB

MOTION TO APPV
4 WHEEL DRIVE VEHICLE
SHOW & PARTY 4/29/84

7. Permit for Distant Riders Motorcycle Club Nelson Cook moved to approve authorization of a one-day 4-Wheel Drive Vehicle Show and Party to be held by the Distant Riders Motorcycle Club at their property on Hogback Hill Road on April 29, 1984, with the stipulation that there be no parking allowed on Hogback Hill Road or on Vault Road. Edwin Wheeler seconded this motion and after a brief discussion it passed with 5 ayes.

ECONOMIC DEV.
COMM.

Economic Development Committee - Donald Sinclair,
Chairman

No report at this time.

TOWN BLDG.
COMM.

Town Building Committee - David Lyon, Chairman

1. Renovation Project

David Lyon reported to the Board that some emergency work had been done because of a leak in the second floor bathroom.

CONSOLIDATION OF
TN & VILL. COMM.

Consolidation of Town & Village Committee -
Edwin Wheeler, Chairman

No report at this time.

OTHER BUSINESS

BINGO LICENSE
RENEWAL-MOOSE
CLUB

MOTION TO APPV
BINGO LIC. RE-
NEWAL MOOSE CLUB

1. Bingo license renewal from the Moose Club Edwin Wheeler moved to approve the renewal of the Bingo License for the Palmyra Moose Lodge #1420 for one (1) year, ending May 1, 1984. Donald Sinclair seconded this motion and it passed with 5 ayes.

MOTION TO APPV
PYMT OF CLAIMS
& VOUCHERS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Nelson Cook, to approve payment of the Vouchers as shown on Abstract #3B & #4. The motion passed with 5 ayes.

MOTION TO
ADJOURN MTG.

A motion to adjourn this meeting, with a special "Thank You" to the East Palmyra Fire Dept. for hosting us again, was made by Edwin Wheeler, seconded by Donald Sinclair, and passed with 5 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK ss.
County of Wayne.

TOWN OF PALMYRA
PUBLIC HEARING
GIVEN BY THE BOARD
of the Town of Palmyra
this 23rd day of April 1984
at 10:00 AM in the Town Office
located at Main Street
Palmyra, New York
The applicant has
applied for a Special
Use Permit for the
purpose of operating a
garage and repair shop
on the property located
at the intersection of
Routes 21 and 20A in
Palmyra, New York
known as
Moran's Garage and
Repair Shop
The premises are located
in an Agricultural Zone
as shown on the Zoning
Map of the Town of
Palmyra, New York
and the property is
owned by the Estate of
Maurice Moran, Jr.
The applicant's use
conflicts with Article 11, Section
31(b) which limits the use
of land to that permitted in
Agricultural Districts, those
permitted under Section
31 Paragraphs a through
c. Article 11, Section 31(b)
states: "Use of land for other
than farm purposes requires
Special Authorization from
the Town Board. Such
Special Authorization is
subject to Article 11, Sec.
31(b) and the Zoning
Ordinance of the Town of
Palmyra."
The said Town Board will
at said time and place hear
all persons in support of
said application and object
thereunto.
The
at
Date: _____
By Order of the Town Board
of the Town of Palmyra

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 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:

April 18, 1984

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 23rd day of April 1984

Judith A. MacDuff
Notary Public

Fee: \$ 21.05

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4735126
Expiration Date March 30, 1985

PUBLIC HEARING

The Public Hearing scheduled to be held at 7:30PM on Thursday, April 26, 1984 at the Town Office, 201 E. Main Street, Palmyra, N.Y. to consider the application of David P. Rice, 5079 Brown Road, North Rose, N.Y. for a Variance to the Zoning Ordinance of the Town of Palmyra to operate a central office, vehicle repair, dumpster repair and dispatch center for his garbage disposal business, with part of the property to be leased to a used car dealer for the re-sale of used cars on property located on Rt. 31 in the Town of Palmyra on property formerly known as "Morganti Car Ranch, Inc.", was opened by Supervisor Aplin.

The Proof of Publication was read by the Town Clerk. Those in attendance, other than the Board Members, were: Paul Rubery, the Town Attorney, Judson Roney, the Town Assessor, Jim Elliott, Tim Wilbur, Doug Parkison, Lori Kullman, Robert and Diane Schram, David Beal (414 Pierson Ave., Newark), Jim and Betty Miller (5647 Stuart Ave., Newark), Mary Allen, David Rice (North Rose), Abe Forrest (WACK radio) and Lou McGuilan (Fingerlakes Cablevision).

Supervisor Aplin opened the floor for comments or questions regarding this application. David Beal asked what was allowed in a Agricultural Zone according to Section 3.1, Paragraphs a-h. Mr. Roney, also our Zoning Officer, answered that, in the section dealing with a agricultural district, farms plus any activity allowed in paragraphs a - h. Mr. Beal wanted to know if this business (subject of Public Hearing) came anywhere in paragraphs a - h. Mr. Roney told him that it did not and that is why Mr. Rice had been advised to seek Special Authorization from the Town Board. Mr. Beal asked if he could ask Mr. Rice some questions. Supervisor Aplin told him to direct his questions to the Board and if they could not be answered by the Board, then Mr. Rice would answer them. Mr. Beal wanted to know if there would be refuse like used appliances stored on the property for future disposal. Mr. Rice told him no. Mr. Beal feels that no one wants to have a garbage business next to them and, regarding the car dealership, he feels that forty (40) cars is excessive with everythingelse that would be stored there. Supervisor Aplin explained that, if approved, the Town Board would set conditions to benefit all of the people on the whole, not just the owner. Mr. Beal then asked if there would be access from Hanley Road. David Rice said that the Zoning Officer thought that Hanley Road would be a better access, however, he felt that Rt. 31 still had to be crossed so it would not make that much difference. Councilman Lyon asked how many acres were involved. Mr. Roney said 2.08 acres according to the assessment records. Councilman Lyon then asked how many businesses would be conducted at this site. Mr. Rice said there would be at least two (2). Councilman Lyon said that Mr. Rice should be more specific because if the Board approves two (2) businesses, that is all there can be, none can be thrown in later. Mr. Beal asked about the repair of trucks, would it be strictly Mr. Rice's own trucks? Mr. Rice said he does not want to be limited to repairing only his own trucks. Supervisor Aplin explained that this was not on the application and this is how the two (2) businesses asked for snowballs into more businesses. Councilman Lyon said another question that came up at the first hearing was, how big will the dumpsters be? Mr. Rice said they are 5' X 9' and

he also has roll-up containers that are 7' X 20'. Councilman Sinclair asked Mr. Rice if he was going to sub-lease the used car business to someone else. Mr. Rice said that it would be sub-leased. Councilman Sinclair referred to the part of the application that said there would be no trash or garbage stored on the premises. He asked Mr. Rice if he realized that this statement meant NO garbage, even if a truck could not get to the landfill before it closes. Mr. Rice said if the landfill is closed, he would have to store garbage overnight on the premises. Councilman Sinclair explained that if approval is granted, it will be very tight. Mr. Rice said that his idea of storing garbage was a two or three day period, not just overnight. Councilman Sinclair said that the application is incorrect as it stands now, it should say that garbage will be stored overnight. Supervisor Aplin asked for any more questions and explained that now is the time to get things out in the open. Councilman Lyon asked the Town Attorney, Mr. Rubery, if there would be any problem with the Board having control of the used car business since it would be sub-leased to another person. Mr. Rubery said that Mr. Rice would be responsible for all conditions set forth by this Board, no matter who sub-leased from him, because the application is in his name. Councilman Wheeler inquired about the recommendation from the Wayne County Planning Board. Supervisor Aplin read the letter we had received from them stating that they would have this matter on their agenda for their May 30, 1984 meeting. He pointed out that this Board could not make a decision until we receive their recommendation on or about June 1, 1984. Councilman Sinclair asked if there was anybody here in support of this application. David Beal said that he is in support of the business but not the garbage being there. Supervisor Aplin said the Town is in favor of business also, but we have to be specific so we don't have problems with the business or with the neighbors. Councilman Sinclair suggested tightening up the application to avoid any problems later on and so as to not start out on the wrong foot. He explained to Mr. Rice that he could not put one thing on the application and then tell the Board he is going to do something else. Mr. Rice questioned, if the Board is so fussy, why hasn't the property been cleaned up for three years? Supervisor Aplin told him that a complaint about raw sewage had been filed and that it had been cleaned up. He said that unless there was a violation in regard to a health hazard, the Board cannot tell people how to live. Robert Schram asked what about the two acres of trash? Was that causing a health hazard? Supervisor Aplin asked if it was garbage or just accumulated trash? Did it have an offensive odor or was it simply unsightly? Mr. Schram said it was not his job to know or to look into it, but he did not know that it WAS NOT causing a health hazard. Councilman Sinclair explained that from a sanitary and health standpoint there are no violations. Mr. Schram asked him if he would go on record with the previous statement concerning the building on Morganti's property. Councilman Sinclair said as far as he knew the Building Inspector had not presented to this Board any problems concerning that property. He further explained that none of this had anything to do with Mr. Rice's application. Mr. Schram then asked, if a driver should have a flat tire on his way to the landfill and not get there before it closes, does that mean that the truck could not be parked on Mr. Rice's property overnight because there would be garbage in it? Supervisor Aplin again explained that Mr. Rice had put on his application that NO garbage would be stored on this property. He explained in detail, the gravity of this hearing

April 26, 1984

30A

PUBLIC HEARING CONTINUED

and the seriousness of what was written on this application. Mr. Rice's honesty is appreciated, but he would have to live up to what he has put on this application. This Board has to look out for both the applicant and the neighbors. Mr. Schram asked if Mr. Rice should have letters from Mr. Blondell and Mr. Rychbost stating their support of this application? Mary Allen added that they are the closest neighbors and they are not objecting so she does not see why the Board is being so picky. Councilman Wheeler told Mr. Schram that there should be letters of support so that they could be entered into this hearing. Councilman Sinclair said that he thought Mr. Rice should fill out a new application being very specific in stating exactly what his intentions are. Supervisor Aplin said that the Board was trying to be as fair as possible with Mr. Rice. This is the second hearing granted for him and therefore, the second time the Board had given up their time for him. He suggested that Mr. Rice file another application, one that he can live up to. Councilman Sinclair explained to Mr. Rice what he needed to do to make the application right. The Town Attorney, Paul Rubery, suggested that those people present at this hearing that did not sign in and did not identify themselves when speaking, do so now for the benefit of the clerk. The following people gave their names and addresses:

Robert and Diane Schram, Garnsey Rd., Palmyra
Jim and Betty Miller, 5647 Stuart Ave., Newark
David Beale, 414 Pierson Ave., Newark
Mary Allen, 4382 Rt. 31, Palmyra
David Rice, 5079 Brown Rd., North Rose

Supervisor Aplin read the recommendation from the Palmyra Planning Board to be entered into this hearing. It read as follows:

The Planning Board is recommending the use of Morganti's Car Ranch for the headquarters and base operation for garbage collection. Mr. Rice will buy the building and land if the Town Board grants the special authorization. He desires to use the property as a place to park his garbage collection trucks, to store his garbage dumpsters, to repair his own trucks and others, and to lease the front office and showroom space to a used car dealer. The Board recommends the following conditions be placed on the request:

1. No exterior storage of any material. (Such as boxes, tires, machine parts, etc.)
2. The area where the vehicles, dumpsters, and equipment are stored to be fenced.
3. Nothing to be parked within 50 feet of Hanley Road, nor closer than 10 feet to the property line on the west side.

Supervisor Aplin then told Mr. Rice that another hearing fee of \$25.00 would have to be paid to cover the expense of holding this hearing. Mr. Rice said he felt that he should only pay 20¢ to cover the cost of his stamp because he had not been notified by mail for the first hearing. Supervisor Aplin asked if he was saying that he was not aware

April 26, 1984

303

PUBLIC HEARING CONTINUED

of the first hearing. Mr. Rice said that he was aware of the first hearing, but , he had only been notified by phone, not in writing. Supervisor Aplin told Mr. Rice that is he felt he should not pay for this hearing after the Board had scheduled it for the second time and the Town of Palmyra had paid the expenses for the second hearing, then don't pay for it, but don't expect him, for one, to consider this application.

This Public Hearing was closed by Supervisor Aplin at 8:40 P.M.

April 26, 1984

31

The Regular Meeting of the Town Board of the Town of Palmyra was called to order at 8:50 PM on April 26, 1984 in the Town Office at 201 East Main Street, Palmyra, New York by Supervisor Aplin.

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

Upon Roll Call, the following Board members were present: Supervisor Aplin, Town Councilmen Edwin Wheeler, Donald Sinclair and David Lyon. Councilman Nelson Cook was absent.

After a review of the minutes from April 12, 1984, David Lyon moved to approve said minutes as submitted. Edwin Wheeler seconded this motion and it passed with 4 ayes.

COMMUNICATIONS:

There were no communications to be read at this meeting.

REPORTS OF STANDING COMMITTEES:

Highway Committee - David Lyon, Chairman

No report at this time.

Water & Fire Committee - Edwin Wheeler, Chairman

No report at this time.

Landfill Committee - Donald Sinclair, Chairman

1. New Cell

Donald Sinclair moved that he be authorized to have a new cell dug, spending no more than \$2,500.00 on personnel and \$2,500.00 of equipment, totaling \$5,000.00 in all. Edwin Wheeler seconded this, and after a brief discussion, this motion passed with 4 ayes.

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Request from David P. Rice to operate a central office etc. for his garbage disposal business - Subject of Public Hearing

Supervisor Aplin stated that no action can be taken on this matter because we do not have a recommendation from the Wayne County Planning Board and in addition, Mr. Rice refused to pay the \$25.00 Hearing fee. Mr. Rice's statement about not paying for this Public Hearing because he had been notified by phone but had not received a written notice was discussed at great length. The Town Clerk, Beverly Hickman, said that a letter had gone out to Mr. Rice for both Public Hearings. The day before this hearing Mr. Rice had come to her office to give her the required map and had told her he had received no letters for either hearing. She then made him a copy of the letter addressed to him and one of the "Dear Resident" letter also in regard to this second hearing. Mrs. Hickman stated that no letters addressed to Mr. Rice had been returned to her office. Mr. Rubery, the Town Attorney, said that the Public Notice in the Courier Journal was all that was necessary. The Board decided that it was the applicant's responsibility to find out when their Public Hearing was to be held. They felt that Mr. Rice had received as much notification as anybody else "plus". They are not going to waive this \$25.00 hearing fee. This matter will now be turned back to the Committee.

2. Waste Handling Permits from Gerald East and from Donald East.

CALL TO ORDER

SILENT PRAYER

PLEDGE OF ALLEGIANCE

ROLL CALL

MOTION TO APPROVE MIN. OF 4/12/84

COMMUNICATIONS

HIWAY COMM.

WATER & FIRE COMM.

LANDFILL COMM.

NEW CELL

MOTION TO DIG A NEW CELL

CEMETERIES COMMITTEE

ASSESSMENT, PLNG & ZONING COMMITTEE

REQUEST FROM DAVID P. RICE SUB. OF PUB. HEARING

April 26, 1984 Continued

These permits have been checked by the Town Attorney, Paul Rubery, and found to be complete. Donald Sinclair moved that the Town Board approve the Waste Handling Permits for Gerald East and for Donald East from April 16, 1984 thru April 15, 1985, subject to DEC approval in August of 1984. This was seconded by David Lyon and passed with 4 ayes. Economic Development Committee - Donald Sinclair, Chairman

WASTE HANDLING PERMITS FOR G. EAST & D. EAST
MOTION TO APPROVE SAME
ECONOMIC DEV. COMMITTEE

Mr. Sinclair said that there is nothing to be concerned about at this point.

TN BLDG COMM. Town Building Committee - David Lyon, Chairman

No report at this time.

CONSOLIDATION OF TN & VILL. COMMITTEE Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

OTHER BUSINESS OTHER BUSINESS:

FINGERLAKES CABLEVISION REQUEST FOR A PUB. HEAR.

1. Lou McGuigan from Fingerlakes Cablevision would like to address the Board - Re: Setting up a Public Hearing. Mr. McGuigan said he had to ask for a Public Hearing to bring certain provisions of our franchise into compliance with the New York State Cable Television Commission rules and regulations. After a lengthy discussion, Donald Sinclair made a motion to hold a Public Hearing for Fingerlakes Cablevision at 8:00 PM on June 14, 1984 at the Town Office. This was seconded by Edwin Wheeler and passed with 4 ayes. Mr. McGuigan was asked to drop off at the Town Office a set of financials in case there should be a inquiry. He said he would do so next week.

MOTION TO SET DATE FOR PUB. HEARING

BOARD INFORMED OF DOOR-TO-DOOR FUND RAISER FOR LIVER TRANS-PLANT

2. Supervisor Aplin informed the Board that a Mrs. Boland had talked to him and had called Mr. Rubery about the legalities of a door-to-door campaign asking for donations for a Palmyra resident that needs a liver transplant. The Village of Palmyra has issued her a permit to do same within the Village. Mr. Rubery told Mrs. Boland to file a letter of intent with the Town Clerk and that was all that would be necessary.

MOTION TO APPROVE PYMNT OF VOUCHERS

Following a review of Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by David Lyon, to approve payment of the Vouchers as shown on Abstract #4A. This motion passed with 4 ayes.

MOTION TO ADJOURN

The motion to adjourn this meeting was made by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman
 Beverly E. Hickman, Town Clerk

May 10, 1984

33

The Regular Meeting of the Town Board of the Town of Palmyra held on May 10, 1984 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 7:30 P.M.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRAYER

PLEDGE OF ALLEGIANCE

Upon Roll Call, the following Board members were present: Supervisor Aplin, Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Donald Sinclair was absent. Others in attendance were Paul Rubery, Town Attorney, Judson Roney, Town Assessor and Zoning Officer, Tim Wilbur, Jim Elliott, Mayor Warner Strong, and Palmyra Fire Commissioners Harry White, James Winston and Paul Evans.

ROLL CALL

David Lyon moved to approve the minutes of the April 26, 1984 meeting as submitted. This was seconded by Edwin Wheeler and passed with 4 ayes.

MOTION TO APPROVE MIN. OF 4/26/84

COMMUNICATIONS:

1. Letter from Richard Case - Dog Enumerator
Letter of resignation from Richard Case was read by the Town Clerk. Supervisor Aplin referred the subject to the end of the meeting to be included in Other Business.

LETTER OF RESIGNATION RICHARD CASE DOG ENUMERATOR

2. Letter from Richard Sinburg, P.E., Regional Director of Transportation Re: Speed zone request for Rt. 31; your letter of Aug. 25, 1983

LETTER RE: SPEED ZONE ON RT 31

REPORTS OF STANDING COMMITTEES:

Highway Committee - David Lyon, Chairman

1. Resolution to be made

The following motion was made by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes:

BE IT RESOLVED that the resolution adopted on the 13th day of October, 1983, borrowing \$23,000.00 from the Part Town General Fund by the Town for the Highway III fund, and the resolution adopted on the 27th day of December, 1983, borrowing \$21,000.00 by the Town for the Highway III Fund from the Part Town General Fund, are hereby amended as follows:

MOTION TO CORR. MOTION MADE 10/13/83 and 12/27/83

The RESOLUTION adopted on the 13th day of October, 1983 will read as follows: BE IT RESOLVED that the Town transfer from the Part Town General Fund to the Highway III Fund the sum of \$23,000.00.

The RESOLUTION adopted on the 27th day of December, 1983 will read as follows: BE IT RESOLVED that the Town transfer from the Part Town General Fund to the Highway III Fund the sum of \$21,000.00.

Water and Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE COMMITTEE

1. Fire Commissioner, Harry White, Mayor Warner Strong and Willage Trustees, Jim Elliott have asked to address the Board RE: Merge of Fire Dept. Ambulance and PVA

Harry White, spokesman for the Palmyra Fire Commissioners, told the Board that they wanted to make the Board fully aware of the pending action regarding this possible merge between the two (2) ambulance services and to see if they had the support of the Town

MOTION TO
ADD TO THE
AGENDA

Board. The operating procedures of both ambulance services were explained in great detail and the benefits of one service were explained, should the merge take place. Mr. White said that the main concern of both groups is to look out for and to do the best possible thing for the people they provide service to. Edwin Wheeler moved to add to the agenda, a resolution concerning this merge. Nelson Cook seconded this motion and it passed with 4 ayes. Mr Wheeler then moved that the Town Board go on record as supporting the philosophy and theory as outlined in pursuing the favorable consolidation of the two (2) ambulance groups under the wing of the Palmyra Fire Department, contingent upon final approval at a later date. David Lyon seconded this motion. After a considerable amount of discussion, this motion was passed with 4 ayes.

MOTION TO
SUPPORT MERGE
OF P.F.D. AM-
BULANCE & PVA

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

There was no report from Mr. Sinclair, however, Supervisor Aplin informed the Board that he had been out to the landfill and the new cell is in the process of being dug.

CEMETERIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

No report.

ASSESSMT, PLNG &
ZONING COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Application for Special Authorization for Martin S. Kinslow

APPLCATN FOR
SPEC. AUTH. FOR
MARTIN KINSLOW

Mr. Roney had a complaint about Mr. Kinslow, manager of Valley View Mobile Manor, not obtaining a Bldg. Permit for his mud room addition. Mr. Roney said the room is not quite finished yet, the roof is not on. He explained that Mr. Kinslow had come to see him before he started this addition and wanted to know what he needed before he started this job. Mr. Roney told him he needed a building permit. Mr. Kinslow then wanted to know what would happen if he didn't get a building permit. He was told that if Mr. Roney received a complaint he would have to serve a violation notice on him. He did not get a building permit and did start his addition anyway. Mr. Roney then received a complaint by phone. He went out to Mr. Kinslow's and gave him a application for the necessary building permit and asked him if he would like to fill out the application or be sited for a violation. Mr. Kinslow then filed his application and paid a \$25.00 Public Hearing Fee. Mr. Rubery said a mobile home ordinance did not need a public hearing; what is required for this matter is a waiver granted at the discretion of this Board. Supervisor Aplin feels that some action should be taken on this matter. He said that (1) this is not a minor thing (2) Mr. Kinslow was warned and (3) he is, after all, the park manager. Since he knowingly started this addition without a permit, Supervisor Aplin feels that the Board should take some action on this matter. The Board then authorized the Town Clerk to send certified letters to both Mr. Kinslow and to Mr. Ralph Marseglia, the park owner, requesting them to appear at the next regular Town Board meeting on Thursday, May 24, 1984 at 8:00 P.M. in the Town Office.

APPLCATN FOR
SPEC. AUTH. FOR
CHARLES DERIDDER

2. Application for Special Authorization for Charles DeRidder

Councilman Cook said this is another case of someone having been in business (a part-time business) for over a year without permission.

Mr. Roney, filling in the background for the Board, said he had noticed a sign that said "License to Repair and License to Inspect Motor Vehicles. Licensed by the State of New York." After checking to be sure there really was a business being carried on, Mr. Roney left a application with Mrs. DeRidder, which has now been properly filed. Supervisor Aplin said when people go thru the proper channels for this type of home business there are no problems, but when they just go ahead and start them without any permission, that is another thing. Nelson Cook moved to prosecute Charles DeRidder for operating a business without special permission from the Town Board. This motion was seconded by Edwin Wheeler and passed with 3 ayes, David Lyon abstaining. Mr. Cook then moved to refer the Charles DeRidder matter to the Planning Board and to set a Public Hearing date of June 28, 1984 at 8:00 P.M. to be held at the Town Office. David Lyon seconded this motion and it passed with 4 ayes.

MOTION TO PROSECUTE C. DERIDDER

MOTION TO REFER CHARLES DERIDDER ITEM TO PLN BOARD & SET DATE FOR PUB. HEARING

Economic Development Committee - Donald Sinclair, Chairman
No report.

ECONOMIC DEV COMMITTEE

Town Building Committee - David Lyon, Chairman
Mr. Lyon said he had no report at this time.

TN BLDG COMM

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman
Mr. Wheeler said he had no report at this time.

CONSOLIDATION OF TN & VIL COMM

OTHER BUSINESS:

1. Septic Waste complaint from David Otto, 1666 Walker Rd. Supervisor Aplin read Mr. Otto's complaint to the Board and said that the Town Board, as Health Officer, would have to look into this matter. It was agreed that the Board would meet Saturday morning, May 12, 1984 at 8:00 A.M. to check on the situation. Mr. Rubery advised the Board to keep in mind that these people, subject of the complaint, could keep them out of their home until the Board gets a Court Order if they so desire.

SEPTIC WASTE COMPLAINT

2. Dog Enumerator
Nelson Cook made a motion, seconded by Edwin Wheeler, to have the Town Clerk place a ad in the Courier-Journal advertising the job of dog enumerator. This motion passed with 4 ayes.

MOTION TO ADVERTISE FOR DOG ENMRATOR

Following a review of Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Nelson Cook, to approve payment of Vouchers as shown on Abstract #4B and #5. This motion passed with 4 ayes.

MOTION TO APPROVE PYMNT OF VOUCHERS

At this time, David Lyon told the Board that, regarding the people that have asked about placing a mobile home on a private lot, he does not like doing nothing about it, because it is not fair to these people. He feels that asking the Board to consider this matter is not a unique situation and it should not be ignored. Nelson Cook, Committee Chairman this matter, said he is going to refer this to the Planning Board and ask for their recommendation.

MOBILE HOMES ON PRIVATE LOTS-REFERRED TO PLN BOARD RECOMMENDAIN REQUESTED

Nelson Cook then moved to go into Executive Session to discuss matters of litigation. This was se. led by Edwin Wheeler and passed with 4 ayes.

MOTION TO GO INTO EXEC. SESS.

May 10, 1984 Continued

MOTION TO GO
OUT OF EXEC.
SESSION

The motion to to out of Executive Session was made by Edwin Wheeler, Seconded by Nelson Cook and passed with 4 ayes.

The following motion was then made by Edwin Wheeler, Seconded by David Lyon and passed with 4 ayes:

WHEREAS Amtrack has sued the Town of Palmyra and

WHEREAS the Town of Palmyra has lost a truck and suffered certain other financial loses as a result of the accident,

MOTION TO HIRE
BOND & McDONALD
TO PROSECUTE CLAIM
OF TN AGAINST
AMTRACK

NOW THEREFORE BE IT RESOLVED that the Town of Palmyra will hire the firm of Bond and McDonald to prosecute the claim of the Town against Amtrack, on a retainer basis of one third of recovery plus any and all disbursements on behalf of the Town.

MOTION TO
ADJOURN

The motion to adjourn this meeting was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman

Beverly E. Hickman, Town Clerk

May 24, 1984

The Regular Meeting of the Town Board of the Town of Palmyra scheduled for May 24, 1984 was called to order by Supervisor Aplin at 8:05 P.M.

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following Board members were present: Supervisor Aplin, Town Councilmen Donald Sinclair and David Lyon. Nelson Cook and Edwin Wheeler both arrived late. Others in attendance were Judson Roney, Town Assessor and Zoning Officer, Ralph Marseglia, Leigh Marseglia, Martin Kinslow, Allen P. Granger, Tim Wilbur, Jim Elliott, and James W. Drew of WACK radio.

COMMUNICATIONS

There were no communications to be read.

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

1. Highway School in June

David Lyon moved that one (1) person from our Highway Dept. be authorized to attend the school for Highway Superintendents put on by the State of New York in Ithica and held during the month of June, with registration and expenses to be paid by the Town. Donald Sinclair seconded this motion and it passed with 3 ayes.

Water & Fire Committee - Edwin Wheeler, Chairman

No report.

Landfill Committee, Donald Sinclair, Chairman *
Cemeteries Committee - Donald Sinclair, Chairman

Supervisor Aplin asked Mr. Sinclair about the agreement the Town had made with the Moxman Church work crew. Mr. Sinclair said that this is a very busy time for them so the construction has not been started, but he is very pleased that they have been keeping Swift's Cemetery mowed nicely, and it might be fall before they will be able to get to anything else.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

This committee business will be discussed after the arrival of Mr. Cook.

Economic Development Committee - Donald Sinclair, Chairman

No report at this time.

Town Building Committee - David Lyon, Chairman

No report at this time.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

OTHER BUSINESS

1. Dog Enumerator

The Town Clerk reported to the Board that there has only been two (2) applications at this time. Supervisor Aplin said he would like to have the ad run for one (1) more week and we will see what it brings.

2. Maintenance Service Agreement for Silver-Reed typewriters

Mr. Lyon felt that more information was needed before a decision could be made regarding this matter.

3. Memorial Day Parade

Supervisor Aplin told the Board that the VFW is in charge of the parade this year. They need to know how many officials are able to participate in this year's parade. Supervisor Aplin will be in the parade.

*No Report at this time.

CALL TO ORDER

SILENT PRAYER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMUNICATIONS

RPTS OF STANDING COMMITTEES
HIGHWAY COMM.

MOTION TO AUTHORIZE 1 FRM HWY DEPT TO GO TO SCHOOL IN JUN

WATER & FIRE COMMITTEE
LANDFILL COMM.

SWIFT'S CEMETRY

ASSESS., PLN. & ZONING COMM.

ECONOMIC DEV. COMMITTEE

TOWN BLDG. COMM.

CONSOLIDATION TOWN & VILL COMM.

OTHER BUSINESS
DOG ENUMERATOR

MAINTENANCE SERVICE AGREEMENT SILVER-REED TYPEWRITERS

MEMORIAL DAY PARADE

APPOINTMENT
OF 3RD DEPUTY
TOWN CLERK

4. Appointment of third Deputy Town Clerk

The Town Clerk told the Board that she wanted to appoint Doris Winston as the third Deputy Town Clerk. After a brief discussion, Donald Sinclair moved to approve the appointment of Doris Winston as the Third Deputy Town Clerk. David Lyon seconded this motion and it passed with 4 ayes. (Edwin Wheeler had arrived during the discussion on this matter.)

SELLING OF
TOWN & COUNTY
MAPS

5. Selling of Maps (Town and County) at the Town Office.

After considerable discussion, Edwin Wheeler made a motion to sell the Town and County maps for the cost to us, and when our cost increases, the selling price will automatically increase also. Donald Sinclair seconded this motion and it passed with 4 ayes.

SEPTIC WASTE
COMPLAINT ON
WALKER RD.

6. Septic Waste Complaint from David Otto, 1666 Walker Road, Palmyra

Supervisor Aplin informed the Board that he and Councilman Cook had gone to the Lewis Mitich property to check-out this complaint. Mr. Mitich told them that it was dog manure from his cellar. Supervisor Aplin said that it was obviously septic waste and it did have a lot of odor. Mr. Mitich said that he and his boys had also cleaned out the septic tank. After being told that this was a very unsanitary and unhealthy situation, Mr. Mitich said that he was going to cover the pit with a few shovels of dirt but he hadn't had time. Supervisor Aplin and Councilman Cook, acting as the Board of Health for the Town of Palmyra, gave Mr. Mitich one (1) week to put a two (2) foot cap on the pit and they told him that the next time this happened he would be taken to court without any warning. Upon checking back on this matter after one (1) week, the situation was found to have been taken care of properly.

MOTION TO
APPROVE MIN.
OF 5/10/84

Following a review of the minutes submitted for approval from May 10, 1984, a motion was made by Donald Sinclair, seconded by Edwin Wheeler, to approve these minutes as submitted. This motion passed with 4 ayes.

MOTION TO
APPROVE PAYMENT
OF VOUCHERS

Following a review of Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Donald Sinclair, to approve payment of Vouchers as shown on Abstract #5A. The motion passed with 4 ayes, with Councilman Lyon abstaining on Voucher #128.

ASSESS., PLAN
& ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman
Upon the arrival of Councilman Cook, his committee projects were discussed.

OWNER & MGR
OF VALLEY
VIEW TRAILER PK
MET W/THE ED

1. Mr. Ralph Marseglia and Mr. Martin Kinslow were requested by the Board to meet with them tonight. Mr. Ralph Marseglia, the owner of Valley View Trailer Park, and Mr. Martin Kinslow, the manager of said Trailer Park, were both present. Mr. Cook said that what the Board wanted to know was why Mr. Kinslow had proceeded to build this structure without a permit when it was the understanding of this Board that the Zoning Enforcement Officer had instructed him to have one. Mr. Cook explained that the Board felt that, as the manager of the park, Mr. Kinslow had not set a good example to the others in the park. It was explained that approval of this Board is necessary for him to continue or approve what he has already done. Mr. Kinslow said that he had discussed a Building Permit with Jud and he had left in a huff. That Saturday some of his friends came over and he was talked into going ahead without the permit. He admitted he was wrong in doing so. He said he was going to come to the office on Monday

morning to see Jud about getting a Building Permit and before he could get here Jud served him with a violation notice. Councilman Sinclair asked Jud if this new structure complied. Jud explained to the Board that Mr. Kinslow already had an enclosed porch that was only 18 feet from the next unit. He extended this porch and made the new structure 1 foot wider than original structure, thus increasing the difficulty for fire fighting lanes, which he definitely did not approve of. Jud went on to explain that normally we do not allow the front of any structure to come out closer to the road than the front of the mobile home and he is not happy about that. Supervisor Aplin asked if only having 17 feet between units instead of the original 18 feet would jeopardize fire fighting equipment or the safety of the firefighters. Jud said there was no way he could measure the safety difference in the 1 foot. Jud had been advised by the Town Attorney, Paul Rubery, that according to the Mobile Home Ordinance there should be 30 feet between units because of fire fighting safety. Mr. Cook explained that none of our existing mobile home parks comply with this 30 feet between units because of being "Grandfathered in" at the time of adopting the Mobile Home Ordinance. Councilman Lyon said that the only action he could see is to tell Mr. Kinslow to take down this structure or let it go and set a dangerous precedent. Councilman Sinclair suggested that the Committee talk with Council before making any decisions. The Board agreed to this suggestion and will make their decision at the next Board Meeting.

2. Date for DeRidder Public Hearing (Now scheduled for June 28, 1984 at 8:00 P.M.)

A motion was made by Nelson Cook, seconded by Donald Sinclair, to change the date of the DeRidder Public Hearing to June 14, 1984 at 8:30 P.M. This motion passed with 5 ayes.

MOTION TO
CHANGE DATE
OF DERIDDER
PUB. HEARING

3. Request for Special Authorization for Mr. Allen Granger
Mr. Granger explained to the Board that his buying and selling cars is strictly for his own or his children's use. He presently has 14 cars licensed but they are not all on his property. He buys these vehicles at car auctions and then repairs them himself. If a car should turn out to be less than he had anticipated, he takes it back to the auction and sells it. Because Mr. Granger has a New York State Dealer's License and has to keep records, Mr. Roney and the Town Attorney, Paul Rubery, feel that he needs Special Authorization for running a business. Mr. Cook asked Mr. Granger if the potential was there to make a profit selling cars back at the auction and Mr. Granger said yes. Mr. Cook moved to refer this matter to the Planning Board and to schedule a Public Hearing for June 14, 1984 at 9:00 P.M. This was seconded by Donald Sinclair and passed with 5 ayes.

REQUEST FOR
SPEC. AUTH.
FOR ALLEN P.
GRANGER

MOTION TO
REFER TO PLAN
BD & TO SET
PUB HEAR DATE

4. Request for Special Authorization for Mr. Arthur Bills
Mr. Bills is requesting Special Authorization to add on an enclosed porch and workshop to his mobile home which is also in Valley View Mobile Home Park the same as Mr. Kinslow, and this addition also will not leave 30 feet between units. Donald Sinclair stated that at least Mr. Bills is going about this in the proper manner. Edwin Wheeler pointed out that if you allow this addition, how can you tell Mr. Kinslow to take

REQUEST FOR
SPEC. AUTH.
FOR ARTHUR
BILLS JR.

his addition down if the Board so decides. It was decided to turn this matter over to Council and for the Board to table it until the next meeting.

SHIRLEY
JOHNSON -
MOBILE HOME

5. Shirley Johnson - Mobile Home in East Palmyra
Nelson Cook explained that Mrs. Johnson could not acquire the original unit that she had been given permission for and has put a standard unit on the lot. Mr. Roney said he had been instructed by the Board to hold off on any action until the first of June because of weather conditions not allowing the Johnson's to do the outside work that was necessary. Mr. Johnson had said that if there was a break in the weather, he could have a concrete wall up by April 15th or 20th. Mr. Roney said that as of today, May 24, 1984 there is no clapboard siding, no peak roof, the concrete block wall is incomplete and there are things stored in the yard. Edwin Wheeler moved, seconded by Donald Sinclair, to proceed with proper action against Shirley Johnson. Mr. Sinclair reminded the Board that they had given their assurance to the neighbors that were protesting this matter, that the end result would be representative of a house, not a trailer. Supervisor Aplin asked Mr. Roney what the next step would be. Mr. Roney replied that a violation notice would be served on Shirley Johnson which would give her ten (10) days to correct the situation. If not corrected at the end of the ten days, legal action would be taken. Following a brief discussion, the motion passed with 5 ayes.

MOTION TO
PROCEED
W/PROPER
ACTION AGNST
SHIRLEY
JOHNSON

PLANNING BD
REPLACEMENT

6. Replacement for James Mylacraine on the Planning Board
Mr. Cook explained to the Board that because Mr. Mylacraine had moved, he had resigned from the Planning Board leaving a unfulfilled term that expires in May of 1985. Mr. Cook thinks that he knows of someone that is interested but he has to talk with him about it. Supervisor Aplin suggested advertising this opening in the paper and the Time-saver. The Committee will take care of this and it will be discussed at the next meeting.

MOTION TO GO
INTO EXEC.
SESSION

A motion was then made by Nelson Cook, seconded by Edwin Wheeler, and passing with 5 ayes, to go into Executive Session to discuss legal proceedings.

MOTION TO GO
OUT OF EXEC.
SESSION

A motion was made by Donald Sinclair, seconded by Nelson Cook, and passing with 5 ayes, to go out of Executive Session.

MOTION TO
INCREASE
SALARY OF
K. LINDERMAN

Nelson Cook moved to raise the salary of Kimberly Lindenman, Clerk-Secretary to the Assessor, from \$4.00 per hour to \$4.25 per hour as of June 1, 1984. This motion was seconded by Donald Sinclair and passed with 5 ayes.

GENERAL APPVL
OF GIRL ON

General approval was given to Mr. Roney to make use of a girl that is available to him from Wayne County (she will remain on the County payroll) and to increase the number of working hours for Kimberly Lindenman, to prepare for possible up-date next year.

LOAN FROM
WAYNE COUNTY
& EXTRA HRS
FOR KIM LIN-
DERMAN

Donald Sinclair then made a motion, seconded by Nelson Cook, to adjourn this meeting of the Palmyra Town Board. 5 ayes passed this motion.

MOTION TO
ADJOURN

Respectfully submitted,

Beverly E. Hickman

Beverly B. Hickman, Town Clerk

AFFIDAVIT OF PUBLICATION

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

TOWN OF PALMYRA
NOTICE OF TOWN BOARD
PUBLIC HEARING
NOTICE IS HEREBY
GIVEN that the Town Board
of the Town of Palmyra will
hold a Public Hearing on
Thursday, June 14, 1984, at
9:30 P.M. in the Town Office,
201 E. Main Street, Palmyra,
to consider the application of
Charles DeHelder, 2017 Shilling
Road, in the Town of Palmyra,
for Special Authorization to
conduct an automobile inspection
and repair business on said
property which is owned by
Kenneth Roy and Earl Vanderwall.
These premises are situated
in an Agricultural Zone and
are bounded on the North by
Roger and Jean East, on the
South by Andreas and Lois
Goedde, on the East by Jack
and Jeanne Drake and on the
West by Shilling Road.
This application is in con-
flict with Article III, Section
2-1 and 2-2(b) Special
Authorization is subject to
Article 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 ob-
jections thereto. Persons
may appear in person or by
attorney or agent.
Dated: May 25, 1984
By Order of the Town Board
of the Town of Palmyra,
Beverly E. Hickman
Town Clerk (M30)
(562)

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 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 30, 1984

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 30th day of May, 1984
Judith A. MacDuff
Notary Public

Fee: \$14.34

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1985

AFFIDAVIT OF PUBLICATION

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

.....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 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:

May 30, 1984

Rosalie J. Manton
Foreman of the Publisher

Subscribed and sworn to before me

this 30th day of May, 1984

Judith A. MacDuff
Notary Public

Fee: \$ 10.07

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4735126
Expiration Date March 30, 1985

PUBLIC NOTICE
TOWN OF PALMYRA
NOTICE OF
PUBLIC HEARING
NOTICE IS HEREBY
GIVEN THAT THE TOWN OF
PALMYRA WILL HOLD A PUBLIC
HEARING ON THE 19th
of May 1984 at 7:00 P.M.
at the home of ROSE MANTON
215 West 1st Street, Palmyra, N.Y.
The purpose of the hearing is to
hear the public on the proposed
amendment to the franchise
held by Cablevision, Inc. in
Palmyra, N.Y. The proposed
amendment calls for certain
changes in regard to rates,
Line Extension and Access
Provisions. The amend-
ment, if approved by the
Municipality, may not take
effect without prior approval
of the New York State Com-
mission on Cable Televi-
sion. Interested parties may
file comments or objections
with the Commission at
Tower Building, Albany,
New York 12243.
Dated: May 23, 1984
By order of the Town Board
Town of Palmyra
DeVany E. Hickman
Town Clerk
(5607) (M30)

June 14, 1984

41

The Public Hearing scheduled for 8:00 P.M. on June 14, 1984 to consider a request to amend the cable television franchise held by Cablevision Industries, Inc. was called to order by Supervisor Aplin. Those in attendance, other than the Town Board, were Town Attorney Paul Rubery, Town Assessor and Zoning Officer Judson Roney, Louis McGuigan of Cablevision Industries, Jim Elliot, Martin Kinslow, Suzanne and Richard Smith, Thelma and Arnie Pechler, Terry Grant, Jim Diehl of WACK, Allen P. Granger, Kenneth Vanderwall, Earl Vanderwall, Mik Smith, Harold Griffin, Roger N. East Sr., Charles DeRidder, Maurice Rowe, Arthur Bills Jr., Emerich P. Yusko, Judy George, Joseph George, J. A. Daigle, Jim McGinnis and William Deys.

PUBLIC HEAR.
OPENED
CABLEVISION

After the proof of publication was read by the Town Clerk, Supervisor Aplin invited Mr. McGuigan to speak to those present. A explanation of rising costs and modernization was explained by Mr. McGuigan. He added that the rates had not been raised in three(3) years. Supervisor Aplin asked those present if anyone wanted to ask any questions or make any comments. There being no response, the Board asked Mr. McGuigan several questions. Supervisor Aplin then thanked Mr. McGuigan for this presentation and told him that the Board would make their decision at a later time and that he would be notified of said decision by the Town Clerk. Supervisor Aplin declared this hearing closed at 8:25 P.M.

PUBLIC HEAR.
CLOSED

The Public Hearing scheduled for 8:30 P.M. on June 14, 1984 to consider the application of Charles DeRidder for Special Authorization to conduct minor auto repair work and a inspection station was called to order by Supervisor Aplin. Those in attendance were the same as given in the first hearing of this same date.

PUBLIC HEAR.
OPENED
C. DERIDDER

The proof of publication was read by the Town Clerk Supervisor Aplin instructed those present to state their name and address if they wished to make any comments either for or against this application. The following people sent the Board letters in favor of Mr. DeRidder's application:

Dean G. Williamson for Pal Oil Company, Inc., Rt. 31, Palmyra
William Deys, 121 Hyde Park, Palmyra
James J. Campbell, 1995 Meadow Drive, Palmyra
Don and Nancy Storr, 1377 Hammond Rd., Palmyra
Paul W. Bouchard, 380 Ellsworth Road, Palmyra
Walter H. Chase, 214 E. Foster Street, Palmyra
Bill Parsons, 1277 Canandaigua Road, Palmyra
James McGinnis, 114 Hyde Park, Palmyra
Ernest and Anita Rothfuss, 2241 Shilling Road, Palmyra
Pauline Nearing, 1684 Shilling Road, Palmyra
Maurice Rowe, 1801 Magog Road, Macedon
Bruce Durand, 3014 Shilling Road, Marion

Mr. DeRidder told the Board about the type of work he does and his hours of operation. Gordon Lyte told the Board that he had been doing business with Mr. DeRidder for approximately one (1) year and that his work is perfect, his shop is immaculately clean, there is never a junk car around his place, and he thinks that Mr. DeRidder is a credit to the community and the people he works for. Mr. Lyke feels that it is a shame that a man like this could be questioned by the municipality. Supervisor Aplin said that we do have to

June 14, 1984 Continued

have some rules and regulations and those rules and regulations have to be upheld. Mr. Lyke said he did appreciate the fact that Mr. DeRidder was getting a fair hearing.

The Planning Board recommendation was then read to the Board. It read as follows:

The Planning Board is recommending that the Town Board approve the application of Mr. DeRidder, provided his compliance with the stipulations in the permit be reviewed annually. Supervisor Aplin declared this hearing closed at 8:49 P.M.

PUBLIC HEAR.
CLOSED

CALL TO ORDER

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on June 14, 1984 was called to order by Supervisor Aplin at 8:50 P.M.

SILENT PRAYR

PLEDGE OF ALLEGIANCE

After a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon roll call, the following Board members were present: Supervisor Aplin, Town Councilmen Donald Sinclair, David Lyon and Nelson Cook. Edwin Wheeler was absent.

MOTION TO APPROVE MIN. OF 5/24/84

Following a review of the minutes from the May 24, 1984 meeting, a motion was made by David Lyon, seconded by Donald Sinclair, to approve these minutes as submitted. This motion passed with 4 ayes.

COMMUNICATIONS

1. Thank you from Jim DeBrine
2. Phone call thank you from Ed Wheeler

REPORTS OF STANDING COMM.

REPORTS OF STANDING COMMITTEES

HIGHWAY COMM.

Highway Committee - David Lyon, Chairman

1. Letter from James DeBrine, Superintendent of Highways
There was a brief discussion on this matter of additional compensation for Lyman Kaller due to the extra responsibility and additional hours he is working during Mr. DeBrine's illness. Mr. Lyon told the Board that he had just recieved this letter from Mr. DeBrine and did not have a recommendation ready at this time, therefore, the matter was tabled until the next meeting. (6/28/84)

WATER & FIRE COMMITTEE

Water & Fire Committee - Edwin Wheeler, Chairman

LANDFILL COMM

No report.

Landfill Committee - Donald Sinclair, Chairman

No report at this time.

CEMETERIES COMMITTEE

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

RECESS TO PUBLIC HEAR.

At this time Supervisor Aplin called a recess in the regular meeting in order to go on with the next scheduled Public Hearing.

AFFIDAVIT OF PUBLICATION

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

.....Rosalie E. 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:

May 30, 1984

Rosalie E. Mouton
 Foreman of the Publisher

Subscribed and sworn to before me

this 30th day of May, 1984

Judith A. MacDuff
 Notary Public

Fee: \$ 13.42

JUDITH A. MacDUFF
 Notary Public for the
 State of New York, County of Wayne
 4736126
 Expiration Date March 30, 1985

PLEASE PRINT
 TOWN OF PALMYRA
 NOTICE OF
 PUBLIC HEARING
 NOTICE IS HEREBY
 GIVEN that the Town Board
 of the Town of Palmyra will
 hold a Public Hearing on
 Thursday, June 14, 1984 at
 9:00 P.M. in the Town Of-
 fice, 2010 E. Main Street,
 Palmyra, to consider the ap-
 plication for a Special
 Grant, 4296 South Creek
 Road, in the Town of
 Palmyra, for a Special
 Authorization to operate a
 used car dealership with a 3
 to 4 floor capacity. These
 premises are bounded on
 the North by Allyn Cator and
 Rose Wania, on the South
 by Robert and Madelyn Jag-
 ger, on the East by Edith
 Cator and on the West by
 South Creek Rd.
 This application is in
 conflict with Article III, Section
 3-11 and 3-12(b) - Special
 Authorization is subject to
 Article 17-3 of the Zoning
 Ordinance.
 The said Town Board will
 at said time and place hear
 all persons in support of
 said application or any ob-
 jections thereto. Persons
 may appear in person or by
 attorney or agent.
 Dated: May 25, 1984
 By Order of the Town Board
 of the Town of Palmyra
 Beverly P. Hinkman
 Town Clerk
 (561) (MSD)

The Public Hearing that was scheduled for 9:00 P.M. to consider the application of Allen P. Granger for Special Authorization to operate a used car dealership with a 3 to 4 car capacity at his residence was called to order by Supervisor Aplin.

PUBLIC HEAR.
OPENED
A. GRANGER

After the proof of publication was read by the Town Clerk, Supervisor Aplin asked for any comments regarding this matter. There being no comments Supervisor Aplin asked Mr. Granger if he wanted to add anything to this hearing. Mr. Granger said that he really did not want to do business with the public. The reason he had applied for this Special Authorization was so he could retain his dealer's license for himself. If the Town Board does not approve this Special Authorization, Mr. Granger will have to give up his dealer's license. Supervisor Aplin asked if there were any more comments regarding this application. There being no comments Supervisor Aplin read the following recommendation from the Planning Board:

The Planning Board is recommending Allen Granger's property for the use of operating a small used car dealership provided he keeps no more than ten (10) vehicles at a time in his driveway and that the property is kept neat.

PUBLIC HEAR.
CLOSED

Supervisor Aplin declared this hearing closed at 9:24 P.M.

The regular meeting of the Town Board was then resumed.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

I. Special Authorization - Charles DeRidder - Subject of Public Hearing

Mr. Cook moved to approve Charles DeRidder's application for Special Authorization to operate a motor vehicle mechanical repair shop and inspection station at 2017 Shilling Road, Palmyra, with the following terms and conditions:

MOTION TO
APPROVE
SPEC. AUTH.
C. DERIDDER

1. The storage of no more than eight (8) vehicles at one time will be permitted.
2. There will be no commercial advertising of the business activity.
3. The only signs placed on the property would be those required by the State.
4. There will be no employees.
5. The property will be kept neat, clean and orderly.
6. There will be no junk cars on the property.
7. There will be no outside storage of parts or materials.
8. This will be strictly a part-time business
9. The business hours will be Monday - Friday, 6:00 P.M. - 10:00 P.M. and on Saturday 7:00 A.M. - 5:00 P.M.
10. The Zoning Enforcement Officer will review the premises annually.
11. The approval of this Special Authorization is granted personally to Mr. Charles DeRidder, incidental to his living at the above premises and is non-transferrable.

This motion was seconded by Donald Sinclair and after a brief discussion, it passed with 4 ayes.

2. Special Authorization - Allen P. Granger - Subject of Public Hearing

MOTION TO APPROVE SPEC. AUTH. ALLEN GRANGER SM. USED CAR BUS.

Councilman Cook made a motion to approve Allen P. Granger's application for Special Authorization to operate a small used car business at 4296 South Creek Road, Palmyra, with the following terms and conditions:

1. No more than four (4) unlicensed vehicles at any one time.
2. No more than one (1) vehicle for sale at any one time.
3. There will be no outside repair work for other people.
4. This will be strictly a part-time business.
5. The hours of operation will be from 8:00 A.M. - 8:00 P.M. - Monday thru Saturday.
6. There will be no employees.
7. There will be no outside storage of parts or materials.
8. There will be no sign except as permitted by the Agricultural Ordinance.
9. The premises will be kept clean, neat and orderly.
10. Vehicles will be parked no closer to the road than zoning ordinance permits and personal vehicles will be segregated from vehicle that is for sale.
11. The Zoning Enforcement Officer will review the premises regularly.

This motion was seconded by Donald Sinclair, and after some discussion it passed with 3 ayes. Supervisor Aplin voting naye.

3. Special Authorization - Martin Kinslow

MOTION TO APPROVE SPEC. AUTH. M. KINSLOW

Nelson Cook moved to approve Mr. Kinslow's addition to Unit #3 at Valley View Trailer Park, with the size of the structure being restricted to a 6 X 10 foot addition, and giving Mr. Kinslow forty-five (45) days to be in compliance. Donald Sinclair seconded this motion and it passed with 4 ayes.

4. Special Authorization - Arthur Bills

MOTION TO APPROVE SPEC. AUTH. ARTHUR BILLS

A motion was made by Nelson Cook, seconded by David Lyon, to approve the application of Mr. Arthur Bills for Special Authorization to put a 5' X 14' addition on lot #25, Valley View Trailer Park, providing that Mr. Bills obtain the signature of Mr. Ralph Marseglia, the park owner, on his application and return it to Mr. Judson Roney, the Town Zoning Officer. This motion passed with 4 ayes.

5. Special Authorization - Allen P. Granger - to operate a junkyard

SPEC. AUTH. ALLEN GRANGER JUNKYARD TABLED

Following a discussion of this subject, it was tabled until after the Board receives a recommendation from the Planning Board.

6. Special Authorization - George Polisse - to operate vehicle repair service

SPEC. AUTH. G. POLISSE VEHICLE REPR REFERRED TO PLANNING BD

Mr. Cook said he is going to turn over to the Planning Board, for their review and recommendation, the application for Special Authorization requested by George Polisse to operate a vehicle repair service.

7. Approval of Northside Trailer Park and Marquarts Mobile Manor

MOTION TO APPROVE PERMIT NORTHSIDE TRLR PARK UNTIL 1/85

Councilman Cook moved to approve the permit for Northside Trailer Park until January 1, 1985, retroactive from January 1, 1984. David

Lyon seconded this motion and it passed with 3 ayes. (Councilman Sinclair had been excused to take care of a business matter.)

A motion was then made by Councilman Cook to approve the permit for Marquart's Mobile Manor until January 1, 1985, retroactive from January 1, 1984. This motion was seconded by David Lyon and passed with 3 ayes.

8. Re-instatement of Frank Koeberle to Planning Board
Mr. Cook made a motion, seconded by David Lyon, to appoint Mr. Frank Koeberle, 1065 Garmsey Road, Palmyra, to a 5-year term on the Planning Board. 3 ayes passed this motion.

9. Planning Board application
As a result of the ad to fill a unexpired term on the Planning Board that was placed in the Courier Journal, Mr. Cook moved to appoint Mr. Don Snyers, 4502 South Creek Road, Palmyra, to the Planning Board with his term expiring in May of 1985. David Lyon seconded this motion and it passed with 3 ayes.

10. Re-instatement of Walter Magee
Nelson Cook made a motion, seconded by David Lyon, to appoint Mr. Walter Magee, 2705 Newark-Marion Road, Palmyra, to another 5-year term on the Board of Assessment Review. 3 ayes passed this motion.

Economic Development Committee - Donald Sinclair, Chairman
No report.

Town Building Committee - David Lyon, Chairman
No report.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman
No report.

OTHER BUSINESS

1. Cablevision Industries - Subject of Public Hearing
It was decided by the Board to table this matter until Councilman Wheeler (who has just gotten out of the hospital) could offer his opinion on this matter.

2. Resolution - Transfer of Funds
Supervisor Aplin offered the following resolution:
WHEREAS, the Registrar of Vital Statistics is due \$1.50 in fees pursuant to Public Health Law - Section 4124, and
WHEREAS, there are no funds budgeted in this account - B4020.1,
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of \$1.50 from the Board of Health - Personal Services, Account B4010.1 to the Registrar of Vital Statistics - Personal Services, Account B4020.1.
David Lyon seconded this motion and it passed with 3 ayes.

3. Resolution - Annual Division of Youth Funds
The following resolution was offered by Nelson Cook, seconded by David Lyon and passed with 3 ayes:

BE IT RESOLVED that the Town Board of the Town of Palmyra authorize the signature of the Supervisor on the Project Application for State Aid - Division of Youth.

4. Dog Enumerator Applications
A motion was made by David Lyon, seconded by Nelson Cook, to appoint Brenda Toft, 1704 Marion Road, Palmyra as the Dog Enumerator. This

MOTION TO
APPROVE PERMIT
MARQUART'S
MOBILE MNR
UNTIL 1/85

MOTION TO
APPOINT
F. KOEBERLE
TO PLN. BD.

MOTION TO
APPOINT
DON SNYERS
TO PLN. BD.

MOTION TO
APPOINT
W. MAGEE TO
BD. OF ASSESS
REVIEW

ECONOM. DEV.
COMMITTEE

TOWN BLDG.
COMMITTEE

CNSLDTION OF
TN & VIL COMM

CABLEVISION
INDUSTRIES
TABLED

MOTION TO
TRANSFER
FUNDS

RESOLUTION-
YOUTH FUNDS

MOTION TO
APPOINT
BRENDA TOFT
DOG ENUMATOR

motion passed with 3 ayes.

MOTION TO
APPROVE
PYMNT OF
VOUCHERS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by David Lyon, to approve payment of Vouchers as shown on Abstract #6A. The motion passed with 3 ayes.

MOTION TO
ADJOURN

Nelson Cook made the motion to adjourn this meeting, being seconded by David Lyon, this motion passed with 3 ayes.

Respectfully submitted,

Beverly E. Hickman

Beverly E. Hickman, Town Clerk
Town of Palmyra

June 28, 1984

47

The Regular Meeting of the Town Board of the Town of Palmyra scheduled to be held on June 28, 1984 in the Town Office, 201 E. Main Street, was called to order by Supervisor Aplin at 8:02 P.M.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRAYER

PLEDGE OF ALLEGIANCE

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Donald Sinclair was absent. Others in attendance were Larry Macrae and Lou McGuigan from Cablevision Industries, June Lill and Jim Elliott.

ROLL CALL

After a review of the minutes from the June 14, 1984 meeting, David Lyon moved to approve these minutes as submitted. Nelson Cook seconded this motion and it passed with 4 ayes.

MOTION TO APPROVE MIN. OF 6/14/84

COMMUNICATIONS:

COMMUNICATNS

1. Letter from Election Inspectors from District #3
2. Letter from Judge Abbott

REPORTS OF STANDING COMMITTEES

HIGHWAY COMM.

Highway Committee - David Lyon, Chairman

1. Additional compensation for Lyman Kaller
- Councilman Lyon reported to the Board that he had discussed this matter with Mr. Kaller and Mr. Kaller feels that no action should be taken at this time.

ADDITIONAL COMPENSATION LYMAN KALLER

A progress report was then given to the Board by Councilman Lyon, regarding the Hogback Hill Road Bridge, which he has been told will be open sometime during the week ending July 13, 1984.

Water & Fire Committee - Edwin Wheeler, Chairman
No report at this time.

WATER & FIRE COMMITTEE

Landfill Committee - Donald Sinclair, Chairman
No report at this time.

LNDFL COMM.

Cemeteries Committee - Donald Sinclair, Chairman
In Councilman Sinclair's absence, Councilman Lyon reported to the Board that the Highway Crew had cleaned up the rural cemeteries so they would be presentable for the 4th of July.

CEMETERIES COMMITTEE

RURAL CMTRIES

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESSMENT PLN. & ZONING COMMITTEE

1. Mr. Vincent Steffen requested to address the Board Re: Former Thomas Costitch Property
- Mr. Steffen and his attorney, Mr. John Nesbitt, were here to find out where he stood with the mining permit for the Thomas Costitch property. Mr. Nesbitt told the Board that Mr. Steffen had bought the property on the belief that this permit was in compliance. The season is now 1/3 gone and he has no permit. After a lengthy discussion, it was decided that Mr. Steffen, his attorney Mr. Nesbitt, Councilman Cook and Judson Roney, the Zoning Officer would get together to come up with a workable plan for all concerned.

V. STEFFEN REQUEST TO ADDRESS THE BOARD

June 28, 1984 Continued

MOTION FOR
CONDITIONAL
START TO WORK
FOR V. STEFFEN

In the meantime, however, a motion was made by Councilman Cook, seconded by David Lyon, that Mr. Steffen conditionally be able to start to work with the following conditions:

1. That he improve his driveway
2. That he demonstrate his good faith by planting trees
(After first checking with Judson Roney)
3. That he establish a water table level
4. That he show the Board on the map where he is going to start
5. That he live up to the conditions set down on 7/21/77 and check back with the Board in one month

This motion was passed with 4 ayes.

JUNE LILL-
SPEC. AUTH.

2. June M. Lill - Special Authorization
The Town Attorney, Paul Rubery asked Mrs. Lill what the distance was from the front of her trailer to the next trailer and from the back of her trailer to the next trailer. Mrs. Lill did not know. It was decided that the Board could not move on this matter until they had these measurements. Mrs. Lill was requested by the Board to get the park owner's signature on her application and to bring the necessary measurements to the Board.

At this time the Board chose to go out of order to accomodate the men from Cablevision Industries, Louis McGuigan and Larry Macrae. After a question and answer period between the Board and the Cablevision Industries representatives the following motion was made by Edwin Wheeler, seconded by Nelson Cook, and passed with 3 ayes, Supervisor Aplin voting naye:

MOTION TO
APPROVE IN-
CREASES FOR
CABLEVISION

WHEREAS, the New York State Commission on Cable Television on November 24, 1982 approved for Wayne County Cablevision a transfer of the original franchise to construct, operate and maintain a distribution system for television, radio and other audio-visual signals throughout the Town of Palmyra, New York setting the terms and conditions of the permit to Cablevision Industries, Inc., and :

WHEREAS it is now desired by Cablevision Industries, Inc. to amend additional terms and conditions of said franchise:

NOW THEREFORE, BE IT RESOLVED BY THE Board on this 28th day of June, 1984 that the franchise transferred to Cablevision Industries, Inc. be further amended as outlined in Exhibit A of Application.
Returning to Assessment, Planning & Zoning Committee:

3. Recommendation from Planning Board

PLN. BOARD
RECOMMENDATION
RE: MOBILE HOMES
ON PRIVATE
LOTS

Re: Mobile Homes on private lots
Councilman Cook read the following recommendation:
The recommendation of the Planning Board to the Town Board is that the Mobile Home Ordinance and the Zoning Ordinance, to the extent that the latter is concerned with the subject

of mobile homes, be left unchanged. The Board took no action on this matter. They did, however, instruct the Town Clerk to send a letter to Charlotte Carlson informing her of this recommendation.

LETTER TO
C. CARLSON

4. James A. Wheeler - Special Authorization -
Vehicle Repair Shop

Councilman Cook referred this matter to the Planning Board for their recommendation. He then made a motion to schedule a Public Hearing to be held on July 26, 1984 at 8:00 P.M. for Mr. George Polisse and at 8:30 P.M. for Mr. James Wheeler. Councilman Lyon seconded this motion and 4 ayes passed it.

MOTION TO
SCHEDULE PUB.
HEAR. 7/26/84
G. POLISSE
J. WHEELER

Economic Development Committee - Donald Sinclair,
Chairman

ECONOMIC DEV.
COMMITTEE

No report.

Town Building Committee - David Lyon, Chairman

TOWN BLDG.
COMMITTEE

1. Outside painting and broken screen

Councilman Lyon told the Board that in reply to a letter from the Town Clerk, informing Clayton Lasser of the broken screen and lack of outside paint on our windows, she received a phone call from them telling her they would be here on July 2, 1984.

BROKEN SCREEN
& OUTSIDE
PAINT

Consolidation of Town & Village Committee -
Edwin Wheeler, Chairman

CNSLIDATION OF
TN & VILL COMM

No report at this time.

OTHER BUSINESS

OTHER BUSINESS:

1. Cablevision Industries - Subject of Public Hearing on June 14, 1984

CABLEVISION
INDUSTRIES

This matter was addressed earlier in the meeting.

2. Request from Election Inspectors from District #3
Consideration for this request will be given for next year's budget.

REQUEST FROM
ELECTION
INSPECTORS

3. Request from Judge William Abbott

REQUEST FROM
JUDGE ABBOTT

Councilman Lyon moved to approve permission for Judge Abbott to attend the Justice Training Program, which is required by law, being held by the NYS Magistrate Association on Oct. 8, 9 and 10, 1984 providing there is money in Judge Abbott's budget to cover this. Nelson Cook seconded this motion and it passed with 4 ayes.

4. July and August Town Board Meetings

JULY & AUGUST
TN BD MEETINGS

A motion was made by David Lyon, seconded by Edwin Wheeler and passing with 4 ayes, to hold only one Town Board Meeting during the Month of July and only one during the month of August; dates being set as July 26, 1984 and August 23, 1984, with normal meetings to be held if necessary.

MOTION TO HOLD
ONLY 1 MTG IN
JULY & 1 MTG
IN AUGUST

5. Board of Health problem

Nelson Cook moved that the Town Board as the Board of Health, notify Mr. Timothy Harmon, the owner of property at 4763 Whitbeck Road, East Palmyra, that the property is not fit for occupancy and there may be no occupancy of these premises until such time as proof of potable water, satisfactory septic system, proper wiring, proper venting for heating

MOTION FOR NO
OCCUPANCY TO
T. HARMAN OF
E. PALMYRA

June 28, 1984 Continued

appliance and the debris has been cleaned up. This motion was seconded by Edwin Wheeler and passed with 4 ayes.

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler to approve payment of Vouchers as submitted on Abstract #6A. The motion was seconded by David Lyon and passed with 4 ayes.

The motion to adjourn this meeting was made by Edwin Wheeler, seconded by Nelson Cook and passed with 4 ayes.

Respectfully submitted,



Beverly E. Hickman, Town Clerk

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on July 26, 1984 in the Town Office, 201 E. Main St., Palmyra was called to order by Supervisor Aplin at 8:00 P.M.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRAYER

PLEDGE OF ALLEGIANCE

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, David Lyon and Nelson Cook. Others in attendance were Jim Diehl from WACK news, June Lill, Judson Roney the Assessor and Zoning Officer, James A. Wheeler, Jack and Jeanne Drake, Lester VanHoover, Vincent P. Steffen, Julie Steffen, Mike Steffen, John Nesbitt, Beverly Deichman and Paul Rubery the Town Attorney.

ROLL CALL

The Public Hearing that was originally scheduled for 8:00 P.M., this date, to consider the application for Special Authorization for George Polisse to operate a vehicle repair service at his residence has been cancelled and referred to the Zoning Board for Public Hearing.

PUBLIC HEAR.
CANCELLED
REFERRED TO
ZONING BD

After a review of the minutes from the June 28, 1984 meeting, a motion was made by David Lyon to approve these minutes as submitted. Edwin Wheeler seconded this motion and it passed with 5 ayes.

MOTION TO APPROVE MIN. OF 6/28/84

COMMUNICATIONS:

- 1. Letter from the Palmyra Fire Co., Inc. - Re: Firemen's Parade on Aug. 24, 1984

REPORTS OF STANDING COMMITTEES:

Highway Committee - David Lyon, Chairman

HIGHWAY COMM.

Councilman Lyon reported to the Board that the Hogback Hill Road Bridge is open and that the Highway Crew has finished the road maintenance and has started mowing the roads again and working on the rural cemeteries again.

Water & Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE COMMITTEE

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESS., PLAN. & ZON. COMM.

- 1. June Lill - Special Authorization

Mrs. Lill had been asked by the Board at the last meeting to obtain the signature of the park owner, Mr. Ralph Marseglia, on her application and to bring in the measurements from each end of her own mobile home to the next unit. Mrs. Lill has done both things. Councilman Cook then moved to approve Mrs. June Lill's addition to her mobile home at Valley View Mobile Manor as shown in her application. Edwin Wheeler seconded this motion and it passed with 5 ayes.

MOTION TO APPROVE SPEC. AUTH. FOR LILL

- 2. Allen Granger - Special Authorization to operate a auto junk yard

Councilman Cook moved to schedule a Public Hearing for Allen Granger to consider his application for Special Authorization to operate a auto junk yard at his residence, on August 23, 1984 at 8:00 P.M. The motion was seconded by David Lyon. After a considerable amount of discussion, Councilman Cook withdrew the above motion and Councilman Lyon withdrew his second. Councilman Cook then moved to schedule a Public Hearing for Allen Granger to consider his application for Special Authorization to operate a auto junk yard at his residence to be held on September 13, 1984

MOTION TO SET PUB. HEAR. FOR A. GRANGER

MOTION WITHDRAWN

NEW MOTION TO SCHEDULE PUB. HEARING FOR A. GRANGER

at 8:00 P.M. This motion was seconded by Donald Sinclair and passed with 4 ayes; Supervisor Aplin voting naye.

3. Approval of the Pulcini Mobile Home Park Permit
Councilman Cook then made a motion, seconded by Edwin Wheeler, to approve the Pulcini Mobile Home Park Permit from January 1, 1984 thru December 31, 1984. During the discussion on this matter, it was pointed out by Judson Roney that drawing of the park had been submitted to him by Mr. Pulcini in March of 1984. These drawings however, were not acceptable, thus causing the delay in this approval. Said drawings have now been re-done and are acceptable at this time. This motion passed with 5 ayes.

MOTION TO
APPROVE PERMIT
PULCINI MOBILE
PARK

ADJOURN TO HOLD
PUB. HEARING
J. WHEELER

At this time the regular meeting of this Town Board was adjourned to hold the Public Hearing scheduled for 8:30 P.M.

PUBLIC HEARING

The Public Hearing to consider the application of James A. Wheeler for Special Authorization to operate a vehicle repair shop at his residence at 4015 North Creek Road, Palmyra, scheduled to be held July 26, 1984 at the Town Office, 201 E. Main Street, Palmyra, was declared open by Supervisor Aplin at 8:32 P.M. The Proof of Publication was read by the Town Clerk.

Supervisor Aplin then asked for any comments in favor of or opposed to this Special Authorization. Lester VanHoover, who lives next door to Mr. Wheeler, said he is not against Mr. Wheeler having a repair shop but his having seven (7) to eight (8) cars in the yard is not a good setting for a residential area. John Drake, who lives on the other side of Mr. Wheeler, would like to see Mr. Wheeler have the right to do these jobs, but it is unsightly. He feels that too many cars over there is not a good idea. James Wheeler, after identifying himself to the Board, explained that three (3) of the cars parked on his property are his own vehicles -- two (2) are licensed and one (1) is unlicensed. Mr. VanHoover said there were an average of three (3) to five (5) other cars parked there most of the time. Councilman Sinclair asked Mr. Wheeler if these other cars could be parked discreetly to eliminate the visual objections. Mr. Wheeler replied that he could park them in the back yard where they would not be so visible. Councilman Cook asked if the garage he worked in was attached to the house and Mr. Wheeler said yes. Mr. Drake asked if something could be done to allow Mr. Wheeler to have his business and still protect the neighbors? Councilman Sinclair explained to him that if the Board decided to approve this Special Authorization they could specify any stipulations they felt were needed to protect the neighbors and still give Mr. Wheeler a workable arrangement. Beverly Diechman of Shilling Road, Palmyra, then asked to address the Board. She said she had no objection to Mr. Wheeler having his business but there was a incident of him driving a car past her place very fast, it was very loud and it had no plates on it. She felt that even if he were test-driving this car he did have the right to be speeding or to be driving any car on the road without plates, and she certainly hopes that this will not happen again. Mr. Wheeler, in explaining this

incident, said that the kid that owned this car had borrowed license plates from someone else to get the car to his place and then took them off the car. When Mr. Wheeler was test-driving the car the speedometer read between 45 and 50 miles per hour, but it would not shift out of low gear which sounds like you are going about 100 miles per hour. Councilman Sinclair told Mr. Wheeler this was not good judgement on his part and could not be allowed. Mr. Wheeler said he understood that. Judson Roney then asked Mr. Wheeler what provisions he had made to dispose of waste oils, fluids, etc. Mr. Wheeler said he had a 5 gallon drum that he could take to any of the service garages to take care of it but he does not do service work like change oil and filters or grease jobs; he just does repair work. He has a gentleman from out of the county that picks up his metal used parts so that does not go to our landfill. At this time Supervisor Aplin read the following letter from David Burcroff of North Creek Road, Palmyra:

Dear Sirs:

I am unable to attend the July 26 hearing pertaining to the Wheeler re-zoning and hope this letter will suffice in voicing my opinion. As a resident whose property borders Les VanHoover's, I am opposed to any neighborhood commercial variances.

The town has presumably granted permission for a 3 truck disposal business which detracts from property values both in sight and smell - resale of my house during the summer months would be impossible. Further development two doors away would destroy the residential quality of this section of North Creek Rd.

Within the past several weeks there has continuously been cars waiting for repair in Wheeler's side yard in addition to a parts car. If he were to pursue a weekend repair function and have ahead only those vehicles which could reasonable be repaired within that time frame, I doubt that anyone would complain. However, a constant inventory of vehicles being queued for part time service is an eyesore. The houses in this area do not have acres separating them - the maintenance of one property does reflect on those adjoining.

If property taxes are based on market value, then the commercialization of our neighborhood should result in drastic tax reductions for residential property due to the effects on resale. This is a very real concern - you can not tax a property's value without taking into consideration the relationship of surrounding properties especially when the relationship has changed after the tax was established.

I trust this will have some impact on your final decision.
Thank you,
David Burcroff

The following recommendation from the Palmyra Planning Board was then read into the minutes:

At the meeting of 10 July 1984 the following resolution was adopted:

Lyman Kaller moved that the Planning Board recommend to the Town Board that the latter board grant to Mr. Wheeler a special authorization to operate an automotive repair service in accordance with all the terms set forth in the application, plus the following stipulations:

- a. All repair work is to be done inside the garage, and
- b. Not more than three vehicles belonging to persons other than Mr. Wheeler are to be allowed on the property at any one time, and
- c. The operation should be periodically inspected to determine that there is compliance with the special authorization.

This motion was seconded by George Tilburg and unanimously adopted.

July 26, 1984 Pub. Hear. Continued

The following recommendation from the Wayne County Planning Board was then read into the minutes:

Re: James Wheeler, 4015 North Creek Road
Special Authorization - Tax No. 33111-00-814943

At its regular meeting on July 25, 1984, the Board recommended denial of the special authorization for the following reasons:

1. This type of activity is out of character with the surrounding development, which is primarily single family residential.
2. The hours of operation are excessive for a residential neighborhood and may pose unnecessary noise.
3. The size of the applicant's garage will not permit interior storage of equipment and allow space to work on vehicles as well.
4. Parking up to seven vehicles on the premises at once is excessive for a residential neighborhood.

Supervisor Aplin stated that he does not feel that the Wayne County Planning Board should have anything to say about what we do in Palmyra.

HEARING CLOSED

This Public Hearing was declared closed by Supervisor Aplin at 9:04 P. M.

RETURN TO
ASSESS., PLN.
& ZON. COMM.

At this time the Board returned to the Assessment, Planning and Zoning Committee - Nelson Cook, Chairman

4. Mr. Vincent Steffen requested to report back to the Board after one month

Mr. John Nesbitt, attorney for Mr. Steffen, advised the Board that he is working on revisions for Mr. Steffen. Councilman Cook said that he and Judson Roney had met with Mr. Steffen at the property site and it has been cleaned up, the front has been mowed, 16 trees have been planted and there are posts marking where he is going to mine. A water table level still has to be established. Councilman Cook stated that Mr. Steffen has complied with what the Board had asked him to do. Mr. Steffen then suggested that rather than to have two separate engineers work on establishing the water table level, he would go along with the Town having their engineer do it and he will reimburse the Town for the expense of this. This idea was agreeable with the Board. At this time Councilman Wheeler moved to have a sixty (60) day extension of the temporary work order previously granted to Mr. Steffen. This was seconded by Nelson Cook and passed with 5 ayes.

MOTION FOR
60 DAY EXIN.
OF TEMPORARY
WORK ORDER FOR
V. STEFFEN

5. James A. Wheeler - Special Authorization - Subject of Public Hearing

Councilman Cook moved to approve James Wheeler's request for Special Authorization to operate a vehicle repair shop. Councilman Sinclair seconded this motion. After a lengthy discussion, the following conditions were set:

MOTION TO
APPROVE SPEC.
AUTH. FOR
J. WHEELER TO
OPERATE A
VEHICLE REPAIR
SHOP AT RESIDENCE

1. The cars are not to be visible from the road.
2. The cars are not to be closer to the road than 40 feet.
3. Not more than 2 cars at one time in excess of his own.
4. Hours of operation: Not before 8:00 A.M. and not after 8:00 P.M. Monday thru Saturday.
5. All work has to be done inside.
6. All storage has to be inside.
7. If you should get any motor vehicle violations while testing a vehicle this permit can be revoked.
8. This Special Authorization is personal to James A. Wheeler and non-transferrable.

CONDITIONS
ADDED TO SPEC.
AUTHORIZATION

- 9. This has to be a part-time operation, it cannot be a primary source of income.
- 10. No signs will be allowed.
- 11. No expansion of this business.
- 12. This Special Authorization will be subject to annual renewal and regular review of the premises by the Zoning Enforcement Officer.

Councilman Cook then moved to amend his motion to include the above conditions. Edwin Wheeler seconded this motion including the twelve (12) conditions and it passed with 5 ayes.

MOTION RE:
J. WHEELER
AMENDED

6. Approval of employment of Jacquelyn Thompson in Assessor's Office

Councilman Cook moved to approve the employment of Jacquelyn Thompson in the Assessor's Office commencing August 6, 1984 at a rate of \$4.00 per hour for a probationary period of three (3) months. Upon her change of status to "regular" employee, effective November 12, 1984, the rate of pay will increase to \$4.25 per hour. Donald Sinclair seconded this motion and it passed with 5 ayes.

MOTION TO APPV
J. THOMPSON TO
ASSESSOR'S
OFFICE AS CLRK

7. Approval of temporary employment - Judith McIntyre

Councilman Cook moved to approve the temporary employment of Judith McIntyre in the Assessor's Office to fill in until the new girl starts and then to train her. This motion was seconded by Donald Sinclair and passed with 5 ayes.

MOTION TO APPV
TEMP. EMPLOYMT
J. MCTYRE

8. John Sroka III - Special Authorization - Office, workshop and sales area for piano service

A motion was made by Councilman Cook to set a Public Hearing to consider the application of John Sroka III, 5 S. Dayton Avenue, Clifton Springs, NY, for Special Authorization to have a office, workshop and sales area for piano service on property located at 4326 Rt. #31, Town of Palmyra, to be held on Thursday, August 23, 1984 at 8:00 P.M. in the Town Office. Edwin Wheeler seconded this motion and it passed with 5 ayes.

MOTION TO SET
PUB. HEAR. FOR
J. SROKA

9. Lack of progress on the Eugene Shields construction

This matter was deferred to the next meeting.

E. SHIELDS MTR
DEFERRED TO
NEXT MING.

10. Proposed settlement of New York Telephone Co. refund claim

After a short discussion on this matter, it was suggested by the Town Attorney, Paul Rubery, that this be deferred until the September 13, 1984 meeting. The Board agreed with this.

N.Y. TELEPHONE
CO. REFUND CLAM
DEFERRED TO
9/13/84

Economic Development Committee - Donald Sinclair, Chairman

No report at this time.

ECONOMIC DEV
COMMITTEE

Landfill Committee - Donald Sinclair, Chairman

No report at this time.

LANDFILL COMM.

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

CEMETERIES
COMMITTEE

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

It was suggested by Councilman Wheeler that upon receipt of the letter from Donald F. Byrnes, President of the Palmyra Volunteer Ambulance Service, informing the Board that a merger of the two emergency medical services is not possible at this time, that Mr. Byrnes be invited

CONSOLIDATION OF
TN & VILL. COMM

July 26, 1984 Continued.

to the August 23, 1984 meeting to give this Board an explanation. Supervisor Aplin will write Mr. Byrnes a letter.

Town Building Committee - David Lyon, Chairman

TOWN BLDG.
COMMITTEE

Councilman Lyon reported to the Board that the outside painting of the new windows has been done and the broken screen has been repaired.

OTHER BUSINESS

1. Bank resolution for Town Accounts

MOTION CHNGING
NAMES ON BANK
RESOLUTION

Due to a conflict of interest, as pointed out by the New York State Auditor, a motion was made by Donald Sinclair, seconded by David Lyon, that the Town Board approve the designation of authorized signatures for the signing of checks for the Town of Palmyra as follows: Supervisor Aplin; in the absence or inability of the Supervisor - Deputy Supervisor James G. Elliott and the Town Clerk Beverly E. Hickman; in the absence or inability of the Town Clerk - Deputy Town Clerk Betty B. Stubbings. This motion passed with 5 ayes.

2. NYS Employees Retirement

NYS EMPLOYEES
RETIREMENT

The Town Attorney, Paul Rubery, informed the Board that Governor Cuomo had signed a bill allowing municipalities to give three (3) years credit toward retirement. The State has not given a cost figure as yet however.

MOTION TO
APPROVE PYMNT
OF VOUCHERS

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Edwin Wheeler to approve payment of Vouchers, deleting Voucher #3 for Clayton Lasser Corp., as shown on Abstract #6B and #7. David Lyon seconded this motion and it passed with 5 ayes.

MOTION TO
ADJOURN

A motion was then made by Edwin Wheeler, seconded by Nelson Cook, to adjourn this meeting of the Town Board. 5 ayes passed this motion.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

AFFIDAVIT OF PUBLICATION

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

NOTICE OF
 PUBLIC HEARING
 NOTICE IS HEREBY
 GIVEN that the Town Board
 of the Town of Palmyra will
 hold a Public Hearing on
 Thursday, August 23, 1984
 at 8:00 AM in the Town Of-
 fice, 201 East Main Street,
 Palmyra, N.Y. to consider
 the application of Mr. John
 P. Stokely for rezoning of a
 portion of Avenue C for
 residential use. The rezoning
 is for Special Authorization to
 have a home workshop and
 sales area for piano service
 on property located at 4426
 Route 31, Palmyra, New
 York. These premises are
 bounded on the North by
 Willard Champlin, on the
 East by Route 31, on the
 South by Bruce L. Green Jr.
 and on the West by Morris
 Mahoney.

This application is in con-
 flict with Article 115 Section
 4 and 52 of the Zoning
 Ordinance of the Town of
 Palmyra, New York. The
 Authorization is subject to
 Article 115 of the Zoning
 Ordinance.

The said Town Board will
 at said time and place hear
 all persons in support of
 said application or any ob-
 jection thereto. Persons
 may appear in person or by
 attorney or agent.
 Dated: _____

...Rosalia 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 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:

Aug. 15, 1984

Rosalie J. Mouton
 Foreman of the Publisher

Subscribed and sworn to before me

this 28th day of August, 1984
Judith A. MacDuff
 Notary Public

Fee: \$ 14.95

JUDITH A. MacDUFF
 Notary Public for the
 State of New York, County of Wayne
 4730125
 Expiration Date March 30, 1985

CERTIFIED COPY OF CORPORATE BANKING RESOLUTIONS

TOWN OF PALMYRA

(Name of corporation)

201 E. Main Street, Palmyra, New York 14522

(Corporation address)

I hereby CERTIFY that the following is a true copy of resolutions duly adopted by the TOWN BOARD of the TOWN OF PALMYRA, a corporation organized under the laws of the State of NEW YORK at a meeting held on JULY 26, 1984...

RESOLVED:

- 1. That Marine Midland Bank (herein called the "Bank") at such office or offices as may be designated by the President or Treasurer of this corporation be and hereby is designated a depository of this corporation...
2. That SUPERVISOR OR DEPUTY SUPERVISOR TOWN CLERK OR DEPUTY TOWN CLERK be and he (they) hereby is (are) authorized to make, sign, draw, accept, indorse, execute and deliver any and all checks...
3. That any check herein authorized to be drawn in the name of this corporation may be signed with the facsimile signature or signatures of any of the duly designated signatories of this corporation...
4. That SUPERVISOR OR DEPUTY SUPERVISOR TOWN CLERK OR DEPUTY TOWN CLERK be and he (they) hereby is (are) authorized on behalf of this corporation: To discount with and to sell to the Bank any and all notes, drafts, bills of exchange or other evidences of debt...
5. That the Secretary or any Assistant Secretary of this corporation be and hereby is authorized and directed to certify to the Bank the names of all officers of this corporation...
6. That all transactions heretofore had on behalf of this corporation with the Bank be and hereby are ratified, confirmed and approved...

I hereby CERTIFY that the names and signatures of the persons holding the titles, if any, referred to in the foregoing resolutions are as follows:

Table with 3 columns: NAME, TITLE OF OFFICER, SIGNATURE. Rows include Leroy R. Aplin (Supervisor), James G. Elliott (Deputy Supervisor), Beverly E. Hickman (Town Clerk), and Betty B. Stubbings (Deputy Town Clerk).

Witness my hand and the seal of the corporation this 19th day of September, 1984. Beverly E. Hickman Secretary

(SEAL)

**Certified Copy of Corporate
Banking Resolutions**

TOWN OF PALMIRA

TO

Dated SEPTEMBER 19, 1984

INSTRUCTIONS

This form provides a convenient means of passing resolutions by a corporation's Board of Directors for establishing and maintaining checking and borrowing accounts with us.

It is suggested that in designating authorized signatories, the authority to sign checks, drafts, notes, etc. be given to the designees as corporate officers and not to the named persons acting as such officers.

For example, such authority should be given to the President or Treasurer of the corporation rather than to John Smith, President, or Frank Brown, Treasurer. Of course, names must appear alone where the designated individuals have no official status (title).

Thereafter, if there is a change in incumbency involving no change in signing authority, delivery of a certificate of incumbency (notification to the bank of the names and signatures of the new officers, over the certificate of the Secretary, with the corporate seal impressed) is sufficient, together with signature cards.

It is advisable to avoid designations that are susceptible of varying interpretations—signing authority should be clearly stated. Some possible combinations for insertion in the blank spaces in paragraphs 2 and 4 are as follows:

- President, or Vice President or Treasurer
- President alone, or any Vice President when also signed by either the Treasurer or the Secretary
- Any one of the following—President, Vice President, Treasurer
- Any two of the following—President, Vice President, Treasurer, Secretary
- Any one of the following—President, Vice President, Treasurer, together with any one of the following—Secretary, or John Smith, or Wm. Brown.

It is emphasized that the above are merely illustrative examples. Naturally any designation to fit your needs is satisfactory to us provided it is clearly stated to avoid confusion.

It is also emphasized that designations may properly differ in paragraphs 2 and 4. For example, you may wish to authorize one signature only for checks drawn against your account, but require more than one signature for borrowing and other transactions.

This form may be used to designate authority to sign checks (paragraph 2) or to borrow or discount obligations or carry on other banking transactions (paragraph 4), or any one or more, depending upon your needs. In the interest of simplification of your files and ours, it is helpful to include all signing authorities in one set of resolutions.

PUBLIC HEARING

The Public Hearing to consider the application of John Sroka III for Special Authorization to operate a office, workshop and sales area for piano service on property located at 4326 Rt. 31, Palmyra, scheduled to be held August 23, 1984 at the Town Office, 201 East Main St., was declared open at 8:00 P.M. by Supervisor Aplin. The Proof of Publication was read by the Town Clerk.

PUB. HEARING
J. SROKA III

Those in attendance, other than the Town Board, were John Sroka III, Jim Elliott, Donald Byrnes and the Town Attorney, Paul Rubery.

Supervisor Aplin asked for any comments in favor of or opposed to this Special Authorization. There being no comments, the Board asked Mr. Sroka to tell them about his business. After some discussion, Supervisor Aplin again asked for any comments in favor of or opposed to this Special Authorization. There were no comments made.

The following recommendation from the Planning Board was then read:

Re: The John Sroka Application for a Piano Repair Business on Rt. 31

In response to the Town Board's request for a recommendation in the above cited matter, you are hereby advised that the Planning Board, at the August 15, 1984 meeting, considered the matter. After some discussion it was moved by George Tilberg to recommend going ahead with the recommendation to let Mr. Sroka open his business. This was seconded by Don Smyers and the motion was carried.

Supervisor Aplin declared this Public Hearing closed at 8:18 P.M.

PUB. HEARING
CLOSED

The regular meeting of the Town Board of the Town of Palmyra, scheduled to be held on August 23, 1984 in the Town Office, 201 E. Main Street, was called to order by Supervisor Aplin at 8:20 P.M.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRAYER
PLEDGE OF
ALLEGIANCE

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Town Councilman Donald Sinclair was absent.

ROLL CALL

After a review of the minutes from the July 26, 1984 meeting, a motion was made by Edwin Wheeler to approve these minutes as submitted. David Lyon seconded this motion and it passed with 4 ayes.

MOTION TO
APPROVE MIN.
OF 7/26/84

COMMUNICATIONS

COMMUNICATIONS

1. Letter addressed to Town Clerk from the E. Palmyra Fire Dept. (Copy given to each Board member)
2. Letter from Hershey, Malone & Associates Re: Water table level for V. Steffen (Referred to Committee)
3. Letter from Cablevision Industries Re: Thank you for your cooperation

REPORTS OF STANDING COMMITTEES

REPORTS OF
STANDING COMM

Highway Committee - David Lyon, Chairman

HIWAY COMM.

No report at this time.

Water & Fire Committee - Edwin Wheeler, Chairman

FIRE & WATER
COMMITTEE

No report at this time.

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

No report.

CEMETERIES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

No report.

ASSESS., PLN.
& ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. John Sroka III - Subject of Public Hearing

MOTION TO
APPROVE SPEC.
AUTH. FOR
J. SROKA III

Councilman Cook moved to approve Special Authorization for John Sroka III to operate a office, workshop and slaes area for piano service on property located at 4326 Rt. 31 with the following conditions:

1. No "side of the road" parking will be allowed.
2. Mr. Sroka will operate his business so it will not disturb his neighbors
3. Mr. Sroka will conform to the Zoning Ordinance

This motion was seconded by Councilman Wheeler, and after a brief discussion it passed with 4 ayes.

E. SHEILDS
MATTER DEFERD
TO NEXT MTG

2. Lack of Progress on the Eugene Shields construction

Due to the absence of the Zoning Officer, Judson Roney, (he is on vacation) this matter was deferred to the next meeting.

BARBARA JO
DELANO SPEC.
AUTH. DEFERRED
TO NEXT MTG

3. Barbara Jo Delano - Special Authorization to add on a room to a mobile home

Due to the absence of the Zoning Officer this matter was deferred to the next meeting.

MOTION TO
APPROVE COM-
PENSATION FOR
BD. OF ASSESS.
REVIEW

4. Compensation for the members of the Board of Assessment Review

A motion was made by Councilman Cook, seconded by Councilman Wheeler, to approve compensation for the members of the Board of Assessment Review, contingent to having enough money in the budget to cover this expense. After a brief discussion this motion passed with 4 ayes.

TRANSFER OF
WILLOWBY M.H.
PARK PERMIT
DEFERRED TO
NEXT MTG.

5. Transfer of Willowby Mobile Home Park Permit

This matter was deferred to the next meeting because the Board would like a report from Judson Roney, Zoning Officer, regarding the present conditions at this park.

TOWN BLDG COMM.

Town Building Committee - David Lyon, Chairman

No report at this time.

CONSOLIDATION OF
TN & VILL COMM

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

MR. BYRNES OF
PVA REPTD TO THE
BD RE: MERGER

1. Mr. Donald Byrnes, President of the Palmyra Volunteer Ambulance Services, Inc., has been requested to attend this meeting

Mr. Byrnes explained to the Board that at the last PVA meeting, when a vote was taken regarding the merger between the two ambulance corps, he had a vote result of 27 against the merger and 2 in favor of it. The PVA members feel there are several problems concerning a merger at this time. Following a lengthy discussion, the Board suggested that Mr. Byrnes have a meeting with the Village Board to see if something could be worked out. Mr. Byrnes said he would try doing same and would report back to the Board. Councilman Wheeler thanked Mr. Byrnes for attending this meeting.

MOTION TO APPV
PAYMT OF VCHRS

Following a review of the Claim Vouchers submitted for payment, a motion was made by Edwin Wheeler to approve payment of Vouchers, deleting one for Clayton Lasser Corp., as shown on Abstract #7A & #8. David Lyon seconded this motion and it passed with 4 ayes.

OTHER BUSINESS

1. NYS Employees Retirement

At this time a motion was made by David Lyon, seconded by Edwin Wheeler, to go into Executive Session to discuss personnel matters. 4 ayes passed this motion.

MOTION TO GO INTO EXEC. SESSION

A motion was then made by David Lyon to go out of Executive Session. Edwin Wheeler seconded this motion and it passed with 4 ayes.

MOTION TO GO OUT OF EXEC. SESSION

At this time Town Councilman David Lyon offered the following resolution:

RESOLUTION TO UPGRADE RETIREMENT TO SECT. 75g

BE IT RESOLVED: that the Town Board of the Town of Palmyra does hereby elect to provide the Career Retirement Plan of Section 75-g of the Retirement and Social Security Law as presently or hereafter amended, for employees of participating employers and

BE IT FURTHER RESOLVED: that this election shall become effective with the payroll period beginning on the 23rd day of August, 1984.

This resolution was seconded by Edwin Wheeler and passed with 4 ayes.

Councilman Lyon then offered the following resolution:

RESOLUTION TO UPGRADE RETIREMENT TO SECT. 75-i

BE IT RESOLVED: that the Town Board of the Town of Palmyra does hereby elect to provide the benefits of Section 75-i of the Retirement and Social Security Law as presently or hereafter amended; and

BE IT FURTHER RESOLVED: that this election shall become effective with the payroll period beginning on the 23rd day of August, 1984.

This resolution was seconded by Nelson Cook and passed with 4 ayes.

Councilman Cook then moved to authorize the Town of Palmyra Fiscal Officer (Supervisor Aplin) to pay the required amount of monies to the New York State Employees' Retirement System in order to upgrade our retirement plan. After a second by Edwin Wheeler, this motion passed with 4 ayes.

MOTION TO AUTHORIZE FISCAL OFFICER TO MAKE PYMNT

A motion was then made by Councilman Wheeler, seconded by Nelson Cook, to adjourn this meeting of the Town Board. This motion passed with 4 ayes.

MOTION TO ADJOURN

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

PUBLIC HEARING

PUBLIC HEARING
A. GRANGER
AUTO JUNK YARD
OPENED

The Public Hearing to consider the application of Allen Granger for Special Authorization to operate a auto junk yard at his residence located at 4296 South Creek Road, Palmyra, scheduled to be held on September 13, 1984 was declared open at 8:03 P.M. by Supervisor Aplin. The Proof of Publication was then read by the Town Clerk.

Those in attendance, other than the Town Board, were Larry Mooney, James Elliott, Allen Granger, Ellen Main from the Courier Journal, Deborah Williams, Roger Cramer, Don Snyers, James Wright, Judson Roney the Assessor and Zoning Officer and Paul Rubery the Town Attorney.

Supervisor Aplin asked for any comments in favor of or opposed to this Special Authorization. Roger Cramer asked just exactly where this property is located. Supervisor Aplin told him it is where Vault Rd. runs into S. Creek Road, immediately north of the motorcycle track. Mr. Cramer said he is concerned about the motorcycle track and property values. Don Snyers told the Board that he was here to represent his father-in-law, Al Cator, who is a immediate neighbor. Mr. Snyers said he would like to make two points: 1 - Junk yards do not go away and 2 - They do tend to grow and things can get out of hand. He added, however, that he is not really opposed to this. Mr. Cramer said that since these cars have already been out there for about 10 years and there had been no problem, he was not opposed to this either. Mr. Granger told the Board that he knows that he is in violation, that is why he is here now. He is just asking for permission to keep what he already has. He will abide by whatever the Board decides, however, if this Special Authorization is denied, he would like to be granted sufficient time to get things cleaned up.

There being no further comments, Supervisor Aplin read the following recommendation from the Planning Board:

David Pinkney moved that the Planning Board recommend granting special authorization to Mr. Granger for operating a auto junk yard in accordance with the terms set forth in the application, and with the additional stipulations:

- a. Any and all inoperative, or unlicensed, or uninspected vehicles brought onto the Allen Granger property be immediately moved to the area designated for the storage of junk vehicles, and
- b. No fewer than one inspection of the property per year be made to be sure the operations and activities are in accordance with the terms of the special authorization that is granted.

This motion was seconded by Lyman Kaller and was unanimously adopted.

This Public Hearing was declared closed by Supervisor Aplin at

PUBLIC HEARING
CLOSED

8:35 P.M.

The regular meeting of the Town Board of the Town of Palmyra, scheduled to be held on September 13, 1984 in the Town Office, 201 E. Main St., Palmyra, was called to order by Supervisor Aplin at 8:37 P.M.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRAYER

PLEDGE OF ALLEGIANCE

Upon roll call, the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, David Lyon and Nelson Cook.

ROLL CALL

After a review of the minutes from the August 23, 1984 meeting, a motion was made by Edwin Wheeler to approve these minutes as submitted. David Lyon seconded this motion and it passed with 5 ayes,

MOTION TO APPROVE MIN. OF 8/23/84

COMMUNICATIONS:

COMMUNICATIONS

1. Request from Elizabeth Briggs to attend the annual Zoning & Planning Conference
2. Request from Helga Haak to attend the Training Program for Court Clerks
3. Request from Patricia Baynes to attend the Training Program for Court Clerks

REPORTS OF STANDING COMMITTEES:

REPORTS OF STNDG COMM.

HIWY COMM.

Highway Committee - David Lyon, Chairman

1. Repair of roof over Highway Superintendent's office, employees lounge and oil storage room

Councilman Lyon moved to approve spending approximately \$3,300.00 to repair the roof over the Highway Superintendent's office, employees lounge and oil storage room. Councilman Wheeler seconded this motion. During the discussion that followed, it was pointed out by Mr. Lyon that the roof is leaking and there is money available in the Federal Revenue Fund. He said letters had been sent out to 3 contractors and only 1 bid came back. The bid is from the Don Amelee Construction Co. Mr. Lyon said he knows that this man does quality work. This motion passed with 5 ayes.

MOTION TO APPROVE \$3,300.00 FOR ROOF REPAIR

2. Purchase of snowplow

Councilman Lyon moved to approve the purchase of a 9 foot Viking snowplow at a cost of \$3,200.00. Councilman Wheeler seconded this motion and after a short discussion, it passed with 5 ayes.

MOTION TO PURCHASE 9' SNOWPLOW

Councilman Lyon then reported to the Board that the Highway Crew had put up guard rails on South Creek Road, repaired several washouts, worked on Stafford Road and are trying to resurface Jeffery Road, but are fighting the weather and the additional traffic because of our bridge problem.

REPORT ON HIWY CREW

Water & Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE COMMITTEE

No report at this time.

Landfill Committee - Donald Sinclair, Chairman

LANDFILL COMM

No report at this time.

Cemeteries Committee - Donald Sinclair, Chairman

CEMETERIES COMMITTEE

No report at this time.

Assessment, Planning & Zor. Committee - Nelson Cook, Chairman

AS., PLN & ZON. COMM.

1. Allen Granger - Special Authorization - Subject of Pub. Hearing

Councilman Cook said he would like to table this matter to enable him to have time to put together a proposal and to take into consideration any suggestions the Board may have. The Board agreed to same.

A. GRANGER SPEC. AUTH. JUNK YARD TABLED

BARBARA JO DELANO - SPEC. AUTH. DENIED

2. Barbara Jo Delano - Special Authorization to add on a room to her mobile home

The Building Inspector, Judson Roney, having made a inspection of the premises, informed the Board that there was already a shed on the side of Ms. Delano's mobile home. (This shed belongs to her neighbor.) This would only leave 4' between the shed and the addition. Also, the cap of the septic system would be covered up by this addition. Councilman Cook moved to deny Barbara Jo Delano's request as it now stands. Councilman Wheeler seconded this and it passed with 5 ayes.

J. & V. WILLIAMSON SPEC. AUTH. EARTH BERMED HOUSE TABLED

3. John and Virginia Williamson - Special Authorization to turn Heitman property into a earth bermed home

Councilman Cook stated that since this is a relatively new idea in Palmyra, he would like to have time to get some guidelines to better judge this proposal; therefore, he would like to table this matter until the next meeting. The Board agreed. The Town Attorney, Paul Rubery, suggested that a policy decision has to be made before a decision could be made regarding this matter.

E. SHEILDS CONSTRUCTION DEFERRED

4. Lack of progress on the Eugene Shields construction Councilman Cook informed the Board that he had received a letter from Mr. Shields stating what had been completed. He now needs time to get together with Mr. Roney and compare this list to the list of what had been required of him to do. He hopes to have this information by the next Board meeting.

WILLOWBY M.H.P. ENLARGEMENT TABLED

5. Transfer of Willowby Mobile Home Park Permit and enlargement of the former Willowby Mobile Home Park

There are some problems with the application as it now stands. Any new addition to a mobile home park will have to meet the requirements of the new Mobile Home Ordinance. This matter is tabled.

NY TELE. CO. REFUND CLAIM DEFERRED

6. Proposed settlement of New York Telephone Company refund claim

Councilman Cook asked Paul Rubery to explain where we are on this matter. Mr. Rubery stated that it is his understanding that Judson Roney had prepared figures and had submitted same to the Board. The Board had not, however, given any authorization of any kind. The Board would like to have a bottom line figure. Mr. Rubery will ask for a recommendation from Mr. Quinn by the next meeting. (Mr. Quinn was hired to help municipalities settle this matter.)

ITEMS 7,8 & 9 PASSED TO PLNG BOARD

7. Decision on Building Permits for satellite dishes
8. Policy on garage and yard sales
9. Policy on swimming pool fencing

Councilman Cook has requested that the Planning Board review items 7,8 & 9 and give us a recommendation.

MOTION TO APPV ASSESSOR GOING TO CONFERENCE IN SEPT.

10. Approval of Assessor to attend the Assessor's Conference September 23 - 26, 1984

Councilman Sinclair moved to approve the Assessor's request to attend the Assessor's Conference September 23 - 26, 1984. Councilman Cook seconded this motion and it passed with 5 ayes.

MOTION TO APPV E. BRIGGS TO ATTEND ZONING CONFERENCE

11. Approval of Elizabeth Briggs to attend the Zoning Conference in October

Councilman Cook moved to approve Elizabeth Briggs's request to attend

the Zoning Conference in October 1984 with expenses not to exceed \$450.00. The motion was seconded by Councilman Lyon and passed with 5 ayes.

Town Building Committee - David Lyon, Councilman

TN BLDG COMM.

No report at this time.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

1. PVA will be here to discuss the merger issue

CONSOLIDATION OF
TN & VILL COM

Don Byrnes, the President of PVA, had to work this evening, therefore, Barbara Jordan, James Wright and Larry Mooney, PVA's attorney, represented PVA. A progress report was given to the Board by Mr. Mooney. Following a lengthy discussion, Councilman Lyon suggested that this matter be taken up at Committee meeting. The Board agreed with this. Councilman Wheeler thanked the group for coming to the meeting.

PVA REPORTED
TO BOARD RE:
MERGER

OTHER BUSINESS:

OTHER BUSINESS

1. Mr. Robert Meyers has requested to address the Board Per telephone call to the Town Clerk this afternoon, Mr. Meyers said he had to work late this evening and requested to be put on the agenda for the September 27, 1984 meeting.

R. MEYERS NOT
PRESENT -

2. Approval of Helga Haak for Court Clerks Training Program

3. Approval of Patricia Baynes for Court Clerks Training Program

A motion was made by Councilman Wheeler to approve the requests from Helga Haak and Patricia Baynes to attend the Court Clerks Training Program October 7 - 10, 1984. Councilman Sinclair seconded this motion and it passed with 3 ayes, Supervisor Aplin and Councilman Sinclair voting naye.

MOTION TO ADV
COURT CLERKS
REQUEST

4. Insurance Coverage

Councilman Wheeler moved to approve the increase of ^{insurance} coverage on the four (4) Town Buildings at a cost not to exceed \$50.00. Councilman Lyon seconded this motion and it passed with 5 ayes. The Town Clerk was then instructed to telephone VanParys Associates and then to verify with a letter.

5. NYSEG Re: Street Light Conversion Town of Palmyra

J. H. Pierie, Commercial Representative of NYSEG, in a letter to Supervisor Aplin, suggested that we convert our four (4) 400 watt mercury vapor fixtures to 150 watt high pressure sodium fixtures at a saving to the Town of approximately \$335.20 per year. Councilman Sinclair moved to go with the recommendation from NYSEG and convert our four 400 watt mercury vapor fixtures to 150 watt high sodium fixtures. Councilman Cook seconded this motion and it passed with 5 ayes.

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Nelson Cook, seconded by Edwin Wheeler, to approve payment of Vouchers as shown on Abstract #8A & #9. This motion passed with 5 ayes.

A motion was made by Councilman Sinclair, seconded by Councilman Wheeler, to adjourn this Town Board Meeting. This motion passed with 5 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

September 27, 1984

CALL TO ORDER

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on September 27, 1984 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 8:04 P.M.

SILENT PRAYER

After a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

PLEDGE OF ALLEGIANCEROLL CALL

Upon roll call, the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, David Lyon and Nelson Cook. Others in attendance were David Matthews, Judson Roney, the Assessor, Building Inspector and Zoning Enforcement Officer, Paul Rubery the Town Attorney, and Mr. and Mrs. Robert Meyers.

MOTION TO APPROVE MIN. OF 9/13/84

Following a review of the minutes from the September 13, 1984 Board Meeting, a motion was made by Edwin Wheeler, seconded by Nelson Cook, to approve these minutes as submitted. This motion passed with 4 ayes.

COMMUNICATIONSCOMMUNICATIONS

1. Thank you from Virginia Wilson, the Town Accountant
2. Thank you from the United Methodist Church Memorial Fund, Catherine, New York

RPTS OF STNDG COMMITTEESREPORTS OF STANDING COMMITTEESHIWY COMM.

Highway Committee - David Lyon, Chairman

No report at this time.

WATER & FIRE COMMITTEE

Water & Fire Committee - Edwin Wheeler, Chairman

1. Master Meters

MASTER METERS

A complaint concerning the master meter in the North Water District was made by the Village to Harold Kruger, Water Superintendent, who in turn reported it to Councilman Wheeler. David Matthews, engineer, reported to the Board that the master meter in the North Water District is registering low. However, the master meters in the South and the East Water Districts are both registering high. He believes that the two (2) high readings more than compensate for the one low reading. Mr. Matthews is going to prepare a report and send it to Supervisor Aplin who will forward same to the Village.

MOTION TO ADD TO AGENDA

At this time Councilman Wheeler moved to add a item to the agenda. Councilman Cook seconded this motion and it passed with 5 ayes.

2. East Palmyra Fire Department is asking for their funds to be increased

MOTION TO SET PUB. HEARING FOR E. PAL FIRE DEPT. CONTRACT

Councilman Wheeler moved ^{to} set a date of October 11, 1984 to hold a Public Hearing at 8:30 P.M. in the East Palmyra Fire Hall to consider entering into a new contract with the East Palmyra Fire Department, Inc. for fire protection in the East Palmyra Fire Protection District. Such contract shall provide for the payment to the East Palmyra Fire Department, Inc of the sum of \$8,000 per year, for a term which begins on the first day of January, 1985 and ends on the 31st day of December 1985 and each year thereafter until amended pursuant to statute from the funds of such fire protection district. The said payment to be made during January of each year or after the execution of such contract by both parties. This motion was seconded by Councilman Sinclair. It passed with 5 ayes.

Landfill Committee - Donald Sinclair, Chairman

LANDFILL COMM

No report at this time.

Cemeteries Committee - Donald Sinclair, Chairman

CEMETERIES COMM

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

ASSESS., PLAN & ZON. COMM

1. Mr. Robert Meyers has requested to address the Board

Mr. Meyers explained to the Board that he is building a house on Vault Rd. He had been to the Planning Board and he had received their approval. He has been faced with several problems along the way since then. He described these problems as follows:

R. MEYERS
ADDRESSED
THE BOARD

(a) Water test - Mr. Roney would not issue a building permit until this was done. He felt this running back and forth to Canandaigua was a hardship. Also, his neighbor, Mr. Sherman, already has a Certificate of Occupancy and never was told to have a water test done.

(b) Signed Certificate of Compliance - It took Mr. Meyers three (3) months to get this taken care of, and yet modular homes have HUD approval just like his does but they do not need this signed Certificate of Compliance.

(c) He asked Mr. Roney, the Town Building Inspector, what size blocks the NYS Code required for his foundation wall and was told that that information was on his blueprints. Mr. Meyers said he had to go to the Town of Walworth to get an answer.

(d) Trusses - Mr. Meyers said his diagram has a professional engineer's seal on it and yet Mr. Roney would not give approval.

(e) Mr. Meyers has been requested by Mr. Roney to put 2" of insulation around the inside walls of the crawl space. Around the corner there is a modular home that went up and he does not have 2" of insulation around the inside walls of his cellar.

At this time Judson Roney was asked if he would like to answer these statements. Mr. Roney then made the following replies:

MR. RONEY
EXPLAINED
STATEMENTS
MADE BY
MEYERS

(a) Water test - This was required because for three or four years prior this land was used as a barnyard. Mr. Roney did not want anybody to build in Palmyra and then find out that their water was no good. In response to questioning, Mr. Roney said that Section 1243.7b of the Building Code requires having approved potable water. It was an oversight relative to the Sherman property that they were not required to have their water tested. Mr. Roney said that everyone who has asked to build a house in a former barnyard has had to have their water tested before obtaining a Building Permit.

(b) Signed Certificate of Compliance - This Certificate of Compliance is a form authorized and required by the Town Board. Regarding the neighbor's modular home not needing this certificate - the State has a different set of rules and regulations for modular homes as opposed to a stick-built home.

(c) Mr. Roney said that since this incident he has had the opportunity to talk to a State Building Inspector who told him that the State does not tell people what size blocks to use only that the blocks meet certain specifications. The size of the blocks to be used is shown on the blueprints. Questions as to the size of block should be addressed to a general contractor.

September 27, 1984 Continued

(d) Trusses - Mr. Roney said he required Mr. Meyers to have added bracing for the trusses because there were three such members that were not adequately braced against eccentric, axial and torsional forces.

(e) Insulation of crawl space - Mr. Roney said that the State Energy Code requires the insulation of a basement or crawl space to a depth equal to the frost line, which is 42 inches. Mr. Roney explained that the State has yet to give a training course that clarifies, relative to modular homes, where the State inspector's responsibility ends and where the local inspector's responsibility begins. Mr. Roney said it does seem logical that he should have required insulation in the basement of the modular home before issuing a Certificate of Occupancy.

2. Allen Granger - Special Authorization to operate a junk yard
Councilman Cook made the following motion:

MOTION TO
APPROVE SPEC.
AUTHORIZATION
FOR A. GRANGER

BE IT RESOLVED that the application of Allen Granger for a special permit to store cars on his property be approved subject to the following terms and conditions:

1. That there are now no more than 65 cars which are unlicensed and not road worthy on the premises.
2. That between his special permit to sell cars and the unlicensed cars which are not road worthy, Granger may not have on his premises at this time or any time in the future more than a total of 68 cars which do not have a current inspection and license/registration (farm license or other registration will not be acceptable).
3. That the number of cars stored on the premises will be reduced each year by 12 vehicles and there shall be no increase in the number by adding new vehicles; i.e. in 1985, the number of stored cars will be 53, under this special permit and in 1986 the number will be reduced to 41 cars, and in 1987 the number will be reduced to 29 cars and in 1988 the number will be reduced to 17 cars and in 1989 the number will be reduced to 12 cars. That thereafter there will only be 12 cars stored on the premises, the subject of this special permit.
4. That all of the cars will be stored out of sight in the same area as the cars are now located.
5. That access to the storage site will be screened and secured to prevent persons wandering into the site.
6. That this permit is personal in nature and may not be assigned or transferred and may not be transferred as a business or as part of a business or as part of a corporation.
7. That the premises shall be subject to periodic inspection at any time.
8. That there will be no unlicensed automobiles, parts of automobiles, salvage or other material stored on the premises other than the site, or within the existing buildings.
9. That there will be no public sale of automobiles, parts or junk cars from the premises. That the normal auto-salvage-junk yard business will not be conducted on or from the site.
10. In the event of the sale of the premises, this special authorization shall terminate and all automobiles, parts, salvage and other

material will be removed from the premises before the transfer.

11. That the failure to maintain the premises in accord with these conditions, shall subject the special authorization to revocation and subject the holder of the special authorization for penalties for violating the Town of Palmyra Zoning Ordinance.

12. That the applicant shall execute this agreement reflecting his consent to the issuance of the special authorization on the above conditions and expressing his willingness to conform to the conditions. This motion was seconded by Councilman Wheeler and passed with 4 ayes, Supervisor Aplin voting naye.

3. New York Telephone Refund Claim

NY TELEPHONE
REFUND CLAIM

Mr. Rubery had hoped to have some information for the Board from Mr. Quinn at this meeting, however, he is waiting for Mr. Quinn to get back to him.

Town Building Committee - David Lyon, Chairman

TN BLDG COMM.

No report at this time.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

CONSOLIDATION OF
TN & VILL COMM

No report at this time.

OTHER BUSINESS

OTHER BUSINESS

1. Motion to advertise for Public Hearing to consider proposed use of Federal Revenue (Suggested Public Hearing date - October 11, 1984)
2. Motion to advertise for Public Hearing to consider Preliminary Budget (Suggested date - November 8, 1984).
3. Motion to advertise for Public Hearing to consider Actual Use of Federal Revenue (Suggested date - November 8, 1984)

MOTION TO APPROVE
ITEMS #1, 2 & 3

Councilman Wheeler moved to approve the suggested motions as shown in Items 1, 2 & 3 listed under Other Business. Councilman Sinclair seconded this motion and it passed with 5 ayes.

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Councilman Wheeler, seconded by Councilman Lyon, to approve payment of Vouchers as shown on Abstract #9A. This motion passed with 5 ayes.

MOTION TO APPROVE
PAYMENT OF VCHRS
SHWN ON ABSTRACT
#9A

Councilman Wheeler then moved to adjourn this meeting of the Palmyra Town Board until October 4, 1984 at 8:00 P.M. at which time the Town Board will reconvene for the purpose of receiving the Preliminary Budget.

MOTION TO ADJURN
DATE TO REC.
PRELIMINARY
BUDGET

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

October 4, 1984

Special Meeting

CALL TO ORDER This Special Meeting, called for by the Town Board of the Town of Palmyra at their regular meeting held on September 27, 1984, was held in the Town Office, 201 East Main Street, Palmyra, on Thursday, October 4, 1984. Supervisor Aplin called this meeting to order at 8:12 P.M.

ROLL CALL Upon roll call the following Board members were present: Supervisor Aplin, Town Councilmen Edwin Wheeler, Donald Sinclair and David Lyon.

TENTATIVE BGT
TURNED OVER
TO THE BOARD
FOR 1985 At this time the Town Clerk presented to the Town Board the Tentative Budget of the Town of Palmyra for the year 1985.

MOTION TO LET
PAL-MAC SCHOOL
BORROW 2 VOT-
ING MACHINES Supervisor Aplin then informed the Board that Mr. Joe McGovern, the Assistant Business Manager at the Palmyra-Macedon Central School, had contacted him regarding a school vote with a tentative date of December 4, 1984, at the Macedon Elementary School. Due to the National Election Macedon will not have any voting machines available for them to use. He wanted to know if it would be possible for the school to borrow two (2) of our older machines. Councilman Wheeler moved to allow the Palmyra-Macedon Central School to use two (2) of our older machines if they are available and with the understanding that it will be the School's responsibility to pay the machine custodians. Councilman Sinclair seconded this motion and it passed with 4 ayes.

MOTION TO
ADJOURN Councilman Lyon then made a motion, seconded by Councilman Wheeler, to adjourn this Special Meeting. The motion passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

AFFIDAVIT OF PUBLICATION

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

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 at 8:00 P.M. on Thursday, October 19, 1984 at the East Palmyra Fire Hall on the Proposed General Revenue Sharing Funds for the calendar year 1985. The estimated amount of \$40,000 will be used for the Sanitary Landfill.

All interested persons will be given the opportunity to be heard at said time and place.

Dated: September 28, 1984
By Order of the Town Board of the Town of Palmyra
Beverly F. Hickman
Town Clerk (640)

.....Rosalie J. Mauton....., 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:

Oct. 3, 1984

Rosalie J. Mauton
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of October, 1984

Judith A. MacDuff
Notary Public

Fee : \$10.08

JUDITH A. MACDUFF
Notary Public for the
State of New York, County of Wayne
4735123
Expiration Date March 20, 1985

October 11, 1984

PUBLIC HEARING

The Public Hearing scheduled for 8:00 P.M. on Oct. 11, 1984 at the East Palmyra Fire Hall to discuss the Proposed General Revenue Sharing Funds for the calendar year 1985, estimated to be in the amount of \$40,800.00 with planned use for the Sanitary Landfill was called to order by Supervisor Aplin.

PUBLIC HEAR.
OPENED

Those in attendance, other than the Town Board, were Town Attorney; Paul Rubery, Town Assessor and Zoning Enforcement Officer; Judson Roney, Lee Lannon, James A. Milliman, Roy Wilck, Frank Gorall, Fred Lawson, Fred Harding, Harry Wilkins, Florence Wilkins, Lyman Kaller, Charlene Lyon, Rita Burm and Pete Burm.

After the proof of publication was read by the Town Clerk, Supervisor Aplin asked if anyone would like to speak, either pro or con, please stand and state your name. Roy Wilck, referring to a newspaper article he had read, asked about the D.E.C. closing all of the Wayne County Landfills with the exception of Town of Arcadia and Macedon, which seem to be in compliance. Supervisor Aplin replied that this did not pose as much of a problem as it sounded. He said the real problem involved looking ahead for a new place when our landfill was filled up. Councilman Wheeler stated that the same paper said the government was making some changes which might change the whole philosophy. Frank Gorall said he feels that Wayne County is going to have to think about a County Landfill sooner or later. Supervisor Aplin said that the Wayne County Board of Supervisors have made studies about this and quite often these things look better on paper than what they can actually work out. Supervisor Aplin asked if there were any more comments on this subject. There being none, he declared this Public Hearing closed at 8:15 P.M.

PUBLIC HEAR.
CLOSED

REGULAR MEETING

The regular meeting of the Town Board of the Town of Palmyra, scheduled to be held on October 11, 1984 at the East Palmyra Fire Hall was called to order by Supervisor Aplin at 8:15 P.M.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILNT PRAYER

PLEDGE OF ALLEGIANCE

Upon roll call the following Board members were present: Supervisor Aplin, Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Donald Sinclair was absent.

ROLL CALL

COMMUNICATIONS:

COMMUNICATNS

1. Memo from VanPary. associates - Re: Losses
REPORTS OF STANDING COMMITTEES

RPTS OF STNDG COMMITTEES

Highway Committee - David Lyon, Chairman
Councilman Lyon reported to the Board that our Highway Crew

HIWAY COMM.

October 11, 1984 Continued

had finished resurfacing Jeffery Road, they are stock-piling sand and salt, getting the trucks ready for winter and the recently purchased snowplow has been delivered.

WATER & FIRE
COMMITTEE

Water & Fire Committee - Edwin Wheeler, Chairman
No report at this time.

LANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman
No report.

CEMETERIES COMM

Cemeteries Committee - Donald Sinclair, Chairman
No report.

ASSESS., PLNG.
& ZNG COMM.

Assessment, Planning & Zoning Committee -
Nelson Cook, Chairman

1. Transfer of Willoughby Mobile Home Park
Permit to Pine Tree Park

MOTION TO
TRANSFER

M. H. P. PRMT.
FROM WILLOUGH-
BY TO HOWELL

Councilman Cook moved to approve the transfer of Mobile Home Park Permit #3 from Linda Willoughby, D/B/A Mobile Home Park, 4298 Route 31, Palmyra, New York to Patricia Howell, D/B/A Pine Tree Park, 4298 Route 31, Palmyra, NY. This motion was seconded by Edwin Wheeler and passed with 4 ayes.

2. Charles Girard - Special Authorization -
Sales and Service at the former "Morganti Car Ranch" - Public Hearing needed

MOTION TO
REFER TO

PLNG BOARD &
SET PUB. HEAR

Councilman Cook moved to refer the Charles Girard matter to the Planning Board and to set a Public Hearing date of November 20, 1984 at 7:30 P.M. at the Town Office. Councilman Wheeler seconded this motion and after a brief discussion, it passed with 4 ayes.

3. Lloyd Smith - Morganti Mobile Home Park

Councilman Cook read a letter from Mr. Smith's attorney, George T. Wolf, in regard to Mr. Smith's plans for this property. Councilman Cook then moved to grant Mr. Lloyd Smith a temporary permit for a time not to exceed ten months, for "storage only" of two (2) unoccupied mobile home units on his property located on the corner of Route 31 and Hanley Road, Town of Palmyra, Mr. Smith will then have to apply for a permanent Mobile Home Park Permit. This motion was seconded by Councilman Wheeler. During the discussion that followed Mr. Roney asked the Town Attorney, Paul Rubery, if when Mr. Smith applied for his Mobile Home Park Permit, would he have to comply with the new Mobile Home Ordinance. Mr. Rubery said that his off-hand position would be that he would have to comply with the tie-down, septic system and practical rules of thumb. If Mr. Smith should decide to expand past three pads however, the additional pads would have to comply with the new Mobile Home Ordinance. Mr. Rubery mentioned to the Board that since the letter that has been read had been signed by Mr. Smith's attorney instead of Mr. Smith himself, then possibly the matter should not be considered at this time.

MOTION TO
GRANT MR. SMITH
"STORAGE ONLY"
PERMIT

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, }
County of Wayne, } 55:

NOTICE OF PUBLIC HEARING
TOWN OF PALMYRA
FIRE PROTECTION CONTRACT
NOTICE IS HEREBY
GIVEN that a Public Hearing
will be held by the Town
Board of the Town of
Palmyra on 30 October 1984
at 10:00 A.M. at the East Palmyra
Fire Station for the
purpose of considering
entering into a new contract
with the East Palmyra Fire
Department, Inc. for fire pro-
tection in the East Palmyra
Fire Protection District.
Such contract shall provide
for the payment to the East
Palmyra Fire Department,
Inc. of the sum of \$8,000 per
year for a term which
begins on the first day of
January 1985 and ends on
the 31st day of December
1985 and a change in
the rate of contribution
pursuant to statute from the
District. The said payment to
be made during January of
each year or after the execu-
tion of such contract by
both parties.
In all other respects the
contract shall contain the
same general provisions as
the existing contract.
All persons interested in
the matter will be heard at
said time and place.
Dated: September 28, 1984
By Order of the
Town Board of the
Town of Palmyra
Cecily C. Hickman
Town Clerk (Oct 3)

.....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:

Oct. 3, 1984

Rosalie J. Manton
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of Nov 1984

Judith A. MacDuff
Notary Public

Fee: \$16.25

JUDITH A. MACDUFF
Notary Public for the
State of New York, County of Wayne
4755125
Expiration Date March 30, 1985

Councilman Wheeler moved to table this matter, with Councilman Lyon seconding. Upon going through Mr. Smith's file folder another letter was found and read that had been written by and signed by Mr. Smith. Since this second letter put things back in order, Councilman Wheeler withdrew his motion and Councilman Lyon withdrew his second. A vote was then taken on the original motion and it passed with 4 ayes.

MOTION TO TABLE
SMITH MATTER

VOTE ON ORIG.
MOTION

At this time a recess was taken to go into the second Public Hearing that had been scheduled.

PUBLIC HEARING

PUB. HEARING
OPENED

The Public Hearing scheduled to be held on October 11, 1984 at the East Palmyra Fire Hall for the purpose of entering into a new contract with the East Palmyra Fire Department, Inc. for fire protection in the East Palmyra Fire Protection District, was opened by Supervisor Aplin at 8:47 P.M. Such contract shall provide for the payment to the East Palmyra Fire Department, Inc. of the sum of \$8,000 per year, for a term which begins on the first day of January, 1985 and ends on the 31st day of December 1985 and each year thereafter until amended pursuant to statute from the funds of such fire protection district. The said payment to be made during January of each year or after the execution of such contract by both parties. In all other respects the contract shall contain the same general provisions as the existing contract.

Following the reading of the Proof of Publication by the Town Clerk, Supervisor Aplin asked for comments either for or against said contract. Frank Gorall told the Board that the situation with the Army Reserve possibly not renewing the lease to rent their building was still up in the air at this time. He said that the firemen work hard to maintain their fire department and they are trying to plan ahead to ensure monies to properly maintain their equipment and hall. Roy Wilck asked what the tax base per 1000 would be for East Palmyra. Councilman Wheeler said it would be .52616 compared to Palmyra, outside the Village, rate of approximately .63. Supervisor Aplin then asked if there were anymore comments. There being none he closed the hearing at 8:56 P.M.

PUB. HEARING
CLOSED

Immediately following the closing of the above Public Hearing we returned to the regular meeting.

Judson Roney informed the Board that the Mormon Church had requested a Public Hearing for which the advertising had been done and the "resident letters" had been sent out. The Church has now decided that they will probably lose the hearing so they do not want one and are not going to pay for one. The Town will have to absorb the cost of what has already been done.

MORMAN CHURCH
REFUSAL TO PAY
FOR PUB. HEARING

Town Building Committee - David Lyon, Chairman
No report at this time.

TN BLDG COMM.
CNSLIDATN OF
TN & VILL. COMM

Consolidation of Tow. Village Committee - Edwin Wheeler, Chairman
No report at this time.

OTHER BUSINESS

- 1. Notice served

October 11, 1984

Supervisor Aplin informed the Board and those present that he had been served with a legal notice on Wednesday, October 10, 1984 from Albert Hunt. The original papers were sent to Lois VanHoover, Wayne County Treasurer, with copies sent to Wayne County Inc. c/o Chairman of the Board, Town of Palmyra, Village of Palmyra, Palmyra-Macedon Central School, Inc., NYS Dept. of Taxation & Finance, NYS Board of Equalization & Assessment, NYS Attorney General and U.S. Solicitor General. Supervisor Aplin has shown these papers to the Town Attorney and no one is really sure what the charge is, except that he feels his constitutional rights are being denied him. Councilman Wheeler moved to have the above mentioned papers be filed at the Town Office. Councilman Cook seconded this motion and it passed with 4 ayes.

Following a review of Vouchers submitted for payment, a motion was made by Councilman Wheeler, seconded by Councilman Cook, to approve payment of Vouchers as shown on Abstract #9B & #10. This motion passed with 4 ayes.

Councilman Wheeler then moved to thank the East Palmyra people for their hospitality and to adjourn this meeting of the Town Board. Councilman Cook seconded this motion and it passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman

Beverly E. Hickman, Town Clerk

PAPERS SERVED
ON TN OF PAL
BY AL HUNT

MOTION TO PAY
VCHRS AS SHOWN
ON ABSTRACT
#9B & #10

MOTION TO ADJRN

The regular meeting of the Town Board of the Town of Palmyra held on October 25, 1984, at the Town Office, 201 East Main Street, Palmyra, was called to order by Supervisor Aplin at 8:00 P.M.

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair and Nelson Cook. David Lyon arrived later in the meeting. Others in attendance were Vincent Steffen, Julie Steffen, Thomas Costitch, Art Rosenberg, John Nesbitt, Charles Girard, Lyman Kaller, Judson Roney and Paul Rubery.

COMMUNICATIONS

There were no communications to be read.

Following a review of the minutes submitted for September 27, 1984 and October 4, 1984 and October 11, 1984, a motion was made by Councilman Wheeler, seconded by Councilman Cook, to approve these minutes as submitted. This motion passed with 4 ayes.

REPORTS OF STANDING COMMITTEES:

Water & Fire Committee - Edwin Wheeler, Chairman

1. Newspaper article Re: Countywide water survey
Councilman Wheeler brought to this meeting a article he had cut out of the October 21, 1984 Sunday Democrat and Chronicle that he thought perhaps the Board would be interested in on a "general information only" basis.

2. East Palmyra Fire Contract

A motion was made by Councilman Wheeler, seconded by Donald Sinclair, that the Town Board of the Town of Palmyra approve a new contract with the East Palmyra Fire Department, Inc. which provides for payment of \$8,000.00 for fire protection in the East Palmyra Fire Protection District for the year starting January 1, 1985 and ending December 31, 1985. This motion passed with 4 ayes.

Landfill Committee - Donald Sinclair, Chairman

No report at this time.

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Correction on Public Hearing date for Charles Girard
Councilman Cook said he would like to hold this matter until last.

2. Pal-Oil Building Permit #84-470

This matter is being taken up at Committee. Councilman Cook hopes to have a recommendation by the November 8, 1984 meeting.

3. Steffen Gravel Pit Permit

John Nesbitt was here to represent Mr. Steffen and Art Rosenberg was here to represent Thomas Costitch. After a lengthy discussion, Councilman Wheeler moved to table this matter until the Town Attorney, Paul Rubery, arrived. Councilman Sinclair seconded this motion and it passed with 5 ayes. (Councilman Lyon had arrived.) At this time Paul Rubery arrived at the meeting. Councilman Wheeler then withdrew his motion and Councilman Sinclair withdrew his second. Mr. Rubery stated that what the Town needed was a statement from Mr. Costitch stating that he had in fact taken gravel out of the pit and had it for sale. Mr. Costitch said he would be glad to supply the Town with said affidavit.

CALL TO ORDER

SILENT PRAYER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMUNICATIONS

MOTION TO APPROVE MINUTES FROM OCT. 4, 1984 OCT. 11, 1984 SEPT. 27, 1984

WATER & FIRE COMMITTEE

NEWSPAPER ARTICLE

MOTION TO APPROVE E. PALMYRA FIRE CONTRACT

LANDFILL COMM

CEMETERIES COMM

ASSESS., PLAN. & ZON. COMM.

C. GIRARD MATR. HELD TO LAST

PAL-OIL MATTER IN COMMITTEE

STEFFEN GRAVEL PIT PERMIT

MOTION TO TABLE UNTIL TOWN ATTORNEY ARRIVED

MOTION WITHDRAWN

Councilman Cook stated that Mr. Steffen had, to the best of his knowledge, complied with everything that had been requested by the Board. The Town Attorney will write up a agreement between the Town and Mr. Steffen and the Board can act from there, hopefully at the November 8, 1984 meeting. In the meantime Mr. Steffen may continue to work under his temporary permit.

The following statement was then presented to the Board by Mr. Costitch:

State of New York
County of Monroe SS

Thomas J. Costitch, Sr., being duly sworn, deposes and says:

I was the owner of Parcel 893311300315303 for a number of years continuously until I conveyed it to Vincent Steffen in May 1983. Beginning in 1977, during my ownership, I had continuous permits from the State of New York to mine gravel. In each year during which such permits to me existed, I did in fact mine some quantity of gravel from said parcel and sold such mined gravel commercially.

Signed by Thomas J. Costitch Sr.

Subscribed and sworn to
before me this 25th day of
October, 1984

Arthur E. Rosenberg
Notary Republic
County of Monroe
State of New York
Comm. expires 3/30/85

STATEMENT
FROM
MR. COSTITCH

STATEMENT
FROM
MR. COSTITCH

RECESS CALLED

At this time Councilman Cook moved for a 5 minute recess. Councilman Lyon seconded this motion and it passed with 5 ayes.

RECESS CALLED

BACK INTO
SESSION

Supervisor Aplin called the meeting back into session.

BACK INTO
SESSION

TN BLDG COMM.

Town Building Committee - David Lyon, Chairman

TN BLDG COMM.

REPLACEMENT
OF PIPES

Councilman Lyon informed the Board that Fran Rush is going to replace the rest of the old pipes in the 1st floor and 2nd floor bathrooms so that we can get started with our remodeling.

REPLACEMENT
OF PIPES

CONSOLIDATION OF
TN & VILL

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman
No report at this time.

CONSOLIDATION OF
TOWN & VILL

HIGHWAY COMM.

Highway Committee - David Lyon, Chairman

ROAD CLOSING

1. Road Closing

Councilman Lyon moved that the East Town Line Road in the Town of Palmyra be designated as Seasonal Limited Use Highway. Said highway will not be maintained and will be closed from November 15, 1984 to April 15, 1985. Councilman Wheeler seconded this motion and it passed with 5 ayes.

Councilman Lyon then reported to the Board that the Highway Crew had completed the ditching of Leroy and Walker Road, had drawn slag from Kodak, storing salt for the winter, had graded and raked the dirt roads and are working in the shop on equipment.

AFFIDAVIT OF PUBLICATION

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

NOTICE IS HEREBY
GIVEN that pursuant to
Highway Law Section
205-a, the Town Board of
the Town of Palmyra at their
regular meeting held on
Thursday, October 26, 1984,
declared by Resolution that
the Eastown Line Road in
the Town of Palmyra be
designated as a Seasonal
Limited Use Highway. Said
Highway will not be main-
tained and will be closed
from November 15, 1984 to
April 15, 1985.
Dated
October 26, 1984
By Order of the Town
Board of the Town of
Palmyra
Beverly E. Hickman
Town Clerk
(863)

..... 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 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:

..... Oct. 31, 1984.....
.....
.....
.....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of Nov, 1984

Judith A. MacDuff
Notary Public

Fee: \$8.13

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4735129
Expiration Date March 30, 1985

AFFIDAVIT OF PUBLICATION

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

OPEN HOUSE
TOWN OF PALMYRA
POLICY OF NON-DIS-
CRIMINATION ON THE BAS-
IS OF HANDICAPPED STA-
TUS The Town of Palmyra
does not discriminate on the
basis of handicapped status
in the admission of or ac-
cess to or treatment of
employment in its pro-
grams or activities. Leroy
Appl has been designated
to coordinate compliance
with the nondiscrimination
requirements contained in
Section 5-155 of the
Revenue Sharing Regula-
tions.
Date: November 13, 1984
Betsy E. Hickman
Town Clerk
of the
Town of Palmyra
(508) (508)

.....Rosalia 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 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:

Nov. 21, 1984

.....
.....
.....

.....
Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me
this 29th day of Nov, 1984

.....
Judith A. MacDuff
Notary Public

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1985
fee: \$ 8.13

OTHER BUSINESS:

OTHER BUSINESS

1. Resolution authorizing Supervisor's signature for Office of the Aging Program

Councilman Lyon moved to designate Leroy Aplin, Town of Palmyra Supervisor, to coordinate compliance with the nondiscrimination requirements contained in Section 51.55 of the Revenue Sharing Regulations. Councilman Wheeler seconded this motion and it passed with 5 ayes.

MOTION TO DESIGNATE L. APLIN AS HANDICAPPED ACCESS OFFICER

2. Transfer the amount of \$17,905.90 from the Federal Revenue Account to the Bridge Account

3. Transfer the amount of \$8,000.00 from the Federal Revenue Account to the Machine Capitol Reserve Account

Councilman Lyon moved to approve items 2 and 3. Councilman Wheeler seconded this motion and it passed with 5 ayes.

MOTION TO TRANSFER FUNDS

4. Purchase of a voting machine

Councilman Wheeler moved to approve the purchase of a new voting machine with the purchase price not to exceed \$2,000.00. This motion was seconded by Councilman Lyon and passed with 5 ayes.

MOTION TO PURCHASE A VOTING MACHINE

5. Purchase of a calculator for the Supervisor and one for the Town Clerk.

Councilman Wheeler moved to approve item 5. Being seconded by Councilman Lyon, this motion passed with 5 ayes. Councilman Lyon was given permission by the Board to take the Town Clerk's old Burroughs to see if he could get it repaired reasonably for the Highway Dept. to use.

MOTION TO PURCHASE 2 CALCULATORS

6. Addition to the agenda - Xerox maintenance agreement
Supervisor Aplin informed the Board that the Xerox Maintenance Agreement that we presently have on the machine in the assessor's office will run out this month. Councilman Lyon moved, seconded by Councilman Wheeler, to renew this Xerox Maintenance Agreement for 1 year. 5 ayes passed this motion.

MOTION TO RENEW XEROX MAINTAINENCE AGREEMENT

Following a review of the Claims/Vouchers submitted for payment, a motion was made by Councilman Wheeler, seconded by Councilman Lyon, to approve payment of Vouchers as shown on Abstract #10A. This motion passed with 5 ayes.

MOTION TO APPROVE PYMNT OF VOUCHERS

Going back to

RETURN TO A, P & Z COMM

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

Item #1 Omitted - Correction on Public Hearing date for Charles Girard. Councilman Cook moved to change the Public Hearing date for Charles Girard for Special Authorization from November 29, 1984 to November 8, 1984 at 8:30P.M.. Councilman Wheeler seconded this motion and it passed with 5 ayes.

MOTION TO CHANGE PUB. HEAR. DATE FOR C. GIRARD

Councilman Wheeler then moved to adjourn this meeting of the Town Board. Being seconded by Councilman Lyon, this motion passed with 5 ayes.

Respectfully submitted,

Beverly E. Hickman

Beverly E. Hickman, Town Clerk
Town of Palmyra

November 8, 1984

PUBLIC HEARING

PUBLIC HEAR.
OPENED

The Public Hearing scheduled to be held on November 8, 1984 at the Town Office, 201 East Main Street, Palmyra, on the Actual Use of any General Revenue Sharing Funds for the calendar year 1985 was called to order by Supervisor Aplin at 7:40 P.M.

Those in attendance, other than the Town Board, were Judson Roney, Jim Elliott and Paul Rubery.

The Proof of Publication was read by the Town Clerk.

ACTUAL USE
CHANGED

Supervisor Aplin informed those present that the General Revenue Sharing Funds are estimated to be in the amount of \$40,800.00 for the year of 1985. The actual use of these funds has been changed to:

| | |
|------------|--------------------------|
| Cemeteries | \$ 2,000.00 |
| Machinery | \$15,000.00 |
| Landfill | \$23,800.00 |
| | <u>\$40,800.00</u> Total |

Supervisor Aplin asked for any comments for or against this Actual Use. Paul Rubery stated that he feels this money should be spent to benefit the people that live in the Town, not just in the Village, because the village also gets this money. Supervisor Aplin asked if there were any more comments. There being none, this Public Hearing was declared closed by Supervisor Aplin at 7:47 P.M.

HEARING
CLOSEDREG. MTG.
CALLED TO
ORDER

The regular meeting of the Town Board scheduled to be held on November 8, 1984 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 7:50 P.M.

SILENT PRAYER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

PLEDGE OF
ALLEGIANCE

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, David Lyon and Nelson Cook.

ROLL CALLCOMMUNICATIONSCOMMUNICATIONSMEMO FROM VILL.
RE: ADPTG TN OF
PAL TAX ROLLS
HYWAY COMMITTEE

1. Memo from the Village Re: Adopting Town of Palmyra Tax Rolls
REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

TRANSFER OF
FUNDS TO THE
SNOW REMOVAL
CONTRACTUAL EXP

1. Transfer of funds from Snow Removal Personal Services to Snow Removal Contractual Expenses and from Services for Other Government to Snow Removal Contractual Expenses

Councilman Lyon made the following motion, seconded by Edwin Wheeler:

WHEREAS, the Snow Removal, Contractual Expenses, Acct. #DA5142.4 has insufficient funds and there are funds in the Personal Services Acct. and in the Services for Other Government Acct DA2300

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$2,000.00 from Snow Removal, Personal Services, Acct. #DA5142.1 to Snow Removal - Contractual Expenses, Acct. #DA5142 and

BE IT THEREFORE RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$1767.31 from the Services for Other Government Acct. #DA2300 to Snow Removal - Contractual Expenses, Acct. #DA5142.4 to cover the insufficient funds in the Snow Removal-

AFFIDAVIT OF PUBLICATION

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

NOTICE OF
PUBLIC HEARING
GENERAL REVENUE
SHARING FUNDS
AUDITOR GENERAL
NEW YORK STATE
The Board of the Town of Palmyra will
hold a public hearing in the
Town Office, 201 East Main
Street, Palmyra, New York,
on Wednesday, October 24, 1984,
at 7:00 p.m. for the purpose of
receiving comments on the
Actual Use of State Funds for
Revenue Sharing, 1984-85.
The General Revenue Sharing
Funds are estimated to be
\$4,000,000 for 1984-85 and
\$4,000,000 for 1985-86. The
Town of Palmyra's budgeted
share of these funds is \$30,000 for
1984-85 and \$30,000 for
1985-86.
Any interested persons will
be given the opportunity to
be heard.
Date: October 19, 1984
By: Order of the Town
Board of the Town of
Palmyra
Gwenyth E. H. [Signature]

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 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:

Oct. 24, 1984

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of Nov 1984

Judith A. MacSuff
Notary Public

Fee: \$10.73

JUDITH A. MacSUFF
Notary Public for the
State of New York, County of Wayne
4733123
Expiration Date March 30, 1985

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 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:

Nov. 21, 1984



Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of Nov, 1984

Judith A. MacDuff
Notary Public

Fee: \$ 6.50

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4760126
Expiration Date March 30, 1985

Contractual Expense Account. This motion passed with 5 ayes.

Councilman Lyon, then informed the Board that the Highway Crew had hauled 200 ton of slag from Kodak, at no cost to us, which gives us 800 tons stockpiled for our winter roads. They are also replacing 10 planks on Galloway Bridge at a approximate cost of \$200.00.

Water & Fire Committee - Edwin Wheeler, Chairman

No report at this time.

Landfill Committee - Donald Sinclair, Chairman

No report at this time.

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

- 1. Item #1 tabled until after Public Hearing
- 2. Brochure

Councilman Cook explained to the Board that Judson Roney had compiled a brochure entitled "Procedures on Building a House in Palmyra." Mr. Cook would like the Board to review this brochure by the next meeting and consider a request for funds to have it printed up. Mr. Roney said if this were to be printed by Xerox it would cost \$150.00 per 200 copies plus \$75.00 to have it typed.

Town Building Committee - David Lyon, Chairman

No report at this time.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

OTHER BUSINESS:

- 1. Transfer of funds from Election-Contractual Expenses to Election-Personal Services

Supervisor Aplin made the following motion:

WHEREAS THE Election-Personal Service Acct. No. A1450.1 has insufficient funds and the Contractual Expenses Acct. A1450.4 had funds in the amount of \$701.92,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$701.92 from Election-Contractual Expenses Account. No. A1450.4 to Election-Personal Services, Account No. A1450.1 and

BE IT FURTHER RESOLVED that the Town Board of the Town of Palmyra approve the transfer of \$350.88 from the Contingent Account No. A1990.4 to the Election-Contractual Expenses Account No. A1450.4.

This motion was seconded by Councilman Wheeler and passed with 5 ayes.

- 2. Approval of Bingo License for Palmyra VFW

A motion was made by Councilman Lyon, seconded by Councilman Sinclair, to approve a Bingo License for the Palmyra VFW for one year (Jan. 1'85 - Dec. 31 '85). This motion passed with 5 ayes.

- 3. Report of Examination for the Town of Palmyra from the

Department of Audit & Control for the year ending Dec. 31 '83
Supervisor Aplin informed the Board that this report had been received and everything was in order.

WATER & FIRE
COMMITTEE

LANDFILL COMM

CMETRES COMM

ASSESS., PLN
& ZON. COMM.

ITEM 1 TABLED
BROCHURE

TOWN BLDG COM
CONSOLIDATION
OF TN & VILL
COMMITTEE

TRANSFER OF
FUNDS

MOTION TO
APPROVE A
BINGO LICNSE
PALMYRA VFW

RPT FROM DEPT
OF AUDIT &
CONTROL 1983

MOTION TO
APPROVE PAYMENT
OF VOUCHERS

Following a review of the Claims/Vouchers submitted for payment, Councilman Wheeler moved to approve payment for Vouchers as submitted on Abstract #10B and #11. Councilman Lyon seconded this motion and 5 ayes passed it.

PUBLIC HEARING

PUBLIC HEARING
OPENED

The Public Hearing scheduled to be held on November 8, 1984 in the Town Office, 201 E. Main Street, Palmyra, for the purpose of reviewing the Preliminary Budget of the Town of Palmyra for the Fiscal Year beginning January 1985 was called to order by Supervisor Aplin at 8:05 P.M.

The Proof of Publication was read by the Town Clerk.

Supervisor Aplin asked for any comments either for or against this preliminary budget. There being no comments, Supervisor Aplin explained to those present that the employees were getting approximately a 5% raise in salary, we plan to purchase a truck during 1985 (our newest truck is a 1977 and our oldest is a 1956), \$15,000.00 of the truck cost will come from Federal Revenue, and there is a need to replace some other equipment. The rates will have to go up 10¢ per thousand inside the Village and 21¢ per thousand in the Town.

Supervisor Aplin read the letter he had received from the Village requesting that the Village of Palmyra be exempt from Items 3 and 4 as authorized by Section #277 of the Highway Law.

PUBLIC HEARING
CLOSED

Supervisor Aplin again asked for any comments either for or against the preliminary budget. There being no comments, Supervisor Aplin declared this hearing closed at 8:12 P.M.

DSCSSN RE:
ABANDONED RR
PROPERTY

Returning to the regular meeting, Councilman Lyon asked about the 4.25 miles of abandoned Railroad Property that the Village of Palmyra had received notice of dated October 24, 1984. After checking the map for location and following a lengthy discussion, Judson Roney suggested that the Town consider buying 500 feet and putting up a barricade. This way no one could get to the rest of the land and the dumping would cease. The Board requested that Councilman Lyon and the Town Attorney, Paul Rubery, draft up a letter of interest.

PUBLIC HEARING

PUR. HEARING
OPENED

The Public Hearing scheduled to be held on November 8, 1984 in the Town Office, 201 E. Main Street, Palmyra, to consider the application of Charles Girard, 131 Stuart Avenue, Newark, for a Variance to the Zoning Ordinance of the Town of Palmyra to operate a Satellite Disc Sales & Service, Farm Sprayers and Accessories and Auto Sales on property located on Rt. 31 in the Town of Palmyra, formerly known as the "Morganti Car Ranch, Inc." was called to order by Supervisor Aplin at 8:36 P.M.

The Proof of Publication was read by the Town Clerk.

Supervisor Aplin showed the Board a ad he had taken from the Timesaver advertising a Grand Opening for Global Satellite Services on property formerly known as "Morganti Car Ranch, Inc." for Saturday, Nov. 3, 1984.

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:

Oct. 31, 1984

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this *1st* day of *Nov* 19*84*

Judith A. MacDuff
Notary Public

Fee: \$21.78

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4736126
Expiration Date March 30, 1985

NOTICE OF PUBLIC HEARING
GIVEN THAT THE TOWN BOARD OF THE TOWN OF PALMYRA WILL HOLD A PUBLIC HEARING ON THURSDAY, NOVEMBER 29, 1984 AT 8:30 P.M. AT THE TOWN OFFICE, 201 E. MAIN STREET, PALMYRA, NY 13150 TO CONSIDER THE APPLICATION OF CHARLES GILBERT, 7311 SIDER AVENUE, NEWARK, NEW YORK FOR A VARIANCE TO THE ZONING ORDINANCE OF THE TOWN OF PALMYRA, COUNTY OF WAYNE, STATE OF NEW YORK, AS SET FORTH IN SPRAYERS AND AGRICULTURAL AND AUTO SALES ON A PROPERTY LOCATED ON ROUTE 31 IN THE TOWN OF PALMYRA FORMERLY KNOWN AS MORGAN CAR RANCH, INC. THESE PREMISES ARE SITUATED IN AN AGRICULTURAL ZONE AND ARE BOUNDED ON THE NORTH BY PALMYRA NEWARK ROAD AND PROPERTY OWNED BY LLOYD SMITH ON THE SOUTH BY PROPERTY OWNED BY ALBERT AND GLADYS BYCKOSKI ON THE EAST BY HENRY ROAD AND ON THE WEST BY PROPERTY OWNED BY ALBERT AND GLADYS BYCKOSKI. APPLICATION IN CONFORMANCE WITH ARTICLE III, SECTION 12(b) WHICH LIMITS THE USES OF PROPERTY TO USES PERMITTED IN AN AGRICULTURAL DISTRICT TO THOSE PERMITTED UNDER SECTION 27-114(a) THROUGH (c) OF THE ZONING ORDINANCE. SECTION 27-114(b) STATES USE OF LAND FOR OTHER THAN FARM PURPOSES REQUIRES SPECIAL AUTHORIZATION FROM THE TOWN BOARD. SUCH SPECIAL AUTHORIZATION IS SUBJECT TO ARTICLE 24, SECTION 27-114 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
OCTOBER 28, 1984
BY ORDER OF THE TOWN BOARD OF THE TOWN OF PALMYRA
Beverly E. Hickman,
Town Clerk
(664) (531)

AFFIDAVIT OF PUBLICATION

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

NOTICE OF
PUBLIC HEARING
UPON
PRELIMINARY
BUDGET

NOTICE IS HEREBY
GIVEN that the Preliminary
Budget for the Town of
Palmyra for the Fiscal Year
beginning January 1, 1985 has
been completed and filed in
the Office of the Town Clerk,
209 East Main Street,
Palmyra, New York, where it
is available for inspection by
any interested person at all
reasonable hours.

IF FURTHER NOTICE
HEREOF IS GIVEN, the
Town Board will meet in the
Town Office, 209 East Main
Street, Palmyra, New York,
at 8:00 PM on the 6th day of
November, 1984, and that at
such hearing any person
may be heard in favor of or
opposed to the Preliminary
Budget as compiled or to or
against any item or items
therein contained.

Pursuant to Section 166 of
the Town Law, the proposed
said item of the following
Town Office, 209 East Main
Street, Palmyra, New York,
each \$2.00, or one Court
Order, each \$4.00, Town
Clerk \$2.00, Superintendent
of Police \$2.00, and
the cost of printing and
distribution.

October 31, 1984
By Order of the
Town Board
of the
Town of Palmyra
Beverly H. Hicken
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:

Oct. 31, 1984

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 1st day of Nov, 1984.

Judith A. MacDuff
Notary Public

Fee: \$ 18.20

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
475-1125
Expiration Date March 30, 1985

Supervisor Aplin was upset that this had been done prior to any approval from this Board.

The following letter from Charles Girard to Judson Roney was then read into this Public Hearing by Supervisor Aplin:

Town of Palmyra
Department of Assessment
201 Main Street East
Palmyra, New York 14522

Att. Mr. Jud Rooney

Dear Mr. Rooney:

When I submitted the application to you for the Variance on the property formerly known as 'Morganti's Car Ranch' located on Rt. 31 in the township of Palmyra, I felt that proper business arrangements as to ownership of this facility had been worked out. I had entered into a verbal agreement with Mr. Gerard Fischette to jointly purchase the property and co-own a satellite receiving business.

Now, several new facts have surfaced that make this relationship impossible. Mr. Fischette has taken it upon himself to act wholly independent and without my knowledge or consent. I advised Mr. Fischette not to advertise this proposal in the news media until after the Board reached their decision.

Please understand that I am still interested in pursuing the variance for the purpose of operating at this location. However, because of my present position I am requesting that any decision on this variance be postponed for eight (8) weeks. This should provide me with sufficient time to reorganize and establish the proper credentials to operate at this facility.

Respectfully submitted,
Charles Girard

The following letter, also read into this Public Hearing by Supervisor Aplin, was sent to Judson Roney from James Miller, the owner of the property being discussed:

Mr. Judson M. Roney
Zoning Enforcement Officer
201 Main Street East
Palmyra, N.Y. 14522
RE: Application #84-467
Application for Use Variance
Location: 5976 Palmyra-Newark Road
Parcel 89 35110-00-171945

Dear Mr. Roney:

It has come to my attention that Mr. Charles Girard of Newark, New York, applied on October 4 for a Special Authorization to conduct business at the property I own on the Palmyra-Newark Road. This is the property where Mario Morganti formally had his Car Ranch Business.

This is to advise you that there is no consummated agreement whereby Mr. Girard will be leasing or buying the property, and

November 8, 1984

he does not have my approval for conducting business at said property.

Very truly yours,
James Miller

Mr. Roney then informed the Board that the latest development is that Mr. Gerard Fischette has now applied for Special Authorization for said property. After looking over this new application, Paul Rubery suggested that the Board have Mr. Roney return Mr. Fischette's application to him so that he could make it more explicit.

Since no action could be taken on the application that was the subject of this Public Hearing, Councilman Sinclair made a motion, seconded by Councilman Lyon, to close this Public Hearing. This motion passed with 5 ayes. Supervisor Aplin declared this Public Hearing closed at 8:52 P.M.

PUBLIC HEAR.
CLOSED.

MOTION TO DENY
SPEC. AUTH.
FOR CHARLES
GIRARD Again returning to the regular meeting, a motion was made by Councilman Sinclair to deny Mr. Charles Girard's request for Special Authorization because there was no showing of control of this property. Councilman Cook seconded this motion and it passed with 5 ayes.

MOTION TO GO
INTO EXEC SESS. Councilman Cook then moved to go into Executive Session to discuss legal and personnel matters. This motion was seconded by Councilman Sinclair and passed with 5 ayes.

Councilman Sinclair moved to come out of Executive Session. Councilman Cook seconded this motion and it passed with 4 ayes. (Councilman Wheeler left the meeting during Executive Session because of illness.)

Councilman Lyon moved to adopt the budget for 1985 as proposed by Mr. Aplin, Budget Officer. Councilman Cook seconded this motion and 4 ayes passed it.

Councilman Lyon made a motion to extend the probationary period of the Assessor's secretary, Jacqueline Thompson, for three (3) months beginning on November 12, 1984 and that her rate of pay be increased from \$4.00 per hour to \$4.25 per hour during this probationary period. This motion was seconded by Councilman Sinclair and passed with 4 ayes.

A motion to adjourn this meeting of the Town Board was offered by Councilman Sinclair, seconded by Councilman Lyon and passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

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 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:

..... Nov. 21, 1984

.....

.....

.....

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of Nov. 1984

Judith A. MacDuff
Notary Public

NOTICE IS HEREBY
GIVEN that the Budget of
the Town of Palmyra for the
fiscal year 1985, as
presented by the Town
Board at the public hearing
held on Nov. 21, 1984 was
adopted by resolution of
the Town Board of the Town
of Palmyra at their regular
meeting held on
November 21, 1984.
A summary of the Budget
including the proposed use
of Federal, Revenue Sharing
Funds is available for public
inspection at the Town
Office.
Date:
November 13, 1984
Beverly E. Hickman,
Town Clerk
of the
County of Palmyra, NY 201

Fee: \$ 8.45

JUDITH A. MacDUFF
Notary Public for the
State of New York, County of Wayne
4735126
Expiration Date March 30, 1985

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on November 29, 1984 in the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 7:39 P.M.

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, David Lyon and Nelson Cook. Others in attendance were Judson Roney, Paul Rubery, David Williamson, John Ward and Mick Beyea.

COMMUNICATIONS:

There were no communications to be read.

After reviewing the minutes submitted for Oct. 25, 1984, Councilman Wheeler moved for approval as submitted. Councilman Lyon seconded this motion and it passed with 5 ayes.

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

Councilman Lyon reported to the Board that the Highway Crew had been marking culverts and head walls for snowplowing, they had repaired Galloway Bridge, cleaned up a brush pile on Bear Hill Drive, drew more salt for stockpiling and had been called out for plowing on November 20, 1984. He also reported that the repair work on the roof at the barns had been completed on November 15, 1984.

Supervisor Aplin asked Councilman Lyon if the new man on the highway crew, who was hired as temporary help for the winter, lives in Manchester. Councilman Lyon said yes, he lives just outside of Palmyra in Manchester. Supervisor Aplin does not think it is fair to the taxpayers to spend their money hiring help outside of Palmyra. Councilman Lyon said he agrees with this whenever it is reasonable. However, he also feels it would not be fair to the taxpayers to hire someone that is not qualified for a job just because he lives in the Town of Palmyra. Councilman Lyon said the new man is a super mechanic, a body & fender man, gets along well with the rest of the crew and he feels he is well qualified for the job. Councilman Sinclair added that the Board had talked to Lyman Kaller, acting Highway Superintendent, about hiring a temporary man and they had left the decision up to him. He also feels that the Board's responsibility to the taxpayer is to run a department as efficiently as possible.

Water & Fire Committee - Edwin Wheeler, Chairman

No report at this time.

Landfill Committee - Donald Sinclair, Chairman

Councilman Sinclair told the Board that he would like to table this committee report until after Executive Session.

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Vincent Steffen Grave. it

The following resolution was offered by Councilman Cook, seconded by Councilman Wheeler and passed with 5 ayes:

CALL TO ORDER

SILENT PRAYER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMUNICATIONS

APPROVAL OF MINUTES FROM 10/25/84

COMM. REPORTS

HIWY COMM.

REP ON HIWY CREW

TEMP. MAN HIRED FOR HIWY CREW

WATR & FIRE COM

LANDFIL COMM

CMTRIES COMM

ASSESS., PLN & ZON COMMITTEE

V. STEFFEN GRAVEL PIT

MOTION TO APPROVE
V. STEFFEN
MINING PERMIT

WHEREAS, Vincent Steffen has purchased the gravel mining operation and land of Thomas Costich on the west side of Route 21, north of the Town of Palmyra, and

WHEREAS, said gravel mining operation was to be operated pursuant to certain conditions, and

WHEREAS, after reviewing the operation, the Town of Palmyra is willing to grant a gravel mining permit to Vincent Steffen upon the same conditions and three additional conditions to correct apparent problems with the prior operation.

BE IT RESOLVED, that the Town of Palmyra does hereby grant a conditional approval for Vincent Steffen to mine a 9.9747 acre parcel (the former Costich property) subject to the following conditions;

1. This is a conditional permit for mining gravel for a period of one year and may be reviewable upon applicant having fulfilled all the conditions contained herein.
2. That this mining permit shall be subject to Vincent Steffen obtaining and maintaining at all times that the applicant carries on a mining operation, a valid mining permit from the Department of Environmental Conservation of the State of New York.
3. That there shall be no sifting or crushing operation on the subject premises.
4. That there will be no hauling by trucks or movement of trucks or heavy equipment on the subject premises before 8:00 A.M. and after 6:00 P.M.
5. The dust will be controlled and kept to a minimum by a dust control program.
6. The mining operation and the operation of the property shall at all times comply with all local, State, and Federal regulations for Environmental Conservation and all other applicable laws, rules and regulations.
7. The driveway will be maintained to join the public highway at the crest of the hill to insure good visibility at all times. The brush along the road frontage will be kept down to insure good sight distance in all directions.
8. No topsoil may be removed from the premises.
9. The area excavated in any calendar year, must be reclaimed on or before November 1 in the year in which it is mined, all in accord with the reclamation plan approved by the Department of Environmental Conservation.
10. A current approved reclamation plan, as approved by the Department of Environmental Conservation shall be on file with the Town of Palmyra at all times.
11. That the area from the frontage on Route 21, to the depth of the property is to be leveled and seeded, except where screening trees have been planted. The leveling and seeding is to be completed within three years of the initial granting of this permit and renewed each three years thereafter.
12. No excavation shall be permitted below the water table which has been determined to be 5 feet above the level of the creek

that flows through the property which would be 460 feet above mean sea level. That mining will all be done in one area and that area finished before moving to another area.

13. The operation shall be screened from the highway by appropriate tree plantings. The trees shall be grown in a manner to protect their growth and dead trees shall be removed and replaced with trees of equal growth.

14. That no temporary structures shall be used or maintained on the premises in connection with the gravel mining operation or operation of the premises without the further consent of the Town of Palmyra.

15. This permit is conditional and runs on a calendar year basis. The permit will be reviewed and a new permit, if issued, will be effective only for the calendar year in which issued.

16. The operation shall at all times comply with Section 7.9 a - e of the Town of Palmyra Zoning Ordinance.

17. A copy of all reclamation plans and permits received by the applicant from the State or other sources will be filed with the Town Clerk of the Town of Palmyra.

18. The applicant, Vincnet Steffen, shall acknowledge receipt of these conditions and his willingness to comply therewith by signing an acknowledgement at the bottom of the conditions.

19. This conditional one year permit shall be effective upon showing proof of compliance with all State, Federal and Local Rules and Regulations.

20. That the mining permits granted herein may be revoked at any time upon a violation of any of the conditions contained herein.

2. Hearing date for Veteran's Exemption

Following a lengthy discussion, Councilman Cook moved to hold a "informational meeting" at 7:30 P.M. on December 13, 1984 in the Town Office to give anyone interested a opportunity to voice their opinion regarding the Veteran's Exemption. Councilman Lyon seconded this motion and it passed with 5 ayes.

3. Pal-Oil Building Permit #84-470

The request from Pal-Oil on this building permit is to raise the roof on the present building and add another story. The decision on this has to be made by the Town Board because they are located in a commercial zone. Councilman Cook read the following letter from the Wayne County Planning Board:

Mr. Judson Roney, Zoning Enforcement Officer
Town of Palmyra
201 East Main Street
Palmyra, NY 14522

RE: Pal-Oil Inc.

Area Variance to construct second story on existing building
Tax Map No. 33111-00-606641

Dear Mr. Roney:

The Planning Board has reviewed the above-referenced application for a variance to add a second story to the existing office build-

END OF RESOLUTION

INFORMATIONAL
MPG RE: VET-
ERAN'S EXEMPTN

PAL-OIL BLDG

LETTER FROM
WAYN CNTY PLNG
BOARD RE:
PAL-OIL

November 29, 1984

ing. The Board recommends approval of the application.

Sincerely,

L. Paul Wilson, Sr. Planner

Councilman Cook then read the following letter from the Town of Palmyra Planning Board:

LETTER FROM
TN OF PALMYRA
PLANNING BD
RE: PAL-OIL

To: Nelson Cook

From: Planning Board

RE: Pal-Oil Application for recommendation to Town Board

The recommendation of this Board on the above cited matter is a positive one. David Pinkney motioned to recommend the variances be granted based on the premise to promote commercialism in the Town of Palmyra. This was seconded by George Tilbert. Motion carried with one naye vote.

Sincerely,

Frank Koeberle, Chairman

The following letter from the Town of Palmyra Zoning Board of Appeals was then read by Councilman Cook:

LETTER FROM
TN OF PALMYRA
ZONING BOARD RE:
PAL-OIL

To: Judson Roney, Zoning Officer

From: Zoning Board of Appeals

RE: Pal-Oil Company, Inc.

Jud;

This is to inform you that the Board at the November 27, 1984 meeting has granted Pal-Oil Co., Inc. the variance for both side lot and rear set-back. The only stipulations are that 1) the overhang of the proposed structure be the same as the current structure on the east side of the building, not the increase as shown on the blueprints and 2) that adequate and designated parking areas be provided.

As for the variance for more than twenty percent maximum allowable area, this board finds no reason not to grant the variance since the proposed structure is on top of the existing structure.

Sincerely,

Elizabeth Briggs, Chairperson

MOTION TO
AUTHORIZE
BLDG PERMIT
#84-470 FOR
PAL-OIL

Councilman Sinclair moved to authorize Building Permit #84-470 for Pal-Oil. Councilman Wheeler seconded this motion. During the discussion that followed Supervisor Aplin said that the speed in that area scares him. The more people that are involved in that area, the more traffic there is bound to be. The above motion was passed with a vote of 4 ayes and 1 naye. Supervisor Aplin voting naye.

G. FISCHETTE
APPLICATION
FOR VARIANCE

4. Gerard Fischette - Application for a Variance to the Zoning Ordinance
Due to a unexpected trip out of state Mr. Fischette could not be here, but he has sent Mr. Mick Beyea, his sales manager for Golbal Satellites Inc., to be his representative. After a lengthy discussion, Mr. Beyea was advised to have Mr. Fischette prepare a proper application to present to this Board.

5. Brochure received from Judson Roney

Councilman Cook reported to the Board that he had a price quote from the County of \$147.75 for 200 copies, \$179.52 for 300 copies and \$255.88 for 500 copies of this brochure. Mr. Rubery feels that Mr. Roney has done a very good job on this brochure and that it is something the Town has needed for a long time. Councilman Cook moved to have 200 copies printed at a cost of \$147.75. Councilman Lyon seconded this and it passed with 5 ayes.

MOTION TO HAVE
200 COPIES OF
BROCHURE PRINTED

At this time Councilman Wheeler was excused from this meeting because of health reasons.

COUNCILMAN WHEELER
EXCUSED FROM
THIS MEETING

Town Building Committee - David Lyon, Chairman

TN BLDG COMM

Councilman Lyon reported to the Board that Fran Rush had replaced all of the old pipes in the first floor and second floor rest rooms and has removed all of the old unnecessary pipes, thus making these rooms ready for remodeling.

ALL OLD PIPES
REPLACED

Consolidation of Town & Village - Edwin Wheeler, Chairman

CONSOLIDATION OF
TN & VILL COMM

No report.

OTHER BUSINESS

OTHER BUSINESS:

1. Transfer of funds from the Contingency Fund to the Supervisor-Contractual Expenses

The following resolution was made by Supervisor Aplin, seconded by Councilman Lyon and passed with 4 ayes:

RESOLUTION TO
TRANSFER FUNDS

BE IT RESOLVED THAT the Town Board of the Town of Palmyra transfer funds in the amount of \$5.48 from the Contingency Fund Acct. No. A1990.4 to the Supervisor-Contractual Expenses Account No. A1220.4 to cover interest on Penalties on withholding tax due to the fact that the State never received the check for the August Withholding Tax.

2. The Board's feeling about closing the Town Office the day before Christmas

TN OFFICE CLSD
DAY BEFORE
CHRISTMAS

It was the general feeling of the Board that this would be up to the Town Clerk.

3. Temporary Judicial Assignment

A motion was made by Councilman Cook, seconded by Councilman Sinclair, that the Board approve the following resolution:

MOTION TO APPV
TEMP JUDICIAL
ASSIGNMENTS
FOR 1985

The Town Board of Palmyra, New York, County of Wayne has consented to the temporary assignment of its town justice(s) to preside in other city/town/village courts in the Seventh Judicial District as need arises during the year 1985 and approved the temporary assignment of judges from other city/town/village courts in the Seventh Judicial District to its court as need arises during the year 1985, providing it does not interfere with the duties of and is at the convenience of the Town Justices of the Town of Palmyra.

This motion passed with a vote of 3 ayes - 1 naye. Councilman Lyon voting naye.

4. Hammond Road complaints to Board of Health

HAMMOND ROAD
COMPLNT TO THE
BOARD OF HEALTH

Supervisor Aplin advised the Board that the stream that runs down Hammond Road to the Canal is giving off a very bad odor. One family cannot use their well at this time and are even going to the neighbors to take a shower. Supervisor Aplin has been out there to look around and has taken four (4) water samples which he has sent to be tested but does not

have the results back as yet. He feels this is definitely a health hazard. The Town Board serving as Health Officer will go out to Hammond Road on Saturday, December 1, 1984 at 9:00 A.M. to check on this matter. Councilman Lyon will not be available on Saturday so he will go out on his own to look this over.

RETURN TO
LANDFIL COMM

POSSIBLE
SHUTDOWN

MOTION TO
APPV PAYMENT
OF VOUCHERS

MOTION TO GO
INTO EXEC SE

MOTION TO COME
OUT OF EXEC
SESSION

MOTION TO
ADJOURN

Return to Landfil Committee.- Donald Sinclair, Chairman
Councilman Sinclair reported to the Board that the DEC has ordered the Town of Palmyra to close down the landfill. Anticipating a problem in keeping the landfill open after the first of the year, he has written a letter to Garlock suggesting that they have a alternate plan available. He has also written a letter to Gerald DeBarr, Supervisor of the Town of Arcadia, to inquire as to what arrangements might be made with them. Councilman Sinclair has several ideas as to how to handle this situation. The committee will follow up on these ideas.

Following a review of the Claims/Vouchers submitted for payment, Councilman Cook moved to approve payment for Vouchers as submitted on Abstract #11A. Councilman Sinclair seconded this motion and it passed with 4 ayes.

Councilman Sinclair then moved to go into Executive Session to discuss personnel matters. Councilman Cook seconded this motion and it passed with 4 ayes.

Councilman Sinclair moved to come out of Executive Session. Councilman Cook seconded this motion and it passed with 4 ayes.

A motion to adjourn this meeting of the Town Board was offered by Councilman Lyon, seconded by Councilman Sinclair and passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

RETURN TO
LANDFIL COMM.

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
TOWN OF PALMYRA
WAYNE COUNTY -
NEW VETERANS
EXEMPTION 458A
The Town Board of the
Town of Palmyra will con-
duct a meeting on Thurs-
day, December 13, 1984 at
7:30 P.M. to determine
whether the Town of
Palmyra shall;
A) Enact a local law
eliminating the exemption
granted by Section 458A of
the Real Property Tax Law
B) Enact a local law to
reduce the maximum ex-
emption of 15% of, but not
over, \$12,000.00 for all
veterans enumerated, plus
10% of, but not over,
\$8,000.00 for combat
veterans plus 50% of, but
not over, \$40,000.00 for
veterans with service con-
nected disabilities,
to either
1) limit all veterans to a
maximum of \$9,000.00, plus
a maximum of \$6,000.00 for
combat veterans and a limit
of not more than \$20,000.00
or
2) limit all veterans to a
maximum of \$6,000.00, plus
a maximum of \$4,000.00 for
combat veterans and a limit
of not more than \$20,000.00
for veterans with service
connected disabilities.
At said time and place all
persons interested may be
heard either for or against
this matter either in person
or by attorney or agent.
Dated:
November 30, 1984
By Order of the Town
Board of the Town of
Palmyra
Beverly E. Hickman,
Town Clerk
(696) (D-5)

.....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 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:

Dec. 5, 1984

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 27th day of Dec., 1984

Judith A. MacDuff
Notary Public

Fee: \$ 17.23

JUDITH A. MACDUFF
Notary Public for the
State of New York County of Wayne
471-1123
Expiration Date March 30, 1985

The informational meeting scheduled to be held on November 13, 1984 in the Town Office, 201 E. Main Street, Palmyra, to discuss the Veteran's Exemption was called to order by Supervisor Aplin at 7:35 P.M.

MIG OPENED

Those in attendance other than the Board members were: Eugene O'Neill, Betty O'Neill, Henry Pulcini, Ellsworth Bedette, Frank Gorall, B. Mahoney, Carlton Dewin, Harry Wilkins, Kenneth Rice, Fred Harding, Helen Freyn, Richard B. Guard, William S. Nelson, Jack and Jeanne Drake, Harold Farnsworth, Floyd Dennie, Leonard R. Bechtold, Richard Bump, Betty L. Miller, Mick Beyea, Jerry Fischette, James Miller, Paul Rubery, Judson Roney and Mr. Ross from WACK.

Supervisor Aplin then gave those present some background information on this subject. He also informed everyone that there is a problem with the dates for World War I and World War II. The Federal dates and the State dates differ at this time, but this is being checked on by the State. The dates for the Korean War are June 27, 1950 through January 31, 1955. The dates for Viet Nam are January 1, 1963 through May 7, 1975.

Judson Roney, Town Assessor, added more background information to this meeting. He also stated that he will have to have the applications for this exemption in his office no later than May, 1985.

MIG CLOSED

Supervisor Aplin declared this informational meeting closed at 8:35 P.M.

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on November 13, 1984 at the Town Office, 201 E. Main Street, Palmyra was called to order by Supervisor Aplin at 8:40 P.M.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRAYERPLEDGE OF ALLEGIANCE

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, David Lyon and Nelson Cook.

ROLL CALLCOMMUNICATIONS:

1. Letter of resignation from James DeBrine, Superintendent of Highways
2. Letter of intention to resign from Lyman Kaller, Deputy-Superintendent of Highways

COMMUNICATIONSLETTER OF RESIGNATION
J. DEBRINELETTER OF INTENTION TO RESIGN FROM
L. KALLER

Following a review of the minutes submitted for November 8, 1984, a motion to approve as submitted was made by Councilman Lyon, seconded by Councilman Wheeler and passed with 5 ayes.

MIN TO APPV
MIN. 11/8/84

Following a review of the minutes submitted for November 29, 1984, a motion to approve as submitted was made by Councilman Lyon, seconded by Councilman Wheeler. During discussion Supervisor Aplin said that he would like a correction done on a comment he had made at that meeting. This statement now reads as follows:

MIN TO APPRV
MIN 11/29/84

Supervisor Aplin does not think it is fair to the taxpayers to spend their money hiring help outside of Palmyra.

Supervisor Aplin would like this corrected to read as follows:

CORR TO MIN
OF 11/29/84

Supervisor Aplin does not think it fair to the taxpayers to spend their money hiring help outside of Palmyra when he knows of at least three (3) people that are interested, willing, able and do own property in the Town of Palmyra.

Councilman Lyon said if that correction was going to be done he would like a correction to his statement that now reads as follows:

Councilman Lyon said he agrees with this whenever it is reasonable. However, he also feels it would not be fair to the taxpayers to hire someone that is not qualified for a job just because he lives in the Town of Palmyra.

Councilman Lyon would like his statement to read as follows:

Councilman Lyon said he agrees with this whenever it is reasonable. However, he also feels it would not be fair to the taxpayers to hire someone that is not the best qualified person for a job just because he lives in the Town of Palmyra.

MOTION TO APPROVE WITHDRAWN At this time Councilman Lyon withdrew his motion for approval as submitted and Councilman Wheeler withdrew his second.

MOTION TO APPROVE WITH CORRECTIONS Councilman Cook then moved to approve the minutes of Nov. 29, 1984 with the above corrections. This motion was seconded by Councilman Wheeler and passed with 4 ayes and 1 naye, Councilman Sinclair voting naye.

REPORTS OF STANDING COMMITTEES

HIGHWAY COMM. Highway Committee - David Lyon, Chairman

1. Agreement to spend Town Highway Funds

CHIPS FUNDS All signatures were obtained so the papers could be returned to Lyons.

WATER & FIRE COMM. Water & Fire Committee - Edwin Wheeler, Chairman

Councilman Wheeler said he needed to defer this subject until later in the meeting when David Matthews, Engineer, arrived.

LANDFILL COMM. Landfill Committee - Donald Sinclair, Chairman

Councilman Sinclair informed the Board that David Matthews, Engineer, had sent him some information regarding closure and post-closure procedures. Copies of this information will be made for all of the Board members. A lengthy discussion regarding the closing of our Landfill followed.

CEMETRIES COMM. Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

ASSESS., PLAN. & ZON. COMMITTEE Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Miller/Fischette application for Special Authorization

MILLER/FISCHEITE SPEC. AUTH. Mr. Miller presented the Board with a new map he had received from the State. Judson Roney, Zoning Enforcement Officer, said he had checked it over and he believes it to be in order. Mr. Miller said he is in the process of buying this land from the state. In the meantime, however, the State will give him a revokable permit until this sale is complete.

MOTION TO SET PUB. HEARING G. FISCHETTE Following a lengthy discussion, Councilman Cook moved to hold a Public Hearing for Gerard Fischette of Global Satellites on Thursday, Dec. 27, 1984 at 7:30 P.M. Councilman Wheeler seconded this motion and it passed with 5 ayes.

2. George DeCook has requested to speak to the Board

G. DECOOK Re: a problem obtaining a Building Permit

Judson Roney, Zoning Enforcement Officer, explained to the Board that he had denied a Building Permit to Mr. DeCook because the addition he wants would only leave 23 feet between his mobile home and the one next

MOTION TO APPROVE BLDG. PERMIT FOR G. DECOOK to him. Following a short discussion, Councilman Cook moved to approve a 6 1/2 foot X 8 foot addition to Mr. George DeCook's mobile home located

in Maple Creek Park (formerly Northside). Councilman Wheeler seconded this motion and it passed with 5 ayes.

Going back to-

Water & Fire Committee - Edwin Wheeler, Chairman

1. Master Meters

David Matthews, Engineer, presented the Board with a two page report he had compiled that began with master meter reading taken in 1979 right through the final reading in 1984. After a lengthy discussion, it was decided by the Board that Councilman Wheeler would arrange a meeting with David Matthews, Harold Kruger; Town & Village Water Superintendent, Steve Hayes; Village Trustee, and himself to determine what could be done to resolve this problem.

WATER & FIRE COMMITTEE

MASTER METERS

MIG TO BE ARRANGED

Town Building Committee - David Lyon, Chairman

TN BLDG COMM.

Councilman Lyon informed the Board that he had received two bids on the carpentry work for our office improvements and one on painting and wallpapering. However, he had just received them and had not had a chance to look them over. He will keep them informed.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

OTHER BUSINESS:

OTHER BUSINESS

1. Transfer of funds

Councilman Wheeler made the following motion, being seconded by Councilman Cook:

WHEREAS the Town of Palmyra has received the Invoice from the N.Y. State Employees' Retirement System for the payment of \$5584 required under Section 430 of the Retirement and Social Security Law for benefits for retirement under 75-g and 75-i which became effective September 4, 1984 AND

MOTION TO TRANSFER FUNDS

WHEREAS, all Town Employee Benefits Retirement Account Balances are to be used in the amount of \$4882 AND

WHEREAS, there is \$702 balance to cover this invoice

THEREFORE BE IT RESOLVED that the balance of \$702.00 be taken from the Contingency Account No. A1990.4

This motion passed with 5 ayes.

Following a review of the Claims/Vouchers submitted for payment, Councilman Wheeler moved to approve payment for Vouchers as submitted on Abstract #11A & #12. Councilman Lyon seconded this motion and it passed with 5 ayes.

MOTION TO APPROVE PAYMENT OF VOUCHERS

At this time the Board set 7:30 P.M. on January 3, 1985 for our Organizational Meeting.

DATE FOR ORGANIZATIONAL MEETING

Councilman Cook then moved to go into Executive Session to discuss litigation matters. Councilman Wheeler seconded this motion and it passed with 5 ayes.

MOTION TO GO INTO EXEC. SESSION

A motion was made by Councilman Cook, seconded by Councilman Wheeler, to come out of Executive Session. This motion passed with 5 ayes.

MOTION TO COME OUT OF EXEC. SESSION

December 13, 1984 Continued

Councilman Cook then moved to authorize the Town Attorney, Paul Rubery, to prosecute Gladys Taylor Vaas of 964 Rd 2, Palmyra, New York. Councilman Wheeler seconded this motion and it passed with 5 ayes.

The motion to adjourn this Town Board meeting was made by Councilman Wheeler, seconded by Councilman Cook, and passed with 5 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

December 17, 1984

91

SPECIAL MEETING

A Special Meeting of the Town Board of the Town of Palmyra was called to order at 7:30 P.M. at the Town Office, 201 E. Main Street, Palmyra on December 17, 1984 by Supervisor Aplin.

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, David Lyon and Nelson Cook. Others in attendance were the Town Attorney, Paul Rubery; Assessor, Zoning Enforcement Officer and Building Inspector, Judson Roney; and Village of Palmyra Trustee, James Elliott.

The purpose of this meeting was to further pursue and exercise the Town's preferential rights to acquire the 4.25 miles of abandoned Railroad Property in the Town of Palmyra. After considerable discussion it was moved by Councilman Wheeler, seconded by Councilman Sinclair, and approved unanimously to have the Town Attorney, Paul Rubery, contact the Penn Central Railroad and negotiate the purchase of part or all of the property.

A motion was made by Councilman Wheeler, seconded by Councilman Cook, and approved unanimously, to adjourn this Special Meeting at 8:35 P.M.

Respectfully submitted,



Leroy Aplin, Supervisor

LA:beh

PUBLIC HEARING

PUBLIC HEARING
OPENED

The Public Hearing scheduled to be held on December 27, 1984 in the Town Office, 201 E. Main Street, Palmyra to consider the application of Gerard Fischette of Global Satellites to operate a Satellite Dish Sales and Service, TV's, Video Cassette Recorders and Stereo Equipment on property located on Rt. 31 in the Town of Palmyra, formerly known as "Morganti's Car Ranch" was called to order by Supervisor Aplin at 7:40 P.M.

Those in attendance, other than the Town Board, were Judson Roney, Paul Rubery, Jim Elliott, Gerard Fischette, Mick Beyea and Mr. and Mrs. James Miller.

The Proof of Publication was read by the Town Clerk.

Supervisor Aplin asked for comments either for or against this matter. There were no comments. The Board reviewed the application that had been submitted. The Board requested that Mr. Fischette get a statement from the Department of Transportation Re: old canal land. Mr. Miller (present owner of this property) said he had a statement and he would see to it that it was filed with this application.

RECOMMENDATION
FROM PALMYRA
PLNG BOARD

The following recommendation from the Palmyra Planning Board was then read into these minutes:

TO: Nelson Cook

FROM: Planning Board

RE: Global Satellite Application for recommendation to Town Board

The Planning Board's consensus is that Mr. Fischette should be given the go ahead on opening a satellite dish business at the old Morganti Car Ranch location. Reasons being that it was a light industry, the property would be cleaned up, increase tax revenue and tax base. The motion for recommendation was made by Lyman Kaller and seconded by David Pinkney. Motion carried.

Sincerely,

Frank Koeberle, Chairman

Jacquelyn Thompson, Secretary

Planning Board

The following recommendation from the Wayne County Planning Board was

RECOMMENDATION
FROM THE WAYNE
CTY PLNG BOARD

also read into these minutes:

Re: Gerard Fischette

5076 Route 31

Special Authorization Referral

Tax Map Ref. No: 35110-00-171945

Dear Mr. Roney:

The Planning Board has reviewed the above-referenced application to establish a Satellite dish/audiovisual store. The Board did not find the submitted site plan to be of very much help, and expressed concern regarding the possible location of operating dishes on N.Y.S. D.O.T. property, and also the proposed location of the business sign in the middle of the parking area. As the Board had previously approved this type of business for the site at its October meeting, the Board recommends approval again, with the condition that sign and dish locations be carefully scrutinized and stipulated by your local board. If you have any questions, please feel free to call me.

Sincerely,

L. Paul Wilson, Senior Planner

AFFIDAVIT OF PUBLICATION

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

LEGAL NOTICE
TOWN OF PALMYRA
NOTICE OF
PUBLIC HEARING
NOTICE IS HEREBY
GIVEN, that the Town Board
of the Town of Palmyra will
hold a Public Hearing on
Thursday, December 27,
1984 at 7:30 P.M. at the
Town Office, 201 East Main
Street, Palmyra, NY to con-
sider the application of
Gerard Fischette, Global
Satellite, Inc., 7400
Pittsford-Victor Road, Vic-
tor, NY for a Variance to the
Zoning Ordinance of the
Town of Palmyra to operate
a Satellite Dish Sales and
Service, TV's, Video
Cassette Recorders and
Stereo Equipment on pro-
perty located on Route 31 in
the Town of Palmyra former-
ly known as "Morganti Car
Ranch, Inc." These
premises are situated in an
Agricultural Zone and are
bounded on the North by
Palmyra-Newark Road and
property owned by Lloyd
Smith, on the South by pro-
perty owned by Albert and
Gladys Ryckbost, on the
East by Hanley Road and on
the West by property owned
by Albert and Gladys
Ryckbost.

This application is in con-
flict with Article III, Section
3.2(b) which limits the uses
of property in an
Agricultural District to those
permitted under Section
3.1, Paragraphs a thru h, Ar-
ticle III, Section 3.2(b)
states: Use of land for other
than farm purposes requires
Special Authorization from
the Town Board. Such
Special Authorization is
subject to Article VII, Sec-
tion 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 ob-
jections thereto. Persons
may appear in person or by
Attorney or agent.

Dated:
December 14, 1984
By Order of the Town
Board of the Town of
Palmyra
Beverly E. Hickman, Town
Clerk
(702) (D-19)

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 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:

Dec. 19, 1984

Rosalie J. Mouton
Foreman of the Publisher

Subscribed and sworn to before me

this 27th day of Dec, 1984

Judith A. MacDuff
Notary Public

Fee: \$ 21.78

JUDITH A. MACDUFF
Notary Public for the
State of New York, County of Wayne
41-1125
Expiration Date March 30, 1985

PUBLIC HEARING CONTINUED

Supervisor Aplin again asked for any comments either for or against this matter. There being no comments, he declared this Public Hearing closed at 7:55 P.M.

PUB HEARING
CLOSED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on December 27, 1984 at the Town Office, 201 E. Main Street, Palmyra was called to order by Supervisor Aplin at 7:55 P.M.

CALL TO ORDER

Following a moment of Silent Prayer, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

SILENT PRAYER

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Councilman Donald Sinclair was absent.

PLEDGE OF
ALLEGIANCE

ROLL CALL

COMMUNICATIONS:

There were no communications to be read.

COMMUNICATIONS

REPORTS OF STANDING COMMITTEES

STANDING COMM

Highway Committee - David Lyon, Chairman

HIWY COMM.

Councilman Lyon reported to the Board that the Town Crew has been cutting brush on Walker Road and Goldsmith Road, they have stock-piled 600 pounds of stone for next year's projects, have made a area ready, if needed, for a packer for dumping if the landfill is closed, they have drawn more salt and sand, have done regular shopwork and are working with the County on planning and surveying the S. Creek Road project for next year.

RPT ON HIWY
CREW WORK

Water & Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE
COMMITTEE

Councilman Wheeler reported to the Board that he is in the process of making arrangements to have a meeting with the Village Re: Master Meters.

Landfill Committee - Donald Sinclair, Chairman

LANDFILL COMM

No report.

CEMETRES COMM

Cemeteries Committee - Donald Sinclair, Chairman

No report.

ASSESS., PLN.
& ZON. COMM.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Gerard Fischette - Special Authorization - Subject of Public Hearing

Councilman Cook moved that the Town Board of the Town of Palmyra approve Special Authorization for Gerard Fischette to operate a Satellite Dish Sales & Service, TV sales, Video Cassette Recorders and Stereo Equipment business on property located on Rt. 31 in the Town of Palmyra formerly known as "Mozganti Car Ranch", with the following conditions:

MOTION TO APPROVE
SPEC. AUTH.
G. FISCHETTE

1. All equipment be stored inside of the buildings except for four (4) units that may be displayed outside.
2. Parking shall be provided for all business patrons off and away from Rt. 31.
3. No installations of the Satellite Dishes within 100 feet of the center line of Rt. 31 upon the acquisition of State Canal property and 25 foot sideline set-back.
4. Hours of operation should be between 8:00 A.M. and 9:00 P.M. daily and authorization from 12:00 noon to 6:00 P.M. on Sunday.
5. Shall comply with any and all zoning ordinances in the Town of Palmyra.

December 27, 1984

This motion was seconded by Councilman Wheeler and passed with 4 ayes.

2. Veteran's Exemption

MOTION TO HOLD
PUB. HEAR RE:
VET'S EXEMPTN

Councilman Cook suggested to the Board that the Town of Palmyra go with a 75% exemption for the Veterans. He then moved to hold a Public Hearing on January 24, 1985 at 7:30 P.M. in the Town Office to consider a proposed local law regarding the Veteran's exemption. This motion was seconded by Councilman Wheeler. Following a brief discussion, Councilman Cook withdrew his motion and Councilman Wheeler withdrew his second. A lengthy discussion followed. The matter was put on the desk.

MOTION
WITHDRAWN

3. Zoning Violation - Brian Havert

4. Zoning Violation - Marquart's Mobile Manor

Councilman Cook informed the Board he would bring up Items #3 and #4 during Executive Session.

TN BLDG COMM

Town Building Committee - David Lyon, Chairman

Councilman Lyon informed the Board that he is still waiting to receive the rest of the bids for carpentry work on the Town Building improvements.

CNSLDTN OF TN
& VILL COMM.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

OTHER BUSINESS:

1. Transfer of funds

TRANSFER OF
FUNDS FROM
CONTINGENCY TO
TN CLR-PRSNL SVCS
TRFC CNTRL-CONT. &
EMP BENEFITS-HOSP INS

WHEREAS THE following accounts are depleted for the year 1984

in the amounts listed: A1410.1, Town Clerk-Personal Serviced \$ 468.00

A3310.4, Traffic Control-Cont. Exp. 529.95

A9060.8, Emp. Benefits - Hospital Ins. 1208.28

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingency Fund A1990.4 in the amount of \$2206.23 to cover these accounts. This resolution was moved by Councilman Wheeler, seconded by Councilman Lyon and passed with 4 ayes.

WHEREAS THE FOLLOWING ACCOUNTS are depleted in Part Town Fund for the year 1984 in the amounts listed: B8010.1, Zoning Prsnl Svc \$ 51.75
B9030.8, Emp Bnfts- Soc Sec 275.75

SURPLUS PART TN
TO ZNG-PRSNL
SVCS & EMP
BNFTS-SOC SEC

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the use of surplus funds in the Part Town Fund to cover these accounts. Moved by Councilman Wheeler, seconded by Councilman Lyon and passing with 4 ayes.

WHEREAS the Zoning-Contractual Expense Account B8010.4 is depleted and there are outstanding bills to be charged in the amount of \$167.75 for Wayne County Printing

PART TOWN TO
ZNG-CONT EXP

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the use of surplus funds in the Part Town Fund to cover this account. Moved by Councilman Wheeler, seconded by Councilman Lyon and passing with 4 ayes.

WHEREAS there will be a outstanding bill from Attorney Strowbridge to be paid

ATTORNY-CONT EXP
ENCUMBERED

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the encumbrance of \$ 100.00 from the Attorney-Contractual Expense Account No. A1420.4 to cover this expense. Moved by Councilman Cook, seconded by Councilman Wheeler and passing with 4 ayes.

WHEREAS Account DB9060.8 Employee Benefits-Hospital Insurance in Highway 1 has insufficient funds in the amount of \$38.66

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds from Account DB9030.8, Employee Benefits-Social Security to Account DB9060.8, Employee Benefits, Hospital Insurance in the amount of \$38.66. Moved by Councilman Wheeler, seconded by Councilman Cook and passing with 4 ayes.

EMP-BNFTS SOC
SEC TO EMP-
BNFTS-HOSP
INSURANCE

WHEREAS Account DA5130.1, Machinery-Personal Services has insufficient funds in the amount of \$30.60

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds from Account DA5130.4, Machinery-Contractual Expenses to Account DA5130.1, Machinery-Personal Services in the amount of \$30.60. Moved by Councilman Cook, seconded by Councilman Wheeler, and passing with 4 ayes.

MACHINERY-
CONT EXP TO
MACHINERY-
PRSNL SVCS

WHEREAS Account DA5140.1, Misc (Brush & Weeds) - Personal Services has insufficient funds in the amount of \$30.60

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds from Account DA5140.4, Misc. (Brush & Weeds)-Contractual Expenses to Account DA5140.1 - Misc. (Brush & Weeds) Personal Services in the amount of \$30.60. Moved by Councilman Cook, seconded by Councilman Wheeler and passing with 4 ayes.

MISC. (BRUSH
& WEEDS-CONT
EXP TO MISC.
(BRUSH & WEED
PRSNL SERVICES

WHEREAS Account DA5142.4, Snow Removal-Contractual Expenses has insufficient funds in the amount of \$2922.04

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds from Account DA5142.1 - Snow Removal Personal Services to Account DA5142.4, Snow Removal-Contractual Expenses in the amount of \$2922.04. Moved by Councilman Lyon, seconded by Councilman Wheeler and passing with 4 ayes.

SNO REMVL-
PRSNL SVCS
TO SNO REMVL-
CONT. EXP.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the encumbrance of the balance in Account DA5142.1, Snow Removal-Personal Services for the year 1984. Moved by Councilman Lyon, seconded by Councilman Wheeler and passing with 4 ayes.

BALANCE OF
SNO REMVL-
PRSNL SVCS
ENCUMBERED

WHEREAS Accounts Sw9055.8, Employee Benefits-Disability in the North, South and East Water Districts have insufficient funds in the amounts of \$26.79, \$12.96 and \$3.45 respectively

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the use of surplus funds from the respective water districts to cover these funds and

SURPLUS FUNDS
FROM N-S- & E
WTR DISTRICTS TO
COVER SHORTAG

BE IT FURTHER RESOLVED that the Town Board of the Town of Palmyra approve the use of surplus funds of the East Water District to cover the deficiency in the East Water District Account Sw5-8320.4 in the amount of \$1,889.33. Moved by Councilman Wheeler, seconded by Councilman Cook and passing with 4 ayes.

SURPLUS FUNDS
FROM EAST WTR
DISTRICT TO CVR
EAST WTR SHOR
AGE

Councilman Lyon then made the following motion:

WHEREAS THERE is a surplus in the Machinery Fund so THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of the balance in this fund to the Capital Fund-Machinery Reserve. A discussion followed this resolution

MOTION TO
TRNFR BAL OF
MACH FUND TO
MACH RESERVE
NO SECOND &
NO VOTE TAKN

December 27, 1984 Continued

regarding a transfer of \$5,000.00 or \$8,000.00 or the entire balance. There is no record of a second or a vote on this resolution. *

MOTION TO APPROVE
PAYMENT OF
VOUCHERS

Following a review of the Vouchers submitted for payment, Councilman Wheeler moved to approve payment for Vouchers as submitted on Abstract #12A. Councilman Cook seconded this motion and it passed with 4 ayes.

MOTION TO GO
INTO EXEC SESS

Councilman Cook then moved to go into Executive Session to discuss matters of litigation. This motion was seconded by Councilman Wheeler and passed with 4 ayes.

MOTION TO COME
OUT OF EXEC
SESSION

The motion to come out of Executive Session was made by Councilman Wheeler, seconded by Councilman Lyon and passed with 4 ayes.

MOTION TO
PROSECUTE
B. HAVERT

Councilman Cook then moved to authorize the Town Attorney to prosecute Brian Havert of Canandaigua Road, Palmyra for a Zoning Violation. This motion was seconded by Councilman Wheeler and passed with 4 ayes.

MOTION TO
PROSECUTE
MR. K. FRANKE

Councilman Cook also moved to authorize the Town Attorney to prosecute Mr. Kenneth Franke of Marquart's Mobile Manor, Palmyra for a Zoning Violation. Councilman Wheeler seconded this motion and it passed with 4 ayes.

MOTION TO
ADJOURN

The motion to adjourn this Town Board meeting was made by Councilman Wheeler, seconded by Councilman Cook and passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman
Beverly E. Hickman, Town Clerk

* Correction made to this motion at the January 10, 1985 meeting. This motion now reads as follows:

WHEREAS there is a surplus in the Machinery Fund,
THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of \$10,000.00 from the Machinery Fund to the Capital Fund-Machinery Reserve. Mr. Cook agreed to second this motion and it passed with 4 ayes.