

Town of Palmyra - Minutes

1985



ORGANIZATIONAL MEETING

The Organizational Meeting of the Town Board of the Town of Palmyra was called to order at 7:30 P.M. on Thursday, January 3, 1985 in the Town Office, 201 East Main Street, Palmyra 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 PRAYER  
PLEDGE OF ALLEGIANCE

Upon roll call, the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Nelson Cook and David Lyon. Councilman Donald Sinclair arrived late in the meeting. ROLL CALL

The following appointments were made by Supervisor Aplin: APPTS. BY SUPERVISOR

Deputy Supervisor	James G. Elliott
Account Clerk	W. Virginia Wilson
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
		Donald Sinclair, Committee Member
Cemeteries Committee	-	Donald Sinclair, Chairman
Economic Development Comm-		Donald Sinclair, Chairman
Town Building Committee	-	David Lyon, Chairman
Consolidation of Town & Village Committee	-	Edwin Wheeler, Chairman

A motion was made by David Lyon to appoint Paul T. Rubery as the Town Attorney for the year 1985. The motion was seconded by Councilman Wheeler and passed with 4 ayes. MOTION TO APPT TOWN ATTORNEY

A motion was made by Councilman Lyon, seconded by Councilman Wheeler, to approve the following appointments and salaries retro-active to January 2, 1985: 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	\$8,500.00 annually
Town Historian	Marjorie C. Clark	\$ 125.00 annually
Town Constable	Francis Toole	Fee Reimbursement
Zoning Enforcement Officer	Judson Roney	
Building Inspector	Judson Roney	\$6,300.00 annually
Dog Control Officer		Fee Reimbursement
Water Dist. Superintendent	Harold Kruger	Per Contract
Water District Cashier	Beverly E. Hickman	\$ 450.00 annually
Water Billing Clerk	Leona M. Busch	\$ 900.00 annually
Deputy Town Clerk	Betty B. Stubbings	\$ 5.25 per hour
Deputy Town Clerk	W. Virginia Wilson	\$ 5.00 per hour
Deputy Town Clerk	Doris Winston	\$ 4.50 per hour
Account Clerk	W. Virginia Wilson	\$8,000.00 annually
Deputy Account Clerk	Judith McIntyre	\$ 4.75 per hour
Registrar	Beverly E. Hickman	Fee Reimbursement
Deputy Highway Supt.	Lyman Kaller	None
Health Officer	Town Board	None
Voting Machine Custodians	Ellsworth Bedette	\$ 125.00 per occasion
	Fred Trowbridge	\$ 125.00 per occasion
Court Clerks	Helga Haak	\$2,200.00 annually
	Patricia L. Daynes	\$2,200.00 annually
Election Inspectors		\$ 3.75 per hour

January 3, 1985 Continued

Secretary to Zoning Board Jacqueline Thompson \$ 4.25 per hour  
 Fire Wardens Ronald Madsen None  
 Harlin Tyler Jr. None

The motion passed with 4 ayes.

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

MOTION TO  
 APPV HOURLY  
 RATES FOR  
 TOWN CREW

Deputy Highway Superintendent	\$8.59 per hour
Senior Equipment Operator	\$8.24 per hour
Other Crew Members	\$8.06 per hour

The motion passed with 4 ayes.

MOTION TO  
 SET RATE FOR  
 MILEAGE

A motion was made by Councilman Lyon, seconded by Councilman Wheeler, that the rate for reimbursement of mileage for Town Business be set at \$.22 per mile for the year 1985. The motion passed with 4 ayes.

MOTION FOR  
 OFFICIAL  
 NEWSPAPER

A motion was made by Councilman Wheeler, seconded by Councilman Cook, that the Palmyra Courier Journal be designated as the official newspaper for the Town of Palmyra for the year 1985. This motion passed with 4 ayes.

MOTION TO SET  
 REG MTS NITS

A motion was made by Councilman Wheeler, seconded by Councilman Lyon, to hold the Regular Meeting of the Town Board on the 2nd and 4th Thursday of each month as needed - the first meeting in April and October is to be held in East Palmyra - the second meeting in November is to be held Monday, the 25th and the second meeting in December is to be held Monday, the 30th - all meetings during Eastern Standard Time will begin at 7:30 P.M. and all meetings during Daylight Savings Time will begin at 8:00 P.M. The motion passed with 3 ayes - 1 naye. Supervisor Aplin voting naye.

MOTION FOR  
 DESIGNATION  
 OF OFFICIAL  
 DEPOSITORIES

A motion was made by Councilman Lyon, seconded by Councilman Cook, to designate as Official Depositories for the Town of Palmyra for the year 1985, the following banks: Marine Midland, Lincoln Trust, Manufacturer's Hanover, Central Trust, Banker's Trust and Security Trust. The motion passed with 4 ayes.

MOTION TO  
 PAY ITEMS  
 PRIOR TO  
 AUDIT

A motion was made by Councilman Lyon, seconded by Councilman Wheeler, 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.) This motion passed with 4 ayes.

MOTION TO  
 SET PRICE  
 FOR GRAVEL

A motion was made by Councilman Wheeler, seconded by Councilman Lyon, that the price for gravel (bank run) is not to exceed \$1.00 per cubic yard. The motion passed with 4 ayes.

MOTION RE:  
 SMOKING BAN

A motion was made by Councilman Wheeler, seconded by Councilman Lyon, that the smoking ban continue to be in effect at the Town Board Meetings and Public Hearings. The motion passed with 3 ayes - 1 naye. Supervisor Aplin voting naye.

MOTN TO APPT  
 DEL & ALT TO  
 ASSOC, OF TNS  
 MEETING

A motion was made by Councilman Lyon, seconded by Councilman Cook, to appoint Donald Sinclair as Delegate to the Association of Towns Meeting and to appoint Councilman Wheeler as Alternate. The motion passed with 4 ayes.

MOTION RE:  
 SIGN. DESIG.  
 FOR CHECKS

A motion was made by Councilman Wheeler, seconded by Councilman 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 - also the Town Clerk, Beverly E. Hickman; in the absence or inability of the Town Clerk - Deputy Town Clerk, Betty B. Stubbings. The motion passed with 4 ayes.

Councilman Lyon moved to pay the Highway Superintendent every two weeks, to coincide with the highway crew. Councilman Wheeler seconded this motion and it passed with 4 ayes.

MOTION TO  
PAY HWY SUPR  
BT-WEEKLY

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 made by Councilman Lyon, seconded by Councilman Wheeler, and passed with 3 ayes - 1 naye. Supervisor Aplin voting naye.

MOTION TO  
ADOPT RULES  
OF PROCEDURE

Following a review of the minutes for December 13, 1984 and December 17, 1984, a motion to approve these minutes as submitted was made by Councilman Wheeler, seconded by Councilman Cook and passed with 4 ayes.

MOTION TO APV  
MIN OF  
12/13/84 &  
12/17/84

COMMUNICATIONS

1. Letter of resignation from Lyman Kaller, Acting Highway Superintendent, effective February 1, 1985
2. Letter of resignation from Nelson Cook, Town Councilman, effective February 1, 1985

Councilman Lyon moved to accept, with regret, the two resignations. Councilman Wheeler seconded this motion and it passed with 3 ayes. Councilman Cook abstained.

MOTION TO  
ACCEPT RESGNAT  
L. KALLER &  
N. COOK

A motion for a five minute recess was then made by Councilman Lyon, seconded by Councilman Wheeler and passed with 4 ayes.

MOTION FOR A  
5 MIN RECESS

During this recess Councilman Sinclair arrived at the meeting. Following the recess, Councilman Wheeler moved to extent the 1984 appointment of the Dog Control Officer, Harold Fisher, to the next regular meeting of the Town Board (January 10, 1985). Councilman Cook seconded this motion and it passed with 5 ayes.

MOTION TO EXT  
D C OFFICER  
UNTIL NEXT  
REG MTG

Councilman Lyon suggested that, in reference to the Highway Superintendent and Town Councilman positions that need to be filled, possibly the political party committees should be notified and asked for recommendations. The Board agreed with this suggestion.

TWO POSITIONS  
TO BE FILLED  
CONTACT COMM.  
FOR RECOMM.

Councilman Wheeler moved to adjourn this meeting of the Town Board. Councilman Lyon seconded this motion and it passed with 5 ayes.

MOTION TO  
ADJOURN

Respectfully submitted,

*Beverly E. Hickman*  
Beverly E. Hickman, Town Clerk

January 10, 1985

CALL TO ORDER

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on January 10, 1985 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 7:35 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 ALLEGIANCEROLL CALL

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, David Lyon and Nelson Cook. Donald Sinclair was absent from this meeting. Others present at this meeting were Tim Wilbur, James Elliott, Judson Roney and Paul Rubery.

COMMUNICATIONS

There were no communications to be read.

RPTS OF STAND. COMMITTEESREPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

HIWY COMM.

Mr. Lyon reported to the Board that the highway crew, in addition to their regular work, had been drawing slag, salt and sand. They have also met with property owners on South Creek Road and the right-of-ways to these properties is underway for next summer's project.

WATER & FIRE COMMITTEE

Water & Fire Committee - Edwin Wheeler, Chairman

## 1. Master Meters

Mr. Wheeler moved that, contingent upon acceptance of the Village of Palmyra, effective with the current billing quarter and in lieu of available master meter readings, that the North Water District commence a 7% surcharge remittance (at bulk rate) based on total residential billing per quarter to be paid to the Village of Palmyra. David Lyon seconded this motion and it passed with 4 ayes.

MOTION TO PAY V OF PAL 7% SRCHG FOR THE N. WTR DIST. QTRLYLANDFILL COMM.

Landfill Committee - Donald Sinclair, Chairman

No report.

CEMETES COMM.

Cemeteries Committee - Donald Sinclair, Chairman

No report.

ASSESS., PLN. & ZON. COMMITTEE

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

## 1. Mobile Home Permits

Mr. Cook asked the Board if they were willing to accept the findings of a inspection of the Mobile Home Parks that had been done by the Zoning Enforcement Officer instead of by the Board. After a short discussion,

MOTION TO APV M. H. P. PERM WATERWAYS T P VALY VIEW MHP PINE TREE PK

Mr. Wheeler moved that the Town Board of the Town of Palmyra approve the Mobile Home Park Permits for Waterways Trailer Court, Valley View Mobile Home Park and Pine Tree Park retroactive from January 1, 1985 thru December 31, 1985. This approval being contingent upon tie-downs being done on all mobile home units by August 1, 1985. Mr. Cook seconded this motion and it passed with 4 ayes.

## 2. John Finerghy - Violation

Mr. Cook reported to the Board that a deck has been added to the side of Finn's Inn without a permit of any kind. John Finerghy, proprietor, did speak to Judson Roney regarding a building permit. Mr. Roney told him that he would consider this a enlargement of the business and that would therefore need Town Board approval. Mr. Finerghy did not seek Town Board approval but has had the deck lit anyway. Mr. Cook moved that the Town Board of the Town of Palmyra authorize the Town Attorney, Paul Rubery,

MOTION TO AUTHORIZE PROSECUTION J. FINERGHY M. FINERGHY



to prosecute John Finerghy, proprietor of Finn's Inn, and his mother Mrs. Margaret Finerghy, owner. Mr. Wheeler seconded this motion and it passed with 4 ayes.

TN BLDG COMM.

Town Building Committee - David Lyon, Chairman

No report at this time.

CONSOLIDATION OF  
TN & VILL COM

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

After a review of the minutes submitted for December 27, 1984 and for January 3, 1985, Mr. Wheeler moved for approval as submitted. Mr. Cook seconded this motion. Mr. Lyon called the Board's attention to the last motion under "Transfer of Funds" in the December 27, 1984 minutes. This motion was left in the discussion stage, without a second or a vote.

MOTION TO APV  
MINUTES OF  
DEC. 27, 1984  
& JAN. 3, 1985

Mr. Lyon corrected this motion to read as follows:

CORR. TO MIN  
OF DEC. 27'84

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.

Mr. Wheeler then withdrew his motion for approval as submitted and Mr. Cook withdrew his second. A motion was then made by Mr. Wheeler to approve the minutes of December 27, 1984 with the above correction and the minutes of January 3, 1985 as submitted. Mr. Lyon seconded this motion and it passed with 4 ayes.

MOTION TO APV  
MIN AS SUB-  
WAS WITHDRAWN

MOTION TO APV  
MIN W/CORR.

Following a review of the Vouchers submitted for payment, Mr. Wheeler moved to approve payment of the vouchers as submitted on Abstract #1. This motion was seconded by Mr. Cook and passed with 4 ayes.

MOTION TO APV  
PAYMENTS OF  
VOUCHERS

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

MOTION TO  
ADJOURN

Respectfully submitted,

*Beverly E. Hickman*

Beverly E. Hickman, Town Clerk

January 24, 1985

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on January 24, 1985 in the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 7:35 P.M.

CALL TO ORDERSILENT PRAYERPLEDGE OF ALLEGIANCEROLL CALL

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 James Elliott, Deputy Supervisor, Judson Roney-Assessor and Paul Rubery-Town Attorney.

COMMUNICATIONSCOMMUNICATIONS:

1. Thank you card from the Town Clerk's Mother
2. Letter from Palmyra Republican Committee
3. Letter from Palmyra Democratic Committee

MOTION TO APPROVE MIN. 1/10/85

Following a review of the minutes from the January 10, 1985 meeting, Edwin Wheeler moved to approve the minutes of January 10, 1985 as submitted. Nelson Cook seconded this motion and it passed with 5 ayes.

STANDING COMMITTEESHIGHWAY COMMITTEE

Highway Committee - David Lyon, Chairman

1. Resolution for James DeBrine Jr.

The following resolution was moved by Supervisor Aplin and was seconded by Edwin Wheeler:

MOTION TO HONOR THE RETIREMENT OF J. DEBRINE, JR.

WHEREAS, the Honorable James DeBrine has retired as Superintendent of Highways of the Town of Palmyra, Wayne County, State of New York; and

WHEREAS, James DeBrine was first employed by the Town of Palmyra on the 15th day of April, 1944; and

WHEREAS, on the 27th day of March, 1958, he became the Superintendent of Highways of the Town of Palmyra, succeeding his father and has been elected to that position every two years until November 1979 and on two occasions for four years thereafter, until his date of retirement; and

WHEREAS, the Town has been informed that his retirement ends nearly a hundred years of service by the DeBrine Family to the travelers on Wayne County Highways commencing with Jim's grandfather in Pultneyville and ending with Jim's retirement on January 15, 1985; and

WHEREAS, the retirement of James DeBrine marks the conclusion of over 57 years of dedicated service to the Town of Palmyra by James DeBrine, Sr. and James DeBrine, Jr.; and

WHEREAS, the Town Board of the Town of Palmyra wishes to recognize his outstanding devotion to the Town and his concern for the people of Palmyra in insuring their safety and convenience over the last 40 years by the care and attention with which he has performed his duties.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Palmyra does hereby take this opportunity to acknowledge the outstanding job which James DeBrine has done for the Town of Palmyra, and to express publicly the appreciation of the current and former members of the Town Board, as well as the Town's People, for his 40 plus years of dedication, concern, and the competent service rendered, which has enhanced the quality of life in Palmyra; and

BE IT FURTHER RESOLVED, that the Town Board takes this opportunity to recognize the contributions and sacrifices made by his wife, Jacqueline, in Jim's many years of service to the Town and express our appreciation to her; and

BE IT FURTHER RESOLVED, that the Town Board takes this opportunity to convey to James and Jacqueline DeBrine, its best wishes in the years to come; and

BE IT FURTHER RESOLVED, that this resolution shall be spread in the minutes of the Town Board of the Town of Palmyra and a certified copy be forwarded to James and Jacqueline DeBrine.

This resolution was passed with 5 ayes.

2. Lyman Kaller's extra pay

The following motion was made by David Lyon:

WHEREAS, Lyman Kaller has expended extra hours for which he has not been paid, and

WHEREAS, Lyman Kaller has accrued vacation time which he will lose by retirement, and

WHEREAS, the Town of Palmyra has benefitted by Kaller performing the Highway Superintendent's functions at a rate some \$2.40 less per hour since the resignation of the Highway Superintendent,

NOW THEREFORE BE IT RESOLVED,

- 1) That Lyman Kaller be paid at his regular hourly rate of \$8.59 per hour, but not time and a half, for extra hours he has expended in the past fifty weeks.
- 2) Lyman Kaller be paid for any accrued vacation.
- 3) That the total of said payments are not to exceed \$1,000.00.

This motion was seconded by Edwin Wheeler and following a brief discussion, it passed with 5 ayes.

3. Appointment of Highway Superintendent

David Lyon moved to appoint Nelson Cook to the position of Highway Superintendent for the Town of Palmyra commencing February 1, 1985 thru December 31, 1985. Edwin Wheeler seconded this motion. During the discussion that followed, David Lyon reported to the Board that there had been five (5) applications for this position. He and his committee, consisting of Andy Baron (former Town Councilman and Highway Committee Chairman) and Jon Edinger (engineer with Wayne County DOT), had interviewed all five (5) applicants. They had agreed unanimously that Nelson Cook was the best qualified applicant. Supervisor Aplin said he feels that there is a excellent man already working on the highway crew, so why not appoint this man until the fall election? David Lyon replied that this man Supervisor Aplin was referring to had not chosen to make out a application for this position. Supervisor Aplin also feels that this opening should have been advertised. Donald Sinclair stated that both the Highway Superintendent's and the Deputy Highway Superintendent's resignations had been on the front page of the Courier Journal and he felt that most everybody knew there was a position open without us spending the money to pay for a ad also. Upon the vote being called, the above motion passed with 3 ayes - 1 naye (Supervisor Aplin) - 1 abstained (Nelson Cook)

Water & Fire Committee - Edwin Wheeler, Chairman

Mr. Wheeler reported to the Board that he understood the Village Board had agreed to our proposal to compensate for the master meter problem but he had not had any official correspondence as yet.

Landfill Committee - Donald Sinclair, Chairman

Mr. Sinclair reported that proposals had been sent out to the local haulers and he expected their replies by February 19, 1985.

Cemeteries Committee - Donald Sinclair, Chairman

No report at this time.

Assessment, Planning & Zoning Committee - Nelson Cook, Chairman

1. Re-appointment of William Clark to Zoning Board of Appeals

Nelson Cook moved to re-appoint William Clark to the Zoning Board of Appeals retroactive from October 1984 thru October 1989. Edwin Wheeler seconded this motion and it passed with 5 ayes.

RESOLUTION  
GRANTING  
EXTRA PAY FOR  
L. KALLER

MOTION TO APPT  
N. COOK AS  
HIWY SUPER-  
INTENDENT

WATR & FIRE  
COMMITTEE

LANDFL COMM

CMTRES COMM.

MOTION TO  
REAPPOINT  
W. CLARK TO  
ZON BD/APPLS



## 2. Mobile Home Park Permit - Pulcini

MOTION TO APV  
M H P PERMIT  
FOR PULCINI'S  
TRLR PARK

Nelson Cook moved that the Town of Palmyra approve the Mobile Home Park Permit for Pulcini's Trailer Park retroactive from January 1, 1985 thru December 31, 1985. This approval being contingent upon tie-downs being done on all mobile home units by August 1, 1985. This motion was seconded by Edwin Wheeler and passed with 5 ayes.

## 3. Committee Summary

Mr. Cook had this summary compiled simply to let the Board know where things stood at the time of his resignation next week.

## 4. Elizabeth Briggs wishes to address the Board

Mrs. Briggs had not yet arrived at this meeting so we will hear her upon her arrival.

TN BLDG COMM.

Town Building Committee - David Lyon, Chairman

## 1. Bids for remodeling

Mr. Lyon decided that he would postpone going over these bids at this time.

CONSIDERATION OF  
TN & VILL COMM.

Consolidation of Town & Village Committee - Edwin Wheeler,  
Chairman

No report at this time.

## OTHER BUSINESS:

1. Town Clerk's Annual Report
2. Court Clerk's Annual Report
3. Town Historian's Annual Report

MOTION TO  
ACCEPT & FILE  
ANNUAL RPTS  
FRM TN CLERK  
COURT CLERKS  
TN HISTORIAN

David Lyon moved to accept and file the Annual Reports from the Town Clerk, the two (2) Court Clerks and the Town Historian. Edwin Wheeler seconded this motion and it passed with 5 ayes.

## 4. Dog Control Officer Appointment

MOTION TO APPT  
H. FISHER AS  
DOG CNTRL OFF

Edwin Wheeler moved to approve the appointment of Harold Fisher as the Dog Control Officer for the Town of Palmyra. Nelson Cook seconded this motion and it passed with 5 ayes.

## 5. Letter from Justice Hunt

REQUEST FROM  
JUDGE HUNT FOR  
JURY TRIAL  
FACILITIES

Mr. Hunt was requesting larger courtroom facilities for a jury trial he has scheduled. David Lyon suggested renting the village courtroom. It was decided that the Town Clerk would write a letter to Mayor Strong requesting same. Justice Hunt will be notified to check with David Lyon regarding outcome.

MOTION TO  
PAY VOUCHERS

Following a review of the Vouchers submitted for payment, Edwin Wheeler moved to approve payment of Vouchers as submitted on Abstract #1A. This motion was seconded by Nelson Cook and passed with 5 ayes.

E. BRIGGS  
ADDRESSED  
THE BOARD

Elizabeth Briggs, Chairman of the Palmyra Zoning Board of Appeals, arrived at the meeting. She brought with her a Hearing Guide she had obtained at the Zoning Board of Appeals Seminar she attended. She would like the Town Board's approval to use this to help her committee set up a guide of their own. The Town Attorney, Paul Rubery, explained to Mrs. Briggs that it was not up to the Town Board to approve this. He thought she should co-ordinate this idea with Judson Roney and he would be glad to help out if she would like him to. Mrs. Briggs thanked the Board for hearing her and for their help. She explained that she did not want to over-step her bounds.

MOTION TO  
ADJOURN

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

*Respectfully Submitted,  
Suevely E. Helman*

Saturday, February 2, 1985

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Special Meeting

The Special Meeting of the Town Board of the Town of Palmyra called for Saturday, February 2, 1985 was called to order by Supervisor Aplin at 9:08 A.M. in the Town Office, 201 East Main Street, Palmyra.

CALL TO ORDER

Upon roll call the following Board members were present: Supervisor Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, and David Lyon. Others in attendance were the Town Attorney, Paul Rubery, and the Deputy Supervisor, James Elliott.

ROLL CALL

Three names were presented to the Board for consideration to fill the vacancy on the Town Board due to the resignation of Nelson Cook. These names were Peter Burn, Ralph Ingold and Andy Baron. David Lyon moved to approve the appointment of Andy Baron for Town Councilman to fill the unexpired term of Nelson Cook; with this appointment becoming effective immediately and running thru December 31, 1985. Donald Sinclair seconded this motion. During the discussion that followed David Lyon said that Mr. Baron was an old hand in the Highway Dept. and with a new Highway Superintendent he felt that this experience would be beneficial to the Town. The motion passed with 4 ayes.

MOTION TO  
APPOINT  
A. BARON AS  
TOWN COUNCILMAN

At this time David Lyon moved to correct a motion passed on January 3, 1985. This motion now reads:

MOTION TO  
CORRECT MOTION  
MADE 1/3/85  
RE: PAYING  
HIWAY SUPER.  
TWICE A MONTH

Councilman Lyon moved to pay the Highway Superintendent every two weeks, to coincide with the Highway crew. Councilman Wheeler seconded this motion and it passed with 4 ayes.

Mr. Lyon would like the above motion to read as follows;

Councilman Lyon moved to pay the Highway Superintendent semi-monthly, on the 15th and the last day of each month.

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

David Lyon then moved to pay the new Highway Superintendent the annual rate of \$22,850.00 per year as advertised for the budget year of 1985. Edwin Wheeler seconded this motion. Supervisor Aplin said that he feels this amount of money is too high for a appointed position. David Lyon said this was the amount of pay he had told all five (5) of the applicants and most of them would have to take a considerable cut in pay if they received the appointment. This motion passed with a vote of 3 ayes - 1 naye (Supervisor Aplin).

MOTION TO  
SET SALARY  
FOR APPTD  
HIWAY SUPER

A motion was then made by David Lyon, seconded by Edwin Wheeler, and passing with 4 ayes, that the Town Board of the Town of Palmyra confirm the appointment of Fred Lawson as Deputy Highway Superintendent.

CONFIRMATION  
OF DEPUTY  
HIWAY SUPER

David Lyon reported to the Board that he had recieved a letter from Mayor Strong stating that the Village of Palmyra has made arrangements to allow Judge Hunt to use the Village of Palmyra Courtroom for three (3) evenings for a jury trial at a cost to us of \$50.00 per evening. The Board asked the Town Clerk to send a letter to Judge Hunt informing him of same and to tell him to request reimbursement from Mr. Carl Walrath of Stop DWI.

VILL OF PAL  
RENTING USE  
OF COURTROOM  
FOR JURY TRI.

David Lyon then moved to approve a total of \$40.00 for retirement plaques for James DeBrine Jr. and Lyman Kaller as stated in our Town Laws. Edwin Wheeler seconded this and it passed with 4 ayes.

MOTION TO APPV  
MONEY FOR  
PLAQUES

The motion to adjourn this Special Meeting of the Town Board was made by Edwin Wheeler, seconded by David Lyon and passed with 4 ayes.

MOTION TO ADJUN

Respectfully submitted,

*Donald E. Wheeler*

February 14, 1985

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on February 14, 1985 at the Town Office, 201 East Main Street, Palmyra, was called to order by Supervisor Leroy Aplin at 7:45 P.M.

CALL TO ORDERSILENT 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 and Andy Baran. Others present were James Elliott-Deputy Supervisor, Paul Rubery-Town Attorney and Judson Roney-Assessor & Zoning Enforcement Officer.

ROLL CALLCOMMUNICATIONS:COMMUNICATIONS

1. Thank you note from Marie Roney
2. Letter from Lee E. Lannon, Sr.-Re: Interview for job with highway crew. (This letter was turned over to the Highway Committee.)

Reports of Standing Committees:RPTS OF STNDG COMMITTEES

Due to a change in the Town Councilmen, Supervisor Aplin made some changes in Standing Committee Appointments. A complete list of same follows:

CHGS IN COMM APPOINTMENTSNew Standing Committee Appointments

Highway Committee	-	David Lyon, Chairman Andy Baran, Committee Member
Water & Fire Committee	-	Edwin Wheeler, Chairman
Landfill Committee	-	Andy Baran, Chairman David Lyon, Committee Member Edwin Wheeler, Committee Member
Assessment, Planning & Zoning Committee	-	Donald Sinclair, Chairman Andy Baran, Committee Member
Cemeteries Committee	-	Andy Baran, Chairman
Economic Development Comm.	-	Donald Sinclair, Chairman
Town Building Committee	-	David Lyon, Chairman
Consolidation of Town & Village Committee	-	Edwin Wheeler, Chairman

HIWY COMMITTEE

Highway Committee - David Lyon, Chairman

No report.

WATER & FIRE COMMITTEE

Water & Fire Committee - Edwin Wheeler, Chairman

No report at this time.

LANDFILL COMM

Landfill Committee - Donald Sinclair, former Chairman  
Andy Baran, new Chairman

Supervisor Aplin suggested that Donald Sinclair get together with Mr. Baran and update him on the standings of the landfill situation. The Board was then informed by Supervisor Aplin that Wright's Disposal was still dumping at our landfill. Mr. Sinclair said he had written letters to both of the local haulers telling them to make alternate arrangements as of January 1, 1985. Mr. Sinclair told the Town Clerk to write another letter to Kevin Wright explaining that the landfill was open to our Saturday morning people only. There were no objections to said letter by any of the Board members.

SEND LETTER TO K. WRIGHTCMTRES COMM

Cemeteries Committee - Donald Sinclair, former Chairman  
Andy Baran, new Chairman

Mr. Sinclair said he will also update Mr. Baran on pending situations for this committee.

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

1. Purchase of equipment for Assessor's Office

- (a) Chair Mat -----\$80.00
- (b) Coat Rack -----\$35.00

Total not to exceed \$115.00

Edwin Wheeler moved to approve Item #1 above for a amount not to exceed \$115.00 and Item #4 listed under Other Business for a amount not to exceed \$180.00. Donald Sinclair seconded this motion and it passed with 4 ayes.

ASSESS, PLN.  
& ZON COMM.

MOTION TO APPROVE  
PURCHASES FOR  
ASSESSOR'S  
OFFICE

2. Codification

Donald Sinclair suggested that the Board consider having a codification done next year. Donald would like to have a presentation given to the Board regarding this matter.

CODIFICATION  
DISCUSSED

Town Building Committee - David Lyon, Chairman

No report at this time.

TN BLDG COMM.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

CONSOLIDATION OF  
TN & VIL COMM

OTHER BUSINESS:

1. Supervisor's Annual Report

A motion to accept and file the Supervisor's Annual Report was made by Donald Sinclair, seconded by Edwin Wheeler and passed with 4 ayes.

OTHER BUSINESS

MOTION TO ACCEPT  
& FILE SUPER'S  
ANNUAL REPORT

2. Family Support Program

Supervisor Aplin informed the Board that he had received a letter from Joan McCann regarding this new program. He had advised her to call the Town Clerk to make arrangements to be placed on the agenda if she wanted to address the Board. She has not called the Town Clerk as of today.

FAMILY SUPPORT  
PROGRAM

3. Audit of Justice's dockets, financial reports, books, etc.

Following a brief discussion, it was decided that Paul Rubery would check with some accounting firms, of which he is familiar, to get a price for this type of job.

AUDITING OF  
JUSTICE'S  
BOOKS, ETC.

4. Purchase of stand to hold Xerox machine on 2nd floor

This was covered under Item #1 of Assessment, Planning & Zoning Comm.

PURCHASE OF  
STAND FOR  
XEROX MACH.

5. Blue Cross/Blue Shield.- Sally Lynch

The following resolutions were offered by Edwin Wheeler, seconded by Donald Sinclair and passed with 4 ayes.

MOTION TO ESTABLISH  
SALARY  
FOR S. LYNCH

WHEREAS, Sally Lynch is entitled to a salary established by a published notice; and

WHEREAS, she wishes to use a portion of said salary to aid, Mildred Lynch, who assists her in her duties,

NOW THEREFORE, BE IT RESOLVED, that Sally Lynch's salary be established at \$1914.00.

WHEREAS, Sally Lynch's salary is established at \$1914.00; and

WHEREAS, there is a surplus in the account,

NOW THEREFORE, BE IT RESOLVED, that the surplus be transferred to the contractual (fringe benefits) account.

MOTION TO TRANSFER  
SURPLUS FUNDS  
TO CONTRACTUAL  
(FRINGE BENEFITS)  
ACCOUNT

WHEREAS, Sally Lynch has received much assistance from non-paid volunteers; and

WHEREAS, one of the volunteers is her mother with whom she lives,

February 14, 1985 Continued

MOIN TO FRNSH  
BC/BS TO  
M. LYNCH FROM  
THE BUDGET OF  
THE TAX  
COLLECTOR

NOW THEREFORE, BE IT RESOLVED, that at the request of Sally Lynch, from the budget of the Tax Collector that the Town furnish Blue Cross/Blue Shield coverage from the budget of the Tax Collector to Mildred Lynch's salary as said sum shall be budgeted so long as Sally Lynch shall be the Tax Collector for the Town of Palmyra.

MOIN TO FRNSH  
BC/BS TO  
M. LYNCH FROM  
THE BUDGET OF  
THE TAX COL-  
LECTOR

MOIN TO APV  
MINUTES OF  
1/24/85 &  
2/2/85

Following a review of the minutes for January 24, 1985 and February 2, 1985, Edwin Wheeler moved to approve, as submitted, the minutes from the January 24, 1985 and February 2, 1985 Town Board meetings. Donald Sinclair seconded this motion and it passed with 4 ayes.

MOIN TO APV  
PAYMENT OF  
VOUCHERS

The motion to approve payment of vouchers as shown on Abstract #2 was made by Edwin Wheeler, seconded by Donald Sinclair and passed with 4 ayes.

MOIN TO ADJRN

Edwin Wheeler then moved to adjourn this meeting of the Town Board. Donald Sinclair seconded this motion and it too passed with 4 ayes.

Respectfully submitted,

Beverly E. Hickman  
Beverly E. Hickman, Town Clerk



The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on February 28, 1985 at the Town Office, 201 East Main Street, Palmyra, was called to order at 7:34 P.M. by Town Supervisor Leroy 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, David Lyon and Andy Baran. Others in attendance were Kevin Wright, Anne Blackburn, Ralph Blackburn, Jim Elliott (Deputy Supervisor), and Paul Rubery (Town Atty).

COMMUNICATIONS:

1. Letter from Gordan VanMaldeghem
2. Notice from Hershey, Malone & Associates and Harnish & Lookup Associates, P.C. Re: Merger

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

1. Report on letter from Lee Lannon

David Lyon and Andy Baran have checked into this matter and have drafted a letter to be sent to Mr. Lannon. Mr. Lyon read the proposed letter to the Board. Edwin Wheeler moved to approve sending this letter to Mr. Lannon as written. Andy Baran seconded this motion and it passed with 4 ayes. A copy of this letter is attached to these minutes and another copy has been filed with the 1985 general correspondence.

2. Report of Highway Crew

Mr. Lyon reported to the Board that besides plowing snow, the highway crew has been rebuilding the roller, putting up signs, cleaning up the shop and taking inventory of their machinery and equipment.

Supervisor Aplin read a letter from the State of New York Department of Transportation assuring the County that they will get the grant for the Galloway's Bridge project. The amount is not known but the money is expected by the end of this month (March).

Water and Fire Committee - Edwin Wheeler, Chairman

Mr. Wheeler had a letter from the Village of Palmyra verifying that they had approved the 7% surcharge for the North Water District master meter as a solution to our problem.

Landfill Committee - Andy Baran, Chairman

1. Ralph Blackburn would like to address the Board. Mr. Ralph Blackburn of 312 Railroad Avenue, Palmyra, said he would like to protest having a "transfer station" right beside his house. He did not like the idea of the noise, dust, traffic or smell this would create. He felt a better location could be found. After a lengthy discussion, David Lyon said he thought the problems could be worked out and that arrangements could be made to move the area away from the Blackburn house. Andy Baran agreed with this and told the Blackburns he would be in touch with them before anything definite was done.

2. Bid Openings

Prior to the opening of these bids, Kevin Wright of Wright Disposal (one of the bidders) suggested that perhaps the Town Board could

CALL TO ORDER

SILENT PRAYER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMUNICATIONS

RPTS OF STNDG COMMITTEES

HIWY COMM

LETTER TO L. LANNON

MOTION TO APPROVE SENDING THIS LETTER TO MR. LANNON

HIGHWAY CREW

INFORMATION RE GALLOWAY'S BRIDGE

WATER & FIRE COMMITTEE

VILL OF PAL 7% SURCHARGE TO COVER NORTH WATER METER

LANDFILL COMM

COMPLAINT FROM THE BLACKBURNS

BID OPENINGS

February 28, 1985

prohibit truckloads of roofing, sheetrock etc., because it is hard on a packer and have the contractors dispose of these materials themselves.

The following bids were then opened in the order received and listed:

D & L Disposal  
338 Railroad Avenue  
Palmyra, NY 14522  
Refuse Station located at Kent Street, Palmyra, NY  
Every Saturday: 8:00 a.m. to 1:00 p.m.  
Price: \$145.00 per week

Wright's Disposal, Inc.

Bid Proposal  
Service Day: Saturdays from 8:00 A.M. to 1:00 P.M.  
Number of hours present at Town Site ----- 5 hours  
Number of hours traveling to Lyons Landfill--- 2 hours  
Total hours worked ----- 7 hours  
Total hours worked (7) X \$25.00 per hour = \$175.00  
\$175.00 X Saturdays per month.

These bids were then turned over to Committee. Committee will meet with both bidders and then make their recommendation to the Board.

CEMETERIES COMM

Cemeteries Committee - Andy Baran, Chairman

No report at this time.

ASSESS, PLAN & ZONING COMM

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

No report at this time.

TOWN BLDG COMM

Town Building Committee - David Lyon, Chairman

1. Renovation Bids

Mr. Lyon recommended to the Board the following bids:

Paul Batterby - Carpentry work  
Henry Pieters - Painting and Wallpapering  
Fran Rush & Son - Electrical Work

With a approximate total of \$6,000.00

MOTION TO APPROVE RENOVATION BIDS

Edwin Wheeler moved to approve the above recommendations of the Town

Building Committee Chairman, David Lyon. Andy Baran seconded this motion and it passed with 4 ayes.

CONSOLIDATION OF TOWN & VILLAGE COMM

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report.

MOTION TO APPROVE MIN OF 2/14/85

A motion was then made by Edwin Wheeler to approve the minutes from February 14, 1985 as submitted. Andy Baran seconded this motion and it passed with 3 ayes. David Lyon abstained, he was absent from this meeting.

OTHER BUSINESS

AUDITING OF JUSTICE'S BOOKS

1. Auditing of the Justice's books

Mr. Rubery is looking into this matter.

INSURANCE PROPOSALS

2. Insurance Proposals

The Town Clerk will send letters to VanParys Associates, Chapman Agency Inc., Macedon Agency Inc. and Augustine Marvin Agency, notifying them that we will be accepting proposals for three (3) expiring insurance policies until March 20, 1985.

MOTION TO APPROVE PAYMENT OF VOUCHERS

Following a review of the Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Andy Baran, to approve payment of Vouchers as submitted on Abstract #2A. 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

We, the residents of the town of Palmyra, living on Stafford Road, believe the resurfacing of our road this past summer was an inferior job and corrections should be made. The stones are continuing to come loose, our cars are getting chipped by passing cars, our children (not allowed to ride the bus) are being hit by stones from passing cars, our lawns have excessive piles of stones in them and many places in the road are back to the previous surface. Also, the dip as you leave the village, crossing Foster Street has for many years caused an excessive strain on the suspension system in our vehicles.

We are one of the few areas in Western Wayne County deprived of city water and when our tax money finally does something for us, we expect a quality job.

March 14, 1985

Ed Vander Molen	Betty Ann Palmetto
Leopold Vander Molen	Joanne Sroka
Deborah Trombino	Richard Hughson
Karl Paul	Hanna Hughson
Grita Adams	Edward Polle
James F. Adams	Laurie Polle
Leatha S. Wilson	Jean R. Crocker
Jay Wilson	Janita Nohitt
Ben Hanz	Elizabeth Smith
Doris Haroff	Tonieta Jones
Bob & Anita Otto	Jane Jones
Very Love	Dennis R. Wright
Karen L. Leone	Debra Wright
Mildred DeBew	G.W. Foy
Bruce DeBew	Charlotte Foy
Stan Sroka	Gladys Voss
Merrill Palmetto	William Voss
Debra S. Lyke	Joe Melhorn

(12)

Raymond J. Hermon

Marie Alberts

Linda Alberts

Walter Schuman

Lester Schuman

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on March 14, 1985 in the Town Office, 201 East Main Street, Palmyra, was called to order by Supervisor Leroy Aplin at 7:35 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

ROLL CALL

Upon roll call, the following Board members were present: Supervisor Aplin; Town Councilmen Donald Sinclair, David Lyon and Andy Baran. Others in attendance were Evert VanderMolen, Tim Wilbur, Debbie Coomber, Thomas Coomber, Donna VanHout, Jim Elliott (Deputy Supervisor), Paul Rubery (Town Attorney) and Chuck Lyons from the Courier Journal.

COMMUNICATIONS

1. Letter from Cablevision Industries Re: Price increases  
(Copies given to all Board Members)

This letter was turned over to Town Councilman Wheeler.

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

HIWY COMM.

1. Resolution for Lyman Kaller

The following resolution was offered by David Lyon:

RESOLUTION HONORING L. KALLER

WHEREAS, the Town Board of the Town of Palmyra, County of Wayne and State of New York has received the resignation of LYMAN KALLER, who, as Deputy Superintendent of Highways of the Town of Palmyra, and

WHEREAS, LYMAN KALLER has served the Town of Palmyra for 27½ years, having commenced employment on September 16, 1957, and

WHEREAS, LYMAN KALLER has in his function as Deputy Highway Superintendent for the past 19 years, since August 12, 1965, provided strength and support to the Superintendent of Highways, and

WHEREAS, LYMAN KALLER, because of the untimely illness of the Town Highway Superintendent, was called upon to assist the Town of Palmyra by performing not only his own job, but that of the Highway Superintendent, and

WHEREAS, his assistance to the Town in the emergency created by the illness of the Highway Superintendent has been above and beyond the requirement of his job and his handling of those duties, has been outstanding as his performance has been in the last 27½ years.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Palmyra does hereby publicly express its appreciation to LYMAN KALLER for his outstanding and dedicated service to the Town of Palmyra and to his wife, Sue, for her understanding and support in the past 27½ years., and

BE IT FURTHER RESOLVED, that the Town Board takes this opportunity to wish Lyman and Sue, his wife, the very best in their retirement years ahead, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of the Town Board and a certified copy of this resolution be furnished to Lyman and Sue Kaller.

Andy Baran seconded this resolution and it passed with 4 ayes.

2. Evert VanderMolen was present at this meeting and asked to address the Board

The following petition was read and presented to the Board by Mr. VanderMolen:

We, the residents of the Town of Palmyra, living on Stafford Road, believe the resurfacing of our road this past summer was an inferior job and corrections should be made. The stones are continuing to come loose, our cars are getting chipped by passing cars, our children(not allowed to ride the bus) are being hit by stones from passing cars, our lawns have excessive piles of stones in them and many places in the road are back to the previous surface. Also, the dip as you leave the village, crossing Foster Street has for many years caused an excessive strain on the suspension system in our vehicles.

PETITION FROM STAFFORD ROAD RESIDENTS



We are one of the few areas in Western Wayne County deprived of city water and when our tax money finally does something for us, we expect a quality job.

March 14, 1985

The above petition was signed by 42 Stafford Road residents.

David Lyon told Mr. VanderMolen that this was the first he had heard of this problem but he would investigate it. He thanked Mr. VanderMolen for calling this to the Board's attention.

RE: LETTER IN  
COURIER JOURNAL

3. Roy asked what was meant by the letter in a recent Courier Journal referring to a Town & Village merge in services

David Lyon explained about a exploratory meeting regarding a possible savings in highway departments, but strictly preliminary talks, nothing more than that.

WATER & FIRE  
COMMITTEE

Water & Fire Committee - Edwin Wheeler, Chairman

No report.

LANDFILL COMM

Landfill Committee - Andy Baran, Chairman

Mr. Baran thought perhaps right in back of the Town Barns would be a good site for the Saturday morning pick-up. He informed the Board that D & L Disposal met all the specifications and was the lowest of the two (2) bidders at \$145.00 per week. Mr. Baran turned this matter over to Paul Rubery.

DISCUSSION ON  
BIDS REC'D

Supervisor Aplin mentioned the article in the Courier Journal RE: hazardous material.

CEMETERIES COMM

Cemeteries Committee - Andy Baran, Chairman

Mr. Baran informed the Board that he had been in contact with Ralph Ingold and William Heckman regarding the proposed path at Swift's Cemetery. The total cost of this project to the Town, minus materials donated by the Mormans, will be \$1537.45. Andy Baran moved to accept the above offer. Donald Sinclair seconded this motion and it passed with 4 ayes.

MOTION TO  
ACCEPT OFFER  
FROM MORMANS  
RE: SWIFT'S  
CEMETERY

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

ASSESS, PLAN &  
ZONING COMM

1. Gerald East Waste Handling Permit

Donald Sinclair moved to approve the Permit to Collect, Transport, and Dispose of Human (Sewage and Septic Sludge) Waste Materials for Gerald East, 3316 Marion Road, Palmyra, for a term expiring on the 15th day of April 1986. David Lyon seconded this motion and it passed with 4 ayes.

MOTION TO APPV  
PERMIT FOR  
G. EAST

2. Paul Rubery's report on the status of the settlement with New York Telephone Company

Paul had no report at this time.

3. Schedule James VanDeWalle hearing for March 28, 1985  
Re: Sales/Repair Shop

MOTION TO  
SET PUB HEAR  
DATE FOR  
J. VANDEWALLE

Donald Sinclair moved to schedule a Public Hearing for James VanDeWalle for Special Authorization to open a small engine sales and repair shop at his residence to be held on March 28, 1985 at 7:30 P.M. This motion was seconded by David Lyon and passed with 4 ayes.

4. Authorize retention of Town Engineer Re: D. Sheer-Plat Plan

Judson Roney explained to the Board that all of this property had met the perk requirements, but because of -- being a old railroad bed, he feels problems may arise. The cost to have the Town Engineer evaluate

MOTION TO RETAIN  
TN ENGINEER  
DAVID SCHEER  
PROPERTY

this property will be between \$100.00 and \$150.00. Donald Sinclair moved to hire the Town Engineer to evaluate and document the David Scheer

property (3 sites) at a cost not to exceed \$200.00. David Lyon seconded this motion and it passed with 4 ayes.

5. Authorize Judson Roney to attend seminars

Donald Sinclair moved to authorize Judson Roney to attend a seminar on April 9, 1985 at the Tranholm East Re: Mobile Home Parks and another one in June of 1985 at Monroe Community College Re: Code Enforcement Training. This motion was seconded by David Lyon and passed with 4 ayes.

MOIN TO APPRV  
SEMINARS FOR  
J. RONEY

6. Schedule a Public Hearing for Dr. David Scoville for March 28, 1985 Re: Veterinarian business

Donald Sinclair moved to hold a Public Hearing for Special Authorization for Dr. David Scoville to have a veterinarian business at this residence at 4469 North Creek Road, Palmyra, (purchase of this property subject to results of Public Hearing) on Thursday, March 28, 1985 at 8:00 P.M. David Lyon seconded this motion and it passed with 4 ayes.

MOIN TO SET  
PUB HEARING  
DAVID SCOVILLE

Town Building Committee - David Lyon, Chairman

The Town Clerk reported to the Board that all of the contractors (3) had been in and will begin work as soon as possible.

TN BLDG COMM.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report.

CONSOLIDATION OF  
TN & VILL COMM

OTHER BUSINESS

OTHER BUSINESS

1. Distant Riders Re: Mud Party

Donna VanHour, Secretary of the Palmyra Racing Association, requested permission to hold their annual "Mud Party" on April 21, 1985. Following a brief discussion regarding the problem of parking along the side of the road, Donald Sinclair moved to authorize the Palmyra Racing Assoc. to hold their "Mud Party" on April 21, 1985 with the same conditions as last year. David Lyon seconded this motion and it passed with 4 ayes.

DISTANT RIDRS  
MUD PARTY

2. Penn Central

There has been no progress at this time, but Paul Rubery, the Town Attorney, will continue negotiating on this matter.

PENN CENTRAL

3. Justice Audit

Paul Rubery is waiting for a reply from a man that used to be an auditor for the City of Rochester, regarding the cost of this type of audit.

JUSTICE AUDIT

Supervisor Aplin brought to the attention of the Board a seminar entitled "OSHA and the Law" that is being held in Newark, New York on April 10, 1985. He suggested Paul Rubery look into this.

SEMINAR "OSHA  
& THE LAW"

Following a review of the Vouchers submitted for payment, Donald Sinclair moved to approve payment of Vouchers as submitted on Abstract #2B & #3. Andy Baran seconded this motion and it passed with 4 ayes.

MOIN TO APPRV  
PYMT OF VCHRS

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

MOIN TO ADJRN

Respectfully submitted,

*Beverly E. Hickman*  
Beverly E. Hickman, Town Clerk

March 28, 1985

## PUBLIC HEARING

HEARING OPENED

The Public Hearing scheduled to be held in the Town Office, 201 E. Main St., Palmyra, on Thursday, March 28, 1985 to consider the application of Mr. James VanDeWalle, 2506 Parker Road, Palmyra, to operate a small engine sales and repair shop on said property, was called to order at 7:34 AM by Supervisor Aplin.

Those in attendance, other than the Town Board, were William Bush, Donna Hall, Nelson Cook, David Slobe, William Baker, Katherine Fagner, Ernie G. Fagner, James VanDeWalle, Judson Roney and Paul Rubery.

Following the reading of the Proof of Publication by the Town Clerk, Supervisor Aplin asked for any comments either for or against this matter. Mr. Fagner spoke up and told the Board that he and his wife had no objections to this special authorization. William Bush said he was agreeable with Mr. VanDeWalle having this business, but he had written a letter stating some conditions he would like to see considered. Councilman Sinclair read the letter Mr. Bush had written. (Said letter is on file in Mr. VanDeWalle's folder under Special Authorization.) At this time Mr. VanDeWalle explained to the Board that this is to be a retirement business, he is not planning to spend a lot of time at it. William Baker said this business was fine with him as long as Mr. Bush and Mr. VanDeWalle can establish a good working relationship between themselves. A Letter, received from Harold & Laurie Schraffenburger, was then read to the Board by Supervisor Aplin. (This letter is also on file in Mr. VanDeWalle's file under Special Authorization.)

Supervisor Aplin asked for any more comments regarding this Special Authorization. There being none, he declared this Public Hearing closed

HEARING CLOSED at 7:55 P.M.

## PUBLIC HEARING

HEARING  
OPENED

The Public Hearing scheduled to be held in the Town Office, 201 E. Main Street, Palmyra, to consider the application of David and Cheryl Scoville, 4469 North Creek Road, Palmyra, for Special Authorization to engage in the profession of veterinary medicine, was called to order by Supervisor Aplin at 8:02 P.M.

Following the reading of the Proof of Publication by the Town Clerk, Supervisor Aplin asked if David and/or Cheryl Scoville were present. David Slobe, selling realtor of the property under discussion, told the Board that Mr. Scoville was not yet present but he was sure he was going to be here. Due to the nature of Mr. Scoville's work, and considering the possibility that he may have had a emergency call, the Board decided to recess this Public Hearing for a while and go into the regular Board meeting.

RECESS OF  
PUBLIC HEAR.

March 28, 1985

115

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on March 28, 1985, was called to order by Supervisor Aplin at 8:05 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: Town Supervisor Leroy Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair and David Lyon. Andy Baran was absent. At this time Doug Parkison and Lori Kuhlman also joined the meeting.

COMMUNICATIONS

1. Letter from Richard Simberg, P.E. RE: Lowered weight limit on Port Gibson Bridge

LETTER FROM R. SIMBERG RE PT. GIBSON BRIDGE

The Town Attorney, Paul Rubery, suggested that the Board object to the NYS Department of Transportation because this leaves only one bridge for emergency vehicles to cross the canal in the Town of Palmyra. Mr. Rubery will draft this letter. Supervisor Aplin will write letters to the East Palmyra, Palmyra and Port Gibson Fire Departments, all of our legislators and all schools involved.

A motion was then made by Edwin Wheeler, seconded by Donald Sinclair, to approve the minutes from February 28, 1985 as submitted. This passed with 4 ayes. David Lyon said, regarding the minutes from March 14, 1985, he would like the wording changed in Item #3 under Highway Committee from:

MTIN TO APPV MIN 2/28/85

CORR TO MIN OF 3/14/85

David Lyon explained about a exploratory meeting regarding a possible merge in highway departments, but strictly preliminary talks, nothing more than that.

TO

David Lyon explained about a exploratory meeting regarding a possible savings in highway departments, but strictly preliminary talks, nothing more than that.

MTIN TO APPV MIN 3/14/85 WITH CORR

Donald Sinclair moved to approve the minutes of March 14, 1985 with the above correction. David Lyon seconded this motion and it passed with 4 ayes.

At this time this regular Town Board meeting was recessed to return to the scheduled Public Hearing for David and Cheryl Scoville.

MEETING RECESSED

PUBLIC HEARING CONTINUED

Upon the arrival of David Scoville, the Public Hearing to consider his application for Special Authorization to engage in the profession of veterinary medicine was called back into session at 8:15 P.M. Mr. Scoville told the Board that it would be very rare if he did anything on the property. His work is done by "house call" so to speak, because he works with large animals only. He said he would be practicing "out of the house" not "at the house." Donald Sinclair asked him about drugs. Mr. Scoville said any controlled drugs he has are kept locked in his safe but there are not many used in large animal medicine.

PUB HEARING REOPENED

Supervisor Aplin asked if there were any more comments or questions regarding this matter. Judson Roney, the Town Assessor and Zoning Enforcement Officer, informed the Board that this matter has not yet gone to the Palmyra Planning Board or the Wayne County Planning Board. Supervisor Aplin declared this Public Hearing closed at 8:40 P.M.

PUB HEARING CLOSED



The regular Town Board meeting was then called back into session.

REPORTS OF STANDING COMMITTEES

HIWY COMM.

Highway Committee - David Lyon, Chairman

1. Motion to advertise bid for truck

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

MOTION TO  
ADVERTISE  
BID FOR TRUCK

WHEREAS the 1985 Town Budget authorized a capital expenditure for a new heavy-duty cab and chassis for a dump body; and  
WHEREAS the Highway Committee and the Town Superintendent of Highways have prepared specifications to enable the Town to seek bids for such or truck cab and chassis; and

I hereby move that the Town Board shall approve the specifications and notice of bid affixed to this resolution; and

I further move that this Board authorize the Town Clerk to advertise for bids for the new truck cab and chassis as contained in the specifications; and

I move that the bids solicited be received by the Superintendent of Highways at the Town Office, 201 East Main Street, Palmyra, New York 14522 at 4:00 P.M. on April 11, 1985, and that any bids submitted prior to that time on April 11, 1985 will be accepted. The bids will be publicly opened at that time. No action will be taken on the bids until the Board receives a recommendation from the Highway Committee; and

I further move that the Town Clerk shall cause a legal notice that the Town is seeking bids for the new truck (cab and chassis) to be published in the Palmyra Courier Journal, the Town official newspaper, on the third day of April, 1985, and that the bid specifications are available from the Town Clerk or the Superintendent of Highways; and

I move that the Highway Superintendent be asked that he or his deputy be present to open the bids at the aforementioned time and place.

2. Motion to declare surplus equipment

MOTION TO DECLAR  
SURPLUS  
EQUIPMENT

David Lyon moved to declare the following items surplus equipment:

- 1--1961 Case 440H Roadside Mower
- 1--1960 Brockway 257T Tractor
- 1--1948 Forty Ton Fruehauf Lowboy Trailer
- 1--1964 Ten foot Grant Gravity Chip Spreader
- 1--Ten foot Baughman Sand Spreader
- 2--Eight foot Frink 1-way Plow #430K27LLL & #630K803Mol
- 2--Eight foot V-Plows
- 1--1978 Ford LTD Wagon
- 1--1965 I.H.C. Truck and Sander
- 1--1970-951B Traxcavator - Ser. 86J1715
- 1--1955 Bucyrus-Erie Shovel
- 2--1945 Oshosk Trucks with Plows
- 1--1957 Caterpillar D-4 Dozer
- 1--1966 F-1000 Ford Dump Truck
- 1--5' 20" Metal Lathe
- 1--4 Cyk, Reroy Eng. Mod. D91P7
- 1--2 Cyl. Wisconsin Eng.
- 2--Int. 450-Short Blocks
- 1--Light Auto-Truck Transmission Jack
- 3--Log Chains
- 1--Come-a-long Hoist
- 3--Rope Blocks
- 1--Box 5/8 Bolts
- 1--Pioneer Chain Saw Mod. 1200A
- 2--1/4" Drill Motors
- 2--3/8" Drill Motors
- 1--Two Burner Hot Plate
- 1--Royal Typewriter
- 1--Burroughs Adding Machine
- 1--Sheepsfoot Roller
- 1--Galion-Chief-Roller
- 1--Five Ton Hyd. Jack
- 1--12 Ton Hyd. Jack
- Misc. Hand Tools
- Misc. Tires Different Sizes



This motion was seconded by Edwin Wheeler and following a short discussion, it passed with 4 ayes.

3. Motion to hire auctioneering service

Mr. Lyon moved to hold a public auction at the Town Barns on Saturday, May 18, 1985 and to hire a auctioneering service for the purpose of the auctioning of said surplus equipment. Donald Sinclair seconded this motion and it passed with 4 ayes.

MOTN TO HIRE  
AUCTIONEERING  
SERVICE & TO  
HOLD AUCTION  
5/18/85

4. Purchase of a desk calculator for the Highway Superintendent

Donald Sinclair moved to approve the purchase of a desk calculator for the Highway Superintendent. This motion was seconded by Edwin Wheeler and passed with 4 ayes.

MOTN TO BUY  
DESK CALCU-  
LATOR FOR  
HIWY SUPER

5. Report on Stafford Road problem

David Lyon informed the Board that Nelson Cook, Highway Superintendent, is investigating this problem with the oil companies. At this time he has no idea where the fault lies, but he will keep the Board informed.

STAFFORD RD  
PROBLEM

6. Information only - Open House at the Town Barns, Saturday,

May 4th, 1985 from 9:00 A.M. - Noon

Water & Fire Committee - Edwin Wheeler, Chairman

1. Contract with PVA

Edwin Wheeler moved to approve the contract between the Town of Palmyra and the Palmyra Volunteer Ambulance (PVA) for the calendar year of 1985 in the amount of \$4,500.00. Donald Sinclair seconded this motion and following a brief discussion; it was passed with 4 ayes.

MOTN TO APV  
CONTRACT WITH  
PVA

2. Insurance

Edwin Wheeler explained that he had received no answers from three of the four insurance companies we had invited to bid for our insurance coverage. He is going to check with them to find out what the problem is. Nelson Cook said that other Highway Superintendents have been telling him of the problems their towns are having obtaining insurance this year also. Edwin Wheeler will look into obtaining a binder from VanParys Associates to hold us over until the April 11, 1985 meeting. Mr. Wheeler then moved to approve the NYS Special Hauling Permit until May 27, 1986 at a cost of \$100.00 from VanParys Associates. David Lyon seconded this motion and it passed with 4 ayes.

INSURANCE

Landfill Committee - Andy Baran, Chairman

1. D & L Disposal would like to discuss the pick-up station

Doug Parkison asked the Board just how this pick-up station was going to be run. Donald Sinclair told him that people would continue to purchase the necessary tickets at the Town Clerk's Office where there would be a map and instruction sheet on white goods (metal objects) available to them. Doug would simply collect the tickets from the people. Doug asked about leaves and brush. Mr. Sinclair told him that a couple special days in the spring and in the fall will be set up for "clean-up" days. Doug asked about 2 X 4's and 2 X 6's. Mr. Sinclair said he is waiting to hear from the Town of Arcadia about some arrangements he has been working on. Doug wondered if he would have to absorb a loss if suddenly a lot more people should start hauling their own trash. Mr. Sinclair said the Board would have to re-evaluate the situation at that time. Edwin Wheeler said that there will have to be a trial and error period with the handling of this matter.

MOTN TO APV  
SPEC HAULING  
PERMIT

LANDFL COMM

D & L DSOPL  
ASKED ABOUT  
PICK-UP STA.

## 2. Bid approval for pick-up station

MOTION TO APPROVE  
D & L DISPOSAL TO  
OPERATE OUR  
PICKUP STA.

Donald Sinclair moved to approve having D & L Disposal operate the pick-up station at the Town Barns at a cost to the Town of \$145.00 per week as specified in the bid; subject to the furnishing of the proper insurance documents. This motion was seconded by Edwin Wheeler and passed with 4 ayes.

## 3. Motion to set beginning date for pick-up station and to advertise same

MOTION TO SET  
STARTING DATE  
FOR PICKUP  
STATION & TO  
ADVERTISE  
SAME

Edwin Wheeler moved to approve May 4, 1985 as the beginning date for the pick-up station and to advertise same in the Courier Journal, The Timesaver and the Newark Pennysaver, with ads to run for two weeks.

Donald Sinclair seconded this motion and it passed with 4 ayes.

Cemeteries Committee - Andy Baran, Chairman

No report.

Assessment, Planning & Zoning Comm. - Donald Sinclair, Chairman

## 1. James H. VanDeWalle - Subject of Public Hearing

MOTION TO APPROVE  
SPEC AUTH FOR  
J. VANDEWALLE

Donald Sinclair moved to approve the application of James VanDeWalle for Special Authorization to conduct a small engine sales and repair shop at 2506 Parker Road, Palmyra, upon the following terms and conditions:

1. The operations will all be conducted within an existing structure.
2. There will be no sales of automobiles, all-terrain vehicles, tractors, motorcycles, trucks or snowmobiles on the premises.
3. The operation will be limited to small engine repairs or sales. Small engines are defined as less than 16 horsepower. Service will be limited to lawnmowers, rototillers.
4. All storage of engines, materials and any item being repaired shall be inside the existing building.
5. The activity shall be conducted only between the hours of 9:00 A.M. and 5:00 P.M., Monday through Saturday.
6. There will be no employees in the business other than immediate family of James VanDeWalle, who live on the premises.
7. This Special Authorization shall terminate in the event of the sale of the premises or in the event the applicant shall sell or move from the residence on the south side of the proposed sales/repair facility. The repair/sales facility shall always be part of the premises which includes the James VanDeWalle residence.
8. The sign displayed on the premises shall not exceed 12 square feet and shall not be lighted or placed closer to the road than is currently permitted by the Zoning Ordinance.
9. There shall be no exterior lighting.
10. The business will be operated in such a way as not be a nuisance to the neighbors.
11. The applicant shall comply with all the Town Rules, Ordinances, Laws and Regulations including but not limited to zoning.
12. The applicant shall erect a natural barrier so as to reduce the noise and other impact on the neighbors.
13. The applicant shall execute an acknowledgement receipt of these conditions and his agreement to abide by the same.
14. This Special Authorization is personal in nature to the applicant and may not be transferred.
15. The applicant shall provide ample off the road parking.
16. That a violation of any condition may cause the revocation of this Special Authorization.
17. There will be no service or sales on Sunday.

Edwin Wheeler seconded this motion and it passed with 4 ayes.

SCOVILLE SPEC  
AUTH TURNED  
BACK TO COMM

## 2. David and Cheryl Scoville - Subject of Public Hearing

Due to the fact that this matter has not yet been presented to the Palmyra Planning Board or the Wayne County Planning Board, this Board cannot take any action at this time. This matter is turned back to committee.

3. Submission of Yard Facilities Local Law

This proposed local law is subject to the requirements of the Municipal Home Rule Law, Section 20(4) concerning being on the desks or table of the Town Board members for at least seven calendar days (exclusive of Sunday) before the local legislative body may act on it.

PROPOSED LOCAL LAW  
RE: YARD FACILITIES

4. Kenneth Franke - Special Authorization to build a mudroom

Donald Sinclair moved to approve Special Authorization for Kenneth Franke to build a 6' X7' mudroom on Lot #87 at Marquart's Trailer Park. This motion was seconded by Edwin Wheeler and passed with 4 ayes.

MOTN TO APPV SPEC. AUTH.  
K. FRANKE

5. Reappointments

(a) Donald Sinclair moved to approve the reappointment of Don Symers to the Palmyra Planning Board for a five year term expiring in May of 1990. David Lyon seconded this motion and it passed with 4 ayes.

APPOINTMENTS  
D. SYMERS TO PLANNING BD

(b) A motion to reappoint Leon Rider to the Board of Assessment Review for a five year term expiring in May of 1990 was offered by Donald Sinclair, seconded by Edwin Wheeler and passed with 4 ayes.

L. RIDER TO BD OF ASSESS REVIEW

6. Schedule a Public Hearing for Charles Minamon

Donald Sinclair moved to schedule a Public Hearing for Charles Minamon to consider his application for Special Authorization to conduct a trophy business in the basement of a future home on Rt. 21, approximately 1500 ft. south of Goldsmith Road, to be held on Thursday, April 11, 1985 at 7:30 P.M. at the East Palmyra Fire Hall. This motion was seconded by Edwin Wheeler and passed with 4 ayes.

PUB HEARING SCHEDULED FOR C. MINAMON

7. Request Mr. Edinger to check septic waste in storm sewer on Canandaigua Road

The following motion was made by Donald Sinclair, seconded by Edwin Wheeler and passed with 4 ayes.

WHEREAS the Town Zoning Officer and Building Inspector has advised the Town Board he has strong reasons to believe that septic waste is feeding into the storm sewer maintained by the State of New York along the west side of Canandaigua Road, immediately south of the Palmyra Village line,

MOTN REQUESTING NYS DOT TO INVESTIGATE STORM SEWER ON CNDGA RD

THEREFORE BE IT RESOLVED that Mr. Jon Edinger, NYS DOT Regional Highway Engineer be asked to have a section of the storm sewer excavated; said excavation being sufficient to allow the Town Engineer to extract water samples, or otherwise determine whether septic waste is in fact present in the sewer line in a quantity in excess of NYS Department of Health standards. Should the water samples indicate the presence of waste effluent, the Town Engineer would be consulted for the purpose of conducting dye tests that would be necessary to determine the source of any problem.

Town Building Committee - David Lyon, Chairman

TOWN BLDG COM PROGRESS RPT

1. Progress Report

The painting in the second floor offices is nearly complete. The electrical work is well underway and the carpenter has started his work also.

Consolidation of Town Village Comm. - Edwin Wheeler, Chairman

Mr. Wheeler had no report. David Lyon told the Board that he is still waiting for the Village to come up with a figure for the rental of the Village Courtroom and a office for the Justices and their clerks.

CONSOLIDATION OF TOWN & VILL COM

OTHER BUSINESSMOIN TO APPT  
E. KNIEST AS  
TOWN CONSTABLE

1. Edwin Wheeler moved to appoint Elmer Kniest as a Town Constable for the year 1985. Donald Sinclair seconded this motion and it passed with 4 ayes.

AUDITING OF  
JUSTICE'S BKS

## 2. Auditing of the Justice's books

Mr. Rubery reported to the Board that he is still waiting to hear from John Schiefferli regarding this matter.

PENN CENTRAL

## 3. Penn Central

Mr. Rubery has heard nothing new regarding this matter at this time.

MOIN TO APPV  
PAYMENT OF  
VOUCHERS

Following a review of the Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Donald Sinclair, to approve payment of Vouchers as shown on Abstract #3B. This motion passed with 4 ayes.

MOIN TO GO INTO  
EXEC. SESS.

Donald Sinclair moved to go into executive session to discuss legal matters. Edwin Wheeler seconded this motion and it passed with 4 ayes.

MOIN TO COME OUT  
OF EXEC. SESS.

The motion to come out of executive session was offered by Donald Sinclair, seconded by Edwin Wheeler and passed with 4 ayes.

MOIN TO ADJOURN

Mr. Sinclair then moved to adjourn this meeting of the Town Board. Edwin Wheeler seconded this motion and it 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:

April 3, 1985

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 25th day of April, 1985.

*Judith A. MacDuff*  
Notary Public

Fee: \$ 15.93

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4230126  
Expiration Date March 30, 1987

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 11, 1985 at  
7:30 P.M. at the East  
Palmyra Fire Hall, East  
Palmyra to consider the ap-  
plication of 250 acres of  
property within the  
Special Authorization to  
conduct a mobile business  
in the basement of a future  
home on Palmyra-Madon  
Road, Palmyra, approx-  
imately 1500 feet south of  
Goldsmith Road. These  
premises are situated in a  
Agricultural zone and are  
bounded on the North by  
George Goldsmith, on the  
South by Robert Major, on  
the East by Phrodore  
Udenitz and on the West by  
Route 21.  
This application is con-  
flict with Article III, Section  
7-1 and 7-2(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 the  
application or any objec-  
tions thereto. Persons may  
appear in person or by at-  
torney of said  
Date:  
March 25, 1985  
By Order of the Town  
Board of the Town of  
Palmyra  
Beverly E. Nickman  
Town Clerk  
(778) (43)



April 11, 1985.

121

PUBLIC HEARING

The Public Hearing scheduled to be held on April 11, 1985 at the East Palmyra Fire Hall, East Palmyra, to consider the application of Charles and Phyllis Minnamon for Special Authorization to conduct a trophy business in the basement of a future home on Palmyra-Marion Road, Palmyra, approximately 1500 feet south of Goldsmith Road, was called to order by Supervisor Leroy Aplin at 7:37 P.M.

PUB. HEARING  
OPENED

Other than the Board members, those in attendance were Harry and Florence Wilkins, Frank Gorall, James A. Milliman, Charles and Phyllis Minnaman, Fred and Sylvia Harding, Roy Wildck, Nelson Cook, Judson Roney and Paul Rubery.

Following the reading of the Proof of Publication by the Town Clerk, Supervisor Aplin asked for any comments regarding this matter.

Mr. Minnamon explained to the Board that he presently conducts this same trophy business out of his home in Williamson and he has had no problems. He has purchased seven acres of land on the Palmyra-Marion Road with plans to build a new home. He said there is no large, noisy or dangerous equipment involved. It is mainly just the assembling of the trophies that he does. UPS delivers about 95% of these items so there would be no large trucks to cause a problem. Supervisor Aplin asked if there would be adequate parking provided. Mr. Minnamon said there probably would never be more than one or two cars at a time because most of his work is done by appointment, however, the house will be approximately 300 feet back from the road so there would be ample parking.

Supervisor Aplin asked if there were any more comments. Judson Roney, Town Assessor and Zoning Enforcement Officer, reported to the Board that at this time there was no recommendation from either the Palmyra Planning Board or the Wayne County Planning Board. Supervisor Aplin explained to the Minnamons that the Board cannot make a decision on this matter without these recommendations and asked about their time schedule. Mr. Minnamon said they would like to build this summer. David Lyon asked if it would inconvenience them if the Board held up on this decision for about a month. Mr. Minnamon said he will take that long to doze their land so it would not be a inconvenience.

PUB. HEARING  
CLOSED

Supervisor Aplin declared this Public Hearing closed at 7:48 P.M.

The regular meeting of the Town Board scheduled for April 11, 1985 at the East Palmyra Fire Hall, East Palmyra, was called to order by Supervisor Aplin at 7:53 P.M.

CALL TO  
ORDER

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: Town Supervisor, Leroy Aplin, Town Councilmen, Edwin Wheeler, David Lyon, and Andy Baran.

ROLL CALL

## COMMUNICATIONS

LETTER FROM  
P-M CENTRAL  
SCHOOL DIST.

1. Letter from Pal-Mac Central School  
Re: Voting in June

David Lyon moved to allow the use of two voting machines by the Pal-Mac Central School district on June 5, 1985 with the following conditions:

MOTION TO  
ALLOW P-M  
CENTRAL SCHOOL  
USE OF TWO  
VOTING MACHS

1. The School District will be solely responsible for paying the two (2) machine custodians.
2. The Town Highway Crew will be responsible for moving said voting machines to and from the school.

Andy Baran seconded this motion and it passed with 4 ayes.

## REPORTS OF STANDING COMMITTEES

HIGHWAY COMM.

Highway Committee - David Lyon, Chairman

1. Bid openings for truck .

Following is a list of the bids submitted for the new truck for the Highway Department. Listed in the order they were received and opened at the Town Office, 201 E. Main Street, Palmyra at 4:00 P.M. this afternoon, April 11, 1985:

1. Bean-Mack Sales and Service Inc.  
2674 West Henrietta Road  
Rochester, New York 14623

Bid: One 1985 new and unused Mack Model RD686S  
\$57,499.00

2. Genesee Ford Truck Sales, Inc.  
1280 Jefferson Road  
P.O. Box 23320  
Rochester, New York 14692

Bid: One 1985 new and unused Ford LT9000  
\$55,157.00

Alternate Bid

Bid: One 1986 new and unused Ford LT9000  
\$53,612.00

3. Heavy Duty Truck Parts Rochester Inc.  
1177 Brighton-Henrietta Town Line Road  
Rochester, New York 14623

Bid: One 1985 new and unused Autocar DK64B  
\$56,465.00

Alternate Bid

Bid: One 1985 new and unused Autocar DK64B  
\$58,360.00

4. Malcuria Bros. Truck Corp.  
950 Jefferson Road  
Rochester, New York 14623

Bid: One 1986 new and unused International F2574  
\$54,690.00

MOIN REFERRING  
TRUCK BIDS  
TO COMM.

David Lyon then moved to refer these truck bids to committee for consideration. Edwin Wheeler seconded this motion and it passed with 4 ayes.

**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:

.....April 3, 1985.....

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 25th day of April, 1985.

*Judith A. MacDuff*  
Notary Public

Fee: \$ 12.35

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4730123  
Expiration Date March 30, 1987



2. Stafford Road Problem

Nelson Cook, Highway Superintendent, submitted to the Board a report he had compiled after extensive research regarding this problem. David Lyon will draft a letter to the petitioner explaining that the road will be properly fixed this summer.

Water and Fire Committee, Edwin Wheeler, Chairman

STAFFORD RD.  
PROBLEM

1. Insurance

Edwin Wheeler moved to renew the Town's insurance coverage that is now due: Automobile at a cost of \$9,403.00 - Umbrella at a cost of \$4,696.96 and the Public Officials Errors and Omissions at a cost of \$552.00 as quoted by VanParys Associates. David Lyon seconded this motion and following a short discussion, it passed with 4 ayes. Mr. Wheeler then moved to have Supervisor Aplin write a letter protesting the insurance rates for municipalities to the Association of Towns. David Lyon seconded this motion and it passed with 4 ayes.

MOTION TO  
RENEW INS.  
COVERAGE

MOTN TO APPV  
SUPER. APLIN  
TO WRITE LTR.  
ASSOC. OF TNS

Landfill Committee - Andy Baran, Chairman

LANDFILL COMM.

1. Information only

Andy Baran informed those present that the last day to us the present landfill will be April 27, 1985 and the new arrangements will begin Saturday, May 4, 1985 at the Town Barns, Kent Street, Palmyra. A lengthy discussion followed.

Cemeteries Committee - Andy Baran, Chairman

CMTRES COMM.

No report at this time.

Assessment, Planning and Zoning Committee, Donald Sinclair, Chairman

ASSESS, PLN  
& ZON. COMM.

1. Charles and Phyllis Minnamon - Special Authorization - Subject of Public Hearing

David Lyon reported that this matter would have to be turned back to committee to await a Palmyra Planning Board recommendation, and a Wayne County Planning Board recommendation.

2. Schedule a Public Hearing for local law

Re: Use of yards

David Lyon moved to schedule a Public Hearing on Thursday, May 9, 1985 at 8:00 P.M. in the Town Office, 201 East Main Street, Palmyra, for the purpose of hearing anyone who wants to speak on the subject of the proposed local law entitled "The Yard Facilities Law of the Town of Palmyra." The law, if adopted, would regulate the use of yards, relative to (a) construction and enclosure of swimming pools, (b) yard and garage sales, and (c) the installation of satellite disc antennas. This motion was seconded by Edwin Wheeler. David Lyon felt that the Board should encourage people to attend this Public Hearing. This motion passed with 4 ayes.

MOTN TO  
SCHEDULE  
PUB. HEAR FOR  
LOCAL LAW

3. Approval of application for East Septic Tank Service

Mrs. Donald East

Mr. Lyon then moved to approve the application for permit to Collect, Transport and Dispose of Human (Sewage and Septic Sludge) Waste Materials for the East Septic Tank Service (Mrs. Donald East, owner) with permit to expire April 15, 1986. This motion was seconded by Edwin Wheeler and following a brief discussion, passed with 4 ayes.

MOTN TO APPV  
EAST SEPTIC  
TANK SERVICE  
PERMIT

TN BLDG COMM.

Town Building committee - David Lyon, Chairman

## 1. Progress report on renovation

PROGRESS RPT

David Lyon reported that the large scale work (other than carpets) was complete. Several small things still need tending to.

CONSOLIDATN COMM

Consolidation of Town and Village Committee - Edwin Wheeler, Chairman

No report at this time.

OTHER BUS.OTHER BUSINESS

## 1. Approval of Bingo License for Moose Club #1420

MOTN TO APPV  
BINGO LIC.  
F/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, 1986. David Lyon seconded this motion and it passed with 4 ayes.

## 2. Resolution agreeing to permit the Department of Transportation to install railroad grade crossing pavement markings and advanced warning signs in advance of railroad-highway grade crossings on South Creek Road and Whitbeck Road.

This matter was turned back to committee for consideration.

## 3. Transfer of funds for two (2) accounts.

The following motion was offered by Supervisor Aplin:

MOTION TO  
TRANSFER  
FUNDS

WHEREAS the Town of Palmyra has received an invoice from Medvet Labs Inc. for tests taken in the amount of \$107.00 and

WHEREAS THERE is monies in the Board of Health - Personal Services Acct. B4010.1

NOW THEREFORE BE IT RESOLVED that the Town Board approve the transfer of funds from the Board of Health - Personal Services to the Board of Health - Contractual Expenses Acct. B4010.4 in the amount of \$107.00

This motion was seconded by Edwin Wheeler and passed with 4 ayes. Supervisor Aplin then moved:

MOTION TO  
TRANSFER  
FUNDS

WHEREAS the Town of Palmyra has been charged in the Payroll Acct. for checks in the amount of \$52.86 and

WHEREAS THE Town of Palmyra - Payroll Acct. has no funds for this charge

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds from the Contingent Acct. A1990.4 to the Supervisor - Contractual Acct. A1220.4 in the amount of \$52.86.

Edwin Wheeler seconded this motion also and it passed with 4 ayes.

## 4. Audit of Justice's Books

AUDITING OF  
JUSTICES BKS

It was decided, after a short discussion, that the Board should find out how much money is left in the Contingency Fund before they made a decision regarding this matter.

MOTN TO APPV  
PAYMENT OF  
VOUCHERS

Following a review of the vouchers submitted for payment, Edwin Wheeler moved to approve payment of the vouchers as submitted or Abstract # 3B and 4. This Motion was seconded by Andy Baran and passed with 4 ayes.

Edwin Wheeler moved to adjourn this meeting of the Town Board. Andy Baran seconded this motion and it passed with 4 ayes. Supervisor Aplin thanked the people from the East Palmyra Fire Hall for allowing us to hold our meeting there.

Respectfully submitted,

*Beverly E. Hickman*  
Beverly E. Hickman, Town Clerk



The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, April 24, 1985 at the Town Office, 201 East Main Street, Palmyra, was called to order by Superintendent Aplin at 7:30 P.M. CALL TO ORDER

Following a moment of Silent Prayer, Superintendent 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. Town Superintendent Leroy Aplin; Town Councilmen Edwin Wheeler, Donald Sinclair, David Lyon and Andy Baran. Others in attendance were Jim Elliott, Stella A. Stein, Nelson Cook, John Baynes, Judson Roney and Paul Rubery. ROLL CALL

COMMUNICATIONS

1. Letter from the CanalTown Snowmobilers, Inc.  
Re: Access roads. COMMUNICATIONS  
CANALTOWN  
SNOWMOBILERS

2. A card and a box of chocolates for the Board from Judson Roney to celebrate the birth of his first grandson. JUDSON RONEY

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman HIGHWAY COMM

1. Review of truck bids

David Lyon moved to reject all of the truck bids that had been received, with Andy Baran seconding. During the short discussion that followed, the Town Attorney, Paul Rubery, informed the Board that none of the bidders had met all of the specs. The motion passed with 5 ayes. David Lyon then moved to advertise for bids for a similar truck with slight changes in the specs and for said bids to be opened at 4:00 P.M. on May 9, 1985 at the Town Office. Andy Baran seconded this motion and it passed with 5 ayes. MOTION TO REJECT ALL TRUCK BIDS

2. Personnel Policy

Although this was drawn up for the Highway Department, the Board felt it would be advantageous to have it cover other Town employees also. David Lyon moved to table this until a later meeting to enable his committee to make some alterations. Donald Sinclair seconded this motion. Mr. Sinclair was then added to the committee with David Lyon and Andy Baran. Mr. Lyon's motion passed with 5 ayes. PERSONNEL POLICY TABLED

3. Problems of home builders damaging roads and shoulders of roads

The Board decided to hold on this matter until the Highway Superintendent, Nelson Cook arrived.

4. Approval for Highway Superintendent to attend school in Cornell.

David Lyon moved to approve the attending of School in Cornell on June 10, 11 and 12 by the Highway Superintendent. Donald Sinclair seconded this motion and it passed with 5 ayes. MOTION TO ALLOW HIWY SUPER TO ATTEND SCHOOL IN JUNE

5. Advanced warning signs near Railroad Crossings

The following resolution was moved by David Lyon and seconded by Edwin Wheeler.

WHEREAS, the New York State Department of Transportation has proposed the renewal of life expired pavement markings and advanced warning signs, and WHEREAS, the New York State Department of Transportation has made known its intention to advertise a contract for the renewal of life expired pavement marking and advanced warning signs, and has requested an agreement from the Town of Palmyra to the effect that it will permit the State, its agents and employees to enter upon the highways, roads and/or streets under

the jurisdiction of the municipality for the purpose of performing the above mentioned improvements.

NOW, THEREFORE, BE IT RESOLVED: That the Town Board of the Town of Palmyra duly convened in legal session held on the 25th day of April 1985, does hereby approve of the above mentioned improvements to be performed on the highways, roads and/or streets of this municipality and does hereby agree with the State Department of Transportation that the authorities will permit the State, its agents and employees to enter upon the highways, roads and/or streets of the municipality for the purposes of carrying out the above described improvement project, and IT IS FURTHER

RESOLVED: That the Town Board of this municipality does hereby agree with the State Department of Transportation that the municipality shall retain jurisdiction over the highways, roads and/or streets affected by the project and hold harmless the State of New York for any damage to the property or persons of others due to the performance of any of the employees or agents of the municipality, and IT IS FURTHER

RESOLVED: That upon completion of the above-described improvements, the Municipality will maintain the improvements and the highways, roads and/or streets in accordance with the New York Highway Safety Acts of 1973 and 1976 and Federal Standards and criteria in connection with such improvements.

RESOLVED: That for the grade crossing locations, the municipality will give its paving schedule to the Department of Transportation so as to ensure that, except as necessitated by emergency situations, newly laid pavement markings are not paved over.

RESOLVED: That this agreement shall remain in effect for future improvements of this same type unless written notice to the contrary is provided by the Municipality to the New York State Department of Transportation.

RESOLVED: That the clerk of this Board is hereby directed, within ten days after the adoption of this resolution, to transmit 5 (five) certified copies of the foregoing resolution to the New York State Department of Transportation.

STATE OF NEW YORK  
COUNTY OF WAYNE  
TOWN OF PALMYRA

This motion passed with 5 ayes.

#### 6. Stafford Road Problem

STAFFORD RD  
LETTER TO  
MR. VANDERMIEN

David Lyon has drafted a letter to Mr. Vandermolen assuring him that the Highway Department has checked Stafford Road and when the weather is warm enough for this type of work to hold, Stafford Road will be properly repaired.

#### 3. Returning to Item 3

Following a lengthy discussion regarding the damage done to our roads and the shoulder of the roads, the following motion was made by Edwin Wheeler:

NOW THEREFORE BE IT RESOLVED that no final sub division plans can be approved until the Highway Superintendent signs them and that no Certificate of Occupancy will be granted until such approval by said Highway Superintendent. This motion was seconded by Donald Sinclair and passed with 5 ayes

7. Dumping of trees and brush by Highway Department

Nelson Cook, Highway Superintendent explained to the Board that finding a place for his men to dump trees and brush etc. is a problem. He asked if they could use the closed landfill for this purpose. Donald Sinclair moved to allow the Palmyra Highway Crew to dump trees and brush etc. at the closed Palmyra Landfill. Superintendent Aplin seconded this motion and it passed with 5 ayes.

MOTN TO ALLOW  
PAL HWY DEPT  
TO DUMP AT  
LANDFILL

Water and Fire committee - Edwin Wheeler, Chairman

WATER & FIRE  
COMMITTEE

1. Letter from the Mayor

Re: Merge of ambulance services

Mr. Wheeler was not sure with whom he was supposed to be dealing at the Village. James Elliott, Village Trustee, is supposed to be in charge of this committee but all of the correspondence is coming from Mayor Strong. Since Mr. Elliott was present at this meeting, Edwin Wheeler asked him with whom should he get in touch. Mr. Elliott told him to call the Mayor.

AMBULANCE  
MERGE

Landfill Committee - Andy Baran, Chairman

LANDFILL COMM

1. Problem with brush etc. for residents

Mr. Baran said that brush and trees are also a problem for the residents. A spring clean-up date will be set.

BRUSH  
PROBLEM

2. Covering the landfill

Mr. Baran will contact David Matthews, Engineer, regarding the covering of the landfill.

COVERING  
LANDFILL

Cemeteries Committee - Andy Baran, Chairman

1. Approval to purchase grass and brush trimmer

Edwin Wheeler moved to approve the purchase of a grass and brush trimmer with both sawblades and string blades in an amount not to exceed \$220.00. Donald Sinclair seconded this motion and it passed with 5 ayes.

MOTN TO APPV  
PURCHASE OF  
TRIMMER

2. Request for \$10.00 raise for taking care of East Palmyra cemetery

Andy Baran moved to approve a raise of \$10.00 per year for the caretaker of the East Palmyra Cemetery, making a total of \$60.00 per year. This motion was seconded by Edwin Wheeler and passed with 5 ayes.

MOTN TO APPV  
RAISE FOR  
E. PAL CEMTRY  
MAINTAINENCE

Assessment, Planning and Zoning Committee - Donald Sinclair, Chairman. (These were done out of sequence.)

2. Donald Stein - Special Authorization to build a sun-deck at Marquart's Trailer Park

Donald Sinclair moved that the application of Donald and Stella Stein (85 - 498) for the construction of a sun deck on their mobile home in the Marquart Mobile Home Park be denied. Edwin Wheeler seconded this motion. Mr Sinclair then explained to Mrs. Stein that she already has a patio on the front of the mobile home and from the standpoint of safety - fire department access is a problem in our mobile home parks. If she would like a 4' x 5' open deck with stairs off to the side of it, this is permissible with the Zoning Officer. The vote on the denial of this sundeck motion passed with 5 ayes. The following motion was then made by Donald Sinclair:

MOTN TO DENY  
SUNDECK FOR  
D & S STEIN

WHEREAS Mrs. Stein has amended her application to put a patio on her trailer by moving it to the north side of the trailer and asking to put a 8' x 10' addition on the existing patio; which would be without

MOTN TO APPV  
ADDIN TO  
PATIO FOR  
D & S STEIN

a roof, not to extend beyond the East end of the trailer or the North end of the patio. Edwin Wheeler seconded this motion and it passed with 5 ayes.

MOIN TO APPV  
4'x5' LANDING  
FOR D & S  
STEIN

Donald Sinclair then moved to approve the construction of a landing on the South side of the Stein's trailer which will not exceed 4' x 5'.

Edwin Wheeler seconded this motion and it passed with 5 ayes.

1. Charles Minnamon - Special Authorization to operate a trophy business in the basement of a future home on Route 21 North

MOIN TO PUT  
C. MINNAMON  
SPEC AUTH  
ON TABL

Having been tabled at the last meeting, Edwin Wheeler moved to put this matter back on the table. David Lyon seconded this and it passed with

5 ayes. Donald Sinclair then offered the following motion:

MOIN TO APPV  
SPEC AUTH  
FOR C.  
MINNAMON

Subject to the stipulations set forth below, it is hereby moved that the Town Board approve the application (85 0 493) of Charles Minnamon, and issue a Special Authorization to operate a business of assembling trophies in the basement of his future residence on the Palmyra-Marion Road. Approval for the conduct of the business is contingent upon the compliance of Mr. and Mrs. Minnamon with the following stipulations:

1. They shall provide off-street parking space for at least three vehicles in addition to parking space for their own vehicles.
2. They shall, at all times, take such action as will avoid customer parking on the highway.
3. They shall not allow outside storage of any materials, equipment, supplies or waste scraps.
4. They shall provide a turn-around pad in addition to, and as part of, their driveway.
5. The erection of signs, and all other activities related to the operation of the business shall be in full and complete compliance with the Zoning Ordinance of the Town of Palmyra.
6. This Special Authorization shall terminate when (a) Mr. and/or Mrs. Minnamon cease to own the property or (b) when the business has not been conducted for twelve months, which ever comes first.
7. Mr. & Mrs. Minnamon shall submit a statement indicating they fully understand and agree to the terms of this special authorization.
8. Subject to obtaining approval of their plot plan.

This motion was seconded by Edwin Wheeler.

Supervisor Aplin then read the following recommendation from the Palmyra Planning Board:

TN PLNG BD  
RECOMMENDATN

To: Donald Sinclair  
From: Planning Board  
RE: Charles Minnamon Application  
Conduct Trophy Business in Future Residence

In response to the Town Board's request for a recommendation in the above cited matter, you are hereby advised that the Planning Board in the April 16, 1985 meeting considered the matter. After much discussion concerning the business and its location on the Palmyra-Marion Road, George Tilburg motioned that the Planning Board recommend to the Town Board to grant approval for the business for the following reasons:

1. Service business with no traffic problems
2. Brings commerce into the Town
3. Quiet family business

The only stipulations being that there be a limit of three (3) cars other than the property owner's and that a turn around pad be installed. This motion was seconded by Don Snyers and motion carried.

Very truly yours,  
Frank Koeberle, Chairman  
Planning Board, Town of Palmyra

WAYNE CTY  
PLNG BD

Judson Roney, Town Assessor & Zoning Enforcement Officer, reported to the Board that the Wayne County Planning Board had said, per telephone conversation, that this matter has no County significance and a letter stating same would follow. Upon a vote being called, the motion passed with 5 ayes.



3. Schedule Public Hearing for Gordon Wheeler

Donald Sinclair then moved to schedule a Public Hearing for the Gordon Wheeler application (85-497), which seeks authorization to manufacture and sell molded latex rubber items in the garage behind his residence on Garnsey Road, to be held at 8:30 P.M., Thursday, May 9, 1985 in the Town Office Building. Edwin Wheeler seconded this motion and it passed with 5 ayes.

MOIN TO SET  
PUB HEAR DATE  
G. WHEELER

4. Increase in hourly rate for Jacqueline Thompson (Assessor's secretary)

Donald Sinclair then moved that, effective June 1, 1985 the wage rate of Jacqueline Thompson be increased from \$4.25 per hour to \$4.45 per hour. Edwin Wheeler seconded this motion and it passed with 5 ayes.

MOIN TO APV  
PAY INCREASE  
J. THOMPSON

5. Modification of Vincent Steffen's mining permit

Mr. Sinclair informed the Board that Mr. Steffen had not gotten back to him regarding the size of the portable truck scale he wanted to purchase. Edwin Wheeler moved to table this matter until the next meeting. Donald Sinclair seconded this motion and it passed with 5 ayes.

V. STEFFEN  
MATTER  
TABLED

Town Building Committee - David Lyon, Chairman

TN BLDG COMM

1. Progress report

David Lyon said that this was the first time he had seen what had been done. He had had several favorable comments from people out his way about the office and that made him feel good about what we had done. We are looking into putting vertical blinds in the large front windows right now and the carpet has not yet been ordered. Supervisor Aplin mentioned the poor condition of our American Flag. The Board agreed that we should have a new one. Supervisor Aplin will take care of ordering this.

PROGRESS RPT

PURCHASE OF  
AMERICAN FLAG

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

CONSIDATION OF  
TN & VILL COM

OTHER BUSINESS

1. John Baynes wishes to address the Board RE: Library

Mr. Baynes, President of the Library Board, explained about the new addition that is being built on the library. He said they had applied to the State for a Building Grant which covers 1/2 the cost of construction and had received it. He has already approached the Village of Palmyra (because of their budget time) and had asked them for a one-year funding of \$15,000.00 and a one-time contribution of \$5,000.00 to this building fund. Mr. Baynes then read part of a letter he had received from Mayor Warner Strong stating that "the Village tentatively approves a one-year \$15,000.00 budget allocation only if matching funds are provided by the Town of Palmyra. If the Town does not fund the library for the like sum of \$15,000.00 the Village will reduce said funds to match whatever is provided by the Town of Palmyra. The Village also, as a one-time allocation, propose \$5,000.00 to support a building program. The same principal will apply to this allocation. The Village will match the Town of Palmyra up to \$5,000.00." Mr. Baynes said that this letter leaves the Library Board in a awkward position. They realize that they are dealing with two different time frames regarding Town and Village Budgets. He said that the \$5,000.00 donation is really the problem. They were not planning to come to the Town until budget time for the one-year funding of \$15,000.00. What concerns them now is that the Village is going to dangle a one-time allocation that is contingent upon the Town's allocation of a like sum. What he is here

J. BAYNES  
ADDRESSED THE  
BD-LIBRARY



April 25, 1985

for is to ask if an indication of the Board's feeling about the project can be given or about the sum of \$5,000.00. Supervisor Aplin explained that the Town is in a bind because our budget does not allow for a extra \$5,000.00 and he realizes that the Library Board is in a bind because the Village's \$5,000.00 is contingent upon the Town. The Town has allocated \$12,000.00 for the library for the year 1985. The Board is concerned about the way Mayor Strong has stated this. They felt that Mr. Baynes should have been able to come to this Board and make a request from the Library Board without having to state a ultimatum type of thing. After much discussion, the Board decided that they could not make a commitment tonight.

PENN CNTRL

## 2. Penn Central

Paul Rubery, the Town Attorney, informed the Board that he is willing to negotiate with Penn Central but he needs to know what our bottom line is. The Board decided that Mr. Rubery should offer them \$1,000.00 for the easement east of Galloway's Bridge to the spoil pile.

## 3. Transfer of Funds

TRNSFR FUNDS The following motion was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes.

WHEREAS the Town of Palmyra owes the Registrar for four (4) Death Certificates for the period of 1/84 to 12/84 in the amount of \$2.00 and

WHEREAS there is no monies in the Budget for this charge  
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of \$2.00 from the Board of Health-Personal Services Account No. B4010.1 to the Registrar of Vital Statistics-Personal Services Acct. No. B4020.1

## 4. Auditing of the Justice's Books

MOIN TO APV  
AUDITING OF  
JUSTICE'S  
BOOKS

Edwin Wheeler moved to order a auditing of the Justice's Books in a amount not to exceed \$900.00 with said monies to be taken out of the Justice's Contractual Account and any remaining amount to be taken out of the Contingency Account. Andy Baran seconded this motion and it passed with 4 ayes - 1 naye. (David Lyon voting naye.)

MOIN TO APV  
MIN OF 3/28/85

Edwin Wheeler then moved to approve the minutes of March 28, 1985 as submitted. David Lyon seconded this motion and it passed with 5 ayes.

MOIN TO APV  
PAYMENT OF  
VOUCHERS

Following a review of the Vouchers submitted for payment, a motion was made by Edwin Wheeler, seconded by Andy Baran, to approve payment of Vouchers as shown on Abstract #4A. 5 ayes passed this motion.

MOIN TO ADJRN

The motion to adjourn this meeting of the Palmyra Town Board was made by Edwin Wheeler, seconded by Andy Baran 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.



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 24, 1985 .....

.....

.....

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this *25th* day of *April*, 19*85*

*Judith A. MacDuff*  
Notary Public

Fee: \$ 12.68

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4736126  
Expiration Date March 30, 1987

## PUBLIC HEARING

The Public Hearing scheduled for May 9, 1985 at the Town Office, 201 E. Main Street, Palmyra, to consider a Proposed Local Law Re: (a) Construction and enclosure of swimming pools, (b) Yard and garage sales and (c) the installation of satellite disc antennas was opened by Supervisor Aplin at 8:05 P.M.

Those in attendance other than the Town Board were as follows:

NAME	ADDRESS
Robert B. Sherlock	1673 Walker Road
John Wharton	Rice's TV, Canandaigua, New York
Nelson Cook	Maple Avenue
Roy C. Wilch	Port Gibson Road
Donald W. Camblin	1878 Meadow Drive
James Elliott	Vienna Street
Dave Jankowski	1211 Rolfe Street
Lucy Johnson	
Mr. and Mrs. Annabelle Perri	Route 31
William Cloock	
Bruce DePew	Stafford Road
William Voss	964 Stafford Road
Harry and Florence Wilkins	4728 Main Street, East Palmyra
Steve & Joan Hanrahan	Marquarts Mobile Manor
Charles Bond	3218 E. Foster Street
Enerich Yusko	1687 Shilling Road
Hayley Weston	250 Johnson Road
Raymond Marr	217 W. Jackson
Agnes Lavocca	317/Canandaigua Road
Helen Adams	3217 E. Foster Street
Leo Adams	3217 E. Foster Street
Ken Boumens	Port Gibson Road
Dorothy Boumens	Port Gibson Road
Robert K. Jagger	4193 Hogback Hill Road
Robert Giles	1927 Marion Road
Robert Francis	Marion Road
Karyn Demitry	380 Howell Street
Chuck Demitry	380 Howell Street
Tim Wilbur	231 Liberty Street
Shirley Critchlow	873 Stafford Road
Ralph C. Ingold	Fayette Street
Merrill R. Palmeter	946 Stafford Road
George & Cindy Polisse	1934 Division Street
Paul Rubery	
Jud Roney	
Charles W. Wirth	E. Palmyra-Port Gibson Road

Following the reading of the Proof of Publication by the Town Clerk, Supervisor Aplin opened the floor to comments either for or against this proposed local law. Donald Sinclair, Chairman of the Assessment, Planning and Zoning Committee then explained to those present that this was a first attempt to make some proposals to have some measure of control over undesirable, re-occurring situations. The committee is trying to get

May 9, 1985

an idea of what the people of the Community want and don't want and are hoping that everything can be balanced out to create a more desirable community for people to live in.

Copies of this proposed local law were then handed out for those that had not had the opportunity to read same. Leo Adams stated that he did not care what it said, he feels there are enough laws in the Town of Palmyra already. Supervisor Aplin explained about the people that misuse the garage and yard sale idea with continual sales. This causes complaints to come in to the Town Office because neighbors would like these things stopped. As it stands now, we cannot stop these things because we have no controlling law. Donald Sinclair explained that these people with their full-time yard and barn sales are actually conducting a business in a residential or agricultural zone without permission. William Voss (Rusty) stated that these people with business's should be made to license and not the little old lady down the street. Ralph Ingold told those present that there is already a N.Y.S. law that says any garage sale lasting more than 3 days will have to pay sales tax. He wondered why these people couldn't be turned into the State Sales Tax Department and take care of some of this problem that way. He is wondering if we are duplicating a already enforceable law. Mr. Ingold also wondered how we would enforce this law if passed, since the Town does not have a police department. Would we have to hire someone for this purpose at the taxpayer's expense? Supervisor Aplin said that Mr. Ingold had made some good points and the Committee would look into these things.

Roy Wilck then stated that there is already in effect a N.Y.S. law requiring any swimming pool under 4' in height to be fenced. The Town Attorney, Paul Rubery, said that as of 2 years ago there was no such law in effect. A unidentified man said that the proposed law did not state height of a swimming pool specifically which implied someone would have to look the situation over and make a judgement. This same unidentified man asked if someone was actually going to go out and check pool heights. Councilman Sinclair said, yes, someone would have to do just that because people do not always tell us all of the facts. Fred Harding asked who was going to do all of this checking and how much would a permit cost? Mr. Sinclair said he did not know yet. Hayley Weston, asked if the wall of the pool was considered a barrier, or did you still need a fence. Councilman Sinclair said that the outside wall of the pool could serve as a barrier if it met the requirements. Another unidentified man said he felt it was the Town Board's obligation to rewrite the proposed law and mail copies to all the residents in the Town of Palmyra so everyone would know exactly where things stood. Councilman Sinclair said that the cost of that would be outrageous. This same man suggested that the proposed law be printed in the paper or the Timesaver even if it took a 1/4 page ad. Mr. Sinclair explained that this would take more than a 1/4 page ad and in order to reach everyone it would have to be put in The Courier Journal, The Timesaver and the Newark Pennysaver (for our East Palmyra people). This would be extremely costly to the taxpayers. Ray Wilck addressed the problem of having the electrical unit 10' away from the pool. Several of those present thought this should be changed because the pools they owned or had seen had the

electrical unit directly next to the pool.

Karyn DeMistry asked how the Board could single out satellite disc antennas when there was nothing on the books regarding any other TV antennas or the location of same. The placement of a satellite disc is very important to the reception. She feels it is the Board's duty to check with the Federal Communication Commission before making any ordinances regarding these disc antennas. John Wharton from Rice's TV in Canandaigua explained to all present about the size and shape of the disc antennas. He pointed out to the Board that the section of the proposed law that says the disc's may not be attached to a roof should make some allowances because some new disc's are in the making that are only 2' to 3' and are made for roof top installation. Emerich Yusko said that people on the north side of the Canal are not able to have cable so the Board should not make it too hard on them. Helen Adams said she really doesn't care what someone else does with their yard. She feels it is their property, they can do what they want to with it and she believes that's how most people feel. Supervisor Aplin said from the phone call complaints he receives from people he feels they do care what their neighbors do. He added that it makes a difference when something is actually happening in your own immediate neighborhood. David Jankowski asked how many complaints the Town had received that prompted this action. Supervisor Aplin said he had received no complaints about satellites but at least 4 about inground pools and at least 5 or 6 about garage sales. He did not know about the rest of the Board. Mr. Jankowski felt that for only a handful of complaints it would behoove the Board to explore the possibility of already existing State Laws governing these subjects. Councilman Sinclair said that his committee will look into the possibility of State Laws regarding the yard sale and swimming pool problems. He feels that there will be increased development in the Town of Palmyra in the next 10-15 years and the Board has the responsibility of allowing these changes to happen in a somewhat orderly way. Supervisor Aplin reminded those present that we were running over our time and people were waiting to hold another hearing. Steve Hanrahan asked if this hearing could be adjourned to another date and a larger place where everyone could be more comfortable, thus allowing the Board time to check on some points that had been mentioned tonight. Supervisor Aplin said that possibly a few more minutes would bring out more questions. Emerich Yusko asked how broad the Board was going to go on this, for instance junk cars, cars parked along the shoulder of the road etc. Supervisor Aplin told him that we already have a ordinance against junk cars and in some instances against parking along the shoulders of the road. Mr. Yusko suggested that instead of making new laws the Board should enforce the laws we already have. Supervisor Aplin told him that he didn't believe he had ever complained about this before and if the Board is not aware of a situation it can do nothing about it. Roy Wilck said that since the Board represents the residents of the Town of Palmyra, he would like to point out that most of the people present are against this proposed law. Raymond Marr, a member of the Village of Palmyra Zoning Board of Appeals, said he would like to point out that the Board is not trying to do away with these things, only regulate them. He feels it is better to be a little ahead of things than to wait until a situation has a foothold and



May 9, 1985.

then try to do something about it. Roy Wilck asked about auctions. Supervisor Aplin said he felt that part of the proposed law should be worked on. At this time there was a complaint from Leonard Quigley, regarding the Public Hearing scheduled for 8:30 and it was now 9:00. Supervisor Aplin explained to all present that we did have to end this because we had kept these other people waiting quite a while. Steve Hanrahan asked if the Board would set a date for another Public Hearing in a larger place, perhaps a month or two from now. Supervisor Aplin said a date could not be set at this time but those present could be notified by mail when a date was set. Helen Adams asked if an ad could please be put in the Timesaver as well as the Courier Journal. The Board said a Public Notice could be put in the Timesaver. At this time a letter received from Robert Yagger was read into this hearing. (Letter filed in "Proposed Yard Facilities Law" file.) The recommendation from the Palmyra Planning Board was then read.

To: Beverly Hickman  
 From: Planning Board  
 Re: Ordinances for Satellite Disc  
       Swimming Pools  
       Garage Sales

Dear Ms. Hickman:

This is written to inform the Town Board that after careful consideration the Planning Board has drawn up proposed ordinances with the help of the Town Attorney. A copy of each proposed ordinance is enclosed. In two separate motions made at the March 12, 1985 Planning Board meeting the following recommendations were set forth:

1. In a motion made by Lyman Kaller and seconded by David Pinkney the above cited ordinances are to be recommended to the Town Board for approval.
2. In a motion made by George Tilburg and seconded by Lyman Kaller it was recommended that the three Ordinances be consolidated into a yard useage or yard facilities law.

If there are any questions please feel free to contact me.

Very truly yours,

Frank Koeberle

Jacquelyn Thompson, Secretary  
 Town of Palmyra Planning Board

cc: Donald Sinclair

Supervisor Aplin adjourned this Public Hearing at 9:15 P.M.

#### PUBLIC HEARING

The Public Hearing scheduled to be held on May 9, 1985 to consider the application of Gordon Wheeler, 910 Garnsey Road, Palmyra for a variance to the Zoning Ordinance of the Town of Palmyra to use his residence to manufacture and sell molded latex rubber items was called to order by Superintendent Aplin at 9:16 P.M.

Those present, other than the town board were:

Mr. and Mrs. Gordon Wheeler	James Elliott
Leonard Quigley	Paul Rubery
Lee Lincoln	Judson Roney



Following the reading of the Proof of Publication by the Town Clerk, Supervisor Aplin opened the floor for any comments for or against this application. Leonard Quigley, 936 Garnsey Road (next door neighbor) said that the big trucks turn around in his driveway and he does not want this business there. He does not think this should be a commercial area. Supervisor Aplin asked Mr. Roney, the Zoning Enforcement Officer, if this was a home occupation or a commercial business. Mr. Roney referred this question to the Town Attorney, Paul Rubery because of the legal aspect. Mr. Rubery said that a home occupation has no employees and all business must be conducted entirely within a building and can be in either a residential or agricultural zone. Lee Lincoln, Garnsey Road, said if the business stays the way it is right now it is O.K. but he does object to making it commercial. Leonard Quigley added that he had no objections as long as things remain the same. Mr. Wheeler mentioned that there was some question about driveway easement. Mr. Rubery requested that the Wheeler's take their abstract to his office tomorrow morning so copies can be made. Supervisor Aplin asked about parking. Mr. Wheeler said he didn't need any parking area because he had no retail sales. Supervisor Aplin then asked about the waste disposal involved. Mr. Wheeler said that everything is biodegradable and he has D & L Disposal pick up everything every week.

Supervisor Aplin asked if there were any more comments concerning this Public Hearing. There being none, the Town Clerk read the following letter into the minutes.

May 1, 1985

Dear Mrs. Hickman,

This is to let you know that I received your letter yesterday in reference to Gordon Wheeler's application for special authorization for use of his residence to manufacture and sell rubber items.

I whole-heartedly support and approve of his request.

I hope to be able to attend the meeting on May 9. If not, I will send a certified letter with a (notary) signature.

Sincerely,

Donna L. O'Meal

Councilman Baran asked how often Mr. Wheeler had to send things out. Mr. Wheeler said he did not ship on a regular basis so he really couldn't be sure.

Supervisor Aplin then read the following recommendation from the Palmyra Planning Board:

Town Board  
Town of Palmyra

Re: Gordon Wheeler Applicant  
Conduct a Mask Making Business in his Garage

In response to the Town Board's request for a recommendation in the above cited matter, you are by advised that the Planning Board in the April 16, 1985 meeting considered the matter. After much discussion about waste removal and traffic problems Don Snyers made the motion to recommend to the Town Board that Gordon Wheeler continue with his mask business as long as he follows the following stipulations:

1. Sign if any be in accordance with Town Ordinances
2. No outside storage
3. All manufacturing be conducted within the building

4. Driveway easement to be obtained because drive is partly on neighbors property - provide access in and out for deliveries and patrons.
  5. No outside employees.
  6. Waste disposal - where and how explained
- This motion was seconded by George Tilburg and motion carried.

Very truly yours,

Frank Koeberle, Chairman  
Planning Board  
Town of Palmyra

Supervisor Aplin declared this Public Hearing closed at 9:42 P.M.

CALL TO ORDER

The regular meeting of the Town Board of the Town of Palmyra scheduled for May 9, 1985 at the Town Office, 201 E. Main Street, was called to order by Supervisor Aplin at 9:44 P.M.

SILENT PRAYER  
PLEDGE OF ALLEGIANCE  
ROLL CALL

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: Town Supervisor Leroy Aplin, Town Councilmen Donald Sinclair, David Lyon, Andy Baran.

Others that stayed to attend this meeting were:

James Willott  
Paul Rubery, Town Attorney  
Judson Roney, Assessor and Zoning Enforcement Officer  
Nelson Cook, Highway Superintendent

COMMUNICATIONS

COMMUNICATIONS

1. Thank you from Elwood and Shirley Verbridge and family for his mother's funeral flowers.
2. Letter from Americal Legion Re: Memorial Day Parade
3. Letter of complaint from John and Marlene Rush  
Re: Conditions at Swift's Landing Park

MIN TO APPROVE  
MIN 4/11/85

Following a review of the minutes from the April 11, 1985 meeting, a motion was made by Donald Sinclair, seconded by Andy Baran, to approve these minutes as submitted. Motion carried with 4 ayes.

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

1. Truck Bids

LIST OF TRUCK BIDS

Following is a list of all bidders given in the order received at the Town Office on May 9, 1985:

1. Pitts Ford Inc., Williamson  
1985 or 1986 - Bid Price \$57,936.32  
250 - 300 Days Delivery
2. Genesee Ford Truck Sales, Rochester  
1985 Ford LT-9000 - Bid Price 56,784.00  
15 Day Delivery
3. Beam - Mack Sales  
1985 Mack Mod. RD686S - Bid Price \$55,500.00  
Immediate Delivery
4. Heavy Duty Truck, Rochest  
1986 Autocar DK64B - Bid Price \$56,710.00  
Option RTO - 14608LL Transmission Add \$400.00  
150 Day Delivery

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:

May 1, 1985

Notice is hereby given that sealed bids are sought for the furnishing according to specification...  
On or before 4:00 p.m. on May 1, 1985...  
The Town Board reserves the right to reject any or all bids submitted pursuant to the rules...  
By Order of the Town Board of Palmyra

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me  
this 31st day of May, 1985  
*Judith A. MacDuff*  
Notary Public

Fee: \$ 14.30  
JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4736125  
Expiration Date March 30, 1987



## 5. Malcuria Bros., Geneva

1986 International Harvester F-2574 - Bid Price \$56,390.00

120 Day Delivery

David Lyon moved to refer these bids to committee for a recommendation at the next meeting. Andy Baran seconded this motion and it passed with 4 ayes. Mr. Lyon asked Nelson Cook, Highway Superintendent, if he had anything to report to the Board. Mr. Cook said he is filling the full-time vacancy. They have been doing road cleanup, equipment cleanup, general maintenance, their Open House was last week and he felt it went fairly well. The equipment auction will be May 18, 1984 at 11:00 A.M. At the present time the Town of Walworth, Town of Williamson and the Village of Palmyra are participating in the auction also. Supervisor Aplin asked if this person for the full time vacancy lives in the Town of Palmyra and has this job been advertised? He feels that the Board has some say-so over this appointment, naturally based upon Mr. Cook's recommendation. Mr. Cook said that according to Town Highway Law, the Highway Superintendent has the authority to hire personnel for the Highway Department. Supervisor Aplin said he realized that, but Mr. Cook had not been elected yet, only appointed by the Board. David Lyon asked Paul Rubery where we stand on this matter. Mr Rubery said that he had looked this up, upon Mr. Cook's request, and according to the opinion of the State Controller, in Section 140 of the Highway Law, the employment of a member of the Highway Crew is the sole discretion of the Highway Superintendent as long as he stays within the budget.

Water and Fire Committee - Edwin Wheeler, Chairman

WTR & FIRE  
COMM

No report

Landfill Committee - Andy Baran, Chairman

LANDFILL COMM

Mr. Baran reported to the Board that he is waiting for David Matthews to get to him with the cost of covering our landfill. Hopefully he will have this by the next meeting. Mr. Baran also said that the first Saturday (May 4, 1985) of having D & L Disposal at the Town Barns for refuse pickup went very smoothly.

Cemeteries Committee - Andy Baran, Chairman

CETRIES COMM

No report at this time.

Assessment, Planning and Zoning Committee, Donald Sinclair,  
Chairman

## 1. Proposed Local Law - Subject of Public Hearing

Mr. Sinclair tabled this matter until sometime in the fall to allow the committee time to rework some parts of it.

PROPOSED  
LOCAL LAW  
YD FACILITIES

## 2. Gordon Wheeler - Special Authorization

Subject of Public hearing

G. WHEELER  
SPEC. AUTH

This matter cannot be acted upon until Mr. Rubery has a chance to look over the maps and abstract from Mr. Wheeler's property.

## 3. Vincent Steffen Application - tabled at last meeting

The following motion was made by Don Sinclair, seconded by Andy Baran and passed with 4 ayes

Be it resolved that, subject to Vincent Steffen's continued compliance with all aspects of the Special Authorization granted by the Town Board at its meeting of 27 November 1984, Mr. Staffen's authorization is amended to allow him to install a Model 34-6050 Winslow "Porta Weigh" portable truck scale, having a platform size of 10 ft. x 50 ft.

The Town Clerk shall submit to Mr. Steffen for his signature a statement to the effect that he understands and agrees to the terms of this amendment to the original Special Authorization.

MOIN TO APPV  
RENEWAL OF  
JUNK YARD  
PERMIT HOOD

4. Renewal of Auto Junk Yard Permit - William Hood

The following motion was made by Donald Sinclair, seconded by David Lyon and passed with 4 ayes.

It is hereby moved that the application of William Hood to renew his Automobile Junk Yard Permit for the period of 1 April 1985 through 31 March 1986 be approved.

MOIN TO APPV  
ADDITION FOR  
G POLISSE

5. George Polisse - Application to enlarge mobile home

Mr. Sinclair moved to approve a 19½' by 7½' addition to George Polisse's mobile home to be complete in 6 months. Andy Baran seconded this and it passed with 4 ayes

R. SZACHTA  
APPLICATION  
RETURNED

6. Richard Szachta - application for permit for a sundeck

The Board could not move on this application because it had not been signed by the mobile home park owner. The application will be returned to Mr. Szachta.

7. Annabelle Perri - Application for permit to have a second mobile home.

Judson Roney, Zoning Enforcement Officer, said that the land is State Canal land. The State controls placement or erection of buildings on this land, however, the owner must comply with the Town Zoning Ordinance. Mr. Roney has put a notice on the trailer stating that it must be moved because it is in violation of the Town Zoning Ordinance. Following a lengthy discussion,

MOIN TO APPV  
2ND TRAILER  
A. PERRI

Donald Sinclair moved to approve the permit for Annabelle Perri to have a second mobile home on her canal property based on working out the details with Judson Roney, Zoning Enforcement Officer, and contingent upon burned out buildings being torn down. Andy Baran seconded this motion and it passed with 4 ayes

TN BLDG COMM

Town Building Committee - David Lyon, Chairman

No report at this time

CNSLDATION  
OF TN & VILL  
COMM

Consolidation of Town and Village Committee - Edwin Wheeler,  
Chairman

No report at this time.

OTHER BUSINESS

DOG PROBLEM

1. Dog Problem

Judge Abbott has talked to Paul Rubery about a numerous amount of unlicensed dogs. The Town Clerk will make a list of same for the Board.

MOIN TO APPV  
PAYMENT OF  
VOUCHERS

Following a review of vouchers submitted, Donald Sinclair moved to approve payment of vouchers as submitted on abstract # 4B and #5. Andy Baran seconded this motion and it passed with 4 ayes.

May 9, 1985

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The motion to adjourn this Town Board meeting was made by Donald  
Sinclair, seconded by David Lyon and passed with 4 ayes.

MOIN TO  
ADJOURN

Respectfully submitted,

*Beverly E. Hickman*  
Beverly E. Hickman, Town Clerk

May 23, 1985

CALL TO ORDER

The regular meeting of the Town Board of the Town of Palmyra scheduled for May 23, 1985 at the Town Office, 201 E. Main Street, Palmyra was called to order by Supervisor Aplin at 8:00 P.M.

SILENT PRAYER  
PLEDGE OF ALLEGIANCE  
ROLL CALL

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:

Town Supervisor - Leroy Aplin  
Town Councilmen - Ed Wheeler  
David Lyon  
Andy Baran  
Donald Sinclair

Others in attendance at this meeting were:

Barbara Joe Delano Richard Szachta  
Nelson Cook, Highway Superintendent  
Judson Roney, Assessor and Zoning Enforcement Officer  
Paul Rubery, Town Attorney

COMMUNICATIONSCOMMUNICATIONS

1. Thank you for the retirement party from James Debrine
2. Thank you for the retirement party from Lyman Kaller
3. Verbal thank you from Ed Wheeler for plant sent to him while in the hospital

David Lyon moved to approve the minutes of the April 25, 1985 meeting as submitted. Andy Baran seconded this motion and it passed with 4 ayes.

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

1. Truck Bids

MOIN TO APV  
PURCHASE OF  
1985 MACK  
TRUCK

David Lyon moved to approve the purchase of a 1985 Mack truck for the Highway Department in the amount of \$55,500.00. Andy Baran seconded this motion. Following a discussion of the specs and the warranty, this motion passed with 4 ayes. Ed Wheeler abstained due to his lack of knowledge on the matter because of his recent surgery.

2. Resolution to authorize the purchase of a Flail Mower

MOIN TO APV  
PURCHASE OF  
FLAIR MOWER

The following motion was made by David Lyon, seconded by Ed Wheeler and passed with 5 ayes

BE IT RESOLVED that Special Authorization to the Highway Superintendent to purchase a flail mower on May 17, 1985 in the amount of \$900.00 has been approved.

CLOSING OF  
R/R CROSSING  
E. TOWNLINE RD

3. Closing of Railroad Crossings, E. Townline Road

Mr. Lyon turned this matter over to Council and Committee

4. Highway Department Auction

Nelson Cook, Highway Superintendent, reported to the Board that the net amount raised at the auction \$38,588.00.

WTR & FIRE  
COMM

Water and Fire Committee - Ed Wheeler, Chairman

No report at this time.

LANDFILL COMM.

Landfill Committee - Andy Baran, Chairman

No report at this time.

CMTRES COMM

Cemeteries Committee - Andy Baran, Chairman

No report at this time.

Assessment, Planning and Zoning Committee, Donald Sinclair  
Chairman

1. Gordon Wheeler - Special Authorization

Tabled at last meeting, still tabled.

2. Richard Szachta - Application for a sun deck

The following motion was offered by Don Sinclair, Seconded by Ed Wheeler and passed with 5 ayes.

It is hereby moved that the application of Richard Szachta to construct an 8' X 12' open sun deck on the north side of mobile home unit number 26, at Marquart's Mobile Manor be approved, and that Mr. Szachta obtain a building permit from the Town Building Inspector.

3. Allan Huff - Confirmation to approve application for enclosed porch and ramp.

The following motion was offered by Don Sinclair, seconded by Edwin Wheeler and following a brief discussion, passed with 5 ayes.

It is hereby moved that the application of Allen Huff to construct an enclosed porch and 12 foot ramp on the south side of his father's mobile home in Marquart's Mobile Manor be given approval retroactively to 21 May 1985.

4. Barbara Joe Delano - Application to add a room on her mobile home

Donald Sinclair then moved to approve the addition of 1 room, 8' x 16' to Barbara Joe Delano's mobile home. Ed Wheeler seconded this motion and after a brief discussion it passed with 5 ayes.

Mr. Sinclair then moved to add to the agenda the subject of purchasing a new file cabinet for the Assessor. Ed Wheeler seconded this motion and it passed with 5 ayes. A motion was offered by Don Sinclair to approve the purchase of a 4 drawer legal file with a lock for the Assessor's Office in a amount not to exceed \$300.00. Ed Wheeler seconded this motion and it passed with 5 ayes.

Town Building Committee - David Lyon, Chairman

1. Judge Hunt would like to rent the Village Courtroom

Supervisor Aplin has been advised by the Court Clerk that Judge Hunt has scheduled a jury trial for June 17 and 18, 1985 and has requested the use of the Village Courtroom. The Board decided that the Town Clerk would handle the correspondence with the Village.

At this time Judge William Abbott joined the meeting. Donald Sinclair then moved to add to the agenda the problem concerning dogs. This was seconded by Ed Wheeler and passed with 5 ayes. Judge Abbott asked if Elmer Kniest as Town Constable could serve a dog summons. The Town Attorney, Paul Rubery, said anyone can serve a summons as long as they are 18 years old. Donald Sinclair moved to authorize Elmer Kniest and Francis Toole to help with the serving of dog summons within 90 days from notification and acceptance by Mr. Kniest and Mr. Toole. David Lyon seconded this motion and it passed with 5 ayes. Paul Rubery then brought it to the attention of the Board that at the present time all of the dog summons tickets go to Judge Abbott's court. It was decided by the Board that Supervisor Aplin would write a letter to Harold Fisher, the Dog Control Officer, directing him to split these tickets between the two Town Court Judges.



May 23, 1985

Consolidation of the Town and Village Committee - Ed Wheeler,  
Chairman

No report at this time.

OTHER BUSINESS

1. Transfer of Funds

The following motion was made by Donald Sinclair, Seconded by Ed Wheeler and passed with 5 ayes.

WHEREAS, the Town of Palmyra has received a bill from Medvet Labs. Inc. in the amount of \$58.75 for sewer tests taken at Bear Hill and

WHEREAS, there are not monies in the Board of Health-Contractual Expense Acct. to cover this expense

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra transfer funds from Board of Health - Personal Services Acct. No. B4010.1 to the Board of Health - Contractual Expenses Acct. B4010.4 in the amount of \$58.75.

2. Memorial Day Parade

Supervisor Aplin asked who was planning to ride in the Memorial Day Parade besides himself. Donald Sinclair and Edwin Wheeler will try to be there. Andy Baran said maybe.

3. Canaltown Days Parade

Supervisor Aplin told the Board members to be thinking about the Canaltown Days Parade. It will be held on Saturday, September 14, 1985 at 5:00 P.M.

Following a review of the vouchers, Ed Wheeler moved to approve payment of the vouchers as submitted on Abstract # 5A.

The motion to adjourn this meeting of the Town Board was made by Andy Baran, seconded by David Lyon and passed with 5 ayes.

Respectfully submitted,

  
Beverly E. Hickman, Town Clerk

June 13, 1985

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on June 13, 1985 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Town Supervisor Leroy 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:  
Town Supervisor - Leroy Aplin  
Town Councilmen - Donald Sinclair  
David Lyon  
Andy Baran

Others in attendance at this meeting were:  
Michael Ertel  
Carolyn F. Galens  
Jan Edwards, E. Palmyra Postmistress  
Nelson F Cook, Highway Superintendent  
Judson Roney, Assessor and Zoning Enforcement Officer  
Paul Rubery, Town Attorney

COMMUNICATIONS

1. Letter of thanks from the Palmyra-Macedon Central School
2. Letter from the Mayor, Re: Thank you for allowing Village to participate in our auction

REPORTS OF STANDING COMMITTEES

Highway Committee, David Lyon, Chairman

1. Closing of railroad crossing on E. Town line Road  
David Lyon tabled this matter.
2. Motion to advertise for bids for a truck body hoist and equipment

David Lyon moved to advertise for bids for a truck body, hoist, and equipment with a cut-off time of July 11, 1985 at 7:30 P.M. at which time these bids will be opened and read. Donald Sinclair seconded this motion and it passed with 4 ayes.

Water and Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE  
COMM

No Report

Landfill Committee - Andy Baran, Chairman

LANDFILL COMM

1. Spring Clean-up

A motion was offered by Andy Baran and seconded by David Lyon to approve a "Spring Clean-Up with a dumpster at the Town Barns, Kent Street, from June 29, 1985 to July 6, 1985, with an ad in the paper to specify that no garbage is allowed. After a short discussion, this motion passed with 4 ayes.

Cemeteries Committee - Andy Baran, Chairman

CMTRES COMM

No Report at this time.

Assessment, Planning and Zoning Committee - Don Sinclair,  
Chairman

ASSESS, PLAN  
& ZON. COMM

1. Gordon Wheeler - Special Authorization - Tabled from May 9, 1985 meeting

Mr. Sinclair reported to the Board that this matter would have to remain tabled until he received a map from the County.

G. WHEELER  
TABLED

2. Schedule hearing for the Richard and Lyndall Ann Green application

PUB. HEAR.  
SCHEDULED  
R & L GREEN

Donald Sinclair moved to schedule a Public Hearing for the Richard and

June 13, 1985

Lyndell Green application to be held at 8:00 on June 27, 1985. Andy Baran seconded this motion and it passed with 4 ayes.

PUB. HEAR  
SCHEDULED  
H. GREENLEE

3. Schedule hearing date for the Harold Greenlee Application  
Andy Baran moved to schedule a Public Hearing for the Harold Greenlee application to be held at 8:30 on June 27, 1985. David Lyon seconded this and it passed with 4 ayes.

MOTN TO APPV  
REPLACEMENT  
OF DECK FOR  
M. ERTEL

4. Michael Ertel application for replacement of a deck  
Andy Baran moved to approve the replacement of a 8' x 14' deck for Michael Ertel. Donald Sinclair seconded this motion and it passed with 4 ayes.

MOTN TO APPV  
PATIO W/ROOF  
W. CRANE

5. Warren Crane application for patio with roof  
Judson Roney, Zoning Enforcement Officer recommended to the Board that they restrict the width of this patio to 8 feet if approval is granted. Donald Sinclair moved to approve a 8' x 16' patio with roof for Warren Crane. David Lyon seconded this motion and it passed with 4 ayes.

Town Building Committee - David Lyon, Chairman

JURY TRIAL  
CANCELLED

1. Jury Trial Cancelled

It was reported to the Board that Judge Hunt's jury trial, for which we made arrangements to rent the Village Courtroom, has been cancelled. David Lyon told the Town Clerk to write a letter to the Village Mayor, Warner Strong, cancelling these arrangements.

CONSOLIDATION  
OF TN & VILL  
COMM

Consolidation of Town and Village Committee - Edwin Wheeler,  
Chairman

No report

OTHER BUSINESS

DOG  
COMPLAINT  
E. PALMYRA

3. Dog Complaint

Jan Edwards, Postmistress in East Palmyra, complained to the Board about the many dogs running loose in East Palmyra and described in detail the problems they are causing. She said she had called the Dog Control Officer several times but still nothing had been done. She would like to see a leash law put into effect in East Palmyra. David Lyon explained to Ms. Edwards that any action that the Board might take would have to be Town-wide not just for East Palmyra. Mr. Lyon also told the Board that Harold Fisher, the Dog Control Officer, did go to East Palmyra to check on the complaint about several dogs at the Christian School, however, the day he went over there no dogs were around the school at all. Mr. Lyon suggested that Supervisor Aplin send a letter to Mr. Fisher and ask him to come to the next Board Meeting. The Board agreed. The Board asked Jan Edwards if she could give them a list of the people that own the dogs that are being a nuisance so that the Town Clerk could check to see if these dogs are licensed. Ms. Edwards did produce such a list.

DUTIES OF  
TN CONSTABLE

5. Duties of Town Constable

The Town has two (2) Constables at the present time, Francis Toole and Elmer Kniest. The Board would like to see the duties of these Town Constables defined in writing. Following a short discussion, it was decided that Mr. Paul Rubery, the Town Attorney will draw up some papers for the Board's approval.

2. Permission for the Registrar and Deputy Registrar to attend a Vital Statistics Seminar, Wednesday, June 26, 1985 in Canandaigua

Donald Sinclair moved to approve the Registrar (Beverly Hickman) and the Deputy Registrar (Virginia Wilson) to attend a Vital Statistics Seminar in Canandaigua on Wednesday, June 26, 1985. This motion was seconded by David Lyon and passed with 4 ayes

MOTN TO APPV  
REGISTRAR &  
DEPUTY REG.  
TO ATTEND  
SEMINAR

4. Surplus Property

Henry Bedett has told Supervisor Aplin that he felt some of our old voting machines that are stored at the Town Barns, could be sold. They are still usable. Donald Sinclair moved to declare three of our old voting machines surplus equipment. David Lyon seconded this motion and it passed with 4 ayes

SURPLUS  
EQUIPMENT  
DECLARED

6. Abandoned railroad property

Donald Sinclair then moved to authorize the Town Attorney, Paul Rubery, to submit a bid for Railroad Property from Route 21 East to East Palmyra-Port Gibson Road offering \$500.00 per acre and giving them seven (7) working days to accept our offer. David Lyon seconded this motion and following a discussion of same it passed with 4 ayes.

MOTN TO APPV  
BID ON R/R  
PROPERTY

1. Transfer of Funds

(a) Donald Sinclair moved to transfer \$35,000.00 from the Machinery Reserve Account to the Machinery Account. David Lyon seconded this Motion and it passed with 4 ayes.

TRANSFER  
OF FUNDS  
FROM:  
(a)  
MACHINERY  
RESERVE ACC

(b) David Lyon moved to transfer \$15,000.00 from the Federal Revenue Account to the Machinery Account. Donald Sinclair seconded this motion and it passed with 4 ayes.

TO MACH  
ACCOUNT  
(b)  
FED REV  
ACCT TO

(c) David Lyon then moved to transfer \$38,588.00 from the Machinery Account to the Machinery Reserve Account. Andy Baran seconded this motion and it passes with 4 ayes.

MACHINERY  
(c)  
MACH ACCT  
TO MACH RES

(d) The following Motion was then made by Andy Baran, seconded by David Lyon and passed with 4 ayes.

ACCT

WHEREAS the Town has received bills from Medvet Labs in the amount of \$23.50 and MRB Group, P.C. for \$250.00 and

(d)  
BD OF  
HEALTH PRSNL  
SERVICES AC  
TO BD OF  
HEALTH  
CONTRCTL EXP

WHEREAS there are no funds in the Budget for the Board of Health Contractual Expenses

THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of \$273.50

From Board of Health - Personal Services Acct. No. B4010.1

To Board of Health - Contractual Expenses Acct. No. B4010.4

David Lyon then moved to approve the purchase of the following supplies for the Highway Department:

MOTN TO APPV  
PURCHASE OF  
SUPPLIES FOR  
HIWY DEPT

1 Harter Spreader	\$ 3,400.00	
1 Harter Shoulder Spreader	\$ 2,000.00	
1 Box and Hoist for new truck	\$10,000.00	
1. Sand Blaster	\$ 1,500.00	
6 Ton Blast Sand	\$ 1,000.00	
Paint Supplies	\$ 1,500.00	
Cutting Edge & Shanks & Teeth for Loader	\$ 2,500.00	
Parts for Flair Mower	\$ 300.00	
TOTAL	\$22,200.00	

June 13, 1985

## BLDG. FUND

Electrical Service Parts &amp; Labor

\$2,000.00

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

Paul Rubery, the Town Attorney, informed the Board that there is great interest from the Mormon Church to run water out Stafford Road. They are interested in facts and figures regarding cost to do same. Andy Baran moved to authorize MRP Group to update the figures on this installation. David Lyon seconded this motion and it passed with 4 ayes.

A motion was then made by David Lyon, seconded by Andy Baran, to authorize the signing of the contracts between the Town of Palmyra and the King's Daughters Free Library and the Town of Palmyra and the Palmyra Community Center. 4 ayes passed this motion.

Nelson Cook reported to the Board that the Highway Superintendent's School he attended had good speakers and was very worthwhile.

Following a review of the vouchers submitted for payment, Andy Baran moved to approve payment of the vouchers as submitted on abstract #5B and # 6. Donald Sinclair seconded this motion and it passed with 4 ayes.

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

Respectfully submitted,

*Beverly E. Hickman*  
 Beverly E. Hickman, Town Clerk

MIN. TO AUTH  
SIGNING OF  
CONTRACTS  
FOR LIBRARY  
& COMM CNTR

HIWY SUPER  
SCHOOL RPT





## PUBLIC HEARING

The Public Hearing scheduled to be held on Thursday, June 27, 1985 at the Town Office, 201 E. Main Street, Palmyra, to consider the application of Richard and Lyndall Ann Green, 2873 Macedon Center Road, Palmyra, for Special Authorization to convert their residence to a three-unit apartment house was called to order by Supervisor Aplin at 8:02 P.M.

Those in attendance, other than the Town Board were as follows:

Richard Green	2873 Macedon Center Road
Lyndall Ann Green	2873 Macedon Center Road
Hudson J. VanBortel	
William J. VanBortel	2848 Macedon Center Road
Deborah Marr	
Albert West	3017 North Creek Road
Deborah Kay Ayes	2366 Macedon Center Road
Orville Marquart	1763 Division Street
Beth Wildey	4333 North Creek Road
Jack Wildey	4333 North Creek Road
June Wildey	4333 North Creek Road
Nelson Cook	Town Highway Superintendent
Judson Roney	Assessor & Zoning Enforcement Officer
Paul Rubery	Town Attorney

The Proof of Publication was then read by the Town Clerk.

Supervisor Aplin asked the Green's if they presently occupy this building and if so, are they going to remain there? Mr. Green said they do live there now, but will only remain there until they have it converted. Mrs. Green added that they will be nearby in order to oversee and manage the apartments.

David Lyon asked if they had sufficient leach fields. Mrs. Green said that their property was the former Brown's Nursing Home. Anna Brown had told them that there is a 1,000 gallon septic tank and most of the field to the left of the house is leach field. They have no proof of this but Floyd Pulcini did the work on all of this and Mrs. Green hopes he has records of it. David Lyon felt that the Board should have a affidavit from Floyd Pulcini regarding this.

Supervisor Aplin asked about parking areas and the Green's said there will be ample parking areas provided.

Andy Baran asked about the well. The Green's said they have never had a problem with the well.

David Lyon asked about maximum number of people they plan to allow in the apartments. The Green's thought 13 to 15 people total would be the maximum.

June Wildey asked if this change would automatically change the Green's assessment. Judson Roney, Town Assessor, said if the resulting change creates a structure of greater value, the assessment would go up. June Wildey then asked if there would be a time limit in which to do the changes necessary. Supervisor Aplin told her that if the Board granted approval of this they would also set a time frame for completion. He then asked the Green's what they had planned regarding timing. Mr. Green said they would like it done as soon as possible, two or three months he hopes.

Judson Roney said that this would be considered a "change in use" and therefore the plans would have to be reviewed by a architect licensed by the State of New York in order to meet the New York State qualifications.

Mrs. Green said she didn't think this applied to a unit under five apartments. Mr. Roney stated that this applies to a unit of three or more apartments. He said he had just learned of this himself at a seminar he had recently attended. Mrs. Green said that it was her understanding that when the construction was completed Mr. Roney would inspect it himself; she did not realize they needed to work with an architect. Paul Rubery, the Town Attorney, explained to the Green's that Mr. Roney is obligated to comply with the state building codes and that he (Mr. Rubery) had told them at the Planning Board Meeting that they needed an architect to check their plans. David Lyon did not feel that the architect matter was a problem at this point. He said there would be time enough for that after the Board made a decision regarding approval or disapproval.

Orville Marquart asked the Green's why they wanted to make this change. Mrs. Green said that their children are growing up and leaving home now and they have just realized the market value on rental property.

A unidentified man asked about doing this sort of thing in an agricultural district. He didn't like seeing this type of thing happen. David Lyon explained that the laws pertaining to an agricultural district basically protect the person that is farming. However, if this same person quits farming and wants to sell his land for building lots, he can do so.

Supervisor Aplin asked for any more comments either for or against this application. There were none.

The following recommendation from the Planning Board was then read by Supervisor Aplin:

Donald Sinclair  
Town Board  
Town of Palmyra

RE: Richard Green Application - Convert Single Family Residence to Three Unit Apartment House

In response to the Town Board's request for a recommendation in the above cited matter, you are hereby advised that the Planning Board in the June 11, 1985 meeting considered the matter. After much discussion about the location of the existing leach field and adequate water supply, George Tilburg made the motion to recommend to the Town Board that the Green's be able to convert their home into a three family apartment unit because:

1. Ample parking space with U shaped drive
2. Ample lot size
3. Adequate water supply
4. More than enough floor space
5. Ideal location - rental property on 2 sides (Marquart's)

This motion was seconded by David Pinkney and the motion carried.

Very truly yours,  
Frank Koeberle, Chairman  
Planning Board  
Town of Palmyra

Supervisor Aplin again asked if there were any more comments for or against this application. There being no comments, Supervisor Aplin declared this Public Hearing closed at 8:37 P.M.



June 27, 1985

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PUBLIC HEARING

The Public Hearing scheduled to be held on Thursday, June 27, 1985 at the Town Office, 201 E. Main Street, Palmyra, to consider the application of R. Harold Greenlee, for property he owns on North Creek Road, Palmyra for Special Authorization to convert a two-family residence to a five-unit apartment house was called to order by Supervisor Aplin at 8:39 P.M.

GREENLEE PUB.  
HEARING CALLED  
TO ORDER

The same people were in attendance at this Public Hearing as stated in the previous Hearing.

The Proof of Publication was read by the Town Clerk.

Supervisor Aplin asked if Mr. Greenlee was present. He was not. He then asked for any comments either for or against this application.

Albert West said he thinks it is wonderful that Mr. Greenlee is cleaning the property up.

Rebecca Bay stated that there have already been problems with renters in that area; Christmas trees stolen, windows shot out etc. She said that rental people do not respect property like a home owner does. She asked if anything could be done about the dangerous driveway on that property. Supervisor Aplin told Ms. Bay that the County Highway Dept. is trying to work out something with Mr. Greenlee to change the road at that curve.

June Wildey asked how much time would be allowed for conversion. Supervisor Aplin told her that would be discussed by the Board and a time limit would be set if approval was granted.

Judson Roney then brought to the Board's attention the fact that the fee for this Public Hearing had not been paid by Mr. Greenlee.

Supervisor Aplin asked if those present had any more comments either for or against this application. There being no comments and the fact that Mr. Greenlee was not present to answer any questions and since this Public Hearing had not been paid for, Supervisor Aplin declared this Public Hearing closed at 8:51 P.M.

GREENLEE HEAR.  
CLOSED

REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, June 27, 1985 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 8:52 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:

ROLL CALL

Town Supervisor	Leroy Aplin
Town Councilmen	David Lyon
	Andy Baran
	Donald Sinclair arrived late

COMMUNICATIONS

COMMUNICATIONS

There were no communications to be read.



MOIN TO APPV  
MINUTES OF  
5/9/85  
5/23/85 &  
6/13/85

David Lyon moved to approve the minutes of the May 9, 1985 meeting, the May 23, 1985 meeting and the June 13, 1985 meeting as submitted. Andy Baran seconded this motion and it passed with 3 ayes.

Town Councilman Donald Sinclair arrived at this time.  
REPORTS OF STANDING COMMITTEES

HIWAY COMM

Highway Committee - David Lyon, Chairman  
David Lyon had no report at this time. He asked the Highway Superintendent, Nelson Cook, if he had anything to report. Mr. Cook told the Board he had had a request from a family on Daansen Road for two (2) signs designating deaf children. He said the family has five children, two of whom are deaf. Paul Rubery said this would require two authorizations: 1) To purchase said signs and 2) Authorization from the Town of Macedon to put the signs up. The Board decided they would like a written request from the family before they go any farther with this. Mr. Cook will get back to the family regarding this matter.

SIGNS FOR  
DEAF CHILDREN

WATER & FIRE COMM

Water & Fire Committee - Edwin Wheeler, Chairman

No report

LANDFILL COMMITTEE

Landfill Committee - Andy Baran, Chairman

Andy Baran said he had no report at this time.

CEMETERIES COMM

Cemeteries Committee - Andy Baran, Chairman

Mr. Baran said the maintenance work was not being done at Swift's Cemetery like it should be. Donald Sinclair, former Cemeteries Committee Chairman, said the Mormon Church Workcrew was supposed to take care of that as part of the agreement with the Town to erect a Historical Sign at this cemetery. Mr. Sinclair suggested sending a letter to the Church reminding them of said agreement. Supervisor Aplin will send said letter.

ASSESS, PLNG  
& ZON COMM

Assessment, Planning & Zoning Committee - Donald Sinclair,  
Chairman

1. Deborah Kay Ayers - Application for addition to a mobile home

MOIN TO  
REFUSE  
APPLICATION  
D. AYERS

Donald Sinclair explained to the Board the Ms. Ayers trailer is in the Pulcini Mobile Home Park. He said that these trailers are already too close together. Mr. Sinclair moved to refuse the application of Deborah Kay Ayers for a addition to her mobile home in Pulcini's Trailer Park. Andy Baran seconded this motion and following a brief discussion, this motion was passed with 4 ayes.

MIN TO APV  
8' x 12' DECK  
JOHN MARR

2. John C. Marr - Application for a addition to a mobile home  
Donald Sinclair moved to approve the application of John C. Marr for the addition of a 8' x 12' open deck to his mobile home at Marquart's Mobile Manor. David Lyon seconded this motion and it passed with 4 ayes.

MIN TO APV  
8' x 12' DECK  
PATTI BAKER

3. Patti Baker - Application for a addition to a mobile home  
Andy Baran moved to approve the application of Patti Baker for the addition of a 8' x 12" open deck to her mobile home at Marquart's Mobile Manor. This motion was seconded by David Lyon and passed with 4 ayes.

MIN TO  
REOPEN  
G. WHEELER  
MATTER

4. Motion to reactivate discussion of Gordon Wheeler's application  
Donald Sinclair moved to reopen the discussion of the Gordon Wheeler application to manufacture and sell molded latex rubber items in his garage that was tabled at a previous meet' g. David Lyon seconded this motion and it passed with 4 ayes. Following a brief discussion of the map showing the Wheeler's driveway access. Donald Sinclair moved to approve the application of Gordon Wheeler with the following resolution:

WHEREAS, Gordon Wheeler has applied for a special permit to manufacture masks in a building on his premises, and

MIN. TO APV  
SPEC. AUTH  
G. WHEELER

WHEREAS, a public hearing was held at the recommendation of the Planning Board, recommending approval of the special use permit upon certain conditions, and

WHEREAS, after considering the matter, a motion was duly made by Donald Sinclair and seconded by David Lyon. The following resolution was duly adopted:

BE IT RESOLVED that a special use permit be granted to Gordon Wheeler to use premises at 910 Garnsey Road in an Agricultural Zone for operation of his mask making business in the garage on said premises on the following terms and conditions:

1. That this special use permit is personal to Gordon Wheeler and the special use permit shall terminate on the sale or lease of the premises or on any violation of the conditions contained herein.
2. That there shall be no outside storage of waste or material on the premises.
3. That all operations, manufacturing and all storage shall be conducted within the building designated on the application.
4. That there shall be no employees in the business who are not members of the Gordon Wheeler family.
5. That all waste materials will be disposed of in a proper manner off the premises on a regular basis.
6. That any driveway used in the business operation for deliveries and patrons shall be within the applicant's property or across easements which are owned by the applicant.
7. That there shall be no signs maintained on the premises.
8. That the business shall not be operated in such a manner to cause a nuisance.
9. That the business shall not be conducted before 7:00 A.M. and after 9:00 P.M. with deliveries limited to daylight hours and no delivery or sales on Sunday.
10. That the noise, odor and light from the premises shall be kept to a minimum.
11. Delivery vehicles and patrons shall not park on the highway or use the neighbors property.
12. That the business shall be operated in conformance with all other zoning and applicable laws, rules, ordinances and codes.
13. That the applicant shall sign a copy of these conditions, agreeing to observe and obey the conditions, and indicate in his agreement to the conditions that a violation thereof could subject the applicant to a penalty and or the loss of this special use permit.

David Lyon seconded this motion. It passed with 4 ayes

PUB HEARING  
SCHEDULED  
L. WEISKOPFF  
PAINT AUTOS

5. Schedule a Public Hearing for Lynn Weiskopff's application to repair and paint autos in his garage  
Donald Sinclair moved to schedule a Public Hearing for Lynn Weiskopff to be held on July 11, 1985 at 8:00 P.M. to consider his application to repair and paint autos in his garage on Jeffery Road. This motion was seconded by Andy Baran and passed with 4 ayes.

PUB HEARING  
SCHEDULED  
L. WEISKOPFF  
TOMATOE BUS.

6. Schedule a Public Hearing for Lynn Weiskopff's application to operate a part-time wholesale tomatoe bus.  
Andy Baran moved to schedule a Public Hearing for Lynn Weiskopff to be held on July 11, 1985 at 8:30 P.M. to consider his application to operate a part-time tomatoe business at his residence. David Lyon seconded this motion and it passed with 4 ayes.

MIN TO AUTH  
PROSECUTION  
A & J PERRI

7. Annabelle & Joseph Perri  
Donald Sinclair moved to authorize the Town Attorney, Paul Rubery, to go ahead with proceedings to prosecute Annabelle and Joseph Perri for their failure to abide with thier agreement with the Town of Palmyra entered into on the 13th day of May, 1985. Leroy Aplin seconded this motion and it passed with 4 ayes.

MIN FOR 5 MIN  
RECESS

8. Richard & Lyndell Green - Special Authorization - Subject of Public Hearing

MIN TO APV  
SPEC AUTH  
R & L GREEN

At this time David Lyon moved to have a 5 minute recess. Andy Baran seconded this motion and it passed with 4 ayes. Following the recess, Donald Sinclair moved to approve the Special Authorization for Richard and Lyndell Green to convert their residence at 2873 Macedon Center Road, to a three-unit apartment house with the following stipulations:

- (a) A map showing the septic system or a statement from Floyd Pulcini regarding the septic system be provided for the Town Board
- (b) Aduquate parking be provided for the tenants.

Andy Baran seconded this motion and following a brief discussion, it passed with 4 ayes.

MOTION TO  
PROSECUTE  
S. BREEMES  
E. SHIELS  
D. O'MEAL

Following a brief discussion brought up by the Town Attorney, Paul Rubery, Donald Sinclair moved to authorize the Town Attorney to go ahead with proceedings to prosecute the following people for failure to abide with their agreements with the Town of Palmyra:

Stephen Breemes	2955 Palmyra-Marion Road
Eugene Shiels	Maple Avenue
David O'Meal	915 Garnsey Road

This motion was seconded by Andy Baran and passed with 4 ayes.

TN BLDG COMM.

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

June 27, 1985 153

Consolidation of Town and Village - Edwin Wheeler, Chairman

CONSOLIDATION  
OF TN. & VILL.

No report.

OTHER BUSINESS

1. Palmyra-Macedon Youth Baseball representative wants to address the Board PAL-MAC YTH  
BASEBALL

Due to a death in the family, this representative was unable to attend tonight's meeting.

2. Local Law referred to us by Paul Rubery SUGGESTED  
LOCAL LAW  
P. RUBERY

Since the members of this Board had not had the opportunity to read this suggested local law, it was referred to the Highway Committee.

3. Settlement with telephone company for tax refund for 1978-1982 MIN TO APV  
SETTLEMENT  
W/ TELE CO

The following motion was introduced by Don Sinclair, seconded by Andy Baran and passed with 4 ayes.

WHEREAS, the New York Telephone Company has brought a proceeding against the Town of Palmyra challenging its real estate tax assessment for the years 1978 through 1982, and,

WHEREAS, said Town has retained the law firm of Harris, Beach, Wilcox, Rubin and Levey to represent them in this matter, and

WHEREAS, a settlement has been proposed which provides that the Telephone Company will be paid a refund of \$10,059.80 in full settlement of the alleged overpayment, and

WHEREAS, the school boards of Palmyra-Macedon School District, Marion School District and the Newark School District have separately approved the proposed settlement, each of which has agreed to pay their share, and

WHEREAS, the Village Trustees of the Village Board of the Village of Palmyra has approved the proposed settlement, and has agreed to pay its share, and

WHEREAS, it appears to be in the best interest of the Town of Palmyra to accept the proposed settlement,

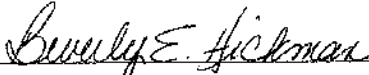
NOW, THEREFORE, be it resolved that the Town Board of the Town of Palmyra accepts the proposed settlement of the New York Telephone Company assessment proceedings brought against the Town and that a check be issued to the New York Telephone Company to pay the share of the Town of Palmyra, and

FURTHER RESOLVED, that Judson M. Roney, the Town assessor is hereby designated to apply to the Supreme Court, Wayne County, for approval of said proposed settlement.

Following a review of the vouchers submitted, Andy Baran moved to pay the vouchers as shown on abstract # 7A. David Lyon seconded this motion and it passed with 4 ayes. MIN TO APV  
PAYMENT OF  
VOUCHERS

The motion to adjourn this Town Board meeting was made by Andy Baran, seconded by Don Sinclair and passed with 4 ayes. MIN TO ADJRN

Respectfully submitted,

  
Beverly E. Hickman, Town Clerk

AFFIDAVIT OF PUBLICATION

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

NOTICE  
TOWN OF PALMYRA  
NOTICE OF PUBLIC HEARING  
GIVEN THAT THE TOWN BOARD  
OF THE TOWN OF PALMYRA WILL  
HOLD A PUBLIC HEARING ON  
THE PROPOSED ZONING MAP  
OF THE TOWN OF PALMYRA  
ON THE 20th DAY OF JULY  
1985 AT 7:00 P.M. AT THE  
TOWN BOARD ROOM, 100  
W. WELLS ST. PALMYRA,  
NEW YORK. THE PURPOSE OF  
THE HEARING IS TO CONSIDER  
THE PROPOSED ZONING MAP  
FOR THE TOWN OF PALMYRA  
AND TO CONSIDER THE  
APPLICANT'S REQUEST FOR  
SPECIAL AUTHORIZATION TO  
OPERATE A PART-TIME AUTO  
BODY SHOP AND PAINT SHOP.  
THE PREMISES ARE SITUATED  
IN AN AGRICULTURAL ZONE  
AND ARE BOUNDED ON THE  
NORTH BY MR. & MRS. WILIAM  
BAKER, ON THE EAST BY  
JERRY ROAD, ON THE SOUTH  
BY MR. & MRS. HATFIELD, AND  
ON THE WEST BY HATFIELD  
ROAD.  
THE APPLICANT IS IN CON-  
FLICT WITH ARTICLE III, SECTION  
3-2(b) WHICH LIMITS THE USES  
OF PROPERTY IN AN AGRICULTURAL  
DISTRICT TO THOSE PERMITTED  
IN § 27-3. SECTION 3-2  
PARAGRAPHS 4 THRU 6, ARTICLE  
III, SECTION 3-2(b) STATE  
THAT USE OF LAND FOR OTHER THAN  
FARM PURPOSES REQUIRES  
SPECIAL AUTHORIZATION FROM  
THE TOWN BOARD. SUCH  
SPECIAL AUTHORIZATION IS  
SUBJECT TO ARTICLE VII, SECTION  
7-3 OF THE ZONING  
ORDINANCE.  
THE SAID TOWN BOARD WILL  
HEAR ALL PERSONS IN INTEREST  
IN THE ABOVE APPLICATION AT THE  
HEARING. THEREFORE, PERSONS  
WHO MAY HAVE AN INTEREST  
IN THE MATTER OF THE  
DATE OF JULY 23, 1985  
BY ORDER OF THE TOWN  
BOARD  
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 news-  
paper published weekly at Palmyra, N.Y., in  
the County of Wayne, and that the notice of  
which the annexed is a true copy, clipped  
from said newspaper, was regularly  
published in said Courier-Journal on the  
following dates:

July 3, 1985  
.....  
.....  
.....

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me  
this 5th day of August 1985.  
*Judith A. MacDuff*  
Notary Public

Fee: \$ 17.87  
JUDITH A. MacDUFF  
Notary Public for the  
State of New York - County of Wayne  
4733126  
Expiration Date March 30, 1987



## PUBLIC HEARING

The Public Hearing scheduled to be held on July 11, 1985 at the Town Office, 201 E. Main Street, Palmyra, to consider the application of Lynn Weiskopff, 3281 Jeffery Road, for a Variance to the Zoning Ordinance to operate a part-time auto body shop and paint shop was called to order by Supervisor Aplin at 8:00 P.M.

Those present, other than the Town Board were as follows:

Virginia Krebbeks	3288 Jeffery Road
David Krebbeks	3288 Jeffery Road
Laurie Schraffenberger	3313 Jeffery Road
Harold Schraffenberger	3313 Jeffery Road
Lynn Weiskopff	3281 Jeffery Road
Linda Weiskopff	3281 Jeffery Road
June Bell	3375 Maple Avenue
Floyd Bell	3375 Maple Avenue
Carolyn F. Galens	4708 S. Creek Road, East Palmyra
Shirley M. Bump	2301 West Street, East Palmyra
Hilda Jeffery	3405 Jeffery Road
Donald Jeffery	3405 Jeffery Road
Robert Bailey	2482 Jeffery Road
Tina Bailey	2482 Jeffery Road
Mr. & Mrs. Donald Reeners	2454 Parker Road
William H. Baker	2433 Parker Road
Verna M. Baker	2433 Parker Road
Jurison Roney, Zoning Enforcement Officer	
Paul Ribery, Town Attorney	

Following the reading of the Proof of Publication by the Town Clerk, Supervisor Aplin read the application to those present and asked for any comments either for or against this application.

Lori Schraffenberger asked if there was any indication as to how toxic chemicals would be disposed of. The application did not mention this, but Mr. Weiskopff said he would use plastic containers with a down-spout which would be in accordance with the law.

The hours of operation stated on the application were 8:00 A.M. thru 10:00 P.M. June Bell asked if Mr. Weiskopff considered this part-time. Mr. Weiskopff said he put those hours because of Saturday. He wants to be able to work three nights a week from 7:00 P.M. thru 10:00 P.M. and a half day Saturday beginning at 8:00 A.M. June Bell then asked Mr. Weiskopff if he had applied for a Auto Body Permit from New York State. Mr. Weiskopff said no, he did not realize he had to have one.

Floyd Bell told the Board that he knew Mr. Weiskopff had not applied to the State for a tax number either because he had called Vehicle and Traffic Control and asked them, which means he is not paying any tax money on what he is earning.

Supervisor Aplin asked Mr. Weiskopff if he was conducting a business right now. Mr. Weiskopff said no, all he is doing is painting a friend's car and no money has been made yet. Floyd Bell said he knew of a \$450.00 charge that had been made for painting a black van that belongs to Mark from Mark's Pizzeria, 240 E. Main Street, Palmyra. Mr. Bell does not feel it is fair for a unregistered business to collect a lower fee in a field that has to be registered with the State.

June Bell asked who would be working in this shop. Mr. Weiskopff said himself and Bob Bailey.

Mr. Weiskopff said all he wants is a permit from the Town Board to paint and do body work on his friends and relatives cars. They will pay the cost of the job and the labor will be free.

Barb Reeners said she feels all this talk about a permit from the State is irrelevant at this time. She feels that 2 or 3 cars at a time would be no problem, but business can grow. She wondered what happens in ten years if Mr. Weiskopff has a booming business; are there any limitations? Supervisor Aplin told her that the purpose of the Board is to look out for all of the people of Palmyra. If this application was approved, certain conditions would be set by this Board to keep this business from getting out of hand and still trying to be fair to all concerned.

June Bell said they welcome competition (Bell's Body Shop) but Mr. Weiskopff is paying no sales tax and has no New York State permit and therefore is operating against the law. She said they have to abide by the law and so should Mr. Weiskopff.

Laurie Schraffenberger said she would like to make a general statement that she is opposed to having a paint and bodyshop next door. The road is dangerous and that is a definite negative for extra traffic. She said they moved to this area because of the residential and agricultural surroundings. Supervisor Aplin told her that part-time businesses have been allowed in a agricultural area in the past, as long as it does not take away from the neighborhood.

David Krebbeks said he lives directly across the road from Lynn Weiskopff. He moved there eight or nine years ago because he wanted to raise his family in a rural setting. He stressed safety for the area children because of several accidents that have already occurred. He said that he does object to this. There are already two well-established businesses (J & L Fuels and Bell's Body Shop) in that area and people knew that when they moved there, but this is a different situation.

Donald Jeffery said he has been in business for twenty years and the Town Board did not allow him to grow so he didn't think the neighbors had anything to worry about along that line.

June Bell again stated that they are not against competition if it is legal. She said that they are in the business to make a living and part-time places do take away from full-time places.

Don Reeners said if a friend of his brought their car to him to have it painted he certainly hoped he would not have to go through all of this.

Tina Bailey said that there are 3 to 4 cars in her driveway every night because of company not because they have a business there.

Laurie Schraffenberger said maybe Mr. Weiskopff has a lot of company too, but there would be no way of regulating this. Bob Bailey explained that a car that has been painted cannot be driven away the same night.

Supervisor Aplin asked if there were any more comments.

Barb Reeners said she would not object as long as it did not become a big business.

Floyd Bell again stated that any job being performed for money requires registration and comes under the tax law. Councilman Baran said that that is not under the Town Board's jurisdiction. Councilman Wheeler said that Mr. Weiskopff's attorney should advise him regarding permits.

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK, }  
County of Wayne, } sst



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:

..... July 3, 1985 .....

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this *5th* day of *August* 19*85*

*Judith A. MacDuff*  
Notary Public

Fee: \$ 17.22

JUDITH A. MacDUFF  
Notary Public for the  
State of New York County of Wayne  
4726125  
Expiration Date March 30, 1987

Councilman Wheeler then asked Mr. Weiskopff what was the relationship between himself and Bob Bailey. Mr. Weiskopff said they are friends. He also asked Mr. Weiskopff if he is or has been making verbal estimates. Mr. Weiskopff said no.

Supervisor Aplin then read into the minutes of this Public Hearing letters against this application from the following people:

Ralph G. Cator	3105 Jeffery Road
Mary Schlegel	8411 Wickham Blvd., Sodus Point (Owner of parcel #998685)
John A. Bell	3487 Jeffery Road

Said letters can be found in Mr. Weiskopff's file under Special Authorization in the Town Office.

Supervisor Aplin again asked if there were any more comments regarding this application. There being none, this application was referred to the Palmyra Planning Board for a recommendation and this Public Hearing was declared closed at 8:51 P.M.

HEARING  
CLOSED

#### PUBLIC HEARING

The Public Hearing scheduled to be held on July 11, 1985 at the Town Office, 201 E. Main Street, Palmyra, to consider the application of Lynn Weiskopff, 3281 Jeffery Road, for Special Authorization to operate a part-time tomato wholesale business was called to order by Supervisor Aplin at 8:52 P.M.

HEARING  
OPENED

The same people were in attendance as at the previous Public Hearing.

Following the reading of the Proof of Publication by the Town Clerk, Supervisor Aplin read the application to those present.

Lynn Weiskopff informed the Board that he had talked to the Krebbekses and the Schraffenbergers and he has decided to change the location of the greenhouse to the side of his house instead of in front of his house.

Councilman Wheeler asked Mr. Roney if Mr. Weiskopff would have to submit a corrected plot plan and Mr. Roney said yes.

Floyd Bell asked how much water Mr. Weiskopff would need to grow these tomatoes and would they require a steady flow? Mr. Weiskopff said the same water would be circulated over and over again so it would mean a one-time fillup.

Bob Bailey asked the Board if someone that does not live in the immediate area could have a say at this Public Hearing. Supervisor Aplin told him this Public Hearing was open to the opinions of the public.

Harold Schraffenberger said that the size of the greenhouse is very large, but if Mr. Weiskopff would resubmit his application with smaller dimensions the idea would not be as objectionable to him. He then asked if signs were mentioned in the application. Supervisor Aplin said yes, a 4' X4' sign was mentioned. Laurie Schraffenberger said a sign would be very objectionable to her.

David Krebbeks said he has the same concerns with this as with the paint shop and he is opposed to this idea. He feels a temporary structure would take away from the value of property in that area.

Councilman Lyon asked Mr. Weiskopff if he intended to deliver the tomatoes or have them picked up and why would he need a sign if he is delivering. Mr. Weiskopff said he is planning to deliver the tomatoes.

July 11, 1985 (Public Hearing Continued)

He also said he would like a sign because hydroponics are not well known and possible people might want to look at the greenhouse. Councilman Lyon asked how many crops would there be in each year. Mr. Weiskopff said two crops in the off-season and none in the summer.

Supervisor Aplin asked if there were any more comments either for or against this application. There being no comments at this time, he read into the minutes of this Public Hearing the three (3) letters opposing this application from the following people:

Ralph G. Cator	3105 Jeffery Road
Mary Schlegel	8411 Wickham Blvd., Sodus Point
John A. Bell	3487 Jeffery Road

Said letters can be found in Mr. Weiskopff's file under Special Authorization in the Town Office.

Floyd Bell asked if there would have to be another Public Hearing since Mr. Weiskopff has decided to change the location of the greenhouse. Supervisor Aplin said that would not be necessary because we were being informed of the change of location tonight.

Supervisor Aplin then asked if there were any more comments either for or against this application. There being none, he declared this Public Hearing closed at 9:18 P.M.

HEARING  
CLOSED

July 11, 1985

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on July 11, 1985 at the Town Office, 201 East Main Street, Palmyra, was called to order by Supervisor Aplin at 9:31 P.M.

CALL TO  
ORDER

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:

ROLL CALL

Town Supervisor - Leroy Aplin  
Town Councilmen - Edwin Wheeler  
Donald Sinclair  
David Lyon  
Andy Baran

COMMUNICATIONS

There were no communications to be read.

REPORTS OF STANDING COMMITTEES

HIWAY COMM

Highway Committee - David Lyon, Chairman

1. Award bid for truck body and hoist

Following is the list of bids in the order received at the Town Office and opened at 7:30 P.M. tonight, July 11, 1985:

BIDS REC'D  
FOR TRUCK  
BODY & HOIST

Roberts Enterprises Inc. Box G, Victor, NY 14564	Bid: \$7,559.00
Otto Truck Bodies 174 Colvin St., Rochester, NY	Bid: \$7,166.00
Rochester Road Equipment Inc. 1240 Jefferson Rd., Rochester, NY	Bid: \$7,162.00
Cyncon Equipment Inc. 6800 W. Henrietta Rd., W. Henrietta, NY	Bid: \$6,519.26

MIN TO AWARD  
BID FOR TRUCK  
BODY & HOIST  
CYNCON EQUIP.  
INC.

David Lyon then moved to accept the lowest bid from Cyncon Equipment Inc., to furnish the Town of Palmyra with a Perfection Mod. 244 Body and a Perfection Mod. 8825DA Hoist to be delivered in 90 - 120 days at a price of \$6,519.26. Andy Baran seconded this motion and it passed with 4 ayes.

(Councilman Wheeler was excused from this meeting at 9:30P.M.)



AFFIDAVIT OF PUBLICATION

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

Notice to Bidders  
The Town of Palmyra, New York, is hereby giving notice to all persons who are qualified to furnish and deliver according to specifications to the Town Highway Department One (1) new heavy duty hold and dump body.  
Sealed proposals will be received by the Town Clerk of the Town of Palmyra, 201 East Main Street, Palmyra, New York, 13826, until 11:00 A.M. on July 11, 1985 at which time they will be publicly opened and read.  
Specifications are available to interested persons or bidders at the office of the Town Clerk, 201 East Main Street, Palmyra, N.Y. 13826.  
The Town Board reserves the right to reject any or all bids submitted pursuant to this notice.  
By order of the Town Board  
Town of Palmyra  
6/13/1985  
Beverly E. Nickman  
Town Clerk  
(82)

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

June 26, 1985

*Rosalie J. Monton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 26th day of June, 1985

*Judith A. MacDuff*  
Notary Public

Fee: \$ 10.40

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4736125  
Expiration Date March 30, 1987

2. Transfer of funds

The following resolution was moved by David Lyon, seconded by Andy Baran and passed with 4 ayes.

BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of \$2520.70 from Capital Funds - Machinery Reserve to Highway III - Machinery Fund for parts for loader bucket in the amount of \$2300.20 and flail mower in the amount of \$220.50.

MOTION TO TRANSFER FUNDS

3. Closing of Railroad Crossing on E. Townline Road

CLOSING OF R/R CROSSING

David Lyon said he had to check with Conrad Moore of the Town of Arcadia about this matter. He has sent Mr. Moore a letter regarding same. He also asked Supervisor Aplin to bring this up at a County Board Meeting because the bridge is County property and they will have to agree. Lee Lannon, the property owner, has requested a warning device on this crossing. David Lyon told him he would see what he could do about it. Mr. Lyon said with everything that is involved in this matter, the resolution is not drafted properly.

Water & Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE COMMITTEE

No report.

Landfill Committee - Andy Baran, Chairman

LANDFILL COMM

1. Report on Spring Clean-up

REPORT/SPRING CLEANUP

Andy Baran reported to the Board that he felt the spring clean-up went well. There were four 40-yard loads picked up by George DeMay at a cost of \$765.00 to the Town. David Lyon felt this was a good price considering the cost to other towns where they have their Highway Crews go around and do a pickup.

Cemeteries Committee - Andy Baran, Chairman

CMTRIES COMM

1. Swift's Cemetery

SWIFT'S CEMETERY CLEANUP

Andy Baran reported to the Board that Swift's Cemetery was not being properly cared for. He is going to get in touch with Ralph Ingold to see why the Morman workcrew has not done anything down there. Supervisor Aplin felt that if something wasn't done soon, we would have to do it ourselves.

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

ASSESS. PLAN. & ZON. COMM

- 1. Lynn Weiskopff - Special Authorization to operate a auto body shop and paint shop - Subject of Public Hearing
- 2. Lynn Weiskopff - Special Authorization to operate a part-time tomatoe wholesale business

Andy Baran moved to refer Lynn Weiskopff's application to operate a auto body shop and paint shop and his application to operate a part-time tomatoe wholesale business to the Palmyra Planning Board. Donald Sinclair seconded this motion and it passed with 4 ayes.

MIN TO REFER L. WEISKOPFF 2 APPLICATION TO PLAN BOARD

3. Hershey Hill

HERSHEY HILL REFERRED TO EXEC. SESS.

Donald Sinclair told the Board he would like to discuss this matter during a executive session later in the meeting.

Town Building Committee - David Lyon, Chairman

TN BLDG COMM

1. The OCIA report

The OCIA report from the NYS Department of Labor, Public Employee Safety and Health Bureau was discussed. Donald Sinclair recommended looking into the possibility of a rear door for the first floor and a fire escape for the second floor of the Town Office Building while there is funding available from the state to help defray the cost of same. David Lyon said he

OCIA REPORT

would look into it.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report.

OTHER BUSINESS

1. Harold Fisher - Dog Problem in East Palmyra

DOG PROBLEM  
E. PALMYRA

Harold Fisher reported to the Board that he had gone to East Palmyra several evenings and he had not seen a large number of dogs running loose. He did pick up three unlicensed dogs however. He was instructed by the Board to continue picking up any unlicensed dog he came across.

2. Employee Policies

EMPLOYEE  
POLICIES

Since not everyone had gone over this material thoroughly, it was decided to hold this until the next meeting.

3. Rules for the Bailiff

RULES FOR THE  
BAILIFF

It was decided by the Board that protecting the Bailiff and making sure we were operating with the proper insurance coverage was the main issue. Donald Sinclair moved to purchase for the bailiff, a badge, a nightstick and mace. Andy Baran seconded this motion and it passed with 4 ayes.

4. Request from the Town Clerk RE: Court fines

COURT FINES

The Town Clerk told the Board that the number of court fines that people want to pay to her and her deputies are steadily growing. There people naturally would like a receipt for their money. If she or her deputies give these people a receipt they then become totally responsible for this money. She wanted to know what could be done about this situation. Following a short discussion, the Board said that this was not part of the Town Clerk's duties and therefore, this fine money did not have to be accepted by her or her deputies. This is the responsibility of the Court Clerk.

5. Approval of two 2-drawer files for the Town Clerk's Office (\$310.40)

MIN TO APV  
PURCHASE OF  
2 2-DRAWER  
FILES FOR  
TN CLERKS OFF.

David Lyon moved to approve the purchase of two 2-drawer file cabinets for the Town Clerk's Office in a amount not to exceed \$310.40. Donald Sinclair seconded this motion and it passed with 4 ayes.

6. Canandaigua Road situation

MIN TO ALTH  
SUPERVISOR  
TO HIRE HELP  
CANANDAIGUA  
RD TESTS

The Town Attorney, Paul Rubery, has drafted up a letter to be sent to the Canandaigua Road residents regarding the problem with the storm sewers. David Lyon moved to authorize Supervisor Aplin to hire someone at a rate of \$3.35 per hour plus mileage on a "as needed" basis to do dye tests on Canandaigua Road. Andy Baran seconded this motion and it passed with 4 ayes.

Following a review of the vouchers, Donald Sinclair moved to approve payment of the Vouchers as submitted on Abstract #6B and #7. David Lyon seconded this motion and it passed with 4 ayes.

MIN TO APV  
PAYMENT OF  
VOUCHERS

A motion was then offered by Donald Sinclair, seconded by Andy Baran, to dispense with the second Town Board meeting in July, scheduled to be held on July 25, 1985. This motion passed with 4 ayes.

MIN TO NOT  
HOLD 2ND MEG  
IN JULY

TOWN OF PALMYRA

Veterans Who Are Applying For

The Alternate Real Estate Exemption

To apply you must submit:

1. Application Form EA 458-a.
2. Military discharge papers which show:
  - a. Dates during which service was rendered
  - b. Evidence of an honorable discharge
  - c. Indication of combat area in which service was rendered
3. Certification of any current V.A. service connected disability rating.
4. A copy of your deed if it is not already on file in the assessor's office.

File your application as soon as possible. Applications received after 5/1/85 cannot be used until next year.

The Assessor has the right to require certified documents.

WHEREAS, HERSHEY-HILL are the owners of premises adjoining Division Street in the Town of Palmyra, which in the past, have been used as a gravel bed; and

WHEREAS, HERSHEY-HILL believe they have a pre-existing non-conforming use based on the decision of the Zoning Board of Appeals dated March 4, 1985, but desire to accommodate the Town by establishing certain restrictions in the operation and assuming certain obligations; and

WHEREAS, HERSHEY-HILL intends to conduct a gravel mining operation and have made an application for a mining permit; and

WHEREAS, the Town of Palmyra has reviewed the application.

NOW, THEREFORE, BE IT RESOLVED, that a gravel mining permit be issued to HERSHEY-HILL upon the following terms and conditions:

A. The gravel mining permit shall be for a portion of the 12,372 acres of land as is shown on the application filed with the Department of Environmental Conservation and as outlined in Exhibit "A" attached hereto, subject to the following conditions:

1. HERSHEY-HILL shall obtain and maintain at all times that mining operations are carried on, on the premises a valid "mining permit" issued by the Department of Environmental Conservation (hereinafter referred to as DEC), of the State of New York.
2. Prior to commencement of the mining operation, the perimeters of the areas to be mined shall be outlined with boundary markers, pursuant to a letter from the DEC, dated November 9, 1983 addressed to



Ken Hershey and attached hereto, as Exhibit "B" or such additional areas as shall be determined by an amended application to DEC or permits granted.

3. Mining shall be permitted on the premises upon the following terms and conditions:

a. There shall be no sifting or crushing operations conducted on the premises.

b. No unreasonable noise shall be generated from the premises.

*Right*  
c. No mining operations shall be conducted, nor hauling or movement of trucks or other equipment on the premises before 7:30 A.M. and after 6:00 P.M. each day and before 9:00 A.M. <sup>on</sup> on Sundays or holidays and after 6:00 P.M. on those days.

d. The dust generated from the premises shall be controlled and kept to a minimum by the practice of reasonable dust control procedures, included but not limited to, the laying of calcium or water.

e. The mining operations and the operations of the premises shall at all times comply with all State and Federal laws, rules, regulations and ordinances.

f. No topsoil shall be removed from the premises. The existing topsoil shall be stored on the premises so that it will be readily available when needed for reclamation.

g. The area excavated in any calendar year, shall be

reclaimed, provided that the area excavated has been totally excavated pursuant to DEC permit and such reclamation shall be accomplished on or before the thirtieth day of November in the year in which the total excavation has been completed.

h. No excavation shall be permitted below 4 feet of the mean elevation of the crown of Division Street, except within drainage swales or ditches, taking surface drainage to a Division Street culvert.

i. Vegetation and brush on the premises shall be controlled to the extent possible so as to not offer an unsightly appearance. The applicant shall not be responsible for brush dumped by others on the subject premises.

j. Positive drainage of the premises shall be maintained at all times.

k. Roadways for ingress and egress to and from the premises as shown on the attached Exhibit "A" and the premises, shall be maintained to insure good visibility from and to the adjoining Division Street.

l. Hershey-Hill shall submit a copy of all parts of the application submitted to DEC and a copy of DEC's approval to the Town, and all amendments of the application, new or amended permits, and any other communications thereafter received from DEC.

m. No temporary structure, except a temporary office during the months of excavation shall be placed upon the premises and such temporary office shall not contain toilet or other sanitary facilities unless approved by the Town.

n. Hershey-Hill shall install, subject to approval in cooperation with an in accordance with the requirements of the Town of Palmyra Highway Superintendent, an 18" culvert in the northerly direction under Division Street from the premises for the drainage of the premises. The culvert shall be adjacent to and lower than the existing culvert which shall remain in place.

o. Mining operations shall at all times comply with Section 7.9 (a-e) of the Town Zoning Ordinance. Stock piling of topsoil within 50' of Division Street shall be temporarily permitted, if it is permitted in the DEC permit. All mining and reclamation operations shall be in compliance with the DEC approved land-use plans.

p. All mining operation shall cease on December 31, 1989, except if the permit is extended by DEC because mining operations have not exhausted the available supply of gravel.

q. Reclamation shall be completed and requirements of reclamation shall be completed within nine months of the date of the termination of the mining operation. If the date of the termination of the mining operation cannot be accurately determined, it will be determined to be December 31 in the year in which the permit has expired.

r. Hershey-Hill shall indemnify and hold harmless the Town of Palmyra for all damages and costs of judgments arising out of their mining operation and reclamation of lands performed hereunder, including, but not limited to, negligence entering upon the public highway and claims because of mining too close to the bank in violation of the permits granted by the

Town or DEC, except for conditions which existed prior to this permit. The Town does agree to assist Hershey-Hill in posting driveway signs on either side of the premises for the safety of the public.

s. The applicant shall comply with all the other terms and conditions of the Town of Palmyra Zoning Ordinance and subdivision ordinances, if applicable.

t. This permit shall take effect upon receipt by the Town of a signed copy of this resolution acknowledging consent and willingness to abide by the terms and conditions contained herein.

u. There shall be no exterior storage of waste or material (this does not mean that a piece of equipment could not be stored on the premises, but it does mean that oil drums, packing crates, etc. should not be stored on the premises). Hershey-Hill shall not be responsible for waste or other material dumped on the premises by the neighbors or others.

v. Hershey-Hill shall not be obligated to fence the site.

B. The Town of Palmyra shall correct the turnaround on Meadow Drive and confine it to that granted by dedication.

WE have read the foregoing Resolution and do hereby agree to be bound by the same and fulfill the obligations placed upon us therein.

\_\_\_\_\_  
Kenneth Hershey

\_\_\_\_\_  
Leigh C. Hill

STATE OF NEW YORK  
STATE BOARD OF EQUALIZATION AND ASSESSMENT



**INSTRUCTIONS FOR APPLICATION FOR  
ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXES**

Section 458-a of the Real Property Tax Law provides a limited exemption from real property taxes for real property owned by persons who rendered military service to the United States, provided such property meets the requirements set forth in the law. The task of administering this law lies primarily with local assessors who are required to pass upon each application for exemption.

These instructions are intended to assist applicants in the completion of form EA-458-a and to discuss issues concerning the alternative veterans exemption. Technical discussion has been avoided so that the material will have the widest possible usefulness. Assessors may address their questions to the Counsel of the State Board of Equalization and Assessment, Agency Bldg. 4, Empire State Plaza, Albany, New York 12223. Veterans should address their inquiries to their local office of the New York State Division of Veterans' Affairs or their County Veterans' Service Agency.

Section 458-a of the Real Property Tax Law of the State of New York provides an alternative exemption from real property taxation, for qualified residential real property owned by veterans of defined periods of war or other family members, based on a percentage of assessed value. The alternative exemption is applicable to general municipal taxes, but not school taxes, special ad valorem levies or special assessments.

A qualified residential parcel receives a ten year exemption equal to 15% of its assessed value. Where the veteran can document service in a combat theatre or combat zone, the property receives an additional ten year exemption equal to 10% of its assessed value. Where a veteran has received a service-connected disability rating from the Veteran's Administration, there is an additional exemption which is equal to one-half of the disability rating, multiplied by the assessed value of the property. Each of these is subject to maximum limits set by the municipality. Unlike the war-time service exemption (15%) or the combat zone exemption (10%), the disability exemption is not limited to a ten year duration.

Generally, the ten-year period starts with the assessment roll prepared on the basis of the first taxable status date after March 31, 1985. For example, veterans in participating towns having a taxable status date of May 1, 1985 will have their first-year exemption based on the 1985 assessment roll, which will be the basis for the 1986 tax levy. If a veteran first acquires eligible property in a subsequent year, his ten-year eligibility period generally will be measured from the date of acquisition.

Each county, city, town, and village has been given the option of deciding whether to grant the alternative exemption. You should check with your assessor to determine whether the exemption is available for your property.

Each county, city, town and village granting the alternative exemption has the additional option of choosing a maximum exemption amount. The municipal choices of maximum exemptions are:

	Maximum Set by State Law	Reduced Maximum Pursuant to Local Law
War Veteran 15% of assessed value to a maximum of:	\$12,000	\$ 9,000 \$ 6,000
Combat Zone Veteran 10% of assessed value to a maximum of:	8,000	5,000 4,000
Disabled Veteran % of assessed value equal to 1/2 of service-connected disability rating to a maximum of:	40,000	30,000 20,000

Once the municipality has chosen the maximum exemption amounts, the maximum amounts must then be multiplied by the latest state equalization rate or class ratio (if the equalization rate or class ratio is 100 or less) for the assessing unit in order to arrive at the applicable maximums for each assessment roll. You should check with your assessor to determine the maximum exemption limits in the municipalities in which you reside.



FORM EA-458-a INSTRUCTIONS

QUESTIONS 1-3

These questions are self-explanatory. Where the property is owned by more than one person, include the names and post office addresses of all owners. Attach additional sheets if more space is necessary to answer this or any question on this form.

QUESTION 4

The description of the property should conform to its description on the latest assessment roll. Contact your assessor for assistance in furnishing this description.

QUESTION 5

For an alternative exemption, the period of eligibility depends, in part, on when title to qualifying residential real property was obtained. Attach a copy of the deed to your application.

QUESTION 6

A qualifying owner for the alternative exemption includes a veteran of a defined period of war, the spouse of such veteran or the unmarried surviving spouse of such veteran. In the event the veteran dies, the exemption continues while the residence is owned by the veteran's unmarried surviving spouse. If there is no unmarried surviving spouse, the exemption may continue provided title to the residence becomes vested in the dependent (father or mother or dependent child or children under 21 years of age of the veteran and the property is the primary residence of one or all of the devisees.

QUESTIONS 7 - 9

To obtain the alternative exemption, the property must be owned by a veteran who served on active duty in the U.S. armed services during the Vietnam War (January 1, 1963 - May 7, 1975); Korean War (June 27, 1950 - January 31, 1955); World War II (December 7, 1941 - December 31, 1946); World War I (April 6, 1917 - November 11, 1918); the Mexican Border Period (May 9, 1916 - April 5, 1917), or the Spanish-American War (April 21, 1898 - July 4, 1902), and who was honorably discharged or released from service. The dates of the Korean and Vietnam Wars are prescribed in the State law, while the dates of the other wars are derived from Federal law. As proof of the dates and character of service, a copy of Form DD 214 or other appropriate evidence should be attached to your application.

QUESTION 9

If the additional alternative exemption is to be granted based on service in a combat zone or combat theater, evidence of such service must be submitted (e.g., Form DD 214, copy of orders to combat zone, etc.).

QUESTION 10

If the additional alternative exemption is to be granted based on a service-connected disability rating, evidence of exemption eligibility must be provided by the property owner. Where an exemption has been granted pursuant to §458-a based on the veteran's service-connected disability, the percentage of such disability must be re-certified annually prior to taxable status date unless the rating is proven to be permanent. If the veteran is deceased, such rating is the last rating received prior to the veteran's death. For assistance in obtaining disability rating information, you should contact your local office of the New York State Division of Veterans' Affairs or your County Veterans' Service Agency.

QUESTION 11

To obtain the alternative exemption the property must be the primary residence of the veteran or the unmarried surviving spouse of the veteran, unless absent from the property due to medical reasons or institutionalization.

QUESTION 12

To obtain the alternative exemption the property must be used exclusively for residential purposes. However, if a portion of the property is used for other than residential purposes and is capable of being separately described and assessed on the assessment roll, and such a separate assessment is made, the exemption applies only to that portion which is used exclusively for residential purposes. In a special assessing unit (Nassau County and New York City), only the portion of property included in class I is entitled to the alternative exemption. In an approved assessing unit, only the portion of property included in the homestead class is entitled to the alternative exemption.

QUESTION 13

Where a municipality grants the alternative veterans exemption, no new eligible funds exemptions may be granted on assessment rolls based on taxable status dates occurring on or after March 2, 1986. In a municipality granting the alternative exemption, a veteran receiving an eligible funds exemption on his/her primary residence can retain that exemption, or may apply for the alternative exemption by submitting a new application to the assessor. The ten-year period of eligibility for the alternative exemption begins as of the first assessment roll on which alternative veterans exemptions are granted in his/her municipality. However, where property is now exempt pursuant to section 458(3) (use of special federal funds to acquire a residence with special fixtures or facilities made necessary by a veteran's disability) or section 458(5) (pro rata exemption granted as a result of full value assessment) of the Real Property Tax Law, the ten-year period of eligibility for the alternative exemption begins as of the first assessment roll after eligibility for these present exemptions ceases.

QUESTION 14

Section 458 of the Real Property Tax Law of the State of New York provides an exemption from real property taxation for real property owned by veterans or other members of the eligible class which is purchased with the proceeds of a veteran's pension, bonus or insurance (or dividends or refunds on such insurance) or compensation paid to prisoners of war. These moneys are called "eligible funds" and are paid by the United States or New York State in recognition of the veteran's military service. This section provides an exemption from general municipal taxes, but not school taxes, special ad valorem levies or special assessments. Property is exempt to the extent that eligible funds are used in the purchase, not to exceed \$5,000.

In some municipalities, however, property may be eligible for an exemption in excess of the \$5,000 limitation. If your property is receiving an eligible funds exemption in a municipality which has changed from fractional assessment to full value assessment and if that municipality adopts a local law preserving the value of eligible funds exemptions on a pro rata basis, your eligible funds exemption will increase or decrease in the same proportion as the total assessed value of the property increased or decreased as a result of the change to full value assessment. (For more information concerning the eligible funds exemption and the appropriate application form (EA-458) contact your assessor).

If the veteran earlier converted from eligible funds to the alternative exemption, and moves to a county, city, town or village not granting the alternative exemption, he/she can again receive the eligible funds exemption for the balance of his/her eligibility for the alternative exemption, subject to the statewide maximum limit of \$5,000.

QUESTION 15

If the veteran elects the alternative exemption, he/she cannot again receive an eligible funds exemption unless he/she moves to a county, city, town, or village that has opted not to grant the alternative veterans exemption. In that event, a veteran can return to the eligible funds exemption for the balance of the 10-year period of eligibility for the percentage exemption. Similarly, the alternative exemption can be transferred for the balance of the ten-year period to any other county, city, town or village that is granting the alternative exemption.

FILING THE APPLICATION

Application (EA-458 and/or EA-458-a) for exemption must be made to the local assessors. Where property is located in a village, separate applications should be filed with both the village and town assessors. The application must be filed on or before taxable status date and assessors have no authority to grant applications filed after taxable status date. In 1985, taxable status date for most towns is May 1. Commencing in 1986, taxable status date for most towns will be March 1. In the Counties of Erie, Suffolk, and Westchester, taxable status date is June 1. Taxable status date for most villages is January 1; however, the village clerk should be consulted to insure certainty. Charter provisions control in cities so inquiry should be made of city assessors for the taxable status dates in cities.



## APPLICATION FOR ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION

(General information and instructions for completing this form are contained in Form EA-458-a INS)

1. Name of owner(s) \_\_\_\_\_  
\_\_\_\_\_
2. Post office address of owner(s) \_\_\_\_\_  
\_\_\_\_\_
3. Location of property: Street Address: \_\_\_\_\_  
Village of \_\_\_\_\_, City/Town of \_\_\_\_\_, County of \_\_\_\_\_, State of New York.
4. Tax Map Number or other description of property as it appears on the assessment roll.  
\_\_\_\_\_  
\_\_\_\_\_
5. Date title to this property was acquired \_\_\_\_\_ (Attach copy of deed)
6. (a) Is the owner a veteran who served in the active military, naval or air service of the United States?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
(b) If No, indicate the relationship of the owner to veteran who rendered such service \_\_\_\_\_
7. Indicate branch of veteran's service and dates of active service  
\_\_\_\_\_  
(Attach written evidence)
8. Was the veteran discharged or released from the active service under honorable conditions?  
Yes \_\_\_\_\_ No \_\_\_\_\_ (Attach written evidence)
9. (a) Did the veteran serve in a combat zone or combat theatre? Yes \_\_\_\_\_ No \_\_\_\_\_  
(b) If Yes, where did the veteran serve and when was such service performed? \_\_\_\_\_  
\_\_\_\_\_  
(Attach written evidence)
10. (a) Has the veteran received, or did the veteran receive prior to his/her death, a compensation rating from the United States Veterans' Administration as a result of a service connected disability? Yes \_\_\_\_\_ No \_\_\_\_\_  
(b) If Yes, what is (was) the veteran's compensation rating? \_\_\_\_\_ (Attach written evidence showing the date such rating was established).  
(c) Is this rating permanent? Yes \_\_\_\_\_ No \_\_\_\_\_
11. (a) Is this property the primary residence of the owner? Yes \_\_\_\_\_ No \_\_\_\_\_  
(b) If No, is the veteran or unremarried surviving spouse of the veteran the owner of the property and absent from the property due to medical reasons or institutionalization?  
Yes \_\_\_\_\_ No \_\_\_\_\_ Explain: \_\_\_\_\_
12. (a) Is the property used exclusively for residential purposes? Yes \_\_\_\_\_ No \_\_\_\_\_  
(b) If No, describe the non-residential use of this property \_\_\_\_\_  
\_\_\_\_\_

13. Was this or any residential real property owned by the applicant(s) on August 30, 1984? Yes  No
- (a) If Yes, on that date was such property receiving a veterans exemption pursuant to section 458(3) (use of federal funds to acquire residence with special fixtures or facilities made necessary by a veteran's disability) or section 458(3) (pro rata exemption granted as a result of full value assessment) of the Real Property Tax Law? Yes  No
- (b) If Yes, has eligibility for such exemption terminated? Yes  No  If Yes, when? \_\_\_\_\_
14. (a) Has the owner(s) ever received or is the owner(s) now receiving a veterans exemption based on eligible funds on property in New York State?  Yes  No
- (b) If Yes, the amount of eligible funds used in the purchase was \$ \_\_\_\_\_.
- The location of the property was: \_\_\_\_\_ (Same as in question 3) or

Street Address: \_\_\_\_\_

Village of \_\_\_\_\_, City/Town of \_\_\_\_\_, County of \_\_\_\_\_

15. (a) Has the owner (or owners) ever received an alternative veterans exemption on property in another assessing unit?  Yes  No

(b) If Yes, \_\_\_\_\_ Year First Granted \_\_\_\_\_ Year Last Granted  
(Attach proof of previous exemption)

Location of Property:

Street Address: \_\_\_\_\_

Village of \_\_\_\_\_, City/Town of \_\_\_\_\_, County of \_\_\_\_\_

The property was exempt for which of the following purposes:

\_\_\_\_\_ County \_\_\_\_\_ City/Town \_\_\_\_\_ Village

I (we) hereby certify that all statements made on this application are true and correct to the best of my (our) knowledge and belief and I (we) understand that any willful false statements made herein will subject me (us) to the penalties prescribed therefor in the Penal Law.

\_\_\_\_\_  
Signature of owner(s) Date

\_\_\_\_\_  
Signature of owner(s) Date

SPACE BELOW FOR USE OF ASSESSORS

Alternative Veterans Exemption (§458-a)

Check which exemption is APPROVED or DISAPPROVED

Active service during period of war \_\_\_\_\_ APPROVED \_\_\_\_\_ DISAPPROVED  
 Service in combat zone \_\_\_\_\_ APPROVED \_\_\_\_\_ DISAPPROVED  
 Service connected disability or death \_\_\_\_\_ APPROVED \_\_\_\_\_ DISAPPROVED  
 Disability rating \_\_\_\_\_

Period of time for which exemption is to be granted \_\_\_\_\_ 10 years or \_\_\_\_\_ years

First and last Assessment Roll on which Alternative Exemption is to be granted:

	County	First	Last
	_____	_____	_____
	City	_____	_____
	Town	_____	_____
	Village	_____	_____

\_\_\_\_\_  
Assessor's Name Date

Donald Sinclair then moved to go into Executive Session. Andy Baran seconded this motion and it passed with 4 ayes. (Legal matters needed to be discussed.)

MIN TO GO  
INTO EXEC.  
SESSION

The motion to come out of Executive Session was made by David Lyon, seconded by Andy Baran and passed with 4 ayes.

MIN TO COME  
OUT OF EXEC.  
SESSION

The motion to adjourn this Town Board meeting was made by Donald Sinclair, seconded by David Lyon and passed with 4 ayes.

MIN TO ADJOURN

Respectfully submitted,

Beverly E. Hickman  
Beverly E. Hickman, Town Clerk

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on August 8, 1985 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 8:00 P.M.

CALL TO ORDER

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

MOMENT OF SILENCE

Upon roll call the following Board members were present:

PLEDGE OF ALLEGIANCE

- Town Supervisor: Leroy Aplin
- Town Councilman: Edwin Wheeler
- Donald Sinclair
- David Lyon
- Andy Baran

ROLL CALL

Others in attendance were Norma Demorest, David Matthews and Nelson Cook, Town Highway Superintendent.

COMMUNICATIONS

COMMUNICATIONS

- 1. Letter from the Palmyra Fire Department. Re: Fair Parade
- REPORTS OF STANDING COMMITTEES

REPORTS OF STANDING COMM

Water and fire committee - Edwin Wheeler, Chairman

- 1. Stafford Road Water project

STAFFORD RD WATER

David Matthews, Engineer with the MRB Group, reported to the Board that he had prepared the necessary figures and had given them to the Town Attorney, Paul Rubery. It was Mr. Matthews understanding that Mr. Rubery had met with the gentleman in charge of properties from the Mormon Church in Utah and he will take these figures back to Utah with him. Edwin Wheeler reported that a letter had been sent to Mayor Warner Strong requesting approval to buy water from the Village. David Matthews suggested that rather than using conventional methods, perhaps the Town Highway Crew could do the work on this project to cut the overall cost. Mr. Wheeler said that at this point it is a matter of waiting to hear from the representatives from the Mormon Church.

Highway Committee - David Lyon, Chairman

HWY COMM

- 1. Signs for deaf children on Daansen Road

MIN TO AUTH PURCHASE & INSTALLATION OF SIGNS FOR DEAF CHILDREN

David Lyon moved to authorize the Town Highway Superintendent, Nelson Cook, to purchase and install the proper sign for the deaf children on Daansen Road contingent upon the Town of Macedon doing the same thing on their part of Daansen Road. This motion was seconded by Andy Baran and passed with 4 ayes.

- 2. Employee Policies

EMPLOYEE POLICIES

David Lyon said that when the final copies of the Employee Policies are ready, everyone will receive a copy for their inspection.

- 3. Vault Road Easement

VAULT ROAD EASEMENT

David Lyon reported to the Board that the Vault Road easement is part of the CHIPS program for this year. This easement will make the road much safer and would be a big improvement.

- 4. Suggested Local Law to protect elected officials and Town Employees

MIN TO HOLD PUB HEAR FOR PROPOSED LOCAL LAW

David Lyon moved to hold a Public Hearing to consider a proposed local law for the protection and indemnification of elected and appointed officials on September 12, 1985 at 8:30 P.M. Donald Sinclair seconded this motion and it passed with 5 ayes.



LANDFILL COMM

Landfill Committee - Andy Baran, Chairman

No report at this time.

CEMETERIES COMM

Cemeteries Committee - Andy Baran, Chairman

Andy Baran told the Board that now that the Monman Pageant was over he would talk to the people from the Monman Church and see what can be done at Swift's Cemetery.

Assessment, Planning and Zoning Committee - Donald Sinclair, Chairman

1. Harold Greenlee - Schedule Public Hearing

MIN TO HOLD  
PUB HEAR FOR  
H. GREENLEE

A motion was then offered by Donald Sinclair, seconded by David Lyon, to schedule a Public Hearing to consider the application of Harold Greenlee to have a 5 unit apartment building on Thursday, September 12, 1985 and 8:30 P.M. This motion passed with a vote of 4 ayes and 1 nay. (Supervisor Aplin voting nay.)

2. Stephen Breemes - Renewal of application for construction of house

MIN TO APV  
EXTENSION  
S. BREEMES

Donald Sinclair moved to grant a extension for Stephen Breemes' application for construction of a house at 2955 Palmyra-Marion Road until December 1, 1985. Edwin Wheeler seconded this motion and it passed with 5 ayes.

3. Norma Jean Demorest - Special Authorization for a deck

MIN TO APV  
DECK W/ROOF  
N.J. DEMOREST

Donald Sinclair moved to approve the application of Norma Jean Demorest for a 8' x 14' deck with roof added to her mobile home at Marquart's Mobile Manor. Edwin Wheeler seconded this motion and following a short discussion it passed with 5 ayes.

Town Building Committee - David Lyon, Chairman

TN BLDG. COMM  
RAILING FOR  
CELLAR  
STAIRWAY

David Lyon reported to the Board that the Highway Crew had put up a railing on the cellar stairway and that completed the work we needed to do to be in compliance with our OSHA report.

Regarding the rear door and fire escape idea, Mr. Lyon said he needed a estimate from a mason but could not get ahold of one at this time. Andy Baran said he sees several masons while at work. He will see if he can find one to at least give us a estimate.

OTHER BUSINESS

1. Community Center Financial Statement

COMMUNITY CNTR  
FINANCIAL  
STATEMENT

The Community Center Financial Statement was reviewed by the Board and will be kept on file at the Town Office.

2. Accountant's Audit Report

ALDIT ON  
TN JUSTICE  
BOOKS

The accountant's audit report on the two Town Justice's books was reviewed by the Board, found to be satisfactory and will be kept on file in the Town Office.

3. Duties of the Constable

DUTIES OF  
THE CONSTABLE

The duties of the Constable of the Town of Palmyra as set down and approved by the Town Board of the Town of Palmyra are as follows:

1. The Constable shall have such duties as are established by law, except:
  - A. The constable shall not have the power to arrest any person for the violation of a crime, except such rights as the "Constable" may enjoy as ordinary citizen (Citizen's arrest - in which the Constable assumes all responsibilities for his action.)
  - B. The Constable shall not bear arms without the special authority in writing authorized by the Town Board of the Town of Palmyra.
  - C. The Constable shall not have the power to issue

appearance tickets or other process without specific authority in writing by the Town Board of the Town of Palmyra.

- D. The Constable shall act as a Court Attendant at such time or times as are established by the Town Justices at the consideration which is established by the Town Justices, but in no event may it exceed the total amount budgeted for Court Attendants by the Town Justices.
- E. The Constable may serve civil process as an independent contractor and without compensation from the Town of Palmyra.
- F. Any evidence of office may be only displayed while actually working as a court attendant.

#### 4. Transfer of funds

The following motion was moved by Andy Baran, seconded by David Lyon and passed with 5 ayes.

WHEREAS the Special Items (Insurance) Account No. A1910.4 has insufficient funds in the amount of \$4789.96 due to the Umbrella policy for \$5808.00

MOTION TO  
TRANSFER FUNDS

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of, \$4789.96

FROM - the Contingency Fund Account No. A1990.4

TO - Special Items Account No. 1910.4

The following motion was moved by Andy Baran, seconded by Edwin Wheeler and passed with 5 ayes.

BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$9000.00

MOTION TO  
TRANSFER FUNDS

FROM - Captial Funds - Machinery Reserve - H-5130.2

TO - Town of Palmyra - Machinery Fund - Equipment Acct. DA-5130.2

#### 5. Second Town Board meeting in August

Edwin Wheeler moved to cancel the second Town Board meeting in August scheduled to be held on August 22, 1985. Donald Sinclair seconded this motion and it passed with 5 ayes.

#### 6. Purchase of Telephone Answering Machine

Donald Sinclair moved to approve the purchase of a telephone answering machine for the Assessor's Office in a amount not to exceed \$150.00 David Lyon seconded this motion and it passed with 5 ayes.

MIN TO APV  
PURCHASE OF  
TELE ANSRNG  
MACHINE FOR  
ASSESS'S OFF

David Lyon then made a correction to the minutes from the July 11, 1985 Town Board meeting. At the bottom of page 158 of the minutes book, there is a motion to award the bid for the truck body and hoist to Cyncon Equipment Inc. This motion now reads as follows:

David Lyon then moved to accept the lowest bid from Cyncon Equipment Inc., to furnish the Town of Palmyra with a Perfection Mod. 244 Body and a Perfection Mod. 8825DA Hoist to be delivered in 90 - 120 days at a price of \$6,519.26. Andy Baran seconded this motion and it passed with 4 ayes.

Mr. Lyon would like the motion to read as stated but to add to the end of said motion the phrase "providing they meet bid specifications" which he feels sure was part of the original motion but was omitted by the Town Clerk at the time of transcribing.

CORR TO MIN  
OF 7/11/85

Edwin Wheeler moved to approve the minutes of the June 27, 1985 meeting as submitted and the July 11, 1985 with the above correction. Donald Sinclair seconded this motion and it passed with 5 ayes.

MIN TO APV  
MIN OF 6/27/85  
& 7/11/85

MIN TO APV  
PAYMENT OF  
VOUCHERS

Following a review of the vouchers submitted, Edwin Wheeler moved to approve payment of the vouchers submitted for payment as shown on Abstract #8. Donald Sinclair seconded this motion and it passed with 5 ayes.

MIN TO GO  
INTO EXEC  
SESSION

A motion was then made by Edwin Wheeler, seconded by Donald Sinclair and passing with 5 ayes, to go into Executive Session to discuss matters of personnel.

MIN TO COME  
OUT OF EXEC  
SESSION

A motion to come out of Executive Session was made by Edwin Wheeler, seconded by Andy Baran and passed with 5 ayes.

MOTION TO  
ADJOURN

The motion to adjourn this Town Board Meeting was made by Andy Baran, seconded by David Lyon and passed with 5 ayes.

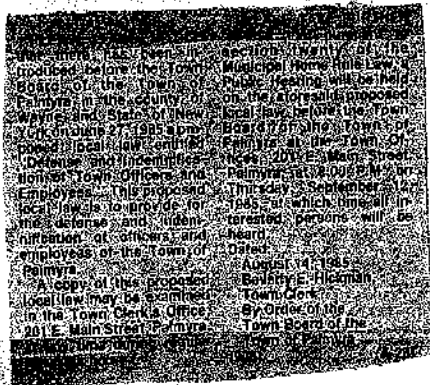
Respectfully submitted,

*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 newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

August 28, 1985

*Rosalie J. Mouton*  
 Foreman of the Publisher

Subscribed and sworn to before me

this 29th day of August 1985  
*Judith A. MacDuff*  
 Notary Public

Fee : \$ 14.95 JUDITH A. MacDUFF  
 Notary Public for the  
 State of New York, County of Wayne  
 4736126  
 Expiration Date March 30, 1987

PUBLIC HEARING

The Public Hearing scheduled to be held on September 12, 1985 at the Town Office, 201 E. Main Street, Palmyra to consider a proposed local law entitled "Defense and Indemnification of Town Officers and Employees" was called to order by Town Supervisor, Leroy Aplin at 8:05P.M.

PUBLIC HEARING OPENED

The proof of publication was read by the Town Clerk.

The Town Attorney, Paul Rubery, and the Town Assessor, Judson Roney, were the only ones present in addition to the Town Board.

Supervisor Aplin twice asked for any comments or questions regarding this proposed local law. There being no comments or questions, Supervisor Aplin declared this Public Hearing closed at 8:08 P.M.

HEARING CLOSED

The regular meeting of the Town Board of the Town of Palmyra, Scheduled to be held on September 12, 1985 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Aplin at 8:09 P.M.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Upon roll call the following Town Board members were present:

ROLL CALL

- Town Supervisor: Leroy Aplin
- Town Councilman: Edwin Wheeler
- David Lyon
- Andy Baran

COMMUNICATIONS

COMMUNICATIONS

1. Letter from Elizabeth Briggs RE: Annual Planning & Zoning Conference
2. Letter from Don Snyers RE: Annual Planning & Zoning Conference

David Lyon then moved to approve the minutes of the August 8, 1985, Town Board meeting as submitted. Edwin Wheeler seconded this motion and it passed with 4 ayes.

APVL OF MIN FROM 8/8/85

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

1. The purchase of pipe and guardrails

David Lyon explained to the Board that the Town again had the opportunity of purchasing some practically new guardrail at half-price. Mr. Lyon then moved to approve the purchase of said guardrails at a price not to exceed \$2,005.00. Edwin Wheeler seconded this motion and it passed with 4 ayes.

2. Employee Policies

A copy of the Employee Policies as drawn up by David Lyon and Paul Rubery was given to each Board member for careful reading. At this time Edwin Wheeler moved to accept the new Employee Policies as presented. This motion was seconded by Andy Baran and carried with 4 ayes.

3. Bridge

David Lyon reported to the Board that the repair work on Gallaway's Bridge is about to be started. Materials are being dropped off down there now. He also informed the Board that the East Palmyra-Port Gibson Bridge was closed yesterday (September 11, 1985). This means that the people in East Palmyra have to come into Palmyra or go to Peak's Bridge in Newark in order to get across the canal.



At this time the Town Board meeting was interrupted to hold a previously scheduled Public Hearing.

PUBLIC HEARING

PUBLIC  
HEARING  
OPENED

The Public Hearing scheduled to be held on September 12, 1985 at the Town Office, 201 E. Main Street, Palmyra, to consider the application of Harold Greenlee for Special Authorization to convert a 2-family residence to a 5-unit apartment house was called to order by Supervisor Aplin at 8:35 P.M.

Proof of Publication was read by the Town Clerk.

By this time the following people had joined this meeting:

<u>Name</u>	<u>Address</u>
R. Harold Greenlee	82 Sawmill Dr., Penfield
David & Shelly Smith	910 Garnsey Road
Gordon Wheeler	912 Garnsey Road
Don & Cheryl	4502 South Creek Road
Albert West	3017 N. Creek Road

Mr. Greenlee told the Board that he had had 6 perk holes done, that Mr. Swartz is designing a septic system for him along with D.E.C. opinion, that he has revised his design in order to meet the standards of the Town of Palmyra and that he will get water from the spring at the Mobile Home Park which is tested every month. David Lyon asked Mr. Greenlee who else used this spring. Mr. Greenlee said the Mobile Home Park, Northside Bar and Grill and one neighbor, Mr. Albert West. Mr. West then said that he was glad to meet Mr. Greenlee and it is O.K. with him if he makes this a 5-unit apartment house. The usage of this one spring for furnishing water to so many people was discussed in great length. Mr. Roney suggested that if there were any doubts about the water, perhaps it should be checked out by a professional before any approval is granted. David Lyon asked Mr. Roney if the D.E.C. septic designs would meet the Town standards. Mr. Roney said he had checked with David Matthews, the engineer often hired by the Town of Palmyra, and he had said that the D.E.C. standards are equal to his standards. Parking areas were then discussed briefly.

Supervisor Aplin asked if there were any more comments or questions. There being no more comments, Supervisor Aplin read the recommendation from the Wayne County Planning Board rejecting this use variance. (This letter is on file in Harold Greenlee's file in the Special Authorization drawer.)

The letter from the Palmyra Planning Board recommending approval of the conversion so long as the work complies with all applicable rules, codes, regulations and laws was then read by Supervisor Aplin. (This letter is also on file in Harold Greenlee's file in the Special Authorization drawer.)

Supervisor Aplin again asked if there were any more comments or questions. He then referred this matter to committee and declared this Public Hearing closed at 9:20 P.M.

HEARING  
CLOSED

**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:

September 4, 1985

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 25th day of Sept. 1985

*Judith A. MacDuff*  
Notary Public

Fee: \$ 17.88

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4735126  
Expiration Date March 30, 1987

In returning to our regular Town Board Meeting, the next thing on the agenda under "Reports of Standing Committees" was:

RIN TO REG  
TN ED MFG

Water & Fire Committee - Edwin Wheeler, Chairman

PROPERTY  
LIABILITY INS

1. Property Liability Insurance

Edwin Wheeler informed the Board that our property liability insurance has been cancelled as of 11/22/85 because of our having had a landfill. Our agent, VanParys, is working on this and does not feel there is a problem.

STAFFORD RD  
WATER PROJECT

2. Letter from the Mayor RE: Stafford Road water  
Mayor Strong's letter said that the Village is looking into the possibility of water for Stafford Road. He will get back to Mr. Wheeler.

FALL CLEANUP

Landfill Committee - Andy Baran, Chairman

1. Fall Clean-Up

Andy Baran discussed the possibility of having a "fall clean-up" with the Board. It was decided to try to schedule one for the first part of October.

Cemetery Committee - Andy Baran, Chairman

SWIFT'S  
CEMETERY

1. Swift's Cemetery

Andy Baran said he had talked to Mr. Collie, who is presently in charge of the workcrew at Cunorah Hill, and he does not know if they will now this cemetery or not. He will have to check with his superiors. Paul Rubery said he will ask the gentleman from Salt Lake City about this situation.

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

1. Harold Greenlee - Subject of Public Hearing

SPEC. AUTH.  
H. GREENLEE

No action was taken at this time. Paul Rubery, the Town Attorney, reminded the Board that in order to over-rule the County Planning Board's rejection of this matter, there has to be a vote of at least 4 ayes to 1 nay.

2. Lyn Weiskopff - Recommendation from the Planning Board

The Palmyra Planning Board's recommendation of rejection was read by Supervisor Aplin. David Lyon suggested that the Board take no action on this matter until the Committee Chairman was present. The Board agreed with this suggestion.

L. WEISKOPFF  
NO ACTION  
TAKEN

3. Gordon Wheeler - Replacement of a mobile home

Edwin Wheeler moved to approve the replacement of a mobile home for Gordon Wheeler with the old mobile home to be removed within two (2) weeks. Andy Baran seconded this motion and following a brief discussion, it passed with 4 ayes.

MIN TO APV  
REPLACEMENT  
OF MBL HOME  
G. WHEELER

4. Connex Grinding & Machining Inc. - Set date for Public Hearing

Edwin Wheeler moved to schedule a Public Hearing for Connex Grinding & Machining, Inc. to consider their application to open a grinding and machining business on Rt. 21N on October 10, 1985 at 8:00 P.M. at the East Palmyra Fire Hall, East Palmyra. David Lyon seconded this motion and it passed with 4 ayes.

MIN TO SET  
PUB HEAR FOR  
CONNEX GRINDG  
& MACHINING

5. Thomas Heckman - Special Authorization for a deck w/stairs

Edwin Wheeler moved to approve the application of Thomas Heckman to build a 5 3/4' x 6' deck with stairs as long as he conforms with his application. David Lyon seconded this motion and following a brief discussion, it passed with 4 ayes.

MIN TO APV  
DECK W/STRS  
HECKMAN

September 12, 1985 Continued

6. Judson Roney, Assessor, to attend Assessor's Conference  
Cost not to exceed \$420.00
7. Elizabeth Briggs - Approval to attend Zoning & Planning Conference
8. Don Snyers - Approval to attend Zoning & Planning Conference

Edwin Wheeler moved to approve no more than \$420.00 for the Assessor,  
Judson Roney, to attend the Assessor's Annual Conference

AND

\$370.00 for Elizabeth Briggs to attend the Annual Zoning & Planning Conference

AND

\$375.00 for Don Snyers to attend the Annual Zoning & Planning Conference.

David Lyon seconded this combined motion and it passed with 4 ayes.

Town Building Committee - David Lyon, Chairman

MIN TO APV  
CONFERENCE  
MONIES FOR  
E. BRIGGS  
J. RONEY &  
D. SMYERS

TN BLDG COMM

No report at this time.

CONSOLIDATION

TN & VILLG COMM

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

No report at this time.

OTHER BUSINESS

1. Proposed Local Law #1 - Subject of Public Hearing

A motion was made by Edwin Wheeler to approve Local Law #1 of the year  
1985 (text follows), seconded by Andy Baran and passing with 4 ayes.

MIN TO APV  
LOCAL LAW #1  
OF 1985

LOCAL LAW #1 FOR THE YEAR 1985

A LOCAL LAW PROVIDING FOR THE DEFENSE OF

TOWN OFFICERS AND EMPLOYEES

BE IT ENACTED by the Town Board of the Town of Palmyra  
as follows:

Section 1. The Town Board hereby adopts Section 1.8 of the  
Public Officers Law and confers the benefits thereof upon all town  
officers and employees.

Section 2. The Town shall provide for the defense of any town  
officer or employee in any civil action or proceeding arising out of  
any alleged act or omission in which it is alleged that the officer  
or employee has violated the civil rights of the claimant, petitioner  
or plaintiff under sections 1981 and 1983 of the U.S. Civil Rights  
Act. The town shall indemnify and save harmless such officer or  
employee in the amount of any judgment or settlement of claim obtained  
against such officer or employee. Such legal defense and indemnif-  
ication shall be provided where the officer or employee at the time  
of such alleged act or omission was acting in good faith and within  
the scope of his public employment, powers or duties. The provisions  
of this section shall be in addition to any other statute, local law  
or enactment providing legal defense and indemnification in civil  
actions brought against such officer or employee.

Section 3. This local law shall take effect immediately upon  
filing in the Office of the Secretary of State.

2. Transfer of Funds

The following two (2) motions were both moved by Edwin Wheeler, seconded  
by David Lyon and passed with 4 ayes.

WHEREAS, there are insufficient funds in the Insurance Acct.  
A1910.4 in the amount of \$4789.96 due to excessive insurance bills

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town  
of Palmyra approve the transfer of funds in the amount of \$4789.96

From the Contingency Fund Acct. NO. A1990.4

To the Insurance Account No. A1910.4

AND

WHEREAS, THERE ARE NO FUNDS in the Engineer Acct. No. A1440.4  
and there is an outstanding bill for \$200.00 from MRB Group, P.C.  
for Stafford Road Water Line Study

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of  
Palmyra approve the transfer of funds in the amount of \$200.00

TRANSFER OF  
FUNDS

From the Contingency Fund Acct. No. A1990.4  
To the Engineer Account No. A1440.4

3. Canaltown Days Parade

CANALTOWN DYS  
PARADE

Supervisor Aplin told the Board he had to know by tomorrow morning if anyone besides himself was going to be in the Canaltown Days Parade.

Following a review of the Vouchers submitted, Edwin Wheeler moved to approve payment of the Vouchers submitted for payment as shown on Abstract #8A & 9. David Lyon seconded this motion and it passed with 4 ayes.

MIN TO APV  
PAYMENT OF  
VOUCHERS

The motion to adjourn this Town Board Meeting was made by Edwin Wheeler, seconded by Andy Baran and passed with 4 ayes.

MIN TO ADJRN

Respectfully submitted,

*Beverly E. Hickman*

Beverly E. Hickman, Town Clerk



The regular meeting of the Town Board Scheduled to be held on September 26, 1985 at the Town Office, 201 East Main Street, Palmyra, was called to order by Supervisor Aplin at 8:05 P.M.

Following a Moment of Silence, Supervisor Aplin led those present in the Pledge of Allegiance.

Upon roll call the following Board members were present:

Town Supervisor: Leroy Aplin  
Town Councilmen: Edwin Wheeler  
David Lyon

#### COMMUNICATIONS

1. Thank you from Nelson and Linda Cook for funeral flowers
2. Complaint from William DeSeyn

This matter was referred to committee.

David Lyon moved to approve the minutes from the September 12, 1985 Town Board meeting. Edwin Wheeler seconded this motion and it passed with 3 ayes.

#### REPORTS OF STANDING COMMITTEES

Highway committee - David Lyon, Chairman

No report at this time.

Water and Fire Committee - Edwin Wheeler, Chairman

No report at this time.

Landfill Committee - Andy Baran, Chairman

1. Fall Cleanup

David Lyon moved to authorize a free "fall Cleanup" to begin in the morning of Monday October 14, 1985 and end at 2:00 P.M. on Saturday October 19, 1985. This motion was seconded by Edwin Wheeler and passed with three ayes.

Cemetery Committee - Andy Baran, Chairman

No report at this time.

Town Building Committee - David Lyon Chairman

David Lyon reported to the Board that Judge William Abbott had requested to use the Village courtroom on December 9 and possibly December 10 for a jury trial. Edwin Wheeler moved to approve that the Town of Palmyra request the use of the Village courtroom for Judge Abbott on December 9 and 10. David Lyon seconded this motion and it passed with 3 ayes. The Town Clerk was then instructed to write a letter to the Village of Palmyra making such request.

Consolidation of Town and Village Committee - Edwin Wheeler,

No report at this time

#### OTHER BUSINESS

1. Surplus Property

Supervisor Aplin informed the Board that Gordon Wheeler of Garnsey Road, would like to buy the electric pole that is situated on the landfill property. Mr Wheeler will remove said pole and pay us \$50.00. The matter was then referred to the Landfill Committee.

2. Petition

Supervisor Aplin moved to approve a petition regarding a bridge situation in East Palmyra and to send a copy of same to all of our legislators. Edwin Wheeler seconded this motion and it passed with 3 ayes.

CALL TO ORDER

MNT OF SILNC  
PLEDGE OF ALLEGIANCE

ROLL CALL

MTN TO APV  
MIN 9/12/85

HIWY COMM.

WTR & FIRE  
COMM

MTN TO APV  
FALL CLEANUP

CMTRY COMM

MTN TO APV  
REQUESTING  
USE OF VILL  
COURTROOM

CNSLDATION  
OF TN & VILL  
COMM

SURPLUSPROP  
LIGHT POLE

## 3. Budget

Supervisor Aplin reported to the Board that the tentative budget would be turned over to the Town Clerk on September 30, 1985. The Board decided they would hold budget workshops on alternate Thursdays beginning October 3, 1985 at 7:30P.M.

TENTATIVE  
BUDGET

Assessment, Planning & Zoning Committee - Donald Sincliar, Chairman

1. H. Greenlee - Special Authorization to convert 2-family residence to a 5-unit apartment house

H. GREENLEE  
WATER REPORT  
NEEDED

Mr. Roney said the septic system plans and water report from an engineer were needed from Mr. Greenlee before a vote on this matter could be taken. Mr. Greenlee asked if he actually had to have an engineer do this work for him. The Board told him he could have a qualified, reputable contractor do this as long as the contractor would certify his report.

2. Lyn Weiskopff - Special Authorization to operate a part-time shop for painting and repairing autos.

L. WEISKOPFF  
TABLED

This matter was tabled until the Committee Chairman could be present.

3. Scott Byers - Request to construct a 12'x16' bedroom and a 12'x6' deck

David Lyon moved to approve the application of Scott Byers to add a 12'x16' bedroom and a 12'x6' open deck to his mobile home at Marguart's Mobile Manor. Edwin Wheeler seconded this motion and it passed with 3 ayes.

MIN TO APV  
SPEC. AUTH  
SCOTT BYERS

- 4 Donald & Linda Martin - Request to temporarily occupy a camper while the construction of their house at 939 Floodman Rd. is being completed

Judson Roney, Zoning Enforcement Officer, reported to the Board that this house is about 80% complete and he feels that the couple will be in the house before bad weather. Edwin Wheeler moved to approve the request of Donald & Linda Martin to temporarily occupy a camper while the construction of their house at 939 Floodman Road is being completed, with the borrowed camper to be removed from the premises no later than December 4, 1985. This motion was seconded by David Lyon and passed with 3 ayes.

MIN TO APV  
TEMP OCCUPANCY  
D. MARTIN

5. James Wheeler - Renew Special Authorization to conduct a motor vehicle repair business

Judson Roney informed the Board that in July of 1984 this Board granted a one year permit for Mr. Wheeler and that permit has expired. The Board decided to refer this matter to the Planning Board for their recommendation.

J. WHEELER  
SPEC AUTH  
REFERRED TO  
PLANNING BD

6. Elizabeth Briggs - Reappointment to the Zoning Bd of Appeals  
David Lyon moved to reappoint Elizabeth Briggs to a 5 year term on the Zoning Board of Appeals expiring October 1990. Edwin Wheeler seconded this motion and it passed with 3 ayes.

MIN TO REAP-  
PTIVE: BRIGGS  
ZNG BD APPELS

Edwin Wheeler then made a motion, seconded by David Lyon, to pay the Vouchers as submitted on Abstract #9A. This motion passed with 3 ayes.

MIN TO PAY  
VOUCHERS

The motion to adjourn this meeting of the Town Board was made by Edwin Wheeler, seconded by David Lyon and passed with 3 ayes.

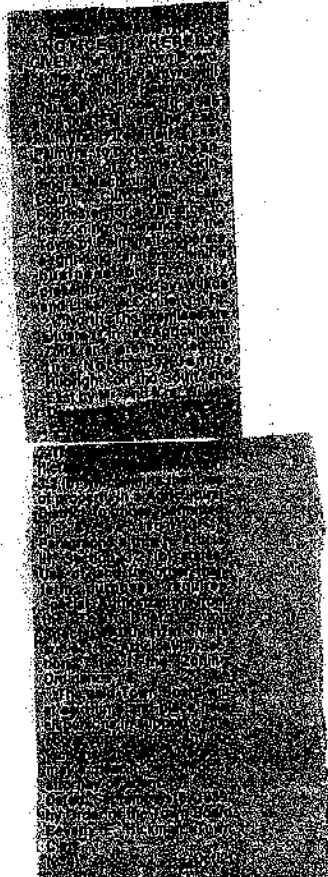
MIN TO ADJRN

Respectfully submitted,

*Beverly E. Hickman*  
Beverly E. Hickman, Town Clerk

**AFFIDAVIT OF PUBLICATION**

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



.....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 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., 2, 1985

*Rosalia J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this *30th* day of *October*, 19*85*.

*Judith A. MacDuff*  
Notary Public

Fee: \$ 19.18

JUDITH A. MACDUFF  
Notary Public for the  
State of New York, County of Wayne  
67041-13  
Expiration Date March 30, 1987

PUBLIC HEARING

The Public Hearing scheduled by the Town of Palmyra to be held at 8:00 P.M. on October 10, 1985 in the East Palmyra Fire Hall, East Palmyra, New York to consider the Application of Connex Grinding & Machining, Inc. to operate a grinding and machining business on Route 21N was opened by Supervisor Aplin at 8:05 P.M..

PUB. HRG.  
CONNEX  
GRIND. &  
MACH., INC

Those present were: Roy Wilck, Harry & Florence Wilkins, Ralph Stubbings, Frank & Nora Gorall, Nelson F. Cook, Carlton & Barbara Collins, Edward & Jacqueline Collins, Lee Lannon, Jud Roney, Charlene Lyon, Terry & Kim Gardner, (representing Jenny Hubright), Peter & Rita Burn and Bernadine Hutter.

The Proof of Publication was read by Deputy Clerk B. Stubbings.

A letter from the Connex Company which explained in detail their present business in East Rochester and their expectations if the move is made to Palmyra was read by Supervisor Aplin to provide information and background to those attending the hearing. Questions were asked concerning the kind of work to be done, type of coolants and solvents (if any) used and disposal of same, and the well to be dug. Mr. Collins responded satisfactorily to all questions.

The Board reviewed pictures, submitted by Mr. Collins, of the present location and the operation of the business.

Zoning Officer Roney advised the Board that he had visited the present facility at East Rochester and had found a clean cut shop and neat operation.

Supervisor Aplin read a letter from Ralph and Florence Collier indicating their approval of this application.

Mr. Aplin also read the recommendations from the Wayne County Planning Board as well as those from the Town of Palmyra Planning Board.

There being no further questions or statements from those present, the motion to close the hearing was made by Donald Sinclair, seconded by Andy Baran and passed with 5 ayes.

HEARING  
CLOSED

The Application was referred to Committee.

The regular meeting of the Town Board of the Town of Palmyra held on Thursday, October 10, 1985 in the East Palmyra Fire Hall, East Palmyra, New York was called to order by Supervisor Aplin at 8:30 P.M..

REG. MTG.  
OPENED

Following a moment of silence, those present were led in the Pledge of Allegiance to the Flag by Supervisor Aplin.

Upon Roll Call, the following were present: Supervisor Roy Aplin, Town Councilmen David Lyon, Edwin Wheeler, Andy Baran and Donald Sinclair.

ROLL CALL

There were no communications.

Reports of Standing Committees

REPORTS  
OF COMM.

Highway Committee - David Lyon, Chairman

Nothing to report.

HWY.COMM.

Water & Fire Committee - Edwin Wheeler, Chairman

Nothing to report.

WATER &  
FIRE COMM.

Landfill Committee - Andy Baran, Chairman

LFEL. COMM.

(1) Clean-up Days

CLEAN-UP  
DAYS

Mr. Baran announced that the Town of Palmyra will be having Clean-Up Days, at which time a dumpst will be available at the Town Barns on Kent St. starting at 8:00 A.M. on Monday, October 14th and ending on Saturday, October 19th at 2:00 P.M.. There will be no restrictions on hours and all



LANDFILL COMM. material, junk, etc. (except bagged garbage) will be accepted.  
CON'D.

(2) Utility Pole at Landfill

UTIL. POLE

At the last meeting, the Town Board discussed and considered selling the utility pole at the Landfill to Gordon Wheeler, Garnsey Road.

MOTION TO  
DECL. SURPL.  
& SELL

A motion was made by Andy Baran, seconded by David Lyon to declare the pole at the Landfill surplus property and to sell the pole to Gordon Wheeler of Garnsey Road for \$50.00. Motion passed with 5 ayes.

CEM. COMM.

Cemeteries Committee - Donald Sinclair, Chairman

Nothing to report.

ASSESS., PL &  
ZON. COMM.

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

(1) Application of Connex Grinding & Machining, Inc. - subject of

CONNEX  
APPLIC.

Public Hearing held earlier in the meeting.

Donald Sinclair moved to approve the application of Connex Grinding & Machining, Inc. for Special Authorization to locate the company's machine shop business and operations at 2858 Palmyra-Marion Road, with the following resolution:

WHEREAS, Connex has applied for Special Authorization to locate the productive and fabricating operations of Connex at the site known as 2858 Palmyra-Marion Road, and

WHEREAS, a public hearing has been held in the East Palmyra Fire Hall prior to the Town Board's regular meeting, and

WHEREAS, the Wayne County Planning Board and the Town of Palmyra Planning Board have recommended approval of the Connex application, and

WHEREAS, after consideration of the subject by this Board, a motion was duly made by Donald Sinclair, and seconded by Edwin Wheeler to adopt the following resolution:

THEREFORE BE IT RESOLVED, that a Special Authorization is hereby granted to Connex to establish its machine shop and office operations at 2858 Palmyra-Marion Road for the commercial purpose of producing precision tooling and to make available to the public such machine shop services as machining, drilling and grinding, but with such authorization being subject to the following terms, conditions and stipulations:

1. That this Special Authorization is valid only during the period that Connex is wholly owned and operated and controlled by its present officers, Carlton J. and Barbara A. Collins.

2. That the Special Authorization shall terminate immediately upon the sale or lease of the subject property or upon the terminations of one hundred percent (100%) control and operation of Connex by Carlton J. and Barbara A. Collins, or upon the occurrence of any violation of the conditions, terms and stipulations contained herein.

3. That the following renovations, maintenance and repairs shall be accomplished prior to commencing productive operations:

a. A new water well is to be drilled and potable water from the well is to be piped into the existing structure.

b. Water from the new well is to be tested by a laboratory licensed by the State of New York to determine the potability of the water and is usable if determined to be potable.

c. A new electrical service that is fully adequate for the electrical demands of the business is to be installed and is to be approved by an electrical inspection service authorized to conduct electrical inspections in the Town of Palmyra.

d. Any dumpster or other bin for disposal is to be placed to the rear of the building.

e. Adequate bathrooms facilities will be available, and the septic waste disposal system shall be determined to be operational and adequate.

4. That the following renovations, maintenance and repairs are to be accomplished no later than July 1, 1986:

a. The entire outside of the building is to be painted.

b. New exterior doors are to be installed in the replacement of the present existing outside doors.

c. The deteriorated addition at the southeast corner of the main building is to be removed and the ground on which it stands is to be graded and seeded with grass.

d. All structures not removed prior to July 1, 1986 are to be re-roofed and properly equipped with gutters.

e. Ample parking facilities for all employees, customers and visitors are to be provided as shown on a plan filed with the Town Zoning



Enforcement Officer in a manner that meets or exceeds the requirements of the Town's Zoning Ordinance, Section 7.3(3).

5. That there shall be, except for the dumpster or other enclosed bin approved by the Town used for the storage of metal scraps, scrapped production, waste and garbage, no outside storage of waste, materials, machinery or other items on the premises.

CONNEX  
RESOL.  
CONF'D

6. That all grinding, machining, fabricating, processing and other operations related to production shall be conducted within the existing one story building.

7. That all scrap and waste materials will be periodically disposed of off the premises in a proper manner.

8. That only one sign shall be displayed outside the structure, and it shall not exceed, in size, the dimensions of two feet six inches by four feet.

9. That the business shall not be operated in such a manner as to cause a nuisance.

10. That the machining and fabricating processes shall not cause undue noise or air pollution.

11. That the business shall not be conducted before the hour of 6:00 A.M. nor after the hour of 9:00 P.M. and deliveries are to be limited to daylight hours, and no deliveries or sales on Sundays.

12. That delivery vehicles and patrons shall not park in the highway, nor use the property of neighbors.

13. That at least two fire extinguishers capable of combating small fires that have an NFPA Classification of B or C are to be strategically located within the structure.

14. That the business shall be operated in conformance with the Town's Zoning Ordinance as well as in conformance with all other applicable laws, rules, regulations, ordinances and codes.

15. That the applicants shall be given and shall sign and return to the Town a copy of these conditions and stipulations, thereby indicated that it understands the conditions set forth herein and it agrees to observe and obey the conditions, and that it agrees that a violation thereof could subject the applicant to a penalty and/or to the revocation of this special authorization. That the conditions shall be executed by the corporation's officers and directors to indicate their understanding and consent to the conditions and intentions to cause the corporation to comply therewith.

This resolution was adopted with a vote of 5 ayes.

Town Building Committee - David Lyon, Chairman

Nothing to report.

RESOL.  
ADOPTED  
TN. BLDG.  
COMM.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

Nothing to report.

CONSOLID.  
COMM.

The motion to pay the Vouchers as submitted on Abstracts # 9B and # 10 was made by Andy Baran, seconded by Donald Sinclair and passed with 5 ayes.

MOTION TO  
PAY BILLS

Town Councilman Edwin Wheeler thanked the East Palmyra Fire Department for hosting the Board meeting and made the motion to adjourn this meeting.

The motion was seconded by Donald Sinclair and passed with 5 ayes.

MOTION TO  
ADJOURN

Respectfully submitted,

*Betty B. Stubbings*  
Betty B. Stubbings, Deputy Town Clerk

**AFFIDAVIT OF PUBLICATION**

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

LEGAL NOTICE  
TOWN OF PALMYRA  
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 24, 1985  
declared by Resolution that  
the East Town Line Road in  
the Town of Palmyra be  
designated as Seasonal  
Limited Use Highway. Said  
Highway will be closed  
during the winter months  
from November 15, 1985 to  
April 30, 1986.  
Dated October 25, 1985.  
Attest: \_\_\_\_\_  
Clerk of the Town of  
Palmyra.  
Beverly E. Hickman  
Town Clerk  
(1985) (U-10)

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:

October 30, 1985

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 30th day of October, 1985

*Judith A. MacDuff*  
Notary Public

Fee: \$ 7.80

JUENITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
4201123  
Expiration Date March 30, 1987

October 24, 1985

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The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on Thursday, October 24, 1985 at the Town Office, 201 East Main Street, Palmyra was called to order by Supervisor Aplin at 8:02 P.M.

CALL TO ORDER

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

MNT OF SILENCE  
PLEDGE OF ALLEGIANCE  
ROLL CALL

Upon roll call, the following Board members were present:

- Town Supervisor - Leroy Aplin
- Town Councilmen - Edwin Wheeler  
Donald Sinclair  
David Lyon  
Andy Baran

Those in attendance other than the Town Board included:

- Eugene Shiels                      Robert Vigdor
- Nelson Cook                        Doug Franke
- Paul Rubery

COMMUNICATIONS

COMMUNICATIONS

1. Card of thanks from Bev and Ron Hickman - Funeral flowers
2. Card from NYS Department of State RE: Filing of local law #1 of 1985
3. Finley Complaint (Each Board Member has a copy)

Following a brief discussion, the Board decided that part of Mr. Finley's complaint was a civil matter and did not involve this Board. Another part of said complaint is a zoning matter and was referred to the Zoning Committee.

FINLEY COMPLAINT  
REFERRED TO ZONING COMM

Andy Baran then moved to approve the minutes from the September 26, 1985 meeting and the October 10, 1985 meeting as submitted. This motion was seconded by Edwin Wheeler and passed with 5 ayes.

MIN TO APPROVE MINUTES FROM 9/26/85 & 10/10/85

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

David Lyon moved to designate East Town Line Road in the Town of Palmyra as a Seasonal Limited Use Highway. Said Highway will not be maintained and will be closed from November 15, 1985 to April 15, 1986. Andy Baran seconded this motion and it passed with 5 ayes.

MIN TO CLOSE E. TOWN LINE RD. SEASONAL

Water and Fire Committee - Edwin Wheeler, Chairman

No Report at this time.

WATER & FIRE COMMITTEE

Landfill Committee - Andy Baran, Chairman

1. Report on fall cleanup

Andy Baran reported to the Board that he felt the fall cleanup went well. The dumpster had to be emptied four times and Nelson Cook, Town Highway Superintendent, did a good job of keeping track of this.

RPT ON FALL CLEANUP

Cemeteries Committee - Andy Baran, Chairman

No report at this time.

CEMETERIES COMM

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

1. Eugene Shiels matter

ASSESS, PLAN & ZON COMM

Mr. Shiels and his attorney, Robert Vigdor, were both present at this meeting. Mr. Vigdor explained to the Board that Mr. Shiels cannot obtain a mortgage at this time, but he has continued to work on this house as time and money have allowed. It will be next summer before he will be able to apply for a mortgage. He pointed out that Mr. Shiels has done nothing to the house since the cease and desist order was served in July. Mr. Vigdor suggested that the Board allow Mr. Shiels to work on the house and wait until he can apply for a mortgage to get the funds to finish it properly. Dave Lyon asked what guarantee the Board had

E. SHIELDS MATTER

that a mortgage would be approved. Mr. Vigdor said no guarantee at all. Supervisor Aplin asked how long ago Mr. Shiels started this house. Mr. Shiels said 10 years ago. Donald Sinclair said if the Board let this matter go they would be setting a precedence that could cause a lot of headaches for the Board. Dave Lyon asked Mr. Shiels how many years he had worked on this house before his bankruptcy occurred? Mr. Shiels said about 5 years. After much discussion, it was decided that Mr. Vigdor would talk to the Bankruptcy Trustee to explore the possibility of completing the bankruptcy plan earlier and then report back to this Board at the Monday, November 25, 1985 meeting. Supervisor Aplin said if Mr. Shield wanted to work on the inside of his house during this month no one would bother him.

PROPOSED 2. Proposed Local Law # 2

LOCAL LAW #2 A local law permitting certain materials to be enclosed with real property tax bill. This proposed local law was presented to the Board to the Board for their consideration at the next Town Board meeting.

DRIVEWAYS 3. Doug Franke - Application to install driveway

D. FRANKE After reviewing Mr. Franke's lay-out it was agreed that he should come back to another meeting with a better plan, therefore no action was taken tonight.

4. Property of Harold J and Evelyn L. VandenBout  
MTN TO ACPT Since Mr. Roney was reluctant to accept the maps provided for the above ment-  
MAPS FOR ioned property without Board approval, Edwin Wheeler moved to accept maps as  
R & E presented by Donald B. Schwartz for lands of Harold J. and Evelyn L VandenBout.  
VANDENBOUT David Lyon seconded this notion and it passed with five ayes.

TN BLDG COMM Town Building Committee - David Lyon, Chairman

1. Roof work  
ROOF WORK David Lyon told the Board that the work to the parapet on the roof had not been done as yet because we were having a problem getting a contractor. He is still working on this problem.

CNSLDATN TN Consolidation of Town and Village Committee - Edwin Wheeler, Chairman  
& VILL COMM No report at this time.

OTHER BUSINESS

1. Set date for Preliminary Budget Hearing (Nov. 7, 1985 last date possible)  
PRELIMRY BGE Edwin Wheeler moved to schedule a Public Hearing for the Preliminary Budget to  
be held on November 7, 1985 at 7:30 P.M. at the Town Office, 201 East Main Street,  
Palmyra. Andy Baran seconded this motion and it passed with 5 ayes.

2. Federal Revenue Sharing  
FEDERAL The following proposal was moved by Supervisor Aplin, seconded by David Lyon and  
REVENUE passed with 5 ayes.  
SHARING

Normally the Town would have to advise about proposed uses for Federal Revenue Sharing. Because of all the publicity, the Town Budget Officer called the Federal Revenue Sharing Office on September 18, 1985 and talked with Mr. Herman. Mr. Herman indicated that there was no activity to renew the Federal Revenue Sharing program for municipalities and he had about 800 calls from all over the country.

Always before in September, there at least was some activity on the Revenue Sharing Program. His department has heard nothing about its renewal. In view of this it would not seem beneficial to the Town to cause the legal notice to be published at the expense of the Town, when it seems uncertain the Town would receive no funds.

In addition, it seemed inappropriate and foolish to encourage people that there would be funds when the prospects for funding at this time seem so dim.

October 24, 1985

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Therefore, until there is at least some indication that there would be Revenue Sharing Funds, I propose that there be no advertisement of the Federal Revenue Sharing Funds.

3. Service Maintenance agreement (Assessor's Copy Machine)

Edwin Wheeler moved to renew the full service maintenance agreement with the Xerox Corp. for the copy machine in the Assessor's Office. Andy Baran seconded this motion and it passed with 5 ayes.

MOTION TO APPROVE  
MAINTENANCE  
AGREEMENT ON  
COPY MACHINE

4. Transfer of funds

The following motion was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes.

MOTION TO  
TRANSFER  
FUNDS

WHEREAS, account A1110.4, Justices-Contractual Expenses has insufficient funds and

WHEREAS, account A110.1, Personal Services has a balance  
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$530.42

From - Account A1110.1 Personal Services  
To - Account A1110.4 Contractual Expenses

Following a review of the vouchers submitted for payment, Edwin Wheeler moved to approve payment of vouchers as submitted on Abstract # 10A. Donald Sinclair seconded this motion and it passes with 5 ayes, David Lyon abstaining on Voucher #171.

MOTION TO APPROVE  
VOUCHERS

The motion to adjourn this Town Board meeting was made by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes.

MOTION TO  
ADJOURN

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 newspaper published weekly at Palmyra, N.Y., in the County of Wayne, and that the notice of which the annexed is a true copy, clipped from said newspaper, was regularly published in said Courier-Journal on the following dates:

October 30, 1985

Rosalie J. Mouton  
 Foreman of the Publisher

Subscribed and sworn to before me

this 30th day of October, 1985

Jessie A. MacDuff  
 Notary Public

Fee: \$ 17.23

JESSIE A. MACDUFF  
 Notary Public  
 State of New York, County of Wayne  
 Expires March 30, 1987

**LEGAL NOTICE**  
**TOWN BOARD**  
**NOTICE**  
**PUBLICHEAR**  
**UPON**  
**PRELIMINARY BUDGET**  
**NOTICE IS HEREBY**  
 GIVEN that the Preliminary Budget for the Town of Palmyra for the fiscal year beginning January 1, 1986 has been completed and filed in the Office of the Town Clerk, 20 East Main Street, Palmyra, New York, where it is available for inspection by any interested person at all reasonable hours.

**FURTHER NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Palmyra will meet and review said Preliminary Budget and hold a public hearing thereon in the Office, 20 East Main Street, Palmyra, New York, on November 14, 1985 and that each interested person may be heard in favor of or against the Preliminary Budget as compiled or for any other item or items therein contained.

Amount (each) \$200  
 Town Clerk (each) \$175  
 Town Clerk \$1675  
 Superintendent of Highway \$100  
 Collector \$100  
 Police Officer \$500  
 Dated October 25, 1985  
 By Order of the Town Board of the Town of Palmyra  
 Beverly E. Hickman  
 Town Clerk  
 (OS)

November 7, 1985

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PUBLIC HEARING

The Public Hearing scheduled to be held on November 7, 1985 to review the Preliminary Budget for the Fiscal Year beginning January 1986 was called to order by Supervisor Aplin at 7:33 P.M.

Upon roll call the following Board members were present:

Town Supervisor: Leroy Aplin  
Town Councilmen: Edwin Wheeler  
David Lyon  
Andy Baran

Others in attendance were Jim Elliott and Bob Kirchoff with Warner Strong, Village Mayor and Nelson Cook, Highway Superintendent, arriving late.

The Proof of Publication was read by the Town Clerk.

Supervisor Aplin asked for any comments regarding the Preliminary Budget or sections thereof. Jim Elliott asked about the Village being exempt from Items # 3 and # 4. Supervisor Aplin then read the letter 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.

A letter from Karyn Dentry, a election inspector, asking for a raise for all of the election inspectors was then read by Supervisor Aplin.

Edwin Wheeler asked what the increased tax rate would be. Supervisor Aplin said the rates would go up approximately \$.34 per thousand inside the Village and \$.11 per thousand outside the Village.

Supervisor Aplin asked if there were any more comments or questions regarding the Preliminary Budget. There being no reply, Edwin Wheeler moved to close this Public Hearing. David Lyon seconded this motion and it passed with 4 ayes.

The regular meeting of the Town Board of the Town of Palmyra scheduled CALL TO ORDER to be held on Thursday, November 14, 1985 at the Town Office, 201 East Main Street, Palmyra was called to order by Supervisor Aplin at 7:35 P.M.

Following a moment of silence, Supervisor Aplin led those present in MINT OF SINCE the Pledge of Allegiance to the Flag. PLEDGE OF ALLEGIANCE

Upon roll call, the following Board members were present:

- Town Supervisor - Leroy Aplin
- Town Councilmen - Edwin Wheeler (arrived late)
- Donald Sinclair (arrived late)
- David Lyon
- Andy Baran

Those in attendance other than the Town Board included:  
Donald L. Mauer  
Judson M. Roney

COMMUNICATIONS

There were no communications to be read

David Lyon moved to approve the minutes of the October 24, 1985 meeting as submitted. Andy Baran seconded this motion and it passed with 3 ayes. MIN TO APV  
MIN FROM  
10/24/85

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman HIWAY COMM

No Report at this time.

Landfill Committee - Andy Baran, Chairman LANDFILL COMM

No report at this time.

Cemeteries Committee - Andy Baran, Chairman CMTRES COMM

No report at this time.

Town Councilman Edwin Wheeler arrived at this time.

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

1. Local Law # 2

David Lyon moved to schedule a Public Hearing on November 25, 1985 at the Town Office, 201 E. Main Street, Palmyra at 7:30 P.M. to discuss the proposed Local Law #2 which would permit certain materials to be enclosed with real property tax bills. Andy Baran seconded this motion and it passed with 4 ayes. MOTION TO SCHEDULE PUB HEAR LOCAL LAW #2

2. Donald Mauer - Special Authorization to construct a 8' x 8' enclosed porch MIN TO APV  
ADDITION FOR D. MAUER

Edwin Wheeler moved to approve the addition of a 8' x 8' enclosed porch on Donald Mauer's Mobile home on Lot #29 in Pulcini's Trailer Park on Trolley Road. Andy Baran seconded this motion. Following a brief discussion, this motion passed with 4 ayes.

Town Building Committee - David Lyon, Chairman TN BLDG COMM

No report at this time.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman CNSLDTION OF TN & VILL COMM

No report at this time.

Town Councilman Donald Sinclair arrived at this time.

OTHER BUSINESS

1. Association of Towns meeting & approval to pay deposit for each person attending

The Association of Towns meeting scheduled to be held in February 1986 was discussed. All of the Town Council, the Town Attorney and the Town Clerk are planning to attend. No one signed up for a hotel that required a deposit. ASSOC OF TNS MEETING

2. Approval of Budget

MIN TO APV  
1986 BUDGET

David Lyon moved to approve the budget for the Town of Palmyra for the fiscal year 1986. Edwin Wheeler seconded this motion. Supervisor Aplin said the tax rates would have to be increased approximately \$.31 inside the Village and \$.08 outside the Village before loading by the County. Following a brief discussion this motion passed with 4 ayes, 1 nay - Supervisor Aplin voting nay.

MIN TO APV  
PAYMENT OF  
VOUCHERS

Edwin Wheeler moved to approve the vouchers submitted for payment as shown on Abstract #10B and # 11. This motion was seconded by Andy Baran and passed with 5 ayes.

Edwin Wheeler moved to adjourn this Town Board meeting with the next meeting being held on Monday, November 25, 1985 because of Thanksgiving. Andy Baran seconded this motion and it passed with 5 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 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:

November 20, 1985

*Rosalie J. Mouton*  
Foreman of the Publisher

Subscribed and sworn to before me

this 27th day of Nov, 1985

*Judith A. MacDuff*  
Notary Public

Fee : \$ 13.00

JUDITH A. MacDUFF  
Notary Public for the  
State of New York, County of Wayne  
473E126  
Expiration Date March 30, 1987

LEGAL NOTICE  
PLEASE TAKE NOTICE  
that the undersigned, Rosalie J. Mouton, Foreman of the Board of the Town of Palmyra in the County of Wayne and State of New York, on October 24, 1985, proposed local law 92. This proposed local law is to permit certain materials to be enclosed with real property tax bills.  
A copy of this proposed local law may be examined in the Town Clerk's Office, 201 E. Main Street, Palmyra at any time during regular business hours.  
PLEASE TAKE FURTHER NOTICE that pursuant to section twenty of the Municipal Home Rule Law a Public Hearing will be held on the aforesaid proposed local law before the Town Board of the Town of Palmyra at the Town Offices, 201 E. Main Street, Palmyra, at 7:30 P.M. on Monday, NOVEMBER 25, 1985, at which time all interested persons will be heard.  
Dated: November 15, 1985  
Beverly A. Hickman  
Town Clerk  
By Order of the Town Board of the Town of Palmyra  
(N20)



## PUBLIC HEARING

The Public Hearing scheduled to be held on November 25, 1985, at the Town Office, 201 E. Main Street, Palmyra to consider a proposed Local Law # 2 of the year 1985 to permit certain materials to be enclosed with real property tax bills was called to order at 7:35 P.M. by the Town Supervisor, Leroy Aplin.

PUBLIC  
HEARING  
OPENED

Those in attendance other than the Town Board were Rebecca Shook, Chuck Lyons and Nelson Cook.

The Proof of Publication was read by the Town Clerk.

Supervisor Aplin asked for any comments either for or against proposed Local Law # 2. There were no comments. Supervisor Aplin again asked for any comments either for or against proposed Local Law # 2 and again there were no comments. David Lyon moved that this Public Hearing be closed. Edwin Wheeler seconded this motion and it passed with 5 ayes. Supervisor Aplin Declared this Public Hearing closed at 7:42 P.M.

PUBLIC  
HEARING  
CLOSED

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on November 25, 1985 at the Town Office was called to order by Supervisor Aplin at 7:43 P.M.

CALL TO ORDER

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

MOMENT OF  
SILENCE  
PLEDGE OF  
ALLEGIANCE

Upon roll call the following Town Board members present were:

ROLL CALL

Town Supervisor - Leroy Aplin

Town Councilman - Edwin Wheeler  
Donald Sinclair  
David Lyon  
Andy Baran

## COMMUNICATIONS

There were no communications

Edwin Wheeler made a motion, seconded by Andy Baran, to approve the minutes from the November 7, 1985 and the November 14, 1985 meetings as submitted. This motion passed with 5 ayes.

MIN TO APV  
MIN FROM  
11/7/85 &  
11/14/85

## REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

HIWY COMM

No report at this time.

Water & Fire Committee - Edwin Wheeler, Chairman

WTR & FIRE  
COMM

No report at this time.

Landfill Committee - Andy Baran, Chairman

LANDFL COMM

No report at this time.

Cemeteries Committee - Andy Baran, Chairman

CMTRRS COMM

Andy Baran reported to the Board that he had had a phone call from a Mormon Committee in Utah. They are interested in leasing a spot at Swift's Cemetery to put up a different sign than what they have there now. Donald Sinclair suggested that Mr. Baran talk to the Town Attorney about this and take the matter back to committee. This was agreed upon.

November 25, 1985

ASSESS, PLAN  
& ZONING COMMAssessment, Planning & Zoning Committee - Donald Sinclair,  
ChairmanMIN TO ADOPT  
LOCAL LAW #2

## 1. Proposed Local Law # 2 Subject of Public Hearing

David Lyon moved to adopt Local Law # 2 of the year 1985 permitting certain materials to be enclosed with real property tax bills. Edwin Wheeler seconded this motion. Following a brief discussion, this motion passed with 5 ayes.

E. SHIELDS  
MATTER  
DEFERRED  
TO LATER  
IN MTG

## 2. Eugene Shields matter

Donald Sinclair asked that this be deferred until later in the meeting to allow time for Mr. Shields and his attorney to arrive at this meeting. This was agreeable with the Board.

TOWN BLDG COMM

Town Building Committee - David Lyon, Chairman

No report at this time.

CONSOLIDATION  
OF TN & VILL  
COMMConsolidation of Town & Village Committee - Edwin Wheeler,  
Chairman

No report at this time.

## OTHER BUSINESS

## 1. Approval of Bingo license for 1986 for VFW. Edwin

Wheeler moved to approve a Bingo license for the Palmyra VFW #6778 for the year of 1986. David Lyon seconded this motion and it passed with 5 ayes.

## 2. Transfer of Funds

Motion made by Edwin Wheeler, seconded by David Lyon. Passed with 5 ayes.

WHEREAS, THE Justices account - Contractual Expenses All10.4 has insufficient funds in the amount of \$52.75 and

WHEREAS THE Justices Account - Personal Services Account All10.1 has funds and

THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$52.75

From All10.1 - Justice - Personal Services

To All10.4 - Justices - Contractual Expenses

Motion made by Edwin Wheeler, seconded by David Lyon. Passed with 5 ayes.

WHEREAS, the Highway Supt. - Contractual Expense Account A5010.4 has insufficient funds in the amount of \$130.33 and

WHEREAS the Highway Supt. - Personal Services Account A5010.1 has sufficient funds and

THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$130.33

From A1990.4 - Highway Supt. Personal Services

To A5010.4 - Highway Supt. Contractual Expenses

Motion made by Edwin Wheeler, seconded by David Lyon. Passed with 5 ayes.

WHEREAS, the Publicity-Contractual Exp. A6410.4 has insufficient funds in the amount of \$42.00 and

THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$42.00

From A1990.4 - Contingency Fund

To A6410.4 - Publicity

Motion made by Edwin Wheeler, seconded by David Lyon. Passed with 5 ayes.

WHEREAS, the Employees Benefits - Hospital Insurance Acct. A9060.8 has insufficient funds and

WHEREAS, the Employees Benefits - Retirement Account A9010.8 has a balance of \$5551.00

THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$1044.66

From A9010.8 - Employee Benefits - Retirement Acct.

To A9060.8 - Employee Benefits - Hospital Insurance Acct.

Motion made by Edwin Wheeler, seconded by Andy Baran. Passed with 5 ayes.

WHEREAS THE Zoning - Contractual Expenses Acct. B8010.4 has insufficient funds in the amount of \$87.23 and

WHEREAS Zoning - Personal Services has funds and

THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$87.23

From B8010.1 - Zoning - Personal Services

To B8010.4 - Zoning - Contractual Expenses

TRANSFER  
OF FUNDS

Motion made by Edwin Wheeler, seconded by Andy Baran. Passed with 5 ayes.

WHEREAS THE Planning Board - Contractual Expenses Acct. B8020.4 has insufficient funds in the amount of \$215268 and WHEREAS there are funds in the Planning-Equipment Acct. B8020.2 and Planning - Personal Services Acct. B8020.4 and THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$200.00 From the Planning Equipment Account B8020.2 and \$15.68 from the Planning - Personal Services Account B8020.4 to Planning - Contractual Expense Account B8020.4

Motion made by Edwin Wheeler, seconded by David Lyon. Passes with 5 ayes.

WHEREAS the Employee Benefits - Social Security Account B9030.8 has insufficient funds in the amount of \$5.94 and WHEREAS the Employee Benefits - Retirement Account has a balance of \$256.00 and THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of \$5.94 From B9010.8 - Employee Benefits - Retirement Account To B9030.8 - Employee Benefits - Social Security Account

3. Town of Palmyra Judges

The following motion was made by Edwin Wheeler, seconded by Andy Baran and following a brief discussion, passes with 4 ayes, David Lyon voting nay. MIN TO APV TEMP ASSIGNM OF JUDGES

The Town Board of Palmyra, New York, County of Wayne has consented to the temporary assignment of its justice(s) to preside in other city/town/village courts in the Seventh Judicial District as need arises during the year 1986 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 1986, and providing it does not interfere with the duties of and is at the convenience of the Town Justices of the Town of Palmyra

4. Galloway's Bridge

Edwin Wheeler moved to transfer ownership of a 50' x 300' right-of-way along Galloway's Bridge to the County. David Lyon seconded this motion and after a short discussion regarding responsibility of this property, it passed with 5 ayes.

5. Games of Chance License for Americal Legion & St. Anne's Church

Edwin Wheeler moved to approve a Games of Chance License for both the American Legion #6778 and for St. Anne's Church for December 1985 if they so desire to have one. This motion was seconded by Donald Sinclair and passed with 5 ayes. MIN TO APV GAMES OF CHANCE LIC FOR VFW #6778 & ST. ANNE'S

At this time Edwin Wheeler moved to approve the vouchers as submitted for payment on Abstract # 11A. MIN TO PAY VOUCHERS

RETURNING TO:

Assessment, Planning & Zoning Committee, Donald Sinclair, Chairman Eugene Shiels and his attorney, Robert Vigdor, were both present at this time. Mr. Vigdor said he had checked with the Bankruptcy Court and found out that voluntary payments can be made in addition to the amount already being paid. Mr. Shiels thinks that he can have his indebtedness paid in full by April or May. Mr. Vigdor said it would be at least 2 to 3 weeks after the last payment is made before Mr. Shiels will have his discharge papers from the Bankruptcy Court. At that time approximately May or June, Mr. Shiels could apply for a mortgage of about \$37,000 which will be enough to complete the house by contracting the work out. Mr. Vigdor reminded the Board that the criminal action from the Town Board was still pending and he would like permission from this Board for Mr. Shiels to work on his house during this waiting period. The following motion was then moved by RETURN TO ASSESS, PLAN & ZON COMM

E. SHIELS MATTER

Mr. Shiels thinks that he can have his indebtedness paid in full by April or May. Mr. Vigdor said it would be at least 2 to 3 weeks after the last payment is made before Mr. Shiels will have his discharge papers from the Bankruptcy Court. At that time approximately May or June, Mr. Shiels could apply for a mortgage of about \$37,000 which will be enough to complete the house by contracting the work out. Mr. Vigdor reminded the Board that the criminal action from the Town Board was still pending and he would like permission from this Board for Mr. Shiels to work on his house during this waiting period. The following motion was then moved by

MIN TO AFV  
ADJOURNMENT  
IN CONTEMPLATION  
OF DISMISSAL

Donald Sinclair and seconded by Edwin Wheeler.

WHEREAS, Eugene Shiels, owner of premises at 3328 Maple Ave. is in bankruptcy and

WHEREAS, the Town of Palmyra has prosecuted him for failure to obtain a Building Permit. The permit has been outstanding for over 10 years without being renewed and

WHEREAS, the Town of Palmyra has agreed that Eugene R. Shiels be granted an adjournment in contemplation of dismissal until June 1, 1986 on the condition that

A. Mr. Shiel shall accelerate his discharge from bankruptcy on or before June 1986.

B. That he shall apply for a mortgage and obtain a mortgage and to complete his home and

WHEREAS, he shall be allowed to work on his home in the meantime to reduce the balance to be done on his home.

NOW THEREFORE BE IT RESOLVED that Eugene R. Shiel shall be granted an adjournment in contemplation of dismissal upon the following conditions:

1. That he shall, by extra payments, accelerate his discharge in bankruptcy by June 1, 1986.

2. That he shall apply for and obtain a mortgage to complete the home by January 1, 1987 and that he be permitted to complete his home in part during that time.

Supervisor Aplin told Mr. Shiels that this has been going on for 10 years now and could set a precedent. Donald Sinclair feels that this is a unique situation. Upon a vote being called, this motion passed with 4 ayes-1 nay. (Supervisor Aplin voting nay)

MOTION TO  
ADJOURN

Edwin Wheeler then moved to adjourn this meeting of the Town Board.

Andy Baran seconded this motion and it passed with 5 ayes.

Respectfully submitted,

*Beverly E. Hickman*

Beverly E. Hickman, Town Clerk



The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on December 12, 1985 at the Town Office, 201 East Main Street, Palmyra, was called to order by Supervisor Leroy Aplin at 7:35 P.M.

CALL TO ORDER

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

MOMENT OF SILENCE  
PLEDGE OF ALLEGIANCE

Upon roll call the following Board members were present:

ROLL CALL

- Town Supervisor - Leroy Aplin
- Town Councilman - Edwin Wheeler
- Donald Sinclair
- David Lyon
- Andy Baran

Others in attendance at this meeting were Rebecca Shook, Courier Journal, and Paul Rubery, the Town Attorney.

COMMUNICATIONS

1. Letter of resignation from Town Councilman, Edwin Wheeler - effective December 31, 1985
2. Notice from NYS Dept. of State RE: filing of Local Law #2

REPORTS OF STANDING COMMITTEES

Highway Committee - David Lyon, Chairman

HIWY COMM

No report at this time.

Water & Fire Committee - Edwin Wheeler, Chairman

WATER & FIRE COMMITTEE

No report at this time.

Landfill Committee - Andy Baran, Chairman

LANDFILL COMM

A motion was made by Edwin Wheeler, seconded by David Lyon and passing with 5 ayes, to add to the agenda the subject of declaring landfill property surplus.

MIN TO ADD TO AGENDA

The following motion was made by Andy Baran, seconded by Edwin Wheeler, and following a discussion, it passed with 5 ayes.

MOTION TO DECLAR INDEL AS SURPLUS PROPERTY

WHEREAS, the Town of Palmyra has closed its sanitary landfill on Garnsey Road, and

WHEREAS, the vacant land is no longer of use to the Town of Palmyra for its municipal purposes,

NOW THEREFORE, BE IT RESOLVED that the Town of Palmyra does hereby declare that the property on the north and south side of Garnsey Road in the Town of Palmyra shall be declared surplus; and

BE IT FURTHER RESOLVED, that the Town of Palmyra shall take steps to dispose of said land, either at Public or Private sale, notifying the prospective buyer that the land is the site of a former landfill; and

BE IT FURTHER RESOLVED, that any purchaser shall, if necessary, grant access to the Town of Palmyra for any testing that may be required on the land; and

BE IT FURTHER RESOLVED, that any purchaser shall take subject to the condition that the purchaser shall assume any and all risk associated with owning the land and agree for his heirs, successors and assigns to indemnify and hold harmless the Town of Palmyra from any and all claims arising out of the former use of the land as a sanitary landfill.

Cemeteries Committee - Andy Baran, Chairman

CEMETRES COMM

No report at this time.

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

ASSESS, PLAN. & ZON. COMM

No report at this time.

Town Building Committee - David Lyon, Chairman

TN BLDG COMM

No report at this time.

Consolidation of Town & Village Committee - Edwin Wheeler, Chairman

CNSILDATION OF TN & VILL COMM

No report at this time.



December 12, 1985 Continued

## OTHER BUSINESS

## 1. Acceptance of Resignation

MOTION TO  
ACCEPT  
RESIGNATION  
E. WHEELER

David Lyon moved to accept the resignation of Edwin Wheeler as Town Councilman effective at midnight December 31, 1985. Andy Baran seconded this motion and it passed with 5 ayes.

## 2. Transfer of Funds

TRANSFER OF  
FUNDS

- (a) Motion moved by Edwin Wheeler - Seconded by David Lyon - Passed 5 ayes  
WHEREAS the Justice - Contractual Expense Acct. No. A1110.4 has insufficient funds in the amount of \$207.50 and  
WHEREAS the Justice - Personal Services Acct. No. A1110.1 has sufficient funds  
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$207.50  
From - Justices - Personal Services Acct. #A1110.1  
To - Justices - Contractual Expenses Acct. #A1110.4
- (b) Motion moved by Edwin Wheeler - Seconded by Andy Baran - Passed 5 ayes  
WHEREAS the Zoning - Contractual Expense Acct. B8010.4 has insufficient funds in the amount of \$614.69 and  
WHEREAS the Zoning - Personal Services Acct. B8010.1 has sufficient funds  
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$614.69  
From - Zoning - Personal Services Acct. #B8010.1  
To - Zoning - Contractual Expense Acct. #B8010.4
- (c) Motion moved by Edwin Wheeler - Seconded by David Lyon - Passed 5 ayes  
WHEREAS the Planning - Contractual Expense Acct. B8020.1 has insufficient funds in the amount of \$12.68 and  
WHEREAS the Planning - Personal Services Acct. B8020.1 has sufficient funds and  
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$12.68  
From - Planning - Personal Services Acct. B8020.1  
To - Planning - Contractual Expense Acct. B8020.4
- (d) Motion moved by Andy Baran - Seconded by Edwin Wheeler - Passed 5 ayes  
WHEREAS the Employee Benefits - Social Security Acct. B9030.8 has insufficient funds in the amount of \$39.52 and  
WHEREAS the Employee Benefits - Retirement Acct. B9010.8 has sufficient funds and  
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$39.52  
From - Employee Benefits - Retirement Acct B9010.8  
To - Employee Benefits - Social Security B9030.8
- (e) Motion moved by Edwin Wheeler - Seconded by Andy Baran - Passed 5 ayes  
WHEREAS the Insurance Acct. #A1910.4 has insufficient funds in the amount of \$37129.42 due to insurance bill of \$37791.42 and  
WHEREAS two-twelfths of this bill is chargeable to 1985 expense in the amount of \$6298.55 and ten-twelfths is chargeable to 1986 expense in the amount of \$31492.87  
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the Transfer of Funds in the amount of \$5636.55  
From - Contingency Fund Acct. #A1990.4  
To - Insurance Fund Acct. #A1910.4  
AND BE IT FURTHER RESOLVED that the balance of \$31492.87 be taken from surplus funds and accrued for 1986 expense.

At this time Edwin Wheeler moved to add to the agenda Item #3 -

MIN TO ADD  
TO AGENDA #3

Amount of County taxes levied in the Town of Palmyra. This motion was seconded by Andy Baran and passed with 5 ayes.

The following motion was duly moved by Edwin Wheeler, seconded by Andy Baran and adopted with a vote of 5 ayes.

WHEREAS, the Board of Supervisors of the County of Wayne has issued a certificate to the chief fiscal officer of the Town certifying that the contribution of the Town to the taxes of the County of Wayne for the fiscal year begining January 1, 1986, is \$714,992.74;  
WHEREAS, the Town Board, in accordance with Article 9 of the New York State Real Property Tax Law, must determine the amount of

County taxes to be levied against the taxable real estate and direct the extension of such taxes against each such parcel;  
NOW THEREFORE BE IT RESOLVED,

MIN TO  
DETERMINE  
AMT OF TAXES  
TO BE LEVIED

1. The Town Board of the Town of Palmyra does determine the amount of County taxes for the fiscal year beginning January 1, 1986 to be levied in the Town of Palmyra to be \$714,992.74.
2. The taxes due the County of Wayne shall be extended against each parcel of the taxable real estate at rates per \$1.00 of taxable assessed value established in accordance with applicable provisions of law.
3. The extension of taxes shall be made by the Board of Supervisors of the County of Wayne in accordance with this resolution and applicable provisions of law.
4. The Supervisor is hereby directed to deliver a certified copy of this resolution to the Chairman of the Board of Supervisors of the County of Wayne.
5. This resolution shall take effect immediately.

Edwin Wheeler then moved to approve payment of vouchers as submitted on Abstract #11b and #12. Andy Baran seconded this motion and it passed with 5 ayes.

MIN TO APV  
PAYMENT  
OF VOUCHERS

The Motion to adjourn this Town Board meeting was offered by David Lyon, seconded by Andy Baran and passed with 5 ayes.

MIN TO  
ADJOURN

Respectfully submitted,

Beverly E. Hickman  
Beverly E. Hickman, Town Clerk

The regular meeting of the Town Board of the Town of Palmyra scheduled to be held on December 30, 1985 at the Town Office, 201 E. Main Street, Palmyra, was called to order by Supervisor Leroy Aplin at 7:30 P.M.

CALL TO ORDER

Following a Moment of Silence, Supervisor Aplin led those present in the Pledge of Allegiance to the Flag.

MNT OF SILENCE  
PLEDGE OF ALLEGIANCE

Upon roll call, the following Board members were present:

ROLL CALL

- Town Supervisor: Leroy Aplin
- Town Councilmen: Edwin Wheeler  
Donald Sinclair  
David Lyon  
Andy Baran

Others in attendance at this meeting were Rebecca Shook, (Courier Journal), William Glasser (Pal-Oil), Lois Lynch, Jack Drake, Daniel Wooden, Nelson Cook, (Highway Superintendent), and Paul Rubery (Town Attorney)

COMMUNICATIONS

There were no communications to be read at this time.

REPORTS OF STANDING COMMITTEES

RPTS OF STNDG  
COMMITTEE

Highway Committee - David Lyon, Chairman

HIWY COMM

No report at this time.

Water and Fire Committee - Edwin Wheeler, Chairman

WTR & FIRE  
COMM

No Report at this time.

Landfill Committee - Andy Baran, Chairman

LNDFL COMM

No report at this time.

Cemeteries Committee - Andy Baran, Chairman

CMTRES COMM

No report at this time.

Assessment, Planning & Zoning Committee - Donald Sinclair, Chairman

1. Pal-Oil Co., Inc. - Underground storage tanks - Representative, William Glasser
2. Pal-Oil Co., Inc. - Construction of a Pole Barn

Donald Sinclair moved to refer both applications from Pal-Oil Co., Inc., 1. Underground Storage tanks and 2. Construction of a Pole Barn, to the Wayne County Planning Board and to the Palmyra Planning Board for their recommendations. Edwin Wheeler seconded this motion and following a brief discussion, it passed with 5 ayes.

MTN TO REFER  
BOTH APLCATNS  
TO W.C. PLN  
BD & PALMYRA  
PLANG BD

Town Building Committee - David Lyon, Chairman

TN BLDG COMM

No report at this time.

OTHER BUSINESS

1. Resolution RE: Open meeting law

MTN TO APV  
RESOLUTION  
RE: OPEN  
MTGS LAW

The following resolution was offered by Supervisor Aplin and seconded by David Lyon:

WHEREAS, the Governor of the State of New York and the Legislature recently amended the Open Meetings Law to permit public bodies to conduct political caucuses in private; and

WHEREAS, this amendment to the law, in the opinion of this Board, will defeat the purpose of the Open Meeting Law, to wit, that the deliberations and actions of Public bodies shall take place in public sessions; and

WHEREAS, the Palmyra Town Board desires to state its policy that all of its deliberations, meetings and actions will be conducted in public subject to those matters which are legitimate items for Executive Session, as set forth in the Open Meetings Law;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra hereby declares it to be its policy to conduct all meetings in public in accordance with the provisions of the Open Meetings Law, but without regard to the provisions of said law with regard to political caucuses.

MIN TO TABLE ABOVE RESOLUTION

Following a lengthy discussion involving the Board, Lois Lynch, and Jack Drake, David Lyon moved to table this resolution. Donald Sinclair seconded this motion and it passed with 4 ayes - 1 nay (Leroy Aplin Voting nay)

TRANSFER OF FUNDS & ENDEMBRANCES

2. Transfer of funds

The following three transfers from General Fund were moved by Edwin Wheeler, seconded by Donald Sinclair and passed with 5 ayes.

GENERAL FUND

WHEREAS, the following accounts has insufficient funds in the amounts of:

Tax Collector	98.85
All10.1 - Justices - Personal services for	\$ 790.67
All10.4 - Justices - Contractual Exp. for	23.44
A1910.4 - Insurance for	1478.00

WHEREAS there are funds in the Contingency Fund and THEREFORE BE IT RESOLVED THAT THE Town Board of the Town of Palmyra approve the transfer of funds

From Contingency fund for	2390.96
To Tax Collector	98.85
To Justices - Personal Services	790.67
To Justices - Contractual Exp.	23.44
To Insurance	1478.00

WHEREAS the Superintendent of Highways - Personal Services has insufficient funds in the amount of \$24.39 and

WHEREAS there are funds in the Superintendent of Highways - Equipment Fund

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$24.39

From - Superintendent of Highways - Equipment - A5010.2	
To - Superintendent of Highways - Pers. Serv. A5010.1	

WHEREAS the Employee Benefits - Hospital Ins. Acct. A9060.8 has insufficient funds in the amount of \$1288.72 and WHEREAS THE Employee Benefits - Retirement has funds and NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$1288.72

From - Employee Benefits - Retirement Acct. A9010.8	
TO - Employee Benefits - Hospital Insurance Acct. 9060.8	

PART TOWN FUND

The following three transfers from Part Town Fund were moved by Edwin Wheeler, seconded by Andy Baran and passed with 5 ayes

WHEREAS the Zoning - Contractual Expense B8010.4 has insufficient funds in the amount of \$205.70 and the Zoning - Personal Services Acct. B8010.1 has insufficient funds in the amount of \$511.62 and

WHEREAS THERE ARE surplus funds in the Part Town Fund

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve the use of surplus funds to cover these accounts

WHEREAS THE Planning Board - Contractual Exp. B8020.4 has insufficient funds in the amount of \$1.98 and

WHEREAS the Planning Board - Personal Services B8020.1 has sufficient funds and

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of \$1.98

From Planning Board - Person... Services B8020.1	
To Planning Board - Contractual Exp. B8020.4	

WHEREAS THE employee Benefits - Social Security Acct. B9030.8 has insufficient funds in the amount of \$38.58 and

WHEREAS the Employee Benefits - Retirement Acct. B9010.8 has Sufficient funds and

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of \$38.58

From - Employee Benefits - Retirement B9010.8  
To - Employee Benefits - Social Security B9030.8

The following four transfers were moved by Edwin Wheeler, seconded by David Lyon and passed with 5 ayes.

WHEREAS the Highway I - Employee Benefits - Hospital Insurance Acct. DB9060.8 has insufficient funds in the amount of 257.18 and

WHEREAS the Highway I - Employee Benefits - Retirement Acct. DB9010.8 has funds and

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of 257.18

From - Highway I - Employee Benefits - Retirement Acct. DB9010.8  
To - Highway I - Employee Benefits - Hospital Ins. DB9060.8

WHEREAS the Highway III - Machinery - Contractual Exp. Acct. DA5130.4 has insufficient funds in the amount of \$2700 and

WHEREAS the Highway III - Machinery - Personal Serv. DA5130.1 has sufficient funds and

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer fo funds in the amount of \$2700

From - Highway III - Machinery - Personal Services DA5130.1  
To - Highway III - Machinery - Contractual Exp. DA5130.4

WHEREAS the Highway III - Machinery Equipment Acct. has a balance of \$1600 and

NOW THEREFORE BE IT RESOLVED THAT THE Town Board of the Town of Palmyra approve the transfer of this \$1600 to the Capital Funds- Machinery Reserve Acct. H-5130.2

WHEREAS the Highway IV - Employee Benefits - Social Security Acct. DA9030.8 has insufficient funds in the amount of \$494.61 and

WHEREAS The Highway IV - Employee Benefits - Retirement Acct has \$229.00 Balance and Servic3s for other Governments - Contractual Exp. Acct. DA5148.4 has a balance of 408.19 and

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra approve the transfer of funds in the amount of \$494.61

From - Employee Benefits - Retirement Acct. DA9010.8 for \$229.00  
From - Services for other Governments Acct. DA5148.4 for \$265.61  
To - Employee Benefits - Social Security Acct. DA9030.8 for \$494.61

Motion made by Edwin Wheeler, seconded by Donald Sinclair. Passed with 5 ayes.

#### HIGHWAY I

WHEREAS a project was started in 1985 which was not completed and will be in 1986 for the South Creek Road and which funds were budgeted in 1985 and

WHEREAS there are funds in the Contractual Expense Acct. DB5110.4 and in the Improvement Acct. DB5112.2 and

NOW THEREFORE BE IT RESOLVED THAT the Town Board approve the encumbrance of funds from the Contractual Expense Acct. DB5110.4 in the amount of \$19500 and from the Improvement Acct. DB5112.2 in the amount of \$900 making a total of \$20400.



December 30, 1985

Motion made by Edwin Wheeler, seconded by David Lyon. Passed with 5 ayes.

## HIGHWAY III

WHEREAS there are materials purchased in 1985 and are to be charged to Machinery - Contractual Expense Acct. DA5130.4 in the amount of \$2700 and

NOW THEREFORE BE IT RESOLVED THAT the Town Board approve the encumbrance of \$2700 in Machinery - Contractual Expense Acct. DA5130.4

Motion made by Edwin Wheeler, Seconded by David Lyon. Passed with 5 ayes.

## HIGHWAY IV

WHEREAS THERE will not be funds in the payrolls Accts to cover the first payroll in January and

WHEREAS there are funds in the Snow-Contractual Expense Acct. DA5142.4 and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Palmyra approve using the Balance of \$5000 for the first payroll in January from the Snow - Contractual Expense Acct. DA5142.4

Motion made by Edwin Wheeler, Seconded by Andy Baran. Passed with 5 ayes.

## GENERAL FUND

WHEREAS THE TOWN has a bill from Maurice E. Strowbridge for Legal Services in the amount of \$1450 and

WHEREAS THERE is an encumbrance of only \$400 for this charge

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Palmyra encumber funds in the amount of \$1050 in the Attorney - Contractual Expense A1420.4

Motion made by Edwin Wheeler, seconded by Andy Baran. Passed with 5 ayes.

WHEREAS, PART TOWN FUND has a surplus and there is a need for funds from the Part Town Fund in the amount of \$10000 and that the Town Board of the Town of Palmyra approve the borrowing from the unexpended surplus \$10000 for the Machinery Account

BE IT FURTHER RESOLVED that the Town Board of the Town of Palmyra approve the transfer of \$10000 from the Machinery Acct. To Capital Funds - Machinery Reserve

## 3. Thank you from the Town Board

Edwin Wheeler moved that on behalf of the Town Board and the people of Palmyra he would like to express his appreciation to Leroy Aplin for all of his years of service as the Supervisor of the Town of Palmyra. Donald Sinclair seconded this motion and it passed with 4 ayes. Mr Aplin Abstaining.

## 4. Lois Lynch would like to address the Board

Mrs. Lynch said she had already said what she wanted to when the Open Meetings Law was discussed but thanked the Board for placing her on the agenda.

## 5. Bill from Maurice Strowbridge, Attorney

Supervisor Aplin drew the Board's attention to a bill that had been received from Maurice Strowbridge, attorney, for his fee in handling the Hershey Hill matter for the Town of Palmyra. Following a discussion involving the amount of this bill, Edwin Wheeler moved to encumber \$1050.00 from the Town Attorney's Contractual account but not to pay this bill from Maurice Strowbridge until the committee investigates this matter. Andy Baran seconded this motion and it passed with 5 ayes.

MOTION TO  
THANK SUPER  
L. APLIN

MOTION TO  
ENCUMBER  
\$1050 FROM  
TOWN ATTORNEYS  
CONTRACTUAL  
ACCOUNT

December 30, 1985

201

Edwin Wheeler then moved to approve the minutes of the November 25, 1985 and the December 12, 1985 Town Board meetings as submitted. Andy Baran seconded this motion and it passed with 5 ayes.

MIN TO APV  
MIN FROM  
11/25/85 &  
12/12/85

Following a review of the Vouchers submitted, Edwin Wheeler moved to approve payment of the Vouchers as shown on abstract #12A. This motion was seconded by Andy Baran and it passed with 5 ayes.

MIN TO APV  
PAYMENT OF  
VOUCHERS

The motion to adjourn this Town Board meeting was made by Andy Baran, seconded by Donald Sinclair and passed with 5 ayes.

Respectfully submitted

*Beverly E. Hickman*  
Beverly E. Hickman, Town Clerk